

THE CONTINENTAL SHELF EXTENSION AS A THREAT TO MARITIME SECURITY: THE CASE OF ANTARCTICA

A EXTENSÃO DA PLATAFORMA CONTINENTAL COMO AMEAÇA À SEGURANÇA MARÍTIMA: O CASO DA ANTÁRTIDA

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Abstract

The possibility of extension of the Continental Shelf, given to coastal States by Article 76 of the UN Convention on the Law of the Sea (UNCLOS), has generated new territorial disputes between coastal states with adjacent or opposite coasts, as well as awakened past disputes. The motives for these disputes are related to the interests in territorial expansion and the exclusive rights of sovereignty over the potential resources of the seabed and subsoil of the sea. Therefore, the redrawing of maritime borders has enhanced relations between neighbouring coastal States and, in areas where there are proven energy reserves and overlapping interests, created disputes that threaten maritime security.

In order to confirm the existence of potential disputes arising from the possibility of coastal states extending their sovereignty over the Continental Shelf, we studied the case of 'Antarctica'. For that purpose, we applied the qualitative method to the analysis of structural documents on the subject, such as the United Nations Convention on the Law of the Sea, the Communiqués submitted by the States, the recommendations of the Commission on the Limits of the Continental Shelf, and the Declarations made by states, among other documents deemed relevant.

With this study, we found that, on the one hand, the extension of the continental shelf and the subsequent definition of new sea borders benefits coastal States because it extends

Como citar este artigo: Lampreia, R., 2016. The Continental Shelf Extension as a Threat to Maritime Security: The Case of Antarctica. *Revista de Ciências Militares*, maio de 2016 IV (1), pp. 43-68.
Disponível em: <http://www.iesm.pt/cisdi/index.php/publicacoes/revista-de-ciencias-militares/edicoes>.

their sovereignty over the potential resources in the seabed and subsoil of the continental shelf, and, on the other, that it can cause new disputes between States with adjacent or opposite coasts where overlapping interests exist, and thus constitutes a threat to maritime security.

Keywords: Extension; Continental Shelf; Threat; Maritime Disputes; Maritime Security.

Resumo

A possibilidade de extensão da Plataforma Continental, conferida aos Estados costeiros, pelo Artigo 76.º da Convenção das Nações Unidas para o Direito do Mar (CNUDM), veio gerar novas disputas territoriais entre os Estados costeiros, com costas adjacentes ou frente a frente, e despertar as do passado. A motivação surge com o interesse de expansão territorial e dos direitos exclusivos de soberania sobre os potenciais recursos do leito e subsolo do mar. Por conseguinte, o traçado das novas fronteiras marítimas veio estimular as relações entre os Estados costeiros e, nas áreas onde existam reservas energéticas e sobreposição de interesses, causar situações de disputa que podem ameaçar a segurança marítima.

Para confirmação das potenciais disputas, resultantes da possibilidade dos Estados costeiros estenderem a soberania na Plataforma Continental, estudou-se o caso da Antártida. Neste sentido, aplicou-se o método qualitativo na análise dos documentos estruturantes sobre esta matéria, tais como a Convenção das Nações Unidas sobre o Direito do Mar, os Comunicados submetidos pelos Estados, as Recomendações da Comissão de Limites da Plataforma Continental e as Declarações dos Estados, entre outros considerados relevantes.

Com o presente estudo, conclui-se que a extensão da plataforma continental e a consequente definição de novas fronteiras marítimas beneficia, por um lado, os Estados costeiros, em virtude de lhes estender a soberania sobre os potenciais recursos existentes no leito e subsolo da plataforma continental e, por outro lado, pode causar disputas marítimas entre Estados costeiros onde exista sobreposição de interesses e, portanto, constituir uma ameaça à segurança marítima.

Palavras-chave: *Extensão; Plataforma Continental; Ameaça; Disputas Marítimas; Segurança Marítima.*

Introduction

The beginning of the 21st century was marked by an international surge by coastal States to the seabeds and subsoils of the continental shelf. This race was primarily motivated by the interest of coastal states in expanding exclusive sovereignty rights over the potential mineral, energy (including methane hydrates) and genetic resources of the continental shelf soil and subsoil to beyond 200 nautical miles¹.

¹ The term 'maritime mile', which can also be referred to as 'nautical mile', is equivalent to 1852 meters, and will be hereafter referred to as 'miles'.

Energy resources (oil and gas) are of great economic importance to States, especially those with proven reserves and the technological capacity to explore and extract these resources. Growing demand and pressure on underground reserves have been a stimulus for technological development with a view to offshore exploitation. Currently, it is technologically and economically viable to exploit these resources at depths of about 3000 meters; this is of particular relevance to coastal States, which see in the United Nations Convention on the Law of the Sea (UNCLOS) the opportunity to extend their exclusive sovereignty over the resources in the seabed and subsoil and at the above depths.

The window of opportunity for coastal states to extend their continental shelf beyond 200 miles opened on 13 May 1999, remained open for ten years and ended in May 2009. Ten years was the period deemed appropriate for these States to develop the scientific research required to prepare their respective extension proposals and to submit them to the Commission on the Limits of the Continental Shelf (CLCS) of the United Nations (UN) in the form of a Communique. Although the deadline to deliver the proposals ended in 2009, it had to be extended because of the complexity and slowness of the scientific work that had to be conducted, and, on occasion, of the technological limitations of some States, and on 17 January 2016, of the seventy-seven proposals submitted to the CLCS, twenty-six were entered after the deadline, with Spain submitting the last proposal on 17 December 2014. As for the recommendations, only twenty-two proposals had been adopted by 3 December 2015 (Nações Unidas, 2015a).

The present study aims to analyse, relying on the qualitative method, the Communiques with proposals to extend the continental shelf beyond 200 miles that were drafted and sent to the CLCS, and the corresponding recommendations by the CLCS, as well as the communiques and related declarations of other claimant coastal States, circumscribed to the Atlantic sector of the Antarctica region, as to identify potential disputes for maritime territories and evaluate the impact of these disputes on maritime security. It is important to know that the drawing of the new outer limits of the continental shelf will be recognised as definitive and mandatory when established by coastal States in compliance with the recommendations of the CLCS.

The EU Maritime Security Strategy (EUMSS) lists a set of risks and threats to maritime security, which include those related to maritime disputes and threats to the sovereign rights of States (Council of the European Union, 2014). On the other hand, considering that UNCLOS was also created to guarantee good order at sea by implementing rules regarding the sovereignty of coastal States over their adjacent waters, marine resource management and pollution control, no disputes should occur. Thus, identifying the cause of maritime disputes threatening both sovereign rights and maritime security is considered an important goal.

There is no universal definition of maritime security. It can be approached in different ways, depending on the observer's origin and context (space and time), an opinion which is shared by several authors. However, the present research has adopted the following definition by Geoffrey Till²: 'Actions performed by military units in partnership with other government departments,

² Geoffrey Till is a British naval historian, professor of Maritime Studies at the King's College London Defence Studies Department, and Chairman of the Corbett Centre for Maritime Policy Studies.

agencies and international partners in the maritime environment to counter illegal activity and support freedom of the seas, in order to protect national and international interests' (Till, 2009, p. 286). Thus, when a coastal State threatens sovereign rights in another coastal State's sea, this may result in force actions and reactions to defend their respective interests, and may thus constitute an obstacle to maritime security.

