



PUBLICATIONS ON OCEAN DEVELOPMENT

BRINGING NEW LAW TO OCEAN WATERS

edited by
David D. Caron and
Harry N. Scheiber

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Bringing New Law To Ocean Waters

Bénédicte Sage-Fuller



Bringing New Law To Ocean Waters:

Bringing New Law to Ocean Waters David D. Caron, Harry N. Scheiber, 2004-09-01 In this volume leading scholars and jurists in ocean law provide perspectives on the past record of legal change together with analyses of a wide range of institutional and legal innovation that are needed to meet current challenges The topics that are addressed here include policy process and legal innovation in marine fisheries management institutional capacity and jurisdictional conflict in ocean law adjudication regionalism and multilateralism in their various aspects the challenges posed by the sudden recent availability of technological access to underwater cultural heritage compensation for war related environmental damage and the problems associated with access to marine genetic materials Bringing new law to ocean waters the quest to adjust the legal order of the oceans to changing realities a quest that has produced both great achievements and grievous failures has constituted one of the major developments in international law in the last half century *The World Ocean in Globalisation* Davor Vidas, Peter Johan Schei, 2011-08-11 Have we already entered a new epoch the Anthropocene dominated by the impact of human activities What of the effects of increasing globalisation on the seas Thirty three experts on marine affairs and the law of the sea examine the emerging challenges for the World Ocean inquiring into developments prompted by globalisation in central issue areas of the law of the sea These are explored systematically in sections on the key challenges and developments in the interface of science economic uses and law Part I climate change and the oceans Part II sustainability of fisheries Part III challenges and responses related to global maritime transport Part IV and the regulatory responses to global challenges in seas surrounding Europe Part V *The Precautionary Principle in Marine Environmental Law* Bénédicte Sage-Fuller, 2013-07-18 The book examines whether the jurisdiction of coastal States under international law can be extended to include powers of intervention towards vessels posing a significant risk to their coastal and marine environment but which have not yet been involved in any incident or accident The book sets out how it is that coastal State jurisdiction can indeed be seen as including powers of intervention towards High Risks Vessels before an incident or accident happens on the basis of the precautionary principle The precautionary principle requires taking action when a risk of damage to the environment is suspected but cannot be confirmed scientifically The book thus considers the potential opportunities for the coastal state under international law to regulate international shipping where they consider vessels to an unacceptable risk to the environment in order to prevent or minimise the risk of occurrence of the accident or incident leading to damage The book acknowledges that this puts into question some very old and established principles of the law of the sea most importantly the principle of freedom of navigation But Bénédicte Sage Fuller contends that this change would itself be a consequence of the evolution since the end of WWII of on the one hand international law of the sea itself and of international environmental law on the other hand *Aspects of Illegal, Unreported and Unregulated Fishing in the Southern Ocean* Rachel Baird, 2007-06-01 IUU fishing the elements of which are discussed in detail further below in this Part hinders the

sustainable management of marine fisheries world wide Southern Ocean fisheries and in particular the Patagonian Tooth shark have been targeted by IUU fishers The text examines the response to the persistent problem of IUU fishing in the Southern Ocean by CCAMLR as the appropriate RFMO and Australia a State with vested interests in the Southern Ocean by virtue of the Heard and McDonald Islands EEZ This examination represents original work not only in the context of Southern Ocean fisheries but in the consideration of the linkages between regional and national measures to deter IUU fishing Faced with continued flag State inaction both the CCAMLR Commission and Australia have identified and applied a number of measures to deter IUU fishing These measures are examined in Parts 4 and 5 respectively Indeed the lack of flag State enforcement and the development and persistence of IUU fishing are inextricably linked a fact that will be pursued in depth in Part 2 along with the other factors identified as contributing to the development of IUU fishing

Yearbook International Tribunal for the Law of the Sea / Annuaire Tribunal international du droit de la mer, Volume 26 (2022), 2023-10-20 The ITLOS Yearbook 2022 provides information on the composition and organization of the Tribunal and reports on its judicial activities in 2022 in particular concerning Cases Nos 28 30 and 31 The Yearbook is prepared by the Registry of the Tribunal Le TIDM Annuaire 2022 fournit des informations sur la composition et l'organisation du Tribunal et rend compte des activités judiciaires de celui-ci au cours de l'année 2022 en particulier en ce qui concerne les affaires Nos 28 30 et 31 L'Annuaire est préparé par le Greffe du Tribunal

South Africa and the Law of the Sea Patrick H.G. Vrancken, 2011-08-25 Being at the confluence of the Atlantic Ocean the Indian Ocean and the Southern Ocean South Africa plays a considerable role in the smooth running of maritime commerce and the diverse efforts to ensure the sustainable development of the marine environment South Africa and the Law of the Sea brings together the many threads of the rich South African marine law tapestry by covering both the public international law as context and the details of South African marine law and policy within their African framework The result is a tool to foster implementation coordination and further research at the domestic level as well as a platform to facilitate comparative work to strengthen Africa's jurisprudence and influence in maritime matters

