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# OCEAN ENVIRONMENTAL MANAGEMENT



## LECTURE 15. OCEAN ENVIRONMENTAL REGULATIONS

**Ma.Sc. Dinh Thi Thuy Hang**

UNITED NATION  
CONVENTION ON THE  
LAW OF THE SEA

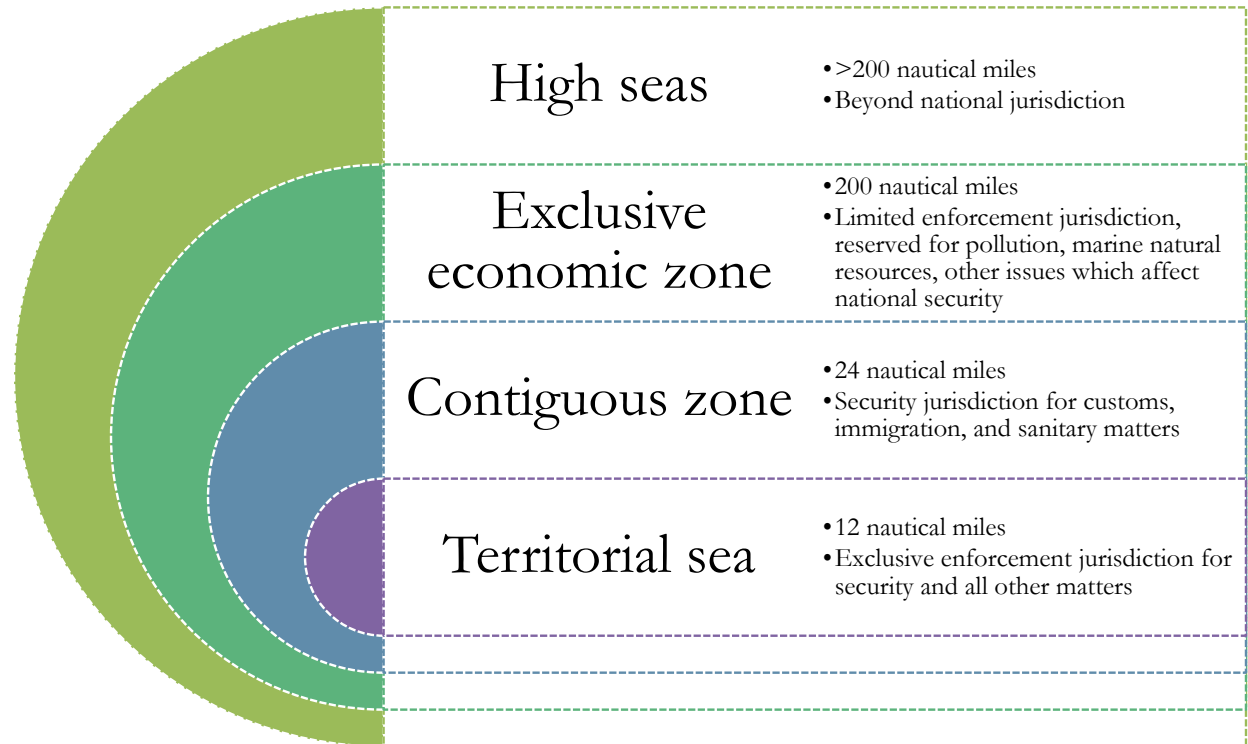
INTERNATIONAL  
CONVENTION FOR  
THE PREVENTION OF  
POLLUTION FROM  
SHIPS (MARPOL)



MAIN CONTENTS

## INTRODUCTION

The United Nations Convention on the Law of the Sea lays down a comprehensive regime of law and order in the world's oceans and seas establishing rules governing all uses of the oceans and their resources. It enshrines the notion that all problems of ocean space are closely interrelated and need to be addressed as a whole.



## UNCLOS Zones and Coastal State enforcement jurisdiction

The Convention was opened for signature on 10 December 1982 in Montego Bay, Jamaica. At the time of its adoption, the Convention embodied in one instrument traditional rules for the uses of the oceans and at the same time introduced new legal concepts and regimes and addressed new concerns. The Convention also provided the framework for further development of specific areas of the law of the sea.



**After more than 14 years of work involving participation by more than 150 countries representing all regions of the world**

The Convention entered into force in accordance with its article 308 on 16 November 1994, 12 months after the date of deposit of the sixtieth instrument of ratification or accession. Today, it is the globally recognized regime dealing with all matters relating to the law of the sea.

The Convention comprises 320 articles and nine annexes, governing all aspects of ocean space, such as delimitation, environmental control, marine scientific research, economic and commercial activities, transfer of technology and the settlement of disputes relating to ocean matters.

