



Article

# Global Governance Diplomacy on Water Bodies and Maritime Domains: A Historical Perspective

Dr. Izeoma C Chinda<sup>1</sup>, Dr. Bariledum Kia<sup>1</sup>, Dumle C N<sup>1</sup>

1. Department of History and International Diplomacy, Rivers State University, Nkpolu-Oroworukwo, Port Harcourt, Rivers State, Nigeria.

**Abstract:** The challenges or threat to water bodies and Maritime Domains are complex to be tackled by a single state, group or region. The awareness to keep the world's water bodies and maritime domains healthy and safe led to a broad coalition of actors living together under international guidelines and protocols. However, the extent to which the coalition of actor's compliance with the provisions of diplomatic frameworks, that set standards and regulations to protect the repository valuables of the water bodies in the past and now deserve thorough interrogation. The study first examined the various historical collaborative efforts of stakeholders particularly state actors toward achieving proper management of water bodies and maritime domains. The Study further examine level of compliance with global rules on water bodies and its domains. The study adopted historical and descriptive method and obtained data from both primary and secondary sources. Content analysis was used to analyzed data. From the analysis, the study result shows that global governance diplomacy highlighted in various conventions and treaties mechanisms for managing water bodies and maritime domains for mutual benefits. The study further shows that, through global governance diplomacy, disputes on water bodies were negotiated and resolved, particularly Canada- US Gulf Marine 1984, France – UK English Channel 1986, Norway- Russia Barent 2010, Denmark -Iceland Continental Shelf 2012 among others. The study result show that China, Japan, United States, Iran, Russia among others violated some conventions on water bodies and Maritime domains. Based on these findings, the study concluded that Nations should comply with international provisions to avoid threat to global security.

**Citation:** Dr. Izeoma C Chinda, Dr. Bariledum Kia, Dumle C N. Global Governance Diplomacy on Water Bodies and Maritime Domains: A Historical Perspective Central Asian Journal of Social Sciences and History 2025, 6(2), 112-122.

Received: 11<sup>th</sup> Feb 2025

Revised: 25<sup>th</sup> Feb 2025

Accepted: 02<sup>th</sup> March 2025

Published: 06<sup>th</sup> March 2025



**Copyright:** © 2025 by the authors. Submitted for open access publication under the terms and conditions of the Creative Commons Attribution (CC BY) license (<https://creativecommons.org/licenses/by/4.0/>)

**Keywords:** Global, Governance, Diplomacy, Water bodies, Maritime Domain.

## Introduction

Even the most powerful nations cannot independently address several challenges they face. Collaborative endeavors are essential, and diplomacy is a crucial component of this process. The marine industry is a domain with significant need for collaborative endeavors. Water has consistently disregarded the political boundaries established by humanity. Recognizing this fundamental truth - the mobility of this natural resource - will enhance comprehension of the significance of issues related to the use, management, and conservation of water on an international scale. Consequently, a river or lake may serve as a reference point for establishing the boundary between many States, and subsequently, due to erosion or avulsion, the riverbed or lakebed may gradually (or abruptly) alter, impacting the involved States.[1] Activities in one State aimed at

using its territorial waters may adversely affect another State's current or prospective usage of the same waters within its borders. This situation paved way for global treaties.

The Earth's surface is mostly covered by water bodies and marine environments, which provide a vast and diverse ecosystem inside their depths, offering a dynamic resource for living organisms. For example, they influence the temperature and weather by regulating the worldwide flows of heat and freshwater.[2] They sustain human livelihoods via fishing, shipping, hydrocarbon exploration, natural resource extraction, and recreational activities. They are accessible to everyone, and their substantial contributions serve shared interests. Nonetheless, the extensive richness of natural resources, both biotic and abiotic, in the expansive oceanic regions once accessible to everybody and recognized as part of the high seas has been appropriated as assets by certain governments.[3] A primary rationale for this alteration was the increasing perception during the third United Nations Conference on the Law of the Sea III (UNCLOS III), held from 1973 to 1982, that global efforts to regulate human exploitation of marine resources had been ineffective. A new strategy emerged that assigned responsibilities for the sustainable use of the waters. With the fast expansion of oceanic use, novel concepts evolved, innovative techniques were implemented, and new organizations were founded.[4] This phenomena has prompted initiatives for international collaboration to manage the seas, leading to an increased need for such cooperation and the proliferation of international organizations with mandates concerning different areas of ocean resources and associated activities. These organizations possess a mandate including certain maritime sectors, and the majority of them predate the United Nations Convention on the Law of the Sea of 1982. [5]

