

# Conflicts of Interest in Carrying Out Trade and Implementation of Rights Between the Landlocked States and Coastal States

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## Abstract

Sea is common for all and every state can exercise their rights and obligations, but for some states due to their geographical structure they are surrounded by other states which is addressed as landlocked state. The states which are surrounded by water is known as coastal states. In other words, it could be defined as states where it is fully surrounded by land but they cannot directly access the seas. As a result, it prevents them for exercising sovereignty overseas, carry out maritime transactions unlike coastal states. In order, to exercise such rights they have to completely rely on the coastal state, therefore it arises an obligation for the land locked states to maintain a good diplomatic and friendly ties with the coastal states irrespective of their difference in opinions and customs. Therefore, there arises an international legislative framework which prescribes rights and duties of coastal states towards land locked states and vice versa. Further, to fill this gap UNCLOS was brought into picture, which clarified the legal status of land locked states and rights and obligation of coastal states. Therefore, the central agenda of this paper is to analyses the conflicts occurring between costal and land locked states in sharing the seas. Further, it tries to assess the effectiveness of exercising the rights of land locked states and how far the international cooperation agreements are enforced. Finally, the paper tries to conclude by suggesting the better ways if needed, for establishing better cooperation among land locked and coastal states.

**Keywords:** Land locked State, Coastal State, UNCLOS, International agreement and Cooperation.

## I. Introduction:

Access to maritime are is among the issues most frequently raised in international talks relating to landlocked countries and has been traced back a long way in history. Besides geography, law, economics, and diplomacy are also involved. Their use is not the same, even though the oceans are considered the common heritage of mankind. Those living by the coast have direct access to sea trade and the ocean's resources, whereas those without access to the sea are reliant upon their neighbors to enter world markets. This geographical disparity is the main problem behind the occurrence of conflicts which still continue nowadays. In the majority of times, coastal states are looking for ways to strengthen their sovereignty through control over their sea areas while landlocked nations require guaranteed transit rights at a fair price.

In order to overcome these disparities, international regulations specifically United Nations Convention on the Law of the Sea (UNCLOS) set principles that recognize landlocked states the right to have access to the sea and be allowed free transit. Nevertheless, the practical realization of these principles is not that

straightforward. Legal recognition is not the only factor in access; political goodwill, infrastructure development, and regional stability also matter. The signing of diplomatic agreements depends as much on the relations between the countries and the economic negotiations as on the international commitments. The negative sides of being a landlocked nation could seriously affect the economy, especially that of the country. In particular, landlocked developing countries face the challenge of high transportation costs, longer shipping times, and are greatly dependent on the infrastructure of the transit states. These difficulties make their trade competitiveness decline and the local economies become more susceptible to political crises or changes in policies of the neighboring countries. On the other hand, coastal states are able to benefit from transit services, port charges, and by controlling access giving rise to conflicts at times when domestic priorities prevail over broader cooperation commitments.

The political angle further complicates the matter. A landlocked state is most often in a powerless position during the negotiation process and has to rely on the kindness of its richer and more powerful neighboring coastal states. One of the consequences of diplomatic conflicts is that they can escalate very quickly to trade barriers or blockades that bring along negative economic and social effects. Bolivia's struggle for a maritime outlet has been going on for a very long time and the instance of Nepal which depends on Indian ports are some of the historical, and recent cases respectively, where issues of sovereignty, national identity, and geopolitics mix to make the matters of legal rights and responsibilities more complex.

The conflicts also differ in terms of the issues they raise including shared resources and regulations. Current exclusive economic rights such as the ones found in the Exclusive Economic Zone belong to coastal states, but landlocked countries could argue that they are entitled to fair access to specific resources. The transit of energy through pipelines or shared port services seems to add more complications as legal rights become linked with economic, and environmental concerns. Moreover, aside from being legitimate, environmental and security regulations can also function as non-tariff barriers that cause the smooth transit of landlocked countries to be hampered.

Disputes resolution and promotion of cooperation are among benefits that international courts as well as multilateral programs bring about. International agencies like the International Court of Justice and the World Trade Organization offer parties to the conflicts legal avenues, yet such recourses have limitations in terms of cost, time, and politics. The most viable means for resolving the conflicts are regional agreements and bilateral deals which have the effect of process streamlining, infrastructural improvement, and setting up the mechanisms for dispute resolution. Worldwide recognition of these problems can be seen in the Almaty and Vienna Programmes of Action which, however, are mostly dependent on the political will of the states concerned for their implementation.