## UNCLOS INFOGRAPHIC

### ROCKS OR REEFS

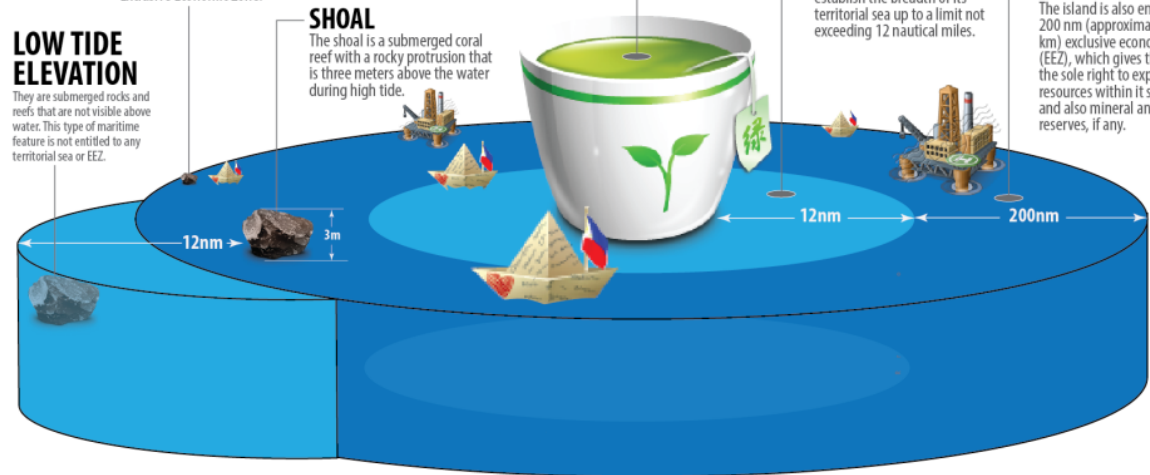
Reefs are maritime features that are mostly below water but have rocky protrusions above water during high tide. A rock is defined as a maritime feature that cannot sustain human habitation or economic life on its own. These features are entitled to only a 12 nm territorial sea but no Exclusive Economic Zone.

#### LOW TIDE ELEVATION

They are submerged rocks and reefs that are not visible above water. This type of maritime feature is not entitled to any territorial sea or EEZ.

#### SHOAL

The shoal is a submerged coral reef with a rocky protrusion that is three meters above the water during high tide.



## ISLAND

A naturally formed area of land, surrounded by water and above water at high tide.

#### TERRITORIAL SEA

Every State has the right to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles.

#### EXCLUSIVE ECONOMIC ZONE

The island is also entitled to a 200 nm (approximately 370 km) exclusive economic zone (EEZ), which gives the country the sole right to exploit the resources within it such as fish and also mineral and oil reserves, if any.

UNCLOS INFOGRAPHIC by SAMGALLOPE 2014, WWW.SAMGALLOPE.COM  
 ROCK ART by Anton Gerasimenko, <http://www.iconarchive.com/show/harry-potter-icons-by-anton-gerasimenko>  
 OIL RIG by [http://www.iconexperience.com/v/\\_collection/icons/icon-oil\\_platform](http://www.iconexperience.com/v/_collection/icons/icon-oil_platform)  
 TEA CUP by Mira Works [http://www.iconexperience.com/v/\\_collection/icons/icon-oil\\_platform](http://www.iconexperience.com/v/_collection/icons/icon-oil_platform)  
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## Inforgraphic of UNCLOS

# Key features of UNCLOS

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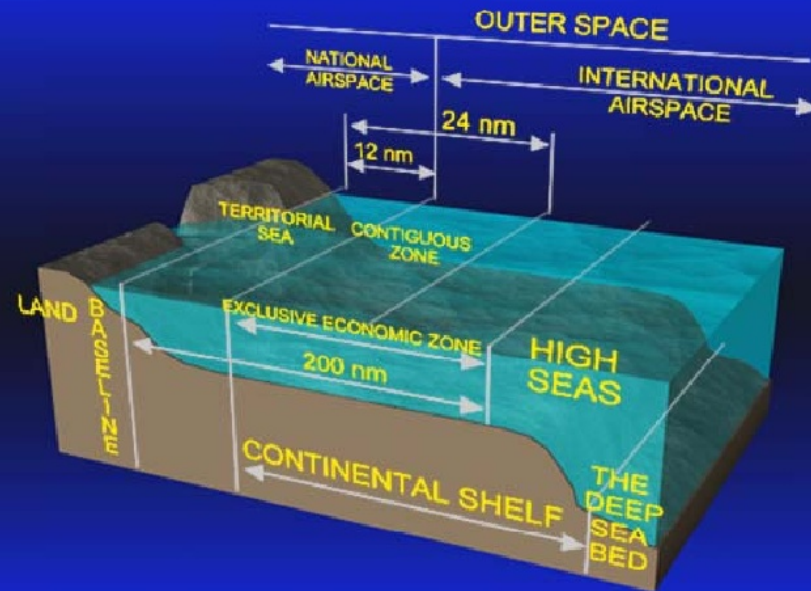
Coastal States exercise sovereignty over their territorial sea which they have the right to establish its breadth up to a limit not to exceed 12 nautical miles; foreign vessels are allowed "innocent passage" through those waters;



