

Ocean Of Pdf Legal

Elizabeth R. Wilcox

The Law of the Sea and Maritime Boundary Disputes in Areas of Hydrocarbon Potential Vivek

Chandra, 2023-09-22 The United Nations Convention on the Law of Sea ('UNCLOS') is hailed as one of the most significant multilateral legal agreements executed in the past few decades. However, its shortcomings are neither trivial nor inconsequential, especially regarding maritime boundary disputes involving hydrocarbon resources. This monograph examines the relationship between UNCLOS and maritime boundaries in five non-polar regions, encompassing almost 90% of global unresolved disputes involving offshore hydrocarbon development. The regions, which include the eastern Mediterranean, the Caspian Sea, the Persian Gulf, northeast Asia, and the South China Sea, were chosen for their oil and gas resources potential and recent military skirmishes that have the potential to lead to wider regional confrontations. The book addresses each region's maritime boundary status in the context of specific articles within UNCLOS that have been exploited by disputing states to justify their overlapping claims. The history and future applicability of multilateral Joint Development Area agreements for each region are evaluated for their potential to provide a cooperative solution to resolve ongoing tensions. Highlighting the limitations of current 'gun-boat' diplomacy, the monograph makes practical suggestions for new paradigms for resolving outstanding disputes, promoting lasting peace and generating economic benefits resulting from resource development.

Global Governance and the International Law of the Sea Shani Friedman, 2024-07-12

This book conducts an examination of the international legal regime of the continental shelf through the lens of international relations (IR), with a primary focus on global governance theory. Presenting a new perspective within the field of IR and international law, the book offers new insights into the rules, principles, practices, and actors that establish and govern social interactions and the management of common affairs at the transnational level. The governance framework within the continental shelf can encompass a wider scope than legal laws alone, incorporating informal rules or potentially disregarding formal "black letter" rules that may not be effectively applied in practice. To exemplify how governance theory and other IR theories contribute to the analysis of the legal regime concerning the continental shelf, the book conducts an in-depth examination of three significant issues: (i) the demarcation and delimitation of the continental shelf, (ii) the rights and obligations of coastal States in the continental shelf, and (iii) procedural matters related to the continental shelf and international maritime adjudication.

This book will be of interest to students and scholars in the field of the law of the sea, international law, global governance, and international relations.

Marine Conservation and International Law Sarah Louise Lothian, 2022-07-22 This book provides a blueprint for an International Legally Binding Instrument (ILBI) for the conservation and sustainable use of marine biodiversity beyond national jurisdiction (BBNJ). The development of an ILBI could signify a pivotal turning point in the law of the sea by addressing regulatory, governance and institutional gaps and deficiencies in the existing international law framework for BBNJ. This book analyses the essential components an ILBI will require to effectively conserve and sustainably use BBNJ, focusing on marine genetic resources, areabased management tools, environmental impact assessments, capacity-building and marine technology transfer. It investigates potential areas of compromise, as the success of an ILBI will rely upon the support of a powerful bloc of maritime States, principally the United States, the United Kingdom, Russia, the Netherlands, France and Japan. The participation of major maritime powers will be critical as it is their nationals, corporations and flag vessels that have the financial and technical wherewithal to undertake activities beyond national jurisdiction. This bloc of States has historically been the strongest proponent of the Grotian doctrine of 'freedom of the seas' as it aligns with their predominant interest to preserve navigational freedom for their merchant and military fleets. Accordingly, this book assesses the extent to which the Grotian doctrine continues to exert influence on the development of the law of the sea and the development of an ILBI. Providing a comprehensive overview of this important development in international law, this book will be of interest to students, lecturers and academics of law of the sea, international environmental law and biodiversity law.

Killing Our Oceans John C. Kunich, 2006-05-30 In his *Ark of the Broken Covenant*, Kunich showed that Earth's species are concentrated in 25 zones of ecological significance known as biodiversity hotspots, and maintained that we'd go a long way toward saving many species from extinction if we'd focus our protective laws and regulations on these zones. In *Killing Our Oceans* he extends this analysis to the extraordinary pockets of life in the oceans that are similarly threatened. In his *Ark of the Broken Covenant*, Kunich showed that Earth's species are concentrated in 25 zones of ecological significance known as biodiversity hotspots, and that we'd go a long way toward saving many species from extinction if we'd focus our protective laws and regulations on these zones. In *Killing Our Oceans* he extends this analysis to the extraordinary pockets of life in the oceans that are similarly threatened. From coral reefs to recently discovered hydrothermal vents, the oceans contain vast numbers of endangered species. We are rapidly losing these unique, irreplaceable treasures, due in part to an appalling lack of efficacious safeguards. What's in it for us if we intervene to halt this mass extinction? Quite possibly the greatest medical, nutritional, and scientific breakthroughs in all of human history, just waiting to be discovered and harnessed—or forever lost along with the dying species that hold the keys to these secrets. Kunich examines in detail the applicable international laws

as well as domestic laws of the nations with key marine resources, and demonstrates the abject failure of these measures to prevent or halt a mass extinction in our oceans. He concludes with a set of legal proposals that could start us down the road to preserving the marine hotspots and, with them, most of Earth's biodiversity. Legal solutions are not the only answer, but they are a beginning.