Countries often use international treaties to tackle challenges that surpass national borders, such as environmental concerns, human rights, humanitarian crises, marine matters, security, and commerce. Currently, there exist a minimum of 250,000 treaties; nevertheless, a limited number have been assessed for their impact, indicating that we lack knowledge on the efficacy of these legally binding documents in fulfilling their stated objectives.[6] Nevertheless, leaders from government, academia, industry, and civil society consistently advocate for new treaties to tackle global concerns. In this context, the research analyzed global governance diplomacy concerning water bodies and the maritime realm to evaluate its efficacy in reaching desired outcomes.[7]

### **Method of the Study**

The methodology used in any research endeavor is essential for its success. The chosen approach was mostly dictated by the nature of the required data. Upon thorough examination of the chosen issue, it was determined that the qualitative research approach would be used to collect the necessary primary data. The University of Utah characterizes qualitative research as a 'process of naturalistic inquiry aimed at achieving a comprehensive knowledge of social events within their natural context.[8] Qualitative research typically emphasizes the "why" of social phenomena rather than the "what," explaining human experiences. Family Health International asserts that qualitative research is "especially effective in obtaining culturally specific information about the values, opinions, behaviors, and social contexts of particular populations.. Qualitative research focuses on people, communities, cultures, and the dynamics of language and communication.[9] The qualitative technique was used due to the study's focus on the interactions between states and their collaboration inside an organization and across many organizations to address societal challenges, including water bodies and maritime domain matters.

The study's data was gathered using two principal methods: primary and secondary. Primary data is original data acquired directly from research participants. Currie defines primary data as 'data that were previously unknown and have been directly acquired by the researcher for a specific study endeavor. Primary data is obtained or seen directly from firsthand experience, as defined by the business lexicon.[10] Data is often gathered directly from respondents within the impacted community. Data for this research were acquired by reviewing declassified documents from

several institutional contexts related to the topic of investigation. Methods used to gather this kind of data including questionnaires, interviews, and participant observation. Secondary data refers to information that has been previously published in scholarly literature by other scholars. The business lexicon defines secondary data as "data that has been published or collected previously by other entities." [11] Secondary data were obtained from books, published studies, journal articles, media coverage, and scholarly writings. This particular form of data is crucial for any investigation involving the collecting of primary data. It serves as a foundational reference for initiating any inquiry. In this research, secondary data served as a valuable source of historical context for the study.

### **Theoretical Framework**

Geopolitics developed as a discipline to ascertain the significant influence of location on global politics. The water bodies and territories of some regions have served as a crucial geographical determinant, and the contest for control over these places has been a notable aspect of international politics. Thus, geopolitics has served as a foundation for political realism in international relations theory. [12]

Throughout history, the natural and human environment has seen substantial transformations owing to advancements in science, technology, society, and the economy. The progression of information technology has significantly influenced spatial structure and spatial interactions. These alterations have transformed the driving factors of the global landscape during the 1990s, with substantial implications. These alterations have influenced the conventional notions and practices of geopolitics. [13], [14] New communication and transportation technologies have revolutionized the linkage between regions and aquatic zones, allowing nations to extend their authority and influence across larger distances. Furthermore, the significance of non-state players, including multinational businesses and international organizations, has challenged conventional state-centric perspectives of geopolitics.

Consequently, the examination of geopolitics must include the intricate and evolving interplay between geographical elements and many social, economic, and technical aspects. It must use a multidisciplinary approach, including political science, geography, history, and economics, to provide a full and nuanced knowledge of geography's role in global politics and the shifting geopolitical landscape in the modern world.

Following 2023, the global scene has seen significant changes, making conventional ideas increasingly insufficient. This essay aims to reevaluate these beliefs in response to current global concerns. A new viewpoint on geopolitics is required due to changing power dynamics, technological advancements, and urgent environmental issues. [15] The study employed geopolitics as its analytical framework, emphasizing its interrelation with other disciplines and its importance in formulating effective responses to contemporary international challenges concerning water bodies and maritime domains, reflecting the objective reality of global governance. This study's approach delineates the interdependent link between politics and geography, focusing on a state's positioning relative to its neighbors and the broader regional and worldwide environment concerning other players. [16], [17]

### **Conceptual clarification**

#### **Maritime Domain**

The maritime domain, as defined by the United States Department of Defense, encompasses all regions and elements associated with, beneath, adjacent to, or bordering a sea, ocean, or other navigable waterway, including all maritime-related activities, infrastructure, personnel, cargo, vessels, and other means of conveyance.. MDA is described by the IMO as the 'comprehensive comprehension of all elements related to the marine domain that may influence security, safety, economics, or environment. [18]

Water has persistently ignored the political borders created by humans. Understanding the inherent mobility of this natural resource will improve awareness of the importance of global water

consumption, management, and conservation challenges.[19], [20] Thus, a river or lake may operate as a reference point for delineating the border between many States, and later, owing to erosion or avulsion, the riverbed or lakebed may gradually or suddenly change, affecting the States involved. Actions in one State that use its territorial waters may negatively impact another State's existing or potential use of those seas under its jurisdiction.

