

From Montreux to Hormuz

Sovereignty, freedom of passage, and the law of peace in the age of straits

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The article was published in the weekly T24.

April 2026

The core question behind straits regimes

The Montreux Convention Regarding the Regime of the Straits is one of the rare international instruments that reconciles Türkiye's sovereignty over the straits with the requirements of global maritime trade. For this reason, the issue is not merely about Istanbul and Çanakkale. The current crisis in the Strait of Hormuz brings the same fundamental question back to the forefront: how can a vital global chokepoint remain open without violating the security of the coastal state and without unleashing great-power rivalry?

Montreux does not offer a template that can be copied mechanically onto Hormuz. What it does offer is a powerful political-legal logic.

The real success of the straits regime

The historical importance of Montreux lies in the fact that it established the straits neither as a fully internationalized space nor as a completely closed national possession. The 1936 regime reorganized transit rules while safeguarding Türkiye's security. It preserved the principle of free passage for merchant vessels but imposed detailed limitations on warships in terms of type, tonnage, prior notification, and duration of stay in the Black Sea.

In doing so, it created a workable balance of interests between Black Sea littoral and non-littoral states.

Montreux should therefore be seen not merely as a technical convention but as a juridified form of the principle "Peace at home, peace in the world." Principles matter only when translated into rules that shape state behavior. Montreux achieved precisely that. It granted Türkiye the authority, in times of war, to restrict the passage of belligerent warships if it is not itself a belligerent; to regulate passage at its discretion if it is; and to exercise broader powers in case of imminent threat of war.

Thus, peace was anchored not in goodwill but in regulated precaution.

Montreux's real value during wartime

The true historical value of Montreux lies not only in its peacetime transit regime but in the legal shield it provided during wartime. Throughout the Second World War, Ankara exercised control over the Straits not merely as an assertion of sovereignty, but on the basis of an international legal framework.

This allowed Türkiye to avoid appearing as a state yielding to either Axis or Allied pressure. Instead, it could consistently respond that it was acting not arbitrarily, but in accordance with Montreux.

This point should not be underestimated. In the face of great-power pressure, the most important strength is often not military capacity but legal legitimacy. Montreux provided precisely that. It removed decisions from the raw terrain of political bargaining and relocated them into the domain of law.

During the war, this legal foundation enabled Türkiye to maintain not passive neutrality but an active space of maneuver. Montreux functioned not merely as a treaty, but as a diplomatic shield. Its real achievement was to generate a level of legal deterrence greater than Türkiye's military power alone could provide.

Peace, NATO, and Western integration

Montreux did not by itself produce peace in the Black Sea, but it made the breakdown of peace more difficult. A recent example is Türkiye's classification of Russia's 2022 invasion of Ukraine as "war" and its subsequent closure of the Straits to warships of the parties to the conflict.

Here, Montreux once again proved its value: Türkiye acted not as a corridor of a military bloc, but as a guardian of balance.

Its influence on NATO membership is indirect but significant. Soviet pressure after World War II regarding both borders and the Straits made clear that this was not merely a legal issue but one of sovereignty. While Türkiye's accession to NATO in 1952 cannot be reduced to the Straits question alone, the need to protect sovereignty over them was clearly central.

Similarly, Montreux is not the direct source of Türkiye's economic integration with Europe. Yet by positioning Türkiye as a state that maintains an open, rule-based, and predictable straits regime, it strengthens the geopolitical foundation of such integration. Stability in the security geography is a silent precondition of economic convergence.

Why great-power sensitivity is normal

It is therefore entirely natural that major geopolitical powers are highly sensitive to the openness of the Turkish Straits. The issue is not whether such interest exists, but under what regime it is managed.

Montreux's success lies precisely here: it acknowledges the importance of the Straits for global trade and security, yet it does not resolve this by eroding Türkiye's sovereignty. Instead, it places Türkiye's authority at the center, while framing it within multilateral rules.

In other words, Montreux does not deny great-power interests; it civilizes them.

Kanal Istanbul: not a bypass, but a grey-zone risk

The debate on Kanal Istanbul must be understood in this context. The official position maintains that the project does not undermine Montreux and that, as an artificial waterway, it would fall fully under Türkiye's sovereign authority.

However, the strategic objection lies precisely here. The issue is not whether the canal would abolish Montreux overnight, but whether it could open a new field of legal interpretation and pressure around it.

The economic logic is also questionable. If merchant vessels already enjoy free passage through the Bosphorus under Montreux, with pilotage and towage largely optional, how can a paid alternative waterway become attractive?

Thus, Kanal Istanbul is not merely an engineering or urban project. It is a geopolitical one, with the potential to introduce legal ambiguity into an otherwise stable regime.

The real risk is not abrupt abolition but gradual erosion.

Why Hormuz brings Montreux back into focus

The current Hormuz crisis makes Montreux relevant again. Roughly one-fifth of global oil trade and a significant share of LNG flows pass through the Strait. Recent tensions—attacks, mine threats, and navigation risks—have severely disrupted traffic.

International actors are calling for secure maritime corridors. Yet what exists today in Hormuz is not a stable, rule-based regime, but ad hoc security coalitions formed in response to crisis.

The legal contrast is stark. Montreux is a historically embedded, widely internalized treaty tailored to a specific strait. Hormuz lacks such a framework. Legal positions are more contested, and political trust is far weaker.

Can Montreux serve as a model for Hormuz?

The answer is: yes—but not as a text, rather as logic.

Montreux offers four key lessons:

First, it guarantees freedom of passage for commercial shipping while regulating military transit.

Second, it recognizes the legitimate security concerns of the coastal state without turning them into arbitrary closure powers.

Third, it prevents great-power rivalry from replacing the strait's own regime.

Fourth, it governs passage through predictable rules—notification, tonnage, duration, transparency—rather than constant crisis.

However, a “new Montreux” for Hormuz is unlikely in the near term. Unlike Türkiye's centralized authority in the Turkish Straits, Hormuz involves multiple coastal and external actors with overlapping interests.

A more realistic goal would be a “Montreux logic”: non-discriminatory commercial passage, prohibition of mining and attacks on civilian vessels, transparent notification rules for military transit, institutional consultation mechanisms, and possibly international verification.

What is missing today is not legal technique, but political trust.

Conclusion

Montreux is not merely a straits convention for Türkiye. It is a regime in which sovereignty is disciplined by reason, peace is institutionalized, and great-power pressure is absorbed through law.

The importance of the Kanal Istanbul debate lies in its potential to blur this established equilibrium. The importance of the Hormuz crisis lies in demonstrating that the same fundamental question persists today: strategic straits are governed either by raw power or by rules.

Montreux's greatest lesson is clear:

Freedom of passage can endure only without denying sovereignty, and sovereignty can endure only when bound by shared rules.

Türkiye's experience during wartime remains one of the most instructive examples of this principle in practice. What Hormuz needs is not a Turkish model in form, but a Montreux logic adapted to its own geopolitical reality.

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