Therefore, in our opinion, the new maritime boundaries generate controversy and maritime disputes between coastal States, potentially threatening maritime security both locally and regionally, especially in areas with important oil and/or natural gas reserves. Thus, this research was guided by the following starting question: 'How does the extension of the continental shelf beyond 200 miles, which the UN granted to coastal States, constitute a risk or a threat to maritime security?'

For the purpose, we relied on the qualitative method and on a case-study type research - Antarctic Ocean -, which we circumscribed to the Atlantic sector. We thus began by analysing the legal and political evolution of the concept of Continental Shelf, as well as the legal framework in force. Next, a survey was conducted of the official documents³ prepared by coastal States and by the United Nations, in order to evaluate if there was a resulting overlap in common interests and disputes between coastal States.

1. The extension of the Continental Shelf

The term 'continental shelf' was first used by British geographer Hugh Robert Mill, in 1887. Hydrographic surveys conducted near the coast revealed that depth increased slightly and gradually, in proportion to distance, up to a certain level, and that, after that level, the increase was more accentuated. A 200-meter limit was stipulated to identify this steeper slope. The width of the continental shelf can vary between a few dozen and several hundred miles (Coelho, 2006, pp. 18 - 19).

In order to understand the process to extend the continental shelf beyond 200 miles we must familiarise ourselves with, not only the relevant provisions of the United Nations Convention on the Law of the Sea (UNCLOS) drafted in 1982, but also some historical aspects of international policy which have significantly contributed to the process.

Therefore, this chapter will briefly present the evolution of the concept of continental shelf, as well as the concepts of Internal Waters, Contiguous Zone, Exclusive Economic Zone, Continental Shelf and High Seas, based on international, Community and national law. Finally, we will analyse the rules and problems related to the demarcation of the outer limit of the continental shelf beyond 200 miles.

³ These official documents (such as: Communiqués / Notifications / Recommendations / Declarations) are available at the United Nations website:
http://www.un.org/Depts/los/clcs_new/commission_submissions.htm

Legal and Political Evolution

In the eighteenth century, the outer limits of territorial waters were set at three nautical miles, based on the maximum reach of a cannon firing from land at that time, thus corresponding to the coastal strip that could be defended by a sovereign State. The three-mile limit became an established international practice in the nineteenth century, and remained so until the mid-twentieth century. During this period, there was no legal and conceptual distinction between seabed, the corresponding subsoil and the overlying waters. These elements were usually included in the general designation 'High Seas', which had to be legally characterised.

In the Hague conference in 1930, it was unanimously accepted that the sovereignty of coastal States extends to the airspace overlying the territorial waters and corresponding subsoil. However, the seabed and corresponding subsoil beyond territorial waters were not much discussed. The legal nature of territorial waters, the definition of baselines, the regulation of the right of innocent passage and the right of hot pursuit on high seas were some of the subjects on the agenda (Comité da Liga das Nações, 1930).

The first mention of exploration of seafloor resources was in 1942, in the wording of a treaty between Venezuela and the United Kingdom, the *de facto* ruler of Trinidad and Tobago and Venezuela at the time, which aimed to regulate the exploration of resources in the Gulf of Paria, entitled Treaty of Paria. According to this international legal instrument, the territorial waters of both States were divided into two sectors, in which each party acknowledged and respected the other parties' rights in their respective sector, and in which research and mining works should not infringe the right of passage beyond the boundaries of each State's territorial waters. The Treaty of Paria is regarded as an original instrument for the time, as it is the first mention of the term 'continental shelf' in the legal literature (Coelho, 2006, p. 22).

At the end of World War II, aware of the world's search for new energy sources such as oil and other minerals, and aware of the natural resources of its continental shelf, the United States of America, represented by president Truman, signed Proclamation 2667 - Policy of the United States With Respect to the Natural Resources of the Subsoil and Sea Bed of the Continental Shelf (Harry Truman, 1945) -, which became known as the 'Truman Proclamation'. This proclamation laid the groundwork for the fundamental rules of the legal concept of continental shelf, which relied on international custom to expand exclusive powers of jurisdiction and control over the natural resources of the seabed and subsoil of the marine areas adjacent to territorial waters (Coelho, 2006, p. 24) to coastal States.

The first 1958 Geneva Convention on Law of the Sea approved, among other things, the Convention on the Continental Shelf (CCS), which we aim to study. Article 1 of this convention states that the term 'continental shelf' should be 'used as referring to the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 metres or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas'. Based on this provision, two rules were established to delimit the continental shelf: the first to the 200-metre isobath⁴ and the second

⁴ Isobaths are lines of equal depth.

to the depth allowed by a State's technological ability (Nações Unidas, 1958). The first rule can be said to be objective and conducive to balanced implementation, as it promotes equality between coastal States. The same cannot be said about the second, as it allows technologically more advanced coastal States to seize all seabeds, giving them a clear advantage over less technologically developed States.

With the rapid economic and political development of the international community, enhanced by the growing demand for energy, mineral and nutritional resources, by the decolonisation process (which resulted in new States and in calls for a new international economic order), and also by technological evolution (which has been expanding the exploration of natural resources beyond territorial seas to previously inaccessible distances and depths), the CCS quickly became insufficient to deal with these developments in the international community (Silva, 2012, pp. 78 - 80).

Although the second 1960 Geneva Convention on Law of the Sea did not lead to new advances in international maritime law, in 1967, during a conference at the United Nations General Assembly (UNGA), the Malta representative - Ambassador Arvid Pardo - requested a resolution be adopted that provided a set of actions, which included the following:

- The classification of the seabed and corresponding subsoil as common heritage of mankind, to be explored and used for the benefit of all people, with preference for countries in need;
- There could be no claims over the seabed and corresponding subsoil beyond the national jurisdictions in force, until a clear definition was found for the concept of continental shelf.
- The creation of a body tasked with drafting a proposal for a treaty to safeguard the international nature of the seabed and corresponding subsoil.
- The creation of an international agency to manage the area.

The UNGA responded to Pardo's request with Resolution 2340 (XXII), issued on 18 December 1967, appointing an ad hoc committee to study the pacific use of seabeds, known as Seabed Committee (Silva, 2012). Thus, Pardo's Declaration 'is a milestone in the evolution of the continental shelf system, as it seeks to free seabeds from national jurisdictions, specifically from coastal States with greater technological capabilities, and to define that area and the resources in it contained as common heritage of mankind' (Coelho, 2006, p. 28).

UNGA Resolution 2750-C (XXV), issued on 17 December 1970, tasked the Seabed Committee with defining and preparing the themes and articles for the third United Nations Conference on the Law of the Sea. Between 1973 and 1982, 11 work sessions were held for that purpose. The final session took place in Montego Bay, Jamaica, from 6 to 10 December 1982, and resulted in the United Nations Convention on the Law of the Sea (UNCLOS).

The UNCLOS established, 'with due regard for the sovereignty of all States, a legal order for the seas and oceans which will facilitate international communication, and will promote the

peaceful uses of the seas and oceans, the equitable and efficient utilization of their resources, the conservation of their living resources, and the study, protection and preservation of the marine environment, Bearing in mind that the achievement of these goals will contribute to the realization of a just and equitable international economic order which takes into account the interests and needs of mankind as a whole and, in particular, the special interests and needs of developing countries, whether coastal or land-locked' (Escarameia, 2003, p. 659).

The legal and political evolution of the concept of continental shelf having been presented in general terms, we will now describe the legal system and the delimitation of each maritime space under UNCLOS, which is the national and community legislation of reference. The criteria for the delimitation of the continental shelf beyond 200 miles will also be analysed, in order to identify potential issues for the relations between adjacent coastal States.

