

## TUNISIA

### SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
<b>TERRITORIAL SEA</b>	Aug 73	Law 73-49	12nm	
<b>ARCHIPELAGIC, STRAIGHT BASELINES, &amp; HISTORIC CLAIMS</b>	Aug 73	Law 73-49		Mandated straight baselines closing Gulf of Tunis and Gulf of Gabes to be drawn to Chebba Shoals and Kerkennah Islands.
	Nov 73	Decree		Established straight baseline coordinates. (Chartlet available on line at UN's LOS website. See Foreword for website information.)  <i>The U.S. does not recognize these baselines and protested them in 1989 and 1991.</i>
<b>FISHING ZONE/EEZ</b>	Jul 51	Decree	3nm	Exclusive fishing zone; extended to 50 meter isobath in Gulf of Gabes.
	Oct 62	Law 62-35	12nm	Fishing zone from Algerian border to Ras-Kapoudia; from Ras Kapoudia to Libyan border, the 50 meter isobath.
<b>MARITIME BOUNDARIES</b>	Dec 78	Agreement		Continental shelf boundary agreement with Italy.
	Feb 82	ICJ Judgment		Boundary with Libya determined.
	Apr 89	Agreement		Agreement implementing Libya boundary decision EIF.
	Feb 2002	Agreement		Provision line of delimitation with Algeria.
<b>LOS CONVENTION</b>	Dec 82			Signed Convention.
	Apr 85			Ratified Convention, with Declarations.
	May 95			Signed Part XI Agreement.
	May 2002			Ratified Part XI Agreement.

### STRAIGHT BASELINE LEGISLATION

The following is from Decree No. 73-527 of 3 November 1973.

#### Article 1

The baselines from which the breadth of the Tunisian Territorial sea is measured shall run from the frontier between Tunisia and Algeria to the frontier between Tunisia and Libya and around the islands, the low-tide elevations of Chebba and the Kerkennah Islands, enclosing the permanent fishing grounds, and the low-tide elevations of El Bibane, and shall follow the low-water mark, the straight baselines drawn towards the low-tide elevations and the straight closing lines of the gulfs of Tunis and Gabes.

The baselines shall consist of:

1. The low-water mark from the frontier between Tunisia and Algeria to Cap Sidi Ali El Mekki;
2. The low-water mark of the reefs of the Sorelles, Galiton de la Galite, Galitons de l'Est, and the Fratelli, Cani, and Pilau islands;

3. The closing line of the Gulf of Tunis made up of the baselines joining Cap Sidi Ali Mekki, Plane island, the northern point of Zembia island and Cap-Bon;
4. The low-water mark from Cap-Bon to Ras Kapudia;
5. The low-water mark of the Kuriates islands;
6. The straight baselines enclosing the permanent fishing grounds of Chebba and the Kerkennah islands and marked out by Tas Kapudia and the following buoys:

**TABLE C1.T258.  
TUNISIA ARCHIPELAGIC BASELINE SYSTEM**

<b>TUNISIA ARCHIPELAGIC BASELINE SYSTEM</b>			
<b>POINT</b>	<b>NAME</b>	<b>LATITUDE</b>	<b>LONGITUDE</b>
A	Chebba No. 1	35° 08' 40" N	11° 12' 43" E
B	Maruka	35° 01' 20" N	11° 29' 11" E
C	El Barani	34° 55' 21" N	11° 33' 09" E
D	El Mzebla	34° 51' 27" N	11° 38' 14" E
E	Sakib Hamida No. 1	34° 45' 17" N	11° 33' 58" E
F	Sakib Hamida No. 2	34° 43' 48" N	11° 33' 23" E
G	Oued Bou Zrara No. 1	34° 42' 36" N	11° 29' 93" E
H	Oued Bou Zrara No. 2	34° 41' 22" N	11° 26' 42" E
I	Oued Mimoun No. 4	34° 40' 25" N	11° 19' 40" E
J	Oued Saadoun	34° 39' 10" N	11° 14' 14" E
K	Samoum	34° 34' 54" N	11° 03' 38" E

7. The straight closing line of the Gulf of Gabes joining the Samoum buoy defined above and Ras Turgueness;
8. The low-water mark from Ras Turgueness to the point of Sidi Garus;
9. The straight baseline joining the point of Sidi Garus to Ras Marmor;
10. The low-water mark from Ras Marmor to the frontier between Tunisia and Libya;
11. The low-water mark from the low-tide elevations of El Bibane.

