
MARINE AND COASTAL LAW

Cases and Materials

Dennis W. Nixon

Marine And Coastal Law Cases And Materials

Irus Braverman



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Marine and Coastal Law Dennis W. Nixon, Michael J. Daly, Susan E. Farady, 2009-12-09 The second edition of Marine and Coastal Law Cases and Materials updates Nixon's classic casebook with 25 percent new post 1994 landmark case material plus valuable new features including editorial commentary for all cases examples to support study questions after each case and chapter introductions This extensively updated and enhanced new edition of author Dennis Nixon's classic casebook provides advanced undergraduates graduate students and law students in courses in marine affairs and law with an essential grounding in the leading legal decisions and statutory provisions in U S marine and coastal law Cases have been selected for their legal clarity interesting factual background doctrinal and precedential importance and applicability to emerging areas of litigation maritime affairs and coastal management This rapidly evolving and contentious area of the law has seen a steady stream of landmark decisions and legislation in the years since the publication of the first edition of Marine and Coastal Law Cases and Materials The second edition is updated with 25 percent new post 1994 landmark case material and is enhanced with valuable new pedagogic features including editorial commentary for all cases examples to support study questions after each case and chapter introductions The enhancements benefit from the expertise of two new

coauthors **Ocean and Coastal Law** Alison Rieser, Donna R. Christie, Joseph J. Kalo, Richard G. Hildreth, 2013 **Marine and Coastal Law** Dennis W. Nixon, Michael J. Daly, Susan E. Farady, Read D. Porter, Julia B. Wyman, 2022-03-29 This extensively updated third edition of the classic casebook Marine and Coastal Law provides readers with an authoritative comprehensive and up to date guide to landmark laws regulations and legal decisions governing the United States vast marine and coastal resources This thoroughly revised and updated third edition of the prestigious Marine and Coastal Law casebook provides an essential overview of landmark legal decisions and statutory provisions in U S marine and coastal law with a particular emphasis on regulatory changes and legal conflicts involving climate change coastal resilience protection and sea level rise In addition to a thorough updating of the contents of the second edition including editorial commentary on every case this new revised edition features extensive new content including two entirely new chapters and new learning objectives for each chapter Produced by five experts in U S marine law this third edition stands as an accessible and invaluable resource for both lay readers and legal professionals who are seeking greater understanding of the ever evolving and frequently contentious laws and regulations governing U S and international fisheries maritime shipping and transport offshore oil and mineral resources climate change mitigation strategies coastal protection marine pollution and port and harbor operations **Cases and Materials on the Law of the Sea** Louis B. Sohn, John Noyes, 2021-10-25 Cases and Materials on the Law of the Sea is a thoroughly up to date text that will be used both as a 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 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 organizations Published under the Transnational Publishers imprint

Coastal and Ocean Law Joseph J. Kalo, 2002 This detailed and informed reference provides extensive cases and materials addressing coastal and ocean law The text has been completely updated with the most recent cases problems and statutory developments It examines such issues as the conceptual and common law underpinnings of coastal law the public trust doctrine riparian rights protection of water quality coastal wetlands and beach management coastal construction regulation regulatory takings Law of the Sea Convention marine wildlife preservation and global trade obligations Discusses substantive changes to marine fisheries management law analyzing the latest cases on quotas and restriction of access to fisheries treaty rights and state jurisdiction

Cases and Materials on Marine Insurance Law Susan Hodges, 2012-09-10 This book provides a comprehensive collection of Cases and Materials On Marine Insurance Law The sources included here are not always readily accessible Each chapter is introduced with a brief resume of the general principles before the facts of each case are summarised and the extracts of the relevant parts of judgments reproduced The significance of the judicial extracts the statutory materials and standard terms are then discussed with particular emphasis on important and problematical areas of the law This book will be indispensable not only to postgraduate students of law in house lawyers insurance brokers and claims adjusters but also to students of maritime studies legal practitioners and a wide range of professionals within the shipping industry who may wish to have at hand a convenient source of information Whilst the book is a companion to the authors The Law of Marine Insurance it is also structured to stand as a marine insurance text in its own right

Cases and Materials on the Law of the Sea, Second Edition Louis B. Sohn, John Noyes, Erik Franckx, Kristen Juras, 2014-05-08 A special course adoption price is available for an order of six or more copies from a university bookstore Contact sales us brill com or sales nl brill com to learn more This second edition of Cases and Materials on the Law of the Sea has been updated to address significant developments that have occurred in the law of the sea since the publication of the first edition in 2004 The text compiles cases treaties U N documents commentaries and other teaching materials that systematically present law of the sea topics while placing those issues in the broader context of international law and international legal process The book incorporates relevant historical materials alongside materials addressing more recent topics such as port security the depletion of fish stocks and the operation of new international institutions Extensive notes and discussion questions engage readers and enhance their understanding of the materials