The applicable legal system

Part VI of paragraph 1 of art. 76 of UNCLOS specifies that the Continental Shelf '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, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin⁵ does not extend up to that distance'⁶ (Escarameia, 2003, p. 689).

Should the outer edge of its continental margin extend beyond 200 nautical miles from the baselines - continental slope and rise -, a coastal State may extend its continental shelves beyond 200 nautical miles⁷. However, the fixed points (geographic coordinates⁸) comprising the line of the outer limits of the continental shelf, drawn not more than 60 nautical miles apart, either shall not exceed 350 nautical miles from the baselines from which the breadth of the territorial sea is measured or shall not exceed 100 nautical miles from the 2,500 metre isobath, in accordance with the provisions of paragraphs 4 to 9 of article 76 of UNCLOS (Escarameia, 2003, pp. 689 - 690).

In 2005, the Portuguese government created the 'Task Group for the Extension of the Portuguese Continental Shelf', for the purpose of drafting the proposal to extend the limits of the Portuguese continental shelf. The proposal was delivered to the United Nations Organization (UN) on 11 May 2009 and discussed on 13 April 2010, and is under evaluation by the Commission on the Limits of the Continental Shelf' (Cajarabille, et al., 2012, p. 51). The Portuguese continental shelf will correspond to about 40 times the area of its emerged territory (EMEPC, 2016).

⁵ The continental margin is the submerged prolongation of a coastal State's land mass and consists of the continental slope and rise, and does not include the deep ocean floor with its oceanic ridges or the subsoil thereof, as per paragraph 3 of art. 76 of UNCLOS.

⁶ In accordance with art. 76 of UNCLOS.

⁷ In accordance with paragraphs 8 and 9 of art. 76 of UNCLOS.

⁸ Geographic coordinates in Latitude and Longitude.

With the possibility of coastal States expanding their continental shelves beyond 200 miles, relations between the states with adjacent or opposite coasts may result in disputes and conflict, should the equity and/or the interests of both parties not be harmoniously safeguarded. However, before a brief analysis of the problems related to the extension of the continental shelf beyond 200 miles, it is important to know the rules of operation applicable to the Commission on the Limits of the Continental Shelf and the applicable legal system to the area beyond the boundaries of the continental shelf.

Commission on the Limits of the Continental Shelf

The duties of the Commission on the Limits of the Continental Shelf (CLCS), in accordance with art. 3 of Annex II of UNCLOS consist in considering the data and other materials presented by coastal States on the outer limits of the Continental Shelf, in areas where those limits extend beyond 200 miles, and in making recommendations, under paragraph 8 of art. 76, as well as providing scientific and technical support in the preparation of that data upon request of a coastal State. It should also be mentioned that the limits of the continental shelf are sovereign and definitive when established by a coastal State in compliance with the CLCS recommendations.

Considering the objective of this research paper, it is important to know the procedures established by the CLCS regarding maritime and/or land disputes between coastal States. According to section (a) of paragraph 5 of Annex I of the 'Rules of Procedure of the Commission on the Limits of the Continental Shelf', whenever land or maritime disputes arise, the commission shall not consider and qualify a submission made by either of the States involved. However, the commission may consider one or more submissions in the areas under dispute with prior consent given by all States that are parties to such a dispute. (Commission on the Limits of the Continental Shelf, 2008).

Issues beyond 200 miles

The beginning of the nineteenth century was marked internationally by a surge to new maritime territories by coastal States. This surge was primarily motivated by the interest of coastal states in expanding exclusive sovereignty rights over the potential marine resources of the soil and subsoil of the seafloor to beyond 200 nautical miles.

The outer limits of the continental shelf can be established by either fixation or delimitation. The present study is concerned with delimitation, as the concept of fixation corresponds to an 'unilateral act of States by which they determine the limits of their shelf to 200 miles, whenever it is not in contact with the shelf of another State' (Ferrão, 2009, p. 75) and, therefore, no disputes are expected to occur between coastal States; the same cannot be said of delimitation.

Delimitation concerns a boundary problem between spaces subject to the authority of different entities, on which a consensus between the parties must be found. Therefore, the

most complex problems are related to delimitation where it stems from two specific situations. First, there is the issue of delimitation of a continental shelf when two States with adjacent or opposite coasts have rights over the same space, that is, when overlapping claims by several States exist regarding the same area. Second, there is the issue of delimitation as it relates to the Area⁹, as the outer limits of the continental shelf are subject to the approval of the Commission on the Limits of the Continental Shelf (Ferrão, 2009, pp. 75 - 76).

In order to solve potential problems with the interpretation and implementation of UNCLOS, Part XV of the Convention provides for the settlement of disputes. States Parties must resolve their international disputes by peaceful means, so as not to endanger international peace, security and justice, as well as look, above all, to reach a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or any other peaceful means of their own choice. The document also specifies that none of the provisions in Part XV of UNCLOS impairs the right of any States Parties to agree, at any time, to settle a dispute between them (Escarameia, 2003, pp. 767 - 768).

The Convention also links with other international agreements, as it does not alter the rights and obligations of States Parties which arise from other arrangements, as long as these are compatible with the Convention and do not affect the enjoyment by other States Parties of their rights or the performance of their obligations under that same Convention (Escarameia, 2003, p. 779).

By 17 January 2016, one hundred sixty-six States had signed or ratified UNCLOS, the State of Palestine having been the last to do so on 2 January 2015. Considering that the number of member-States in the Organisation of the United Nations is one hundred ninety-three, the convention was therefore not signed nor ratified by twenty-seven States.

Of the one hundred ninety-three States, one hundred fifty-seven signed, and one hundred sixty-six ratified the Convention. Of the forty-four landlocked states¹⁰, seven have neither signed nor ratified. Finally, six coastal states have not signed or ratified the Convention, namely: Eritrea, United States of America, Israel, Peru, Syria, Turkey and Venezuela (Nações Unidas, 2015a).

With regard to the extension of the continental shelf by coastal States, it is also important to assess the requests submitted by those States to the Commission on the Limits of the Continental Shelf, for which the deadline set by the United Nations ended on 14 May 2009. Thus, the Russian Federation was the first nation to submit the new limits to this commission on 20 December 2001, and by 17 January 2016, seventy-seven submissions had been delivered to the United Nations, in accordance with paragraph 8 of art. 76 of UNCLOS; Spain submitted the last proposal, regarding the area west of the Canary Islands, on 17 December 2014. Of the seventy-seven submissions, sixty-eight were delivered to the Commission on the Limits of the

⁹ The Area consists of the maritime space beyond the limits of the continental shelf, and its resources are considered common heritage of mankind - the solid, liquid or gaseous minerals *in situ* on the Area, on the seabed or in its subsoil, including polymetallic nodules, as specified in articles 133 to 136 of UNCLOS.

¹⁰ A landlocked state is a state without a coastline.

Continental Shelf (Nações Unidas, 2015b). Of the seventy-seven submissions, twenty six were delivered after the deadline. However, this is in accordance with the Commission's decision in the eighteenth Parties States¹¹ meeting, held from 13 to 20 June 2008 (SPLOS¹²/183).

2. The case of the Antarctic region

Until the mid-eighteenth century, the Antarctic was the stuff of legends, and it was only with British navigator James Cook's circumnavigation in 1772-1775, in the high latitudes of the southern hemisphere, that knowledge about the continent of Antarctica began to emerge. After that moment, and until the end of the nineteenth century, several expeditions to the Antarctica coast were organised by the British Empire. The waters surrounding the continent also served as a stage for commercial hunting and fishery of seals and whales by various countries, including Argentina (Vieira, 2006, p. 52).

