

5. GUANTANAMO DISPUTE, CUBA

Cuba and the United States of America are engaged in a dispute by the US military base on Cuban soil, result of the Hispanic-American war of 1898, where the Spanish colony of Cuba passes to be a protectorate of the United States of America. In 1915, Cuba achieved its independence and becomes an independent Republic. A lease of the base agreement was signed in 1903 and endorsed in the **Treaty of relations between Cuba and**

the United States in 1934, signed on 29 May of that year. Guantanamo is a naval and military base of the United States as well as retention of prisoners, escaping to the laws in force in the Mainland. Guantanamo Bay is located to the southeast of Cuba. It is 19 km long and 8 km wide and field covers an area of 14.05412 mi². Where the United States has built an airfield, military installations, supplies and it is a foundation of military training and naval strategic point of the United States in the Caribbean.



Figure 29
Military Naval Base of the United States in Guantamo, Cuba
Source: http://www.mapacartografico.com/album/americas/cuba/guantanamo_1996.jpg

6. THE PROBLEM OF NAVASSA ISLAND, HAITI

It's an old dispute between the United States and Haiti about Navassa Island which is located opposite the extreme South-West of the Peninsula of Massif de La Hotte in Haiti. It's an island administered since December 3, 1999, by the service of fishing and wild life of the United States and claimed by Haiti that aims to sovereign title over the island since 1801. Haitian fishermen made catches in the vicinity of the island. The **Treaty of Basel of July 22nd, 1795**, obliges Spain to cede to France the entire island of Hispaniola (and adjacent islands) without specifying Navassa. In 1804, Haiti became independent of France. This dispute prevent an exact maritime demarcation between Cuba, Haiti and Jamaica.



Figure 30
Navassa Island Disputed Between Haiti and the United States

Source: [Http://atlas-caraibe.certic.unicaen.fr/es/image-195.gif](http://atlas-caraibe.certic.unicaen.fr/es/image-195.gif)

7. THE PHANTOM ISLAND OF BERMEJA

In the center of Gulf of Mexico, would have been an island known as Bermeja whose geographical coordinates are 22°33' lat.N., and 91°22' long.W. This mentioned Island from 1864 to 1964 had an area of 30.88817mi². Except that no one has found it. In 1977 the negotiations between Mexico and United States to demarcate the EEZ



Figure 31
The Phantom Island of Bermeja. EEZ Disputed Area Between the United States and Mexico

Source: [Http://atlas-caraibe.certic.unicaen.fr/es/page-122.html](http://atlas-caraibe.certic.unicaen.fr/es/page-122.html)

(exclusive economic zone) give this latter country an area where is located the major off shore oilfield of Hoyo de Dona. Thereafter Mexico questioned again the maritime delimitation with the United States.

8. THE CARIBBEAN SEA AND THE EXCLUSIVE ECONOMIC ZONES (ZEE)

The Sea Law United Nations Conference have allowed States become aware and to establish their rights to the seas surrounding it. Thus the first Sea Law Conference of the UN held in Geneva Switzerland in 1956 and allowed to emit four conventions;

- Convention on high seas (September 30, 1962).
- Convention on the Continental Shelf (10 June 1964).
- Convention on the Territorial Sea and contiguous zone (September 10, 1964).
- Convention on fishing and conservation of the resources living in the high seas (March 20, 1966).

On April 30, 1982 is approved in New York the Sea Law United Nations Convention, being a multilateral treaty regarded as the Constitution of the Oceans. It was signed on September 10, **1982 in Montego Bay, Jamaica**, and entered into force on 16 November 1994.

The Caribbean Sea is a dependency of the Atlantic Ocean, limited to the South along the coasts of Central America and to the North by the Greater Antilles, East bound with the Lesser Antilles and the West in the Gulf of Mexico. Most of the Islands, which were colonial dependencies today are independent and therefore aspire to defend its maritime heritage. Since 1982 the coastal countries of the Caribbean have extended their territorial 12 miles with new notions seas such as the exclusive economic zones (EEZ) and therefore confronted with a maritime territorial space that in some cases reach 200 maritime miles. Following the **Montego Bay Convention**, the Caribbean countries have proceeded to delimit their respective EEZS. However, this has brought great disparities. For example, Guatemala has a restricted access to the Caribbean by the territorial seas of Belize and Honduras. Colombia and Venezuela occupy a vast territorial area in the Caribbean Sea, while Haiti reduced its maritime space. The Bahamas and Turks and Caicos Islands and the Cayman Islands are instead highly favored by its maritime space.

9. SURINAME-FRENCH GUIANA BORDER

The oil has always been a source of conflict between countries and this does not escape the continental shelf between the Republic of Suriname and French Guiana. With regard to the delimitation of the maritime space from the estuary mouth of the Maroni River that borders both countries. Since 1915 a limits agreement was signed

between the Netherlands and France dominant powers of the area at that time. The Permanent Court of arbitration in The Hague, issued the award of September 17, 2007,

which set the boundaries between French Guiana and Suriname establishing an equidistance line of coast between both countries (Figure 21).



Figure 32
Exclusive Economic Zones in the Caribbean
 Source: <http://atlas-caraibe.certic.unicaen.fr/es/image-201.jpg>

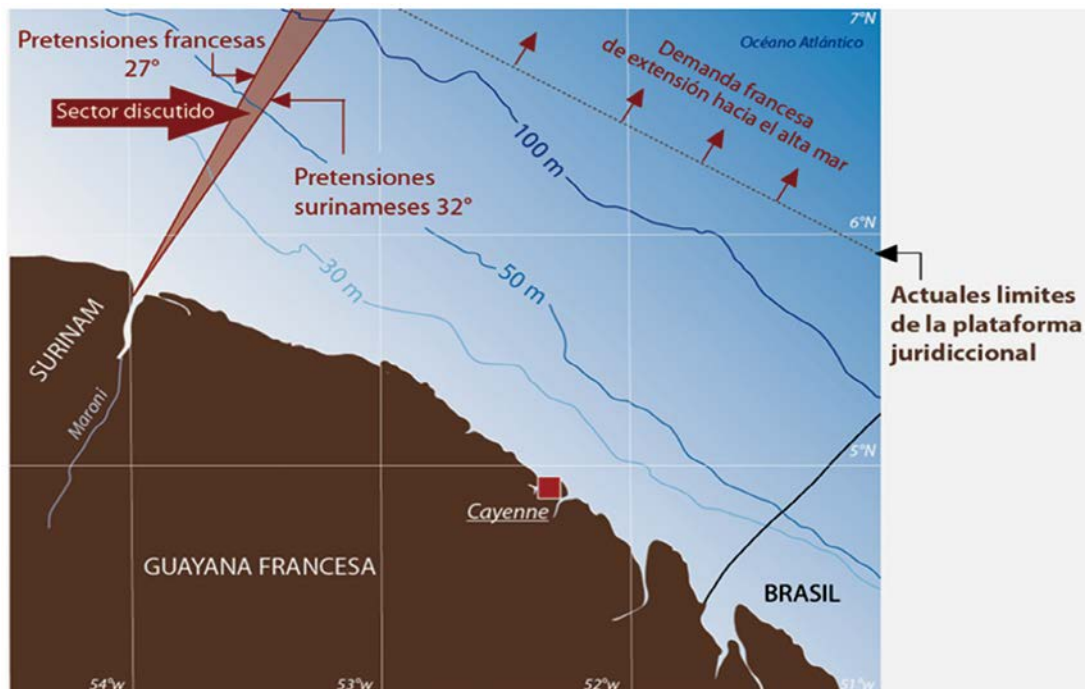


Figure 33
Disputed Maritime Area of the Continental Shelf Between Suriname and French Guiana
 Source: <http://www.atlas-caraibe.certic.unicaen.fr/es/page-122.html>

