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THE PERSIAN GULF IN THE LIGHT OF LAW OF THE SEA

INTRODUCTION

The Persian Gulf or the Arabian Gulf (the name mainly used by the Arab nations)¹ is a mediterranean semienclosed shallow sea which is a part of the Indian Ocean. Similarly to the Baltic Sea it is geologically very young, formed around 15,000 years ago. The Gulf is connected by the Strait of Hormuz with the Gulf of Oman and the large Arabian Sea. Eight states border the Gulf: Bahrain (the only insular state), Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates. The maximum width of the Persian Gulf is 338 km, and the length to its northern coast is nominally almost 1000 km. The surface area of the Gulf is approximately 251,000 km², a mean depth of 50 m and maximum 90 m. Deeper

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¹ The name "Persian Gulf" is historical and probably came into use at the time of Darius I (522–486 B.C.). In possibly every map printed before 1960 and in most modern international treaties, documents and maps, this body of water is known under the name "Persian Gulf", reflecting traditional usage since the Greek geographers Strabo and Ptolemy, and the geopolitical realities of the time with the powerful Persian. A campaign to replace the term "Persian Gulf" with "Arabian Gulf" or "Arab Gulf" was carried out by Gamal Abdel Nasser, the President of Egypt starting in the 1950s in his bid to promote pan-Arabism and oppose an Iranian hegemony in the region. After the revolution in Iraq in 1958, the Baathist regime took up the campaign with gusto in an attempt to cultivate influence in the shajhdoms of the Gulf and among ethnic Arabs in the southwest Iranian province of Khuzistan. Not until the early 1960s did a major new development occur with the adoption, by the Arab states bordering the Gulf, of the expression *al-Khalij al-Arabi* as a weapon in the psychological war with Iran for the political influence in the Gulf. The name "Gulf of Iran" is used by the International Hydrographic Organization. L.G. Potter (ed.), *The Persian Gulf in History*, Macmillan Publishers Limited 2009, pp. 15–16.

waters run along the northern coast and in the Strait of Hormuz (the isobath of 50 m reaches from the Gulf of Oman through the Strait almost to the Kharg Island area). Numerous islands are scattered throughout the whole Gulf but the biggest ones are located in littoral waters (Qeshm, Bubiyan and Bahrain). Apart from those, the most important islands, economically and strategically, are much smaller (Khark, Farsi, Abu Musa, the Greater and Lesser Tunbs, each under the Iranian control) and are placed in the central parts of the Gulf.

The International Hydrographic Organization defines that the Persian Gulf's southern limit is a line joining Ràs Limah (25°57'N) on the coast of the Arabian Peninsula (the Musandam Governorate, Oman) and Ràs al Kuh (25°48'N) on the coast of Iran (the Jask County, Hormozgan Province²) which includes the Strait of Hormuz into the Gulf³.

TABLE 1.: The comparison of the Baltic Sea and the Persian Gulf.

| | BALTIC SEA | PERSIAN/ARABIAN GULF |
|--------------------------|---|---|
| Surface area | 377,000 km ² | 251,000 km ² |
| Max. length | 1,601 km (995 nm) | 989 km (615 nm) |
| Average depth | 55 m (180 ft) | 50 m (160 ft) |
| Max. depth | 459 m (1,506 ft) | 90 m (300 ft) |
| Number of coastal states | 9 | 8 |
| Islands | Zealand (Denmark) 7 031 km ² Gotland (Sweden) 3 183.7 km ² Wolin (Poland) 265 km ² | Qeshm (Iran) 1 491 km ² Bubiyan (Kuwait) 863 km ² Bahrain (Bahrain) 572 km ² |

1. THE GULF AS “ENCLOSED OR SEMI-ENCLOSED SEA” UNDER UNCLOS

Under the United Nations Convention on the Law of the Sea (hereinafter UNCLOS)⁴ the Persian Gulf belongs, with the Baltic Sea (and also the Black

² A capital of the Jask County – Bandar-e Jask (the Port of Jask) is the site of a base of the Iranian Navy opened in 2008, which position provides the capability to close the Strait. www.aljazeera.com/news/middleeast/2008/10/2008102815304075949.html

³ *Limits of Oceans and Seas*, 3rd edition, International Hydrographic Organization 1953, p. 20.