This study, with the conflicts of interest in trade and rights implementation between landlocked and coastal states as the background, is about the management of structurally geographically disadvantaged through international legal frameworks, regional cooperation, and economic arrangements. Along with legal rights, this research also undertakes the survey of political realities, infrastructural challenges, and institutional asymmetries that affect the implementation of those rights in the real world.

The main question, in the end, is whether international law and collaborative instruments can effectively bridge the gap between the formula and reality. Although legal frameworks are necessary for setting up the foundations, real change has to come from a multidimensional approach that integrates law with diplomacy, infrastructural investment, and institutional reform. The change of the relationship between landlocked and coastal states from one of conflict to that of mutual benefit and shared development necessitates trust-building and the aligning of incentives which are the features of coexistence rather than

rivalry and the continuation of conflicts which have been the characteristics of it in the past.

## II. Definition:

The system related to landlocked and transit states under the United Nations Convention on the Law of the Sea (UNCLOS) is organized in a way that it is set by balancing their rights and obligations. Coastal states are not explicitly defined in the Convention but are mentioned in numerous provisions like Articles 2–16 (Territorial Sea), Articles 55–75 (Exclusive Economic Zone), and Articles 76–85 (Continental Shelf), which, taken together, define their rights, obligations, and jurisdiction. On the other hand, landlocked states are defined in detail in Article 124(1)(a) as "a State which does not have a sea-coast," that is a politically independent state which is wholly encircled by land and does not have a direct connection to the open sea. This clear-cut description mirrors the geographical dependency of landlocked states by their nature, as they have to depend on their coastal neighbors who have the right of free passage to and from the sea.

The fundamental right of access is expressed in Article 125(1), which states that "land-locked States shall have the right of access to and from the sea for the purpose of exercising the rights provided for in this Convention, including those relating to the freedom of the high seas and the common heritage of mankind." Furthermore, Article 125 specifies that this privilege is to be carried out via "freedom of transit by all means of transport" and transit states are under the duty to give assistance for the free movement to be possible. Moreover, Articles 126–132 define the terms under which landlocked states have the right to partake in the exploitation of marine resources on an equal basis and should not be discriminated against. However, despite the legal provisions, landlocked states teeter on having to confront severe challenges in exercising their transit rights. Access is thus very much at the mercy of the neighboring coastal states' willingness, meaning that political hostilities or badly serviced infrastructure can rapidly erode the realization of treaty-based rights. Administrative and financial obstacles, particularly in the area of customs, continue to be present in various localities although Article 127(1) explicitly forbids the imposition of customs duties and the levying of charges on traffic in transit. The aid given to landlocked states is also of a nature that is not always equitable and is usually conditioned by local politics or the bargaining power of the specific state rather than the legal standards that apply across the board. In addition, some landlocked states during the periods of diplomatic confrontation with their transit neighbors experience situations in which they undergo complete trade blockages and as a result, their economies become disproportionately susceptible to external pressure.

I can easily point out that these facts put a spotlight on the fundamental dark side of UNCLOS its legal system and the practical application thereof are poles apart. Even though UNCLOS gives landlocked states the formal rights of access, the freedom of transit, and the non-discrimination clause, they still remain subject to the influence and transit states have to execute on their behalf a situation that is perpetually exposing them to vulnerabilities and thus further eroding their economic stability and diplomatic leverage in the international system.

## III. Rights of the land locked states under the UNCLOS

### Right of access and Freedom of transit:

The freedom of access and transit under Article 125 of UNCLOS stipulates that land-locked States shall have access to and from the sea and enjoy freedom of transit "by all means of transport," but this right is exercised peacefully and with cooperation with the neighbouring transit State (Bayeh, 2015). In practice,

