

Decree No. 14,708, concerning national sovereignty over the Epicontinental Sea and the Argentine Continental Shelf, Oct. 1946 - "Boletín Oficial de la República Argentina" -Vol. 54, No. 15.641 (5 Dec. 1946)

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Whereas:

The submarine platform, known also as the submarine plateau or continental shelf, is closely united to the mainland both in a morphological and a geological sense;

The waters covering the submarine platform constitute the epicontinental seas, characterized by extraordinary biological activity, owing to the influence of the sunlight, which stimulates plant life (algae, mosses, etc.) and the life of innumerable species of animals, both susceptible of industrial utilization;

The Executive Power, in article 2 of Decree No. 1,386, dated 24 January 1944, issued a categorical proclamation of sovereignty over the "Argentine continental shelf" and the "Argentine epicontinental sea", declaring them to be "transitory zones of mineral reserves";

The State, through the medium of the Yacimientos Petroliferos Fiscales (Public Petroleum Deposits Administration), is exploiting the petroleum deposits discovered along the "Argentine continental shelf", thereby confirming the Argentine nation's right of ownership over all deposits situated in the aforesaid continental shelf;

It is the purpose of the Executive Power to continue, more and more intensively, its scientific and technical investigations respecting all phases of the exploration and exploitation of the animal, vegetable and mineral wealth, which offer such vast potentialities, contained in the Argentine continental shelf and in the corresponding epicontinental sea;

In the international sphere, conditional recognition is accorded to the right of each nation to consider as national territory the entire extent of its epicontinental sea and of the adjacent continental shelf;

Relying upon this principle, the Governments of the United States of America and of Mexico have issued declarations asserting the sovereignty of each of the two countries over the respective peripheral epicontinental seas and continental shelves (Proclamation of President Truman, dated 28 September 1945, and Declaration of President Avila Camacho, dated 29 October 1945);

The doctrine in question, apart from the fact that it is implicitly accepted in modern international law, is now deriving support from the realm of science in the form of serious and valuable contributions, as is evidenced by numerous national and foreign publications and even by official educational programmes; and

The manifest validity of the thesis set forth above, as well as the determination of the Argentine Government to perfect and preserve all the attributes inherently bound up with the exercise of national sovereignty, make it advisable to formulate the corresponding declaration, thereby amplifying the effects of the aforesaid Decree No. 1,386.

The President of the Argentine Nation, supported by a General Accord of the Ministers

Decreases:

Article 1. It is hereby declared that the Argentine epicontinental sea and continental shelf are subject to the sovereign power of the nation;

Article 2. For purposes of free navigation, the character of the waters situated in the Argentine epicontinental sea and above the Argentine continental shelf, remains unaffected by the present Declaration;

Article 3. The present Declaration shall be brought to the attention of the Honourable Congress, published, transmitted to the National Registry and filed.