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**Maritime Delimitation and Interim Arrangements in North East Asia**
Sun Pyo Kim 2004-01-01 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.

**Handbook on the Delimitation of Maritime Boundaries**

**UN Convention on the Law of the Sea and the South China Sea**
Shicun Wu 2016-03-09 Research on The United Nations Convention on the Law of the Sea (UNCLOS) is a valuable addition to understanding the political situation in the potentially volatile South China Sea region. This book covers topics such as baselines, historic title and rights, due regard and abuse of rights, peaceful use of the ocean, navigation regimes, marine scientific research, intelligence gathering, the UNCLOS dispute settlement system and regional common heritage. In search of varying viewpoints, the authors in this book come from multiple countries, including the Philippines, Australia, Ireland, Mainland China and Taiwan, the United States, and Indonesia, Singapore, UK and Germany. Ongoing events, such as the recent waves made by China in the East China Sea and increasing tensions.
Recent Developments in the South China Sea Dispute - Wu Shicun
2014-05-30 The South China Sea region contains potentially huge deposits of petroleum and natural gas, important shipping lanes and fishing areas, and is subject to a number of maritime territorial disputes. This edited volume analyzes the most recent development in the South China Sea dispute looking at the positions taken by China, the ASEAN countries, and the US. In recent years maritime joint development zones have emerged as an important means to overcome deadlock in relation to maritime jurisdictional claims. This book tests the applicability of joint development regime in this region and explores the prospect of joint development of resources as a way to successfully manage the conflict in the South China Sea. Eminent scholars in the field of South China Sea studies have contributed original chapters to the volume covering such issues as: the legal framework for joint development; how joint development might work in practice; the challenges faced by and the prospects arising from joint development; and the way forward for the region.

Sustainable Development and the Law of the Sea - Zou Keyuan
2016-11-17 Sustainable Development and the Law of the Sea offers international legal perspectives on ocean uses including fisheries management, sustainable use of marine non-living resources, and marine protected areas in the context of sustainable development.

Maritime Delimitation - Rainer Lagoni 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.

Equitable Principles of Maritime Boundary Delimitation - Thomas Cottier 2015-04-30 Analysing the role of equity in international law, the book offers a detailed case study on maritime boundary delimitation in the context of the enclosure movement in the law of the sea.

The Protection of the Underwater Cultural Heritage - Sarah Dromgoole 2006 This volume comprises a collection of sixteen national perspectives on law, policy and practice in respect of the underwater cultural heritage, written in light of the UNESCO Convention 2001. The essays provide an up-to-date account of the current legal position in each jurisdiction, as well as considering the impact that the 2001 Convention is having, and is likely to have in the future. As well as being internationally recognised experts in the field, all the contributors have specialist knowledge and practical experience of their own particular jurisdictions.

The South China Sea - C. J. Jenner 2016-09-01 The history of the South China Sea is a catalyst of international cooperation and conflict. Security in the Indo-Asia-Pacific is largely governed by command of these strategic waters. More than half of global shipping transits the South China Sea, which also holds significant reserves of oil, gas and minerals, as well as some of the largest fisheries in the world. Drawing on a team of field-leading researchers, Jenner and Thuy provide an empirical study of the global ocean's most contested sea space. The volume's four parts offer an
insightful analysis of the significance of the South China Sea to the international order; sub-national agents of influence on relations between states; the disputes over sovereignty through the analytical prism of international law; and the conflictual region's prospects. The primary source-based conclusion elucidates the agency of history and strategy in the South China Sea.

**Predictability and Flexibility in the Law of Maritime Delimitation**

Yoshifumi Tanaka 2019-11-14 This fully revised new edition offers a comprehensive picture of the law of maritime delimitation, incorporating all new cases and State practice in this field. As with all types of law, the law of maritime delimitation should possess a degree of predictability. On the other hand, as maritime delimitation cases differ, flexible considerations of geographical and non-geographical factors are also required in order to achieve equitable results. How, then, is it possible to ensure predictability while taking into account a number of diverse factors in order to achieve an equitable result? This is the question at the heart of the law of maritime delimitation. This book explores a well-balanced legal framework that reconciles predictability and flexibility in the law of maritime delimitation by looking at three aspects of the question: first it reviews the evolution of the law of maritime delimitation; second, it undertakes a comparative study of the case law and State practice; and third, it critically assesses the law of maritime delimitation in its current form.

