

STRAITS USED FOR INTERNATIONAL NAVIGATION



Dhiana Puspitawati

Straits In International Navigation

**Hugo Caminos, Vincent P. Cogliati-
Bantz**



Straits In International Navigation:

Straits Used for International Navigation José A. Yturriaga, 2021-09-27 After an introductory chapter concerning the definition of Straits used for international navigation the author examines in detail the evolution of the question in the years prior to the convening of UNCLOS III during the preparatory works of the Sea Bed Committee and throughout the Conference The second part of the book studies the legal norms set up by the 1982 UN Convention on the Law of the Sea concerning the regime of transit passage for maritime and air navigation applicable in most of the straits used for international navigation and the regime of innocent passage residually applied in the other straits In the final chapter the author makes a critical appraisal of the new regimes of navigation and overflight in straits exposes the implications of such regimes in Spain analyzes the applicability of the Convention's regulations before their coming into force and examines the practice followed in the last few years by the most important States which favoured or opposed the regime of transit passage From his position as Deputy Head of the Spanish Delegation to the Law of the Sea Conference Ambassador de Yturriaga participated from the very beginning in the work of UNCLOS III and was an active protagonist in the debates of the straits question The book offers a first hand testimony of the straits negotiation which will be extremely useful for scholars and students of the Law of the Sea

Straits Used for International Navigation José Antonio de Yturriaga, 1991 After an introductory chapter concerning the definition of Straits used for international navigation the author examines in detail the evolution of the question in the years prior to the convening of UNCLOS III during the preparatory works of the Sea Bed Committee and throughout the Conference The second part of the book studies the legal norms set up by the 1982 UN Convention on the Law of the Sea concerning the regime of transit passage for maritime and air navigation applicable in most of the straits used for international navigation and the regime of innocent passage residually applied in the other straits In the final chapter the author makes a critical appraisal of the new regimes of navigation and overflight in straits exposes the implications of such regimes in Spain analyzes the applicability of the Convention's regulations before their coming into force and examines the practice followed in the last few years by the most important States which favoured or opposed the regime of transit passage From his position as Deputy Head of the Spanish Delegation to the Law of the Sea Conference Ambassador de Yturriaga participated from the very beginning in the work of UNCLOS III and was an active protagonist in the debates of the straits question The book offers a first hand testimony of the straits negotiation which will be extremely useful for scholars and students of the Law of the Sea

The Regime of Straits in International Law Bing Bing Jia, 1998 Straits are peripheral formations in the study of geography but have long been a source of controversy in international relations They connect separate seas and divide the territory of states This geographical fact invites legal disputes over international boundary drawing request for passage by foreign ships assertion of territorial control over the waters forming straits and the basis for a regime generally accepted as law in our times This is a thorough and well documented book which

combines elements of history geography international shipping and the law of the sea It asks the central question what exactly is the current law governing this area and also goes on to consider the concept of international straits the distinction between existing treaty based regimes and the general regime and the special characteristics of straits that separate them from similar arms of the sea in terms of law In answering these questions the author takes us back to the first regime for international straits in 1949 through to the practices of the present day This will be an invaluable text for all international lawyers particularly those specializing in the law of sea **Straits in International Navigation** Kheng Lian Koh, 1982

Navigational Rights and Freedoms and the New Law of the Sea Donald R. Rothwell, Sam Bateman, 2021-10-18

Navigational rights and freedoms have been central to the development of the law of the sea since the original debates over whether the seas were open or closed to maritime traffic The 1982 UN Convention on the Law of the Sea recognises the legitimate rights of coastal states to proclaim sovereignty and assert jurisdiction over vast areas of maritime space In return maritime states are given a range of navigational rights over waters ranging from the territorial sea through to the high sea The new regime of the law of the sea created by the Convention presents an opportunity to review developments in the law of navigational rights and freedoms This book assesses the navigational regime established by the 1982 Convention with emphasis given to the continuing importance of the freedom of the seas Navigation in the territorial sea and international straits is reviewed especially in the Straits of Malacca and Singapore and the Torres Strait Archipelagic navigation from the perspective of two claimant states Indonesia and the Philippines and a user state South Korea is also considered The interaction of environmental concerns with navigational rights is an important feature of the current law of the sea regime with relevant conventions assessed and the role of the International Maritime Organization in developing navigational standards considered Both European and Canadian practice in the protection of sensitive marine environments and the impact upon navigational rights is also considered Finally the roles of the International Tribunal for the Law of the Sea and the International Maritime Organization in dispute resolution are reviewed before a concluding consideration of the future for navigational rights and freedoms in the twenty first century **International Law** Malcolm N. Shaw, 2017-09-14 The definitive and authoritative international law text updated to reflect key case law international practice and treaty developments