#### U.S. ANALYSIS

The following is extracted from the 1989 protest demarche from the U.S. State Department.

A closing line of not more than 24 nm in length may be used to close a juridical bay or gulf and the water area of the resultant bay must be greater than that of a semicircle whose diameter is the length of the line drawn across the mouth of the bay or gulf. The Gulf of Tunis and Gulf of Gabes closing lines do not meet the 24 nm test.

The following is taken from the 1991 protest demarche from the U.S. State Department.

The Bay of Tunis is an overlage bay. However, paragraph 3 of Article 1 of the Tunisian decree closes this body of water using three segments totaling almost 37 nm. The Gulf of Gabes is also an overlage bay, whose mouth from the shore near Mahares to the northwest coast of Djerba Island is over 30 nm wide. The straight baseline prescribed in paragraph 7 of article 1 of the Tunisian decree exceeds the permissible length of a bay closing line. Closing lines, not exceeding 24 nm, could be delimited in both the Bay of Tunis and the Gulf of Gabes....

The U.S. notes that, while the government of Tunisia has claimed straight baselines for that part of the coast of Tunisia from Ras Kapudia to the Samoun beacon mark, that locality is not deeply indented and cut into, and that the Kerkennah Islands do not constitute a fringe of islands in the immediate vicinity of the coast. Further, the geographic coordinates for the base points set out in paragraph 6 of article 1 of the Tunisian decree are located on beacon marks at sea or on low tide elevations and are not located on land. International law does not permit the use of beacon marks as base points. The U.S. also notes that, while the coastline between Sidi Garus and Ras Marmor is indented, it is neither deeply indented nor indented sufficiently to qualify as a juridical bay. Consequently, international law does not permit the drawing of the straight baseline described in paragraph 9 of article 1....

## MARITIME BOUNDARY AGREEMENTS

### TUNISIA - ALGERIA

The following is extracted from the Agreement on Provisional Arrangements for the Delimitation of the Maritime Boundaries between Tunisia and Algeria, signed 11 February 2002.

#### Article 1

The provision line of delimitation marking the maritime boundaries between the two countries shall consist of two segments connecting points P1, P2, P3 and P4, defined as follows:

Point P1 designates marker No. 001 of the Tunisian-Algerian land boundary;

Point P2 designates the point situated 4 nautical miles west of the Sorelles rocks;

Point P3 designates the point of intersection of the line connecting points P1 and P2 with the line situated 52 nautical miles away delimiting in the north the Algerian exclusive fishing zone and measured from the Algerian baselines;

Point P4 is the point with the following coordinates: 38° 00' Latitude North; 007° 50' Longitude East of Greenwich.

### TUNISIA - ITALY

The following chart plotting the maritime boundary between Italy and Tunisia is extracted from Limits in the Seas, No. 89, "Continental Shelf Boundary: Italy-Tunisia" of 7 January 1980. (The coordinates are from the December 1978 Annex to the 20 August 1971 Agreement between Tunisia and Italy concerning the Delimitation of the Continental Shelf between the two Countries.)

List of Points Constituting the Median Line and Envelope Sections Defined in Articles I and II of the Agreement:

**TABLE C1.T259.**  
**TUNISIA - ITALY CONTINENTAL SHELF COORDINATES**

TUNISIA - ITALY CONTINENTAL SHELF COORDINATES		
POINTS	LATITUDE NORTH	LONGITUDE EAST
0	38° 00.6'	07° 49.0'
1	38° 04.9'	08° 09.6'
2	38° 07.8'	08° 22.3'
3	38° 10.5'	08° 32.5'
4	38° 13.1'	08° 48.8'
5	38° 15.0'	09° 33.8'
6	38° 13.5'	09° 40.4'
7	38° 14.5'	09° 54.2'
8	38° 24.6'	10° 41.7'
9	38° 03.5'	10° 52.7'
10	37° 47.4'	11° 10.3'