In this chapter, we will attempt to identify potential factors and motivations for disputes in the South Atlantic Antarctic region, bearing in mind the possibility of extending the continental shelf. Thus, we will begin by analysing the background, the geo-economic importance and the geopolitics of the region and, finally, the Antarctic Treaty and UNCLOS.

Background

Expeditions into the Antarctic inland began in the first decade of the twentieth century, with Britain, France, Belgium, Scotland, Australia, Japan, Norway and Germany as the countries that showed greater interest in the region by actively participating in scientific research. At the same time, Argentina and Chile sought to join this movement by setting up stations on the edge of the continent of Antarctica in 1904 and 1906, respectively. Scientific expeditions like the one carried out by Norwegian explorer Roald Amundsen, who reached the South Pole for the first time on 14 December 1911, resulted in heroic feats that brought human presence to the remote and inaccessible terrestrial areas of the world (Bischoff, 1996, p. 9).

With the advancements in air transport in the 1920s and 1930s, knowledge of the region was expanding, resulting in the first disputes for influence over the territory of Antarctica. For instance, two South American countries, Argentina and Chile, named the same Antarctic Peninsula after generals regarded as national heroes - Land of San Martin and Land of O'Higgins, respectively. However, these names were eventually replaced in the northern part of the peninsula by a British name - Graham Land, in honour of the First Lord of the Admiralty - and in the southern part of the peninsula by a North American name - Palmer Land, after explorer and navigator Nathaniel Palmer (Vieira, 2006, p. 52).

¹¹ A decision made at a States Parties meeting on International Law of the Sea (SPLOS/183), which allowed the states with greater difficulties preparing the technical documentation to extend the deadline for submitting their proposals.

¹² Abbreviation used by the United Nations to refer to meetings with States Parties related to the Convention on International Law of the Sea. SPLOS means: 'States Parties to the United Nations Convention on the Law of the Sea'.

The Antarctic Peninsula, located in the western part of the Atlantic Ocean, is the most disputed territory of the continent due to its location and climate. It is the northernmost part of the continent of Antarctica, extending beyond the Antarctic Circle, relatively close to the southern end of South America, and thus its climate is less harsh. For this reason, this peninsula and adjacent islands has the highest concentration of scientific stations (Vieira, 2006, p. 53).

In the first half of the twentieth century, seven countries declared sovereignty over the continental areas of Antarctica, including Argentina, Chile, Britain, France, Norway, Australia and New Zealand. The declaration of sovereignty over the Antarctic Peninsula by Argentina and Chile is particularly relevant because it was made during World War II, in 1939 and 1940, respectively, and thus reveals a certain opportunism by those countries, given the instability in the Atlantic caused by the onset of World War II and these countries' affinity for Nazi ideology (Vieira, 2006, p. 53).

In 1942, during World War II, the Germans used the Kerguelen Islands as filling station for a privateer, the Penguin, which had been carrying 136 tons of cargo taken from the allies at the time it was sunk. In 1943, Britain sent an expedition to install weather stations in the Antarctic Peninsula (Graham) and the United States began to permanently occupy their bases. In December 1946, as a show of power, the United States organized the largest expedition ever sent to Antarctica, Operation "HIGHJUMP" whose scientific research work resulted in important discoveries in the region (Bischoff, 1996, p. 9). In turn, the Soviet Union declared in 1950 that did not recognise any decisions on Antarctica made without their participation and agreement (Perdigão, 2012).

In 1982, in the South Atlantic, in the area adjacent to the Antarctic region, Argentina invaded and occupied the Malvinas/Falkland Islands- a British Overseas Territory since 1833 - with military forces. In response to the events, the then British Prime Minister - Margaret Thatcher - sent a British expeditionary naval force to retake control and sovereignty over the archipelago, in what became known as the Malvinas/Falklands War. Three decades after the end of the Malvinas/Falklands War, Argentina continued to claim sovereignty over the islands under British rule. According to British Prime Minister David Cameron, there will be no negotiations on the sovereignty of the islands. It should be noted that Buenos Aires has been increasing its pressure, especially after London decided to begin prospecting oil off the islands (Jornal de Notícias, 2013).

In the 1980s and 1990s, Brazil, Uruguay and Peru also set up scientific stations, the naming of which was loaded with ideological significance, which might mean these South American countries are willing to politically (and not just scientifically) affirm their stance on the continent of Antarctica. This is significant in that the demands were made, largely, over the same territory (Vieira, 2006, p. 55).

Brazil is interested in a region known as Brazilian Antarctica, originally proposed by Delgado de Carvalho¹³ and Therezinha de Castro¹⁴, based on the theory of confrontation¹⁵, which has never been recognised by the government despite meeting with reasonable acceptance in military circles. In fact, no territorial claims have ever been made by Brazil, in part because it would bring about unnecessary disputes with the Argentines and the British, who have claims over the same area proposed by Castro and Carvalho. However, as a regional power, Brazil remains interested in the geo-strategic and geo-economic potential of Antarctica (Instituto Brasileiro de Geografia e Estatística, 2009, p. 386).

Economic relevance

Antarctica is home to one of the most extreme and abundant ecosystems on Earth and large populations of penguins, seals, whales and fish proliferate in its icy waters. The human activities in Antarctica resulted from both in scientific and economic interests.

In the nineteenth century, these activities were carried out by large commercial companies, which resulted in the first claims to land in Antarctica to protect the whaling industry from English and French levies. Until the mid-twentieth century, about 80% of the world production of whale oil originated in Antarctic waters, with the remaining 20% coming from the Arctic and other regions. All body parts of a whale can be used, but intensive hunting in the mid-nineteenth century primarily aimed to produce oil for the heating and lighting of cities (Bischoff, 1996, p. 5).

Intensive whaling and the subsequent danger of extinction led to fishery being regulated by a Convention signed in Washington on 2 December 1946, which was later supplemented by a decree issued on 15 September 1958. The capture of sperm whales is motivated by their economic importance to the perfumes, candles and lubricants industry (Bischoff, 1996, p. 5).

Krill is another important economic resource in the region¹⁶. In the second half of the twentieth century, the decline of living resources in the northern hemisphere and the rapid expansion of the aquaculture market attracted fishermen to Antarctica in search of krill, a source of fish oil and feed for the aquaculture industry. The nutrients this small crustacean contains are also used by the cosmetic and pharmaceutical industry. However, the growing demand for

¹³ Carlos Delgado de Carvalho (1884-1980), Brazilian geographer, historian and professor. He was strongly linked to the Brazilian Institute of Geography and Statistics (IBGE) and wrote about 49 reference works in the fields of Geography, Geopolitics and International Relations. Considered the 'master of masters' in these matters by David Wu Tai - general coordinator of the Centre for Documentation and Information Dissemination (CDDI) IBGE - as mentioned in his presentation of the publication '*Documentos para Disseminação, Memória Institucional 16*' ['Documents for Dissemination, Institutional Memory 16'] issued by the IBGE, 2009.

¹⁴ Therezinha de Castro (1930-2000) was a faithful disciple of Master Delgado de Carvalho, having published several works at the IBGE, including books and papers.

¹⁵ The 'Theory of Confrontation' is a theory designed to determine the boundaries of the South American countries in view of an eventual future partition of an area of Antarctica entitled 'South American Antarctic Quadrant' or 'American Antarctic', created by Brazilian geopolitical theorist Therezinha de Castro and published in her book, *Antarctic: Theory of Confrontation*.

