

STUDIES IN POLAR RESEARCH

Antarctic mineral exploitation

THE EMERGING LEGAL FRAMEWORK

FRANCISCO ORREGO VICUÑA



Antarctic Mineral Exploitation The Emerging Legal Framework

Oliver Dörr, Kirsten Schmalenbach



Antarctic Mineral Exploitation The Emerging Legal Framework:

Antarctic Mineral Exploitation Francisco Orrego Vicuna, 1988 In this book Professor Orrego Vicuna examines in depth the legal framework as it relates to the exploitation of Antarctic minerals *Antarctic Mineral Exploitation* Francisco Orrego Vicuña, 2008 The system of international co operation in the Antarctic has been evolving rapidly since the signing of the Antarctic Treaty in 1959 Inextricably linked to this co operation is the question of the rational management of Antarctic resources In this book Professor Orrego Vicuna examines in depth the legal framework the Antarctic Treaty sovereignty jurisdiction and the law of the sea as it relates to the exploitation of Antarctic minerals This is fast becoming a live issue with the ever growing potential for the development of these resources The first part of the book examines the main characteristics of the international legal framework governing the co operation of states in Antarctica particularly in relation to resource conservation Against this background in the second part of the book the regime for mineral resources is discussed in sufficient detail to identify the basic issues and interests which have to be accommodated in order to attain an acceptable convention The final part of the book considers the important set of questions raised by the interest of the world community at large in the Antarctic most significantly the initiatives concerning a broader international participation under the auspices of the United Nations

Transformative Novel Technologies in Global Environmental Governance

Florian Rabitz, 2023-09-07 Transformative Novel Technologies are potential gamechangers in confronting environmental crises but effective governance is essential

The International Legal Regime of Areas beyond National Jurisdiction

Erik J. Molenaar, Alex G. Oude Elferink, 2010-02-08 States and entrepreneurs are becoming increasingly interested in the economic potential of ocean areas beyond the national jurisdiction of coastal States namely the high seas and the Area This has led to growing support within the international community to enhance the international legal regime for those areas among other things to protect and preserve the environment and biodiversity However the current debate in international fora indicates that States have widely different interpretations on key aspects of this regime For instance what implications do the principles contained in the United Nations Convention on the Law of the Sea have for the governance and regulation of these areas how is access to natural resources best regulated how are benefits derived from these areas to be distributed and which specific institutional frameworks should be employed in the management of areas beyond national jurisdiction This work intends to contribute to a better understanding of the international law aspects of the ongoing debate on current and future international governance and regulation of areas beyond national jurisdiction To this end four specific topics are examined principles and objectives of the legal regime institutional arrangements for the legal regime entitlements to marine living resources and compliance with international regulations

Law-Making in the International Community

G.M. Danilenko, 2024-01-15 As the world approaches the end of the twentieth century it becomes clear that the global legal system governing relations between the members of the international community is passing through a period of profound change

The traditional lawmaking techniques established largely at the beginning of this century were constituted so as to provide for only gradual reforms within a limited and homogeneous community of states. Faced with a growing number of global problems, the international community has discovered that the traditional legal system lacks effective procedures for rapid generation of new international legal norms. Law Making in the International Community examines to what extent the transformations in the social and the legal infrastructures of the international community have affected the traditional rules determining how international law is to be made or changed. By focusing on actual state practice, official statements of governments and the pronouncements of the World Court, this book seeks to clarify the content and significance of the existing community consensus concerning the authoritative methods of lawmaking.

International Space Law in the New Space Era, 2024-07-15. The increasingly commercial nature of space activities and the intent of States to expand space travel have spawned renewed attempts of changing the foundations of space law, most of which originated in the twentieth century. Understanding the principles of international space law is essential for ensuring a sustainable future for all in outer space. *International Space Law in the New Space Era* addresses the international legal and regulatory aspects of outer space that govern developments in the field worldwide. It covers the five United Nations space treaties along with soft law and other policies. With contributions from established experts in the domain of space law, the volume encompasses the entire gamut of international space law while simultaneously addressing inadequacies that have arisen in light of current developments such as space commercialization, space tourism, and space mining. Space law as an academic discipline is gaining prominence in law schools across the globe, and this book is the result of a joint endeavour of two prominent Indian law universities, NUJS Kolkata and MNLU Mumbai, which have specialized centres in air and space laws. With its balanced mix of theory and practice, this book provides a timely and accessible resource to understanding international law not only for students and academics but also for policymakers, practitioners, and those working in the space industry.

Global Boundaries, Clive H. Schofield, 2002-01-31. First published in 2002, Routledge is an imprint of Taylor & Francis, an informal company.

