



National Commission on the Outer Limit
of the Continental Shelf



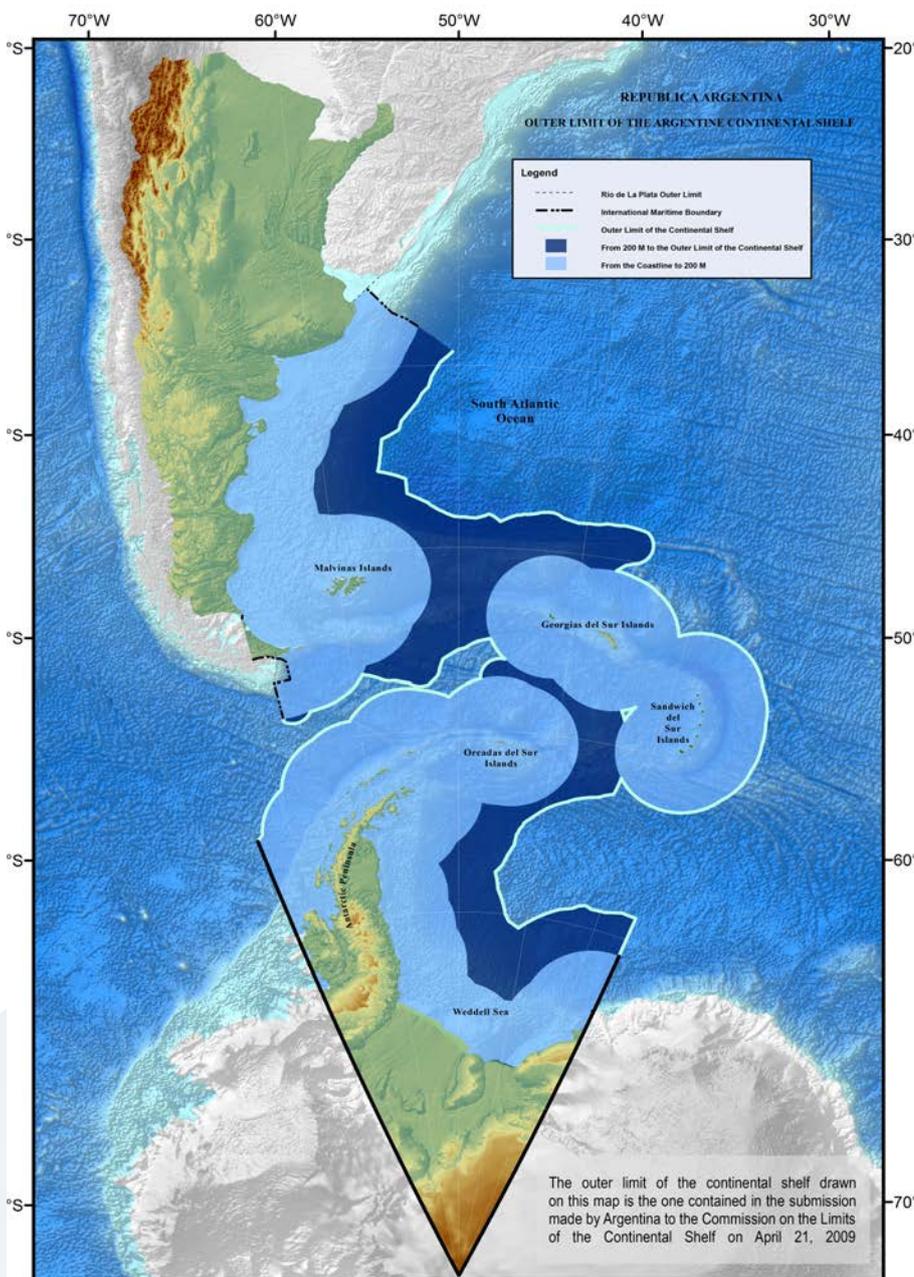
Outer Limit of the Continental Shelf

Argentina's most extensive limit – Our frontier with mankind

On March 11, 2016, after nearly two decades of work, during the 40^o Session of the Commission on the Limits of the Continental Shelf (CLCS), the plenary of the Commission approved the Recommendations on the Argentine submission of the outer limit of the continental shelf. On April 21, 2009, the Argentine Republic had submitted the outer limit of the continental shelf of its entire territory –continent, the South Atlantic islands and Argentine Antarctica– to the CLCS.