### **Continental Shelf**

In these articles, the term "continental shelf" refers to (a) the seabed and subsoil of submarine regions adjacent to the coast, extending beyond the territorial sea to a depth of 200 meters or, if deeper, to where the overlying waters permit the exploitation of natural resources; (b) the seabed and subsoil of analogous submarine regions adjacent to island coasts. According to the ICJ's opinion, this right is an inherent entitlement of the coastal state; however, justice and equity remain distinct concepts. Furthermore, the ICJ adopted the principle of "the land dominating the ocean" as a general rule, asserting that land territory serves as the legal basis for a nation's exercise of sovereign rights.[21] Consequently, a country may also assert rights over maritime areas extending from its land territory, provided that evidence demonstrates the region possesses characteristics indicative of such an extension.

### **Governance**

The word governance has long been used in numerous discourses, often denoting the function of managing a government or other relevant body. The Oxford Advanced Learner's Dictionary defines governance as 'the action or way of ruling.'

The British Council's working definition underscores that 'governance' encompasses a larger concept than government. Governance encompasses the interplay between official institutions and civil society.[22] Governance is a process by which societal components exercise power, authority, and influence to implement policies and choices related to public life and social advancement. This definition aligns with the World Bank's interpretation, which defines governance as the manner in which power is utilized to manage the economic and social resources of a nation, particularly with regard to development'.[23], [24]

As a result, 'governance' not only incorporates but exceeds the collective meaning of related words such as the state, government, regime, and good government, since many of the aspects and ideas underpinning 'good government' have become an inherent part of the meaning of 'governance.. In this regard, John Healey and Mark Robinson defined 'good government' as follows:

It implies a high level of organizational effectiveness in relation to policy-formulation and the policies actually pursued, especially in the conduct of economic policy and its contribution to growth, stability and popular welfare. Good government also implies accountability, transparency, participation, openness and the rule of law.[25] It does not necessarily presuppose a value judgement, for example, a healthy respect for civil and political liberties, although good government tends to be a prerequisite for political legitimacy.

This definition is further supported by the interpretation of the World Bank concerning 'governance' which describes the concept of 'good governance' as follows:

Good governance is epitomized by predictable, open and enlightened policy-making, a bureaucracy imbued with professional ethos acting in furtherance of the public good, the rule of law, transparent processes, and strong civil society participating in public affairs.[26], [27] Poor governance, on the other hand, is characterized by arbitrary policy making, unaccountable bureaucracies, unenforced or unjust legal systems, the abuse of executive power, a civil society unengaged in public life, and widespread corruption.[28]

It can be inferred that governance entails a comprehensive agenda that includes efficient governmental policies and administration, adherence to the rule of law, safeguarding of human rights, and a robust civil society. It is essential to emphasize that it encompasses not only political and social concerns but also the effective administration of the economy, alongside openness and

equitable competition in business.[29] This comprehensive definition indicates that sustainable development, particularly concerning the use of natural resources and environmental stewardship, is integral to governance. Effective and sustainable governance must be rooted in a robust democracy that upholds the rule of law, a free press, dynamic civil society organizations, and efficient, independent public institutions.

### **Global Governance Diplomacy**

No universally accepted definition of the idea has been established to yet. Weiss and Kamran asserted that the idea is too novel to be delineated within political science. Rosenau was the first to use the notion, characterizing it as a system devoid of centralized authority while possessing the ability to enforce decisions globally. He subsequently broadened the notion to include a governance structure at all tiers of human activity, whereby the quest for authority via the exertion of control has international consequences.[30], [31]

Finkelstein laid out a compendium of the complexities of the phenomenon. This is an entire set of overlapping categories of functions performed internationally which among others include principles and consensual knowledge affecting the international order, adoption of rules, codes and regulations, resolution of disputes, and other efforts to influence the domestic behaviour of states toward achieving target. In the context of this study, global governance is the sum total of the many ways institutional and legal frameworks are used to manage common affairs of states and through which conflicting or diverse interests of states may be accommodated. It is a collection of cooperative action or governance related activities,

From the definitions and explanations of the meanings of 'governance' in the previous sub unit, the term 'global governance diplomacy' itself can then be defined as 'the way in which water bodies and maritime affairs are governed, not only by governments, but also by local communities, industries and other stakeholders, which includes national and international law, public and private law, as well as custom, tradition and culture, and the institutions and processes created by them'.[31]

The legalization of the maritime domain by states in the 20th century, marked by the Geneva Conventions on the Law of the Sea in 1958 and the UNCLOS regime in 1982, altered the relationship between states and maritime space. Since the onset of the millennium, specific global trends have intensified the significance of the maritime domain in international relations.[32], [33] Technological advancements, heightened seaborne commerce, escalating demand for marine resources, and climate change impacts on the oceans and resource distribution have collectively prompted a renewed emphasis on maritime space, along with the rights and responsibilities of states within this sphere. Steinberg noted two decades ago that we are entering an era characterized by increasingly intense and complex human interactions with oceanic environments.

