

IMPACTS OF LANGUAGE: Creeping Jurisdiction and its Challenges to the Equal Implementation of the Law of the Sea Convention

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Outline

- Examination of Convention's text
- Factors driving creeping jurisdictional efforts
- Affects on Party states
- Affects on Non-party states: the US

The Text

- Baselines, Territorial Sea, Contiguous Zone
Continental Shelf, Exclusive Economic Zone
Islands
- Vague or incomplete provisions have left room
for different applications in state practice
- Question of discretion and a lack of clearly
defined limits

Factors behind creeping jurisdiction

1. Protection of economic interests

- Russia in the Peanut Hole
- United States and Russia in the Donut Hole

2. To overcome geographic and/or natural disadvantages

- 1952 Santiago Declaration

3. Political relations

- Canada and the EC

4. To protect security interests

- Military vessels and warships

Affects on Party states

1. Loss of confidence

1. Imitation and expansion

1. Increased disputes and conflicts

Non-party states: the US Situation

- Navigation
- Fishing
- Outer Continental Shelf

Thank You!

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