

Small Powers at Sea
*Scandinavia and the New International
Marine Order*

Finn Laursen

BRILL

Small Powers At Sea Scandinavia And The New International Marine Order

**Anastasia Strati, Maria
Gavouneli, Nikos Skourtos**



Small Powers At Sea Scandinavia And The New International Marine Order:

Small Powers at Sea Finn Laursen, 2021-09-27 *Small Powers at Sea* presents an analysis of the marine policies of Denmark Norway and Sweden from the First UN Conference on the Law of the Sea in 1958 until the conclusion of the Third UN Conference on the Law of the Sea in 1982 The main substantive chapters cover security aspects continental shelf policies fisheries shipping and marine environment as well as deep seabed mining The study is comparative and conducted from a political science perspective discussing how to explain the rather divergent Scandinavian marine policies A state centric rational actor model can explain much of the variance but other factors including cognitive ones and the role of domestic politics must be included to obtain a fuller understanding of Scandinavian policies over time and across issue areas **The**

Development of the EU as a Sea-Policy Actor Finn Laursen, 2020-10-30 *The Development of the EU as a Sea Policy Actor* explores the marine and maritime policies of the European Union EU including fisheries maritime transport marine environment and maritime safety policies These policies have made the EU an important sea policy actor internally and externally China's Marine Legal System and the Law of the Sea Keyuan Zou, 2005-06-01 Being one of the largest coastal

States in the world China's marine legal system is significant in the overall development of the international law of the sea This book focuses on the establishment and development of China's marine legal system in the context of the new law of the sea centered on the 1982 United Nations Convention on the Law of the Sea which China ratified in 1996 It consists of five parts concerning respectively a general survey of China's marine legal system navigation and maritime security marine resources management marine environmental protection and marine scientific research China's basic marine laws and regulations are discussed and assessed in detail throughout the book The book is of interest to lawyers whether practicing or academic officials in national governments and international organizations and students and scholars in academia who are interested in international law international relations and ocean affairs **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 **International Law and the Genetic Resources of the Deep Sea** David Kenneth Leary, 2007 Deep sea genetic resources and the interest of the biotechnology industry in their exploitation are emerging as a significant challenge for international oceans governance This book is the first comprehensive examination of this issue and explores its relationship with marine scientific research and other activities in the deep sea As well as a detailed survey of the state of industry interest in this new field of biotechnology it also sets out proposals for future sustainable management of these resources utilizing many existing international law and policy regimes The Law of the Sea Laura Pineschi, Tullio Treves, 2021-09-27 The United Nations Convention on the Law of the Sea of 10 December 1982 entered into force on 16 November 1994 Since this date a single binding instrument has regulated the rights and duties of States at sea and regarding the sea New concepts such as the exclusive economic zone archipelagic waters transit passage through straits and the International Seabed Area are now fully recognized The fifteen member States of the European Union are a significant sample for analyzing the practice of States or at least that of the Western industrialized States as regards the law of the sea They include major and small maritime powers coastal and land locked States States with coasts on the Atlantic Ocean and States with coasts on semi enclosed seas such as the Baltic and the Mediterranean States with and without involvement in deep seabed mining and States with different interests as regards fisheries The fact that they all belong to the European Union is a very important common feature which amply justifies the choice made to study them together The book's aim is to give through essays prepared by well known specialists a detailed survey of the attitudes and practice concerning the law of the sea of the member States of the European Union and of the European Community as such The common positions of the member States and the results of their coordinated action also emerge from these essays The fact that the member States and the European Community are now actively engaged in the process of becoming parties to the Law of the Sea Convention is certainly a major contribution to the consolidation of the Convention as a universal instrument or at least as an instrument widely ratified by States of all continents and economic and political interests

Unresolved Issues and New Challenges to the Law of the Sea Anastasia Strati, Maria Gavouneli, Nikos Skourtos, 2006-06-01 This work analyzes the management of shared fish stocks protection of the underwater cultural heritage the possibilities of establishing marine protected areas and other means for safeguarding vulnerable marine ecosystems the use of the high seas for intelligence as well as recent developments on interdiction of vessels on the high seas Special emphasis is paid to the role of international courts and tribunals in the progressive development of the law of the sea as well as the ability of the UN Convention on the Law of the Sea to accommodate new uses and challenges such as new concerns new technological possibilities in particular new contexts and functions of established rules The 1982 Convention seems capable of coping with most of them although it remains useful to explore its possibilities and limits This work covering many aspects will be useful to anyone interested in the law of the sea *Navigational Rights and Freedoms and the New Law of*

