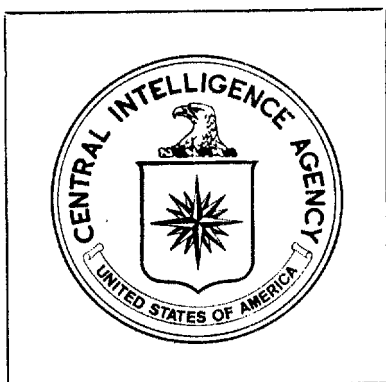


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Law of the Sea Country Study

Argentina

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BGI LOS 74-7

April 1974

State Dept. review completed

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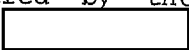
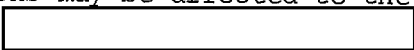


FOREWORD

The Law of the Sea Country Studies are prepared to support the NSC Interagency Task Force on the Law of the Sea. The countries to be included in the series are selected on the basis of priorities suggested by the chairman of the Task Force.

Each study has two parts. Part I is an analysis of the primary geographic, economic, and political factors that might influence the country's law of the sea policy, the public and private expressions of that policy, 
 Part II provides basic data and information bearing on law of the sea matters.

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This study was prepared by the Office of Basic and Geographic Intelligence.  support was provided by the Central Reference Service. The study was coordinated within the Directorate of Intelligence and with the Department of State. Comments and questions may be directed to the LOS Country Studies Working Group, 

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ANNEX

Draft articles submitted by Argentina to the Seabed Committee

Maps: Regional map
 Theoretical Division of the World Seabed



ARGENTINA

Part I - Law of the Sea Analysis

A. SUMMARY

Argentina has historically had an active interest in law of the sea matters and has played a strong role in the preparations for the 1974 Conference. Its primary objectives are to gain seabed jurisdiction to the seaward edge of its continental margin where prospects for petroleum resources are promising and to secure exclusive rights to coastal fisheries in a broad economic zone where it hopes to develop a domestic industry.



A moderate among the Latin American "200-milers," Argentina has repeatedly stipulated that its extension of jurisdiction in no way interferes with freedom of navigation and overflight beyond 12 miles, a distance it is willing to accept as the international breadth of the territorial sea. Argentina believes that within any agreed-upon coastal economic zone the coastal state should have the right to authorize scientific research and to prescribe, if necessary, vessel-source pollution standards higher than those set internationally. It also believes there should be no sharing of revenue derived from the zone's resources. Argentina is concerned about the patrimonial sea concept espoused by many Latin American countries, and it probably will seek to adjust the concept to accommodate its broad shelf interests.

Argentina is sympathetic to the U.S. position regarding passage through international straits, but views an international solution as paramount in pollution problems and navigational safety in straits. It considers the deep seabed the common heritage of mankind; and it desires the establishment of a strong international regime with powers to regulate deep seabed activity, to provide a system for settling disputes, and to regulate international sharing of profits and scientific knowledge.

Conflicting economic and nationalistic pressures often strain Argentina's generally friendly relations with the United States. In its effort to enhance its position as a leader in Latin America, it tends to support the developing countries and oppose Brazil, its political rival.

B. FACTORS INFLUENCING LOS POLICY

Special Geographic Features

Argentina, the eighth largest country in the world, has a 3,100-mile coast on the South Atlantic and an extensive adjacent continental shelf and margin. The shelf measures some 232,000 miles in area and extends from about 100 miles offshore in the north to more than 300 miles offshore in the south. The broad southern portion of the shelf encompasses the Falkland Islands. The continental margin, which includes the shelf and the slope down to the abyssal depths of the sea, extends almost 200 miles seaward in the north and more than 700 miles in the south. Except for Buenos Aires, Argentina is remote from the world's major maritime routes. In the far south, the Strait of Magellan, the Beagle Channel, and the Drake Passage could serve, if necessary, as alternate routes to the Panama Canal.

The marine geographic features of the country have been the source of territorial disputes between Argentina and its neighbors. British administration of the Falkland Islands is considered unlawful by the Argentines, who also claim the islands. The Argentines refer to the islands as Islas Malvinas. Sovereignty of the Beagle Channel, the natural waterway linking the Atlantic to the Pacific in the south, is also in dispute. Argentina claims a longitudinal boundary that traverses the channel equidistant from the banks, while Chile claims the whole channel up to the Argentina bank. The two countries are also involved in a sovereignty dispute over the three small islands at the eastern end of the channel. An aggressive naval presence supports these claims.

Four large bays -- Rio de la Plata, Golfo San Matias, Golfo Nuevo, and Golfo San Jorge -- indent the otherwise generally smooth Argentine coastline. The bays are considered as internal waters. (The estuary of the Rio de la Plata, shared with Uruguay, was the subject of a long-standing dispute until settled by a joint declaration in 1973.) Because the bays, except Golfo Nuevo, cannot be closed by a 24-mile line Argentina refers to them as "historic bays." Golfo Nuevo measures 9.5 miles, thus it is recognized as a juridical bay, in accordance with Article 7 of the Geneva Convention on the Territorial Sea and Contiguous Zone.

Uses of the Sea

Mineral Resources -- Argentine officials have high expectations for their offshore resource potential. The geologic characteristics of the continental shelf encourages petroleum exploration, and the officials are confident that a number of areas can produce much

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needed petroleum and, perhaps, natural gas in economic quantities. Anxious to stimulate coastal exploration and exploitation, the Argentina Government recently passed legislation to make private foreign company contracts more attractive. After a series of dry wells were drilled, offshore oil (70,000 barrels) was discovered in 1972. An active offshore exploration campaign is now underway. State Oilfields Co. (YPF), the government-owned oil agency, has targeted the marine portion of the Austral basin for exploration. Terms for contracts between private foreign companies and YPF, however, are still undisclosed.

The exploitation of Argentina's resources has been an issue highly charged with emotion and nationalist sentiment. With encouragement from recent offshore prospecting in the south, Argentina can be expected to want to maximize its control over any area that might bear exploitable resources.

Argentina has negligible quantities of metallic minerals.

