



## UNCLOS

**For Prelims:** Continental Shelf, Exclusive Economic Zone, UNCLOS

**For Mains:** UNCLOS and maritime disputes such as in the South China Sea and East China Sea.

### Why in News

Recently, India **reiterated its support for the United Nations Convention on the Law of the Sea (UNCLOS)**.

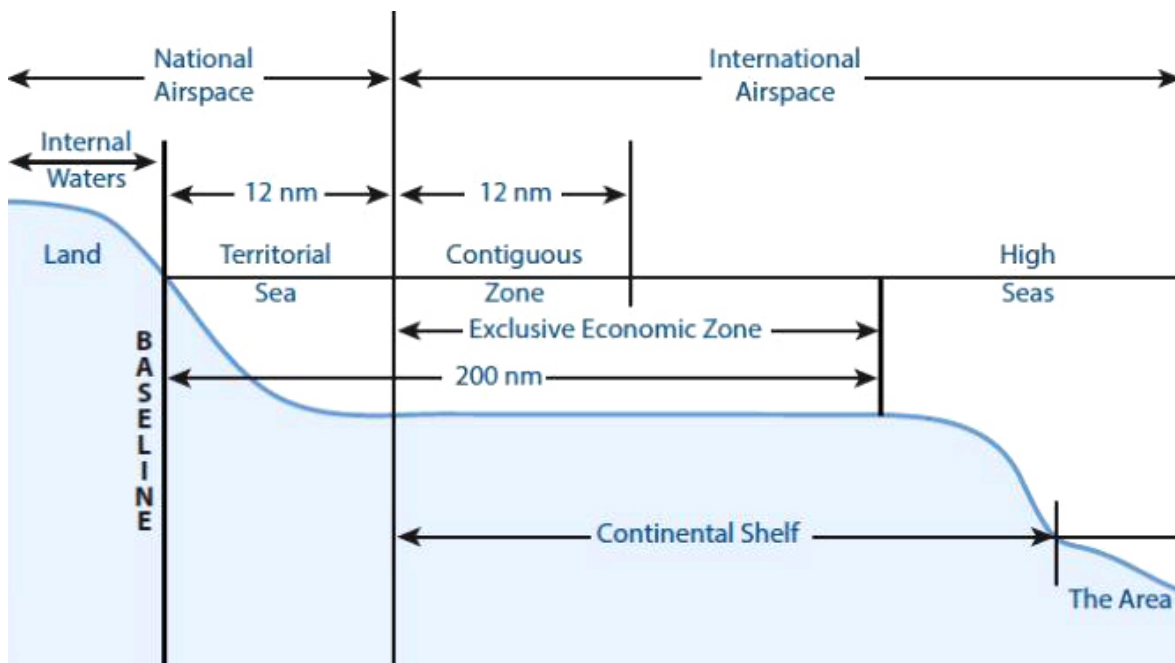
- India also **supported freedom of navigation and overflight, and unimpeded commerce**, based on the principles of international law, reflected notably in the UNCLOS 1982.
- India is **a state party to the UNCLOS**.

### Key Points

- The [United Nations Convention on the Law of the Sea \(UNCLOS\), 1982](#) is an international agreement that establishes the legal framework for marine and maritime activities.
- It is also known as **Law of the Sea**. It divides marine areas into **five main zones** namely- **Internal Waters, Territorial Sea, Contiguous Zone, Exclusive Economic Zone (EEZ)** and the **High Seas**.
- It is the only international convention which **stipulates a framework for state jurisdiction in maritime spaces**. It provides a different legal status to different maritime zones.
- It provides **the backbone for offshore governance by coastal states and those navigating the oceans**.
- It not only zones coastal states' offshore areas but also **provides specific guidance for states' rights and responsibilities** in the five concentric zones.
- While UNCLOS has been signed and ratified by nearly all the coastal countries in the [South China Sea](#), its interpretation is still hotly disputed.
- There is a maritime dispute in the [East China Sea](#) as well.

### Maritime Zones

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▪ **Baseline:**

- It is the low-water line along the coast as officially recognized by the coastal state.

▪ **Internal Waters:**

- Internal waters are **waters on the landward side of the baseline** from which the breadth of the territorial sea is measured.
- **Each coastal state has full sovereignty over its internal waters** as like its land territory. **Examples** of internal waters include bays, ports, inlets, rivers and even lakes that are connected to the sea.
- There is **no right of innocent passage** through internal waters.
  - The innocent passage refers to the passing through the waters which are not prejudicial to peace and security. However, the nations have the right to suspend the same.

▪ **Territorial Sea:**

- The territorial sea **extends seaward up to 12 nautical miles (nm) from its baselines.**
  - A nautical mile is based on the circumference of the earth and is equal to one minute of latitude. It is slightly more than a land measured mile (1 nautical mile = 1.1508 land miles or 1.85 km).
- The coastal states have **sovereignty and jurisdiction over the territorial sea.** These rights extend not only on the surface but also to the seabed, subsoil, and even airspace.
- But the coastal states' rights are **limited by the innocent passage** through the territorial sea.

▪ **Contiguous Zone:**

- The contiguous zone **extends seaward up to 24 nm from its baselines.**
- It is **an intermediary zone between the territorial sea and the high seas.**
- The coastal state has the right to both prevent and punish infringement of fiscal, immigration, sanitary, and customs laws within its territory and territorial sea.
- Unlike the territorial sea, the contiguous zone **only gives jurisdiction to a state on the ocean's surface and floor.** It does not provide air and space rights.

▪ **Exclusive Economic Zone (EEZ):**

- Each coastal State may claim an EEZ beyond and adjacent to its territorial sea that extends seaward **up to 200 nm from its baselines.**
- Within its EEZ, **a coastal state has:**
  - Sovereign rights for the purpose of exploring, exploiting, conserving and managing natural resources, whether living or nonliving, of the seabed and subsoil.
  - Rights to carry out activities like the production of energy from the water, currents and wind.
- Unlike the territorial sea and the contiguous zone, the EEZ only allows for the above-

mentioned resource rights. It **does not give a coastal state the right to prohibit or limit freedom of navigation or overflight**, subject to very limited exceptions.

▪ **High Seas:**

- The ocean surface and the water column beyond the EEZ are referred to as the high seas.
- It is **considered as “the common heritage of all mankind”** and is beyond any national jurisdiction.
- States can conduct activities in these areas as long as they are for peaceful purposes, such as transit, marine science, and undersea exploration.

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