**The International Legal Order: Current Needs and Possible Responses**

James Crawford 2017-04-03 This volume of essays addresses some of the most significant issues of contemporary international law. It particularly focuses on questions relating to international humanitarian law, the law of the sea, human rights, the use of force, international environmental law, and the settlement of international disputes. Recent developments in some other issues of international law such as State immunity and State responsibility are also dealt with. The Work contains a number of articles in French and is offered as a tribute to the prominent Iranian Professor of International Law, Djamchid Momtaz, on the occasion of his 75th birthday.

**Dispute Resolution in the Law of the Sea**

Igor V. Karaman 2012-02-17 Focusing on the functioning of the dispute settlement system under the 1982 UN Convention on the Law of the Sea since its entry into force, this monograph offers a comprehensive study of dispute resolution in the contemporary law of the sea.

**The International Law of the Sea**

Yoshifumi Tanaka 2015-04-16 This new edition has been fully revised and updated to include the contemporary issues together with new cases delivered by international courts and tribunals, such as the ICJ, ITLOS and Arbitral Tribunals, treaties, UN
resolutions, and other instruments. It retains the clear chapter structure of
the first edition, but has expanded the topics on marine spaces beyond
national jurisdiction, maritime delimitation, protection of the marine
environment. A new concluding chapter has also been included and
presents a perspective on the future development of the international law of
the sea. Detailed footnotes and further reading sections, combined with
illustrations and tables ensure understanding of the subject. By offering
clarity of expression and academic rigour, The International Law of the Sea
remains the best choice for students.

Beyond Territorial Disputes in the South China Sea - Robert C.
Beckman 2013-01-01 'The book has been written by many highly qualified
observers and academicians that have spent a lot of time observing and
analyzing the recent developments in the South China Sea, particularly
those relating to the dispute and way of overcoming them. I do hope that
this publication will throw some light on such important matters and
indicate possible roads to follow in solving the territorial disputes through
joint development concept.' Hasjim Djalal, Director of Southeast Asian
Studies, Jakarta, Indonesia This highly informative and up-to-date book
brings together expert scholars in law of the sea to explore the legal and
geopolitical aspects of the South China Sea disputes and provide an in-
depth examination on the prospects of joint development in the South China
Sea. The South China Sea has long been regarded as a source of conflict
and tension in Asia. Underlying this conflict is the dispute between China,
Vietnam, the Philippines, Malaysia and Brunei over the features in the
South China Sea, as well as the resources in the surrounding waters. One
viable solution is for the claimants to set aside their claims and jointly
develop the hydrocarbon resources in the South China Sea. Unlike previous
works, this book takes a unique approach by examining existing joint
development arrangements in Asia to see if there are any 'lessons learnt'
that may be applicable to the South China Sea. This approach has enabled
the editors to move beyond a mere theoretical discussion on joint
development and focus on the law, policy and practical issues related to
joint development. Beyond Territorial Disputes in the South China Sea
will strongly appeal to Government officials, policy-makers from ASEAN
Countries, China and the United States, as well as academics, particularly
those who are involved in legal scholarship on the South China Sea
disputes. Practitioners of oil and gas law will also find much to benefit them
in this book.

Maritime Boundary - S.P. Jagota 2021-09-27

International Maritime Boundaries - American Society of International
Law 1993-01-27 The ultimate guide to international maritime boundaries.
Its unique practical features include: a systematic examination of all
international maritime boundaries worldwide, the text of every modern
boundary agreement, descriptions of judicially-established boundaries, plus
other resources that make it an unmatched comprehensive, accessible
resource in the field.

Global Challenges in Maritime Security - Lisa Otto 2020-04-21 From
pirates to smugglers, migrants to hackers, from stolen fish to smuggled
drugs, the sea is becoming a place of increasing importance on the global
agenda as criminals use it as a theatre to conduct their crimes unfettered.
This volume sets out to provide an introduction to the key issues of
pertinence in Maritime Security today. It demonstrates why the sea is a
space of great strategic importance, and how threats to security at sea have
a real impact for people around the world. It examines an array of
challenges and threats to security playing out at sea, including illegal,
unreported and unregulated fishing, irregular migration, piracy, smuggling
of illicit goods, and cyber security, while also looking at some of the
mechanism and role-players involved in addressing these perils. Each
chapter provides an overview of the issue it discusses and provides a brief
case study to illustrate how this issue is playing out in real-life. This book
thus allows readers an insight into this evolving multidisciplinary field of
study. As such, it makes for an informative read for academics and
practitioners alike, as well as policymakers and students, offering a well-
rounded introduction of the main issues in current Maritime Security.