Timor-Leste's Maritime Boundaries, 2016

Marine Scientific Research Arctic. Arctic Perspectives on the Law of the Sea Convention Stefan

Kirchner, 2015-07-03 Essay from the year 2015 in the subject Law - European and International Law, Intellectual Properties, , language: English, abstract: This short essay introduces the reader to the aspects of the United Nations Convention on the Law of the Sea, often simply referred to as the Law of the Sea Convention (LOSC) which are often overlooked but which play a crucial role already today and which are bound to become more important in the future. Marine scientific research is no longer merely of academic interest. Oil, gas, fish and in the near future also natural resources at the sea bed are important economic factors. In particular in the Arctic Ocean, which is becoming more accessible due to climate change and the fast decline of the sea ice cover, competing claims to the sea provide new challenges. These conflicts include the territorial dispute between Denmark (which despite Greenland's increased autonomy retains control over the island's foreign affairs) and Canada over Hans Island, At the time the 1982 Convention was drafted, the idea that commercial mining of the Deep Sea Bed was just around the corner. While the technological development immediately after the adoption of the Law of the Sea Convention took longer than had been thought initially, advances in recent years have made deep sea mining a more realistic possibility. Indeed, several claims have been staked around the world. A distinction has to be made between claims to the Continental Shelf (which is not to be confused with the Deep Sea Bed) as an extension of the sovereignty of the state over the land on one hand and usage rights in parts of the Deep Sea Bed on the other.

Ocean and Coastal Law and Policy Donald C. Baur, Tim Eichenberg, G. Michael Sutton, 2008 The public trust doctrine. Role of the states. Managing coastal development. National environmental policy act ...

Global Legal Challenges Michael D. Carsten, Naval War College (U.S.), 2007 International Law Studies, V. 83. Michael D. Carsten, editor. Known as the Blue Book series. Contains the proceedings from a scholarly conference entitled Global Legal Challenges Command: Command of the Commons, Strategic Communications and Natural Disasters hosted at the Naval War College on June 28-30, 2006.

Resolved that the United States Federal Government Should Establish an Ocean Policy Substantially Increasing Protection of Marine Natural Resources Julie Jennings, 2004

International Organizations and the Law of the Sea 2001 Barbara Kwiatkowska, Harm Dotinga, Erik J Molenaar, Alfred H. A. Soons, Alex G. Oude Elferink, 2004-02-27 Now in its 17th year, the NILOS Documentary Yearbook

provides the reader with an excellent collection of documents related to ocean affairs and the law of the sea, issued each year by organizations, organs and bodies of the United Nations system. Documents of the UN General Assembly and Security Council, Meeting of States Parties to the UN Law of the Sea Convention, CLCS, ISBA, ITLOS, Follow-ups to the UN Fish Stocks and Small Island States Conferences, WSSD, ECOSOC, UNEP and UNCTAD are reproduced first, followed by the documents of FAO, IAEA, IMO and NESCO/IOC. As in the previous volumes, documents which were issued in the course of 2001 are reproduced while other relevant documents are listed. The NILOS Documentary Yearbook has proved to be of invaluable assistance in facilitating access of the international community of scholars and practitioners in ocean affairs and the law of the sea to essential documentation. The entry of the 1982 UN Law of the Sea Convention into force in 1994 and of the Part XI Agreement in 1996, as well as of the UN Fish Stocks Agreement in 2001, coupled with the review of the UNCED Agenda 21 the 2002 Johannesburg World Summit, make continuation of this assistance of particular significance in the years to come. The members of the Yearbook's Advisory Board are: Judges Abdul Koroma and Shigeru Oda of the ICJ, UNDOALOS Director Mrs. Annick de Marffy, ITLOS President Dolliver Nelson and Judges Thomas Mensah and Tullio Treves, as well as Rosalie Balkin, Edward Brown, Bernard Oxman and Shabtai Rosenne.

