

Act 17.033 of 20 November 1998 establishing the boundaries of the territorial sea, the adjacent zone, the exclusive economic zone, and the continental shelf

The Senate and the Chamber of Representatives of the Eastern Republic of Uruguay, meeting in general assembly, decree:

Article 1. The sovereignty of Uruguay extends beyond its continental and island territory and internal waters to the territorial sea, including its bed and subsoil and the air space over it.

The breadth of the territorial sea of Uruguay is fixed at 12 nautical miles, measured from baselines determined in accordance with article 14 of this Act.

The outer limit of the territorial sea is the line every point of which is at a distance from the nearest point of the baseline equal to the breadth of the territorial sea.

Article 2. Ships of all States are recognized as having the right of innocent passage through the territorial sea, provided that such passage is in conformity with the United Nations Convention on the Law of the Sea of 10 December 1982 (hereinafter referred to as "the Convention"), other rules of international law and such laws and regulations as Uruguay may adopt as a coastal State.

Nuclear-powered ships and ships carrying nuclear or other inherently dangerous or noxious substances which wish to exercise the right of innocent passage shall observe the special precautionary measures established by the applicable international agreements and by such regulatory provisions as the executive authority may adopt for these purposes.

The executive authority shall also adopt the regulations applicable to the passage of warships through the territorial sea.

Article 3. The contiguous zone of Uruguay extends from the outer limit of the territorial sea up to a distance of 24 nautical miles from the baselines established in article 14 of this Act for measuring the breadth of the territorial sea.

In this zone, Uruguay shall exercise the control necessary to:

A. Prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea;

B. Punish infringement of the above laws and regulations committed within its territory or territorial sea.

Article 4. The exclusive economic zone of Uruguay extends from the outer limit of the territorial sea up to a distance of 200 nautical miles from the baselines established in article 14 of this Act for measuring the breadth of the territorial sea.

Article 5. In the exclusive economic zone Uruguay has sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds.

Article 6. In the exclusive economic zone, Uruguay has jurisdiction with regard to:

- A. The establishment and use of artificial islands, installations and structures.

Uruguay has the exclusive right to construct and to authorize and regulate the construction, operation and use of such artificial islands, installations and structures, regardless of their nature or characteristics;

- B. Marine scientific research;
- C. The protection and preservation of the marine environment.

In its exclusive economic zone, Uruguay shall also have the other rights and duties provided for in the Convention.

In the exclusive economic zone, all States enjoy, subject to the Convention, the freedoms of navigation and overflight and of the laying of submarine cables and pipelines, and other internationally lawful uses of the sea related to these freedoms, such as those associated with the operation of ships, aircraft and submarine cables and pipelines, where this does not affect the sovereign rights and jurisdiction of Uruguay and compliance with its obligations in the zone.

Article 7. Where the same stock or stocks of associated species (straddling species) occur both within the exclusive economic zone and in an area beyond and adjacent to it on the high seas, Uruguay shall agree with the States fishing for such stocks in the adjacent area upon the measures necessary for the management and conservation of these stocks, which measures shall take into account and be compatible with the measures adopted in that regard by Uruguay in its exclusive economic zone.

In addition, Uruguay shall, taking into account the best scientific evidence available to it, adopt emergency management and conservation measures with regard to straddling fish stocks or highly migratory fish stocks in its exclusive economic zone; it shall extend such measures to the adjacent high seas area, in coordination, where applicable, with the States fishing for such stocks in that adjacent area, where a natural phenomenon would have adverse effects on the situation of one or more of the said species or their survival would be threatened as a result of human activity, through either fishing or pollution.

Article 8. The carrying out by other States of military exercises or any other military activities in the exclusive economic zone of Uruguay, particularly those involving the use of arms, explosives or other aggressive or polluting means for any non-peaceful purpose shall in every case be subject to the authorization of the Government of Uruguay.

Article 9. The provisions of the preceding articles are without prejudice to the provisions of the Treaty concerning the Río de la Plata and the corresponding maritime boundary, of 19 November 1979, particularly chapters XV (Navigation), article 72; XVI (Fishing), articles 73 to 77; XVIII (Research), article 79; and XX (Defence), articles 85 and 86.

Article 10. The continental shelf of Uruguay comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin.

The executive authority shall, through a special commission, chaired by a representative of the Ministry of Foreign Affairs and composed of representatives of the competent organizations, arrange for and coordinate the actions necessary to establish the outer edge of the continental shelf of Uruguay, in accordance with the provisions of

article 76 of the Convention.

Article 11. Uruguay exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources.

"Natural resources of the continental shelf" means the mineral and other non-living resources of the seabed and subsoil together with living organisms 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.

Article 12. The delineation of the course for the laying of submarine cables and pipelines on the continental shelf of Uruguay shall be subject to the consent of the executive authority and shall in every case be granted.

Article 13. Marine scientific research in the exclusive economic zone and on the continental shelf of Uruguay shall in every case be subject to the authorization of the executive authority, in conformity with the relevant provisions of the Convention and the regulations adopted by the executive authority in that regard.