Living Resources -- Although indications are that Argentina's extensive continental shelf is rich in fish, little has been done to fully develop its fishing industry to its commercial possibilities. Argentines are accustomed to eating meat, particularly beef. A recent survey estimated that only 12% of the exploitable fish potential is utilized, partly because of this meat preference but mainly because the nation's fishing fleet's netting capacity is inadequate for the abundant resources. Nevertheless, Argentina has made some effort to expand the fishing industry and today it ranks 5th in Latin America. An insurance system for fishing vessels, importation of fishing vessels, and credits for new construction are among the promotional measures used to bolster the fishing industry. Principal catch are hake and other bottom fish and shellfish. The catch is landed mainly at Mar del Plata and Buenos Aires.

Foreign vessels fished freely in Argentine coastal waters until a 1967 law required vessels to be licensed and limited the fishing area to between 12 and 200 miles. In February 1973 the government reserved the full 200 miles of its claimed coastal waters for exclusive fishing by Argentine flagships. A licensed vessel may continue to fish within the 200-mile limit until its license expires, but licenses will not be renewed.

Brazil, Uruguay, and Argentina are party to a treaty providing for reciprocal fishing beyond 6 n. miles off their respective coasts. Brazilian and Uruguayan vessels follow migratory schools of hake off the mouth of the Rio de la Plata.

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Marine Transportation -- Argentina's merchant fleet engages in high-seas, coastal, and river operations. Principal ocean-going service extends to ports in the Central American Gulf area, the North American Atlantic, Western Europe, and the west-coast of Latin America. In 1969, 18% of the vessels used were Argentine bottoms.

About 97% of Argentina's foreign trade is moved by ships. Exports consist mostly of agricultural products. These products are exchanged for raw materials and capital equipment used in the country's complex industrial system.

Some of the passenger-cargo ships and tankers are owned and operated by the navy. These vessels are used occasionally for commercial purposes and are regarded as auxiliary units of the merchant fleet even though they are under naval control.

Naval and Air Transportation Considerations -- The Argentine Navy ranks with the Brazilian Navy as one of the two largest navies in Latin America. Its small air arm is used in patrol and reconnaissance. Naval antisubmarine warfare capabilities against conventional submarines are good compared to those of other Latin American navies, but there is no capability against nuclear-powered subs. The navy, however, considers itself the guardian of the South Atlantic, and continuously updates and reinforces its equipment and manpower in an effort to surpass the Brazilian Navy.

Political and Other Factors

Although traditionally oriented to Europe, Argentina has shifted toward closer relations with the United States and cooperation with international organizations. Argentina became very active in the OAS and UN in the late 1960's. Concern over developments in neighboring countries and the pressure of economic requirements -- in particular the need for foreign capital -- conflict with strong nationalistic pressures. This dichotomy is reflected in the country's vacillation and inconsistencies in international policies.

Relations with the United States have been generally friendly but variable in recent years. The two countries share many objectives, especially those related to the reduction of the effectiveness of leftist extremists. On the other hand, a traditionally strong nationalistic attitude combined with a desire to assert independence from U.S. influence and a will to assume a leadership role in Latin America often encourage Argentina to pursue policies at variance with those of the United States.

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President Juan Domingo Peron has been on reasonably amicable terms with the United States, probably so as to continue to attract U.S. and other foreign capital, since his return to Argentina and inauguration in October 1973. However, he can be expected to take an anti-U.S. line on such broad international issues as law of the sea because of domestic political considerations and his own personal antipathy toward the United States.

On most issues Argentina supports the lesser developed countries' (LDC) viewpoint and often plays a leading role. Joint statements with other LDC leaders express loyalty and support for the ideals of the inter-American solidarity and affirmation of the rights of LDC's to achieve their just aspirations. Argentina was a leader in expressing Latin American complaints about the U.S. emergency economic program's restrictive effect on imports.

Any U.S. decision to pressure Argentina must be done with consideration of Argentina's national pride and its ability to retaliate against the large private U.S. investments there. (The balance of trade with Argentina is consistently in favor of the United States.)

C. LAW OF THE SEA POLICY

Territorial Seas

In December 1966 Argentina extended its jurisdiction over the seas adjacent to its coasts up to a distance of 200 nautical miles from their low water mark. Though this decision was labeled by many as a "territorial sea" claim, the Argentines point out that it only was intended to conserve the resources of the sea and its soil and subsoil adjacent to their coasts, and was not intended to interfere with freedom of navigation and overflight in the waters concerned. Argentina underscored this philosophy when, with many other Latin American countries, it signed the Declarations of Lima and Montevideo in 1970.

In sessions of the Seabed Committee, Argentine representatives showed a preference to a plurality of coastal regimes stating, "one was the territorial sea in the strict sense of the phrase, covering a relatively narrow belt off the coast, where the right of innocent passage existed; the other area, adjacent to the first, was relatively broad in comparison and was under the sovereignty of the coastal state, but was subject to the principle of freedom of navigation and overflight."

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At the July-August 1973 Seabed Committee session Argentina tabled draft articles (see Annex) that called for each state to fix the territorial sea limit out to a distance of 12 n. miles, where ships would have the right of innocent passage in accordance with certain provisions. The provisions defining "innocent passage" and spelling out the regulatory powers of the coastal state were suggested but not enunciated.

Straits

Argentina is sympathetic to the U.S. straits position; however, it stresses the importance of finding an international solution to the problems of navigational safety and pollution in straits, especially in regard to those straits that are not governed by a specific regime and link the high seas.

Islands

Argentina has stated that it is imperative that the consolidation of colonial domination is prevented and has rejected all claims to ocean areas by powers that administer such islands, particularly where the administering power would share with the independent state nearest to those islands that state's sovereignty or jurisdiction over any portion of the sea, the seabed or subsoil thereof. This statement accommodates Argentina's situation in regard to the Falkland Islands.

Argentina's Draft Articles entitle coastal states to construct, maintain or operate on or over the continental shelf installations and other devices necessary for the exercise of its rights over the same, to establish safety zones around such devices and installations, and to take measures necessary for their protection.