**Territorial sea – not exceed 12 nautical miles**

Ships and aircraft of all countries are allowed "transit passage" through straits used for international navigation; States bordering the straits can regulate navigational and other aspects of passage;

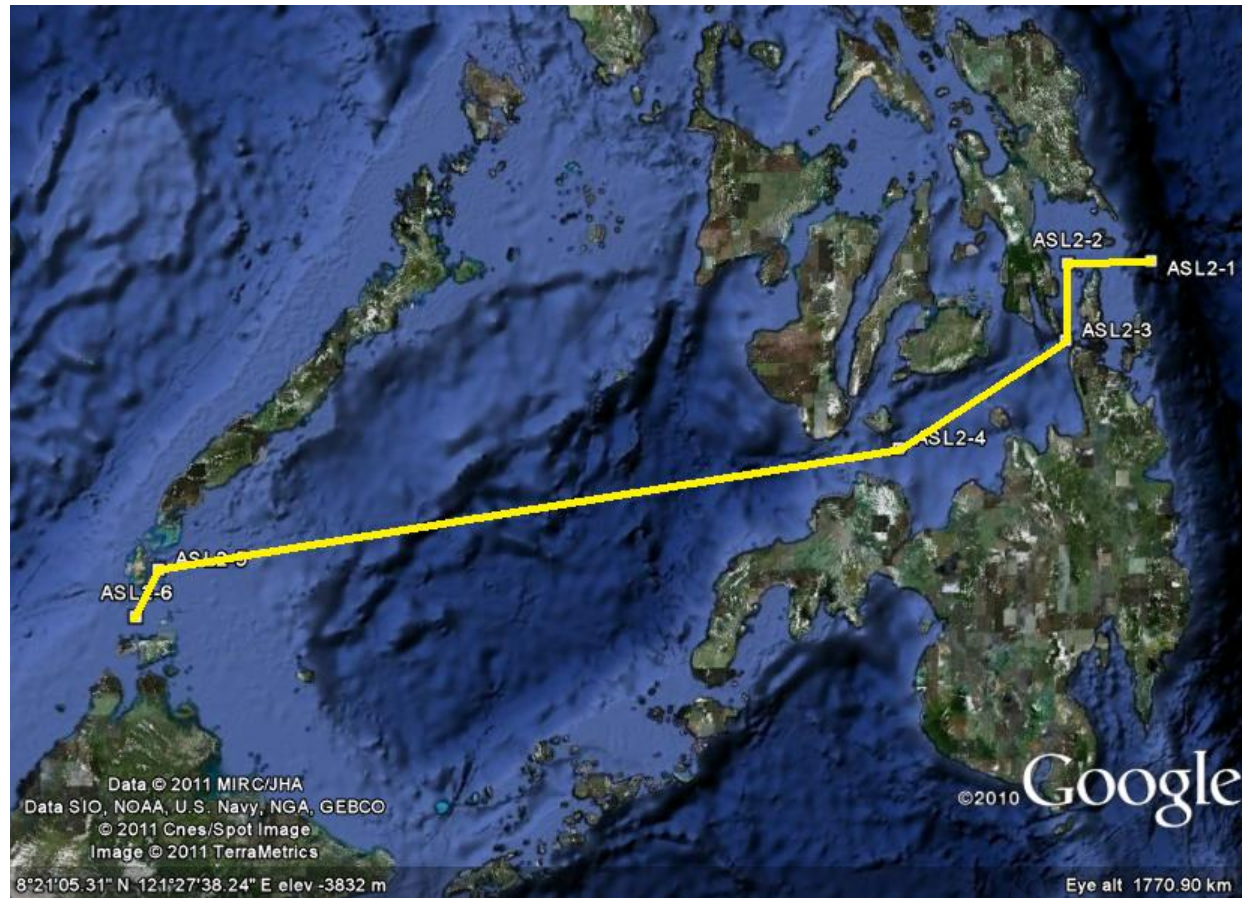
## LEGAL REGIMES OF OCEANS AND AIRSPACE AREA