¹⁶ Krill is a small crustacean, similar to shrimp.

this species, which is at the bottom of the food chain for whales, penguins, seals, albatrosses and petrels, has been compromising the Antarctic ecosystem, and, as a result, capture has been regulated by the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR), a part of the Antarctic Treaty System. Until 1990, the former Soviet Union (USSR) was the largest krill harvester in the Antarctic. Following the dissolution of the USSR, the Japanese fleet became the most productive harvester, capturing, on average, more than 50% of the total annual catch, reaching over 75% in exceptional years. Norway is currently the top krill producer (Burgobraga, 2007, pp. 7 - 12).

As for non-renewable resources, certain minerals and energy resources are likely to be found there. The presence of more than 200 kinds of minerals has been confirmed, some of which have high economic and strategic value, particularly high-grade uranium and manganese (Bischoff, 1996, p. 6).

With regard to energy resources, specifically hydrocarbons, significant discoveries have been made in the 'Sea Lion' field, north of the Falkland Islands, by British oil exploration company Rockhopper. The reserve is considered recoverable and has been estimated at 321 million barrels of oil; Rockhopper expects to begin oil extraction at the end of 2017 and to pump 30.000 barrels per day from 2019. The prospect of a new oil source has been deepening the tension between the United Kingdom and Argentina (France Presse, 2013).

Geopolitical relevance

The Antarctic Ocean results from the natural extension of three great oceans, the Atlantic, Indian and Pacific Oceans, between which there is no containment barrier, making it an important area for maritime circulation, which converges on the continent of Antarctica, as shown in Figure 1.



Figure 1 - The Antarctic Ocean

Source: <http://www.iessanfernando.com/tablon>, accessed 2 May 2016

The countries with territorial claims over Antarctica are: the United Kingdom; New Zealand; the France; Norway; Australia; Chile; and Argentina. All claims were made in the first half of the twentieth century, mainly regarding the Antarctic Peninsula, and there is even an overlap in territorial interests between claimant countries, namely Argentina, the United Kingdom and Chile. Figure 2 shows the disputes in the Antarctic continent represented geographically.

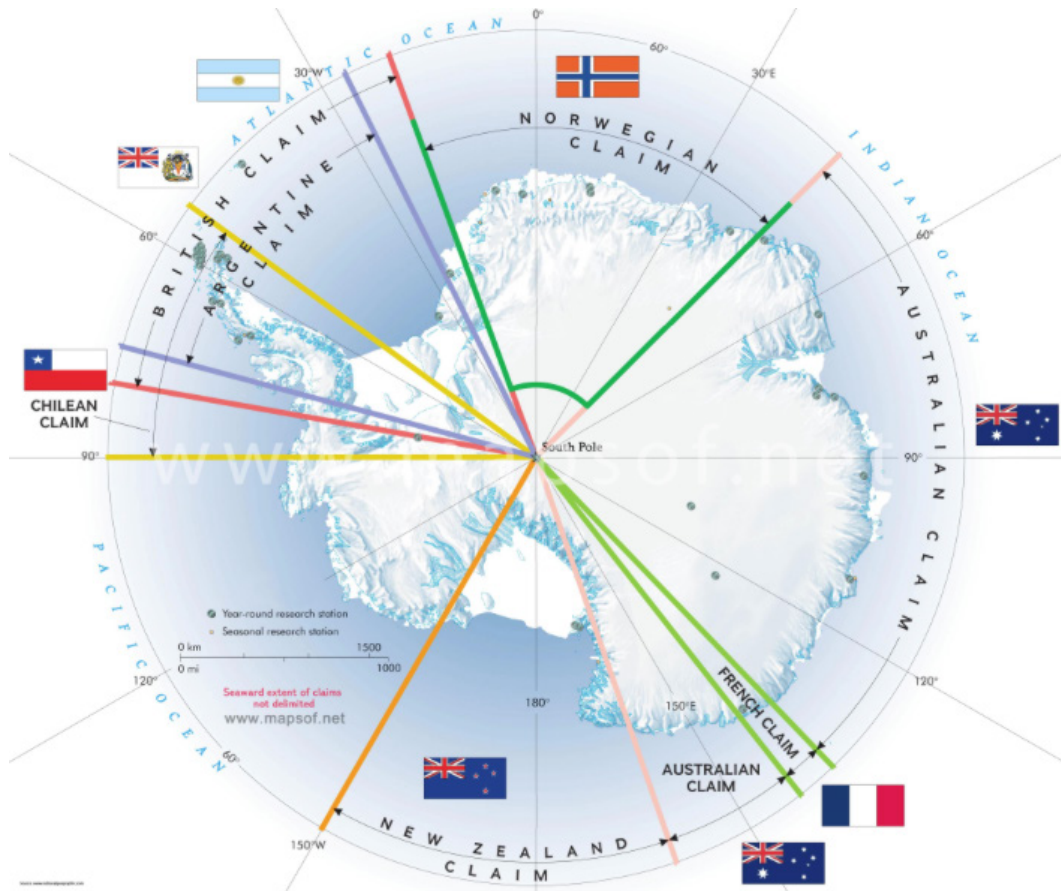


Figure 2 - Disputes in the Antarctic continent

Source: <http://www.turkcebilgi.com/antarktika>, accessed 2 May 2016

The Falkland Islands are of great geostrategic importance in the event of a conflict that closes down the Panama Canal route (because ships from the Pacific have to cross the Strait of Magellan¹⁷ and the Drake Passage¹⁸ to reach the Atlantic), as is the island arc formed by the archipelagos of St. Helena, Ascension and Tristan da Cunha, South Georgia and South Sandwich, and finally, the Falklands, which provide logistic support to the expeditions to Antarctica, and which Britain used in 1982 in the conflict with Argentina. This arc is considered a point of geostrategic importance by the South Atlantic countries, since its maritime positions are relatively isolated and can serve as interception and warning points, much like US bases in the Caribbean. Countries tend to

¹⁷ The Strait of Magellan is a navigable passage approximately 600 km long, south of the continent of South America. It is located between the mainland in the north and Tierra del Fuego and Cape Horn in the south. The strait is the largest and most important natural passage between the Atlantic and Pacific Oceans, allowing ships to avoid the storm-prone Cape Horn.

¹⁸ The Drake Passage is the part of the Antarctic Ocean located between the southern edge of South America and Antarctica. It is one of the areas with the worst sea weather conditions in the world.

establish support and defence points, and Antarctica will likely become an important warning, interception and emergency base for South American defence (Instituto Brasileiro de Geografia e Estatística, 2009, p. 390).

The Antarctic Ocean and adjacent maritime areas is a crucial access corridor to areas with contested sovereignty claims, especially the Atlantic area of Antarctica and adjacent archipelagos, and therefore represents an area of dispute that challenges the South American geopolitical space. According to Therezinha de Castro (Instituto Brasileiro de Geografia e Estatística, 2009, p. 391), Antarctica serves both peaceful and military purposes, especially after 1990, when the east/west axis was broken and the north/south axes advocated by General Karl Ernst Haushofer emerged¹⁹.

The Antarctica Treaty

The first navigators who headed to Antarctica were mainly driven by economic issues such as whaling and seal hunting, followed by scientific research and, later, strategic military interest. To contain territorial claims, prevent possible clashes and preserve the environment from unbridled exploitation, an Antarctic Treaty was prepared which has managed to somehow keep the balance in the region.