The International Law of the Sea Donald R Rothwell, Tim Stephens, 2023-08-10 Praise for the previous edition A complete overview of the subject which does not intimidate the reader but rather sparks interest and understanding in the subject European Energy and Environmental Law Review the book is scholarly yet accessible and very readable thoroughly recommended Law Institute Journal Description The law of the sea provides for the regulation management and governance of the ocean spaces that cover over two thirds of the Earth's surface This book provides a comprehensive assessment of the foundational principles of the law of the sea a critical overview of the 1982 United Nations Convention on the Law of the Sea and an analysis of subsequent developments including many bilateral regional and global

agreements that supplement the Convention The third edition of this acclaimed text has been thoroughly revised and updated and now incorporates a dedicated chapter on natural and artificial islands All of the main areas of the law of the sea are addressed including the foundations and sources of the law the nature and extent of the maritime zones the delimitation of overlapping maritime boundaries the place of archipelagic and other special states in the law of the sea navigational rights and freedoms military activities at sea marine scientific research and marine resource and conservation issues such as fisheries marine environmental protection and dispute settlement The book also takes stock of contemporary oceans governance issues not adequately addressed by the Convention Overarching challenges facing the law of the sea are considered including how new maritime security initiatives can be reconciled with traditional navigational rights and freedoms the need for stronger legal and policy responses to protect the global ocean environment from climate change and ocean acidification and work on a new agreement for the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction

Straits Used for International Navigation, 1992 **International Straits** Ana G. López Martín, 2010-08-14 The four 1958 Geneva Conventions on the Law of the Sea which codified and progressively developed this sector of our legislation were rather ephemeral despite the fact that they were constituent Conventions In fact the 1982 United Nations Convention on the Law of the Sea UNCLOS again undertook the same task with the same spirit 20 years later after a long drawn out global negotiation process in which all the marine areas and problems pending were analysed and discussed by the countries attending and an apparently strengthened majority was attained including the essential agreement between the principal naval powers and the third world countries symbolised most grossly in the recognition of exclusive economic areas which were 200 miles wide in exchange for a significant alteration to the legal rules applicable to the international straits From 1973 to 1982 the negotiations showed that there were a number of particular factors affecting the seas strait countries user countries long range shipping countries embedded countries archipelagic countries broad platform countries etc In 1982 when the UNCLOS was adopted it seemed to be a text with justified pretensions to be in force for a long period of time as the nine years of negotiations required for its adoption had taken into account the main problems pending agreement although not absolutely all

The Legal Regime of Straits Hugo Caminos, Vincent P. Cogliati-Bantz, 2014-12-22 The right of transit passage in straits and the analogous right of archipelagic sealanes passage in archipelagic states negotiated in the 1970s and embodied in the 1982 UNCLOS sought to approximate the freedom of navigation and overflight while expressly recognising the sovereignty or jurisdiction of the coastal state over the waters concerned However the allocation of rights and duties of the coastal state and third states is open to interpretation Recent developments in state practice such as Australia's requirement of compulsory pilotage in the Torres Strait the bridge across the Great Belt and the proposals for a bridge across the Strait of Messina the enhanced environmental standards applicable in the Strait of Bonifacio and Canada's claims over the Arctic Route make it necessary to