this right is neither absolute nor self-executing since it heavily relies on political relations and operational arrangements. There are several case studies which highlights this issue, the most notable case study is Bhutan where it possesses no rail connection to India, its commerce passes freely through the port of Calcutta under a peculiar system in which Royal Bhutan Customs, not Indian Customs, handles Bhutanese cargo at the port, providing little bureaucratic resistance and easy passage for good (Farque, 2020). This illustrates Article 125 of UNCLOS intent of ensuring unrestricted access through cooperation and administrative creativity. Further, in Nepal's experience, however, indicates that this right can be tenuous if bilateral relations go into decline. Despite the existence of several treaty-based corridors through India and access to Calcutta and Haldia, Nepal was subjected to a de facto blockade in 1990 when political tensions with India resulted in trade restrictions causing acute economic hardship, demonstrating that freedom of transit is not only dependent upon legal recognition but also on the attitude of the transit State. Ethiopia's post-war shift from Eritrean ports to Djibouti is another illustration of how loss of trust and conflict can suddenly change transit geography, compelling land-locked nations to look for other routes at significant expense, despite the existence of the legal right of access in principle.

#### **Bilateral and Multilateral Agreements:**

Article 125 of UNCLOS contemplates commercial means of extracting and enjoying this right from drones of bilateral or multilateral agreements to give effect to this right, most land-locked States have comprehensive treaties to delineate routes, procedures and security agreement (THOMAS SNOW, 2003). These treaties effectively clarify access through technical aspects and concrete modalities with customs procedure, documentation and use of infrastructure. A working example of such treaties was evident in Southern Africa, which saw the doors of both Mozambique's Beira and Nacala corridors close during the civilian war; a situation which had Malawi stranded without access to the sea, and being forced to re-route its freight through Durban and Dar es Salaam, at enormous cost to transport and insurance (Onon, 2020). Following the civil war, both corridors were re-opened, but both rehabilitation projects were initiated and funded by both multilateral development banks and bilateral governments. Support from SADC and COMESA treaties were fast-tracked directives to harmonize road transit documents, insurance and driver licensing turning the legal right back into a functioning trade route. A comparable situation occurred in Nepal, with the establishment of the Birganj Inland Container Depot - through bilateral cooperation with India allowed the Birganj Inland Container Depot to connect to the Indian railway system, and outfitted with modern customs systems, arrived to speedily process freight resulting in reduced delays and transaction costs. As demonstrated by these and other similar examples, continued multilateral and bilateral instruments (Dubey, 1965) with physical infrastructure such as dry ports or upgraded corridor, for converting the normative right of access a genuine economic opportunity.

#### **Sovereignty of Transit states:**

The sovereignty of transit States is entirely retained under international law to enable them to adopt all measures necessary to safeguard their legitimate interests as long as they do not arbitrarily refuse transit (Sinjela, Freedom of transit and the right of access for land-locked States: The evolution of principle and law, 1982). This sovereignty is considered to be a double-edged sword which is crucial for security and public order but can also be exploited for political leverage. India's power to deny Nepal access at times of diplomatic tension illustrates how sovereignty provides the transit State crucial power over the land-locked State's economic lifeblood. The same forces exist in the historic rivalry between Bolivia and Chile, as historical conflicts from the War of the Pacific resurface to influence negotiations concerning Bolivia's corridor to the Pacific, illustrating how concerns about sovereignty can restrict effective enjoyment of

transit rights for more than a century ((UNCTAD), 2003). Regional sanctions against Burundi in 1996 further illustrate how neighboring States can collectively use their sovereign control over transit routes to pressure a land-locked country, severely affecting its economy until sanctions were lifted. Even Ethiopia's post-conflict dependence on Djibouti's corridor shows that, while Ethiopia retains the legal right of access under UNCLOS, Djibouti's sovereign control over infrastructure and regulation allows it to set terms that Ethiopia must accept (Milic, 1981). These circumstances together highlight that access and sovereignty are always at disputes where the transit State's cooperation is necessary before the land-locked State can meaningfully exercise its right, but the transit State has to ensure that its legitimate interests are not prejudiced, balancing international duty with internal priorities.

### **Rights across maritime zones:**

The Territorial Sea, as defined under UNCLOS, can be up to 12 nautical miles away from the baseline of a coastal state. Among this belt, the coastal state is able to exercise complete sovereignty as it does over its territory on land, but this sovereignty is qualified by significant restraints in the interest of the international community most significantly, the right of "innocent passage (Treves, 2015)" This right is accorded to all vessels, including those of landlocked states, to pass through the territorial sea as long as their passage will not be prejudicial to the peace, good order, or security of the coastal state. The sovereignty in this case is "subject to the Convention and to other rules of international law" and therefore is not absolute (UNCLOS Art. 2.3). Landlocked states' rights in this area that are particularly important for those wishing to access the open ocean are a result of reconciling coastal state sovereignty with demands of international navigation and trade. The coastal state may control navigation, enforce customs and immigration regulations, and conserve the environment but not deny innocent passage unless adequately justified. In reality, freedom of navigation in the territorial sea is jealously guarded but qualified by the stipulation that passage must be 'innocent.'

