

Truman proclamation concerning us legal rights in the adjacent continental shelf

[Food & Diet](#)



**ASSIGN
BUSTER**

The idea, concepts, administration and management of the Exclusive Economic Zone is considered to be a crucial and the most intricate aspect of the Convention on the Law of Seas which was established in the year 1982. As such, a lot of decisions, ideas and issues solved regarding the Exclusive Economic Zone became a part of the Convention. In accordance with this, the Proclamation No. 2667 became a vital piece of the convention and gave way to certain rights and jurisdictions which several States are enjoying, particularly the United States of America.

“ Policy of the United States with Respect to the Natural Resources of the Subsoil and Sea Bed of the Continental Shelf” is the other name for President Harry S. Truman’s Presidential Proclamation No. 2667, stated publicly on September 28, 1945 . Presidential Proclamation No. 2667 is a response or a reflection of the United States government’s sensitivity or consciousness regarding the problems of petroleum and other minerals resources. As such, it aims to employ conservation of the continental shelf, having rich resources, especially the rights or laws protecting it.

More specifically, the jurisdiction over the natural resources is determined by the government of the United States of America if the shores of the continental shelves are within the boundaries of other states. This important declaration of the Proclamation No. 2667 regarding the jurisdictions, provides, conserves and protects the rights of the states to exercise freedom with regards to navigation. For instance, in the case of Chile and Peru, the proclamation made it into the convention and provided maritime zones to their respective governments.

In addition to this, extension of their coasts, especially in case of the Chilean government, was provided, with respect to the administration, management and protection of the deep sea fisheries and the zones for whaling. However, President Harry S. Truman's Proclamation No. 2667 had no effect in Latin America. In addition to this, it did not have any effects to the Arab states. The Truman Proclamation only announced the jurisdiction and rules with regards to the natural resources in the continental shelves with respect to several conditions.

Latin America and the Arab states were not able to meet these conditions as such, implications of the proclamation cannot be observed in their governments. In the case of the United States of America, the implications of the proclamation can be seen greatly. The US legal rights with the adjacent continental shelf became more pronounced in their boundaries and their jurisdiction. In addition to this, they had the power or sovereignty to decide the possible solutions or set of rules or jurisdiction applicable to certain instances such as overlapping boundaries.

The jurisdiction with regards to the overlapping boundaries of the continental shelf can be observed or can be found in the Article 6 of the Proclamation No. 2667. In this article, it states that the agreement between two states adjacent to the continental shelf would determine the jurisdictions applicable to the continental shelf. On the contrary, in the case where an agreement does not exist, then measurements would be taken from every point which is equidistant to the nearest baselines.

In addition to this, the baselines are generally breadth of the territorial sea of the countries encompassing the same continental shelf boundaries . The same case would be applied if another boundary line which is under special circumstances is not justified. In some of the cases with regards to this issue, the United States of America provided or granted the exploration of the continental shelves. Extension of U. S. control over the resources within the 200-mile Exclusive Economic Zone (EEZ) in 1983 actually added, for practical purposes, little additional area to that already under the control of the United States.

The U. S. and other coastal countries already had asserted control over fish within a 200-mile zone, under the Magnuson Fishery Conservation and Management Act of 1976 and over other resources located on the continental shelves. This extended control over resources can be traced to the Truman Proclamation of 1945, in which President Harry Truman declared that the United States asserted exclusive control and jurisdiction over the natural resources of the seabed and the subsoil of the continental shelf.

Many believe this proclamation was responsible for a flurry of new maritime claims. Following the proclamation, for instance, Chile, Peru and Ecuador claimed sovereignty and jurisdiction out to 200 miles and considered the troll for all ocean uses except innocent passage of ships. Various other claims, but none quite so extensive, were asserted by other countries in the wake of the Truman Proclamation. The United States implemented the Truman Proclamation by passage of the Outer Continental Shelf Lands Act of 1953.

This act authorizes leasing of minerals in the continental shelf beyond the State-controlled territorial sea. “ The unilateral action of the United States in extending jurisdiction over the petroleum-rich continental shelf led to an international agreement in 1958”. As a result, “ all coastal nations acquired the rights to explore and exploit natural resources within the continental shelves adjacent to their coasts” . The area of the U. S. continental shelf is estimated to be approximately 1. 6 million squares nautical miles.

Thus, a substantial proportion of the area of the recently proclaimed EEZ has been under the jurisdiction of the United States since 1945; mineral leasing on the Outer Continental Shelf has been authorized since 1953; and fisheries have been managed within the 200-mile Fishery Conservation and Management Zone since 1976. Hence, only mineral deposits in areas within 200 miles of the coast but beyond the continental shelf edge, the least accessible part of the EEZ, have been added to the resource base of the United States with the establishment of the new EEZ.

In addition to the rights of the United States of America, there were changes done with the US President’s Proclamation No. 2667. It was the United States, historically an opponent to fishing zones, which sowed the seeds of change with the proclamation. The United States President proclamations with respect to the coastal fisheries in certain areas of the high seas with respect to the natural resources of the subsoil and sea-bed, constituted an important factor of change in certain aspects.

These aspects include a break from traditional dichotomy “ territorial sea-high seas” and the relevance given to the economic interests in connection

<https://assignbuster.com/truman-proclamation-concerning-us-legal-rights-in-the-adjacent-continental-shelf/>

with resources. In addition to this, there is the adequacy of regulations existing at the time for the protection of marine resources . In the case of sharing the conservation authority in these high seas, the areas are bound to be open for negotiation, an national conservation program may be enforced unilaterally against all comers until a joint authority is acceptable; that is, the United States implicitly claimed an unshared authority over conservation .

In addition to this, the parts that deal with living resources which are related to the convention, through which the Truman Proclamation was included, it was the United States of America who had favored a “ species” approach when it comes to the jurisdictions over the fisheries and for the most parts of the coastal states. The United States of America was also the one who planned and projected a “ trusteeship zone”.

This zone would be considered to be under the coastal state supervision . Moreover, the United States of America also created the drafts for the fisheries article which became a part of the provisions in the Convention. They were also the ones who suggested several principles with regards to the extent of conservation and measures.

Ultimately, with the help of the president of the United States of America, President Harry S. Truman, it was possible for the state to hold an advantage and certain rights when it comes to the adjacent continental shelves. Indeed, they were able to protect the natural resources in the subsoil and sea-bed. They were also able to create jurisdictions and limitations to the extent of use of these natural resources. However, aside from this, the United States

of America, with Proclamation No. 2667, also protected its own personal rights, desires and motives.