Argentina conducted in-depth and thorough scientific and technical tasks which allowed it to determine the outer limit of its continental shelf, in compliance with the provisions contained in the United Nations Convention on the Law of the Sea (UNCLOS) and the Scientific and Technical Guidelines of the CLCS. New data have been obtained to gain detailed knowledge of the Argentine continental margin, for the purposes of delineating the most beneficial limit for our country while respecting the formulae and constraints provided for in international regulations.

This is an example of a State policy that Argentina has been coherently and continuously implementing for nearly 20 years. This reaffirms the Argentine inalienable rights over the archipelagoes in the South Atlantic Ocean and Argentine Antarctica, in keeping with the constitutional mandate of defending the integrity of the national territory.



Map indicating the areas between the baseline and 200 M, and between 200 M and the outer limit of the continental shelf, according to the Argentine submission to the CLCS.

A bit of history

As a coastal State, Argentina was one of the first countries to underscore the extent of its sovereign rights over the continental shelf. In 1916—even before the Truman Proclamation—Admiral Storni developed a doctrine claiming the rights over the continental shelf and all of the resources therein.

Some of the instruments used by our country to claim and ratify its rights over the continental shelf include Decrees No. 1386/44 and 14.708/46, as well as Law No. 17.094, which was enacted in 1966, in addition to the initiatives undertaken at the international level.

During the negotiations at the III^o United Nations Conference on the Law of the Sea, which began in 1973, Argentina became one of the members of the “marginalist” States’ group, and supported the proposal submitted to the Special Committee on the Peaceful Uses of the Seabed and the Ocean Floor

beyond the Limits of National Jurisdiction, which advocated the extension of the continental shelf to the outer edge of the continental margin.

In 1991—before the entry into force of the United Nations Convention on the Law of the Sea (UNCLOS)—, Argentina enacted Law No. 23.968 on maritime areas. Article 6 of this law established the outer limit of the Argentine continental shelf up to the outer edge of the continental margin or up to 200 M when the outer edge did not extend up to that distance. Argentina has therefore established the outer limit of its continental shelf in compliance with UNCLOS, which entered into force on December 31, 1995 for Argentina. The submission to the CLCS sets out the fixed points establishing this limit.

What is the continental shelf and how far does it extend?

The continental shelf comprises the seabed and subsoil of the submarine areas that extend beyond the territorial sea and throughout the natural prolongation of the land territory.

The importance of this maritime area lies on the fact that coastal States, such as Argentina, exercise sovereign rights for the purposes of exploring and exploiting their natural resources. These rights are exclusive in the sense that, should the coastal State not explore the continental shelf or not exploit the natural resources therein, nobody may conduct these activities without the express consent of such State. In addition, the rights of the coastal State over the continental shelf do not depend on its effective or notional occupation, or on any express proclamation.

The continental shelf regime is enshrined in Law 23.968 and in Part VI of UNCLOS.

Legally, the continental shelf starts where the seabed and subsoil of the territorial sea end. In the case of Argentina, the territorial sea extends up to 12 nautical miles from the baselines.

Beyond that point, it is acknowledged that every coastal State has a continental shelf up to 200 nautical miles from the baselines.

However, the States that can prove that the natural prolongation of their land territory extends beyond such distance are entitled to determine the outer limit of their continental shelves on what is technically referred to as the “outer edge of the continental margin.”

Outer Limit of the Continental Shelf

¿How is the outer limit of the continental shelf delineated?

The method to determine the extension of the outer edge of the continental margin is established in UNCLOS.