Coastal State Jurisdiction Beyond the Territorial Sea

The country has one of the broadest shelf areas in the world, and has a strong interest in maximizing the nature and extent of its rights over this area. Argentina signed but did not ratify the 1958 Continental Shelf Convention, stating that the Convention did not give adequate sovereignty to the coastal state. At a Seabed Committee Preparatory Session in 1971, the Argentines explained that although extraction of minerals was presently the most important use of the shelf, conceivably there were other uses (presumably artificial islands, installations, habitats, etc.). Article 2 of the Shelf Convention, therefore, was too restrictive in granting exclusive sovereign rights just to explore and exploit. Instead, according to the Argentines, sovereignty should be complete, without in any way affecting the legal status of the superjacent waters. This adamant

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approach to sovereignty over the shelf apparently has been softened in the Preparatory Sessions. In its August 1973 Draft Articles, Argentina proposed that a coastal state have sovereignty over the renewable and non-renewable natural resources of its shelf, and have the right to construct, maintain or operate on or over the shelf installations and other devices necessary for the exercise of its rights.

Argentina looks quite favorably on the 1945 Truman Proclamation and the Shelf Convention in answer to the areal extent of shelf jurisdiction. In 1966, to strengthen its seaward claim over its shelf, it adopted the Convention's "200-meter plus exploitability" definition of the shelf in its national legislation.

It became apparent to the Argentines at the Seabed Committee Preparatory Sessions that an LOS Conference that limited coastal state jurisdiction to a 200-meters or 200-miles economic resource zone would drastically reduce their share of the continental margin. To emphasize their position on broad coastal state jurisdiction, they have made periodic references to the vast resources within their "submerged territory," the "natural prolongation" concept of the North Sea case, and the Declarations of Montevideo (May 1970) and Lima (August 1970), in which Latin American states endorse a coastal states shelf rights. The Argentines voted against the landlocked/shelf-locked countries' proposal to have the UN Secretariat study the extent and economic significance of the various proposed limits of national jurisdiction. In its draft articles, Argentina finally formalized its broad seaward claim by proposing that the continental shelf be defined so as to coincide with the outer edge of the continental margin, which adjoins the abyssal plain.

Argentine delegates, in seeking to accommodate various positions on the issue, have suggested a combination of criteria be used, including that of distance. Delegations with narrow shelves have the right to seek solutions that compensate for geography, however, the rights and interests of States with broad shelves also must be taken into account. The law governing the continental shelf, therefore, would have to be pluralistic. The Argentines agreed to the establishment of an international area to benefit mankind but stated that it could not be done at the expense of "acquired rights" of the coastal states.

The Argentine Draft Articles express the right of the coastal state to authorize scientific research and to enact measures to prevent and eliminate pollution. International freedom of navigation and overflight in the area is also upheld in these articles, as well as in earlier statements and in the national legislation of 1966.

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Fisheries

Argentines have shown a keen interest in the establishment of an international treaty that would extend preferential fishing rights to a coastal state. This position has been indicated in their national legislation, which controls fisheries in the area they designate as 200-mile coastal waters or the "epicontinental sea" (water column over the shelf to 200 meters). While they have not formally addressed the U.S. species approach on coastal fisheries jurisdiction, [REDACTED]

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[REDACTED]

[REDACTED] an Argentine delegate to the Preparatory Session said the coastal state should have exclusive responsibility for granting permits for foreign fishing in the coastal zone. These permits would allow foreigners to fish for that portion of the fish not taken by local fishermen. By such an arrangement, he added, it would be logical for the coastal state to establish the level of the maximum annual catch, which should be based on both national and international scientific and technical information.

The Argentine Draft Articles do not elaborate on fisheries per se, except to grant coastal states sovereign rights over "renewable and living" resources of its continental shelf. The Argentines do, however, make a special point that fisheries jurisdiction and seabed jurisdiction should be treated in separate regimes.

The Argentine Draft Articles, give the coastal state sovereignty over sedentary species of the shelf's seabed and subsoil.

Argentina is concerned with the patrimonial sea concept that was espoused by a majority of Latin American states in the Declaration of Santo Domingo in June 1972. The concept, which sets a 200-mile limit on a coastal state's rights over coastal resources, has been interpreted in various ways to accommodate states with broader continental margins. A Venezuelan interpretation assumes this to mean that the concept would afford shelf convention rights beyond the 200-mile limit. Although Argentina has said little officially on the patrimonial sea concept, it probably will seek a Venezuelan-type solution.

Deep Seabed

Argentina desires a strong international seabed regime with powers to regulate deep seabed activity, but the regime should not affect the legal status of the resources of the superjacent waters. The machinery for the regime should consist of an Assembly, Council, and

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Secretariat. The Assembly would be a supreme, deliberative body with the power to make political decisions. All members of the international community would be represented and would have one vote, and decisions would be by majority vote. The Council would have fewer members with equitable representation, but it would carry out Assembly decisions. The treaty establishing the regime should also provide a system for settling disputes -- possibly through the International Court of Justice. Argentina does not accept any arrangement that would give the right of veto to certain States or provide a weighting system, which it fears would give the industrialized countries a privileged position.

Argentina considers coastal states' outer limit of sovereignty to include all the area to the lower limit of the continental margin, and it considers the international area as only that portion of the seabed that is seaward of the continental margin. It holds that the resources of the international seabed area are the common heritage of mankind and that benefits derived by developing countries from exploitation of these resources should include not only a share of the monetary profits, but also the acquisition of scientific knowledge, which would enable them to actively participate in seabed activities.

Landlocked States

Argentina has stated that special arrangements between the countries involved would be necessary to give landlocked states access to the high seas and the international area of the seabed. Equitable distribution of the benefits derived from exploitation of that area should take into account the special needs of all developing countries. Argentina has shown little inclination to share within its territorial sea, although occasionally it has expressed compassion for less fortunate countries.

