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# Prevention and management of marine pollution in malacca strait through the littoral states cooperation

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Differences between the littoral states regarding the status of the Malacca Strait result in disharmony and inconsistencies in handling spatial planning and preventing marine pollution in the strait. International cooperation with user countries carried out so far is also not optimal due to conflict of interests. Using a normative juridical approach and secondary data of the provisions of United Nations Convention on the Law of the Sea (UNCLOS) 1982 and the Declaration of the Three Strait States, the Malacca Strait is under the sovereignty of the littoral states and used for international navigation with transiting passage. Spatial planning in the Malacca Strait, which results in overlapping uses for cross-fishing vessels, conservation, and traditional fishing, cannot be performed because the problem of maritime boundary determination has not been resolved by the littoral states. Tripartite cooperation needs to continue to be built through agreements that not only bind the littoral states but also the user states. © 2020, Yijun Institute of International Law. All rights reserved.

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# Prevention and Management of Marine Pollution in Malacca Strait through the Littoral States Cooperation

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Nanik Trihastuti\* & Stephanie A. Putri\*\*  
& Pulung W. H. Hananto\*\*\*

*Differences between the littoral states regarding the status of the Malacca Strait result in disharmony and inconsistencies in handling spatial planning and preventing marine pollution in the strait. International cooperation with user countries carried out so far is also not optimal due to conflict of interests. Using a normative juridical approach and secondary data of the provisions of United Nations Convention on the Law of the Sea (UNCLOS) 1982 and the Declaration of the Three Strait States, the Malacca Strait is under the sovereignty of the littoral states and used for international navigation with transiting passage. Spatial planning in the Malacca Strait, which results in overlapping uses for cross-fishing vessels, conservation, and traditional fishing, cannot be performed because the problem of maritime boundary determination has not been resolved by the littoral states. Tripartite cooperation needs to continue to be built through agreements*

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*that not only bind the littoral states but also the user states.*

### **Keywords**

Optimization of Cooperation, Malacca Strait, Littoral States, Marine Pollution

## **1. Introduction**

As a strait used for international navigation, the Malacca-Singapore Strait is narrow, windy, and crowded with a shallow level of less than 23 m. The capacity of the strait is not fully accommodating giant tanker ships because they becoming bigger and longer. This shallowness is very dangerous for giant ships with a load of more than 19 m. In the section of the Singapore Strait that is only 1.7 km wide, only 1.3 km can be traversed, whereas in the Philip Channel, only about 800 m wide can be navigated. Sea currents in the Malacca Strait can reach speeds of 3 nautical miles (nm) with irregular changes in speed. Consequently, the Malacca Strait has the highest number of sea accidents in the world. In the period 1970-2015, no less than 200 cases of ship collisions occurred in the Malacca Strait, some of which involved large vessels. If an oil spill occurs, then it will reach a sensitive area within a matter of hours.<sup>1</sup> For the record, the sea currents in the Malacca Strait are quite swift, averaging about 5 nm per hour (knots), and the current direction depends on time or season. This means that the territorial waters of the strait can possibly return to “clean” quickly if an oil spill occurs or hazardous and toxic materials are found in the Malacca Strait because the oil spill is carried by ocean currents and waves caused by ships passing by.<sup>2</sup>

The high activity of ship traffic also increases siltation in the Malacca Strait, not only because where the sea still functions as the largest trash bin in the world for the dumping of garbage from ships to the sea, but also because no facilities for garbage disposal from ships exist in the cities passed by or visited by foreign ships. The density of ship traffic in the Malacca Strait, in addition to the difficulty for coastal countries bordering the strait to utilize its natural resource potential, will also jeopardize the national security interests of the countries bordering the strait.<sup>3</sup>

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<sup>2</sup> C. Thia-Eng et al., *The Malacca Straits*, 41(1-6) *MAR. POLLUTION BULL.* 160-78 (2000).

<sup>3</sup> E. Pratomo, *Indonesia–Malaysia maritime boundaries delimitation: a retrospective*, 8(1) *AUSTL. J. MAR. & OCEAN*

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# Kuwait's Anti-Corruption Body (Nazaha): Some Aspects from the Perspective of International Law

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**Thaqal S. Al-Ajmi\*** & Ali S. Alnami\*\*

*This paper focuses on critical anti-corruption measures taken by the State of Kuwait and the international community, specifically as they relate to the implementation of the United Nations Convention against Corruption (UNCAC). Specific provisions of Nazaha Law, particularly those related to crimes and persons under its jurisdiction, are compared to the UNCAC, shedding light on the inherent advantages and disadvantages of the Law and whether the law constitutes a sufficient domestic anti-corruption measure. By focusing on specific statutes and related jurisdictional matters, significant discrepancies between Nazaha Law and the UNCAC are noted. Kuwaiti legislators should immediately consider these discrepancies to ensure a more effective domestic policy in the global campaign against corruption. This paper comprises five parts including the Introduction and Conclusion. Part two will detail the various types of corruption covered by the Nazaha Law. Part three will focus on the persons covered under Nazaha jurisdiction. Part four will expound the issues of legal jurisdiction.*

## Keywords

Anti-Corruption, Kuwait, UNCAC, Convention against Corruption, Nazaha, Bribery, Crimes, Offenses, Implementation, National Law, International Law, Public Official, Money Laundering

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