⁴ United Nations Convention on the Law of the Sea, 10 December, 1982, 1833 U.N.T.S. 3 (entered into force 16 November, 1994; as of 2016 ratified by 168 governments: among them chronologically Bahrain – 1985, Iraq – 1985, Kuwait – 1986, Oman – 1989, Saudi Arabia – 1996, Qatar – 2002; Iran and the United Arab Emirates are signatories but have not ratified UNCLOS yet), available in English and Arabic at www.un.org/depts/los/convention_agreements/convention_overview_convention.

Sea, the Red Sea, the Mediterranean Sea etc.), to the group of “enclosed or semi-enclosed seas” (Part IX, Art. 122–123) which is defined as “a gulf, basin or sea surrounded by two or more States and connected to another sea or the ocean by a narrow outlet or consisting entirely or primarily of the territorial seas and exclusive economic zones of two or more coastal States”. The states bordering an enclosed or semi-enclosed sea should cooperate with each other in the exercise of their rights and in the performance of their duties under UNCLOS⁵. To this end they shall endeavour, directly or through an appropriate regional organization:

- a) to coordinate the management, conservation, exploration and exploitation of the living resources of the sea;
- b) to coordinate the implementation of their rights and duties with respect to the protection and preservation of the marine environment;
- c) to coordinate their scientific research policies and undertake where appropriate joint programs of scientific research in the area;
- d) to invite, as appropriate, other interested States or international organizations to cooperate with them [in furtherance of the provisions of this article].

Competent or relevant international organizations under UNCLOS in the case of Article 123 mean FAO, IAEA, IHO, IMO, IOC, UNDP, UNEP, WMO and the World Bank⁶. There are also the regional economical governmental organizations (“an appropriate regional organization”) but without Iran as a member.

The most important one is the Cooperation Council for the Arab States of the Gulf – the Gulf Cooperation Council⁷ established in Abu Dhabi on 25 May 1981, which is a regional intergovernmental political and economical union comprised of the six Persian Gulf states of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates – the GCC states. The GCC’s objectives are formulating the similar regulations (in the fields such as religion, finance, trade, customs, tourism, legislation, and administration), fostering scientific and technical progress (in industry, mining, agriculture, water and animal resources), establishing scientific research centers, setting up joint ventures, unified military (the Peninsula Shield Force), encouraging cooperation of the private sector, strengthening ties between their people and establishing a common currency. The Peninsula Shield

htm (hereinafter UNCLOS).

⁵ Upon ratification of UNCLOS (24 April 1996) the government of Saudi Arabia confirmed that “application of the provisions of Part IX of the Convention concerning the cooperation of States bordering enclosed or semi-enclosed areas is subject to the acceptance of the Convention by all States concerned”. www.un.org/depts/los/

⁶ *Law of the Sea Bulletin*, UN Division of Ocean Affairs and the Law of the Sea 1996, No. 31, p. 84; D.R. Bugajski, *Międzynarodowe organizacje morskie*, Gdynia 2009, p. 174.

⁷ www.gcc-sg.org/en-us/Pages/default.aspx

Force is the military part of the GCC. It is intended to deter, and respond to, military aggression against any of the GCC member states⁸.

TABLE 2.: Maritime areas (EEZ with territorial waters) and land territory of coastal states (Poland for comparison). The largest EEZ belongs to France 11,691,900 km² which is more than joint land territory of the United States of America and Mexico. Data from: www.un.org/depts/los/

| | Iran | Iraq | Kuwait | Saudi Arabia | Bahrain | Qatar | UAE | Oman | Poland |
|------------------------------------|----------------------------------|---------|--------|----------------------------------|---------|--------|--------|---------------------------|---------|
| Land territory [km ²] | 1,628,771 | 437,072 | 11,026 | 2,149,690 | 765 | 11,586 | 83,600 | 309,500 | 312,000 |
| Maritime areas [km ²] | 168,718 (97,860 Gulf only) | 771 | 17,818 | 228,633 (33,792 Gulf only) | 10,225 | 31,590 | 58,218 | 529,559 (all areas) | 32,058 |
| Ratio maritime areas to land | 0.1 | 0.0017 | 1.615 | 0.11 | 13 | 2.73 | 0.7 | 1.71 | 0.1 |
| EEZ/ fishery zone declaration year | 1973 | 1985 | 1967 | 2011 | 1985 | 1974 | 1980 | 1981 | 1977 |