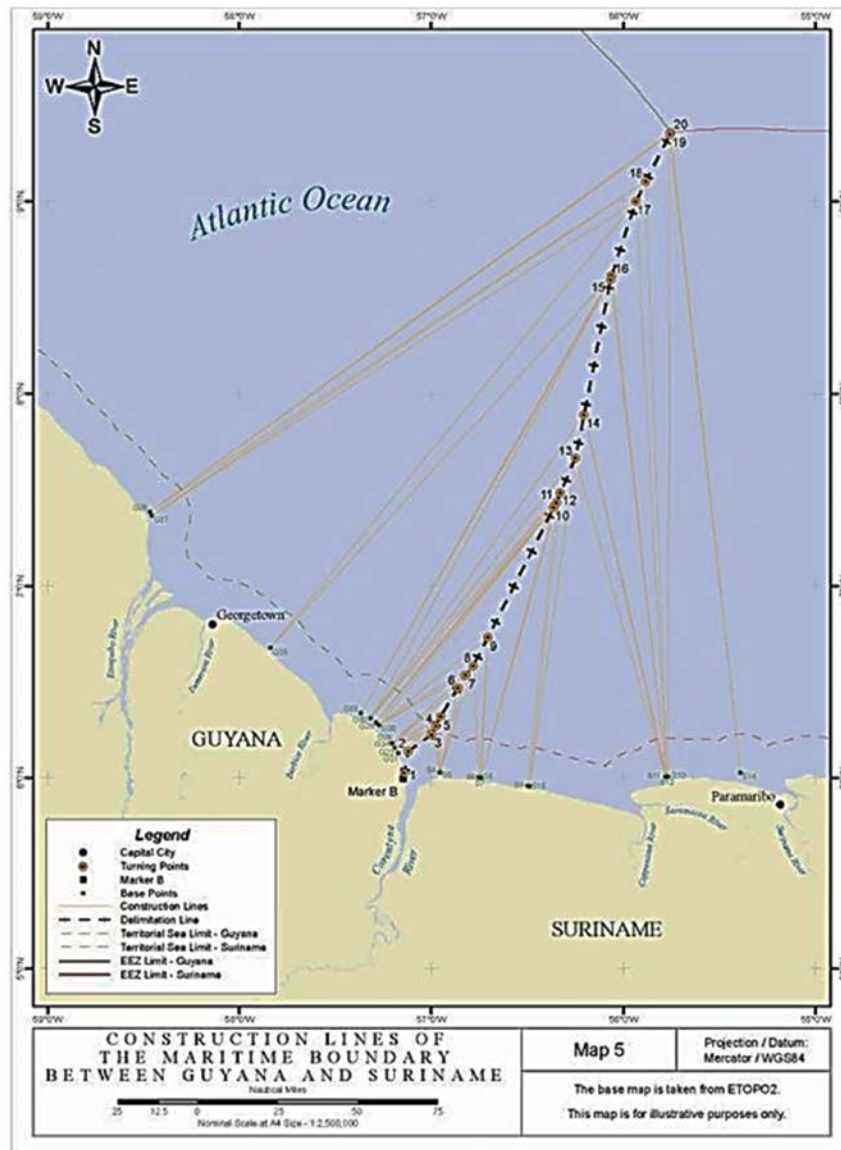


Figure 34
Dividing Maritime Line of Equidistance Coasts Between Guyana and Suriname as Established by the ICC in the Hague
 Source: [Http://www.pca-cpa.org/showpage.asp?pag_id=1026](http://www.pca-cpa.org/showpage.asp?pag_id=1026)

10. GUYANA AND VENEZUELA BORDER DISPUTE

Since 1777 is created the Venezuela's General Captaincy, dependency of the Viceroyalty of New Granada and the Essequibo River is set as a Western frontier, between Spain and the Netherlands. In 1814, the United Kingdom took possession of the former Dutch colony and the territories of Demerara, Berbice and Essequibo that go to form the colony of British Guiana in 1831. The Western part, the Essequibo, is part of the Guyana shield and is precisely the sector claimed by Venezuela that is an extension of 75,289.92 mi² representing more than half of the Republic of Guyana.

On November 15, 2007, an armed incident occurs at the border by the invasion of 40 Venezuelan soldiers who destroyed two dredgers in the Cuyuni River, forcing the Government of Venezuela to apologize for the incident. In 2011 Guyana determined to modify its maritime platform inspired by the agreement between Suriname and French Guiana without warning to Venezuela. The following year it gave to Anadarko international company the oil exploration. Venezuela discovers that the Guyanese concession affects the delta of the Amacuro River in Venezuela. As a result of this dispute both Venezuela and Guyana ratified the **Joint Declaration of September 30 2011** signed in Port of Spain, Trinidad and Tobago in which both countries pledge to negotiate the maritime delimitation. The dispute has not been yet resolved.



Figure 35
Political Map of the Republic of Venezuela, Which Integrates the Essequibo That Accounts for More Than Half of the Republic of Guyana
 Source: http://www.es.wikipedia.org/wiki/Archivo:Venezuela_Division_Politica_Territorial.svg

11. CONTROVERSY OVER MARITIME BOUNDARIES IN THE GULF OF VENEZUELA, BETWEEN COLOMBIA AND VENEZUELA

Since the dissolution of Gran Colombia, came a border dispute between Colombia and Venezuela. The Gulf of Venezuela, oil rich is a discord Apple between the two countries. For Colombians the Los Monjes archipelago as the adjacent uninhabited islets on the Colombian coast do not form part of the continental shelf and establish a middle line between the continental territories of Venezuela and Colombia by inserting Los Monjes within its territory. For Venezuelans, the whole of the Gulf of Venezuela is part of their heritage, while acknowledging sovereignty over the Los Monjes archipelago in Colombia. Since the incident in 1987 of the Colombian Corvette “Caldas” that entered in Venezuelan waters, reinforced by two submarines, and that hot tempers in both countries at the moment of the dispute, and agreement to frozen it and appointed a bi-national Commission to work on the border dispute between the two countries.

