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The Changing International Law of High Seas Fisheries

FRANCISCO ORREGO VICUÑA

Changing International Law Of High Seas Fisheries

**Jan McDonald, Jeffrey McGee, Richard
Barnes**



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The Changing International Law of High Seas Fisheries Francisco Orrego Vicuña, 1999-03-04 This book examines legal economic and environmental developments including recent state and international practice The Changing International Law of High Seas Fisheries Francisco Orrego Vicuña, 1999 *Governing High Seas Fisheries* Olav Schram Stokke, 2001 The legal and political difficulties of managing fish stocks that straddle both national waters and the high seas were not abolished by the introduction of exclusive economic zones Here leading scholars of international law and international relations explain the wave of bitter disputes that arose in the 1990s over such straddling stocks They show how regional responses to those challenges shaped the negotiation of a 1995 UN Fish Stocks Agreement and helped strengthen the global high seas fisheries regime Keen attention is paid to whether and how evolving regimes meet the scientific regulatory and compliance related tasks of effective management and the significance of regime interplay in this regard Certain developments in international fisheries law particularly crucial to effective management of high seas fisheries are examined reconceptualization of the freedom of the high seas legal measures to control the harvesting of vessels flying flags of convenience the dispute settlement apparatus and emerging procedures for compliance control activities by others than the flag state These global developments are related to six regional case studies featuring management of straddling stocks in the Grand Banks off Canada the Southern Ocean the Doughnut Hole of the Bering Sea the Peanut Hole of the Okhotsk Sea the Loophole of the Barents Sea and the Banana Hole of the Northeast Atlantic Filling Regulatory Gaps in High Seas Fisheries Yoshinobu Takei, 2013-03-27 In *Filling Regulatory Gaps in High Seas Fisheries* author Yoshinobu Takei investigates the regime of high seas fisheries from the perspective of international law and considers whether there are regulatory gaps in high seas fisheries and if so how they should be filled The book focuses on topical issues such as the management of deep sea fisheries on the high seas and the protection of vulnerable marine ecosystems In view of the current state of marine fisheries resources together with ecosystem concerns swift and effective action is required to improve fisheries management in particular for high seas fisheries Takei thoroughly analyzes the current state of affairs and convincingly suggests steps to be taken in the future *International Courts and Environmental Protection* Tim Stephens, 2009-02-12 A comprehensive examination of international environmental litigation which addresses the major environmental challenges of the twenty first century **A Sea Change: The Exclusive Economic Zone and Governance Institutions for Living Marine Resources** Syma A. Ebbin, Alf H. Hoel, Are Sydnes, 2005-06-07 This is the first systematic assessment of the international 200 mile exclusive economic zone To date 145 states have ratified the Law of the Sea Convention and most have established EEZs This volume focuses on the specific nature of the EEZ and the construction and evolution of institutions stemming from its introduction specifically examining developments at local national and international levels **A Dual Approach to Ocean Governance** Yoshifumi Tanaka, 2016-03-23 Taking the North East Atlantic Ocean as an example of regional practice this

book addresses the dual approach to ocean governance in international law. It examines the interaction between zonal and integrated management approaches and the conservation of marine living resources and marine biological diversity. The study examines the limitations of the traditional zonal approach and suggests new possibilities for conformity between sovereign states, international law, and sustainable development.

Cases and Materials on the Law of the Sea Louis B. Sohn, John Noyes, 2021-10-25. *Cases and Materials on the Law of the Sea* is a thoroughly up to date text that will be used both as a classroom course book and as a treatise and reference guide. The text contains engaging teaching materials that systematically introduce law of the sea topics, placing them in the context of important themes about the roles of international law and international legal process. Historical materials of continuing importance appear alongside new materials that address such topics as maritime terrorism and port security, the protection of underwater cultural heritage, marine sanctuaries, deep sea vent resources, and the operation of the International Tribunal for the Law of the Sea, and other new international organizations. Published under the Transnational Publishers imprint.

Routledge Handbook of Maritime Regulation and Enforcement Robin Warner, Stuart Kaye, 2015-08-27. With advances in technology and maritime transport, human use of the ocean now extends beyond the traditional activities of navigation and fishing. Emerging activities such as bioprospecting, deep seabed mineral and hydrocarbon exploration and exploitation, offshore renewable energy developments, and marine scientific probes of deep sea areas challenge the applicability of maritime law and policy in new ways. This handbook examines current regulatory and enforcement instruments and mechanisms for different sectors of maritime activity. Covering various jurisdictions, its specially commissioned chapters are authored by some of the world's foremost authorities on maritime law and offer unique perspectives on maritime law, policy, and practice. This highly relevant collection is organised into four parts: International Law Considerations in Maritime Regulation and Enforcement; Role of States and other International Actors in Maritime Regulation and Enforcement; Regulation and Enforcement in Different Maritime Sectors; Current Issues and Future Challenges. This comprehensive reference work will be of interest to scholars and students of maritime law, practitioners, and non-lawyers interested in the regulation of offshore areas as well as policy makers.

Research Handbook on Climate Change, Oceans and Coasts Jan McDonald, Jeffrey McGee, Richard Barnes, 2020-12-25. This topical Research Handbook examines the legal intersections of climate change, oceans, and coasts across multiple scales and sectors, covering different geographies and regions. With expert contributions from Europe, Australasia, the Pacific, North America, and Asia, it includes insightful chapters on issues ranging across the impacts of climate change on marine and coastal environments. It assesses institutional responses to climate change in ocean and marine governance regimes, adaptation to climate impacts on ocean and coastal systems and communities, and climate change mitigation in marine and coastal environments. Through a plurality of voices, disciplinary and geographical perspectives, this Research Handbook explores cross-cutting themes of institutional complexity, fragmentation, scale, and design trade-offs.

