The UN Convention on the Law of the Sea: Impact and Implementation

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PREFACE

The UN Convention on the Law of the Sea 1982 remained open for signature until December 9, 1984. By that time it had been signed by 159 states and had been ratified by fourteen states. It will enter into force only if a further forty-six states ratify or accede to it. The prospects for its early entry into force have not been improved by the decision of the governments of three important western states, the Federal Republic of Germany, the United Kingdom and the United States, not to sign the Convention, because of dissatisfaction with its regime for seabed mining. It seems not unlikely that the rate of ratification of the Convention will be influenced by these decisions, as well as by the outcome of the ongoing labors in the Preparatory Commission to develop the detailed rules for the exploitation of the Area beyond the limits of national jurisdiction.

The issue of seabed mining has featured prominently in recent annual Conferences of the Law of the Sea Institute. Partly for this reason, partly because further progress must await the outcome of the Preparatory Commission’s work, this topic has been considered only incidentally at the Nineteenth Annual Conference. It is clear that whether the Convention enters into force or not, and irrespective of the timing of that event and of the number of adherent states, the substance of the Convention will have a major impact upon the further development of international customary law and many of its rules will be informally “implemented” by their incorporation in municipal law. This Conference is concerned to examine the likely impact and implementation of the Convention in the various fields covered by the seven panels and the Special Symposium.

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TABLE OF CONTENTS

OPENING CEREMONIES
Welcoming Addresses
   E. D. Brown ........................................... 3
   Norman Lloyd-Edwards .............................. 3
   Thomas A. Clingan .................................. 4
   John P. Craven ....................................... 6

PART I:
THE IMPACT OF UNCLOS III ON CONTEMPORARY NAVAL OPERATIONS

   Introduction ......................................... 9
      A. G. Y. Thorpe

   The Law of Self-Defense, Contemporary Naval
      Geoffrey Kinley

   Naval Weaponry and the Law of the Sea
      David L. Larson

   Mine Warfare at Sea:
   Some Legal Aspects of the Future
      A. G. Y. Thorpe

   Commentaries
      Bruce A. Harlow .................................. 113
      Glen Plant ......................................... 116

   Discussion and Questions .......................... 121

LUNCHEON SPEECH

   The Law of the Sea and the UN Convention
   of 1982—A United Kingdom View
      H. G. Darwin

PART II:
THE IMPACT OF UNCLOS III ON FISHERIES

   Introduction ......................................... 137
      Lee G. Anderson

   The Impact of the Law of the Sea Treaty
   on the Organization of World Fisheries: Some Preliminary
   Observations on Production
      Giulio Pontecorvo

   Types of Agreements for Exploitation
   of EEZ Fisheries
      W. R. Edeson

   ...................................................... 157
PART III:
DELIMITATION OF MARITIME SPACES:
RECENT PRACTICE AND CURRENT PROBLEMS

Introduction
Bernard Oxman

Environmental Factors: Are They Relevant to Delimitation?
David A. Colson

The Single Maritime Boundary: Problems in Theory and Practice
Donald M. McRae

The Outstanding Maritime Boundary Problems Between Ireland and the United Kingdom
Clive R. Symmons

The Relevance of Economic Factors to the Law of Maritime Delimitation Between Neighboring States
Surya P. Sharma

Commentary
Robert B. Krueger

PART IV:
DELIMITATION OF MARITIME LIMITS:
GEOGRAPHICAL AND TECHNICAL ISSUES

Introduction
Robert W. Smith

The Identification of Technical Issues of Maritime Boundary Delimitation within the Law of the Sea Convention Context
Lewis M. Alexander

Straight Baselines: Theory and Practice
J. R. V. Prescott
Maritime Boundaries: ................................................. 319
A Geographical and Technical Perspective
Peter B. Beazley

Commentaries
Mario C. Manansala ........................................... 340
Chungcheng Lian ................................................. 344
Joseph Morgan .................................................... 351

Discussion and Questions ........................................ 355

PART V:
SCIENCE, LAW AND THE SEA

Introduction ...................................................... 363
R. J. H. Beverton

Marine Scientific Research Provisions
in the Convention on the Law of the Sea: Issues of Interpretation
Alfred H. A. Soons ............................................ 365

The Effect of the Law of the Sea
on Marine Scientific Research in the United States: Recent Trends
John A. Knauss and Mary Hope Katsouros .......................... 373

Marine Science Research:
Operating the Consent Regime
C. M. G. Adams ................................................. 383

The Future of Oceanographic Research
in the Light of the UN Convention
A. S. Laughton .................................................. 387

Fisheries Research and the Law of the Sea
Rowena Lawson .................................................. 392

The Law of the Sea and the Exchange
of Scientific Information and Data
N. C. Flemming .................................................. 398

Discussion and Questions ....................................... 409

LUNCHEON SPEECH

IMO and the Law of the Sea
C. F. Srivastava .................................................. 419

SPECIAL SYMPOSIUM:
MANAGEMENT OF SEAS AND COASTAL ZONES

Introduction ..................................................... 429
A. D. Couper
Sea Use Management for the North Sea
Gerard Peet ................................................................. 430

In Pursuit of an Enigma:
The Coastal Zone in Management and Law
John Gibson and J. E. Halliday ......................................... 441

Management of the Seas and Coastal Zones:
A Brief Outlook on Recent Developments in Indonesia
Etty R. Agoes ........................................................................ 452

Commentary
H. D. Smith ........................................................................ 464
C. S. Lalwani ........................................................................ 466
Kaldone G. Nweihed ........................................................... 468

Discussion and Questions ......................................................... 473

PART VI:
VESSEL TRAFFIC MANAGEMENT SYSTEMS:
THE FUTURE OF REGULATED NAVIGATION

Introduction
Edgar Gold ............................................................................. 477

Marine Hazards and Casualties:
The Need for Vessel Traffic Management
Edgar Gold ............................................................................. 479

The International Regulation of Maritime Traffic: IMO Approaches
Thomas A. Mensah ................................................................. 483

The Costs and Benefits of Navigational Safety
R. O. Goss and J. E. Halliday .................................................. 490

Commentaries
C. J. Parker ........................................................................... 501
F. J. J. Cadwallader ............................................................... 504

Discussion and Questions ......................................................... 506

PART VII:
THE EEC AND THE LAW OF THE SEA

Introduction
Albert Koers ........................................................................ 517

The EEC, the UN and the Law of the Sea
Tullio Treves ........................................................................ 518

The European Community's Environmental Policy
P. W. Birnie ............................................................................ 527
The EEC's Contribution to "State" Practice in the Field of Fisheries
R. R. Churchill

Commentaries
Budislav Vukas ........................................ 569
Markus Ederer .......................................... 573

Discussion and Questions .......................... 578

CONTRIBUTED PAPERS

V. I. Andrianov ....................................... 587

The Juridical Nature of the Exclusive Economic Zone and the Legal Regime of Navigation of Foreign Vessels Therein
V. F. Tsarev ........................................ 591

BANQUET SPEECH

The Implementation Problem in the Law of the Sea
Edward L. Miles .................................... 605

LIST OF PARTICIPANTS ......................... 615

INDEX ................................................. 629