reassess the whole common law of straits The Legal Regime of Straits examines the complex relationship between the coastal state and the international community **The Torres Strait** Stuart B. Kaye,2023-09-20 This is the twelfth book in the series International Straits of the World which describes the geography of a narrow waterway linking two seas and its relevance to shipping economic development and social welfare in the region especially examining the legal status of the strait and its international relations As a central focus this study addresses the legal status of the Strait in the light of the 1982 U N Law of the Sea Convention The Convention not only prescribes limits to the territorial sea an exclusive economic zone and a continental shelf for coastal states but also addresses rules for the transit of straits for international navigation The book details the unusual demarcation of Australian territorial seas in certain islands and the unique fisheries deep seabed lines of jurisdiction Finally this study turns sympathetically to the welfare of the Islanders a small distinct ethnic group which has suffered losses in land culture and independence through the rush of western civilization The author illuminates the importance of the Protected Zone established by the Torres Strait Treaty to Islander economic and environmental concerns He also examines and takes a position on the feasibility of an independent state for the Islanders The Polar Regions and the Development of International Law Donald Rothwell,1996-11-13 A review of international law in the polar regions and its importance to the environment and to international relations **Straits in International Law** ,1919 Navigational Restrictions within the New LOS Context Alexander M. Lewis,2016-12-12 In 1986 Lewis M Alexander a world renowned marine geographer prepared for the U S Department of Defense a report Navigational Restrictions within the New LOS Context Geographical Implications for the United States Edited by J Ashley Roach the reformatted report is presented in five sections and includes 20 maps illustrating the world s international straits and major ocean navigation routes Forty three tables present the most comprehensive descriptions of the world s straits used for international navigation as well as identify various categories of maritime claims What made the Report extraordinarily valuable in 1986 and which makes it equally valuable today is the compilation of geographic data not available elsewhere describing the world s straits used for international navigation and illustrations of the chokepoints and major international shipping trade routes Roach has faithfully reproduced Alexander s seminal work by retaining the original structure and references A table of defined terms and an index have been added **The Turkish Straits** C.L. Rozakis,Petros N. Stagos,2024-09-02 The Legal Regime of the Turkish Straits Nihan Ünlü,2002-10-30 This is the thirteenth book in the series International Straits of the World initiated and edited at the Graduate College of Marine Studies of the University of Delaware In 1987 the ninth book in this series dealt with the Turkish Straits Since then however the rapid developments of the law of the sea especially with regard to coastal state jurisdiction and the status of international straits has called for a new analysis of the heavily trafficked narrow waterway that links the Mediterranean Sea with the Black Sea The 1982 UN Convention on the Law of the Sea provided a special regime for straits used for international navigation Nothing in this part of the convention however affected the legal

regime of the Turkish Straits The convention exempted those straits in which passage was regulated in whole or in part by long standing international conventions specifically related to that strait The Montreux Convention of 1936 still in force was designed to regulate passage through the Dardanelles the Sea of Marmara and the Bosphorus or the Turkish Straits Dr nl has addressed a key international policy question namely in the light of the evolving law of the sea and the special role of the International Maritime Organization should the 1936 Montreux Convention be amended or denounced or changed by some unilateral act of Turkey In sum can the convention be sustained as it is modified by unilateral action denounced by the parties or its provisions changed in some other way by international action The author has even explored the possibility of making the straits a particularly sensitive sea area allowing the coastal state to take expanded jurisdiction to prevent marine pollution Dr nl has done a great service to scholarship on the legal regime of the Turkish Straits She has left her readers with policy options that will be useful in trying to reconcile the use of a strait not covered by the 1982 Law of the Sea Convention with the exigencies of modern international law

International Organizations and the Law of the Sea 1985

Netherlands Institute for the Law of the,1987-06 The Strait of Magellan Michael A. Morris,1989-07-27 After an introductory chapter concerning the definition of Straits used for international navigation the author examines in detail the evolution of the question in the years prior to the convening of UNCLOS III during the preparatory works of the Sea Bed Committee throughout the Conference The second part of the book studies the legal norms set up by the 1982 UN Convention on the Law of the Sea concerning the regime of transit passage for maritime air navigation applicable in most of the straits used for international navigation the regime of innocent passage residually applied in the other straits In the final chapter the author makes a critical appraisal of the new regimes of navigation overflight in straits exposes the implications of such regimes in Spain analyzes the applicability of the Convention s regulations before their coming into force examines the practice followed in the last few years by the most important States which favoured or opposed the regime of transit passage From his position as Deputy Head of the Spanish Delegation to the Law of the Sea Conference Ambassador de Yturriaga participated from the very beginning in the work of UNCLOS III was an active protagonist in the debates of the straits question The book offers a first hand testimony of the straits negotiation which will be extremely useful for scholars students of the Law of the Sea

The IMLI Manual on International Maritime Law David Attard,Malgosia Fitzmaurice,Norman

A. Martinez Gutierrez,2014-10-30 This three volume Manual on International Maritime Law presents a systematic analysis of the history and contemporary development of international maritime law by leading contributors from across the world Prepared in cooperation with the International Maritime Law Institute the International Maritime Organization s research and training institute this a uniquely comprehensive study of this fundamental area of international law Volume I The Law of the Sea addresses the major issues which arise in the law of the sea It provides a detailed understanding of the historical development of the law of the sea the role of the International Maritime Organization the law surrounding maritime zones

the legal regime of islands the international sea bed area the legal regime governing marine scientific research the rights and obligations of land locked and geographically disadvantaged states the legal regime of Arctic and Antarctic and the settlements of disputes This volume also considers the ways in which human rights and the law of the sea interact The forthcoming Volume II will address shipping law Volume III will provide analysis of marine environmental law and maritime security law The full three volume Manual will set out the entirety of international maritime law re stating and re examining its fundamental principles how it is enacted and the issues that are shaping its future It will be a superlative resource for those working with or studying this area of law *The International Law of the Ocean Development* Shigeru Oda,1975

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