the Sea Donald R. Rothwell, Sam Bateman, 2021-10-18 Navigational rights and freedoms have been central to the development of the law of the sea since the original debates over whether the seas were open or closed to maritime traffic The 1982 UN Convention on the Law of the Sea recognises the legitimate rights of coastal states to proclaim sovereignty and assert jurisdiction over vast areas of maritime space In return maritime states are given a range of navigational rights over waters ranging from the territorial sea through to the high sea The new regime of the law of the sea created by the Convention presents an opportunity to review developments in the law of navigational rights and freedoms This book assesses the navigational regime established by the 1982 Convention with emphasis given to the continuing importance of the freedom of the seas Navigation in the territorial sea and international straits is reviewed especially in the Straits of Malacca and Singapore and the Torres Strait Archipelagic navigation from the perspective of two claimant states Indonesia and the Philippines and a user state South Korea is also considered The interaction of environmental concerns with navigational rights is an important feature of the current law of the sea regime with relevant conventions assessed and the role of the International Maritime Organization in developing navigational standards considered Both European and Canadian practice in the protection of sensitive marine environments and the impact upon navigational rights is also considered Finally the roles of the International Tribunal for the Law of the Sea and the International Maritime Organization in dispute resolution are reviewed before a concluding consideration of the future for navigational rights and freedoms in the twenty first century

The Law of the Sea and Polar Maritime Delimitation and Jurisdiction Alex G. Oude

Elferink, Donald R. Rothwell, 2021-10-18 The climate and other characteristics of the polar regions have been major factors in shaping the legal regime applicable to the polar oceans In Antarctica states have had to grapple with the question of how to account for developments in the law of the sea while preserving the compromise over sovereignty contained in the Antarctic Treaty The Arctic also has presented challenges for the law of the sea as illustrated by the continued attention given to special rules for polar shipping The 1982 United Nations Convention on the Law of the Sea has led to substantial agreement on the legal regime of ocean spaces The present volume explores the impact the Convention has had on the polar regions in this respect including after its entry into force in 1994 To this end it looks at a number of issue areas in the field of maritime delimitation baselines maritime zones delimitation of maritime zones between neighboring states and jurisdiction environmental protection navigation and fisheries from a bipolar perspective It is strongly suggested that the legal regime of the polar oceans will be further elaborated to more effectively deal with existing activities or to accommodate new activities It is likely that the United Nations Convention on the Law of the Sea will continue to provide the basic legal framework for this exercise and that states will be careful not to unravel the delicate balance contained in it

Maritime Regime Building Mark J. Valencia, 2021-10-18 The past few decades have witnessed the emergence of a vast array of regional arrangements and institutions dealing with all aspects of ocean management The level of cooperation ranges from minimal dispute

avoidance to relatively comprehensive ocean governance at the regional level As concrete examples reasonably successful and comprehensive regional regimes have been created for the Baltic the North and the Mediterranean Seas and the South Pacific And attempts at regional regime building are ongoing in Southeast Asia the South China Sea and the Indian Ocean Although there are broad similarities between the semi enclosed seas of Western Europe and Northeast Asia no regional maritime regime has yet been initiated in Northeast Asia The papers in this volume are authored by leading authorities on not only the maritime affairs of their particular region of focus but on maritime policy in general They describe and explain existing or incipient regional maritime regimes in an unusually broad comparative context and extract lessons learned that may be applicable elsewhere including Northeast Asia The case studies are neatly sandwiched between an introduction to concepts and principles on regional co operation and concluding chapters on lessons learned and their applicability to Northeast Asia Moreover the papers raise and address several questions of relevance to policy For example what factors are conducive to maritime regime initiation expansion and positive evolution and which constrain regime formation and evolution Why has maritime regime building been successful in Europe and largely unsuccessful in Asia And which if any lessons learned in the European context are applicable in Asia Given the growing interest in regime formation and effectiveness in general and maritime regimes in particular this book will be of considerable interest to both analysts and policymakers

Navies in Northern Waters Rolf Hobson,TOM KRISTIANSEN,2004-08-02 *Navies in Northern Waters* is a collection of articles covering the roles played by the secondary navies of northern European powers and the United States within the maritime balance of power The contributions covering the 18th and 19th centuries focus on their relations with each other as they sought to create a counterweight to the dominant naval power of Britain The inter war years are treated from the perspectives of international disarmament efforts within the framework of collective security and the subsequent naval rivalry in the Baltic area in the years leading up to the Second World War For the post 1945 period the contributions concentrate on superpower rivalry in northern waters during the Cold War the changing aspects of security policy since the collapse of the Soviet Union and the particular challenges facing small coastal states policing extensive waters of increasing economic importance

China and International Fisheries Law and Policy Guifang Xue,2005 This book deals with China s response to international fisheries law and policy as envisaged in the LOSC framework and post LOSC fisheries instruments As the first monograph of its kind dealing with the complex issue of the global fisheries crisis and China s fisheries management practice over a significant period of time the book builds a bridge between China and the world for a better understanding of Chinese fisheries management It will be of great value to academics professionals and policy makers alike