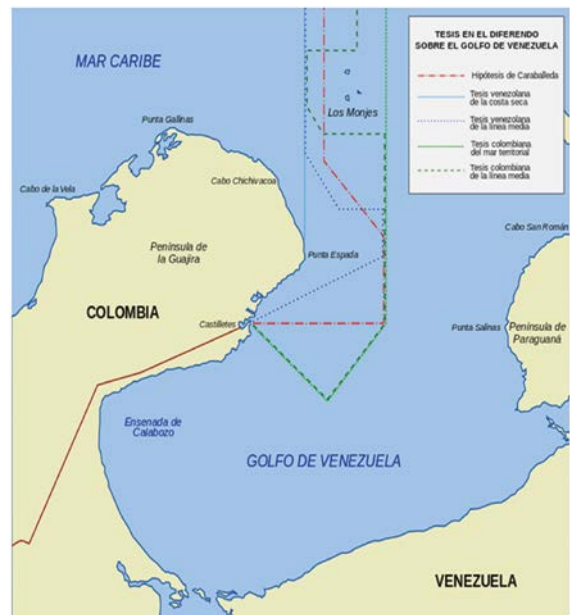


Figure 36
Border Hypothesis Between Colombia and Venezuela Over the Delimitation of the Maritime Space in the Gulf of Venezuela
 Source: http://commons.wikimedia.org/wiki/File:Diferendo_Golfo_de_Venezuela.svg

12. MARITIME AND TERRESTRIAL BORDERS OF THE ECUADOR REPUBLIC

Although the Ecuador limited in the 19th century with Brazil, this delimitation became obsolete with the signing of the land border treaties with Colombia and Peru its direct neighbors.

In 1916 the Muñoz Vernaza - Suarez Treaty marks the definitive border between Ecuador and Colombia to 364 mi from the Mataje River estuary in the Bay of Ancon de Sardinias to the mouth of Guepi River with the Putumayo River.

With Peru the international border extends 883 mi from the Pacific Ocean to the Amazon rainforest through

the Condor Mountain Range until reaching the Putumayo River. This border is the result of a conflict that lasted for 150 years and defined by the **Rio de Janeiro Protocol of 1942**. However, the last border dispute with Peru dates back to 1998 while milestones have been clearly established between the two countries.

The most interesting of the borders of the Ecuador lies in its maritime limits which correspond to geographical Parallels and not to the equidistant line of its coasts. Thus on August 23, 1975 signed with Colombia the **Treaty of delimitation in the Pacific** which gives each country 200 sea miles from the parallel 1° 27' north latitude 00''.



Figure 37
Sea and Land Borders of Ecuador and Colombia

Source: [Http://commons.wikimedia.org/wiki/File:Mapa_de_la_frontera_maritima_Ecuador-Colombia](http://commons.wikimedia.org/wiki/File:Mapa_de_la_frontera_maritima_Ecuador-Colombia) Shadowfox, Commons. wikimedia.org./

With respect to its maritime boundary with Peru, Ecuador alongside Chile sign “**A Maritime Zone Declaration**” on August 18, 1952, which arrogates an area of 200 maritime miles following the parallel to the boundary of its coasts. Only in 2011, Peru and Ecuador signed a treaty registered with the Secretary-General of the United Nations by which both countries recognized as limit the geographical parallel 0°23'31", 65" south. A space of 200 maritime miles

However, the most interesting thing about maritime boundaries of Ecuador lies in the agreements signed with Costa Rica. Indeed Ecuador owns the Galapagos Islands and Costa Rica the Cocos Island which has allowed them to sign an agreement on its territorial waters in the Pacific Ocean that took place on March 12, 1985, based on equidistance from points between both islands which grants them a significant patrimonial sea. In addition, we have to add Colombia due to its domination over Malpelo Island.

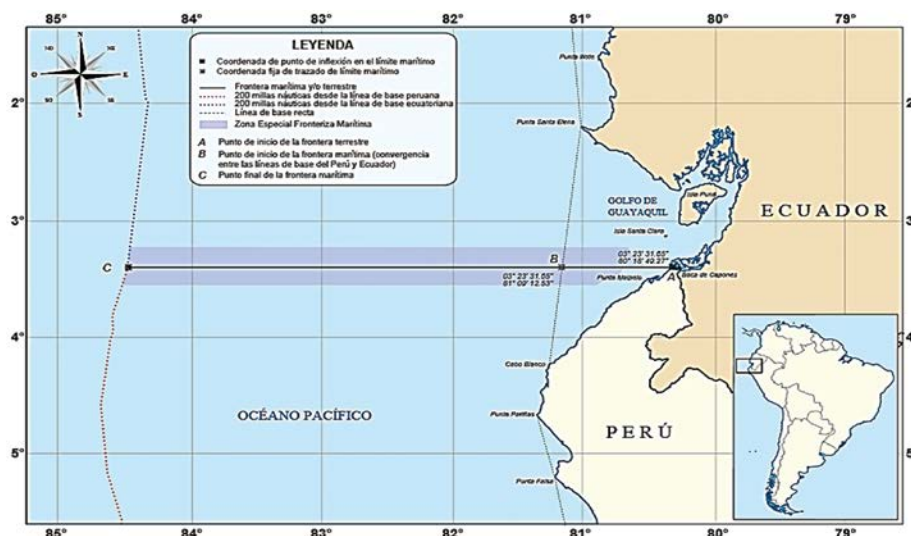


Figure 38
Maritime Border Map of Ecuador With Peru Over 200 Maritime Miles

Source: [Http://commons.wikimedia.org/wiki/File:Mapa_de_la_frontera_maritima_Ecuador-Peru](http://commons.wikimedia.org/wiki/File:Mapa_de_la_frontera_maritima_Ecuador-Peru)



Figure 39
Maritime Boundaries of Ecuador in the Pacific Ocean With Costa Rica, Colombia and Peru, According to UNCLOS
 Source: [Http://www.andes.info.ec](http://www.andes.info.ec)

13. MARITIME DISPUTE BETWEEN PERU AND CHILE

The **Treaty of Lima of 1929** set the Northern limit of Chile with Peru by the so-called “Concord Line”. In 1952 Chile subscribed with Peru a declaration by which both countries signed in Santiago de Chile the “**maritime zone Declaration**” by which Peru and Chile claim sovereignty over 200 nautical miles from its coasts. In 1954 in reference to the above statement both countries signed the **Convention on maritime border special zone**” in order to sort fishing from the parallel which sets the maritime

boundary between the two countries. However, in the 21st century, Peru considered injured maritime interests and appealed to the ruling of the ICJ in the Hague to resolve the maritime dispute with Chile, claiming equidistance of coast line and not the parallel set above as the maritime boundary between the two countries. The Solomon adjudication by the ICJ in The Hague ruled that the maritime boundary would be the parallel from the milestone 1 of the Concord line at a distance of 80 miles and that would then apply equidistance from coast up to 200 maritime miles with which Peru won 10,733.64 mi² of sea.