2. THE STRAIT OF HORMUZ AND NAVIGATION

The Strait of Hormuz at its narrowest has a width of 20 nautical miles but the available shipping lane is much narrower, 6 nautical miles. To reduce the risk of collision, ships moving through the Strait follow a Traffic Separation Scheme (TSS) established under the International Maritime Organization's (IMO)⁹ rules: inbound ships use one lane, outbound ships another one, each lane being two miles wide, and both are separated by a two-mile buffer zone. The strait is deep

⁸ A 2011 proposal to transform the GCC into a "Gulf Union" with tighter economic, political and military coordination has been advanced by Saudi Arabia, a move meant to counterbalance the Iranian growing influence in the region.

⁹ The IMO is now an operational specialized agency which was established in 1948 as an agency of the United Nations, under the name of the Inter-Governmental Maritime Consultative Organization, by the Convention on the Inter-Governmental Maritime Consultative Organization, done at Geneva on 6 March 1948, entered into force on 17 March 1958. Amendments of 14 November 1975 changed the name to the International Maritime Organization, in force since May 1982. www.imo.org/en/Pages/Default.aspx

enough (27–70 m) to handle the world's largest oil tankers, with about two-thirds of oil shipments carried by tankers in excess of 150,000 deadweight tons.

Over ninety percent of the entire global trade is conducted by sea, it is important for its entirety to be carefully preserved in order to ensure that successful trade is not threatened. However, twenty percent of oil traded worldwide moves only through the Strait of Hormuz (14 tankers loaded with oil pass every day carrying 17 million barrels of crude oil), which makes it the world's most important petroleum transit choke point at one of the busiest sea lines of communication (abbreviated as SLOC)¹⁰, 85% of oil is headed for ports of Asia and the Pacific (mainly the Far East where Japan, India, South Korea and China are the largest destinations)¹¹. The Gulf countries produce 30% of world's oil, while holding 57% of the crude oil reserves and 45% of the total proven world natural gas reserves¹².

To traverse the Strait, ships pass through the territorial waters of Iran and Oman under the transit passage regime of UNCLOS. Although not all countries have ratified the convention, the vast majority of governments, including the U.S., accept these customary navigation rules as codified in the Convention. This point of view is questioned by Iran which threatens with closure of such a key SLOC. This threat, although appearing to be more bluster than serious, cannot be taken lightly and is enough to lose stability of oil, LNG and financial markets.

Unquestionably, the Strait of Hormuz is a strait in the scope of section 2 (transit passage) of Part III (straits used for international navigation) of UNCLOS which regulates the legal regime of straits which are used for international navigation between one part of the high seas or an exclusive economic zone and another part of the high seas or an exclusive economic zone (Article 37).

Under Article 38 of UNCLOS the right of transit passage applies to all ships and aircraft and shall not be impeded. Navigation under the transit passage regime means the exercise of the freedom of navigation and overflight solely for the purpose of continuous and expeditious transit of the strait between one part of the high seas or an exclusive economic zone and another part of the high seas or an exclusive economic zone. However, the requirement of continuous and expeditious

¹⁰ SLOC is mainly a military term describing the primary maritime routes between ports, used for trade, logistics and naval forces. It is generally used with reference to naval operations to ensure that SLOCs are open, or in times of war, to close them. The example of SLOC is a sea route from the Indian Ocean through the Bab-el-Mandeb Strait, the Red Sea, the Suez Canal, the Mediterranean Sea, the Strait of Gibraltar to the North Atlantic Ocean, which is still strategically vital for the European economy.

¹¹ A.H. Cordesman, *Iran, Oil, and the Strait of Hormuz*, (26 March 2007), Center for Strategic and International Studies. www.csis-prod.s3.amazonaws.com/s3fs-public/legacy_files/files/media/csis/pubs/070326_iranoil_hormuz.pdf

¹² *Ibidem*.

transit does not preclude passage through the strait for the purpose of entering, leaving or returning from a state bordering the strait, subject to the conditions of entry to that state. Moreover, contrary to the right of innocent passage¹³ transit passage is unsuspendable (any state, including states bordering straits, may [not] suspend passage). Thanks to that transit passage has a particular significance not only for merchant navigation but for naval and air deployments. According to the position of major naval powers “submarines may pass through straits submerged, naval task forces may conduct formation steaming, aircraft carriers may engage in flight operations, and military aircraft may transit unannounced and unchallenged”¹⁴.

