

BOUNDARIES

**Agreement Between the
UNITED STATES OF AMERICA
and CUBA Extending the
Provisional Application of the
Maritime Boundary Agreement of
December 16, 1977**

Effected by Exchange of Notes at
Havana and Washington
November 24, 2011 and February 8, 2012



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

CUBA

Boundaries

*Agreement extending the provisional application of the
maritime boundary agreement of December 16, 1977.
Effected by exchange of notes at Havana and Washington
November 24, 2011 and February 8, 2012;
Entered into force February 8, 2012;
Effective January 1, 2012.*



República de Cuba
Ministerio de Relaciones Exteriores

RS/2935

El Ministerio de Relaciones Exteriores de la República de Cuba saluda atentamente a la Honorable Embajada de Suiza, y en relación con la representación de los intereses de los Estados Unidos de América, tiene el honor de referirse al Acuerdo de Frontera Marítima entre la República de Cuba y los Estados Unidos de América, firmado en la ciudad de Washington, D.C., el 16 de diciembre de 1977 y a la aceptación de ambos gobiernos de aplicar los términos de dicho Acuerdo de manera provisional desde el 1° de enero de 1978, por un período de dos años, pendiente de la entrada en vigor del Acuerdo de forma permanente, en la fecha del intercambio de los Instrumentos de Ratificación.

El Ministerio desea hacer referencia a los posteriores acuerdos entre el Gobierno de la República de Cuba y el Gobierno de los Estados Unidos de América, de continuar aplicando el Acuerdo de Frontera Marítima de manera provisional, por espacios sucesivos de dos años, más recientemente hasta el 31 de diciembre de 2011, mediante las Notas intercambiadas el 5 de enero de 2010 y el 10 de mayo de 2010.

A la Honorable Embajada de Suiza,
La Habana

El Ministerio, en representación del Gobierno de la República de Cuba, tiene el honor de proponer que los términos del Acuerdo de Frontera Marítima del 16 de diciembre de 1977 continúen aplicándose provisionalmente a partir del 1° de enero de 2012, por espacio de dos (2) años, quedando pendiente su entrada en vigor de forma permanente en la fecha del intercambio de los Instrumentos de Ratificación.

Si la propuesta del Ministerio de Relaciones Exteriores es aceptada por el Gobierno de los Estados Unidos de América, el Ministerio propone que la presente Nota y su respuesta afirmativa a nombre del Departamento de Estado de los Estados Unidos de América constituyan un acuerdo entre los Gobiernos de la República de Cuba y de los Estados Unidos de América, que entrará en vigor en la fecha de la respuesta, con efecto a partir del 1° de enero de 2012.

El Ministerio de Relaciones Exteriores aprovecha la oportunidad para reiterar a la Honorable Embajada de Suiza el testimonio de su más alta consideración.

La Habana, 24 de noviembre de 2011
"Año 53 de la Revolución"

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TRANSLATION

[Date and clearance stamp: November 28, 2011, initialed]

Republic of Cuba
Ministry of Foreign Relations

No. RS/2938

The Ministry of Foreign Relations of the Republic of Cuba presents its compliments to the Embassy of Switzerland, in its capacity as the Interests Section of the United States of America, and has the honor to refer to the Maritime Boundary Agreement between the Republic of Cuba and the United States of America signed at Washington, D.C., on December 16, 1977, and to the willingness of both governments to apply the terms of said Agreement on a provisional basis beginning on January 1, 1978, for a period of two years, until the Agreement enters into force permanently on the date of exchange of instruments of ratification.

The Ministry wishes to make reference to subsequent agreements between the Government of the Republic of Cuba and the Government of the United States of America for the continued application of the Maritime Boundary Agreement on a provisional basis for successive two-year periods, the most recent of which, effected through notes exchanged on January 5, 2010, and May 10, 2010, ended on December 31, 2011.

Embassy of Switzerland,
Havana.

The Ministry, on behalf of the Government of the Republic of Cuba, has the honor to propose that the terms of the Maritime Boundary Agreement of December 16, 1977, continue to apply on a provisional basis starting on January 1, 2012, for a period of two years, until the Agreement enters into force permanently on the date on which instruments of ratification are exchanged.

If the proposal of the Ministry of Foreign Relations is acceptable to the Government of the United States of America, the Ministry proposes that this note, together with an affirmative reply from the United States Department of State, constitute an agreement between the Governments of the Republic of Cuba and the United States of America, which shall enter into force on the date of that reply and shall be effective as of January 1, 2012.

[Complimentary close]

Havana, November 24, 2011

[Initialed]



The Department of State refers the Embassy of Switzerland to the Embassy's note, dated December 15, 2011, which forwarded note No. RS/2938, dated November 24, 2011, from the Ministry of Foreign Relations of the Republic of Cuba to the Embassy of Switzerland in Havana, which note reads as follows:

The Ministry of Foreign Relations of the Republic of Cuba presents its compliments to the Embassy of Switzerland, in its capacity as the Interests Section of the United States of America, and has the honor to refer to the Maritime Boundary Agreement between the Republic of Cuba and the United States of America signed at Washington, D.C., on December 16, 1977, and to the willingness of both governments to apply the terms of said Agreement on a provisional basis beginning on January 1, 1978, for a period of two years, until the Agreement enters into force permanently on the date of exchange of instruments of ratification.

The Ministry wishes to make reference to subsequent agreements between the Government of the Republic of Cuba and the Government of the United States of America for the continued application of the Maritime Boundary Agreement on a provisional basis for successive two-year periods, the most recent of which, effected through notes exchanged on January 5, 2010, and May 10, 2010, ended on December 31, 2011.

The Ministry, on behalf of the Government of the Republic of Cuba, has the honor to propose that the terms of the Maritime Boundary Agreement of December 16, 1977, continue to apply on a provisional basis starting on January 1, 2012, for a period of two years, until the Agreement enters into force permanently on the date on which instruments of ratification are exchanged.

If the proposal of the Ministry of Foreign Relations is acceptable to the Government of the United States of America, the Ministry proposes that this note, together with an affirmative reply from the United States

Department of State, constitute an agreement between the Governments of the Republic of Cuba and the United States of America, which shall enter into force on the date of that reply and shall be effective as of January 1, 2012.

The Ministry of Foreign Relations of the Republic of Cuba avails itself of this opportunity to renew to the Embassy of Switzerland the assurances of its highest consideration.

The Department of State informs the Embassy, and through it the Cuban Interests Section, that the proposal of the Ministry of Foreign Relations of the Republic of Cuba to continue to apply, on a provisional basis, from January 1, 2012, for a two-year period, the terms of the Maritime Boundary Agreement between the United States of America and the Republic of Cuba, signed at Washington on December 16, 1977, pending its definitive entry into force on the date of exchange of instruments of ratification, is acceptable to the Government of the United States of America, and that the Ministry's note and the Department's note in reply shall constitute an agreement between the Government of the United States of America and the Government of the Republic of Cuba, which shall enter into force on the date of this note with effect from January 1, 2012.

Department of State,

Washington, February 8, 2012

A handwritten signature in black ink, appearing to be 'C.M.J.', is located in the bottom right corner of the page.