### **Global Frameworks on water bodies and Maritime Domain**

The historical development of maritime law is sometimes associated with a Papal Bull issued in 1493, which partitioned the world's waters between Spain and Portugal. This split bolstered Spain's claim about Columbus' discovery of the New World. In the early 1600s, a notable argument arose between Dutch lawyer Hugo Grotius, who, in 1608, posited the idea of freedom of the seas based on natural law, and English scholar John Selden, who, in 1635, supported sovereign jurisdiction over certain maritime regions. In contemporary society, both viewpoints continue to have significance. Advancements in knowledge and technology have gradually reduced the extent of international seas, while international norms have been established to govern activities going outside national authorities.[34]

The freedom-of-the-seas theory, developed in the seventeenth century, long prevailed, limiting governmental jurisdiction over the waters to a small coastal area. The remaining oceans were proclaimed accessible to anyone and possessed by none. This methodology persisted throughout



the twentieth century; but, by the mid-1900s, countries were advocating for expanded rights to offshore resources. Increasing apprehensions arose over the exhaustion of coastal fish populations by distant-water fishing fleets, alongside the threats presented by pollution and waste from transport vessels and oil tankers transporting hazardous materials along global trade routes. Pollution emerged as a persistent menace, jeopardizing coastal resorts and marine habitats. Simultaneously, significant naval forces vied to establish their dominance both on the ocean's surface and under it.

A convoluted network of territorial claims, increasing pollution, disputes over lucrative fish populations in coastal and neighboring seas, and intensifying tensions between coastal governments and distant-water fishing enterprises have amplified worldwide apprehensions. The prospects for resource extraction from the ocean bottom, the growing supremacy of naval forces, and the challenges of long-distance marine travel have increasingly challenged the conventional notion of freedom of the seas, rendering it somewhat antiquated and, in certain instances, contradictory. These elements combined threatened to transform the seas into an additional arena for global strife and instability. In 1945, influenced by domestic oil interests, U.S. President Harry S. Truman unilaterally expanded American authority over all natural resources on the continental shelf, including oil, gas, and minerals. This was the first significant challenge to the enduring freedom-of-the-seas theory. Subsequently, other countries emulated this action. In October 1946, Argentina asserted its rights to the continental shelf and the adjacent seas. In 1947, Chile and Peru, followed by Ecuador in 1950, proclaimed sovereign jurisdiction over a 200-mile area. Their objective was to limit access to distant-water fishing fleets and avert the overexploitation of fish populations in adjacent seas.

Shortly after the Second World War, Egypt, Ethiopia, Saudi Arabia, Libya, Venezuela, and some Eastern European nations claimed a 12-mile territorial sea, therefore dramatically diverging from the conventional three-mile boundary. Subsequently, the archipelagic republic of Indonesia claimed sovereignty over the waters that divided its 13,000 islands. The Philippines similarly acted. In 1970, Canada claimed the authority to control navigation within a 100-mile zone from its coastline to save Arctic waters from pollution. The sea's riches are vast, including oil, tin, diamonds, gravel, metals, and fish. The reality of their exploitation intensifies daily as technology unveils new methods to access those resources.

In the late 1960s, oil drilling advanced increasingly offshore, penetrating deeper into the continental margin bedrock. Commencing in 1947 in the Gulf of Mexico, offshore oil production, which was under one million tons in 1954, had escalated to about 400 million tons. Oil drilling apparatus was already operating at depths of 4,000 meters under the ocean surface. The waters were being plundered unprecedentedly. Activities that were mostly unfamiliar less than twenty years before were now thriving globally. Tin was extracted from the shallow seas of Thailand and Indonesia. South Africa was poised to exploit the Namibian coastline for diamonds. Potato-shaped nodules, discovered about a century ago and situated on the seabed around five kilometers below, were garnering heightened attention due to their metallic composition.

Subsequently, there was angling. Substantial fishing boats traversed the seas, far from their home ports, capable of remaining at sea for extended periods. Fish populations started to exhibit indications of depletion as successive fleets traversed remote beaches. Nations inundated the most lucrative fishing seas with their fleets, mostly unchecked: coastal states imposed limitations while fishing states disputed them. The "Cod War" between Iceland and the United Kingdom resulted in British Navy ships being sent to rescue a fishing vessel confiscated by Iceland for breaching its fishing regulations.