Ships and aircraft, while exercising the right of transit passage, shall proceed without delay through or over the strait; refrain from any threat or use of force against the sovereignty, territorial integrity or political independence of states bordering the strait, or in any other manner in violation of the principles of international law embodied in the Charter of the United Nations; refrain from any activities other than those incident to their normal modes of continuous and expeditious transit unless rendered necessary by *force majeure* or by distress. The phrase “their normal modes” means on (for surface ships), under (submerged for submarines), or over the water (for aircraft)¹⁵.

Ships in transit passage shall comply with generally accepted international regulations, procedures and practices for safety at sea, including the International Regulations for Preventing Collisions at Sea (COLREGs)¹⁶ and with generally accepted international regulations, procedures and practices for the prevention, reduction and control of pollution from ships.

¹³ This right of ships to continuous and expeditious passage not prejudicial to peace, good order, or security of coastal states is the primary right of nations in foreign territorial waters (territorial sea). Naval vessels rely on this right to conduct their passage expeditiously and effectively. UNCLOS codifies the customary right of innocent passage for ships (not for aircraft) on the surface (only) and contains an exhaustive list of the types of shipboard activities which are forbidden. It also describes the extent of, and limitations to, the right of coastal states to regulate and suspend innocent passage.

¹⁴ *National Security and the Convention on the Law of the Sea*, Department of Defense (US) 1996, p. 5.

¹⁵ S. Bateman, *The Regime of Straits Transit Passage in the Asia Pacific: Political and Strategic Issues*, [in:] D.R. Rothwell, S. Bateman (ed.), “*Navigational Rights and Freedoms and the New Law of the Sea*”, The Hague/ London/ Boston 2000, p. 94.

¹⁶ COLREGs are the “rules of the road” or navigation rules to be followed by ships and other vessels at sea to prevent collisions between two or more vessels. They are derived from the Convention on the International Regulations for Preventing Collisions at Sea and were adopted as a treaty of the International Maritime Organization on 20 October 1972 and entered into force on 15 July 1977. As of September 2016, the convention has been ratified by 156 states representing 99.15% of the tonnage of the world’s merchant fleets. www.imo.org/en/About/Conventions/StatusOfConventions/Pages/Default.aspx

Aircraft in transit passage shall observe the Rules of the Air, which are equivalent to COLREGs, established by the International Civil Aviation Organization as they apply to civil aircraft (state aircraft, including military, will normally comply with such safety measures and will at all times operate with due regard for the safety of navigation) and at all times monitor the radio frequency assigned by the competent internationally designated air traffic control authority or the appropriate international distress radio frequency.

During transit passage all ships, including marine scientific research and hydrographic survey ships, may not carry out any research or survey activities without the prior authorization of the states bordering straits. The coastal states may designate sea lanes and prescribe traffic separation schemes (TSS) for navigation in straits where necessary to promote safe passage of ships and in conformity with the generally accepted international regulations. Before designating sea lanes or traffic separation schemes, states bordering straits shall refer proposals to IMO with a view to their adoption. The organization may adopt only such sea lanes and traffic separation schemes as may be agreed with the states bordering the straits. Coastal states shall also clearly indicate all sea lanes and traffic separation schemes on charts to which due publicity shall be given. These states keep certain, limited and clearly mentioned in Article 42 of UNCLOS, rights relating to transit passage (the safety of navigation and the regulation of maritime traffic, the prevention of pollution, the prevention of fishing, the loading or unloading of any commodity, currency or person in contravention of the customs, fiscal, immigration or sanitary laws) whose application shall not discriminate in form or in fact among foreign ships¹⁷. Under Article 42 of UNCLOS coastal states shall not hamper transit passage and shall give appropriate publicity to any danger to navigation or overflight within or over the strait which they have knowledge of.

