International Law Relating to Islands

Part I

Islands, Rocks, and Low-Tide Elevations
Characteristics of the sea

“ridge”
“bank”
“bar”
“plateau”
“rise”
“cap”
“spur”
“reef”
“shoal”
“atoll”
“rock”
“island”
Mid-oceanic ridge
Macclesfield Bank

Pygmy Shoal

Macclesfield Bank

Walker Shoal
Low Tide Elevation vs. Rock/Island
1. An island is a naturally formed area of land, surrounded by water, which is above water at high tide.
2. Except as provided for in paragraph 3, the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf of an island are determined in accordance with the provisions of this Convention applicable to other land territory.
Article 121(3)
Regime of Islands

3. Rocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf.
Oil platform
Lighthouse on a bank
Dredging sand to build an island
Dike

Canal
Iceberg
Abel Island (Norway)
Rock
Rockall Island
Quitasueño Bank
Disputes in the South China Sea
Artificial islands

Palm Jumeirah in Dubai
Part II
Methods for Securing Sovereignty over an Island
Sovereignty over islands

A. General points

B. Discovery of *terra nullius*

C. Cession or other agreement

D. Continuous and peaceful possession

E. State succession

F. Military conquest

G. Relevance of proximity

H. Relevance of maps

I. Alternative approaches
Clipperton Island
Tiran and Sanafir Islands in the Red Sea
Island of Palmas
Hanish Islands in the Red Sea
Uti possidetis juris: French West Africa
1978-1984 Beagle Channel Mediation
International Law Relating to Islands

Part III

Islands in Relation to Maritime Zones

Article 121(2)
Regime of Islands

2. Except as provided for in paragraph 3, the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf of an island are determined in accordance with the provisions of this Convention applicable to other land territory.
Strait Baselines

the coast is deeply indented or there is a fringe of islands
Maritime Delimitation in the Black Sea

Serpents’ Island
Lighthouse on low-tide elevation
Bays

Legal bay

Estuary/Inland Sea

Bay which may not be closed by straight baseline
Disputes in the South China Sea
Atoll

Taiaro Atoll, French Polynesia
Maritime Zones

Coast/Baseline

Territorial Sea

Sovereignty

Sovereignty extends to the water column, to the airspace above, and to the seabed and subsoil.

Contiguous Zone

Limited law-enforcement zone

12 nm

24 nm

Exclusive Economic Zone

Extended Continental Shelf

The High Seas

Deep Seabed Area

To a maximum of 350 nm from the coast/baseline or 100 nm beyond the 2,500 meter isobath, whichever is greatest.

Sovereign rights over natural resources of the water column and the seabed and subsoil

Sovereign rights over natural resources of the seabed and subsoil
Archipelagic States (Indonesia)
Archipelagic sea-lane passage
International Law Relating to Islands

Part IV

Effects of Islands on Maritime Boundary Delimitation
Equidistance line approach
Angle bi-sector approach
Anglo/French Continental Shelf Dispute

Channel Islands

Enclaves

- Casquets
- Alderney
- Cap de la Hague
- Guernsey
- Sark
- Les Ecrehou
- Jersey
Territorial and Maritime Dispute (Nicaragua v. Colombia)
Sketch Map No. 1

Sketch-map No. 1: Geographical context
This sketch-map has been prepared for illustrative purposes. The symbols showing maritime features indicate only their location, and not their physical characteristics or geographical and legal status.

Mercator Projection (12°30’ N) WGS 84

HONDURAS
NICARAGUA
COSTA RICA
PANAMA
COLOMBIA
VENEZUELA
DOMINICAN REPUBLIC
JAMAICA
HAITI

CARIBBEAN SEA

Little Corn Island
San Andrés
East-Southeast Cays
San Andrés
Santa Catalina
Alburquerque Cays
Great Corn Island
Quitauero
Serrana
Serraila

Romeo Cays
Jamaica

Joint Regime Area

Bajo Nuevo

Judgment of the ICJ dated 9 October 2007
Bilateral treaty of 1993
Bilateral treaty of 1976
Bilateral treaty of 1977
Bilateral treaty of 2000
Territorial and Maritime Dispute (Nicaragua v. Colombia) Sketch Map No. 2
Territorial and Maritime Dispute (Nicaragua v. Colombia)
Sketch Map No. 3

Sketch-map No. 3: Delimitation claimed by Colombia
This sketch-map has been prepared for illustrative purposes only.
Mercator Projection (12° 30’ N) WGS 84
Territorial and Maritime Dispute (Nicaragua v. Colombia)
Sketch Map No. 8
Territorial and Maritime Dispute (Nicaragua v. Colombia)
Sketch Map No. 9
Territorial and Maritime Dispute (Nicaragua v. Colombia) Sketch Map No. 11