Offshore oil was the focal point in the North Sea. Britain, Denmark, and Germany were in dispute on the division of the continental shelf, which had huge oil resources.

In late 1967, the serenity of the ocean was gradually being disturbed by technical advancements, increasing applications, and a superpower rivalry that threatened to encroach onto humanity's last frontier - the bottom.

It was an era characterized by both perils and potential, hazards and aspirations. The perils were manifold: nuclear submarines navigating uncharted depths; plans for seabed-based antiballistic missile systems; supertankers transporting oil from the Middle East to European and other ports, traversing congested straits and causing oil spills; and escalating tensions among nations regarding competing claims to maritime territory and resources. The seas were producing many claims, counterclaims, and sovereignty issues. The law of the sea is primarily linked to an international treaty, the Convention on the Law of the Sea (UNCLOS), which was drafted under the auspices of the United Nations, ratified in 1982 by 117 States, and came into effect in 1994. Currently, 133 States have signed and ratified UNCLOS; Canada, Israel, Turkey, the USA, and Venezuela are the most notable among those that have not ratified.

The law of the sea is a framework of public international law that regulates the geographic domains of coastal States and delineates the rights and obligations of States for the use and preservation of the oceanic environment and its natural resources.

International law, namely the law of the sea and pertinent international maritime treaties (i.e., those established under the auspices of the IMO), delineates the legal framework relevant to the situation in the Red Sea. The goal was for a more stable framework that would enhance the use and management of maritime resources while fostering unity and goodwill among States, eliminating the need for mutual suspicion over competing claims.

Compliance with new legislation and international standards is essential for maritime authorities to avert mishaps and properly manage related risks.<sup>1</sup> This devotion boosts operational efficiency and helps to the establishment of a worldwide reputation, hence promoting global commerce. These factors are essential to the basis of effective maritime governance.

The institutional frameworks emphasize on interagency and international cooperation to alleviate marine and cyber threats, therefore guaranteeing a safe and stable maritime environment. Global governance partners with ports, private sector entities, and diverse marine authorities to enhance their resilience against modern challenges and dangers.

International marine regimes are essential for the fair allocation of resources and the settlement of conflicts between states. Global governance functions as a structure for collaboration and dispute resolution among countries. The diverse frameworks delineate protocols for resource use, ecological preservation, and jurisdictional limits.

### **Discussion of Findings**

This devotion boosts operational efficiency and helps to the establishment of a worldwide reputation, hence promoting global commerce. These factors are essential to the basis of effective maritime governance.

The institutional frameworks emphasize on interagency and international cooperation to alleviate marine and cyber threats, therefore guaranteeing a safe and stable maritime environment. Global governance partners with ports, private sector entities, and diverse marine authorities to enhance their resilience against modern challenges and dangers.

International marine regimes are essential for the fair allocation of resources and the settlement of conflicts between states. Global governance functions as a structure for collaboration and dispute resolution among countries. The diverse frameworks delineate protocols for resource use, ecological preservation, and jurisdictional limits.

In 2010, Norway and Russia established a maritime border in the Arctic, extending from the Eurasian mainland almost to the North Pole. The newly established 1750-km (1087-mile) line was tenfold the length of the land border between the two nations and was celebrated as an indication of a new 'period' in Norway–Russia ties, as well as in Arctic administration more generally. Analysts swiftly contended that the main motivation for the maritime border agreement was the existence of oil and gas resources, particularly since resource exploitation played a significant role in the recently initiated Arctic agendas of both nations. Compliance with international accords like UNCLOS was crucial in achieving a peaceful resolution to the matter.

Nonetheless, it is improbable that Norway and Russia could have achieved an agreement today, a decade later. The former Norwegian foreign minister emphasized that a key component underlying the agreement is the need of trust between the negotiation sides. The deterioration of ties between the two countries after Russia's takeover of Ukraine in 2014 has rendered their bilateral relations reminiscent of the Cold War, during which the nations were adversaries in the broader 'East-West' conflict.

Furthermore, UNCLOS established that states possess sovereign rights over the continental shelf extending up to 200 nautical miles, and, when applicable, beyond 200 nautical miles if the shelf is a continuation of the coastal state's landmass, contingent upon the submission of this information regarding the limits to the Commission on the Limits of the Continental Shelf (CLCS). The maximum extent of such claims was established at 350 nautical miles from a nation's baseline, or not beyond 100 nautical miles beyond the point where the seabed reaches a depth of 2500 meters (2500-meter isobath).