Outside the territorial sea lies the Exclusive Economic Zone, extending a maximum of 200 nautical miles from the baseline (STEPHEN C. NEMETH, 2014). The zone is a separate legal regime, and the coastal state is given "sovereign rights" but not sovereignty to explore, exploit, conserve, and manage natural resources, both living and non-living. The EEZ regime emphasizes the acknowledgment of both coastal and third states rights. Landlocked states are not completely free of benefits within the EEZs of their coastal neighbours. Further, it is noted that the landlocked and geographically disadvantaged states are entitled to an equitable participation in the exploitation of "the surplus" of living marine resources, whereupon agreements with the coastal state (UNCLOS Art. 69). In addition, the installation of submarine cables and pipelines of vital importance to international communications and energy transport is specifically allowed for all states, including landlocked ones, though the activities must be done with consultation from the coastal state about conditions for protection of the environment and resources.

There is a fundamental obligation on the part of the coastal state as well as third states including landlocked states into enjoy their own respective rights with "due regard" for each other. Coastal nations should not let their exercise of sovereign rights infringe on acknowledged freedoms such as navigation or cable laying unjustifiably, but other nations should abide by resource management and environmental rules imposed by the coastal nation. Disputes can occur regarding whether a particular activity e.g., bunkering, hydrographic surveying is subject to coastal state authority or is allowed as a freedom of the high seas; these are more and more resolved by international tribunals.

The High Seas begin after national jurisdiction boundaries, which are typically the EEZs or territorial seas, and are governed by the principle of freedom for all states (Scovazzi, 2004). Landlocked and coastal states

are treated equally in that all states may enjoy the rights of navigation, overflight, fishing, marine scientific research, and the laying of cables and pipelines. High seas freedoms only grant “rights to claim non-interference by other States” and neither coastal nor landlocked states may claim or exercise sovereignty over a part of High Seas (UNCLOS Art. 89).

These freedoms are not absolute they must be exercised “with due regard” to the interests of other states. This is stated in UNCLOS and applies to many forms of use. For example, “with due regard” would apply to navigation, exploiting resources, and using navigable waters for military purposes. States must also cooperate in conservation of marine living resources and must protect and preserve the marine environment. Landlocked states have the same opportunities to engage in the same activities on the high seas as coastal states because of their merchant fleets i.e., registered vessels (McDonough, 2024).

The "Area" denotes the deep seabed situated beyond the boundaries of national jurisdiction, as characterized by UNCLOS (Art. 1) and its associated resources have been broadly accepted as the "common heritage of mankind." It is governed by the International Seabed Authority (ISA), it cannot be acquired by a State, and equal access to participation in resource-related activities is afforded to all states, regardless of landlocked status (PROELSS, 2018). Involvement in the Area has specific importance for developing and landlocked States because UNCLOS (Art. 140, 148) guarantees them preferential treatment related to sharing in the benefits derived from it, including financial gain and technology transfer (Erik J. Molenaar, 2009). The sustainable utilization of mineral resources, research in the Area, and advancements about technology are all structured to benefit all of humanity, and there are specific pathways to develop capacity and economic opportunity in disadvantaged states.

#### **Access in practice: Facilities, Administration and costs**

While landlocked countries do have a well-entrenched right to access the sea under the law of nations, in practice they continue to encounter significant obstacles like bureaucratic complexities, customs charges, transit fees, and few dedicated port facilities, which render sea trade expensive and unproductive. Therefore, their access tends to be based on negotiated arrangements with transit and coastal states and is as much a function of neighbors' goodwill and administrative infrastructure as international obligation, resulting in delays, additional costs, and lower competitiveness in foreign markets.