3. POSITION OF COASTAL STATES ON SOME LAW OF THE SEA ISSUES

Six of eight Gulf states are parties to UNCLOS chronologically: Bahrain – 1985, Iraq – 1985, Kuwait – 1986, Oman – 1989, Saudi Arabia – 1996 and Qatar – 2002. Iran and the United Arab Emirates are signatories but have not ratified

¹⁷ Moreover, states bordering straits shall give due publicity to all such laws and regulations and every ship exercising the right of transit passage shall comply with such regulations. In the case of a ship or an aircraft entitled to sovereign immunity (a non-merchant state owned ship) which acts in a manner contrary to regulations of coastal states [the flag state or the state of registry thereof] shall bear international responsibility for any loss or damage which results to states bordering straits.

UNCLOS yet. Article 310 of UNCLOS allows states to make declarations or statements regarding its application at the time of signing, ratifying or acceding to the convention, which do not purport to exclude or modify the legal effect of the provisions of the convention. Worth notice declarations were made by Iran, Iraq, Saudi Arabia and Oman (Kuwait and Qatar only on not recognition of Israel)¹⁸.

The legal development in the Gulf has been based primarily upon the precedents set by the two largest Gulf States, Iran and Saudi Arabia. The claims of both governments have effectively established certain international legal norms that are generally complied with by other states¹⁹. Iran in the Act of 19 July 1934²⁰ claimed territorial waters extending 6 miles from the coast of mainland and islands and the use of straight baselines. Saudi Arabia also claimed 6-mile territorial waters in the decree of 28 May 1949²¹ and the use of straight baselines. This act was replaced by the royal decree No. 33 of 16 February 1958²² which expanded Saudi claim for the territorial sea to 12 miles. Iran followed the Saudi example and claimed the 12-mile territorial sea in its Act of 12 April 1959²³. The contemporary act was established by the Government of Iran on 2 May 1993, the Act on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and the Oman Sea²⁴. The Act replaces the provisions of earlier Iranian legislation and provides a reasonably comprehensive set of maritime claims to the territorial sea, the contiguous zone, the exclusive economic zone, and the continental shelf, and Iran's jurisdictional claims within those areas²⁵.

Under the Iran's statement upon signature in 1982 only the states which are the parties to UNCLOS "shall be entitled to benefit from contractual rights created therein". The above considerations pertain specifically (but not exclusively) to the right of transit passage through straits used for international navigation (Part

¹⁸ Published at www.un.org/depts/los/

¹⁹ Ch.G. MacDonald, *Regionalism and the Law of the Sea: The Persian Gulf Perspective*, [in:] "International Law Studies" 1995, vol. 68, p. 85.

²⁰ The Act relating to the breadth of the territorial waters and to the zone of supervision, 19 July 1934. An English translation of this 1934 Act may be found in UN Legislative Series, Laws Regulations on the Regime of the High Seas, UN Doc. ST/LEG/SER.B/1, at 81 (1951).

²¹ Ch.G. MacDonald, *op. cit.*, p. 86.

²² The Government of Saudi Arabia published in the Official Gazette (umm al-Qura), No. 1706 of 21 February 1958 a royal decree creating straight baselines for the coasts of the Kingdom. *Saudi Arabia. Straight Baselines*, 8 June 1970, [in:] "Limits in the Seas" 1970, No. 20, US DoS, p. 2.

²³ Ch.G. MacDonald, *ibidem*.

²⁴ www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/IRN_1993_Act.pdf

²⁵ Many of these claims do not comport with the requirements of international law as reflected in UNCLOS. These claims are also not recognized by the U.S. which protested claims in 1994 and conducted operational assertions to excessive straight baselines in 1998. *Iran's Maritime Claims*, 19 March 1994 [in:] "Limits in the Seas" 1994, No. 114, US DoS, p. 4.

III, Section 2, Article 38). The United States protested this declaration in 1983, 1987 and 1994²⁶. This statement is evidently contrary to the spirit of UNCLOS expressed in the Preamble according to which the convention is “the codification and progressive development of the law of the sea”. The codification gives to the customs only written form and considering the definition international customs are created, and applies to the whole international society. Neither Iran nor the United States have ratified the convention, but the United States accept the traditional navigation rules as reflected in UNCLOS. Iran has stated that it reserves “the right to require prior authorization for warships to exercise the right of innocent passage through its territorial sea”²⁷. Therefore, Iran refuses to accept US Navy (right to pass through the Hormuz Strait under the right of transit passage). This contradictory positions of both opponents have caused frequent risky military incidents and tensions²⁸.