**National and international navigation**



Archipelagic States, made up of a group or groups of closely related islands and interconnecting waters, have sovereignty over a sea area enclosed by straight lines drawn between the outermost points of the islands; the waters between the islands are declared archipelagic waters where States may establish sea lanes and air routes in which all other States enjoy the right of archipelagic passage through such designated sea lanes;

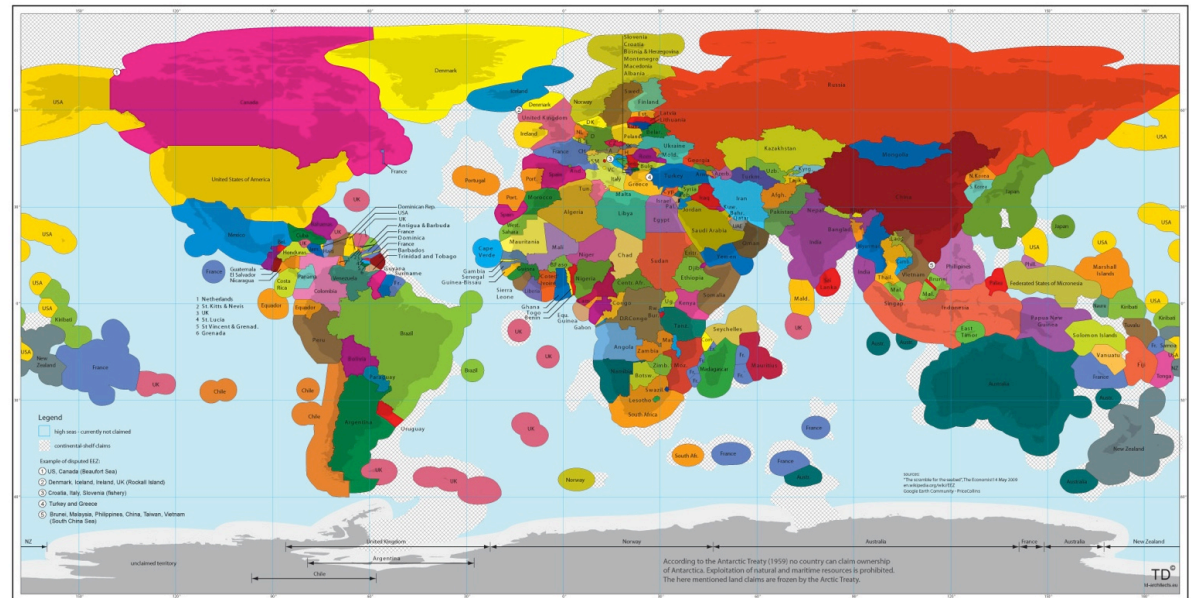


## Sea lanes through archipelagic waters

Coastal States have sovereign rights in a 200-nautical mile exclusive economic zone (EEZ) with respect to natural resources and certain economic activities, and exercise jurisdiction over marine science research and environmental protection

## Exclusive Economic Zone

Text and Graphics Theo Deutinger



Map of the world's EEZs



All other States have freedom of navigation and overflight in the EEZ, as well as freedom to lay submarine cables and pipelines;