International Law Studies Naval War College (U.S.),2008

Environmental Law ,2009

UCLA Journal of International Law and Foreign Affairs ,2016

Tulane Journal of International and Comparative Law ,2005

Ocean Yearbook 19 Scott Coffen-Smout,2005

Cases and Materials on the Law of the Sea Louis B. Sohn,John E. Noyes,2004 This book is a thoroughly up-to-date text that will be used both as 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 the 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 organisations. These new topics complement a comprehensive treatment of rights and responsibilities in various zones of the oceans and on the high seas, fisheries, nonliving resources, marine pollution, vessel nationality, and jurisdiction over vessels, baselines, maritime boundary delimitation, and dispute settlement. The book contains extensive notes and commentary, along with carefully selected and edited readings and documents, some of which are not readily available in other reference sources. Citations t

Select Proceedings of the European Society of International Law, Volume 4, 2012 Mariano J Aznar,Mary E

Footer,2016-01-28 This is the fourth in the Series of Select Proceedings of the European Society of International Law (ESIL) featuring the most important and interesting papers presented at the Fifth Biennial Conference on 'Regionalism and International Law', organised by ESIL and the University of Valencia in 2012. As usual, the best papers from that conference have been re-written, edited and drawn together by the two editors to present a perspective on what is a flourishing forum for the discussion of new ideas and scholarship on international law.

Digest of United States Practice in International Law, 2009 Elizabeth R. Wilcox,2011-04-07 Co-published by Oxford University Press and the International Law Institute, and prepared by the Office of the Legal Adviser at the Department of State, the Digest of United States Practice in International Law presents an annual compilation of documents and commentary highlighting significant developments in public and private international law, and is an invaluable resource for practitioners and scholars in the field. Each edition compiles excerpts from documents such as treaties, diplomatic notes and correspondence, legal opinion letters, judicial decisions, Senate committee reports and press releases. Each document is selected by members of the Legal Adviser's Office of the U.S. Department of State, based on their judgments about the significance of the issues, their potential relevance to future situations, and their likely interest to scholars and practitioners. In almost every case, the commentary to each excerpt is accompanied by a citation to the full text. Featured in the 2009 Digest are excerpts from and discussion of numerous documents relating to issues of current interest, including the following: * Final Rule issued by the U.S. Department of Health and Human Services eliminating ban on people with HIV from entering the United States, 74 Fed. Reg. 56,547 (Nov. 2, 2009) (Chapter 1, Nationality, Citizenship, and Immigration) * U.S. federal court decisions involving First Amendment challenges to district court decisions upholding denials of visas to individuals accused of having contributed funds to terrorist organizations (e.g., the Second Circuit vacated and remanded a district court's decision upholding the denial of a visa to Muslim scholar Tariq Ramadan (*American Academy v. Napolitano*, 573 F.3d 115 (2d Cir. 2009)) (Chapter 1, Nationality, Citizenship, and Immigration) * U.S. motion to dismiss petition for a writ of habeas corpus filed by a Mexican national who claimed that he would be tortured if extradited to Mexico to face homicide charges (*Saldana v. United States*, No. 2:09-cv-02786-JPM-cgc (W.D. Tenn. 2009)) (Chapter 3, International Criminal Law) * Eleventh Circuit affirmation of district court's 2008 decision denying writ of habeas corpus to former Panamanian dictator Manuel Noriega to prevent his extradition to France (*Noriega v. Pastrana*, 564 F.3d 1290 (11th Cir. 2009)) (Chapter 3, International Criminal Law) * U.S. grant of two petitions for certiorari in a case challenging constitutionality of the provisions of the Antiterrorism and Effective Death Penalty Act of 1996, Pub. L. No. 104-132, 110 Stat. 1214, that make it a criminal offense for any person within the United States or subject to U.S. jurisdiction knowingly to provide material support or resources to a designated foreign terrorist organization (FTO) (*Holder v. Humanitarian Law Project*, 130 S. Ct. 534 (2009); *Humanitarian Law Project v. Holder*, 130 S. Ct. 534 (2009)) (Chapter 3, International Criminal