Maritime Order and the Law in East Asia - Nong Hong 2018-03-22 Many
of the maritime disputes today represent a competing interest of two
groups: coastal states and user states. This edited volume evaluates the role
of the United Nations Convention on the Law of the Sea (UNCLOS) in
managing maritime order in East Asia after its ratification in 1994, while
reflecting upon various interpretations of UNCLOS. Providing an overview
of the key maritime disputes occurring in the Asia Pacific, it examines case
studies from a selection of representative countries to consider how these
conflicts of interest reflect their respective national interests, and the wider
issues that these interpretations have created in relation to navigation
regimes, maritime entitlement, boundary delimitation and dispute
settlement.

Maritime Disputes and International Law-Constantinos Yiallourides
2019-05-20 The settlement of the maritime boundary disputes between
China and Japan in the East China Sea, and between Greece and Turkey in
the Aegean Sea, is politically deadlocked. While diplomatic settlement
efforts have been ongoing for the past several decades, neither side in each
case appears prepared to back down from its respective maritime and
territorial claims. Several incidents at sea have occurred, prompting
diplomatic protests, military standoffs, even exchange of fire. The existing
status quo is inherently unstable and does not favour either side to the
extent that it holds hostage the multiple benefits that could otherwise be
generated from the exploitation of the seabed energy and mineral resources
in the disputed waters, creating an urgent need for a meaningful discussion
on finding a practical way forward. This monograph undertakes a
comprehensive analysis of these disputes based on the rules and principles
of international law, critically evaluating possible institutional designs of
inter-State cooperation over seabed activities in disputed maritime areas
and makes recommendations for the prospect of realising joint development
regimes in the East China Sea and the Aegean to coordinate the exploration
for and exploitation of resources without having resorted previously to
boundary delimitation settlement.

Arbitration Concerning the South China Sea-Shicun Wu 2016-03-02 On
22 January 2013, the Republic of the Philippines instituted arbitral
proceedings against the People’s Republic of China (PRC) under the United
Nations Convention on the Law of the Sea (UNCLOS) with regard to
disputes between the two countries in the South China Sea. The South
China Sea Arbitration is a landmark case in international law because of the
parties involved, the legal questions to be decided and the absence of one of
the parties. As revealed in its official statements, the PRC will neither
accept nor participate in this arbitration nor present written and oral
arguments in the tribunal room. Such default of appearance makes
applicable certain procedural rules. According to Article 9 of Annex VII, the
Tribunal, before making its Award, is obligated to satisfy itself not only that
it has jurisdiction over the dispute, but also that the claims brought by the
Philippines are well-founded in fact and law. Therefore, it is necessary for
the Tribunal to look into all the claims brought forward by the Philippines
and all the disputes constituted by the claims in the procedural phase. The
possible arguments the PRC could make should be explored during this
process. This book brings together chapters selected from well-established
scholars in Asia, Europe and North America addressing the issues arising
from the South China Sea Arbitration. It contains five easy to read parts:
origin and development of the South China Sea dispute; the jurisdiction and
admissibility of the case; international adjudication and dispute settlement;
legal issues arising from the case such as the legal status of the U-shaped
line and islands, rocks and low-tide elevations; and the Arbitration case and
its impact on regional maritime security.