The International Journal of Marine and Coastal Law, 1995

Environmental Law: Text, Cases & Materials Elizabeth Fisher, Bettina Lange, Eloise Scotford, 2013-04-25 This new title offers a compact and complete resource for students featuring extracts from leading cases and articles alongside clear explanations and insightful analysis from an

experienced author team This unique approach places environmental law in context enabling you to develop a clear and sophisticated understanding of this dynamic area

The International Law on Ballast Water Maria Helena Fonseca de Souza Rolim, 2008-06-19 The introduction of invasive marine species into new environments whether by ships ballast water attached to ships hulls or via other means has been identified as one of the four main threats to the world's oceans along with land based sources of marine pollution over exploitation of living marine resources and the physical alteration or destruction of marine habitat Increased trade and the consequent greater volumes of maritime traffic over the last few decades have served to fuel the problem The effects in many areas of the world have been serious and significant Quantitative data show that the rate of bio invasions is continuing to increase in some cases exponentially and new areas are being found to be invaded all the time As volumes of seaborne trade continue overall to increase the problem may not yet have reached its peak In response IMO first adopted Guidelines for Preventing the Introduction of Unwanted Organisms and Pathogens from Ships Ballast Water and Sediment Discharges in 1991 while the United Nations Conference on Environment and Development UNCED held in Rio de Janeiro in 1992 recognized the issue as a major international concern The IMO Guidelines have since been kept constantly under review and updated Subsequently in February 2004 the International Convention for the Control and Management of Ships Ballast Water and Sediments was adopted In providing a broad overview of the legal aspects related to marine pollution caused by ballast water and tank sediments this book offers a pragmatic analysis of the current international legal system and includes principles of international customary law and also references to a comprehensive environmental treaty law framework which relates the Ballast Water Convention to other treaties such as the United Nations Convention on the Law of the Sea UNCLOS MARPOL and the Convention on Biological Diversity With such a wide ranging approach this book will certainly provide a source of valuable information for all those with a requirement to pursue the subject in depth From the Foreword by Efthimios E Mitropoulos

Conservation on the High Seas Simone Borg, 2012-01-01 This book from Simone Borg is a much needed and highly recommended study on conservation on the high seas and harmonizing international regimes for the sustainable use of living resources This publication is very topical considering the continuous over exploitation of the living resources It is a very exhaustive study of many international instruments the most importantly the 1982 The United Nations Law of the Sea Convention The author in an admirable manner linked the issue of the conservation of living resources on the high seas to the fundamental principles underlying modern environmental law such as the precautionary principle The unique feature which sets this book apart from the other similar publications is that it is firmly entrenched in general international law i e deals in a very erudite manner with the issues of fragmentation and harmonisation of international law in the context of conservation This book will appeal not only to the experts on the law of the sea but also to general international lawyers _ Malgosia Fitzmaurice Queen Mary University of London UK This is an excellent book which has taken apart a very complicated part of international law and reassembled it in a manner which is up

to date accessible insightful and coherent In doing so this work plugs a gap in the scholarship in this area for which the author is to be truly commended It is an essential addition for all practitioners scholars and students who work or study in one of the foremost environmental challenges of the 21st century conservation on the high seas _ Alexander Gillespie University of Waikato New Zealand The conservation of living marine resources with diverse characteristics and life styles has become an international concern Borg s book provides an examination of the regulatory and legal implications of marine conservation The analysis takes account of UNCLOS Treaties and the UNCED 1992 that aid a more holistic response by States towards conservation the marine environment and socio economic needs Despite shortcomings and failures there have been success stories that highlight the potential of effective interaction between fisheries law and environmental law The book addresses the legal aspects of international regimes aimed at setting conservation obligations compliance and enforcement This is a path breaking work that shows how international law can diversify itself into different legal streams to ensure flexibility and a degree of adaptation to the different interests of the States involved _ John McEldowney University of Warwick UK This timely book discusses various international norms that qualify the right which all states have to access and exploit living resources in marine areas beyond national jurisdiction in order to promote the conservation of such species An intricate body of norms has accumulated over the last few decades consisting of prior and subsequent rules addressing the same issues as well as a number of specialized rules that supplement more general ones However this process has also exposed the fragmentation of the relevant international regimes with evolving and diverse interpretations of the same legal terms fine tuning or qualifying earlier treaties Uncertainty prevails as to how these norms interrelate with each other The book assesses to what extent the harmonization of these international regimes is possible It highlights current trends and developments which aim at better coherence and discusses legal techniques that could serve to harmonize both the objectives of these international norms and their scope of applicability The author also demonstrates that in some cases gaps and conflicts in the existing legal framework cannot be simply interpreted away but require the further development of international law in order to be resolved properly This unique book will appeal to academics and students in international law especially those researching marine conservation and the applicable legal framework It will be equally useful to organizations both public and private with an interest in marine conservation beyond national jurisdiction Environmental groups and policy makers in maritime affairs environmental issues and fisheries management will also find much to interest them in this insightful book