Legitimacy and Effectiveness in Global Economic Governance Biagio Bossone, Susanna Cafaro, Maria Chiara Malaguti, 2014-07-03 Coping with the challenges of global economic governance is a topical issue of the current international agenda and the object of a vivid debate among scholars and policy makers The international financial and economic crisis that erupted in 2007 reveals the fallibility of the neoliberal paradigm that has dominated the world economic landscape for the last quarter of a century regulatory and supervisory institutions have disclosed their weaknesses and markets have shown their limits in dealing with the rational allocation of risks and their lack of resilience to shocks This book offers a comprehensive view of this matter examining the dialectic and fluid relations between State sovereignty supranational rules and the role of markets The opportunity to deal with economic and regulatory challenges through the lens of legitimacy and effectiveness is the fil rouge of the co authors original contributions and the inner sense of the book This critical perspective results particularly in

investigating gaps and ambiguities of the institutional framework currently underpinning the major international economic organisations IMF WTO G20 EMU in re discussing the State s regulatory role in coping with the challenges of the global economy and in studying the contradictory interactions between financial paradigms and sustainability with regards to economic development policies

Conservation and Management of Transnational Tuna Fisheries Robin Allen, James A. Joseph, Dale Squires, 2010-02-16 Conservation and Management of Transnational Tuna Fisheries reviews and synthesizes the existing literature focusing on rights based management and the creation of economic incentives to manage transnational tuna fisheries Transnational tuna fisheries are among the most important fisheries in the world and tuna commissions are increasingly shifting toward this approach Comprehensively covering the subject Conservation and Management of Transnational Tuna Fisheries summarizes global experience and offers practical applications for applying rights based management and the creation of economic incentives addressing potential problems as well as the total level of capacity This reference work is divided into four parts beginning with an overview of the book including the issues property rights and rights based management The subsequent sections address issues arising with property rights discuss bycatch and cover compliance enforcement trade measures and politics Written by an expert team of international authors Conservation and Management of Transnational Tuna Fisheries will appeal to social and fisheries scientists and fishery managers in universities and research institutions government and non governmental organizations fisheries management bodies members of the fishing industry and international institutions

The International Law of the Sea Donald R Rothwell, Tim Stephens, 2023-08-10 Praise for the previous edition A complete overview of the subject which does not intimidate the reader but rather spurns interest and understanding in the subject European Energy and Environmental Law Review the book is scholarly yet accessible and very readable thoroughly recommended Law Institute Journal Description The law of the sea provides for the regulation management and governance of the ocean spaces that cover over two thirds of the Earth s surface This book provides a comprehensive assessment of the foundational principles of the law of the sea a critical overview of the 1982 United Nations Convention on the Law of the Sea and an analysis of subsequent developments including many bilateral regional and global agreements that supplement the Convention The third edition of this acclaimed text has been thoroughly revised and updated and now incorporates a dedicated chapter on natural and artificial islands All of the main areas of the law of the sea are addressed including the foundations and sources of the law the nature and extent of the maritime zones the delimitation of overlapping maritime boundaries the place of archipelagic and other special states in the law of the sea navigational rights and freedoms military activities at sea marine scientific research and marine resource and conservation issues such as fisheries marine environmental protection and dispute settlement The book also takes stock of contemporary oceans governance issues not adequately addressed by the Convention Overarching challenges facing the law of the sea are considered including how new maritime security initiatives can be reconciled with traditional navigational rights and

freedoms the need for stronger legal and policy responses to protect the global ocean environment from climate change and ocean acidification and work on a new agreement for the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction *Marine Scientific Research* Florian Wegelein, 2005-06-01 The present analysis examines the legal framework for marine scientific research with a focus on research platforms Oceanographers find themselves faced with a complex set of provisions governing their activities not only in waters of foreign jurisdiction As the riches of the oceans have become known to decision makers in coastal States international action has set the course for an ever tighter regulation of the sea uses Part XIII is analysed with respect to the remaining freedoms of research In addition the book provides an overview of air and space law relevant to research activities and their relationship with the 1982 LOS Convention Other international instruments are analysed for their significance in the context of customary law Examination of possible safeguards for research activities contained in Part XIII and XV dispute settlement complements the legal analysis of the 1982 LOS Convention Mutual trust and co operation within regional organizations are in conclusion the most promising avenues for a more favourable research climate The book addresses a legal and scientific audience which at a practical or academic level deals with the law of the sea at large and the regime of marine scientific research in particular

Bringing New Law To Ocean Waters Book Review: Unveiling the Magic of Language

In an electronic era where connections and knowledge reign supreme, the enchanting power of language has are more apparent than ever. Its ability to stir emotions, provoke thought, and instigate transformation is truly remarkable. This extraordinary book, aptly titled "**Bringing New Law To Ocean Waters**," published by a very acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound effect on our existence. Throughout this critique, we shall delve into the book is central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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