Article 14. The baselines for the measurement of the breadth of the territorial sea and of the other maritime areas of Uruguay are the normal and straight baselines established in annex I (List of geographical coordinates and features specifying the baseline) of this Act, including the straight line which marks the outer limit of the Río de la Plata from the maritime lateral limit with the Argentine Republic to Punta del Este, in accordance with the provisions of the Treaty concerning the Río de la Plata and the corresponding maritime boundary, of 19 November 1973. The delineation of these lines is shown on the nautical charts which are annexed hereto as annex II of this Act.

Article 15. The waters situated within the baselines established pursuant to article 14 of this Act form part of the internal waters of Uruguay.

Article 16. The lateral limits of the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf are those derived from the Treaty concerning the Río de la Plata and the corresponding maritime boundary, of 19 November 1973, signed with the Argentine Republic, and from the exchange of notes signed on 21 July 1972 between the Eastern Republic of Uruguay and the Federative Republic of Brazil.

Article 17. "Nautical mile" means the international nautical mile, which is equivalent to 1,852 metres.

Article 18. The Uruguayan navy, through the Naval Oceanography, Hydrography and Meteorology Service, shall be responsible for the studies and works necessary to delineate the outer edge of the continental shelf, in conformity with the provisions of article 10 of this Act.

The Service shall prepare and update the charts showing the delineation of the maritime limits and zones established in this Act. The charts shall be approved by the Ministry of Foreign Affairs prior to their publication and distribution.

Article 19. The executive authority shall prepare the corresponding budgetary estimates to cover the costs of the above-mentioned studies, works and other actions relating to the preparation and updating of the charts referred to in articles 10 and 18 of this Act.

Article 20. The Ministry of Defence, through the Naval General Command, is entrusted with the monitoring and supervision of the maritime areas of Uruguay established by this Act. Such monitoring and supervision may be extended beyond those areas in exercise of the right of hot pursuit, in accordance with article 111 of the Convention, or in compliance with the obligations established by the rules of international law with regard to the conservation and management of fishing in the adjacent area and to maritime search and rescue.

Article 21. The executive authority shall adopt the regulations necessary for compliance with this Act.

Article 22. All legal or regulatory provisions which conflict with this Act are hereby repealed.

DONE in the Conference Room of the Uruguayan Senate in Montevideo on 10 November 1998.

[Signed]

[Signed]

MARIO FARACHIO HUGO FERNANDEZ FAINGOLD

Secretary President

Presidency of the Eastern Republic of Uruguay

MINISTRY OF FOREIGN AFFAIRS

MINISTRY OF NATIONAL DEFENCE

MINISTRY OF LIVESTOCK, AGRICULTURE AND FISHING

Montevideo, 20 November 1998

For completion, acknowledgement of receipt, transmittal, publication and insertion in the National Register of Acts and Decrees.

[Signed] SANGUINETTI

[Illegible signatures]

List of geographical coordinates and features specifying the baselines of the Eastern Republic of Uruguay

Geographical feature	Latitude south	Longitude east	Delineation of the line between those points
1. Mid-point outer limit Río de la Plata (articles 1 and 70 of the Treaty concerning the Río de la Plata and the corresponding maritime boundary)	35° 38'.0 S	55° 52'.0 W	STRAIGHT
2. Intersection of line marking outer limit Río de la Plata with W coastline of Punta del Este	34° 58'.2 S	54° 57'.2 W	NORMAL
3. S end Punta del Este	34° 58'.4 S	54° 57'.1 W	STRAIGHT
4. Punta del Vapor	34° 57'.9 S	54° 56'.4 W	STRAIGHT
5. Punta Piedras Perimeter Isla de Lobos	34° 54'.3 S	54° 48'.4 W	ISOLATED NORMAL
6. SE end Islote de Lobos	35° 01'.7 S	54° 52'.0 W	ISOLATED NORMAL
5. Punta Piedras	34° 54'.3 S	54° 48'.4 W	NORMAL
7. Punta José Ignacio	34° 51'.0 S	54° 38'.1 W	NORMAL
8. Cabo Santa María	34° 40'.1 S	54° 09'.0 W	STRAIGHT
9. Shoal E of start of Punto de La Paloma breakwater	34° 39'.3 S	54° 08'.2 W	STRAIGHT

10.	E end Piedra Negra	34° 24'.1 S	53° 44'.8 W	STRAIGHT
11.	E end Isla del Marco	34° 21'.0 S	53° 44'.3 W	STRAIGHT
12.	Shoal Punta del Palmar	34° 04'.0 S	53° 44'.3 W	STRAIGHT
13.	Shoal María Pía	34° 03'.0 S	53° 32'.0 W	STRAIGHT
14.	Punta del Diablo	34° 02'.5 S	53° 32'.0 W	STRAIGHT
15.	Punta Mogote	34° 00'.1 S	53° 32'.0 W	STRAIGHT
16.	Islet SSE Isla Coronilla	33° 56'.6 S	53° 28'.5 W	STRAIGHT
17.	NE end Isla Coronilla	33° 56'.3 S	53° 28'.7 W	STRAIGHT
18.	Punta de la Coronilla	33° 55'.4 S	53° 30'.5 W	NORMAL
19.	Intersection of maritime lateral limit between Eastern Republic of Uruguay and Brazil with coastline	33° 44'.8 S	53° 22'.0 W	