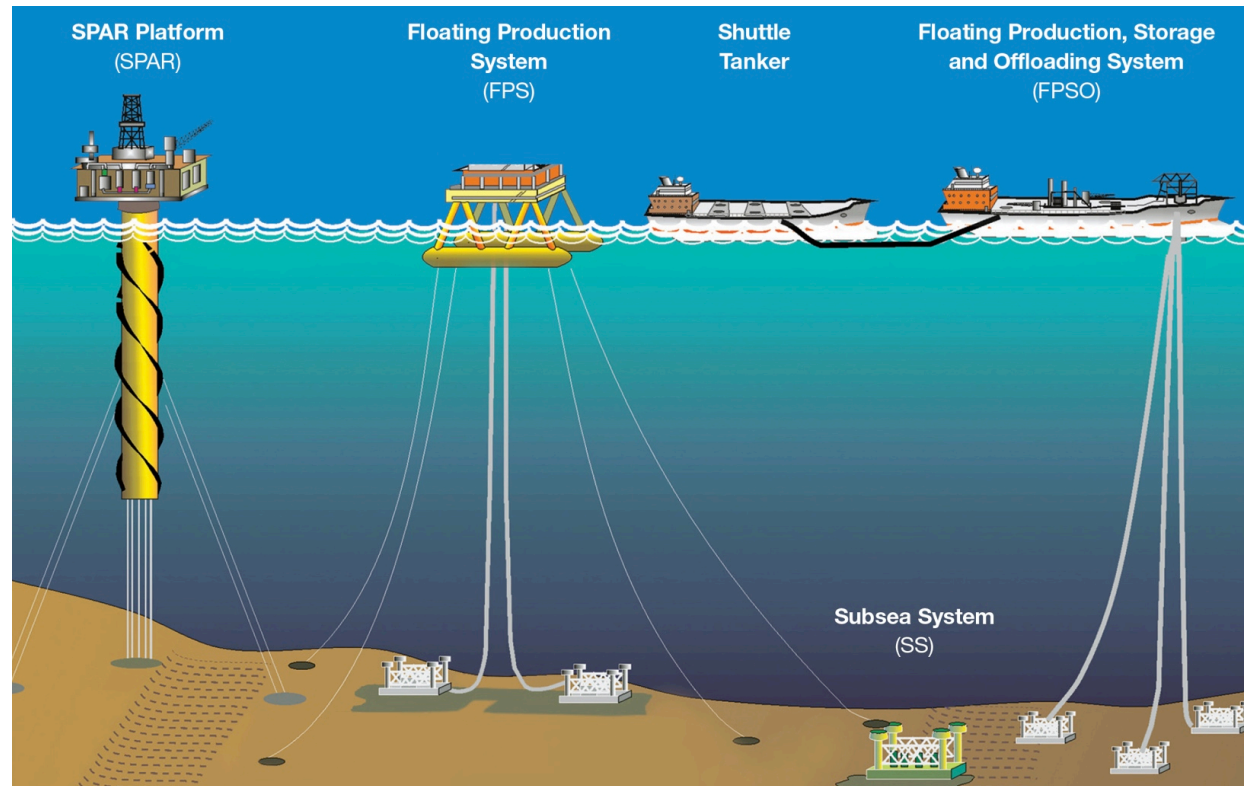


**Laying gas pipelines through Nevelsky Strait**

Land-locked and geographically disadvantaged States have the right to participate on an equitable basis in exploitation of an appropriate part of the surplus of the living resources of the EEZ's of coastal States of the same region or sub-region; highly migratory species of fish and marine mammals are accorded special protection;



Coastal States have sovereign rights over the continental shelf (the national area of the seabed) for exploring and exploiting it; the shelf can extend at least 200 nautical miles from the shore, and more under specified circumstances;