The Antarctic Treaty was signed on 1 December 1959 by the countries claiming sovereignty over certain areas of Antarctica, who promised to suspend their claims for an indefinite period while preserving the freedom of scientific exploration in a system of international cooperation.

The claims to Antarctica have been suspended since 1959 and the continent is considered politically neutral. The status quo in the region is governed by the Antarctic Treaty and by other related agreements, which together are referred to as Antarctic Treaty System²⁰. The area covered by the Treaty System includes all land and ice shelves and extends from the South Pole to 60°S latitude, corresponding to about 14 million km². The treaty was signed by 12 countries, including the Soviet Union and the United States of America, and it turned the Antarctic into a scientific conservation area, allowing freedom of scientific research, environmental protection, and banning the conduct of military exercises on the continent. This was the first arms control agreement established during the Cold War.

The disputes in the Antarctic region - Atlantic sector

According to Sandra Balão (Balão, 2012, p. 195) 'States must share their sovereignty space with other actors and are thus forced to enter into talks or negotiations, in order to safeguard both their interests and their survival in the global strategic balance of power'. However, given

¹⁹ General Karl Ernst Haushofer (1869-1946) was a German geopolitical theorist with close cultural ties to the two forerunners of geopolitics - Ratzel and Kjellén -, who indirectly influenced the development of Adolf Hitler's expansionist strategies.

²⁰ The 'Antarctic Treaty System' includes, among other agreements, the Antarctic Treaty; the Protocol on Environmental Protection to the Antarctic Treaty; the Convention on the Conservation of Antarctic Marine Living Resources; the Convention for the Conservation of Antarctic seals; and the Convention on the Regulation of Antarctic Mineral Resource Activities (the latter has not yet entered into force).

Antarctica's geo-economic and geopolitical relevance, the history of disputes in the Antarctic Peninsula and the Malvinas/Falklands archipelago between the UK, Argentina and Chile, and considering Brazil's willingness to intervene in the region to affirm its regional power and strengthen its position in international politics, any submission to the United Nations Limits Commission by a State aiming to extend its continental shelf in this region of the globe, under article 76 of UNCLOS, could encourage a surge for new territories and, consequently, disputes for maritime areas in the Atlantic region of the Antarctic Ocean and adjacent areas.

As mentioned above, whenever land or maritime disputes arise, the CLCS will not consider or qualify a submission made by any of the States involved in the dispute. Thus, we must now determine whether requests to extend the continental shelf in the Atlantic region of Antarctica by countries claiming territory in this region were submitted to the United Nations.

The UK has entered four submissions, one of which as part of a collaboration. The first is a joint submission by France, Ireland and Spain, dated 19 May 2006, and it refers to the Celtic Sea and the Bay of Biscay (Joint Submission, 2006). The second partial submission, dated 9 May 2008, relates to the extension of the Ascension Island continental shelf, and it mentions that the area in question is not currently disputed by other states (Reino Unido [Submission in respect of Ascension Island], 2008). Following this submission, the Netherlands and Japan sent a communique to the United Nations, which stated that the areas of the Antarctica continental shelf should be preserved. The third partial submission, dated 31 March 2009, relates to an area north-west of the UK territory, called 'Hatton Rockall Area' (Reino Unido [Submission to the CLCS in respect of Hatton Rockall Area], 2009a).

The United Nations received three communiqués, one from Iceland and two from Denmark, on the United Kingdom's third submission (2009). Iceland stated that it did not include this area in its submission of 29 April 2009, requesting, under Rule 46²¹ of the Commission, that the CLCS not accept the United Kingdom's submission by virtue of an ongoing dispute between the two States over the 'Hatton Rockall area'; it also declared its intention to deliver a separate submission regarding the same area at a later date (Islândia [Communication from Permanent Mission of Iceland], 2009).

The fourth partial submission, on 11 May 2009, relates to the Falkland Islands²², South Georgia and South Sandwich Islands (Reino Unido [Submission in respect of the Falkland Islands, and of South Georgia and South Sandwich Islands], 2009b). The United Nations received a communique from Argentina urging the CLCS not to consider or qualify the United Kingdom's submission, arguing that those land and sea spaces belong to Argentina and are illegally occupied by the United Kingdom (Argentina [Permanent Mission of the Argentine Republic to the United Nations], 2009). The drawing of the outer limits submitted by the United Kingdom is shown in Figure 3.

²¹ Rule 46 states that, in the case of land or maritime disputes, the Commission should not consider or qualify the submissions made by any of the coastal States involved in the dispute.

²² 'Falkland Islands' is the term used by the United Kingdom for the *Islas Malvinas*.

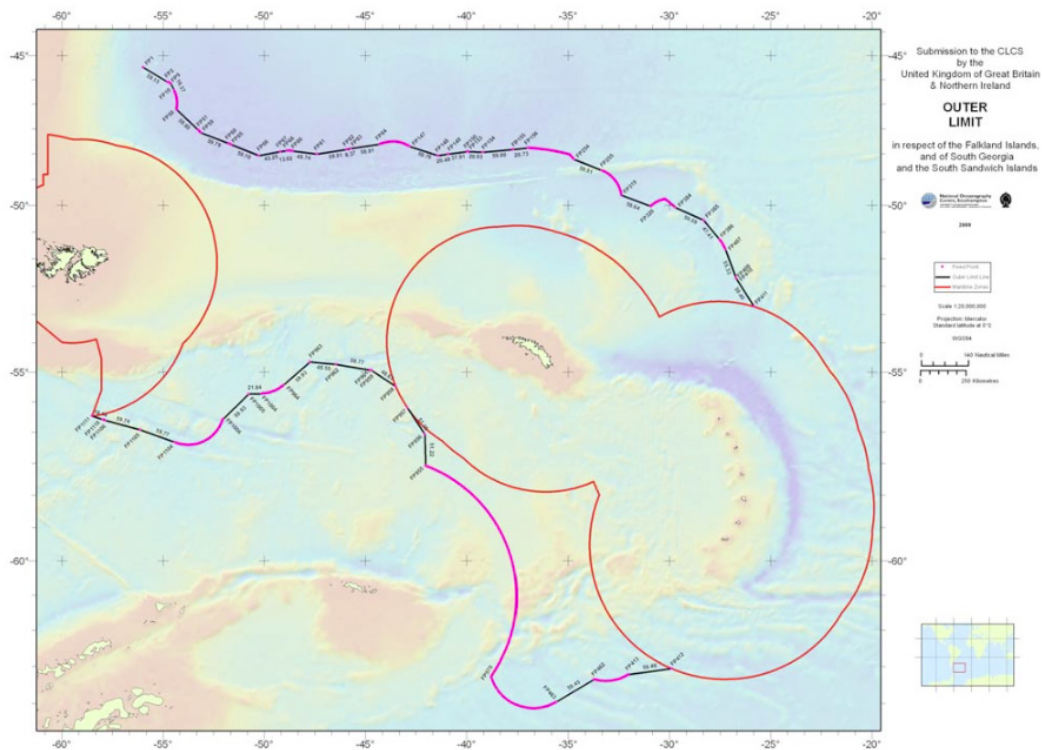


Figure 3 - Continental Shelf claimed by the United Kingdom

Source: http://www.un.org/depts/los/clcs_new/submissions_files/gbr45_09/gbr2009_fgs_executive%20summary.pdf, accessed 30 December 2013

One other potential factor in the tension between Argentina and the United Kingdom was the discovery of significant hydrocarbon reserves in the Sea Lion field, located on the Continental Shelf of the Malvinas/Falklands Islands, by the United Kingdom. In support to this analysis, Armando Guedes states, in his article 'A evolução da Situação Securitária no Atlântico Sul e seus Arredores' [The evolution of the security situation in the South Atlantic and its Surroundings, that the extension of the continental shelf to 350 nautical miles, as well as the right a coastal State now has to exploit marine soil and subsoil resources will arouse great interest in the south Atlantic, thereby enhancing tensions in the region (Guedes, 2011, p. 7).