The tribunal's ruling was grounded on legal principles delineated in treaties, guaranteeing equity and justice for all parties concerned. Secondly, conventional marine practices were essential in influencing international policy and court rulings. These traditions evolved over time via sustained state practice and recognition by other states. Global governance significantly influenced the establishment of territorial borders and the distribution of resources. By acknowledging these practices as legally binding precedents, they shown a commitment to maintaining fair legal norms aimed at enhancing world peace and security.

The arbitration procedure at the International Tribunal for the Law of the Sea exemplifies the role of international bodies in settling intricate conflicts between governments. The tribunal functions as an unbiased adjudicator that applies. The France-UK English Channel dispute No.25792 was settled by government diplomacy on February 12, 1986. Since the inauguration of the tunnel linking Britain and France under the English Channel in 1994, over 390 million individuals and 320 million metric tons of cargo have traversed the 50-kilometer subterranean route. The Channel Tunnel, also referred to as the Chunnel, comprises three distinct tunnels—two designated for rail traffic and one for maintenance—significantly contributing to the economies of the respective nations and the wider European economy.

Contemporary maritime delimitation is characterized by simplicity, standardization, and scientific methodology, relying on coastal structure and coastline length rather than conventional marine geology surveys and study. However, when the legislature recognizes that many unpredictable elements hinder the formulation of acceptable regulations, it may resort to broad guidelines, therefore delegating the concept of equity to the judge for application in individual instances. However, the ICJ has transitioned the law governing continental shelf delimitation from a flexible approach to a definitive one, as shown by the cases of the English Channel and the Denmark-Iceland continental shelf.

The objective of any law is its enforcement; a law can only be effective when it is thoroughly executed. Nonetheless, a prominent issue of international law is the enforcement of its stipulations. Over 250,000 international treaties exist to promote global collaboration. Are treaties really effective in tackling global challenges? This comprehensive synthesis of 224 primary research and meta-analysis of the 82 higher-quality studies reveals that treaties have mostly failed to achieve their desired outcomes. The few exceptions are accords regulating international commerce and finance, which consistently yielded the desired outcomes. The research revealed that significant treaties exert their influence via socialization and normative processes rather than prolonged legal procedures, and that enforcement mechanisms represent the sole adjustable treaty design element capable of enhancing the efficacy of treaties related to environmental, human rights, humanitarian, maritime, and security policy areas. This data synthesis calls into question the efficacy of international accords.



This research has confirmed these worries, revealing that nations such as Russia, China, the United States, Iran, and Japan have contravened agreements and other institutional frameworks regarding water bodies and marine areas.

The manner in which a State addresses alleged infringements of the law of the sea is an escalating source of friction in international relations, seen in several modern contexts. The United States persists in its Freedom of Navigation program globally to express its dissent against certain asserted rights to marine territory that may infringe upon navigational rights.

In 2019, Iran and several states participated in many conflicts in the Strait of Hormuz, leading to the arrest of vessels and crews. China has mobilized its marine militia, coast guard, and navy forces in reaction to alleged resource infringements in the South China Sea and East China Sea, which partially corresponds with its contested territorial sovereignty claims and its disputed rights over maritime areas. Numerous instances exist when state officials endeavor to uphold their rights in marine areas; nevertheless, the legal framework for evaluating these actions differs. The South China Sea is filled with instances of coercive measures aimed at deterring fishing seen to infringe against coastal State rights. Reports indicate that China has collided with and sunk fishing boats from the Philippines and Vietnam. Indonesia has discharged fire against Chinese fishing vessels, resulting in injuries to a Chinese fisherman, inside its Exclusive Economic Zone around the Natuna Islands, which China regards as part of its traditional fishing territories. The legal evaluation of these activities is complicated by the underlying territorial sovereignty issue and the growing use of marine militias, who possess a less defined legal standing than a state's navy or coast guard. Law enforcement activities in the South China Sea have also included initiatives to investigate and use seabed resources. In many cases, China has lodged verbal objections and exerted pressure on oil corporations that have spoken with Vietnam over potential exploring activity. In 2013, China attempted to position an oil platform, HD 981, inside Vietnam's Exclusive Economic Zone (EEZ). This operation was supported by a 'armada' of eighty Chinese ships, resulting in conflicts with Vietnamese boats (albeit not warships); the Chinese ships often slammed the Vietnamese vessels and using high-pressure water cannons to deter their meddling. One hundred seventy-five In this context, both China and Vietnam assert their claims as the legitimate coastal State aiming to exert and enforce their exclusive sovereign rights.

