

Response of the Government of Peru to the objection by the Government of Chile to the Peruvian Maritime Domain Baselines Law

The Government of Peru has taken note of the posting of the document entitled "Objection by the Government of Chile to the 'Ley de Líneas de Base del Dominio Marítimo del Perú' sent to the United Nations" on the website of the United Nations Division for Ocean Affairs and the Law of the Sea on 29 May 2007.

The Government of Peru hereby declares:

1. Point No. 266 referred to in Law No. 28621 (Peruvian Maritime Domain Baselines Law) corresponds to the point specifically named "Concordia" in the Treaty of 3 June 1929, which delimited in perpetuity the frontier between the territories of Peru and Chile.
 2. Article 2 of the Treaty of 1929 states that "The territory of Tacna and Arica shall be divided into two portions of which Tacna shall be allotted to Peru and Arica to Chile. The dividing line between the two portions, and consequently the frontier between the territories of Chile and Peru, shall start from a point on the coast to be named "Concordia", ten kilometres to the north of the bridge over the river Lluta. It shall continue eastwards parallel to the line of the Chilean section of the Arica La Paz railway and at a distance of ten kilometres therefrom [...]".
 3. During the demarcation work carried out by the Mixed Commission in 1930, the Governments of Peru and Chile, in accordance with the provisions of said Treaty, agreed that the frontier starts from the intersection in the Pacific Ocean of an arc with a radius of 10 kilometres, drawn towards the west from a point that is 10 kilometres to the north of the bridge over the river Lluta.
 4. The intersection of this border arc with the Pacific Ocean is clearly visible in the maps drawn up by Enrique Brieba, the representative of Chile to the Mixed Commission in 1930, and in the official Chilean maps of Rada de Arica published until 30 August 1998. Inexplicably, starting with the tenth edition of these maps in 1998, the line of this border arc no longer reaches the ocean. This fails to recognize the point named "Concordia" as the starting-point for the frontier between the territories of Peru and Chile and fails to recognize the frontier line agreed on by both countries in the Treaty of 3 June 1929 and the 1930 demarcation.
 5. Boundary marker No. 1 is therefore not the land terminus. The land terminus is the intersection of the land with the ocean at a point named "Concordia", which corresponds to Point No. 266 of the Peruvian Maritime Domain Baselines Law.
 6. It should be recalled that, owing to the lack of a treaty on this matter, the maritime delimitation between Peru and Chile is a pending legal dispute that must be resolved in accordance with international law.
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