**Sovereign rights over the continental shelf**

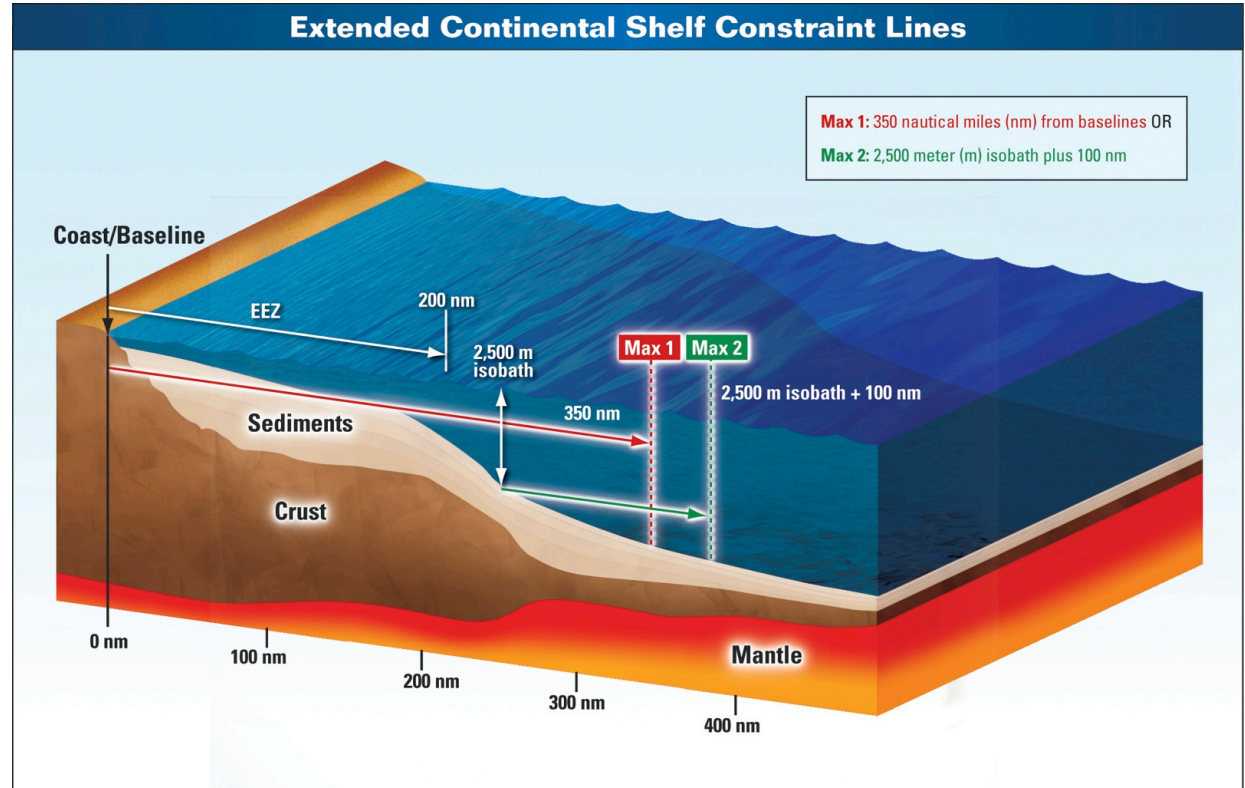


Coastal States share with the international community part of the revenue derived from exploiting resources from any part of their shelf beyond 200 miles;



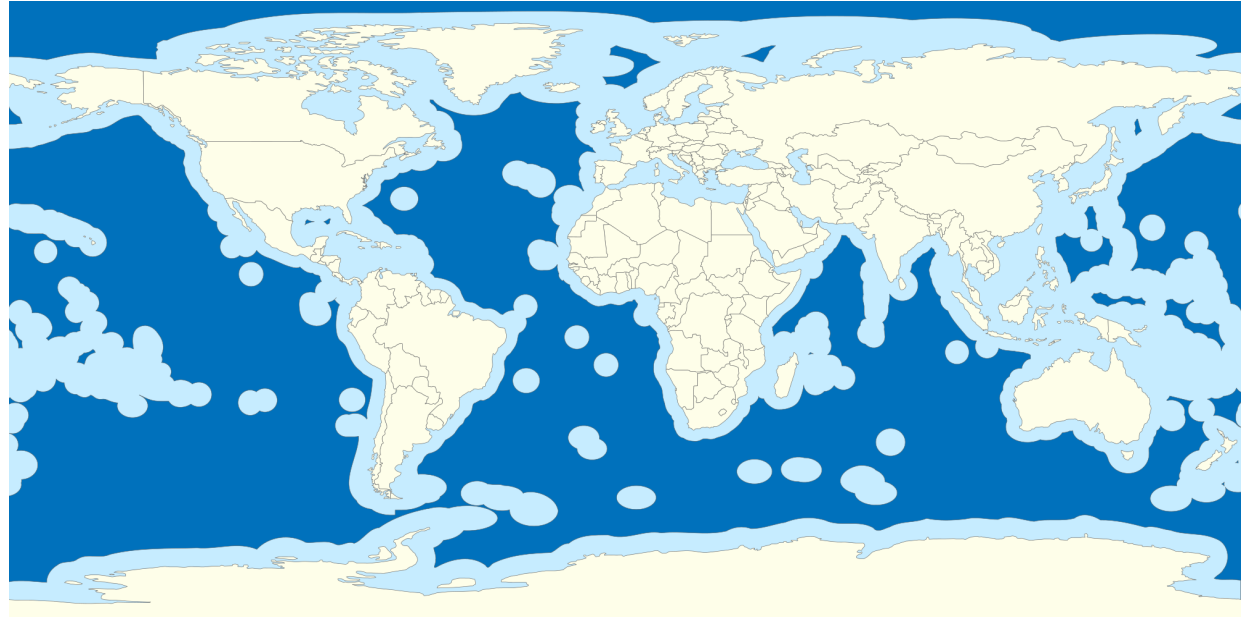
**Revenue derrived from High seas**

The Commission on the Limits of the Continental Shelf shall make recommendations to States on the shelf's outer boundaries when it extends beyond 200 miles