#### **IV. Economic Dimensions and Development in Coastal and Land-Locked States:**

The consequences of being a Land-locked state has an adverse impact on the economy. It extends far beyond geography as they shape the trade potential, development trajectory and global competitiveness of entire nations. Landlocked states often experiences some disparity such as disproportionately high transport cost, longer shipping time and structural dependence on the transit nations and policies of coastal states (International Seabed Authority, n.d.). While coastal states benefit from exclusive control over their EEZs but are sometimes implicated in disputes over maritime boundaries and resource rights with landlocked nations as they also have a vested nations in the marine resources. This section discusses some of the causes of conflict of interest between the LLDCs and costal states below:

##### **Trade costs, Delays and Cost Competitiveness:**

Access to seaports and the efficient transit logistics are essential for the global trade competitiveness. Several empirical studies and UN assessments shows that the duration and the cost of transportation for the LLDCs are substantially higher than the coastal economies. The Almaty Programme of Action by UN has analysed and estimated that the transit delays, the birder inefficiencies and higher transport cost materially increase export and import costs. It also emphasis that the addition of days in the transit can

reduce the value of shipment and erode the competitiveness (ERNESTA, 2020). The data analysis of World Bank document also highlights that the LLDCs face export and import durations markedly longer than the global average with associated costs that tend to result in lower trade volume and investment disincentives.

#### **Infrastructure Deficits and Investment Shortfalls:**

LLDCs economic marginalization is compounded by various infrastructure deficits such as inadequate roads, rail lines, storage facilities, custom modernizations and port handling capacity. Coastal neighbouring countries with better infrastructure can capture transit related rents such as port fees, logistics service cost, etc (Improving Trade and Transport for Landlocked Developing Countries, 2014). But the absence of co-ordinated regional infrastructure planning generates inefficiencies. Together, these gaps impede diversifications, industrializations and participation in global value chains. To counter these challenges, International financing from Multilateral and regional development banks and public private partnerships are essential but often constrained by governance, project bankability and geopolitical considerations.

#### **Economic Interdependence and Mutual Gains:**

Despite the potential scope for conflict, a structured and well managed transit arrangements yield mutual gains. Coastal states can benefit from transit fees, port activity, employment generation and secondary economic linkages, whereas landlocked states obtain market access and cheaper trade (Skouzes, 2023). Thus, from an economic standpoint, To create a win-win situation, methods such as aligning incentives through revenue sharing, co-investment in infrastructure and tariff harmonization will provide a balance in political and institutional barriers.

#### **V. Conflict of Interest in Trade Dimension between Coastal and Land-locked States:**

Land locked states(LLDCs) faces a complex array of trade related conflicts that arises from their dependence on transit through coastal or neighbouring transit states. Although in international law, Article 125 of UNCLOS and Article V of GATT guarantees the right of access and freedom of transit to the landlocked countries still the implementation of these rights are often hindered by sovereignty concerns and economic interest of the coastal states (esfaye Belay Takele). Beyond formal legal disputes, conflicts are also intensified by corruption, weak governance and lack of harmonized procedure all of which creates uncertainty and reduction in trade flow. Some of the common conflicts faced by the countries are:

##### **Transport and Logistics cost:**

Transport and logistics costs are among the top categories that cause conflicts, and these costs are always that much higher for LLDCs than for coastal or transit countries. The World Bank report named "Improving Trade and Transport for Landlocked Developing Countries" points out that the landlocked developing countries face much higher per-unit trade costs than what can be explained by mere physical distance. Besides the actual distance, these higher costs are due to numerous layers of transit expenses which include port handling, inland transport, and border clearance fees.

##### **Delays and Unpredictability:**

Another source of conflicts are delays and unpredictability. Many LLDCs suffers substantial delays at ports, border crossings and transit corridors. For example, goods destined for landlocked countries such as Uganda, Rwanda and Burundi spend more days in Dar es Salaam or Mombasa ports than other comparable shipments bounds for domestic markets. Such delays not only impacts the delay of shipment but also incurs the inventory and uncertainty cost which often leads to over stock by the lenders, lose of

perishable goods or paying premium for reliable but expensive transport modes.

#### **Non – Tarriff barriers:**

LLDCs often leads to confront non-tariff barriers such as inconsistent regulatory requirements, security checkpoints and sanitation or phytosanitary standards that are more stringently enforced in ways that effectively increase trade friction (Lejarraga, 2005). For Instance, informal payments, corruption and multiple inspection both official and unofficial are frequently reported along transit routes raising the effective cost of trade beyond what would be justified by actual regulatory burdens.