The Extension of Coastal State Jurisdiction in Enclosed or Semi-
Enclosed Seas-Mitja Grbec 2013-12-04 The current jurisdictional status of
the Mediterranean Sea is remarkable. Nearly 50 per cent of the
Mediterranean waters are high seas and therefore beyond the jurisdiction of
coastal States. This situation means that there are no points in the
Mediterranean Sea where the coasts of two States would be more than 400
nautical miles apart. Such a legal situation generally prevents coastal States
from adopting and enforcing their laws on the Mediterranean high seas, in
respect of many important fields such as the protection and preservation of
the marine environment, as well as the conservation of marine living
resources. The jurisdictional landscape of the Adriatic Sea as a sub-sea and
sub-region of the Mediterranean, is even more interesting. Croatia has
proclaimed an Ecological and Fisheries Protection Zone, Slovenia has
proclaimed a Zone of Ecological Protection, while Italy has adopted a
framework law for the proclamation of its Zone of Ecological Protection without proclaiming its regime in the Adriatic. It is noteworthy that if all Mediterranean and Adriatic States would proclaim an Exclusive Economic Zone (EEZ), there would not be a single stretch of high seas left in the entire Mediterranean Sea. Both the Adriatic and Mediterranean fall in the category of enclosed or semi-enclosed seas regulated by Part IX of the United Nations Convention on the Law of the Sea (UNCLOS). This book assesses the legal nature of Part IX of UNCLOS and discusses potential benefits of the extension of coastal State jurisdiction (proclamation of EEZs and/or similar sui generis zones), particularly in light of the recent calls towards an integrated and holistic approach to the management of different activities in the Mediterranean Sea. It examines the actual or potential extension of coastal State jurisdiction in the Adriatic Sea, against the background of similar extensions elsewhere in the Mediterranean and against the background of relevant EU policies. It additionally explores whether Part IX of UNCLOS imposes any duties of cooperation in relation to the extension of coastal State jurisdiction in enclosed or semi-enclosed seas, and puts forward practical suggestions as to how the issue of extension of coastal State jurisdiction could be approached in a way which would enhance States existing cooperation and improve the overall governance in the Mediterranean and Adriatic seas. This book will be of interest to policymakers and academics and students of international law, and the law of the sea.

Joint Development of Hydrocarbon Deposits in the Law of the Sea-
Vasco Becker-Weinberg 2014-08-05 This book examines the concept and purpose of joint development agreements of offshore hydrocarbon deposits from the perspective of public international law and the law of the sea, taking into consideration and extensively reviewing State practice concerning seabed activities in disputed maritime areas and when hydrocarbon deposits extend across maritime boundaries. It distinguishes between agreements signed before and after the delimitation of maritime boundaries and analyzes the relevance of natural resources or unitization clauses included in maritime delimitation agreements. It also takes into consideration the relation between these resources and maritime delimitation and analyzes all the relevant international jurisprudence. Another innovative aspect of this book is that it examines the possibility of joint development of resources that lay between the continental shelf and the Area, considering both theoretical and practical problems. As such, the book is a useful tool for scholars and experts on public international law and the law of the sea, but also for national authorities and practitioners of international disputes resolution, as well as public and private entities working in the oil and gas industry.

Securing the Safety of Navigation in East Asia-Shicun Wu 2013-11-21 Safe navigation of the seas is of global importance. Sea lanes provide vital connections for the growth of the global economy and the wellbeing of people everywhere. The sea lanes are of particular importance for the East Asian region, as most trade is undertaken on the ocean. Booming economies in the region such as China and Vietnam put more pressure on sea lanes, triggering concern for the safety of navigation. Securing the Safety of Navigation in East Asia identifies salient issues for academic debate, and further explores those that have practical implications for the safety of navigation in East Asia. Contemporary maritime security concentrates on safe navigation and inhibiting transnational crimes, including sea piracy and maritime terrorism. Maritime environmental security and search and rescue at sea are also important. Securing the Safety of Navigation in East Asia is structured into four sections: the first part introduces the topic, and looks at the safety of navigation and the search for a cooperative mechanism. The second part considers the international legal framework and its implications for East Asia. The third part presents national perspectives on the safety of navigation, and finally part four considers navigational issues in the South China Sea. Places a special focus on East Asia Accommodates national perspectives in East Asia on navigation given by scholars from China, Japan, South Korea, Malaysia, the Philippines, and Singapore Presents a special section on the South China Sea, located in Southeast Asia and connecting the Indian and Pacific oceans; a critical sea route for maritime transport

Dokdo-Seokwoo Lee 2011-01-11 Utilizing perspectives from international law, international relations, and history, this volume provides a balanced perspective on territorial disputes in Northeast Asia highlighting the issue of Dokdo which is disputed between Korea and Japan.
Non-State Actors' Rights in Maritime Delimitation - Marianthi Pappa 2021-07-08 Critical analysis of the legal framework on maritime delimitation, with recommendations for the evolution of international law at sea.

Maritime Boundaries - Gerald H. Blake 2002-01-31 The global political map is undergoing a process of rapid change as former states disintegrate and new states emerge. At sea, boundary delimitation between coastal states is continuing unabated. These changes could pose a threat to world peace if they are not wisely negotiated and carefully managed. Maritime Boundaries presents a variety of cases illustrating the implications of recent approaches to maritime territorial jurisdiction.