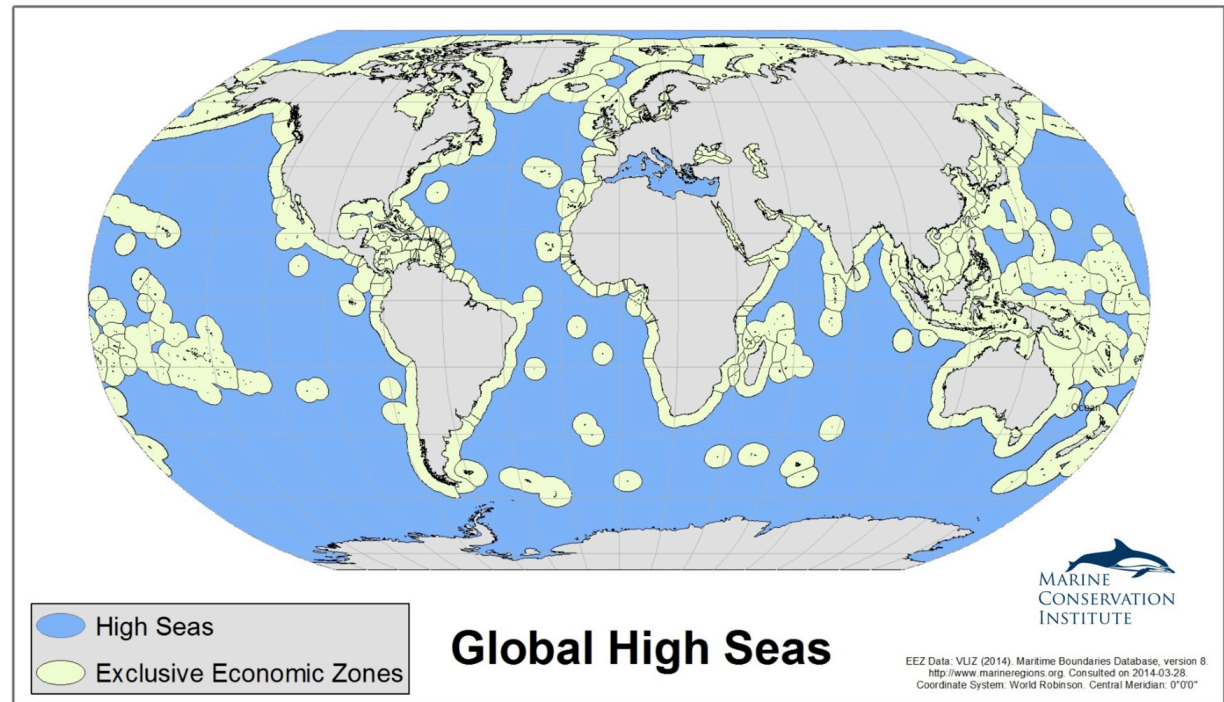
Continental shelf extending 200 nautical miles

All States enjoy the traditional freedoms of navigation, overflight, scientific research and fishing on the high seas; they are obliged to adopt, or cooperate with other States in adopting, measures to manage and conserve living resources



**International waters**

The limits of the territorial sea, the exclusive economic zone and continental shelf of islands are determined in accordance with rules applicable to land territory, but rocks which could not sustain human habitation or economic life of their own would have no economic zone or continental shelf;



## Global High Seas



States bordering enclosed or semi-enclosed seas are expected to cooperate in managing living resources, environmental and research policies and activities;



Cooperation among States bordering enclosed or semi-enclosed



Land-locked States  
have the right of  
access to and from the  
sea and enjoy freedom  
of transit through the  
territory of transit  
States;