#### **Infrastructure bottlenecks:**

LLDCs also faces struggle of lack of infrastructure such as poor hinterland connections, bad roads or rail links, limited inland container handlings facilities and inadequate ICT connectivity which all contributes to trade inefficiencies. Even when the coastal states have modern ports, the value of those ports depends heavily on the corridor connecting them to these ports (Rahman, 2021). When transit states or LLDCs fails to invest in to corridors or to maintain them, the delay in movement of goods and costs increases placing the LLDCs at a disadvantage.

## **VI. Institutional and Political Challenges faced by Land-locked States:**

### **Power Asymmetry and Negotiation Leverage:**

The power of the principality is one of the recurring institutional challenges that are on the list of the power of asymmetry between many LLDCs and their coastal neighbors. States that are on the coast and have control over ports and maritime logistics are in that position which is often double edged because they can use it not only to get higher fees but to ask for political concessions as well (Michael L. Faye, 2004). LLDCs with limited diplomatic leverage and small export bases are those that can become subject to coercive or extractive behaviour by the coastal countries. The imbalance makes the process of negotiating bilateral agreements more complex and can turn these commercial disputes into political crises. The legal system by itself cannot solve the problem of power asymmetry, but as per studies by scholars, with the aid of strong regional institutions and external guarantees, the issue can be resolved.

### **Regional Organizations and Multilateral Support:**

Regional organizations, for instance, economic communities, customs union, and transit agreements have a major influence on conflict mediation and co ordinating policies. Effective regional frameworks have the potential to standardize requirements, fund shared border infrastructural projects, as well as rent out peaceful conferences for settling disputes. Besides that the contribution of multilateral development banks like the bank of Africa, the bank of Asia, the World Bank, and other agencies of the United Nations in providing the fund for the development of the infrastructure and delivering technical assistance is very instrumental. In fact, the Almaty and Vienna programmes, as well as the conventions, were formulated to provide a stronghold for this type of multilateral intervention but their achievements are totally dependent on political will and project implementation.

### **Diplomatic Risk: Transit as a Geopolitical Tool:**

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#### **Dispute settlement: Legal Remedies and Practical Limits:**

The availability of international adjudication offers legal pathways to resolve certain disputes. Some of the dispute settlement forms such as ICJ, ITLOS and WTO's Dispute settlement body offers an international forum to adjudicates and settle disputes in an amicable way (Understanding on rules and procedures governing the settlement of disputes). However, many transit conflicts are resolved politically or administratively because litigation is costly, slow and may not produce enforceable solutions that address underlying infrastructural or administrative constraints. In the case of *Bolivia v. Chile*, it is demonstrated before the International Court of Justice that the limits of adjudication where historical grievance and political context overshadow clear legal entitlement. The ICJ has found that Chile had no obligation to negotiate sovereign access with Bolivia. This example shows both the potential and the constraints of judicial remedies in transit access disputes.

### **VII. Conflicts arise from Resource Access between States:**

#### **Shared maritime resources and port services:**

Sometimes, the needs of landlocked states go beyond the simple physical transportation of goods; they also include claims regarding the shared use of maritime resources and services (e.g., access to port terminals, fisheries processing, or revenue from offshore activities that depend on port services) (Cassia Bömer Galvao a, 2016). Although landlocked states' right of access to and from the sea as well as their freedom of transit are affirmed by UNCLOS, which primarily recognizes coastal states' sovereign rights over maritime zones, practical arrangements (agreements, concessions, revenue sharing) must close that legal gap (Bayramov, 2018). In reality, port terminals are usually operated under long-term leases or concessions that divide revenues, priorities, and operating guidelines; if these agreements are not specifically regulated or if concession contracts give preference to domestic carriers or investors, they may disadvantage specific foreign transit users. As a result, disputes frequently focus on who has priority access to berths and services, how port fees are determined and distributed, and how port authorities, concessionaires, and transit users divide up environmental or safety responsibilities. To prevent disadvantages for landlocked partners, these economic and jurisdictional disputes necessitate clear concession frameworks and explicit transit protections.

