Exclusive Economic Zone: Prospects For Better Governance

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The Exclusive Economic Zone (EEZ) is a revolutionary legal concept which evolved within a 30 years time period and appealed universal recognition in a short time. The historical origins of the concept of EEZ dates back to 1940s to the Truman proclamation on the coastal fisheries and to 1970s Latin American, Asian and African countries claims. It is the Third United Nations Conference on Law of the Sea (UNCLOS) where the differences and diverse opinions were reconciled and a regime for the EEZ is established. EEZ has been one of the essential elements of the package of compromises and trade-offs during the Third UNCLOS besides other negotiated items such as territorial waters, continental shelf, transit passage regime, archipelagic waters, enclosed and semi-enclosed seas, the common heritage of mankind concept. The EEZ requires promulgation of the coastal states. Significant number of states established EEZs beyond their territorial waters including Turkey. The legal regime of the EEZ is sui generis in the sense that both coastal and non-coastal states can exercise high seas freedoms such as the right to navigation, overflight and to lay submarine cables and pipelines whereas the fishing, construction of artificial islands and installations and marine scientific reserarch are confined to coastal states only. The coastal state is also given the right to conduct exploration and exploitation activities of the living and non-living resources in the sea-bed and sub-soil which may overlap with the continental shelf rights. This presentation aims to provide an insight into the legal regime of the EEZ within the context of the Third UNCLOS negotiations in comparison with other marine spaces. The current challenges and opportunities will also be elaborated in order to explore prospects for a sound management of the EEZ resources.