Fishing Entity Enforcement in High Seas Fisheries Ying-Ting Chen, 2014-10-21 The concept of a fishing entity is a new category of fishing actors separate from that of states in the international law of the sea The emergence of this new category provides a significant development towards a more flexible application of regulations regarding usage of the sea A fishing entity owns advanced technology and fishing skills and as such has an important role to play in global and regional conservation and management of fishery resources Despite this it is defined as being distinct from

a state in the relevant legal documents resulting in unclear circumstances involving certain global and regional agreements which usually apply to the latter This ambiguity is particularly prevalent in legal procedures on the high seas when the sovereignty of a state comes into question such as boarding and inspection This book provides a detailed definition of the role of the fishing entity in the international law of the sea and its obligations and rights in high seas fishery enforcements

Cases & Materials on International Law Martin Dixon, Robert McCorquodale, Sarah Williams, 2016 The sixth edition of Cases placing international law directly in the context of contemporary debate The book offers broad coverage of international law and is an appropriate match for a range of courses and teaching styles

The International Convention for the Prevention of Pollution from Ships Henrik Ringbom, Aldo Chircop, 2025-02-12 This Commentary presents an in depth exploration of what is widely regarded as the most important International Maritime Organization IMO convention on vessel source pollution Leading international experts provide an authoritative analysis of the International Convention for the Prevention of Pollution from Ships 1973 78 and its subsidiary instruments collectively known as MARPOL

Laws of the Sea Irus Braverman, 2022-08-03 Laws of the Sea assembles scholars from law geography anthropology and environmental humanities to consider the possibilities of a critical ocean approach in legal studies Unlike the United Nations monumental Convention on the Law of the Sea which imagines one comprehensive constitutional framework for governing the ocean Laws of the Sea approaches oceanic law in plural and dynamic ways Critically engaging contemporary concerns about the fate of the ocean the collection s twelve chapters range from hydrothermal vents through the continental shelf and marine genetic resources to coastal communities in France Sweden Florida and Indonesia Documenting the longstanding binary of land and sea the chapters pose a fundamental challenge to European law s terracentrism and its pervasive influence on juridical modes of knowing and making the world Together the chapters ask is contemporary Eurocentric law and international law in particular capable of moving away from its capitalist and colonial legacies established through myriad oceanic abstractions and classifications toward more amphibious legalities Laws of the Sea will appeal to legal scholars geographers anthropologists cultural and political theorists as well as scholars in the environmental humanities political ecology ocean studies and animal studies The Open Access version of this book available at <http://www.taylorfrancis.com> has been made

available under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4 0 license *Canada and Marine Environmental Protection: Charting a Legal Course Towards Sustainable Development* David VanderZwaag, 1995-07-26 This thought provoking book analyzes key principles of sustainable development and their implications for ocean law and policy including integration precaution pollution prevention polluter pays public participation community based management and international equity The author summarizes participation in global and regional agreements and arrangements for protecting the marine environment and suggests future directions for global regional and national legal systems For example national law reforms include establishing a coastal zone management framework

developing a process for designating and managing marine protected areas adopting a precautionary approach in decision making recasting the public trust doctrine *Cases & Materials on International Law* Martin|McCorquodale Dixon (Robert|Williams, Sarah),2024 **United States Supreme Court: Original Jurisdiction Cases and Materials** Gordon L. Weil,2016-07-29 These three volumes contain the only collection of all substantive decisions of the U S Supreme Court under its original jurisdiction This is a unique publication Under the U S Constitution the Supreme Court considers certain cases directly without taking them as an appeal from lower courts These cases involve the United States and individual states and state against state Cases between states may not be considered in any other court the Supreme Court s jurisdiction is exclusive **The Precautionary Principle in Marine Environmental Law** Bénédicte Sage-Fuller,2013-07-18 The book examines whether the jurisdiction of coastal States under international law can be extended to include powers of intervention towards vessels posing a significant risk to their coastal and marine environment but which have not yet been involved in any incident or accident The books sets out how it is that coastal State jurisdiction can indeed be seen as including powers of intervention towards High Risks Vessels before an incident or accident happens on the basis of the precautionary principle The precautionary principle requires taking action when a risk of damage to the environment is suspected but cannot be confirmed scientifically The book thus considers the potential opportunities for the coastal state under international law to regulate international shipping where they consider vessels to an unacceptable risk to the environment in order to prevent or minimise the risk of occurrence of the accident or incident leading to damage The book acknowledges that this puts into question some very old and established principles of the law of the sea most importantly the principle of freedom of navigation But B n dicte Sage Fuller contends that this change would itself be a consequence of the evolution since the end of WWII of on the one hand international law of the sea itself and of international environmental law on the other hand

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