#### **Energy and resource transit:**

These conflicts arise from the fact that the transit of energy commodities (oil, gas, and electricity) and their associated infrastructure (pipelines, power lines) are strategic, expensive, and politically sensitive, and hence, have a different nature than the rest of the conflicts. Cross-border pipelines (fixed-infrastructure transit) that connect two different countries may be subjected to special regulatory regimes and long-term contracts distributing transit fees, liability, environmental risk, and dispute-settlement rules. Also, GATT Article V provides a general standard of freedom of transit for goods, but its implementation in the case of energy carried via fixed infrastructure is complicated from a legal point of view. Mining and industry experts therefore suggest the use of specially tailored treaty or contractual regimes along with specialized arbitration procedures for resolving disputes relating to energy transit. As energy transit has an impact on national security and revenue streams, disagreements between parties can escalate into political or economic conflicts when states fail to agree on clear tariffs, maintenance, or environmental regulations.

For instance, The East Africa Crude Oil Pipeline (EACOP) is a 1,443-kilometer project linking the port of Tanga in Tanzania and the oilfields of Uganda located along the lake basin. The landlocked country of Uganda, after contemplating a route through Kenya, chose Tanzania because of political, economic, and security factors, thus showing how stability in transit partnership is evaluated by LLDCs. Non-governmental organizations have raised concerns about social and environmental impacts of the project, citing pollution of the ecosystem, displacement, and lack of adequate compensation as some of the possible consequences. The accomplishment of the project is hampered by regulatory uncertainties, financial obstacles, and problems in transparency. EACOP is an example of the issues involved in the relationship between LLDC and coastal states, where the goals of resource transit and economic growth have to be balanced with the rights of communities, sustainability, and sovereignty.

#### **Environmental and Security concerns:**

Along ports and transit corridors, coastal and transit states lawfully implement security and environmental regulations aimed at preventing terrorism, invasive species introduction, marine pollution and smuggling. States and ship operators are required by instrument like the IMO's ballast water management convention to adhere to environmental standards, which occasionally call for extra inspections or port reception facilities (Anne H. Ehrlich, 2000). Even though these protections are essential, they may effectively turn into trade barriers if they are applied disproportionately, enforced on an as-needed basis, or are not coordinated with transit partners. Ad hoc security holds, uncoordinated inspection regimes, and excessively onerous sampling, for instance, can cause delays in cargo, increase the cost of perishable goods, and be interpreted by landlocked partners as non-tariff restrictions. Therefore, transparent risk assessments, standardized procedures, technical cooperation, and joint investment in compliant infrastructure (e.g., certified reception facilities, standardized inspection protocols) are necessary to reconcile environmental and security imperatives with the principle of predictable, non-discriminatory transit.

### **VIII. Case studies and Regional Analysis:**

#### **Afghanistan:**

Due to its fact of being a landlocked, Afghanistan had to depend on Pakistan for access to the sea through the ports of Karachi and Gwadar. But, Afghan business has been obstructed by the political conflicts and the frequent border closures leading to higher costs and less predictable goods transit. By partnering with Iran and India, Afghanistan can now use the port of Chabahar in Iran as an alternative route to the global markets. Dependency on Pakistan has been reduced but there are some drawbacks like the security issues which include US sanctions against Iran and lack of proper infrastructure on the roadways. Pakistan's monopoly over the transit gives her the upper hand in the trade with Afghanistan while Afghanistan desires to spread the different ways of transit so as to be able to resist economically. This results in a conflict of interest (Rahim, 2021). The deal is also influenced by India's strategic intention to stay away from Pakistan. Therefore, the situation of Afghanistan is a case that shows transit rights being an economic issue that also gets involved with geopolitics, sovereignty and regional rivalries.

#### **Uganda:**

Uganda, a landlocked nation in east Africa relies on two major maritime trade routes: the central corridor which passes through Tanzania's port of Dar es Salaam and the northern corridor which passes through Kenya's port of Mombasa. Although free movement is encouraged by regional frameworks such as Eastern African Community, Uganda traders encounter non-tariff barriers, high costs and delays. Kenya

has made significant investments in the standard gauge railway which runs from Mombasa to Nairobi and beyond to Uganda. However, the railway's effectiveness has been hindered by disputes over funding freight rates and infrastructure bottlenecks. In the same way Tanzania's central corridor is still underdeveloped with heavy traffic and protracted bureaucracy. The conflict of interest arises from the coastal states preferences for their own port earnings, regulatory oversight and logistics sectors, sometimes at the expense of Uganda's need for economical and effective transportation. Hence Uganda's case shows that the LLDCs must rely on the regional cooperation and infrastructure harmonization to minimise trade frictions (Kabali, 1999).

