

La Misión Permanente de la República de Chile ante Naciones Unidas presenta sus atentos saludos al Secretario General de Naciones Unidas y tiene el agrado de referirse a la Cuadragésima Sesión de la Comisión de Límites de la Plataforma Continental, cuyo resumen de trabajo ha sido publicado recientemente el lunes 23 de mayo de 2016.

Esta Misión, junto con reiterar su plena adhesión a las disposiciones de la CONVEMAR y al Sistema Antártico -y muy especialmente al Artículo IV del Tratado Antártico de 1959- que ha permitido asegurar una cooperación estable y pacífica en dicho continente, desea hacer presente que en relación con la presentación de la República Argentina ante la Comisión de Límites de la Plataforma Continental y las respectivas recomendaciones sobre esta presentación del 11 de marzo de 2016, que ellas en nada pueden afectar la posición jurídica de Chile en los que se refiere a la plataforma continental extendida de los territorios antárticos, como país con derechos de soberanía en la Antártica.

En atención a lo antes indicado, considerando lo preceptuado en el artículo 46 del Reglamento de la Comisión sobre las presentaciones en casos de controversia entre Estados con costas adyacentes o situadas frente a frente u otras controversias territoriales o marítimas pendientes, así como lo consignado en las decisiones adoptadas por la misma Comisión los años 2009 y 2012, en cuanto a no encontrarse ésta en condiciones de examinar y calificar las partes de las presentaciones que son objeto de controversias, se recuerda que dichas disposiciones son aplicables a la plataforma continental de la Antártica (CLCS / 64, párr. 76 y 77 y CLCS / 76 párr. 57).

En este contexto, esta Misión estima conveniente recordar lo expresado en su Nota Verbal N° 247 de 2004, adjunta a esta Nota y dirigida a las Misiones de Argentina, Australia, Francia, Nueva Zelanda, Noruega y Reino Unido, por la cual se asentía con el acuerdo sobre una postura común frente a las presentaciones efectuadas ante esa Comisión, tratándose de la plataforma continental antártica.

La Misión Permanente de la República de Chile ante Naciones Unidas hace propicia la oportunidad para reiterar al Secretario General las seguridades de su más alta y distinguida consideración.

✓ r. 1.

Nueva York, 25 de mayo de 2016

Secretario General de las Naciones Unidas
División de Asuntos Oceánicos y Derecho del Mar (DOALOS/ Comisión de Límites de la Plataforma Continental)
Nueva York



REPÚBLICA DE CHILE
MINISTERIO DE RELACIONES EXTERIORES
MISIÓN PERMANENTE ANTE LAS NACIONES UNIDAS

No. 247/2004

The Permanent Mission of Chile to the United Nations presents its compliments to the Permanent Missions of Argentina, Australia, France, New Zealand, Norway, and the United Kingdom and has the honour to confirm on the part of the Government of Chile that the text below reflects the outcome of the recent discussions among the seven States on the question of submissions to the Commission on the Limits of the Continental Shelf.

"Argentina, Australia, Chile, France, New Zealand, Norway, and the United Kingdom have considered the question of the Antarctic Continental Shelf and affirm that they will each use the following text in their respective submissions to the Commission on the Limits of the Continental Shelf with regard to the outer limits of the continental shelf appurtenant to Antarctica:

«(State X) recalls the principles and objectives shared by the Antarctic Treaty and UNCLOS, and the importance of the Antarctic system and UNCLOS working in harmony and thereby ensuring the continuing peaceful cooperation, security and stability in the Antarctic area.

(State X) notes also the relevant provisions of UNCLOS, including its article 77, which provides inter alia that the rights of the coastal State over the continental shelf do not depend on any express proclamation, and recalls the decisions of Meetings of the States Parties to UNCLOS and the rules of the Commission on the Limits of the Continental Shelf (the Commission).

(State X) has regard to the circumstances of the area south of 60 degrees South latitude and the special legal and political status of Antarctica under the provisions of the Antarctic Treaty, including its article IV, and notes that appurtenant to Antarctica there exist areas of continental shelf the extent of which has yet to be defined. It is open to the States concerned to submit information to the Commission which would not be examined by it for the time being, or to make a partial submission not including such areas of continental shelf, for which a submission may be made later, notwithstanding the provisions regarding the ten-year period established by article 4 of Annex II to UNCLOS and the subsequent decision on its application taken by the Eleventh Meeting of States Parties to UNCLOS.

Consistent with the first option, (State X) requests the Commission in accordance with its rules not to take any action for the time being with regard to the information in this submission that relates to continental shelf appurtenant to Antarctica,

or

(State X) makes a partial submission, in accordance with the Commission's rules, not including areas of continental shelf appurtenant to Antarctica, for which a

submission may be made later, notwithstanding the provisions regarding the ten-year period established by article 4 of Annex II to UNCLOS and the subsequent decision on its application taken by the Eleventh Meeting of States Parties to UNCLOS.»

Without prejudice to the above mentioned common elements, it is understood that in cases where a land or maritime dispute exists among two or more of the States named above, the Commission will be required not to consider and qualify a submission made by any of the States concerned in the dispute in so far as it relates to the areas under dispute. However, with prior consent given by all States that are parties to such a dispute, the Commission may be required to consider, in such cases, one or more submissions.

Argentina, Australia, Chile, France, New Zealand, Norway, and the United Kingdom also express their commitment to consult further with a view to reaching common positions on the content and timing of any reaction they might deem necessary with regard to any subsequent development related to submissions to the Commission with respect to continental shelf appurtenant to Antarctica.”

The Permanent Mission of Chile to the United Nations takes this opportunity to renew to the Permanent Missions of Argentina, Australia, France, New Zealand, Norway, and the United Kingdom the assurances of its highest consideration.

Permanent Mission of Chile to the United Nations
NEW YORK

22 December 2004

