



The Legal Regime of Straits: Contemporary Challenges and Solutions

Hugo Caminos, Vincent P. Cogliati-Bantz

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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.

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