In the Gulf there are fifteen maritime (exclusive economic zones) borders between the states. Some boundaries have been agreed (Bahrain–Iran, Bahrain–Saudi Arabia, Iran–Oman, Iran–Qatar, Iran–Saudi Arabia, Qatar–UAE/ Abu Dhabi) and one resettled by the court (Bahrain–Qatar by the International Court of Justice on 16 March 2001). However, there are still a few international maritime disputes.

The last case is only the territorial dispute between two Arab states that has been resolved by the ICJ. For 65 years, from 1936–2001, Qatar and Bahrain disputed sovereignty of the Hawar Islands, the shoals of al-Dibal and al-Jaradah, territorial waters of the Gulf, and Zubarah, a district on the northern tip of the Qatari peninsula. The territorial dispute was peacefully solved by the ICJ on 16 March 2001²⁹. The case had been the longest and most complex case brought to the Court. The judgement awarded Bahrain with the Hawar Islands and al-Jaradah and rewarded Qatar with Zubarah, the Janan Islands, and al-Dibal. The division of the disputed territory involved each state receiving approximately half of the islands and shoals. Both states accepted the judgement and governments began exploitation of oil and natural gas resources in the area immediately³⁰.

²⁶ *National Claims and Maritime Jurisdiction*, 25 May 2000, [in:] “Limits in the Seas” 2000, No. 36, US DoS, pp. 76–77.

²⁷ *Ibidem*.

²⁸ An incident of 6 January 2008, when five Iranian patrol boats crewed by the Revolutionary Guard apparently attacked three United States Navy warships in the Strait is typical. G. Friedman, *The Strait of Hormuz Incident and U.S. Strategy*, on www.stratfor.com/weekly/strait_hormuz_incident_and_u_s_strategy.

²⁹ The case concerning the maritime delimitation and territorial questions between Qatar and Bahrain (Qatar v. Bahrain) judgment of 16 March 2001. www.icj-cij.org.

³⁰ K.E. Wiegand, *Bahrain, Qatar, and the Hawar Islands: Resolution of a Gulf Territorial Dispute*, [in:] *The Middle East Journal*, Vol. 66, No. 1, Winter 2012.

Islands of Abu Musa and the Greater and Lesser Tunbs are small (25 km² of the total area) but strategically located on the shipping lane and blocked the entrance into the Strait of Hormuz or the Persian Gulf. The islands were seized by Iranian marines on 30 November 1971 when the British forces withdrew from the islands. They gained territorial control of the islands for the first time since 1921, when the islands were captured by the United Kingdom from Iran and joined to the British Trucial States (succeeded by the independent United Arab Emirates in 1971). The United Arab Emirates still keep their claims to the group of islands and had attempted to bring the dispute before the ICJ, but Iran refused. The continental shelf boundary agreement was signed in 1974³¹ but because of the sovereignty dispute over three islands has not been ratified, yet.

TABLE 3.: Maritime claims of coastal states. Source: www.un.org/depts/los/

| | Iran | Iraq | Kuwait | Saudi Arabia | Bahrain | Qatar | UAE | Oman |
|--------------------------------------|--------------------------------------|-------------------------|---|---------------------------------|-------------------------------|--------------------------------|------------------------------------|---------------------------------|
| Maritime legislation (basic act) | Act of 2 May 1993 | Law No. 71, Nov. 1958 | Decree 2014 | Royal Decree of 26 January 2010 | Decree No. 8 of 20 April 1993 | Decree No. 40 of 16 April 1992 | Federal Law No. 19, Oct 1993 | Royal Decree No. 15/81, Feb. 81 |
| Internal waters – straight baselines | 24 segments with total length 756 nm | --- | Kuwait Bay, from Faylakah group to mainland | Yes, but without coordinates | --- | --- | Yes, normal and straight baselines | Yes |
| Territorial sea - limits | 12 (1959) | 12 | 12 | 12 (1958) | 12 | 12 | 12 | 12 |
| Contiguous zone - limits | 24 | Yes, but without limits | 24 | 18 | 24 | 24 | 24 | 24 |
| | | | | | | | | |
| EEZ, CS | EEZ | EEZ | EEZ, CS | CS | CS | EEZ | CS | EEZ, CS |