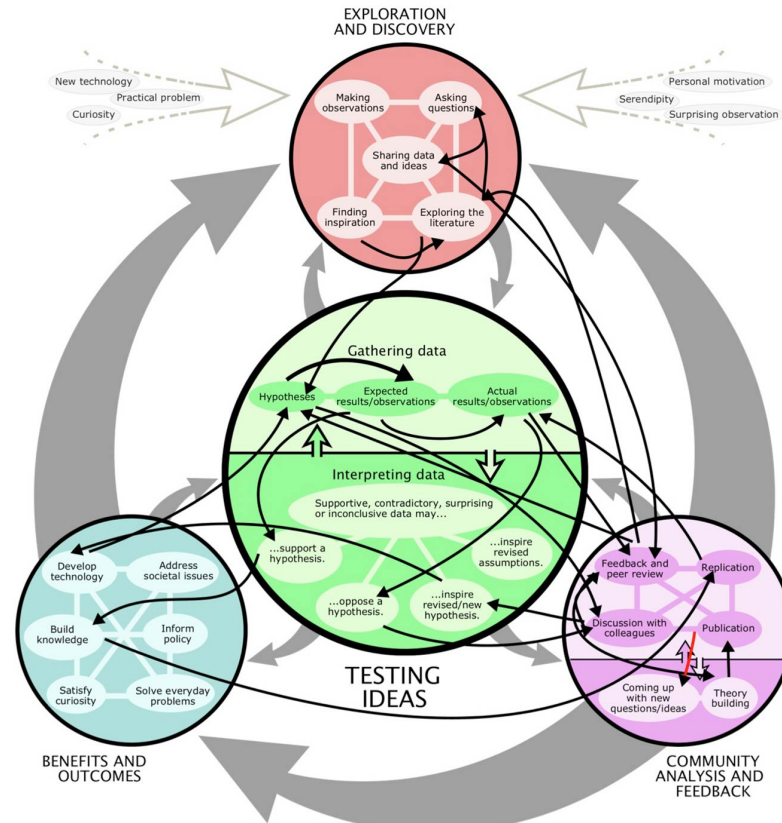
Gulf of Thailand

States are bound to prevent and control marine pollution and are liable for damage caused by violation of their international obligations to combat such pollution



**Preventing marine pollution**

All marine scientific research in the EEZ and on the continental shelf is subject to the consent of the coastal State, but in most cases they are obliged to grant consent to other States when the research is to be conducted for peaceful purposes and fulfils specified criteria



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## Sharing marine benefits

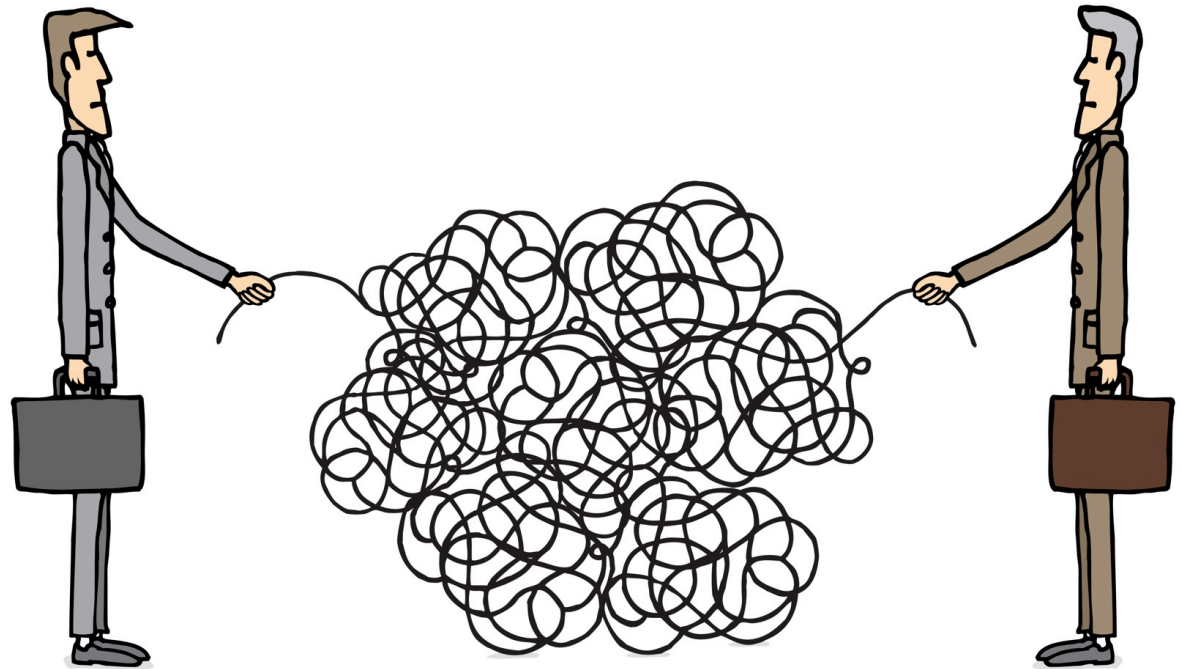


States are bound to promote the development and transfer of marine technology "on fair and reasonable terms and conditions", with proper regard for all legitimate interests



**Transferring marine technology**

States Parties are obliged to settle by peaceful means their disputes concerning the interpretation or application of the Convention



**Settling disputes in peace**



Disputes can be submitted to the International Tribunal for the Law of the Sea established under the Convention, to the International Court of Justice, or to arbitration. Conciliation is also available and, in certain circumstances, submission to it would be compulsory. The Tribunal has exclusive jurisdiction over deep seabed mining disputes.



*The International  
Tribunal for the  
Law of the Sea*  
COLLECTION

BASIC DOCUMENTS

## International Tribunal for the Law of the Sea

1. How Maritime Law is controlled by organizations, flag states and port states?
2. International convention for the prevention of pollution from ships (marpol)

→ On your own studying



Food for thought

# ANY QUESTION?

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