As for Norway, its first submission, on 27 November 2006, refers to three distinct areas in the eastern part of the North Atlantic and the Arctic, specifically the Barents Sea 'Loophole'; the 'Western Nansen Basin' in the Arctic Ocean; and the 'Banana Hole' area in the Norwegian Sea. This submission did not make any mention of Antarctica (Noruega [Continental Shelf Submission of Norway in respect east north Atlantic e Artic], 2006). About three years later, Norway entered a second submission, on 4 May 2009, regarding two different areas in the South Atlantic region of Antarctica, namely the 'Bouvetøya' and 'Dronning Maud Land' areas

(Noruega [Continental Shelf Submission of Norway in respect of Bouvetøya and Dronning Maud Land], 2009). The United Nations received five communiqués regarding the Norwegian submission (2009), from the US, the Russian Federation, India, the Netherlands and Japan. The US communiqué states that, under article 4 of the Antarctic Treaty²³, it does not recognize any claims to territory in Antarctica by any state, and therefore does not recognize the rights of any State in relation to the seabed and subsoil in areas adjacent to or beyond the continent of Antarctica, adding that the CLCS should not take action in relation to the submission in question (Estados Unidos da América [Diplomatic Note], 2009). As for the remaining communiqués, upon examination, it appears that those countries support the US position regarding Norway's submission on the areas in Antarctica.

Argentina's sole submission, on 21 April 2009, explicitly states that not only did it never recognize the British occupation of the southern archipelagos - Falkland Islands, South Sandwich and South Georgia Islands -, it considers the occupation illegal, adding that the presence of the UK since 1833 is the result of usurpation of a part of Argentina's national territory. The submission also states that the islands are an integral part of Argentine territory and therefore the country does not recognise the right or the exercise of any right of maritime jurisdiction over the southern archipelagos and relevant maritime areas to any other state, community or entity. It stresses that any unauthorized activity in those areas not only violates Argentina's rights, but is also contrary to the UN resolutions that call on the peaceful settlement of any sovereignty disputes over the islands.

Acknowledging the sovereignty dispute between Argentina and the United Kingdom, and in the face of this controversy, the United Nations, the Organization of American States, and other regional and international organizations called for a renegotiation in order to achieve a just, peaceful and definitive solution. However, in 2009, Argentina unilaterally submitted a proposal (Executive Summary) to the CLCS, drawing the outer limits of its continental shelf to include the Falklands, South Sandwich and South Georgia Islands and corresponding maritime areas (Argentina [Permanent Mission of the Argentine Republic to the United Nations], 2009), thereby generating controversy and disputes with the United Kingdom and with other states. The drawing of the outer limits submitted by Argentina is shown in Figure 4.

²³ Article 4 of the Antarctic Treaty specifies that, while the treaty is in force, no new sovereignty claims can be made over Antarctica, and that the existing claims may not be extended.

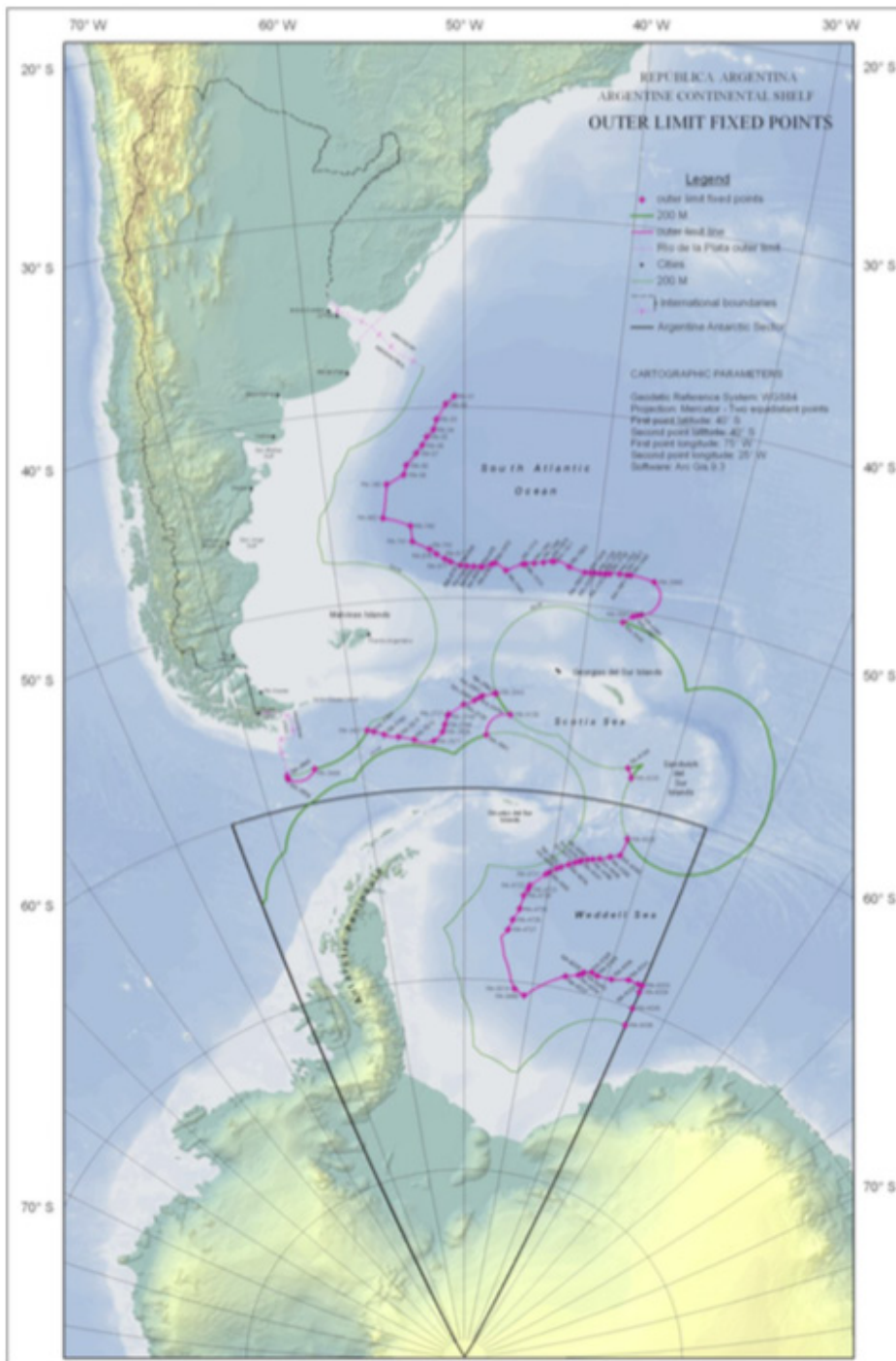


Figure 4 - Continental Shelf claimed by Argentina

Source: http://www.un.org/depts/los/clcs_new/submissions_files/arg25_09/arg2009e_summary_eng.pdf, accessed 30 December 2013

On 9 August 2009, in response to Argentina's Executive Summary, the United Kingdom sent a statement to the CLCS noting that, regarding the Falkland Islands, and calling on the principle of self-determination enshrined in the UN Charter, it retains sovereignty over the islands and their corresponding maritime areas, and that there will be no negotiations while the inhabitants of the islands wish to remain under British sovereignty and do not express a desire to become independent. Based on the Declaration on Maritime Jurisdiction around the Falkland Islands and adjacent areas, on 29 October 1986, and on the 1993 Proclamation of Maritime Zone around the South Georgia and South Sandwich Islands and adjacent areas, the United Kingdom rejected Argentina's submission with regard to the rights claim over the seabed and subsoil of the underwater areas of the Falkland Islands, South Georgia and South Sandwich Islands.