Marine Pollution

Argentina proposes that the coastal state have the right to enact and to enforce measures, in accordance with agreed-upon international principles and standards, that would control and eliminate pollution in the maritime area adjacent to its territorial sea. This proposal probably indicates Argentina's willingness to accept minimal international standards on seabed-source pollution, provided it can set higher standards should it deem it necessary. It also suggests Argentina's agreement on generally set international standards for vessel-source pollution. However, Argentina showed support of the Canadian and Australian position by its April 1973 statement that these international standards could not be exclusive and that the coastal state should be able

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to prescribe higher standards. The Draft Articles' reference to "enforce" may well indicate Argentina's desire to control vessel-source pollution standards in a broad coastal economic zone. It participated in the October 1973 IMCO Marine Pollution Conference.

Scientific Research

Argentina asserts in its draft articles that the coastal state must have the right to authorize scientific research activities in the broad shelf area and that the coastal state is entitled to participate in and receive results from the research. The government considers scientific research closely related to resource extraction and wants to control the research. The Argentines have not directly addressed the U.S. proposal that there should be only specific obligations placed on the marine researcher; however, they have indicated that Latin Americans are in close agreement that prior approval, rather than prior notification, is in their best interest. They will probably vote with the LDC's for a consent regime in the coastal zone; but considering their bilateral science and technology dealings with the United States, they could waver some on this question.

D. KEY POLICY MAKERS, LOS NEGOTIATORS AND ADVISERS

Argentina's return to a democratic form of government in 1973 resulted in political power domination by President Juan Domingo Peron and Vice President Maria Estela Martinez de Peron, his wife. Peronists have control of the national congress, and the military has adjusted to Peron's leadership, assuming the role of adviser.

Argentina has been an active member of the Seabeds Committee in preparations for the 1974 LOS Conference. Its permanent representative to the United Nations, Dr. Carlos Ortiz de Rosas, is an outstanding spokesman who is well-versed in LOS issues. He has consistently endorsed the 200-mile territorial limit, but has generally supported the United States. U.S. officials also consider Horacio Basabe, Secretary of Embassy at the Ministry of Foreign Relations and Worship, to be one of Argentina's experts on law of the sea. He is a principal adviser to the Argentine LOS delegation and has expressed concern that coastal states' restriction on right of passage may affect Argentina's maritime industry.

Ambassador Hugo Caminos was recently named head of the Argentine LOS Working Group, which has representatives from all LOS-related government agencies. Professionally competent and very experienced in LOS matters, he has indicated that he may be appointed head of the Argentine delegation to Caracas.

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Elsa Kelly de Guibourg, Counselor at the Ministry of Foreign Relations and Worship, is an experienced arbitrator. In 1973 as she explained to the Seabed Committee that Argentina's Draft Articles represented an effort to reconcile the various LOS interests in conflict, she noted that though the articles incorporated recognition of a 12-mile territorial sea such a limit was not in accordance with Argentine domestic legislation.

Orlando R. Rebagliati, Secretary, United Nations Permanent Mission, in the often assumed role of spokesman for the Argentine delegation to the Seabed Committee was present at four preparatory sessions and the organizational session of the Conference.

Argentine official delegates who attended one or more of the preparatory sessions for the Third UN Conference on LOS or the organizational session of the Conference are as follows:

Name and Title (as they appear on the latest UN listing)

	Seabed Committee Session						Org. Conf. Dec 73
	Mar 71	Jul Aug 71	Feb Mar 72	Jul Aug 72	Mar Apr 73	Jul Aug 73	
*Sr. Horacio BASABE Secretario de Embajada Ministerio de Relaciones Exteriores	X		X		X		
Sr. Ministro D. Vicente Ernesto BERASATEGUI						X	
Dr. Julio Cesar CARSALES Ministro Plenipotenciario Representante Permanente Adjunto ante las Naciones Unidas		X	X				
Sr. D. Marcelo E. DELPECH Consejero de Embajada Mision Permanente ante las Naciones Unidas	X					X	
Dr. Hernan MASSINI EZCURRA Secretario de Embajada Ministerio de Relaciones Exteriores		X		X		X	



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Name and Title	Seabed Committee Session						Org. Conf. Dec 73
	Mar 71	Jul Aug 71	Feb Mar 72	Jul Aug 72	Mar Apr 73	Jul Aug 73	
S. E. Sta. Teresa FLOURET Ministro Plenipotenciario Ministerio de Relaciones Exteriores y Culto							X
Srta. Alicia GARCIA Secretario de Embajada Ministerio de Relaciones Exteriores	X			X			
Sr. D. Rafael GOWLAND Consejero de Embajada Ministerio de Relaciones Exteriores	X	X	X				
S.E. Dr. Ernesto de la GUARDIA Ministro Plenipotenciario Representante Permanente Adjunto ante las Naciones Unidas	X	X		X			
*Da. Elsa D. R. KELLY DE GUIBOURG Consejero Ministerio de Relaciones Exteriores		X			X		
Sr. Atilio N. MOLTENI Secretario de Embajada Mision Permanente ante las Naciones Unidas					X		X
Capitan de Navio Sr. Roberto ORNSTEIN						X	
*S.E. Dr. Carlos ORTIZ DE ROZAS Embajador Extraordinario y Plenipotenciario Representante Permanente ante las Naciones Unidas			X		X	X	X



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Name and Title

	Seabed Committee Session						Org. Conf. Dec 73
	Mar 71	Ju1 Aug 71	Feb Mar 72	Ju1 Aug 72	Mar Apr 72	Ju1 Aug 73	
Sr. Orlando R. REBAGLIATI Secretario de Embajada Mision Permanente ante las Naciones Unidas		X	X	X	X		X
Srta. Susana RUIZ CERUTTI Secretario de Emajada, Ginebra						X	
Srta. Elda SAMPIETRO Secretario de Embajada, Berna						X	
Capitan de Navio (RE) Jorge R. SCIURANO Director General de Pesca Ministerio de Agricultura y Ganaderia				X			
Ing. Fernando VILA Profesor Servicio de Hidrografia Naval	X						

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Part II - Background Information

GEOGRAPHY:

World region: Latin America
Category: coastal
Bordering states: Bolivia, Paraguay, Brazil, Uruguay, Chile
Bordering bodies of water: Atlantic Ocean, Drake Passage, Scotia Sea
Bordering straits: Estrecho de le Maire (16 n. mi.)
Area of continental shelf: 232,200 sq. n. mi.
Area to 200 n. mi. limit: 339,500 sq. n. mi.
Area to edge of continental margin: 484,100 sq. n. mi.
Coastline: 3,100 mi.
Land: 1,070,000 sq. mi.
Population: 24,471,000

INDUSTRY AND TRADE:

GDP: \$20.7 billion (at average parallel exchange rate, 1972), \$860 per capita
Major industries: food processing (especially meatpacking), motor vehicles, consumer durables, textiles, chemicals, printing, metallurgy
Exports: \$1,868 million (f.o.b., 1972); meat, wheat, corn, wool, hides, oilseeds
Imports: \$1,840 million (c.i.f., 1972); machinery, fuel and lubricating oils, iron and steel, intermediate industrial goods
Major trade partners: exports - EC 38%, LAFTA 21%, U.S. 9%, U.K. 7%; imports - EC 24%, LAFTA 21%, U.S. 22%, U.K. 6% (1971)
Merchant marine: 175 ships (1,000 GRT or over) totaling 1,248,400 GRT; 5 passenger, 94 cargo, 58 tanker, 10 bulk, 8 specialized carrier

MARINE FISHERIES:

Catch: 290,000 metric tons (1971) valued at \$20.2 million; exports - \$4 million (1971); imports - \$3.6 million (1970)
Economic importance: minor national and local
Ranking: 33 worldwide, 5 regional
Species: hake, other bottom fish, shellfish
Marine Fisheries techniques: artisanal and modern
Other countries fishing off coast: Japan, U.S.S.R., Uruguay, Brazil

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PETROLEUM RESOURCES:

Petroleum: proved recoverable reserves - 2,500 million 42-gal. bbl. (358 million metric tons) onshore; production - 151.9 million 42-gal. bbl. (21.7 million metric tons) onshore (1971)
Natural gas: proved recoverable reserves - 7,600 billion cubic feet (215 billion cubic meters) onshore; production - 286 billion cubic feet (8.1 billion cubic meters) onshore (1971)

NAVY:

Ships: 1 light aircraft carrier, 3 light cruisers, 8 destroyers (plus 3 inactive), 3 submarines (plus 3 inactive), 5 patrol ships, 6 mine warfare ships, 6 amphibious warfare ships, 20 amphibious warfare craft, 22 auxiliaries, 20 service craft; an additional 14 ships are for sale at Rio Santiago Naval Base

GOVERNMENT LEADERS:

Juan Domingo PERON, President; Alberto Juan Vicente VIGNES, Foreign Minister

MULTILATERAL CONVENTIONS:

International Convention for the Regulation of Whaling, 1948 (Argentina became a party May 1960)
International Convention on Safety of Life at Sea, April 1966

MULTILATERAL DECLARATIONS:

Declaration of Montevideo on Law of the Sea, May 1970
Declaration of Lima on Law of the Sea, August 1970

BILATERAL TREATY:

Argentina-Uruguay Treaty on Rio Plata Estuary, signed November 19, 1973, ratified February 12, 1974

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PRESENT OCEAN CLAIMS:*

<u>Type</u>	<u>Date</u>	<u>Terms</u>	<u>Source/Notes</u>
Territorial Sea	1869	3 n. mi.	Civil code Art. 2340 <i>Repeated in Civil Code of 1929, Art. 2374</i>
	1967	200 n. mi.	Decree Law 17,094 of Jan. 4, 1967 <i>Permits overflight and navigation. Signed Dec. 29, 1966, published Jan. 10, 1967</i>
Continental Shelf	1946		Decree 14,708-M 722 of Oct. 11, 1946 <i>Continental shelf and epiconti- nental sea declared "subject to the sovereign power of the nation"...</i>
	1967	200 mi. ex- ploitability	Law 17,094-M, Art. 2 <i>"Seabed and subsoil ... to a depth of 200 meters or ... to where depth ... admits of exploitation"</i>
Exclusive Fishing	1907	10 n. mi.	Decree of Sept. 18, 1907 <i>Included certain wide gulfs</i>
	1966	200 n. mi.	Decree 5106 <i>Boletin Oficial of Jan. 10, 1967.</i>
	1967	12 n. mi.	Law No. 17,500 of Oct. 25, 1967 <i>Licensing of foreign vessels from 12 to 200 n. mi.</i>
	1967, 1970		<i>Argentina-Brazil Agreement, Dec. 1967, and Argentina-Uruguay Declaration on Provisional Fishing, March 1970, permit reciprocal fishing beyond 6 n. mi.</i>
	1973		Law 20136, Feb. 5, 1973

*Principal source: Limits of the Seas, National Claims to Maritime Jurisdictions, State Dept./INR, March 1973 and Revisions.

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PRESENT OCEAN CLAIMS (cont'd):

<u>Type</u>	<u>Date</u>	<u>Terms</u>	<u>Source/Notes</u>
Fisheries Conservation	1966		Decree No. 5106 <i>Licensing beyond 12 n. mi. with daily position reporting</i>
	1967		Decree No. 8,802 <i>Fishing restrictions and pro- cedures, Nov. 22, 1967</i>
Customs	1869	12 n. mi.	Civil code
Security	1869	12 n. mi.	Civil Code
Criminal Jurisdiction	1869	5 n. mi.	Civil Code
Civil Jurisdiction	1869	3 n. mi.	Civil Code
Neutrality	1869	3 n. mi.	Civil Code
Sanitary	1869	3 n. mi.	Civil Code
Pollution	1958		Law No. 14,733 of Nov. 13, 1958 <i>Dumping of oily wastes is for- bidden over continental shelf.</i>
Straight Baselines	1961/66		<i>Argentina and Uruguay agree to limits of the Rio de la Plata; also encloses three other over- sized bays</i> <i>See <u>Limits in the Seas No. 44</u></i>

SECRET

SECRET

ACTION ON SIGNIFICANT UN RESOLUTIONS:

- Moratorium Resolution In favor
 (A/RES/2574 D, XXIV, 12/15/69)
Pending establishment of international regime, States and persons are bound to refrain from exploiting resources of or laying claim to any part of the seabed and ocean floor beyond the limits of national jurisdiction.
- LOS Conference In favor
 (A/RES/2750 C, XXV, 12/17/70)
Convene in 1973 a Conference on Law of the Sea to deal with establishment of international regime for the seabed and ocean floor, and enlarge Seabed Committee by 44 members and instruct it to prepare for the conference draft treaty articles embodying international regime.
- LOS Conference, Timing and Site Adopted w/o vote
 (A/RES/3029 A, XXVII, 12/18/72)
- Indian Ocean as a Zone of Peace Abstain
 (A/RES/2992, XXVII, 12/15/72)
Called upon littoral and hinterland states of Indian Ocean area, permanent members of the Security Council and other major maritime users of Indian Ocean to support concept that Indian Ocean should be zone of peace.
- Landlocked/Shelf-Locked Study Resolution Against
 (A/RES/3029 B, XXVII, 12/18/72)
Called for study of extent and economic significance, in terms of resources, of international area resulting from each proposal of limits of national jurisdiction presented to Seabed Committee.
- Peruvian Coastal State Study Resolution In favor
 (A/RES/3029 C, XXVII, 12/18/72)
Called for study of potential economic significance for riparian states, in terms of resources, of each of the proposals on limits of national jurisdiction presented to Seabed Committee.
- Permanent Sovereignty over Natural Resources In favor
 (A/RES/3016 XXVII, 12/18/72)
Reaffirmed right of states to permanent sovereignty over all their natural resources, wherever found.

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MEMBERSHIP IN ORGANIZATIONS RELATED TO LOS INTERESTS:

FAO Food and Agriculture Organization
IADB Inter-American Defense Board
IAEA International Atomic Energy Agency
IBRD International Bank for Reconstruction
and Development (World Bank)
ICAO International Civil Aviation
Organization
IDA International Development Association
(IBRD affiliate)
IFC International Finance Corporation
(IBRD affiliate)
IHB International Hydrographic Bureau
ILO International Labor Office
IMCO Inter-Governmental Maritime
Consultative Organization
IMF (FUND) International Monetary Fund
LAFTA Latin American Free Trade Association
OAS Organization of American States
Seabeds Committee United Nations Committee on the
Peaceful Uses of the Seabed and
Ocean Floor Beyond the Limits of
National Jurisdiction
UN United Nations
UNESCO United Nations Educational, Scientific,
and Cultural Organization
WHO World Health Organization
WMO World Meteorological Organization
Non-Aligned Nations Group

SECRET

UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
LIMITED
A/AC.138/SC.II/L.37
16 July 1973
ENGLISH
Original: SPANISH

COMMITTEE ON THE PEACEFUL USES OF THE
SEA-BED AND THE OCEAN FLOOR BEYOND
THE LIMITS OF NATIONAL JURISDICTION
SUB-COMMITTEE II

ARGENTINA

DRAFT ARTICLES

1. The sovereignty of a coastal State extends to a belt of sea adjacent to its coast, described as the territorial sea, and to the air space, bed and subsoil of that sea.
2. It is for each State to fix the breadth of its territorial sea up to a maximum distance of 12 nautical miles measured from the applicable baselines.
3. Ships of all States, whether coastal or not, shall enjoy the right of innocent passage through the territorial sea in accordance with the following provisions:
 - 3.1 ... (definition of "innocent passage").
 - 3.2 ... (precise determination of the regulatory powers of the coastal State).
4. A coastal State has sovereign rights over an area of sea adjacent to its territorial sea up to a distance of 200 nautical miles measured from the baseline from which the breadth of the territorial sea is measured or up to a greater distance coincident with the epicontinental sea.

For the purposes of this and the succeeding articles, the term "epicontinental sea" means the column of water covering the seabed and subsoil which are situated at an average depth of 200 metres.

The scope of the above-mentioned rights is laid down in the succeeding articles.

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page 2

5. It is for each coastal State to fix the breadth of the area adjacent to its territorial sea up to the maximum distance prescribed in article 4, in accordance with criteria which take into account the regional geographical, geological, ecological, economic and social factors involved and interests relating to the preservation of the marine environment.

6. The delimitation of that area between two or more States shall be effected in accordance with the principles of international law.

7. A coastal State has sovereign rights over the renewable and non-renewable natural resources, living and non-living, which are to be found in the said area.

8. States in a particular region or subregion which for geographical or economic reasons do not see fit to extend their sovereign rights to an exclusive maritime area adjacent to their territorial sea shall enjoy a preferential régime for purposes of fishing in the exclusive maritime areas of other States belonging to the region or subregion, such régime to be determined by bilateral agreements providing for a fair adjustment of their mutual interests.

The said régime shall be granted provided that the enterprises of the State which wishes to exploit the resources in question are effectively controlled by capital and nationals of that State and that the ships which operate in the area fly the flag of that State.

9. The prospecting and exploration of the maritime area adjacent to the territorial sea and the exploitation of the natural resources existing therein are subject to the regulations of the coastal States concerned, which may reserve those activities to themselves or to their nationals or may allow third parties to engage in them in accordance with the provisions of their internal laws and of such international agreements as they may conclude on the matter.

10. The protection and conservation of renewable resources existing in the area are likewise subject to the regulations of the coastal States concerned and to such agreements as they may conclude on the matter, taking into account, where relevant, co-operation with other States and the recommendations of international technical bodies.

11. A coastal State shall also have jurisdiction to enforce in the maritime area adjacent to its territorial sea such measures as it may enact in order to prevent, mitigate or eliminate pollution damage and risks and other effects harmful or dangerous to the ecosystem of the marine environment, the quality and use of water, living resources, human health and the recreation of its people, taking into account co-operation with other States and in accordance with internationally agreed principles and standards.