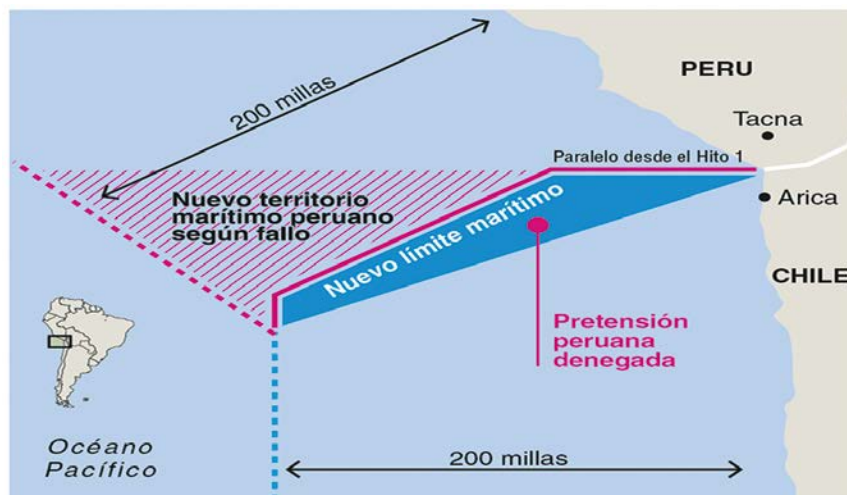


Figure 40
New Maritime Border Between Chile and Peru After the Hague Rule
 Source: [Http://www.portalnet.cl](http://www.portalnet.cl)

Although it seems incredible the fact to determine the parallel from milestone 1 of the Concord maritime boundary between Chile and Peru, this has generated a new claim of Peru by land portion comprised between milestone 1 and the coast that logically cancels out the previous layout of the border.

13.1 Grau's Sea

The Grau's Sea is an expression of the legal sovereignty of Peru to a 200-mile extension ranging from Northern Capones mouth to the South parallel crossing the landmark N° 1 of the Concord line covering an area of 426,507.28611132 mi². Its name arises from Miguel Grau Admiral, Peruvian hero of the Pacific war (1879-1884).



Figure 41
Peru Claim to Chile on the Triangle Land Resulting From the Judgment of the ICJ From Milestone 1 That the Grants to This Latter Lands North of the Concord Line
 Source: [Http://www.taringa.net](http://www.taringa.net)



Figure 42
Grau's Sea. Maritime Space Over Which Peru Exercises Sovereignty and Jurisdiction
 Source: [Http://commons.wikimedia.org/wiki/File:Dominio_Martimo_del_Peru.svg/media/File:Dominio_Martimo_del_Peru.svg](http://commons.wikimedia.org/wiki/File:Dominio_Martimo_del_Peru.svg/media/File:Dominio_Martimo_del_Peru.svg)

13.2 The Chilean Sea

By its position in the Pacific Ocean and its dominion over the Polynesian Islands of Rapa Nui (Easter Island), Salas y Gomez and Juan Fernandez archipelago this area is called “Chilean Sea”. By 1856 Act of 1986, Chile adopted the Chilean legal system to the United Nations Convention on the law of the Sea (UNCLOS) and by law, 1980 defined unilaterally “Presence sea of Chile”.

The Chile Sea is a maritime space of 3,999 mi in the Pacific Ocean. It includes 41,199.80 m² of the continental on its first 12-mile Territorial Sea and 5,451.7 mi² of sea Territorial Ocean. Includes also an exclusive economic zone (EEZ) that extends across 188 nautical miles, from the 12-mile territorial sea limit, which covers a total area of 1,421,623.9 mi².

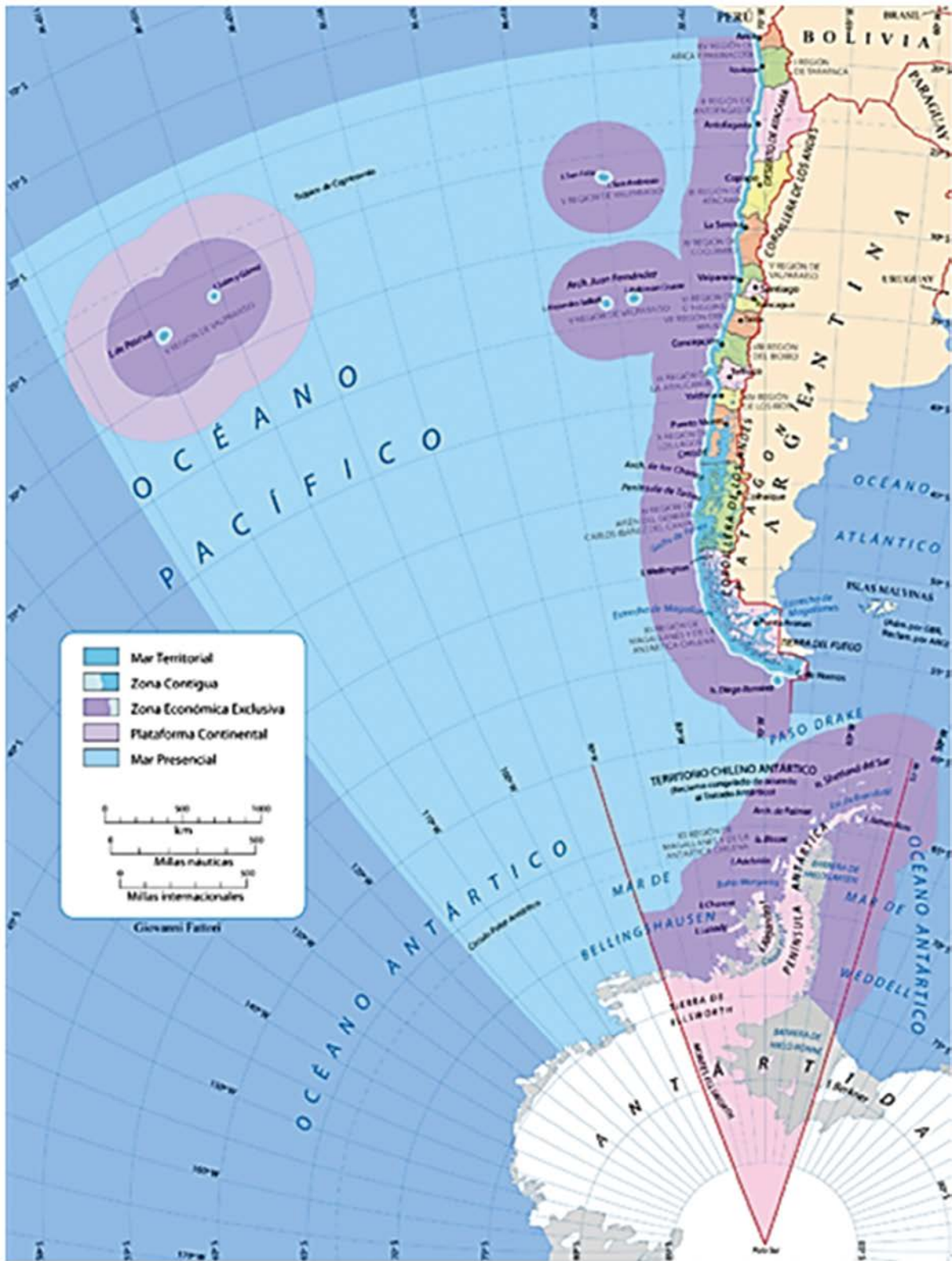


Figure 43
Chilean Sea and Antarctic Claim
Source: <http://commons.wikimedia.org/wiki/File:CI-triconti.png>