The Antarctic Legal Regime, Christopher C. Joyner, Sudhir K. Chopra, 2025-01-27. [A Common Inheritance ?](#) Académie de Droit International de La Haye, 1997-10-17. The Academy is an institution for the study and teaching of public and private international law and related subjects. Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law. The courses deal with the theoretical and practical aspects of the subject, including legislation and case law. All courses at the Academy are in principle published in the language in which they were delivered in the *Collected Courses of the Hague Academy of International Law*. This volume contains:

- A Common Inheritance: An Examination of the Private International Law Tradition of the Commonwealth* by D. McCLEAN, Professor at the University of Sheffield.
- The Contribution of International Trade Law to the Development of International Law* by D. M. McRAE, Professor at the University of Ottawa.
- La conservation et la gestion des ressources de l'Antarctique* par F. FRANCIONI.

professeur à l'Université de Sienne To access the abstract texts for this volume please click here

Governing the Antarctic Olav Schram Stokke, Davor Vidas, 1996 After thirty five years the regime based on the Antarctic Treaty is more vigorous than ever Here leading scholars of international law and international relations examine the effectiveness and legitimacy of this regime by asking two questions are current changes affecting the regime's ability to cope with major problems in the region and how do those changes affect its standing amongst parties to the Treaty and in the wider international community Individual chapters deal with the Antarctic regimes for marine living resources mineral activities environmental protection and tourism Throughout a keen eye is kept on how those components interact and reinforce each other This analysis is supported by in depth studies of compatibility and tension between the Antarctic Treaty System and the international community at large It also draws upon case studies of how domestic concerns and decision making in four selected countries affect international co operation in the Antarctic

Implementing the Environmental Protection Regime for the Antarctic D. Vidas, 2012-12-06 When the Protocol on Environmental Protection to the Antarctic Treaty entered into force on 14 January 1998 a new phase commenced for the Antarctic Treaty System The parties to the Protocol are today confronting issues related to the implementation of a complex international environmental protection regime both in international and domestic contexts Several crucial implementation questions need to be solved in order to enhance and make possible the implementation of the Protocol What would be the consequences for the parties of a possible failure in resolving the pending implementation issues on what premises can the solutions be based and what then are the options available This book provides a systematic overview of the implementation issues in sections on jurisdiction control and enforcement in the Antarctic Part I institutional support to the implementation of the Protocol Part II normative support to the implementation of the Protocol an Antarctic liability regime Part III relationship with other international instruments and arrangements Part IV and through a series of selected case studies issues involved in domestic implementation of the Protocol Part V This is a book that will appeal to Antarctic specialists and to all those interested in environmental law and policy

The Greening of Antarctica Alessandro Antonello, 2019 In The Greening of Antarctica Alessandro Antonello investigates the development of an international regime of environmental protection and management between the signing of the Antarctic Treaty in 1959 and the signing of the Convention on the Conservation of Antarctic Marine Living Resources in 1980 In those two decades the Antarctic Treaty parties and an international community of scientists reimagined what many considered a cold sterile and abiotic wilderness as a fragile and extensive regional ecosystem Antonello investigates this change by analyzing the negotiations and developments surrounding four environmental agreements the Agreed Measures for the Conservation of Antarctic Fauna and Flora in 1964 the Convention for the Conservation of Antarctic Seals in 1972 a voluntary restraint resolution on Antarctic mining in 1977 and the Convention on the Conservation of Antarctic Marine Living Resources in 1980 Though distant from world populations Antarctica has long been a site of inter state contest for

geopolitical power and standing This book reveals how a range of contests geopolitical epistemic and imaginative created the environmental protection regime of the Antarctic Treaty System and discusses the tension between states individual searches for power and the collective desire for stability in the region In this international and diplomatic context the actors were not only trying to keep relations between themselves orderly but they were also using treaties to order the human relationship with the environment Drawing on a wide range of international archives many newly opened The Greening of Antarctica offers the first detailed narrative of a crucial period in Antarctic history and reveals the contours of global environmental thought and diplomacy in the transformative Age of Ecology **Maritime Claims in the Arctic** Erik Franckx,2023-12-28

With the fundamental changes which occurred in the political structure of Europe and improved East West relations in general the Arctic has increasingly become the focal point of international attention during the last few years Scientific research and environmental protection are areas which have already witnessed some form of international cooperation in the area With this particular evolution in mind a new look at the legal regime of navigation in the Arctic seems to be justified While several other countries border on the Arctic Canada and Russia have the most extensive shorelines and have shown keen interest in ensuring that their proper share of this area is not encroached by other countries This book is thus generally restricted to an examination of the maritime boundaries that these states are claiming and the extent to which other states have recognized them It also explores the need for greater international cooperation in this area not only between the two main contenders but also with other countries that have shown a special interest in Arctic navigation and in the exploitation of resources of this area The Routledge Handbook of Polar Law Yoshifumi Tanaka,Rachael Johnstone,Vibe