**China's Concerns Regarding the Three Sea Region** China has a coastline over 18,000 kilometers, encompasses a total area of coastal islands measuring 80,000 square kilometers, and has 433 islands with permanent inhabitants. China has the enclosed Bohai Sea and three semi-enclosed seas: the Yellow Sea, East China Sea, and South China Sea, including a total size of 4.73 million square kilometers. Based on insufficient figures, China's continental shelf area is estimated to rank 14th globally. In light of China's geographical conditions, the nation must resolve marine boundary demarcation issues with several neighboring countries: in the Yellow Sea, China faces demarcation disputes with North Korea (the Democratic People's Republic of Korea, DPRK) and South Korea (the Republic of Korea, ROK); in the East China Sea, there are demarcation issues with Japan; and in the South China Sea, disputes exist with Japan, the Philippines, Malaysia, Indonesia, Brunei, and Vietnam. All these issues pertain to the demarcation of the continental shelf. Thus far, only in the northern Bay region, China has attained an agreement with Vietnam concerning the delimitation of territorial sea, exclusive economic zone, and continental shelf.

The conflict between the PRC and Japan pertains to the divergent interpretation of the 1982 UNCLOS, despite both nations having ratified it. China promotes the implementation of UNCLOS, asserting the natural extension of its continental shelf, and claims that the EEZ reaches the Okinawa Trough. Its Ministry of Foreign Affairs has stated that 'the natural prolongation of the continental shelf of China in the East China Sea extends to the Okinawa Trough and beyond 200 nautical miles from the baselines from which the breadth of the territorial sea of China is measured', which is applicable to the relevant UNCLOS provisions that support China's right to the natural shelf. In 2012, China submitted a proposal to the UN about the outer boundaries of its continental shelf

under UNCLOS. Japan advocated the median line division of the Exclusive Economic Zone (EEZ) in accordance with the United Nations Convention on the Law of the Sea (UNCLOS). According to the United Nations' Law of the Sea, the People's Republic of China (PRC) asserts that the contested maritime area constitutes its Exclusive Economic Zone (EEZ) as it forms part of the natural extension of its continental shelf. Conversely, Japan claims the same area as its EEZ, citing its proximity within 200 nautical miles (370 km) from its coastline, and has suggested a median line to delineate the boundary between the EEZs of China and Japan. Approximately 40,000 square kilometers of Exclusive Economic Zone are contested. China and Japan both claim rights to an Exclusive Economic Zone (EEZ) of 200 nautical miles, while the East China Sea spans just 360 nautical miles in breadth. China claims an Exclusive Economic Zone (EEZ) that reaches the eastern terminus of the Chinese continental shelf, as per UNCLOS III, encroaching significantly into the EEZ claimed by Japan. Both nations consistently disregard the stipulations outlined in the legal frameworks governing marine affairs.

#### **Concluding remarks.**

Evaluating the acts and responses of States has been a fundamental aspect of international relations analysis for decades, and grey zone conflicts have historically been a component of international politics, however referred to by other terminologies. International law establishes frameworks and regulations for evaluating State responses to possibly illegal behavior. The research analyzed communal actions, namely a consensual legal framework intended to maintain order, promote sustainable use of marine resources, and primarily address concerns arising from violations of established criteria. The established frameworks have been ineffective in attaining the desired outcomes, since several parties, particularly state actors, persistently contravened the norms and regulations governing water bodies and marine operations. This is partially attributable to deficiencies in some frameworks.

The stipulations of UNCLOS are not consistently adhered to in reality, although its ratification by the majority of governments. A primary difficulty is enforcement. This is a fundamental weakness in international law, particularly pronounced in the maritime sector, where the law of the sea upholds the dual concepts of high seas freedom and the exclusive jurisdiction of the flag state. On the high seas, which encompass the majority of the world's oceans, only the flag state have authority over vessels, barring exceptional circumstances. In actuality, the widespread use of 'flags of convenience'—nations with little domestic control, enforcement capabilities, and few registration criteria—has resulted in a "jurisdictional vacuum" on the high seas. Proponents of global governance contend that compliance with legal norms in addressing infractions of the law of the sea is crucial for maintaining a rules-based maritime order and may mitigate the normative ambiguity associated with 'grey zone' solutions.

#### **REFERENCES**

- [1] M. Bevir and R. Rhodes, *Interpreting Governance*. London: Routledge, 2003.
- [2] E. M. Borgese, *Ocean Governance*. Halifax: International Ocean Institute, 2001.
- [3] N. Busuttil, "The Channel Tunnel: Revolutionising international transport between France and the UK," *International Relations*, vol. 36, no. 2, 2002.
- [4] B. Cohen, *Geopolitics: The Geography of International Relations*. Washington, DC: Rowman & Littlefield, 2014.
- [5] F. Colin, *Introduction to Geopolitics*. London: Routledge, 2021.
- [6] D. Currie, *Developing and Applying Study Skills: Writing Assignment Dissertations and Management Reports*. London: CIDP Publishing, 2005.
- [7] P. Eric, *Australia in the US Empire: A Study in Political Realism*. Berlin: Springer, 2018.
- [8] D. Everett, *Astropolitik: Classical Geopolitics in the Space Age*. London: Routledge, 2005.
- [9] J. G. Field, G. Hempel, and C. P. Summerhayes, *Oceans 2020: Science, Trends and the Challenge of Sustainability*. Washington: Island Press, 2002.