14. BORDERS LOST BY BOLIVIA

Bolivia during the colonial era was known as “Charcas Audience”, jurisdictional division of the Viceroyalty of Peru. In 1825 becomes independent and takes the name of Bolivia in honor of the liberator Simon Bolivar who granted its first Constitution in 1826. The Liberator Antonio Jose de Sucre Land Marshal was its first President. The history of Bolivia in the 19th century is that of a country beset by revolutions and political instability. In 1825 the Brazil Empire invaded the East of the country which is evacuated because of threats from Sucre. In 1828 the Peruvian troops of Agustín Gamarra general achieve the resignation of Sucre. A year following Andrés Bello of Santa Cruz is elected President by the National Congress. He managed to restore the finances of the country, and in 1837, it becomes the Peruvian-Bolivian Federation, which is dissolved after the war that breaks out with Chile (1836-1839). Anarchy is established again.

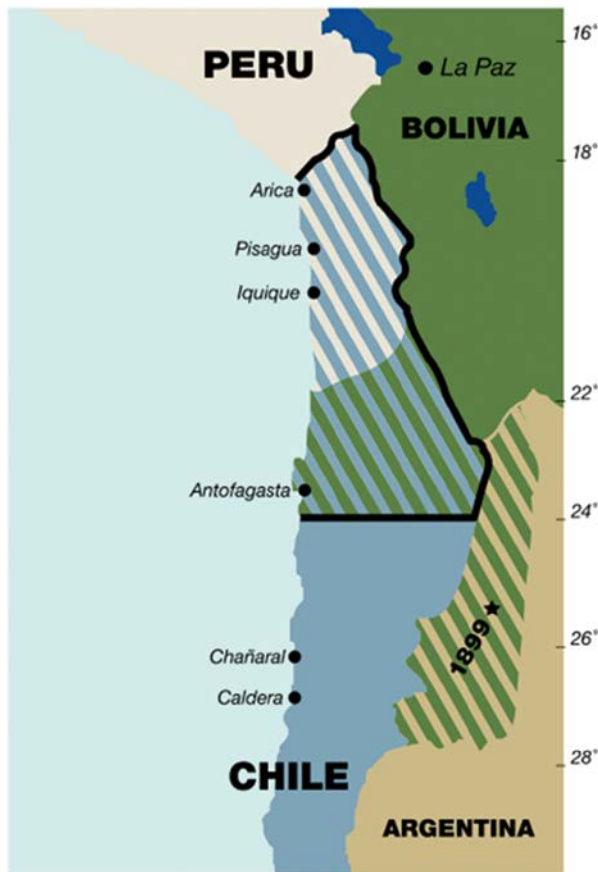


Figure 44
Pacific War Consequences (1879-1883), in Green Hachures; Territories Ceded by Bolivia to Chile and Argentina. In Blue Hachures; Territory Ceded by the Peru to Chile

Source: <http://es.wikipedia.org/wiki/Archivo:Pacifico1879.svg>

Bolivia signed two treaties in 1866 and 1874 with Chile to resolve the dispute about the deposits of sodium

nitrate adopting as limit the parallel 24° South lat., granting tariff and mining concessions to British-Chilean companies. The Bolivian non respect of these clauses flows into the “war of the Pacific” (1879-1883) where Peru and Bolivia secretly allied, are defeated by the Chilean troops. As usual in the 19th century a loser is amputees of territory and is the case for the provinces of Antofagasta and Tarapacá respectively. So Bolivia lost its outlet to the sea. The border **Treaty of 1904** signed between Bolivia and Chile recognizes to cede in perpetuity to Chile the coastal territory and in exchange Chile allows the free use of the ports of Arica, Iquique and Antofagasta and builds a railway from those ports to La Paz and Oruro. In 1929, Peru signed the **Treaty of Concord** with Chile that fixed as the boundary line of Concord which separates the departments of Arica left for Chile from Tacna that Peru recovers.

Bolivia held and lost several wars; with Brazil for the Acre territory (1899-1903), with Paraguay in 1933-1936 for the Chaco Boreal signed the Treaty of peace and friendship that ceded to the three-quarters of the Chaco Boreal to Paraguay in 1938. Also ceded to Argentina to do not let it on the hands of Chile, part of the Puna de Atacama territory after the defeat of the “Pacific war”.

15. THE LANDLOCKED BOLIVIA

Since the arrival to power in Bolivia of the Socialist Evo Morales in 2003, this has taken as workhorse the problem of the landlocked of Bolivia since the issue is a political instrument making unanimity in the country. In effect the landlocked Bolivia is like the position of Switzerland, fictitious. Bolivia has three ports in Chile, free access and without customs barriers and railways that connect it to the Highlands as stipulated by the Treaty of limits of 1904. It also has an exclusive area in the port of Ilo in Peru, and facilities in the ports of Brazil through railways lines as well as the port of Buenos Aires in Argentina that are free to use for Bolivia... Bolivia also tacitly unknown the 1929 limits Treaty signed by Peru and Chile, which says in its first article: The Peru and Chile Governments may not without prior agreement among them, assign to a third power all or part of the territories which, in accordance with the Treaty of this same date, remain under their respective sovereignty, or be able, without that requirement, to build, through them, new international railway lines. According to the Peruvian authorities, they do not oppose an outlet to the sea for Bolivia, provided they do not affect the territorial integrity of the Peru...

This situation, the Bolivian Government headed by Evo Morales has made an appeal to the ICJ in The Hague with the aim of achieving an exit to the sea.



Figure 45
Borders Lost by Bolivia in the 19th Century and in the 20th Century
 Source: <http://es.wikipedia.org/wiki/Archivo:Pacifico1879.svg>

The only possibility for Bolivia to recover a sea port is negotiating with Peru. In fact the 1929 Treaty of

boundaries between Peru and Chile says that “Concord line” is the border between the two countries, a strip of desert land of 10 km wide ranging from the tripartite Bolivia–Chile–Peru point to the Pacific Ocean (milestone 1 of Concord). The border treaty was stipulated that Chile may not assign to third parties (read Bolivia) part of that land. In that no-man’s land is Peru which could give Bolivia 5 km of that strip ending with the country landlocked.

