

Protecting Closed and Semi-Closed Seas in Armed Conflicts (Case Study: The Persian Gulf)

Momtaz, Jamshid¹; Alizadeh, Masoud²; Zarneshan, Shahram^{3*}

1- Professor in International Law, University of Tehran, Tehran, Iran. Email: djmomtaz@yahoo.com

2- Assistant Professor in International Law, Payam Noor University, Semnan, Iran. Email: massoud.alizadeh1@gmail.com

3- Assistant Professor in International Law, Bu-Ali Sina University, Hamedan, Iran. Email: sh.zarneshan@basu.ac.ir

Received Date: July 15, 2017

*Corresponding Author

Accepted Date: December 27, 2017

Abstract

Closed and semi-enclosed seas possess significant standing in the international environmental law and are referred to in the 1973 Convention as "Special Zones." For this reason, efforts have been made in the various issues of the law of the seas and environmental law in order to develop a particular regime for them. The Persian Gulf, as a semi-closed sea, is one of the zones for which there have been attempts to define a sui generis since the 1970s in cooperation with the States of the region. The Kuwait Convention and its four protocols are a clear examples of this cooperation. However, the existence of regional tensions has always been a negative factor in order for these mechanisms to have failed. There are still serious questions about the 1973 Convention from legal perspective. A serious legal question on this subject is about the impact of war on the applicability of Kuwait Convention during that armed conflict. This paper tries to provide an overview of regional environmental protection mechanisms in the Persian Gulf region, with the aim to provide an answer to the regional environmental obligations of the States of the region in the event of occurrence of a regional conflict.

Keywords: *Law of the Sea, Marine environment, Armed Conflict, Persian Gulf.*