12. It is also for the coastal State to authorize such scientific research activities as are carried on in the area; it is entitled to participate in them and to be informed of the results obtained. In such regulations as the coastal State may issue on the matter, the desirability of promoting and facilitating such activities shall be taken especially into account.

13. In the maritime area adjacent to the territorial sea, ships and aircraft of all States, whether coastal or not, have the right to free navigation and overflight without restrictions other than those which may result from the exercise by the coastal State of its rights in the matters of exploration, conservation and exploitation of resources, pollution and scientific research. Subject solely to these limitations, there shall also be freedom to lay submarine cables and pipelines.

14. Through bilateral and, where appropriate, subregional agreements, a coastal State shall facilitate for neighbouring States having no sea-coast the right of access to the sea and of transit. In the same way agreement shall be reached with States having no sea-coast on an equitable régime for the exercise in the maritime area of fishing rights which shall be preferential in relation to third States. The said preferential rights shall be granted provided that the enterprises of the State which wishes to exploit the resources in question are effectively controlled by capital and nationals of that State and that the ships which operate in the area fly the flag of that State.

15. The sovereignty of a coastal State extends to its continental shelf. The continental shelf comprises the bed and subsoil of the submarine areas adjacent to the territory of the State but outside the area of the territorial sea, up to the outer lower edge of the continental margin which adjoins the abyssal plains or, when that edge is at a distance of less than 200 miles from the coast, up to that distance.

16. The rights of the coastal State over the continental shelf do not affect the legal régime of the superjacent waters or air space.

17. The rights of the coastal State over the continental shelf do not depend on occupation, effective or notional, or on any declaration.

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page 4

18. A coastal State has sovereignty over the renewable and non-renewable natural resources of its continental shelf. The said resources include the mineral and other non-living resources of the seabed and subsoil together with living vegetable organisms and animals belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil.

19. The prospecting and exploration of the continental shelf and the exploitation of its natural resources are subject to the regulations of the coastal States concerned, which may reserve those activities to themselves or to their nationals or may allow third parties also to engage in them in accordance with the provisions of their internal laws and of such international agreements as they may conclude on the matter.

20. The protection and conservation of renewable resources existing on the continental shelf are likewise subject to the regulations of the coastal States concerned and to such agreements as they may conclude on the matter, taking into account, where relevant, co-operation with other States and the recommendations of technical international bodies.

21. It is also for the coastal State to enact measures designed to prevent, mitigate or eliminate pollution of or from the continental shelf and of its natural resources, taking into account co-operation with other States and the recommendations of international technical bodies.

22. It is likewise for the coastal State to authorize scientific research activities on the continental shelf; it is entitled to participate in them and to be informed of the results thereof. In such regulations as the coastal State may issue on the matter, the desirability of promoting and facilitating such activities shall be taken especially into account.

23. A coastal State shall authorize the laying of submarine cables and pipelines on the continental shelf, without restrictions other than those which may result from its rights over the same.

24. The establishment of any other type of installation by third States or their nationals is subject to the permission of the coastal State.

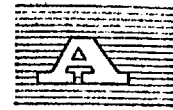
25. The coastal State is entitled to construct, maintain or operate on or over the continental shelf installations and other devices necessary for the exercise of its rights over the same, to establish safety zones around such devices and installations, and to take in those zones measures necessary for their protection. Ships of all nationalities shall respect these safety zones, which may extend up to 500 metres around the installations or devices.

26. The construction of any installation or device shall be officially made public and permanent means for giving warning of its presence shall be maintained. Any installation which is disused shall be removed by the coastal State.
 27. The exercise of the coastal State's rights over the continental shelf shall not result in any unjustifiable interference with the freedom of navigation in the superjacent waters and of overflight in the superjacent air space, nor shall it impede the use of recognized lanes essential to international navigation.
 28. Delimitation.
 29. Safeguard of existing international, bilateral or regional agreements on delimitation of the continental shelf.
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UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
LIMITED
A/AC.138/SC.II/L.37/Corr.1
19 July 1973
ENGLISH ONLY



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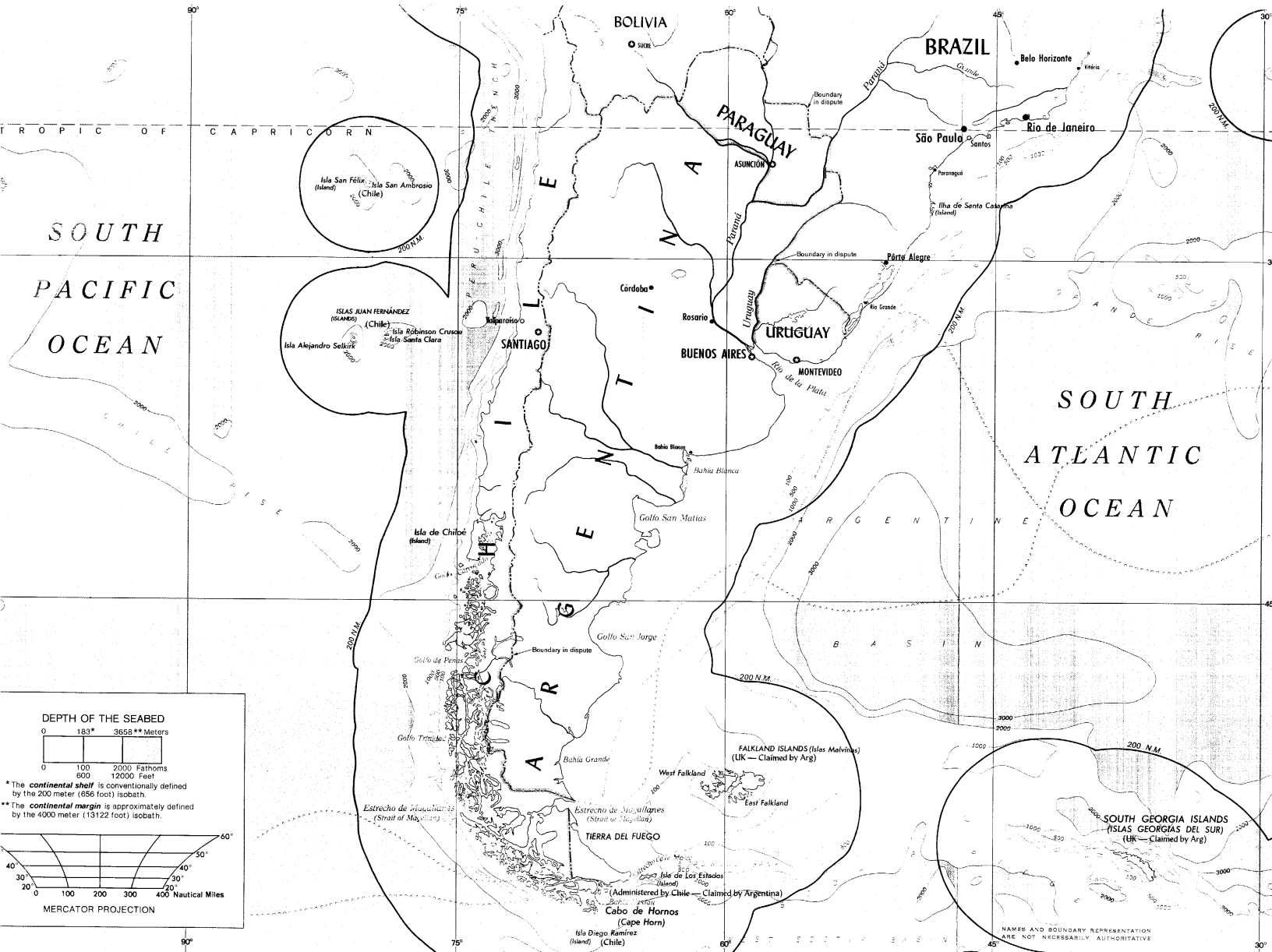
ARGENTINA

