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GOVERNING HIGH SEAS FISHERIES

THE INTERPLAY OF GLOBAL
AND REGIONAL REGIMES

Edited by
Olav Schram Stokke

Governing High Seas Fisheries The Interplay Of Global And Regional Regimes

Olav Schram Stokke



Governing High Seas Fisheries The Interplay Of Global And Regional Regimes:

Governing High Seas Fisheries Olav Schram Stokke, 2001 The legal and political difficulties of managing fish stocks that straddle both national waters and the high seas were not abolished by the introduction of exclusive economic zones Here leading scholars of international law and international relations explain the wave of bitter disputes that arose in the 1990s over such straddling stocks They show how regional responses to those challenges shaped the negotiation of a 1995 UN Fish Stocks Agreement and helped strengthen the global high seas fisheries regime Keen attention is paid to whether and how evolving regimes meet the scientific regulatory and compliance related tasks of effective management and the significance of regime interplay in this regard Certain developments in international fisheries law particularly crucial to effective management of high seas fisheries are examined reconceptualization of the freedom of the high seas legal measures to control the harvesting of vessels flying flags of convenience the dispute settlement apparatus and emerging procedures for compliance control activities by others than the flag state These global developments are related to six regional case studies featuring management of straddling stocks in the Grand Banks off Canada the Southern Ocean the Doughnut Hole of the Bering Sea the Peanut Hole of the Okhotsk Sea the Loophole of the Barents Sea and the Banana Hole of the Northeast Atlantic

Strengthening International Fisheries Law in an Era of Changing Oceans Richard Caddell, Erik J Molenaar, 2019-04-04 This collection addresses the central question of how the current international framework for the regulation of fisheries may be strengthened in order to meet the challenges posed by changing fisheries and ocean conditions in particular climate change International fisheries law has developed significantly since the 1990s through the adoption and establishment of international instruments and bodies at the global and regional levels Global fish stocks nevertheless remain in a troubling state and fisheries management authorities face a wide array of internal and external challenges including operational constraints providing effective management advice in the face of scientific uncertainty and non compliance by States with their international obligations This book examines these challenges and identifies options and pathways to strengthen international fisheries law While it has a primarily legal focus it also features significant contributions from specialists drawn from other disciplines notably fisheries science economics policy and international relations in order to provide a fuller context to the legal policy and management issues raised Rigorous and comprehensive in scope this will be essential reading for lawyers and non lawyers interested in international fisheries regulation in the context of profoundly changing ocean conditions

The Quest for Sustainable International Fisheries Evelyne Meltzer, Susanna Fuller, 2009 A publication of the National Research Council of Canada Monograph Publishing Program

Arctic Governance: Volume 2 Ida Folkestad Soltvedt, Svein Vigeland Rottem, Geir Hønneland, 2018-04-27 The Polar North is known to be home to large gas and oil reserves and its position holds significant trading and military advantages yet the maritime boundaries of the region remain ill defined In the twenty first century the Arctic is undergoing profound change As the sea ice melts a result of

accelerating climate change global governance has become vital In this first of three volumes the latest research and analysis from the Fridtjof Nansen Institute the world s leading Arctic research body is brought together Arctic Governance Law and Politics investigates the legal and political order of the Polar North focusing on governance structures and the Law of the Sea Are the current mechanisms at work effective Are the Arctic states interests really clashing or is the atmosphere of a more cooperative nature Skilfully delineating policy in the region and analysing the consequences of treaty agreements Arctic Governance s uncovering of a rather orderly Arctic race will become an indispensable contribution to contemporary International Relations concerning the Polar North

Disaggregating International Regimes Olav Schram Stokke, 2012 Evaluating the effectiveness of international regimes presents challenges that are both general and specific What are the best methodologies for assessment within a governance area and do they enable comparison across areas In this book Olav Schram Stokke connects the general to the specific developing new tools for assessing international regime effectiveness and then applying them to a particular case governance of the Barents Sea fisheries Stokke s innovative disaggregate methodology makes cross comparison possible by breaking down the problem and the relevant empirical evidence Provided by publisher