In the same statement, under Article IV²⁴ of the Antarctic Treaty of 1959, the United Kingdom does not recognize Argentina's claim to territory in Antarctica and, consequently, does not recognize her rights over the seabed and subsoil of the underwater areas belonging to Antarctica (Reino Unido [Permanent mission of the United Kingdom of Great Britain and Northern Ireland], 2009).

Under Article IV of the Antarctic Treaty, and in relation to Argentina's submission, the United States informed the CLCS, in a statement issued on 19 August 2009, that it does not recognize any claims to the territory of Antarctica, as well as any rights over the seabed and subsoil of the underwater areas adjacent to the continent of Antarctica (Estados Unidos da América [Permanent mission of the United States of America to the United Nations], 2009).

Still on the subject of Argentina's submission on 1 May 2009, Russia, India, the Netherlands and Japan, also stated, in August 2009, much like the US, and based on the same argument (Article IV of the Antarctic Treaty of 1959), that they do not recognize claims made by any State over the territory of Antarctica, as well as any rights over the seabed and subsoil of the underwater areas adjacent to the continent of Antarctica.

In response to the United Kingdom's claim over the Falkland Islands, South Georgia and South Sandwich Islands, Argentina, in a communique issued on 8 August 2012, 'reaffirms its sovereign over the Malvinas, South Georgia and South Sandwich Islands, and the parts of Argentina in the Antarctic sector, and rejects all claims by the United Kingdom to the territory of Antarctica', calling for the dissemination of this communication by all CLCS member-States, UNCLOS Parties States and other United Nations member-States, as well as its publication on the website for the United Nations Division for Ocean Affairs and the Law of the Sea.

Subsequently, in a communique issued on 23 August 2012 in response to Argentina's communique of 8 August 2012, the United Kingdom reaffirmed the stance it had previously taken in the communique issued on 6 August 2009, restating that the country has no doubts regarding its sovereignty over the Falklands, South Georgia and South Sandwich Islands and surrounding maritime areas, and that, under Article IV of the 1959 Antarctic Treaty, it does not

²⁴ Article IV of the Antarctic Treaty is rather controversial, since in addition to protecting previously claimed rights, as well as territorial sovereignty claims over the continent of Antarctica, it prevents the submission of any claims other than those that had already been presented.

recognize Argentina's claim over the territory of Antarctica or any rights over the seabed and subsoil of the underwater areas belonging to Antarctica. In addition to putting out a request for the dissemination of their communique, as Argentina had done, the United Kingdom asked the CLCS not to consider the parts of Argentina's submission related to the areas belonging to the Falkland Islands, South Georgia and South Sandwich Islands, and Antarctica (Reino Unido [United Kingdom mission], 2012).

As of 29 January 2016, there is no mention of Chile in any submission on the website of the United Nations Division for Ocean Affairs and the Law of the Sea, although it is one of the countries vying for Antarctica.

To conclude briefly, it appears that the western Atlantic sector and surrounding maritime areas of the territory of Antarctica have aroused the interest of several regional and international actors since the late nineteenth century, and that, in between more or less controversial periods, competition for these interests has remained current. However, the possibility to extend the continental shelf beyond 200 miles provided to States by the United Nations Law of the Sea, has rekindled old disputes, and new ones have emerged regarding the underwater territories in the region. Thus, we can deduce that the extension of the continental shelf beyond 200 miles can also be the cause of controversy and disputes between coastal States for underwater territories in other regions, especially where the interests of individual states overlap.

Conclusion

The objective of this research was to examine to what extent the possibility of extension of the continental shelf beyond 200 nautical miles, granted by UNCLOS to coastal States, constitutes a risk or a threat to maritime security. We began by analysing the historical evolution of the concept of Continental Shelf, as well as the legal framework allowing coastal States to extend sovereignty rights over the seabed and corresponding subsoil, in order to find possible legal problems creating disputes regarding the maritime spaces between coastal States. Next, based on a case study of Antarctica, we endeavoured to validate the argument of the present research.

The first chapter revealed that the concept of continental shelf is relatively recent, with the first reference to the term dating back to the eighteenth century. It was only in the twentieth century, after World War II, because of the need to explore new sources of energy resources in the sea, namely oil, that the United Nations began building the International Law of the Sea, which culminated in the approval of the Montego Bay UNCLOS, in 1982. Since 1999, the possibility of coastal States extending their sovereignty rights has created problems in the delimitation of maritime boundaries, leading to two specific situations. First, there is the problem of delimitation of the continental shelf when two states with adjacent or opposite coasts are entitled to the same space, that is, when there are overlapping claims by several states in relation to the same area. Second, there is a boundary problem with regard to the Area, in that the outer limits of the continental shelf are subject to the approval of the Commission on the Limits of the Continental Shelf.

The second chapter is based on the case study of the Antarctic region, the analysis of which was circumscribed to the Atlantic sector, demonstrating that, despite the legal specificity of that continent (Antarctic Treaty), the region is heavily disputed. There are territorial claims between settler and regional countries that date back to the time of the Discoveries, and which were rekindled with the possibility of extension of the maritime spaces. Currently, the main disputes in the Antarctic Peninsula area involve Argentina, the United Kingdom and Chile, although the latter has not formally entered any submissions or complaints. However, the most problematic dispute in the region has to do with the issue of the Malvinas/Falklands Islands and respective continental shelves. The islands have been owned by the United Kingdom since 1833, but are also still claimed by Argentina. After about 32 years since the Malvinas/Falklands War, the proposal submitted by the United Kingdom to the CLCS on 11 May 2009, requesting the extension of the continental shelf of the islands beyond 200 miles, rekindled the tension between the two countries. This dispute is intensified by the presence of oil reserves north of the Malvinas/Falklands, which are considered recoverable and are estimated at about 321 million barrels, and which the United Kingdom is expected to begin exploring in 2017.

It was found that the extension of the continental shelf and the subsequent definition of new maritime borders is beneficial to coastal States, as it leads to increased sovereignty rights over potential seabed and subsoil energy resources (oil and gas), but it can also create instability and maritime disputes between coastal States with adjacent or opposite coasts, especially where their interests overlap.

In conclusion, and to answer the main question - 'How does the extension of the continental shelf beyond 200 miles, which the UN granted to coastal States, constitute a risk or a threat to maritime security?' - the drawing of the new maritime boundaries set down in the International Law of the Sea, in cases where there is overlap of interests between coastal States with adjacent or opposite coasts, can create maritime disputes and therefore constitute a potential threat to maritime security. It was also found that the definition of new maritime borders will be all the more problematic in regions with a history of territorial claims, such as the Malvinas/Falklands Islands dispute between Argentina and the United Kingdom. In future research studies, in order to validate the universal nature of the case of Antarctica, our suggestion is that future research focuses on the study of the maritime disputes in the Arctic region, in the China Sea, between Portugal, Spain and Morocco, and in the Hatton Rockall area (disputed by the United Kingdom, Germany, Iceland and Ireland).

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