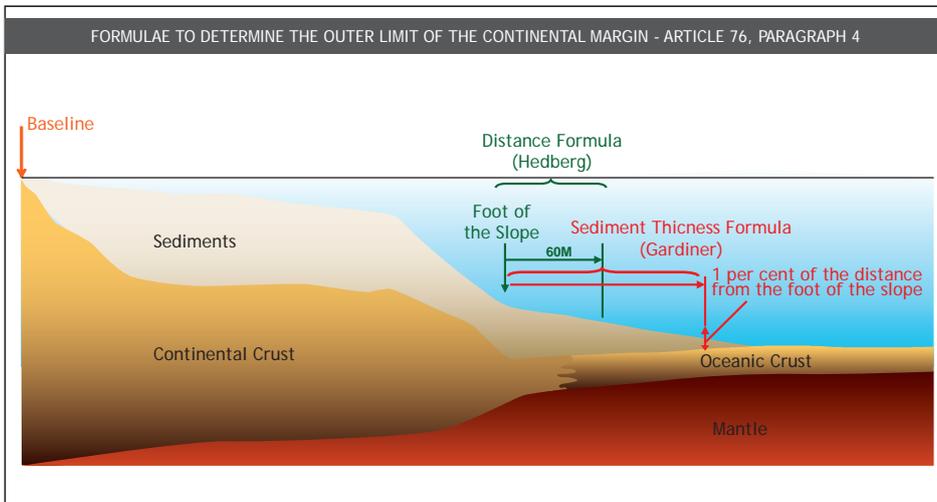
The Convention provides for a specific procedure to delineate the outer limit, whereby the coastal State which intends to establish, in accordance with Article 76, the outer limits of its continental shelf beyond 200 nautical miles shall submit particulars of such limits to the Commission on the Limits of the Continental Shelf, along with supporting scientific and technical data. The CLCS shall make recommendations to the coastal States on matters related to the determination of the outer limit of the continental shelf. Only the coastal State can determine the outer limit of its continental shelf. The limits established by a coastal State on the basis of these recommendations shall be final and binding.

To establish the outer edge of its continental margin, the State shall first determine the location of the so-called “foot of the continental slope,” and then, it shall determine the outer limit points, using, to that

end, any of the two formulae set forth in the Convention:

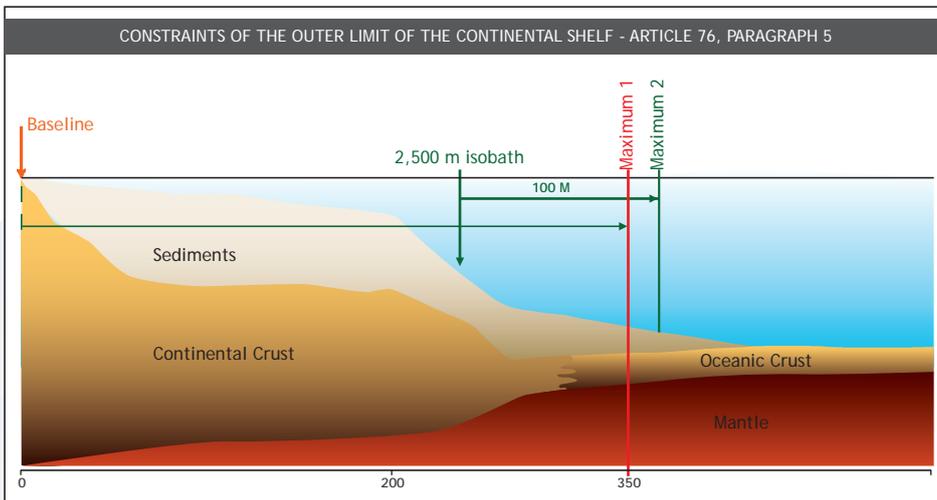
- Sediment thickness formula: the State shall choose the outermost fixed points from the foot of the slope, and shall measure the thickness of sedimentary rocks at that point. Then, it shall compare such measure with the shortest distance between the point chosen and the foot of the continental slope, so that the thickness of sedimentary rocks is, at least, 1 per cent of that distance.
- Distance formula: the State shall choose the fixed points located not more than 60 nautical miles from the foot of the continental slope.

The State may even combine both formulae and choose the more convenient one for each sector. However, the points chosen should respect one of the two constraints set forth by UNCLOS: 350 nautical miles from the baselines, or 100 nautical miles from the 2,500 m isobath, which is a line joining 2,500 m depths.



Formula:
Line where the sediment thickness is, at least, 1 per cent of the distance from the foot of the slope.

Formula:
60 M line from the foot of the slope.



Max. 1:
350 M from the baselines.

Max. 2:
2,500 m isobath + 100 M.

Commission on the Limits of the Continental Shelf

The CLCS, the body in charge of examining the information and data submitted by coastal States, is a technical, non-political and non-legal body created to facilitate the implementation of UNCLOS in relation to the delineation of the outer limit of the continental shelf beyond 200 nautical miles.

It is made up of 21 experts in the field of geology, geophysics or hydrography, elected by States Parties to UNCLOS to ensure equitable geographical representation. The members serve in their personal capacities, as they are not representatives of the States.