A Sea Change: The Exclusive Economic Zone and Governance Institutions for Living Marine Resources Syma A. Ebbin, Alf H. Hoel, Are Sydnes, 2005-06-07 This is the first systematic assessment of the international 200 mile exclusive economic zone To date 145 states have ratified the Law of the Sea Convention and most have established EEZs This volume focuses on the specific nature of the EEZ and the construction and evolution of institutions stemming from its introduction specifically examining developments at local national and international levels

Saving the Oceans Through Law James Harrison, 2017 The oceans cover more than seventy per cent of the surface of the planet and they provide many vital ecosystem services However the health of the world s oceans has been deteriorating over the past decades and the protection of the marine environment has emerged as one of the most pressing legal and political challenges for the international community An effective solution depends upon the cooperation of all states towards achieving agreed objectives This book provides a critical assessment of the role that international law plays in this process by explaining and evaluating the various legal instruments that have been negotiated in this area as well as key trends in global ocean governance Starting with a detailed analysis of the United Nations Convention on the Law of the Sea the book considers the main treaties and other legal texts that seeks to prevent reduce and control damage to the marine environment caused by navigation seabed exploitation fishing dumping and land based activities as well as emerging pressures such as ocean noise and climate change The book demonstrates how international institutions have expanded their mandates to address a broader range of marine environmental issues beyond basic problems of pollution control to include the conservation of marine biological diversity and an ecosystems approach to regulation It also discusses the development of diverse regulatory tools to address anthropogenic impacts on the marine environment and the extent to which states have adopted a precautionary approach in

different maritime sectors Whilst many advances have been made in these matters this book highlights the need for greater coordination between international institutions as well as the desirability of developing stronger enforcement mechanisms for international environmental rules

Managing Institutional Complexity Sebastian Oberthür, Olav Schram Stokke (jurist), 2011 The book a product of the Institutional Dimensions of Global Environmental Change research project IDGEC offers both theoretical and empirical perspectives

International Environmental Law Ulrich Beyerlin, Thilo Marauhn, 2011-08-11 International Environmental Law is a new textbook written for students practitioners and anyone interested in the subject The overall aim of the book is to provide a fresh understanding of international environmental law as a whole seen in the light of climate change biodiversity loss and the other serious environmental challenges facing the world The book has also been kept deliberately manageable in size by careful selection of topics and by adopting a cross cutting synthesis of regulatory interaction in the field This enables the reader to place international environmental law in the broader context of public international law in general revealing at the same time that international environmental law is experimental ground for developing new legal approaches towards global governance To this end the authors have combined theory and practice Apart from discussing concepts rule making and compliance the book looks at options for improved coordination harmonisation and even integration of existing multilateral environmental agreements analysing how conflicts between various environmental regimes can be avoided or at least adequately managed The authors argue that an appropriate management of international environmental relations must address the North South divide which continues to be a major obstacle to global environmental cooperation Furthermore the authors emphasise the growing human rights dimension of international environmental law This book is an ideal door opener for the further study of international environmental law Focusing on international environmental governance in a comprehensive way it serves to explain that each institution each actor and each instrument is part of a multi dimensional process in international environmental law and relations

The Use of CITES for Commercially-exploited Fish Species Solène Guggisberg, 2015-12-11 This book examines the legality adequacy and efficacy of using the Convention on International Trade in Endangered Species of Wild Fauna and Flora CITES for commercially exploited fish species and assesses whether the existing institutional cooperation with the Food and Agriculture Organization FAO and regional fisheries management organizations RFMOs is efficient This case study also provides an interesting lens to approaching wider international law issues Indeed finding ways to achieve effective governance of transboundary or global natural resources is central to the peaceful use of oceans and land Furthermore the role of science in advising decision makers is a sensitive issue which deserves scrutiny and is similar in many regimes Finally the complex problem of fragmentation of international law is acute in various fields of environmental law as in all rapidly developing areas of international regulations

