

Act establishing an Exclusive Economic Zone along the coasts of the Mainland and Islands of 26 July 1978

Article 1

Establishment of an exclusive economic zone

An exclusive economic zone is hereby established beyond and adjacent to the territorial sea, all along the coasts of the mainland and islands of the Republic of Venezuela, which zone shall be subject to the regime established by this Act.

Article 2

Breadth of the exclusive economic zone

The outer limit of the exclusive economic zone shall be a line every point of which is a distance of two hundred (200) nautical miles from the baseline used to measure the breadth of the territorial sea.

Where this provision results in overlapping with the exclusive economic zone of other States, the zones shall be delimited, as necessary, by agreement between the States concerned.

Article 3

Rights of the Republic in the exclusive economic zone

1. In the exclusive economic zone established by this Act, the Republic has:

(a) Sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the seabed and subsoil and the superjacent waters, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds.

(b) Jurisdiction as provided for in the relevant provisions of this Act and its regulations with regard to:

(i) The establishment and use of artificial islands, installations and structures;

(ii) Marine scientific research;

(iii) The preservation of the marine environment.

2. The rights set out in this article with respect to the seabed and subsoil shall be exercised in accordance with provisions relating to the continental shelf.

Article 4

Rights of other States in the exclusive economic zone

In the exclusive economic zone of the Republic, other States, whether coastal or land-locked, shall enjoy, subject to the relevant provisions of the present Act, the freedoms of navigation and overflight and of the laying of submarine cables and pipelines, and other internationally lawful uses of the sea associated with navigation and communication.

Article 5
Conservation of the living resources

1. The National Executive shall periodically determine the allowable catch of the living resources in the exclusive economic zone of the Republic.
2. The National Executive, taking into account the available scientific evidence, shall ensure through proper conservation and management measures that the maintenance of the living resources in the exclusive economic zone is not endangered by over-exploitation. As appropriate, the Republic shall cooperate to that end with relevant subregional, regional and global organizations.
3. Such measures shall also be designed to maintain or restore populations of harvested species at levels which can produce the maximum sustainable yield in the light of relevant environmental and economic factors.

Article 6
Utilization of the living resources

1. The Republic shall promote the optimum use of the living resources of the exclusive economic zone without prejudice to article 5 of this Act.
2. The National Executive shall periodically determine the capacity of the Republic to harvest the living resources of the exclusive economic zone. Where the National Executive determines that the Republic does not have the capacity to harvest the entire allowable catch, it shall, through agreements and other arrangements and pursuant to the terms, conditions and requirements laid down in the regulations giving effect to this Act, give other States access to the surplus of the allowable catch.

Article 7
**Co-ordination with other States in respect of measures
for the conservation of the living resources**

1. The Republic shall seek, either directly or through appropriate subregional or regional organizations, to agree upon the measures necessary to co-ordinate and ensure the conservation and development of the same stock or stocks of associated species occurring within the exclusive economic zone of the Republic and the exclusive economic zone of neighbouring States.
2. Where the same stock or stocks of associated species occur both within the exclusive economic zone of the Republic and in an area beyond and adjacent to the zone but not within the exclusive economic zone of any other State, the Republic shall seek, either directly or through appropriate subregional or regional organizations, to agree with States whose nationals harvest these species upon the measures necessary for their conservation.

Article 8
**Artificial islands, installations and structures
in the exclusive economic zone**

1. In the exclusive economic zone, the Republic shall have the exclusive right to construct and to authorize and regulate the construction, operation and use of:
 - (a) Artificial islands;
 - (b) Installations and structures for the purposes provided for in article 3 of this Act and other economic purposes;

- (c) Installations and structures which may interfere with the exercise of the rights of the Republic in the Zone.
2. The Republic shall have exclusive jurisdiction over such artificial islands, installations and structures, including jurisdiction with regard to customs, fiscal, health, safety and immigration regulations.
 3. For the purpose of ensuring the safety of navigation, due notice must be given of the construction of such artificial islands, installations and structures, and permanent means for giving warning of their presence must be maintained. Any installations and structures which are abandoned or disused must be entirely removed.
 4. The Republic may, where necessary, establish reasonable safety zones around such artificial islands, installations and structures in which it may take appropriate measures to ensure the safety both of navigation and of the artificial islands, installations and structures.
 5. The breadth of the safety zones shall be determined by the National Executive, taking into account applicable international standards. Such zones shall be designed to ensure that they are reasonably related to the nature and function of the artificial islands, installations and structures and shall not exceed a distance of five hundred (500) metres, measured from each point of their outer edge, except as authorized by generally accepted international standards or as recommended by the appropriate international organizations.
 6. All ships must respect these safety zones and shall comply with generally accepted international standards regarding navigation in the vicinity of artificial islands, installations, structures and safety zones. Due notice shall be given of the extent of safety zones.
 7. Artificial islands, installations and structures and the safety zones around them may not be established where interference may be caused to the use of recognized sea lanes essential to international navigation.
 8. Artificial islands, installations and structures have no territorial sea of their own and their presence does not affect the delimitation of the territorial sea, the exclusive economic zone or the continental shelf.

Article 9 Scientific research

1. Marine scientific research activities in the exclusive economic zone shall be conducted with the prior consent of the Republic.
2. The Republic will not withhold its consent to the conduct of a marine scientific research project unless that project:
 - (a) Is directly related to the exploration and exploitation of living and non-living natural resources;
 - (b) Involves drilling, the use of explosives or the introduction of harmful substances into the marine environment;
 - (c) Involves the construction, operation or use of artificial islands, installations and devices as referred to in article 15 of this Act;
 - (d) Unjustifiably interferes with activities undertaken by the Republic in accordance with its jurisdiction and as provided in this Act.