#### **Bolivia:**

Bolivia became permanently landlocked after Chile won its coastline during the war of the Pacific 1879 to 1884. Since then, Bolivia has attempted to reclaim its sovereign access to the Pacific Ocean arguing that Chile had established a duty to negotiate such access through previous diplomatic discussions, Bolivia petitioned the International Court of Justice in 2013 to order Chile to engage in negotiations for sovereign sea access. However, despite decades of diplomatic talks between the two nations the International Court of Justice declared in its 2018 ruling that Chile had no legal duty to negotiate. Although the court recognized Bolivia's political and economic difficulties, it underlined that without explicit treaties, political commitments or old grievances cannot be turned into legally enforceable obligations under international law. This case clearly highlights how historical conflicts, sovereignty and national identity can make transit disputes difficult to resolve legally (Obligation to Negotiate Access to the Pacific Ocean (Bolivia v. Chile), 2018).

#### **IX. Conclusion and Recommendations:**

The landlocked and coastal states face complicated trade and rights implementation conflicts that cut across legal entitlements, economic incentives, institutional capacity, and geopolitics. While the Almaty and Vienna Programs offer policy roadmaps for implementation, UNCLOS and GATT offer strong normative foundations that acknowledge the rights of landlocked states to access and freedom of transit. Legal rights by themselves, however, are not enough to bring about practical change; in order to overcome power imbalances, political will, standardized processes, infrastructure investment, and dispute resolution techniques are all necessary (Khanal, 2025).

Clearer regional agreements to operationalize rights, co-financed infrastructure and revenue arrangements, modernization of customs and logistics, and dispute-resolution procedures adapted to transit realities are all components of effective solutions, which will probably vary depending on the context. Landlocked and coastal states can both reap long-term economic benefits and lessen the frequency and intensity of conflict when they view transit as a mutually beneficial area rather than a zero-sum negotiation.

Based on the legal, economic, and political analysis above, the following recommendations aim to reduce conflicts of interest and strengthen the rights of landlocked states while respecting the legitimate interests of coastal states.

#### **Strengthen Regional Legal Frameworks and Implementation Mechanisms:**

Bilateral and regional treaties should put UNCLOS and GATT commitments into action with clear protocols on customs, transit fees, dispute resolution, and environmental protections. Model agreements and best-practice templates, such as common tariff schedules and time-bound customs clearance procedures, would reduce uncertainty and opportunism.

**Invest in Joint Infrastructure and Revenue-Sharing Mechanisms:**

Co-financed regional infrastructure, including corridors, rail, port terminals, and storage facilities, should be paired with revenue-sharing arrangements that align incentives. Public-private partnerships and involvement from multilateral development banks can improve funding and project sustainability.

**Modernize and Harmonize Customs and Border Procedures:**

Implement single-window systems, advance electronic documentation, conduct risk-based inspections, and mutually recognize customs controls to cut down on time and costs. Prioritize technical help and capacity-building funded by multilateral agencies, as suggested in the Almaty and Vienna Programmes.

**Establish Specialized Dispute-Settlement Mechanisms and Arbitration:**

Regional arbitration panels or specialized transit dispute tribunals could provide quicker, technical, and binding resolutions for transit disputes. These mechanisms should address legal violations as well as operational and administrative issues.

**Integrate Environmental and Security Measures into Transit Planning:**

Design cooperative environmental protections and security protocols that are transparent, proportional, and predictable. Joint committees and technical working groups can review requirements and minimize their impact on trade (Milic, *Access of Land-Locked States To and From the Sea Access of Land-Locked States To and From the Sea*, 1981).

**Leverage Multilateral Institutions and Development Financing:**

Mobilize UN initiatives, such as the Vienna Programme of Action, development banks, and WTO technical assistance to provide funding, capacity-building, and policy consistency. Conditional funding and performance-linked support can encourage reforms to reduce transit costs.

**Promote Data Transparency and Performance Monitoring:**

Create public performance indicators, including transit time, clearance durations, and cost per container, and publish corridor scorecards. Transparency reduces rent-seeking and allows for targeted interventions where bottlenecks are most severe.

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