According to its work schedule, the CLCS creates Subcommissions which consider the submissions made by the States and verify the conformity of the submitted limit with the relevant rules of UNCLOS. During the analysis process, the Subcommissions make questions, ask for clarifications, require different levels of information, or reprocess the data supporting the scientific grounds of the submissions. Once the analysis is over, the Subcommission issues recommendations, which are then approved by the Commission in Plenary session.

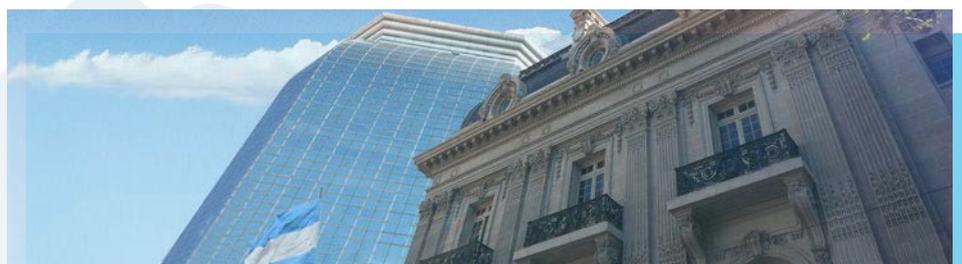
Subsequently, the coastal State shall determine the outer limit of its continental shelf, which shall be final and binding if it is in agreement with the CLCS recommendations.

In the case of disagreement by the coastal State with the recommendations of the Commission, the coastal State shall, within a reasonable time, make a revised or new submission to the Commission.

State body in charge of the preparation of the submission

Once UNCLOS came into force, Argentina started working to determine the outer limit of its continental shelf. To that end, in 1997 it created the National Commission on the Outer Limit of the Continental Shelf (COPLA) by means of Law No. 24.815.

COPLA is an inter-ministerial commission under the direct authority of the Ministry of Foreign Affairs and Worship, which presides over it, and it is made up of a member of the Naval Hydrographic Service and another one of the Ministry of Treasury Affairs and Public Finance. The members are assisted by a General Coordinator. The Commission has professionals from the various disciplines involved: geodesists, hydrographers, geologists, geophysicists, cartographers, oceanographers, Geographic Information System experts, lawyers, and international law experts. In addition, several state agencies and universities related to this field collaborate with COPLA.



Outer Limit of the Continental Shelf

How was the outer limit of the Argentine continental shelf delineated?

When it started working, COPLA drafted a general task plan and work schedule which was developed within the deadlines set, according to the international rules in force.

Oceanographic surveys were conducted on the Argentine continental margin, which made it possible to collect seismic, bathymetric, gravimetric and magnetic information. These data served as a basis to delineate the outer limit. These are the main surveys conducted:

- 1996: FISIO-96 Survey
- 1999: TESAC Survey
- 2000: LITORAL ATLANTICO-III Survey
- 2000: COPLA-2000 Survey
- 2001: CAV PD-2001 Survey
- 2002: COPLA 2001/2002 Survey
- 2003: CAV PD-2003 Survey
- 2004: COPLA BGR-2004 Survey
- 2007: COPLA-2007 Survey
- 2008: COPLA-2008 Survey
- 2008: COPLA-HESPERIDES 2008 Survey
- 2009: COPLA-2008/2009 Survey

After making the submission, other five surveys were conducted for verification purposes.

The quality was controlled, and all the data obtained were processed using different specialized software programs.

After processing the data and applying the necessary filters, all the procedures were performed on the geophysical (seismic, magnetic, and gravimetric) and bathymetric lines to delineate the limit. Seventy-nine foot of the slope points were determined on these lines, using the most convenient criterion in each area to ensure the greatest possible extension of the continental shelf.

Once those foot of the slope points were determined, the 1 per cent sediment thickness formula or the 60 nautical miles from the foot of the slope formula was applied, depending on their convenience, and the constraint envelope was delineated. Finally, the 6,336 fixed points delineating the outer limit of the Argentine continental shelf were chosen.



Images from surveys conducted on board Oceanographic Vessel ARA Puerto Deseado

Approximately 195,760 km of data have been used to delineate the outer limit of the Argentine continental shelf, equivalent to 4.89 times the circumference of the equator.