Brownlie's Principles of Public International Law - James Crawford 2019 Serving as a single volume introduction to the field as a whole, this ninth edition of Brownlie's Principles of International Law seeks to present international law as a system that is based on, and helps structure, relations among states and other entities at the international level.

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.

Unresolved Issues and New Challenges to the Law of the Sea - Anastasia Strati 2006-04-28 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.

Toward a New Framework for Peaceful Settlement of China’s Territorial and Boundary Disputes - Junwu Pan 2009-02-23 This book offers a legal perspective of settlement of China’s territorial and boundary disputes against the new background of China’s increasingly integrating itself into global economic, political and legal systems.

Maritime Border Diplomacy - Myron H. Nordquist 2012-09-06 Maritime Border Diplomacy examines critical issues in international maritime boundary disputes together with the important global role of Indonesia, whose maritime boundaries are imperative to its sovereign status identity. Stressing the seminal importance of the UN Convention on the Law of the Sea to world order, international experts analyze root causes of boundary disputes including historical claims and competition for natural resources. Issues of preventative diplomacy and activism in maritime affairs are explored, as are legal issues arising in the context of creating zones of cooperation in the oceans. Practical issues in fisheries and environmental management, and the volatile questions involved in the South China Sea, are detailed. The volume concludes with a substantive presentation on dispute resolution mechanisms.

Island Disputes and Maritime Regime Building in East Asia-Min Gyo Koo 2010-05-06 islands has emotional content far beyond any material significance because giving way on the island issue to Japan would be considered as once again compromising the sovereignty over the whole Korean peninsula. For Japan, the Dokdo issue may lack the same degree of strategic and economic values and emotional appeal as the other two territorial disputes that Japan has had with Russia and the two Chinas – namely the Northern Territories/Southern Kurile Islands and the Senkaku Islands, respectively. Nevertheless, fishing resources and the maritime boundary issues became highly salient with the introduction of UNCLOS. Also, the legal, political, and economic issues surrounding Dokdo are all intertwined with Japan’s other territorial disputes to the extent that concessions of sovereignty on any of these island disputes could jeopardize claims or negotiations concerning the rest. South Korea and Japan have forged a deeper diplomatic and economic partnership over the past decade. A new spirit of partnership after the landmark joint declaration of 1998 culminated in the successful co-hosting of the World Cup 2002. At the end of 2003 the two neighbors began to negotiate an FTA to further strengthen their already close economic ties. South Korea’s decades-long embargo on Japanese cultural products has now been lifted, while a number of South Korean pop stars are currently sweeping across Japan, creating the so-called “Korean Wave” fever. A pragmatic calculation of national interests would thus suggest cooperative behavior.

Modern Law of the Sea-David Anderson 2007-12-12 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.

Historic Waters in the Law of the Sea-Clive Symmons 2007-12-26 This work reassesses the doctrine, and status, of historic waters in the law of the sea, particularly in the light of recent developments, such as in Alaska v. US (2005), which case forms a continuous theme throughout the book. Detailed and critical examination is made of the alleged rules in international customary law on the topic, including matters such as burden of proof.


The South China Sea Disputes and Law of the Sea-S. Jayakumar 2014-08-29 South China Sea Disputes And Law Of The Sea explores in great detail the application of specific provisions of UNCLOS and how the framework of international law applies to the South China Sea. Offering a comprehensive analysis of the individual

International Maritime Boundaries-Jonathan I. Charney 2005 This is the ultimate guide to international maritime boundaries. Its unique practical features include - systematic examination of all international maritime boundaries worldwide; - comprehensive coverage, including the text of every modern boundary agreement; - descriptions of judicially-established boundaries; - maps and detailed analyses of those boundaries; - expert papers examining the status of maritime boundary delimitations in each of the ten regions of the world; - papers from a global perspective analyzing key issues in maritime boundary theory and practice; and - a cumulative index for volumes I - V. These features make "International Maritime Boundaries" an unmatched comprehensive, accessible resource in the field.

Governing Ocean Resources-Jon M. van Dyke 2013-05-08 This collective work of a renowned group of scholars, Governing Ocean Resources: New Challenges and Emerging Regimes, edited by Jon M. Van Dyke, Sherry P. Broder, Seokwoo Lee and Jin-Hyun Paik, examines the current state of the Law of the Sea today, offers a variety of new approaches to the field, and
serves as a tribute to the late Judge Choon-ho Park, whose profound depth of learning and indomitable spirit of optimism regarding the possibilities of reform and improvement comprised an immense contribution to the study of the Law of the Sea.