Institutions and Environmental Change Oran R. Young, Leslie A. King, Heike Schroeder, 2008-08-22 This overview of recent research on how institutions matter in tackling

environmental problems reports the findings and policy implications of a decade long international research project Studies show that institutions play a role both in causing and in addressing problems arising from human environment interactions But the nature of this role is complex and not easily described This book presents an overview of recent research on how institutions matter in efforts to tackle such environmental problems as the loss of biological diversity the degradation of forests and the overarching issue of climate change Using the tools of the new institutionalism in the social sciences the book treats institutions as sets of rights rules and decision making procedures Individual chapters present research findings and examine policy implications regarding questions of causality performance and institutional design as well as the themes of institutional fit or misfit interplay and scale Institutions and Environmental Change is the product of a decade long international research project on the Institutional Dimensions of Global Environmental Change IDGEC carried out under the auspices of the International Human Dimensions Programme The book s policy insights demonstrate that research on institutions can provide the basis for practical advice on effective ways to deal with the most pressing environmental problems of our times Contributors Frank Biermann Carl Folke Victor Galaz Thomas Gehring Joyeeta Gupta Thomas Hahn Leslie A King Ronald B Mitchell Sebastian Oberth r Per Olsson Heike Schroeder Uno Svedin Simon Tay Arild Underdal Oran R Young

Non-use Measures for Global Goods and Commons in International Law Solène Guggisberg, Catherine Blanchard, 2025-07-31 In a world facing major environmental crises radical measures are increasingly called for As a change in paradigm from our anthropocentric approach to the environment and its resources remains mostly aspirational non use measures present themselves as practical regulatory tools to respond to environmental degradation This edited volume examines moratoria bans no take or entry zones across regimes regulating global goods and commons It analyses factors that have contributed to the successful adoption and implementation of non use measures for resources in the high seas deep seabed atmosphere and Antarctica It then presents pathways for the development and adoption of further non use measures in these areas and in outer space before reflecting on such measures limitations and potential

A Dual Approach to Ocean Governance Yoshifumi Tanaka, 2016-03-23 Taking the North East Atlantic Ocean as an example of regional practice this book addresses the dual approach to ocean governance in international law It examines the interaction between zonal and integrated management approaches and the conservation of marine living resources and marine biological diversity The study examines the limitations of the traditional zonal approach and suggests new possibilities for conformity between sovereign states international law and sustainable development

The Law of the Sea and the Polar Regions Erik J. Molenaar, Alex G. Oude Elferink, Donald R. Rothwell, 2013-08-15 The Law of the Sea and the Polar Regions Interactions between Global and Regional Regimes analyzes of the contemporary law of the sea and related areas of international law in Antarctica and the Arctic with a particular focus upon the interaction of global and regional regimes The global component of the international law of the sea principally the United Nations Convention on the Law of the Sea applies to the entire marine

domain in both polar regions but explicitly requires regional implementation or acknowledges its usefulness This volume critically examines regional regimes for the Arctic and Antarctic on science maritime security fisheries and shipping by means of common research questions thus enabling an overall synthesis and identification of trends differences and similarities

Regime Interaction in Ocean Governance Seline Trevisanut,Nikolaos Giannopoulos,Rozemarijn Roland Holst,2020-06-08 A plethora of international bodies and international instruments regulate influence and shape what is happening in the oceans The many regimes involved and the resulting legal cacophony contribute to persisting challenges in ocean governance Regime Interaction in Ocean Governance Problems Theories and Methods identifies the problems raised by regime interaction in ocean governance discusses the relevant theoretical approaches and explores possible solutions It ultimately highlights how regime interaction in international law specifically in oceans matters not only consists of a problem to be solved but also of a phenomenon to be better understood and benefited from

China and International Fisheries Law and Policy Guifang Xue,2005-12-01 This book deals with China s response to international fisheries law and policy as envisaged in the LOSC framework and post LOSC fisheries instruments A substantial effort was made to examine the major areas of China s national action on legislative harmonisation and policy adjustment to implement these instruments China s regional fisheries cooperation in the form of bilateral agreements with Japan South Korea and Vietnam is evaluated to identify the progress already achieved and the problems that remain to be solved in managing the shared fish stocks between these maritime neighbours 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