16. INTERNATIONAL BOUNDARIES OF ARGENTINA

The Republic of Argentina, former Spanish colonial territory is the result of the spin-off of the Vice-royalty of Peru by the creation in 1776 of the Viceroyalty of the Río de La Plata, by order of Charles III of Spain. This new Vice-royalty included 8 municipalities; Buenos Aires, Tucumán, Cuyo, Paraguay, Santa Cruz de La Sierra, Potosi, La Paz and Chuquisaca and the military political Government of Montevideo as well as the Guarani missions. The revolution of May 1810 allows the independence of what will be called the Republic Argentina. The territories of the former old Vice-royalty will become gradually independent.



Figure 46
Río de La Plata Vice-Royalty 1776-1810
 Source: <http://hispanoamericaunida.files.wordpress.com/2013/05/sudamerica-s-xviii.jpg>

16.1 Bolivia

The high plateau will be the scene of bloody battles for the independence where Bolivar and Sucre are the principal actors. In 1825, the country achieved its independence and the following year Argentina recognizes the independence of that country.

16.2 Uruguay

The Eastern band of Uruguay craved by the Empire of Brazil was annexed after the battle of Tacuarembó in 1820 as the **Cisplatina Province**. But in 1828 the Uruguayan – Argentine army manage to expel the imperial troops and by the **1828 Treaty of Montevideo**, the Empire of Brazil and the Republic of Argentina recognized the independence of the Oriental Republic of Uruguay whose border with Argentina is established by the Uruguay River.

16.3 Paraguay

Since 1811 Paraguay decides to be autonomous from Buenos Aires tutelage. From 1816 to 1840 Paraguay live isolated from the rest of the world under the rule of Gaspar Rodriguez de Francia dictatorship. A new Paraguayan Congress meeting in 1842, proclaims the independence of Paraguay to threats from Argentina. Bolivia is the first country to recognize the independence, followed by the Brazil Empire. Argentina will finally recognize Paraguay independence through the “**Treaty of limits, friendship, Commerce and navigation between Paraguay and the Argentina Confederation**”.

The Treaty of limits, between Paraguay and the Argentina Confederation was signed on July 15, 1852.

The war **Triple Alliance war** defines the Paraguay limits. With Brazil, by the Paraguay and Apa Rivers and Amambay and Mbaracayu Ranges agreement signed in January 1872. With Argentina by the Paraguay, Paran  and Pilcomayo Rivers by agreement signed on February 3, 1876. Finally, with Bolivia, after the **Chaco war** (1932-1935), by agreement signed February 21, 1938.

16.4 Limits With Chile

By the **Treaty of limits of 1881**, Argentina and Chile redefine its borders, which was established in 1856, following the principle of *Uti Possidetis de jure*. Through the Treaty of 1881, Argentina takes Patagonia and part of Tierra del Fuego, while Chile retains sovereignty over the Strait of Magellan. This establishing the principle that Chile does not have sovereignty over the South Atlantic as well as Argentina does not have sovereignty over the South Pacific. It took a century later signed at the Vatican, the **Treaty of peace and friendship of 1984** on the controversy over the Beagle Channel issue and which gives Chile the sovereignty of the Beagle Channel as well on Picton, Lennox and Nueva Islands, which were claimed by Argentina. The background of this dispute is the supposed sovereignty over Antarctic territories.

It’s interesting that some Argentine historical maps seek to ignore the colonial sovereignty of Chile about Patagonia which was provided to the 1881 Treaty with Argentina, following the principle of *Uti Possidetis*. Patagonian lands are place under the derogatory nickname of “*Lands of indomitable Indians*” detracting by this way the historical facts.



Figure 47
Beagle Channel Dispute With Also Picton, Lennox and Nueva islands Are Recognized as Chilean Sovereignty by the Treaty of 1984

Source: [Http://upload.wikimedia.org/wikipedia/commons/7/71/AlgunasIslasAlSurDelCanalBeagle.png](http://upload.wikimedia.org/wikipedia/commons/7/71/AlgunasIslasAlSurDelCanalBeagle.png)

16.5 The Argentine Sea

Coastal sea covering the continental shelf up to 200 mi and covers about 362,936 mi² from the Río de La Plata mouth to the Falkland Islands. It was the Romanian Explorer Julius Popper who first used in 1891 *Argentine sea* expression to refer to the sea adjacent to that country. This appeal is not recognized by the International Hydrographic Organization or the United Kingdom, which advocates for the Falkland Islands.

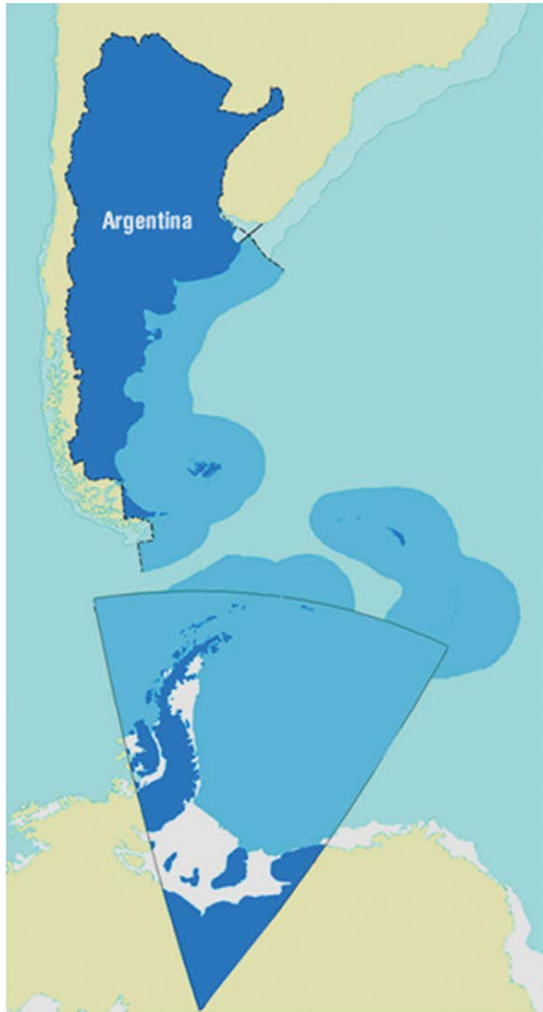


Figure 48
Argentine Sea Covering the Continental Shelf Adjacent to the Coast of Argentina
 Source: http://www.atlanticosurargentino.com/images/mapa_g.jpg

17. FLAKLAND ISLANDS

The Falkland Islands located 310 mi from Patagonia, in the South Atlantic off the current Argentine coasts were discovered by Louis Antoine de Bougainville in 1764, who baptized them as îles Malouines in honor of the sailors of the French port of Saint Malo and take possession of them on behalf of the French Crown.

Later the English sailor John Strong named Falkland sound, the Strait separating the two islands, in honor of Anthony Cary, Viscount of Falkland, who finance the expedition.