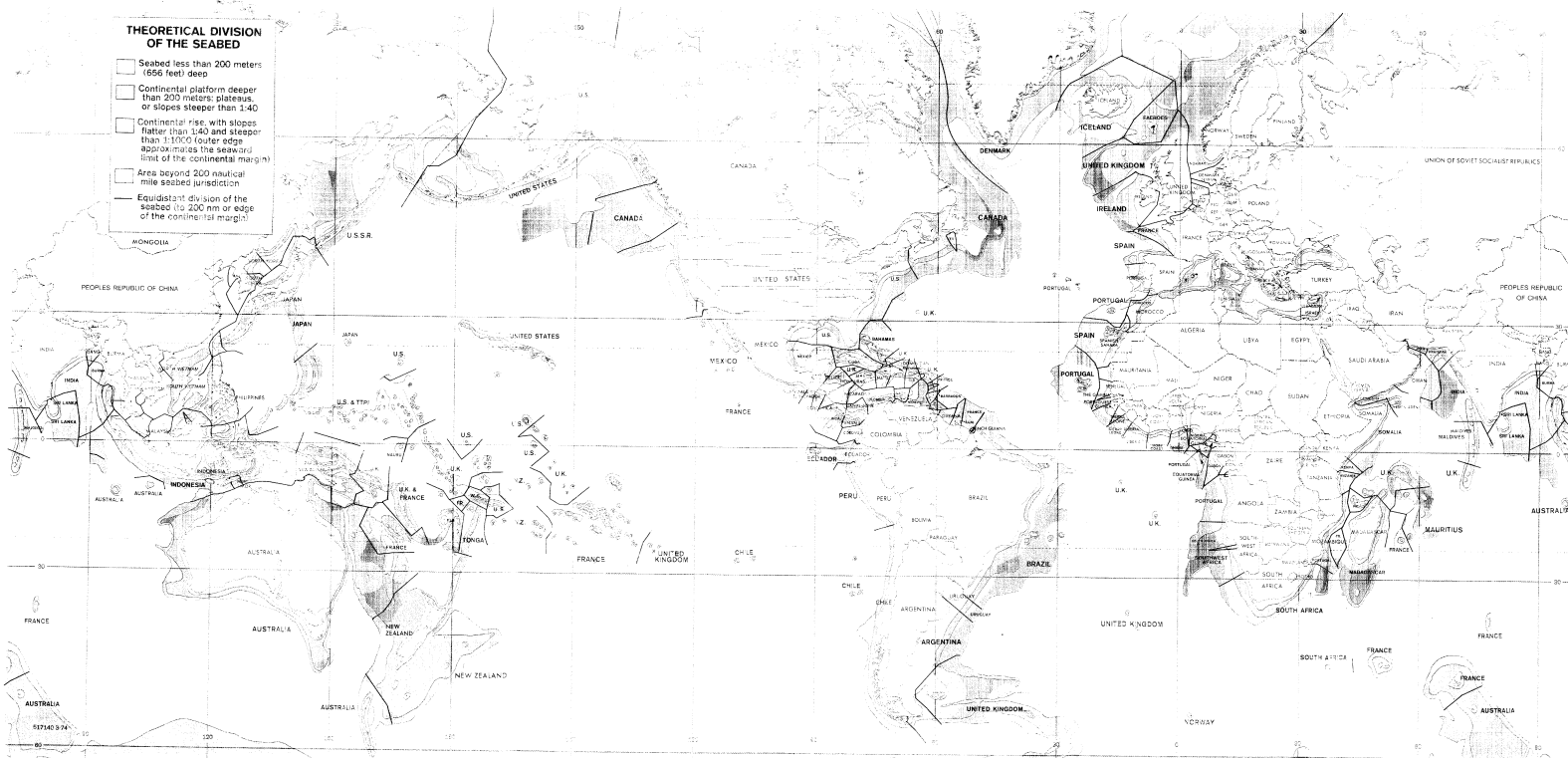
DRAFT ARTICLES

Corrigendum

1. Page 3, paragraph 12, second and third lines
For to be informed of read to receive
2. Page 3, paragraph 17, second line
For declaration read proclamation
3. Page 4, paragraph 18, fourth line
For organisms read animals which
4. Page 4, paragraph 22, second and third lines
For to be informed of read to receive

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