Over 900,000 man hours, were spent until the approval of the recommendations.

Outer limit of the Argentine continental shelf

The Argentine continental margin, in addition to being one of the most extensive in the world, is, from a geological point of view, a complex margin which includes several types of margins classified in the Scientific and Technical Guidelines of the CLCS.

The technology used by COPLA made it possible to obtain data of the highest quality to determine the points of WGS84 geographic coordinates which delineate the outer limit of the Argentine continental shelf.

The thorough scientific and technical work performed provides certainty about the geographical extent of our sovereign rights over the resources in the seabed and subsoil along more than 1,782,000 km² of Argentine continental shelf beyond 200 nautical miles, that is equivalent to 48% of the emerged territory of Argentina, which are added to the approximately 4,799,000 km² located between the baselines and the 200 nautical miles. In this way, we reaffirm our sovereign rights over the resources of our continental shelf: minerals, hydrocarbons, and sedentary species such as lobsters, mussels and scallops.

Argentine submission

The outer limit of the Argentine continental shelf was submitted to the CLCS on April 21, 2009. This submission consists of a Main Body, divided into six chapters, which are developed in 13 volumes and contain the scientific grounds for the outer limit of the Argentine continental shelf. Other 13 volumes and an extensive database compile supporting scientific and technical data. The most relevant bibliography was annexed in other 24 volumes. This extensive submission was presented in Spanish and also translated into English by our country, for the purposes of facilitating its assessment by the CLCS and avoiding any delays, as English is the Commission's working language.

The Argentine submission of the outer limit of its continental shelf complies with the provisions in UNCLOS and the Scientific and Technical Guidelines of the CLCS, and uses the formulae and constraints provided for in the Convention in the most favorable manner for Argentina.

On August 26, 2009, a delegation made up of COPLA members and officers from the Ministry of Foreign Affairs verbally explained to the CLCS the most relevant points of the submission. The oral presentation was made in compliance with the provisions set forth in the Rules of Procedure of the CLCS. This allowed the Commission to broadly familiarize itself with the scientific data submitted by Argentina, for the purposes of determining the composition of the Subcommittee that would decide whether the Argentine submission complies with the international law rules

In addition, an audiovisual presentation was made, using a combination of specialized software programs and a geographic information system (GIS), which made it possible to attach relevant images and the necessary cartography of all the coastal extent of our territory.

The Executive Summary of the submission can be publicly accessed on the United Nations website:

http://www.un.org/Depts/los/clcs_new/submissions_files/submission_arg_25_2009.htm

Volumes with the scientific grounds of the Argentine submission



Current status of the Argentine submission

The CLCS analyzes the submissions by way of Subcommissions composed of seven members, appointed in a balanced manner taking into account the specific elements of each submission.

Until March 2016, 77 submissions on the outer limits of the continental shelf, and 4 revised submissions have been made, because States have been totally or partially in disagreement with the approved recommendations. Moreover, 47 submissions with preliminary information have been made by States that informed that they will make the submission at a later time. The CLCS has made recommendations for 22 original submissions and 2 of the revised ones.

In August 2012, the CLCS Subcommission responsible for considering the Argentine submission was created. During the analysis, nine rounds of working sessions have been held, namely in August 2012, February/March 2013, July/August 2013, October/November 2013, January/February 2014, August 2014, November 2014, February 2015 and August 2015. During the Session of August 2015, the Subcommission completed its work, and the plenary started the consideration of the Argentine Submission. On August 27, 2015 Argentina made its oral presentation according to the CLCS Rules of Procedure, to the plenary of the Commission.

Finally on March 11, 2016, the CLCS adopted by consensus the Recommendations in regard to the Argentine Submission.

In this way, we reaffirm our sovereign rights over the resources of our continental shelf: minerals, hydrocarbons, and sedentary species such as lobsters, mussels and scallops. A total of 17 Oceanographic surveys have been carried out in order to obtain the required data off the Argentine continental margin. These studies not only allowed us to delineate the outer limit of the continental shelf, but also contributed to the knowledge of marine geology and existent resources.

The delineation of the outer limit of the continental shelf is a true example of a state policy in which a dedicated and very professional team has worked really hard for almost 20 years, with a clear and identical objective, that is to reaffirm our presence, preserve our resources and reaffirm our sovereign rights over a strategic politic and economic area as important as the South Atlantic.



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