Law) * Statement of Secretary of State Hillary Rodham Clinton about the Human Rights Agenda for the 21st Century (Georgetown University, December 14, 2009) (Chapter 6, Human Rights) * U.S. statements to the UN Human Rights Council relating to the Gaza conflict and the report of the UN Fact Finding Mission on the Gaza Conflict (the Goldstone Report) (Chapter 6, Human Rights) * Statement of President Barack H. Obama and memorandum to the Secretary of State and the Administrator of the United States Agency for International Development on the rescission of the Mexico City Policy, which had directed USAID to withhold USAID funds from any nongovernmental organization using non-USAID funds to engage in activities relating to abortion (Chapter 6, Human Rights) * Letter of Secretary of State Hillary Rodham Clinton to Senator Jeanne Shaheen outlining U.S. initiatives to end the use of rape and sexual violence in conflict zones, particularly in Sudan and the Democratic Republic of the Congo, accompanied by the proposed Strategic Plan for Combating Violence Against Women in Sudan and the Democratic Republic of the Congo (DRC), and Statement of Secretary of State Clinton to the UN Security Council regarding U.S.-led Resolution concerning sexual violence in situations of armed conflict (Chapter 6, Human Rights) * Statement of Ambassador Susan Rice, U.S. Permanent Representative to the United Nations, and White House Senior Advisor Valerie Jarrett on the views of the U.S. towards the UN Convention on the Rights of Persons with Disabilities (signed by the U.S. on July 30, 2009) (Chapter 6, Human Rights) * Statement of Harold Hongju Koh, Department of State Legal Adviser, to the International Court of Justice, discussing whether the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo [is] in accordance with international law (Chapter 9, Diplomatic Relations, Succession, and Continuity of States) * U.S. federal court decisions relating to actions brought under sovereign states under the Foreign Sovereign Immunities Act, including actions against the Holy See, the Islamic Republic of Iran, and the Kingdom of Saudi Arabia (Chapter 10, Foreign Sovereign Immunity) * Diplomatic note indicating change in policy of the Department of State to extend the definition of 'family' forming part of the household of a diplomatic agent [to] include same-sex domestic partners ('domestic partners') for purposes of the application of the Vienna Convention on Diplomatic Relations and Vienna Convention on Consular Relations in the United States (74 Fed. Reg. 36,112 (July 22, 2009)) (Chapter 10, Foreign Sovereign Immunity) * The Office of the U.S. Trade Representative's 2009 Special 301 Report to identify those foreign countries that deny adequate and effective protection of intellectual property rights or deny fair and equitable market access to U.S. persons that rely upon intellectual property protection (Chapter 11, Trade, Commercial Relations, Investment, and Transportation) * Statement of the Contact Group on Piracy off the Coast of Somalia (CGPCS), hosted by the United States at UN Headquarters in New York (Chapter 12, Territorial Regimes and Related Issues) * President Barack H. Obama's December 18, 2009, press briefing relating to the Copenhagen Accord, reached by the major world economies at the Fifteenth Session of the Conference of the Parties to the UN Framework Convention on Climate Change (Chapter 13, Environment and Other Transnational Scientific Issues) * Testimony of Keith Loken, Assistant Legal Adviser for Private

International Law, Department of State, in support of the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance (which was signed by the United States but awaits Senate approval) (Chapter 15, Private International Law) * Various documents relating to the U.S. position on the imposition or retention of sanctions against or the curtailment of assistance to countries including the Democratic People's Republic of Korea, Iran, Eritrea, the Democratic Republic of Congo, Sudan, Burma, Madagascar, and Honduras (Chapter 16, Sanctions) * Memorandum of President Barack H. Obama to the Secretaries of State, Treasury, and Commerce instructing them to take certain actions to implement a new policy to promote democracy and human rights in Cuba, including facilitating greater contact between separated family members in the United States and Cuba and increasing the flow of remittances and information to the Cuban people (Chapter 16, Sanctions) * U.S. positions on the peace process in the Israeli-Palestinian conflict and the resolution of the North-South conflict in Sudan, as well as U.S. positions on peacekeeping in Georgia, Kosovo, Lebanon, and Somalia (Chapter 17, International Conflict Resolution and Avoidance) * Excerpts from Executive Order 13491, Ensuring Lawful Interrogations, 74 Fed. Reg. 4893 (Jan. 27, 2009), which was intended to improve the effectiveness of human intelligence-gathering, to promote the safe, lawful, and humane treatment of individuals in United States custody and of United States personnel who are detained in armed conflicts, to ensure compliance with the treaty obligations of the United States, including the Geneva Conventions, and to take care that the laws of the United States are faithfully executed (Chapter 18, Use of Force, Arms Control and Disarmament, and Nonproliferation) * Excerpts from Executive Order 13492, Review and Disposition of Individuals Detained At the Guantánamo Bay Naval Base and Closure of Detention Facilities, 74 Fed. Reg. 4897 (Jan. 27, 2009) (Chapter 18, Use of Force, Arms Control and Disarmament, and Nonproliferation) * Other U.S. positions relating to treatment of detainees upon release, as well as U.S. federal court decisions relating to habeas litigation involving current detainees held at Guantanamo and in Afghanistan and civil suits involving former Guantanamo detainees (Chapter 18, Use of Force, Arms Control and Disarmament, and Nonproliferation)

Review of Maritime Transport United Nations Conference on Trade and Development. Secretariat, 2010
The International Hydrographic Review , 2007

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