Maritime Delimitation Rainer Lagoni,Daniel Vignes,2006 The delimitation of maritime zones is an important requirement for peaceful relations between neighbouring States There are numerous examples of areas between States with opposite or adjacent coasts where sovereignty over an island or territory may not be contested but the delimitation of the continental

shelf and exclusive economic zone is still pending Under the Law of the Sea Convention the delimitation of these zones shall be effected by agreement on the basis of international law However the Convention does not offer a definitive answer as to the methods that should be applied This publication includes contributions by Judges of the International Tribunal for the Law of the Sea eminent scholars and experienced practitioners The papers deal with various aspects of maritime delimitation the jurisprudence of international courts and tribunals and their relevance for delimitation the impact of the Law of the Sea Convention the role of legal practitioners and diplomatic negotiators and delimitation under particular geological circumstances and in geographically complex regional situations It is designed to provide insight and guidance to the complicated process of maritime delimitation

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

Modern Law of the Sea David Anderson, 2008 These collected essays examine different aspects of the modern law of the sea They address many key provisions in the United Convention on the Law of the Sea including its historical development the substantive rules governing navigation resources the regime of the high seas maritime jurisdiction the protection of the marine environment and the delimitation of maritime boundaries as well as the settlement of disputes The essays also review the Implementation Agreement of 1994 concerning deep seabed mining and the Implementation Agreement of 1995 concerning Straddling and Highly Migratory Fish Stocks The author presents purely personal views on many negotiations and cases in which he participated The essays written between 1988 and 2006 will be of interest to everyone involved in the law of the sea Davis Anderson is a former legal adviser to the Foreign and Commonwealth Office 1960 1996 and judge of the International Tribunal for the Law of the Sea 1996 2005

Case Law on Equitable Maritime Delimitation / Jurisprudence sur les délimitations maritimes selon l'équité Robert Kolb, 2021-10-25 This book provides a complete overview of the jurisprudence on maritime delimitation Each case is presented under a series of identical headings so as simultaneously to provide the reader with a complete analysis of the individual case and a uniform measure of comparison with other cases The headings are as follows geographical context submissions and arguments of the parties specific features of the case the judgement broken down into its various elements individual and dissenting opinions and

academic comment together with a bibliography The longest section on each case is that devoted to the judgement The analysis of each relevant element the role of third States equity equidistance the displacement of a provisional line islands proportionality etc is presented in three ways 1 a brief introductory part introducing and offering a critique of the essential features of the relevant part of the decision 2 relevant extracts from the judgement 3 commentaries either brief or more developed according to the needs of the case that endeavour to bring out the substance of the judgement in particular by drawing out the various consequences making connections with previous and future cases so as to chart the development of the jurisprudence and offering critical reflections The book thus presents a complete panorama of the jurisprudential problems associated with maritime delimitation The clarity and comprehensive nature of the presentation and the quality of the commentaries makes it an indispensable reference work for academics and for practitioners alike

Towards the Conceptualisation of Maritime Delimitation Nuno Marques Antunes, 2022-05-16 This new monograph on maritime delimitation by Dr Nuno Antunes is based on a thesis submitted for the degree of Doctor of Philosophy at the University of Durham The work is one of legal political and technical analysis of an aspect of the law of the sea that is of current interest in all regions of the world

Maritime Delimitation and Interim Arrangements in North East Asia Sun Pyo Kim, 2004-02-01 This work will be a useful guide for those who look for rules and practice on the relations between neighboring States in the absence of maritime boundaries The main question the author is trying to tackle is how to handle the relations between neighboring coastal States when there is no maritime boundary in place This book attempts to clarify the legal issues of exploitation of oil gas and fisheries resources and jurisdictional conflicts with regard to marine scientific research and protection of the marine environment in disputed areas This book shows numerous instances of provisional arrangements in disputed areas around the globe together with as many as forty five valuable maps The author a scholar and diplomat of Korea gives an up to date and in depth analysis of the complicated legal issues of maritime delimitation and provisional arrangements in North East Asia The English texts of the provisional arrangements in the region annexed to the book are also valuable materials

The Socialist Republic of Vietnam and the Law of the Sea Epsey Cooke Farrell, 2021-09-27 The Socialist Republic of Vietnam and the Law of the Sea analyzes Vietnam s policies on the law of the sea in relation to the country s overall foreign policy goals and its position at the center of the South China Sea geostrategic region It examines Vietnam s claims in zones of maritime jurisdiction and its regulation of maritime activities in the context of the 1982 U N Convention on the Law of the Sea and against the backdrop of Vietnam s security interests economic development and regional leadership goals The author explores Vietnam s maritime boundary disputes with its Southeast Asian neighbors and China and assesses their impact on regional stability This is the first comprehensive study to trace the evolution of Vietnamese policy and participation in law of the sea development from the 1958 First U N Conference on the Law of the Sea to the present The book provides the background essential to an understanding of Vietnam s current maritime relations and

of the challenge to incorporate Vietnam into a stable regional order Law of the sea specialists Southeast Asia area specialists and those interested in the development of Vietnam s hydrocarbon and fishery resources will find this a particularly valuable resource

Places of Refuge for Ships Aldo E. Chircop, Olof Lindén, 2006 Written by scholars and practitioners this work consists of 20 multidisciplinary chapters addressing the law policy and management aspects of the problem of places of refuge for ships in need of assistance Specific chapters focus on the experiences and approaches of Australia Belgium Canada Denmark Germany United Kingdom and United States

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