International Law Malcolm Evans, 2010-06-24 Clearly and accessibly written this new text provides a valuable resource for undergraduate and postgraduate students of international law and covers subjects including the history theories and sources of international law as well as current areas of interest such as international criminal law

Changes in the Arctic Environment and the Law of the Sea Myron Nordquist, John Norton Moore, Tomas H. Heidar, 2010-05-03 While the Arctic Ocean has long been covered with ice recent changes in climate have caused the ice to melt spurring both conservation challenges to the region's environment and biodiversity as well as new opportunities for navigation and natural resource development *Changes in the Arctic Environment and the Law of the Sea* offers policy and legal guidance in response to these new challenges Synthesizing the presentations of leading experts at *Changes in the Arctic Environment and the Law of the Sea* meeting held in May 2009 in Seward Alaska the topics explored in this volume include the political context and scientific background marine transport environment and biodiversity in addition to offshore petroleum and the status of Spitsbergen A list of selected Internet resources provides links for additional websites as well as PowerPoint files from presentations given at the meeting *Changes in the Arctic Environment and the Law of the Sea* is based on the 33rd Annual Conference of the Center for Oceans Law and Policy a primary sponsor along with the Law of the Sea Institute of Iceland as well as with the U S Arctic Commission the University of Alaska Fairbanks and the Law of the Sea Institute Law School Boalt Hall University of California Berkeley

Global Environmental Change and Innovation in International Law Neil Craik, Cameron S. G. Jefferies, Sara L. Seck, Tim Stephens, 2018-06-28 Explores normative and institutional innovation in international law as a response to the challenges to global order posed by rapid environmental change

Enforcing the Common Fisheries Policy Ronán J. Long, Peter A. Curran, 2008-04-30 The main focus of this book is a review of how the Common Fisheries Policy is enforced throughout the Community with a discussion of its successes and failures Topics include the various rules and policies to be enforced the enforcement authorities in the Member States and their activities and strategies the role of the Commission and its approach to enforcement new developments in fisheries control the costs of enforcement and problem fisheries and non compliance generally

Fishing Entity Enforcement in High Seas Fisheries Ying-Ting Chen, 2014-10-21 The concept of a fishing entity is a new category of fishing actors separate from that of states in the international law of the sea The emergence of this new category provides a significant development towards a more flexible application of regulations regarding usage of the sea A fishing entity owns advanced technology and fishing skills and as such has an important role to play in global and regional conservation and management of fishery resources Despite this it is defined as being distinct from a state in the relevant legal documents resulting in unclear circumstances involving certain global and regional agreements which usually apply to the latter This ambiguity is particularly prevalent in legal procedures on the high seas when the sovereignty of a state comes into question such as boarding and inspection This book provides a detailed definition of the role of the fishing entity in the international law of the sea and its obligations and rights in high seas fishery

enforcements *Aspects of Illegal, Unreported and Unregulated Fishing in the Southern Ocean* Rachel Baird, 2007-06-01
IUU shing the elements of which are discussed in detail further below in this Part hinders the sustainable management of marine sheries world wide Southern Ocean sheries and in particular the Patagonian Tooth sh have been targeted by IUU shers The text examines the response to the persistent problem of IUU shing in 1 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 2 Southern Ocean sheries but in the consideration of the linkages between regional and national measures to deter IUU shing Faced with continued ag State inaction both the CCAMLR Commission and Australia have identi ed and applied a number of measures to deter IUU shing These measures are examined in Parts 4 and 5 respectively Indeed the lack of ag State enforcement and the development and persistence of IUU shing are inextricably linked a fact that will be pursued in depth in Part 2 along with the other factors identi ed as contributing to the development of IUU shing Managing Institutional Complexity Sebastian Oberthür, Olav Schram Stokke (jurist), 2011 The book a product of the Institutional Dimensions of Global Environmental Change research project IDGEC offers both theoretical and empirical perspectives *Research Handbook on International Environmental Law* Malgosia Fitzmaurice, David M. Ong, Panos Merkouris, 2010 an impressive volume and the editors have put together a high quality collection Research Handbook on International Environmental Law ought to be an invaluable reference source for both teachers and students of international environmental law in the years to come Web Journal of Current Legal Issues This wide ranging and comprehensive Handbook examines recent developments in international environmental law IEL and the crossover effects of this expansion on other areas of international law such as trade law and the law of the sea The expert contributors offer analyses of foundational issues in IEL such as responsibility for environmental damage sustainable development and the precautionary principle alongside studies in topical subject areas including marine protection and the law of international watercourses This Research Handbook offers an in depth analysis of IEL both as a field of law in its own right and as part of the wider system of international law It gives a comprehensive view of IEL in all its forms and complexity With thorough examination of specific environmental regimes and compliance mechanisms this Handbook will be an indispensable resource for legal scholars students and practitioners alike 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 *Promoting Sustainable Fisheries* Mary Ann Palma, Martin Tsamenyi, William Edeson, 2010-05-31 Illegal unreported and unregulated fishing or IUU fishing is considered one of the most significant threats to the sustainability of fisheries resources Since the adoption of the International Plan of Action to Prevent Deter and Eliminate Illegal Unreported and Unregulated Fishing IPOA IUU States and regional fisheries management organisations have made sustained efforts to address the problem This book analyses the concept of IUU fishing and the international instruments which provide the legal and policy framework to combat IUU fishing The book also examines the range of measures adopted by States and regional organisations to address IUU fishing These measures include flag State coastal State port State and market State measures

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