Figure 49
Falkland Islands Occupied by the United Kingdom Since 1833
 Source: <http://www.paradygmassiglo21.wordpress.com>

In 1823, Argentina took possession of the Falkland Islands and named Luis María Vernets its representative for the exploitation of the Islands resources. In 1833, the English expedition under the command of Captain John James Onslow took possession on behalf of the United Kingdom and finally occupied the Falkland Islands. If you look at a map of the time we see that until **1881**, signing of the **Borders Treaty between Chile and Argentina**, Patagonia territory belonged to Chile (New Chile). The border between Chile and Argentina was the Negro



Figure 50
Chilean Borders Since 1810 to 1866 and Until the Signing of the Border Treaty of 1881 With Argentina
 Source: <http://www.mediateca.cl>

River. So is why this maritime expansion was under the sovereignty of Chile and not of Argentina and the takeover of the Islands by that country in 1823 was not in accordance with the 1810 "Uti possidetis". In addition to already had a history of French and English sovereignty prior to that date.

The military Government of Argentina, convinced of their rights over the Falkland Islands ignites on April 2, 1982 the "Guerra de las Malvinas". The United Kingdom responded to the Argentine military occupation resetting on June 14, 1982 the British administration of the Islands. 10 and 11 may 2013 held a plebiscite in the Falkland Islands which the Islanders were if they wished to continue under British administration. 1672 inhabitants the 99.83% voted yes. Before this result Great Britain granted to this British overseas territory the right to self-determination.

18. THE ANTARCTIC CONTINENT

Since its discovery and exploration of the most southern frozen continent on the planet, many countries disputed the sovereignty of the Antarctic Territory.

The "Terra Australis" imagined by Europe since the single antiquity was sighted for the first time by Captain James Cook between 1772 and 1775, which reaches the 71° South latitude, but icebergs prevented them from approaching it. However, the Turkish Admiral Piri Reis Map shows part of the Antarctic continent, as well as the South American Atlantic coast in 1513.

The discovery of the Strait by Magellan in 1520 and later the Cape Horn crossing by Francisco de Hoces showed where South America finished and Southern another continent was located. In 1603 captain Gabriel de Castilla sailed in 1603 to repress Dutch pirates, reaching the 64° South latitude. In 1615 Willem Schouten, Dutch rediscovered the Strait baptizing Cape Horn. The first to circumnavigate the southern continent, on January 28, 1820, was the Russian expedition led by Fabian Gottlieb Von Bellinghausen and Mijail Petrovich Lazarev. On January 30 of the same year, Bransfield sighted the northern end of the Antarctic continent and disembark. In November 1820, Palmer badges the Trinidad Peninsula and in 1823 James Weddel discovers the Orkney of South Islands baptizing them as Jorge IV in honor of the British monarch. In 1840, the French expedition of Dumont d'Urville discovered the Adelaide Land. In 1897 the first international scientific expedition led by the Belgian Adrien de Guerlache of Gomery, with Emil Racovita (Romanian zoologist), Henryk Arctowsky (Polish geologist), George Lecointe (Belgian astronomer) and Roald Admundsen reached Antarctica. They had to hibernate because the ship was trapped by ice. The second expedition (1898-1900) was conducted under the direction of the Swedish Carsten Borchgrevink with privately English funds, reaching Victoria Land (Ross Sea) where

they wintered. Finally, in 1900 the English expedition known as "Discovery Expedition" explores the land of Edward VII and Ernest Shackleton reached the latitude of 82°00'17" South, the most Southern reached up to then. The same Shackleton between 1907 to 1909 will organize and direct the "Imperial British Antarctic expedition". In 1908 the United Kingdom claims, by patented letters, the lands to the South of the parallel 50° South, between 20° and 80° of latitude West which included the part of southern Chile and Argentina which in 1917 rectifies the claim that excludes the area west of the Meridian 50° West and North of the parallel 58° South.

On December 14, 1911 Roald Admundsen reaches the South Pole. In 1914 the Imperial Trans-Antarctic expedition, directed by Ernest Shackleton intended to cross the continent to the South Pole but fails being imprisoned by ice and the ship destroyed. They were rescued on August 30th, 1916 by the Chilean ship "Yelcho"

In 1923 New Zealand claims the Ross dependency between the 150° West and 160° West. France in 1924 claimed the Adelaide Land among the 136° East and the 142° East and in 1929 Norway claims the Peter 1st Island. The American Richard Byrd is the first to fly the same year, by plane the South Pole. In 1933 Australia defines its Antarctic territory among the 45° East and the 136° East. And in 1938, Norway claimed the Queen Maud Land between 20° West and the 45° East. From 1938 to 1939 a German secret expedition installs a base in Antarctica creating one of the first more detailed charts of the continent.

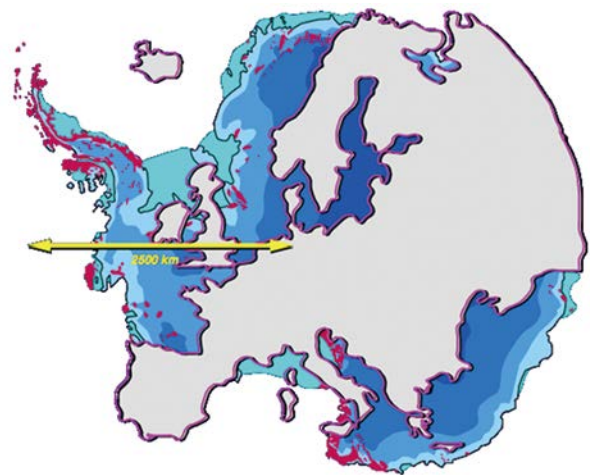


Figure 51
Comparative Size of Antarctica With Respect to Europe

Source: <http://www.fronterasblog.wordpress.com>

Many countries and major global powers have nailed their flags on the frozen continent. Among them, seven countries claim sovereignty why? It's the coldest place in the world with temperatures that can reach -70°C. and with more than 10,000ft ice thickness. However the United Kingdom, France, Norway, Australia, New

Zealand, Chile and Argentina have drawn the boundaries on the map of Antarctica claimed territories.

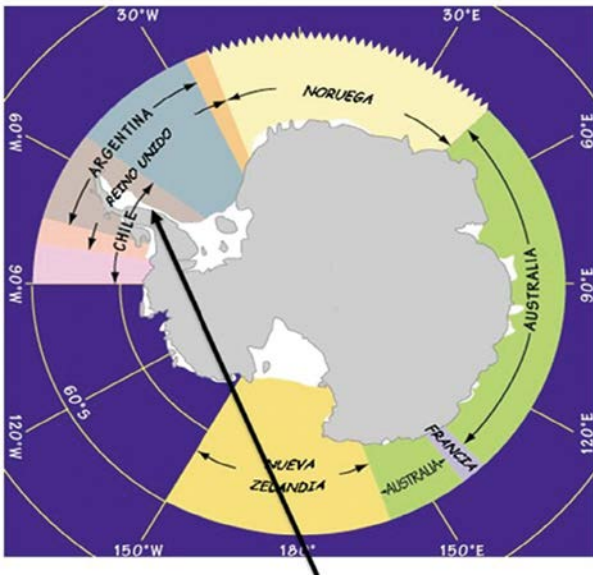


Figure 52
Territories Claimed as own by the United Kingdom, France, Norway, Australia, New Zealand, Chile and Argentina
 Source: <http://www.slideplayer.es>

The **Antarctic Treaty of 1959**, which entered into force in 1961 does not recognize borders and enshrined the continent for scientific research. For example, as frozen surface meteorites that fall on it are easy to identify. The drilling in the ice has allowed analyzing the oxygen trapped for thousands of years and thus understanding the changes suffered by our atmosphere. After that there are undertones and the greed of Nations by appropriating the natural wealth that is wary of this continent. However the Treaty already signed by 50 Nations, including the United States, Russia and China, prohibits military activity as well as the mineral prospecting.