TUNISIA - ITALY CONTINENTAL SHELF COORDINATES		
POINTS	LATITUDE NORTH	LONGITUDE EAST
11	37° 41.2'	11° 09.0'
12	37° 24.5'	11° 42.0'
13	37° 22.4'	11° 45.5'
14	37° 20.6'	11° 48.2'
15	37° 14.2'	11° 52.7'
16	37° 08.4'	11° 56.8'
17	37° 03.8'	12° 00.9'
18	North intersection of the envelope line of circles having the low-water line of Pantelleria as centers and a radius of 13 miles, and of the median line joining point 17 and auxiliary point 18A defined hereunder.	
18A	36° 55.5'	12° 06.5'
19	South intersection of the envelope line of circles having the low-water line of Pantelleria as centers and a radius of 13 miles, and of the median line joining auxiliary point 18A defined above and point 20 defined hereunder.	
The line of delimitation between points 18 and 19 is constituted by the west arc of the envelope of circles having the low-water line of Pantelleria as center and a radius of 13 miles.		
20	36° 35.0'	12° 21.2'
21	36° 23.0'	12° 29.4'
22	36° 21.7'	12° 30.2'
23	36° 15.2'	12° 32.4'
24	36° 08.7'	12° 38.1'
25	The north intersection of the envelope line of circles having the low-water line of Linosa as centers and a radius of 13 miles, and of the median line joining point 24 to auxiliary point 25a defined hereunder.	
25A	35° 52.3'	12° 51.0'
26	North intersection of the envelope line of circles having the low-water line of Linosa as centers and a radius of 13 miles, and of the envelope line of circles having the low-water line of Lampedusa as centers and a radius of 13 miles.	
The line of delimitation between points 25 and 26 is constituted by the north arc of the envelope of circles having the low-water line of Linosa as centers and a radius of 13 miles.		

<b>TUNISIA - ITALY CONTINENTAL SHELF COORDINATES</b>		
<b>POINTS</b>	<b>LATITUDE NORTH</b>	<b>LONGITUDE EAST</b>
27	North intersection of the envelope line of circles having the low-water line of Lampedusa as centers and a radius of 13 miles and of the envelope line of circles having the low-water line of Lampione as centers and a radius of 12 miles.	
The line of delimitation between points 26 and 27 is constituted by the north arc of the envelope of circles having the low-water line of Lampedusa as centers and a radius of 13 miles.		
28	South intersection of the envelope line of circles having the low-water line of Lampione as centers and a radius of 12 miles and of the envelope line of circles having the low-water line of Lampedusa as centers and a radius of 13 miles.	
The line of delimitation between points 27 and 28 is constituted by the west arc of envelope of circles having the low-water line of Lampione as centers and a radius of 12 miles.		
29	South intersection of the envelope line of circles having the low-water line of Lampedusa as centers and a radius of 13 miles and of the envelope line of circles having the low-water line of Linosa as centers and a radius of 13 miles.	
The line of delimitation between points 28 and 29 is constituted by the south arc of envelope of circles having the low-water line of Lampedusa as centers and a radius of 13 miles.		
30A	35° 46.5'	13° 01.7'
30	South intersection of the envelope line of circles having the low-water line of Linosa as centers and a radius of 13 miles and of the median line joining auxiliary point 30A and point 31 defined hereunder.	
31	35° 39.6'	13° 11.5'
32	35° 15.0'	13° 36.6'

The points of the line of delimitation as defined above were represented geographically on Italian maritime chart No. 260 at a scale of 1:750,000, Mercator projection, 40° 04' latitude, 1963 edition, reprinted in March 1972, published by the Marine Hydrographic Institute at Genoa.

The line of delimitation is constituted by the arcs of great circles which join the points defined above and by envelope sections around the islands mentioned in Article 2 of the Agreement.

The auxiliary points used in the plotting are not part of the line of delimitation.

This map and the present document were drawn up in application of the Agreement of August 20, 1971 and form an integral part thereof, notwithstanding any other legislative or regulatory provision regarding the definition of baselines enacted after the aforementioned date.

#### **TUNISIA - LIBYA**

The following is extracted from the Agreement between Tunisia and Libya to Implement the Judgment of the International Court of Justice in the Tunisia/Libya Continental Shelf Case (signed 8 August 1988, EIF April 1989).

Article 1

The continental shelf delimitation line between the two countries consists of two sectors as follows:

A. The First Sector. Starts from the point where the outer limit of the territorial sea of the two countries is intersected by a straight line drawn from the land frontier point of Ras Ajdir, through the point 33° 55' North and 12° East seaward, forming a bearing of approximately 26° east, thus on the same bearing, to the point of its intersection with the parallel of latitude 34° 10' 30".

B. The Second Sector. At the point determined by the parallel latitude mentioned above (34° 10' 30") the line of delimitation is to veer towards the northeast, with a bearing of 52° and extends northeastwards till it meets a line of delimitation with third States.