

SUMMARY

In the doctoral dissertation there was conducted a multi-aspect analysis of the applicable legal provisions, which enabled to assess – in the context of contemporary phenomena occurring in specific straits – to what extent the analyzed provisions constitute a sufficient standard to ensure security of maritime navigation in international straits. The phrase “binding legal provisions” should be understood as part III of the Convention on the Law of the Sea and so-called special international agreements that regulated maritime navigation in specific international straits. The analysis of legal provisions was preceded by discussion of specific phenomena, that constituted a so-called “instrument” for examination of effectiveness, topicality and level of precision of the analyzed legal provisions. Presenting causes, main tendencies and statistics regarding piracy, maritime terrorism, armed activities and the inflow of irregular migrants enabled a broader understanding of threats to security of maritime navigation in international straits.

Threats to security of maritime navigation, resulting from the discussed phenomena, enabled to conduct a critical analysis of the legal regime of transit passage, the legal regime of innocent passage and legal provisions provided in the so-called special international agreements. The analysis of these provisions was conducted on the example of the study of particular international straits, such as: Straits of Malacca and Singapore, Strait of Tiran and Turkish Straits. Considerations provided in this dissertation allowed for a critical assessment of legal regulations concerning international straits in the context of the influence, that the abovementioned phenomena – piracy, maritime terrorism, armed activities and the inflow of irregular migrants – have on the security of maritime navigation on their waters. Study of particular international straits enabled to identify, along with some imperfections in the text of specific international agreements, other factors (e.g. political) that condition the security of maritime navigation in international straits.