Ulfbeck,2023-07-25 Polar law describes the normative frameworks that govern the relationships between humans States Peoples institutions land and resources in the Arctic and the Antarctic These two regions are superficially similar in terms of natural environmental conditions but the overarching frameworks that apply are fundamentally different The Routledge Handbook of Polar Law explores the legal orders in the Arctic and Antarctic in a comparative perspective identifying similarities as well as differences It points to a distinct discipline of Polar law as the body of rules governing actors spaces and institutions at the Poles Four main features define the collection the Arctic Antarctic interface the interaction between global regional and domestic legal regimes the rights of Indigenous Peoples and the increasing importance of private law While these broad themes have been addressed to varying extents elsewhere the editors believe that this Handbook brings them together to create a comprehensive if never exhaustive account of what constitutes Polar law today Leading scholars in public international and private law as well as experts in related fields come together to offer unique insights into polar law as a burgeoning discipline **Yearbook of International Cooperation on Environment and Development 2002-03**

Olav Schram Stokke,Oystein B. Thommessen,2013-11-05 An important tool for researchers and decision makers alike Gro Harlem Brundtland Director General World Health Organization WHO An invaluable source for everyone who needs to be up

to date on international efforts to solve global environmental challenges Unique in its presentations of the interrelationship between treaties IGO NGOs and governments Jonathan Lash President World Resources Institute WRI The essential reference to all the rapidly multiplying international agreements on environment and development issues This ninth annual edition of the Yearbook demonstrates the international community's position on specific environment and development problems the main obstacles to effective international solutions and how to overcome them It assesses both the achievements and shortcomings of co operation distinguishing between the rhetoric and the reality of environment world politics Contents Current Issues and Key Themes Agreements on Environment and Development Systematically listed key data and illustrations concerning the most important international agreements presented on the basis of information from the organizations in question and other sources covering such matters as objectives scope time and place of establishment status of participation affiliated instruments and organizations major activities secretariat finance rules and standards monitoring and implementation decision making bodies key publications Internet sources This edition includes the new International Treaty on Plant Genetic Resources for Food and Agriculture Intergovernmental Organizations IGOs including UN specialized agencies objectives type of organization membership date of establishment secretariat activities decision making bodies finance key publications Internet sources International Non governmental Organizations NGOs objectives type of organization membership date of establishment secretariat activities budget key publications Internet sources Originally published in 2002 *Who Owns Antarctica?* Peter J. Beck, 1994 *The Future of Antarctica* Grahame Cook, 1990 Proceedings of a conference whose multidisciplinary approach provide an overview of the debate about appropriate future environmental protection of Antarctica particularly in relation to possible exploitation of its little known mineral resources

The Concept of the Common Heritage of Mankind in International Law Kemal Baslar, 2024-02-06 The concept of the common heritage of mankind is one of the most extraordinary developments in recent intellectual history and one of the most revolutionary and radical legal concepts to have emerged in recent decades The year 1997 marks the thirtieth anniversary of the advent of the concept in the domain of public international law Ever since its emergence it has become evident that no other concept notion principle or doctrine has brought as much intensive debate controversy confrontation and speculation as the common heritage phenomenon did This is because it is a philosophical idea that questions the regimes of globally important resources regardless of their situation and requires major changes in the world to apply its provisions In other words the application and enforcement of the common heritage of mankind require a critical reexamination of many well established principles and doctrines of classical international law such as acquisition of territory consent based sources of international law sovereignty equality resource allocation and international personality This book aims to explore the legal theory and implications of the concept of the common heritage of mankind It addresses almost all aspects of the concept in the light of the experience of three decades The author takes into account the elements of the common heritage concept in

the fields of jurisprudence outer space law the law of the sea the law of Antarctica international environmental law human rights and general principles of public international law It tries to develop a normative framework through which the concept may offer alternatives for the governance of the global commons **Encyclopedia of the Antarctic** Beau Riffenburgh,2007
Publisher description Vienna Convention on the Law of Treaties Oliver Dörr,Kirsten Schmalenbach,2011-11-22 The
Commentary on the Vienna Convention on the Law of Treaties provides an in depth article by article analysis of all provisions of the Vienna Convention The texts are uniformly structured I Purpose and Function of the Article II Historical Background and Negotiating History and III Elements of the Article The Vienna Convention on Treaties between States and IOs and between IOs is taken into account where appropriate In sum the present Commentary contains a comprehensive legal analysis of all aspects of the international law of treaties Where the law of treaties reaches into other fields of international law e g the law of state responsibility the relevant interfaces are discussed and contextualized With its focus on international practice the Commentary is addressed to academia as well as to practitioners of international law

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