The Achievements of International Law Jacques Hartmann,Urfan Khaliq,2021-07-29 The aim of this collection of essays in Robin Churchill s honour is to discuss some key examples of the achievements of international law with the express aim of exploring both what it has achieved and also its limits This will serve as a response to the two popular but opposite misconceptions about the role of international law One view is that international law is too weak to improve the World in any significant way The other view is that international law is a panacea that can be used to rid the world of many of its ills The book is divided into five distinct parts each reflecting on what international law has achieved within broadly defined substantive areas It opens with a discussion on general international law and international human rights law before exploring the law of the sea and fisheries It then looks at international environmental law before finally examining the use of force and international criminal law The chapters and the collection overall will provide a contrast to the popular misconceptions about international law by offering examples of both the success and also limitations of it as a system

The Dilemma of Boundaries Makoto Taniguchi,Takayuki Shiraiwa,2012-05-19 Water circulates continuously and seamlessly on Earth with little regard for the boundaries we draw There are natural boundaries as between land and ocean

and surface and subsurface environments as well as human or demographic boundaries between nations cultures and religions Although considered necessary by societies these human created boundaries disrupt natural water circulation leading to serious water related environmental problems The dilemma of how to manage water beyond our boundaries remains and nations have different ways and means of controlling each form of water whether as vapor surface water groundwater or seawater Recent findings on the interaction of water from land oceans and the atmosphere encourage researchers to undertake collaborative work that goes beyond the boundaries of each discipline be it oceanography surface and subsurface hydrology climatology or glaciology Drawing on all these fields the book focuses on two major boundaries that between surface water and ground water and that between terrestrial water and ocean water This comprehensive work is of great value to experts in academia international organizations consulting firms water resources fisheries and urban development planning agencies

International Courts and Environmental Protection Tim Stephens,2009-02-12 International environmental law has come of age yet the global environment continues to deteriorate The challenge of the twenty first century is to reverse this process by ensuring that governments comply fully with their obligations and progressively assume stricter duties to preserve the environment This book is the first comprehensive examination of international environmental litigation Analysing the spectrum of adjudicative bodies that are engaged in the resolution of environmental disputes it offers a reappraisal of their relevance in contemporary contexts The book critiques the contribution that arbitral awards and judicial decisions have made to the development of environmental law and considers the looming challenges for international litigation With its unique combination of scholarly analysis and practical discussion this work is especially relevant to an era in which environmental matters are increasingly being brought before international jurisdictions and will be of great interest to students and scholars engaged with this vital field

International Environmental Agreements Steinar Andresen,Elin Boasson,Geir Hønneland,2012-03-12 International environmental agreements provide a practical basis for countries to address environmental issues on a global scale This book explores the workings and outcomes of these agreements and analyses key questions of why some problems are dealt with successfully and others ignored By examining fundamental policies and issues in environmental protection this text gives an easily comprehensible introduction to international environmental agreements and discusses problems in three areas air water and on land It traces the history of agreements in broad thematic areas related to long distance air pollution ozone depleting and greenhouse gases ocean management biological diversity agricultural plant diversity and forest stewardship Drawing on experts in their respective fields this book provides an insightful evaluation of the successes and failures and analysis of the reasons for this Concluding with an insightful examination of research to show how performance of agreements can be improved in the future this volume is a vital contribution to our understanding of the politics associated with establishing international environmental consensus International Environmental Agreements will be of interest to scholars students and researchers in global

environmental politics international relations and political science Steinar Andresen is Senior Research Fellow at the Fridtjof Nansen Institute Norway and formerly professor at the Dept of Political Science University of Oslo Elin Lerum Boasson is Research Fellow at the Fridtjof Nansen Institute Norway Geir H nneland is Research Director at the Fridtjof Nansen Institute and adjunct professor at the University of Troms

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