Disarmament and International Security Council

The Question of Addressing Maritime Security and Disputes in International Waters

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Summary

'International waters' cover 50% of the surface area of the planet and cover two-thirds of the oceans. The term 'international waters' typically refers to the more formal term 'high seas', i.e., the waters outside of the territorial and internal waters of a nation. Therefore, no single country's laws apply within international waters, allowing for nations' rights to fishing, navigation and scientific research among other rights.

The issue of maritime security and disputes in international waters poses significant challenges to international peace and cooperation. With an increasing reliance on global trade routes, and heightened activities in contested waters, nations must address piracy, illegal fishing, and the militarization of disputed regions. Key areas of concern include the South China Sea, the Gulf of Aden, and the Arctic, where competing territorial claims threaten global stability. International frameworks, such as the United Nations Convention on the Law of the Sea (UNCLOS), are critical for defining maritime boundaries and promoting peaceful dispute resolution. However, inconsistent enforcement, overlapping claims, and emerging challenges, like climate change and resource exploitation, necessitate a multilateral approach, balancing national interests with global security. The international community must strengthen collaborative mechanisms to ensure safety and freedom of navigation while fostering diplomacy to mitigate the risk of conflict.

Background Information

Maritime security has long been a cornerstone of global stability, given the oceans' role as vital conduits for international trade, communication, and resource extraction. The ever-increasing scale of global trade, alongside the growth of commercial fishing and energy exploration, has further underscored the strategic importance of safeguarding international waters. However, the expansion of these activities has simultaneously exacerbated geopolitical tensions, particularly in regions where territorial claims overlap. Resource-rich areas such as the South China Sea and the Arctic have become focal points of contention, with disputes over sovereignty and access to valuable resources threatening to destabilize regional and global security.

The evolution of international maritime law, particularly through the United Nations Convention on the Law of the Sea (UNCLOS), reflects ongoing attempts to mitigate these tensions. The First United Nations Convention on the Law of the Sea (UNCLOS I, 1958) established an initial legal framework, offering foundational principles for governing the use of the seas and addressing territorial waters. However, the framework proved insufficient in resolving complex issues related to territorial claims and resource rights, prompting further negotiations. The later iteration of UNCLOS, particularly UNCLOS III (1982), provided a more comprehensive and finalised legal structure, introducing the concept of Exclusive Economic Zones (EEZs), which granted coastal states special rights over the exploration and use of marine resources within 200 nautical miles of their shores. Moreover, it established a framework for the peaceful resolution of maritime disputes, an essential mechanism given the potential for conflicts over these zones. While the majority of United Nations member states have signed and ratified the convention, some key players remain outside its formal jurisdiction, complicating efforts toward universal compliance and enforcement.

Beyond territorial disputes, maritime security faces multifaceted challenges, including piracy, illegal trafficking, environmental degradation, and the depletion of marine resources through unregulated and illegal fishing practices. Regions such as the Gulf of Aden and the Straits of Malacca are particularly susceptible to piracy and criminal activity, owing to their strategic positions along critical maritime chokepoints. These threats not only endanger the safety of maritime transport but also disrupt global

supply chains. Additionally, environmental factors further compound these security concerns. Rising sea levels, driven by climate change, along with the accelerated melting of polar ice caps, are opening new shipping routes in previously inaccessible regions such as the Arctic. This development has ignited a race among global powers for control over untapped natural resources, heightening the potential for geopolitical competition and conflict in these fragile ecosystems.

The international community thus faces a significant dilemma: how to reconcile the imperatives of state sovereignty and national interest with the need for global cooperation in ensuring the safe, secure, and sustainable use of the world's oceans. Effective maritime governance requires not only adherence to international legal frameworks but also the collective will to address emergent threats such as climate change, piracy, and environmental degradation. Strengthening collaborative mechanisms for maritime security will be essential in preserving the integrity of global trade routes and protecting marine ecosystems for future generations.

Key Issues

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Key Questions

How can UNCLOS be improved to address present-day maritime issues?

What impact will climate change have on the future of maritime security?

How can global efforts to combat piracy and illegal fishing be better coordinated?

How can the international community reduce the militarization of disputed waters?

Major Countries / Organisation Involved

- United States of America

- Russian Federation

- United Kingdom

- China

- Egypt

- France

- Japan

Wider Reading

https://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm

https://www.bbc.co.uk/news/world-africa-68155471

https://www.bbc.co.uk/news/business-68564249

https://www.unep.org/resources/factsheet/international-waters-factsheet

https://blog.seaplify.com/the-rules-of-international-waters-explained-simply/

https://blog.seaplify.com/where-are-international-waters/