- 
- [10] L. L. Fook and H. H. Hop, "Vietnam's Responses to China's Maritime Assertiveness in the South China Sea," *Researchers at Iseas – Yusof Ishak Institute*, vol. 50, 2018.
- [11] H. Fukui, "How Japan handled UNCLOS issues: does Japan have an ocean policy?," *Japan and the New Ocean Regime*, pp. 21–74, 2019.
- [12] T. Gerard, "Understanding critical geopolitics: Geopolitics and risk society," *The Journal of Strategic Studies*, vol. 22, 1999.
- [13] P. N. T. Guillen, "A 21st century perspective on Peru and the 1982 United Nations Convention on the Law of the Sea [UNCLOS III]," 2002.
- [14] J. Healey, R. Ketley, and M. Robinson, "Will political reform bring about improved economic management in sub-Saharan Africa?," *Ids bulletin*, vol. 24, no. 1, 1993.
- [15] E. Gordon, "Grotius and the Freedom of the Seas in the Seventeenth Century," *Willamette Journal of International Law and Dispute Resolution*, vol. 16, no. 2, 2008.
- [16] A. H. Hoel, A. K. Sydnes, and S. A. Ebbin, "Ocean governance and institutional change," *A Sea Change: The Exclusive Economic Zone and Governance Institutions for Living Marine Resources*, p. 1, 2005.
- [17] I. M. Organization (IMO), "Enhancing maritime domain awareness in West Indian Ocean and Gulf of Aden." Nov. 2018.
- [18] I. U. Jakobsen, "The Legal Regime of the Continental Shelf and the Delimitation of Maritime Boundaries in Light of the Impending Continental Shelf Submissions," *International Journal of Marine and Coastal Law*, vol. 27, no. 3, 2012.
- [19] A. John, "The new global economy: Time-space compression, geopolitics, and global uneven development," *Journal of World-Systems Research*, vol. 7, 2001.
- [20] M. G. Koo, "The Past, Present, and Future of East Asian Maritime Disputes," in *Non-Traditional Security in East Asia: A Regime Approach*, 2016.
- [21] T. M. Mack, J. Hartman, and M. J. Shattell, "Qualitative research methods: A data collector's field guide," *Journal of Empirical Research on Human Research Ethics*, vol. 6, no. 3, 2011.
- [22] T. Maroukis, *The regime of islands in international law*. Cambridge University Press, 2015.
- [23] D. R. McCoy, *The Presidency of Harry S. Truman*. University Press of Kansas, 1984.
- [24] J. M. Morse, "The comparative effectiveness of naturalistic and experimental research designs for evaluating complex interventions: Weighing the pros and cons," *Qualitative Health Research*, vol. 25, no. 6, 2015.
- [25] P. B. Payoyo, *Ocean Governance: Sustainable Development of the Seas*. Tokyo: The United Nations University Press, 1994.
- [26] A. M. Peterson, "Sino-Japanese cooperation in the East China Sea: A lasting arrangement," *Cornell Int'l LJ*, vol. 42, 2009.
- [27] V. Prescott and P. Cairns, "Customary maritime practices as a source of global governance," *Ocean & Coastal Management*, vol. 93, 2015.
- [28] H. Qi, "Maritime Delimitation between China and North Korea in the North Yellow Sea," *Ocean Development & International Law*, vol. 51, no. 4, 2020.
- [29] Rothwell D. R. ., Oude Elferink, A. G. and N. Klein, *The International Law of the Sea*. Oxford University Press, 2014.
- [30] D. Steinberg, "An interpretive history of the cholesterol controversy, part V: The discovery of the statins and the end of the controversy," *Journal of Lipid Research*, vol. 47, 2006.
- [31] T. W. Bank, "Governance and development (English)." 2024.
- [32] R. Thomas, *Maritime Law: An Introduction*. Routledge, 2010.
- [33] H. Thornton, "John Selden's response to Hugo Grotius: the argument for closed seas," *International Journal of Maritime History*, vol. 18, no. 2, 2006.
- [34] H. M. Timdal, "Maritime Boundary Agreements in the Arctic: The Case of Norway and Russia," *Ocean Development & International Law*, vol. 39, no. 1, 2008.
-