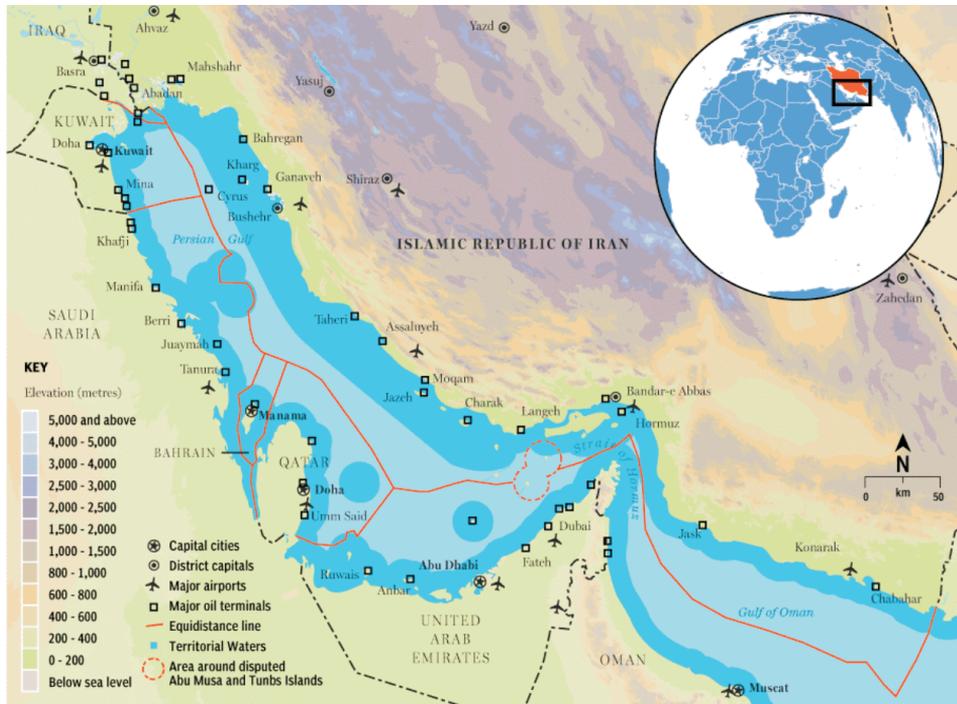
³¹ Offshore Boundary Agreement between Iran and Dubai, 31 August 1974. *Continental Shelf Boundary: Iran – United Arab Emirates (Dubai), 30 September 1975*, [in:] “Limits in the Seas” 1975, No. 63, US DoS.

CONCLUSIONS

The Persian Gulf with the Strait of Hormuz provides the only sea access from the high seas to the largest resources of oil and natural gas and is one of the world's most strategically important regions.

Iran's warnings of closing the Strait of Hormuz actually provide more diversion than danger. Any move to choke off oil shipments would leave Iran utterly isolated on the world stage and could trigger a conventional conflict that Iran cannot win. An Iranian attack on an oil tanker or a U.S. Navy ship would be an open invitation to a massive counterattack that would lay waste to Iran's air defence systems in a matter of days, if not hours³².

Nevertheless, oil and natural gas tankers are particularly vulnerable in the navigable channels of the Strait. Hydrographic conditions and shallowness make surface detection of submarines or mines not difficult in the approaches to the



MAP: The Persian Gulf. Source: United Nations and the Center for Strategic and International Studies

³² P. Goodspeed, *a secret nuclear test could be Iran's trump card in strait of hormuz showdown: goodspeed analysis*, 6 January 2012, www.news.nationalpost.com/full-comment/peter-goodspeed-iran-confrontation-could-prompt-early-nuclear-test

Gulf but numerous rocky islands and the heavily curved coastline make shipping very vulnerable to an attack with missiles or rockets from land or speed boats for example. These attacks could be easily made even by a small group of terrorists. For this reason such threats are the basis for the strategic concern to the international community and littoral states of the Persian Gulf³³.

³³ R.K. Ramzani, *The Persian Gulf and the Strait of Hormuz*, Sijthoff & Noordhoff 1979, p. 5.