However countries such as Chile and Argentina who claim the same territory sealed the passports from tourists who are brought to the frozen continent. Has a way to settle sovereignty. The United States as well as Russia sealed postal services. There are 68 scientific bases in Antarctica but its militarization is effective despite the Treaty. Chile and Argentina have permanent military bases. Thus, Russians, Chinese and other powers used this territory to install scientific bases for the purpose of covert espionage. Countries such as Turkey, Iran, Pakistan and the India plan to build scientific bases in Antarctica.

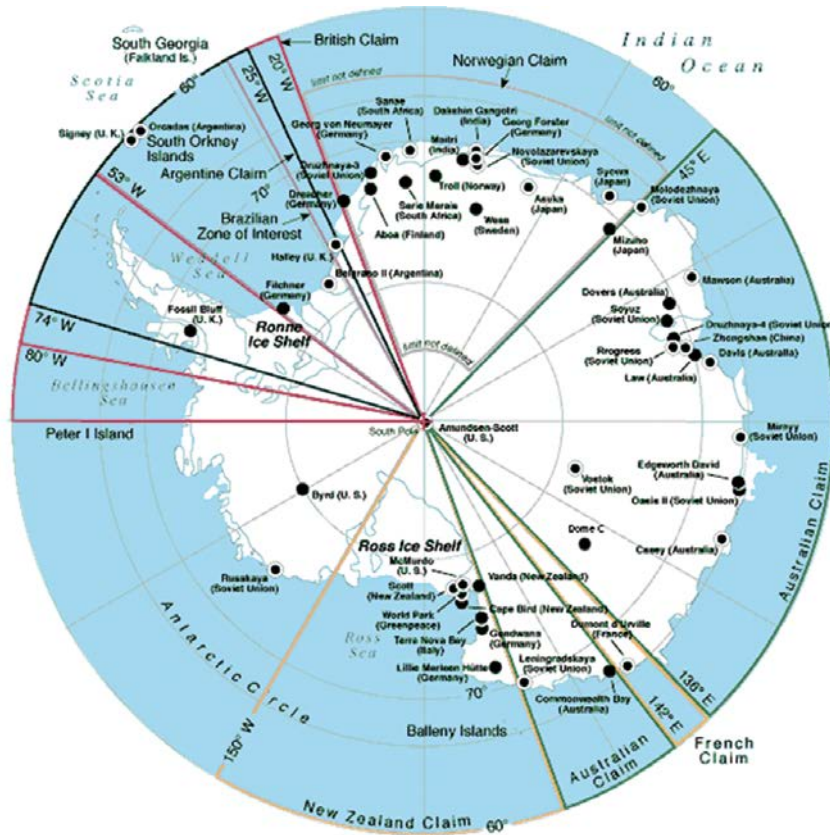


Figure 53
Political Division of the Antarctic Territory and Major Scientific Bases
 Source: <http://www.fronterasblog.wordpress.com>

Chile asserts the Antarctic Territory since the colonial times because the Spanish Crown recognized the sovereignty of the Captaincy General of the Kingdom of Chile of the Austral Lands as it recognized at the time and was called the southern continent. By Decree of 6 November 1940, Chile declares its sovereignty over Antarctic territory between the meridians 55° and 90° West Longitude claiming his authority since the Tordesillas Treaty of 1494.

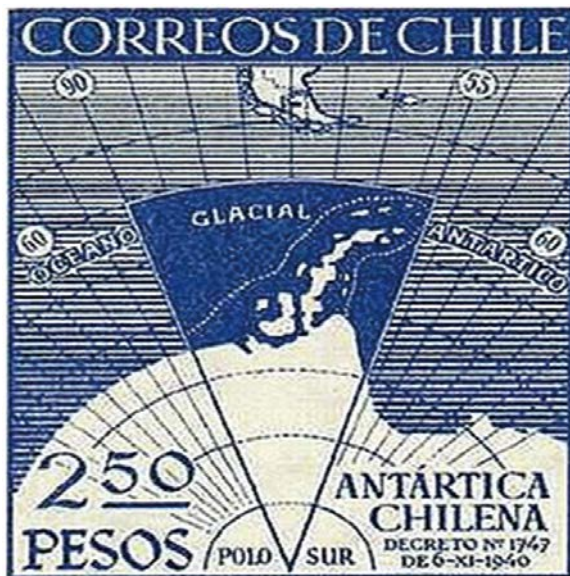


Figure 54
Commemorative Postal Stamp of the Sovereignty Declaration Over Antarctic Territory
Source: Arctic http://es.wikipedia.org/wiki/Territorio_Chileno_Antartico

At the end of 1940 Chile and Argentina recognize that they have unquestionable rights of sovereignty in the South Pole, and in 1942 Argentina fixed its Antarctic limits between the Meridian 25° and 74° West longitude which are superimposed on the territories claimed by the United Kingdom and Chile. The Antarctic Treaty of 1959 has frozen all claims of sovereignty for the time being.

CONCLUSION

Since 1810 end of the colonial period, the old American colonies borders have changed constantly during the 19th century and until the 21st century. Therefore to evoke the Uti Possidetis in border disputes is a hypocrisy that applies to convenience of States.

If there is something that moves people is the loss of the national territory. That was a common occurrence in the Second World War. Since the creation of the United Nations in 1947, the principle of the inviolability of borders Article 2.4 of the Nations United is to be applied

and all disputes being resolved peacefully between States. Since 1960 with the independence of most African countries the topic becomes controversial.

Since in 1783, Great Britain and the USA concluded the Peace Treaty of Paris, by which these claimed to continue to maintain the borders and other rights and territorial obligations established by Great Britain, the principle of continuity has been consolidated as a general principle, constituting one of the most protected today. Both practice and international jurisprudence have come to create a climate of agreement widespread among States on the idea that respect for the borders inherited from the Predecessor State has a mandatory for newly independent States (Lopez Marin).

Since then, many border disputes, particularly in the Americas have been resolved peacefully, as we have seen it herein. Particularly raised disputes between El Salvador and Honduras, Nicaragua and Colombia, Panama and United States about the Canal Zone. Between Surinam and France, between Ecuador and Peru, between Chile and Peru, and between Chile and Argentina over the Beagle Channel (1984) and the Laguna del Desierto, etc..

There is no doubt that the border problems will be a problem that will be diluted as Nations tend increasingly to economic and political integration in the future.

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