

THE ENVIRONMENTAL RULE OF LAW FOR OCEANS

Our oceans need a strong and effective environmental rule of law to protect them against increased pressures and demands, including climate change, pollution, fisheries, shipping and more. The environmental rule of law for oceans requires the existence of a set of rules and policies at multiple governance levels that appropriately regulate human activities at sea and ensure that pressures on the marine ecosystem are tackled effectively. Adhering to the rule of law through clear, predictable, coherent and legitimate rules, and their implementation and enforcement, is timely and urgent. In this book, we are searching for ways to improve, strengthen and further develop the environmental rule of law for oceans. The book provides future-oriented perspectives on how law should evolve to better preserve the oceans. All chapters incorporate novel insights and ideas for legal solutions that might inspire scholars, actors, authorities, citizens and communities around the globe. This title is Open Access.

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Edited by Froukje Maria Platjouw , Alla Pozdnakova
Frontmatter
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The Environmental Rule of Law for Oceans

DESIGNING LEGAL SOLUTIONS

Edited by

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Foreword

We live in unprecedented times in human history. In this difficult and uncertain era, few will dispute that the marine environment, ocean processes and ecosystem services have never been more vital for the collective wellbeing and future progress of humans on planet Earth. In many ways, the existentialist and current predicaments faced by humanity in ocean affairs provide the general context for the daunting task taken on by the editors and contributors to this book, which is to explore the best solutions for sustainability and the protection of the marine environment. In light of their commendable endeavours in this regard, it is indeed a singular honour to pen the foreword to this very fine compendium of chapters published under the title, *The Environmental Rule of Law for Oceans: Designing Legal Solutions*.

Many of the chapters were first delivered at a memorable symposium convened by the research group on International Law and Governance in collaboration with the Norwegian Institute for Water Research and held in the Professorboligen in Oslo University in November 2019. This proved to be an enchanting venue for two days of thought-provoking deliberations on the academic papers that now form the core of these edited proceedings. In one volume, the collection draws together a range of incisive contributions made by leading law of the sea and environmental law scholars, diplomats and practitioners, who write with great authority and clarity about the protection, sustainable use and restoration of the marine environment, as well as its associated resources and ecosystems.

At the time of the symposium, no one foresaw that the world would change irrevocably shortly thereafter. Since then, many of the intergovernmental processes that are so crucial for the progressive development of the law of the sea have been delayed or postponed. Virtual and hybrid meetings have become the order of the day. Despite these constraints, the search for regulatory and policy responses to engender greater marine environmental stewardship has gathered pace and taken on a new sense of urgency. In light of these developments, the publication of this

volume could not be more timely, as it marks the fortieth anniversary of the adoption of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), as well as the seventieth anniversary of the 1972 United Nations Conference on the Human Environment, which led to the adoption of the Stockholm Declaration and Action Plan for the Human Environment. As is well known, these instruments were also adopted at a time of heightened international discord and concern about the degradation of the marine environment. Nonetheless, they managed to usher in a new era of intergovernmental cooperation and stability in the rule of law as it applies to ocean affairs and environmental matters more generally. The publication of this volume is therefore first and foremost a curt reminder of the resilience of the international community when faced with adversity in protecting and preserving the environment. At the same time, it signals the potency of the rule of law in setting priorities and delivering solutions that deftly balance competing interests in the use of ocean space and the conservation of natural resources.

The negotiators of UNCLOS intended the Convention to be comprehensive in substance and scope, as well as of universal application. Indeed, one has to go no further than the Preamble of UNCLOS to see that they were extravagantly optimistic as they sought to settle ‘all issues relating to the law of the sea’ by establishing a ‘legal order for the seas and oceans which will facilitate international communication, and will promote the peaceful uses of the seas and oceans, the equitable and efficient utilisation of their resources, the conservation of their living resources, and the study, protection and preservation of the marine environment’. In the four decades since the adoption of the Convention, many of the chapters reveal, however, that the law of the sea has not stood still. Today, the discrete field of law concerning the protection of the marine environment is made up of a complex and highly dynamic framework of specialist rules and standards. In addition, the jurisprudence of international courts and tribunals has added greatly to this framework in contentious and advisory proceedings concerning the interpretation and implementation of the Convention and related instruments. As the reader will see, this progression in normative development forms the backbone of much of the analysis undertaken in the volume. In shining the spotlight on contentious issues, the selection and treatment of topics is wide-ranging and cutting-edge, embracing as it does climate change and vessel source pollution, plastic pollution, space debris, living and non-living resources including biodiversity beyond national jurisdiction, environmental crimes, fisheries law, WTO Law, EU maritime governance, ecosystem-based management of the Arctic, the resumption of commercial whaling by Japan, as well as the perennial problems associated with the rule of law and the South China Sea. Significantly, the diffuse nature of individual chapter topics is structured creatively by the editors around five interwoven strands that bind the collection together, namely tackling multiple pressures on the oceans; balancing the exploitation and preservation of ocean resources; paths towards effective ocean governance, implementation and compliance; and strengthening the rule of law

in regional seas and oceans. The collection is book-ended by two discrete chapters authored by the joint editors that set the scene in the search for novel approaches to protecting the ocean, which conclude the compendium by charting out a compelling range of legal solutions for more sustainable uses of the oceans in an era of what often appears as unabated environmental change.

A fascinating question that pervades the entire narrative relates to the effectiveness and strength of the rule of law in meeting contemporary challenges as they pertain to the marine environment. In exploring various potential answers to this enquiry, many of the authors deconstruct the laws, science and policies in discrete fields, and by doing so make the topics at hand accessible and insightful to read. This approach will be welcomed by all readers, including specialist and non-specialist alike. As evident from the title of the volume, the narrative underpinning the collection does not only focus on the successes and failures of the environmental rule of law for the ocean but also tenders viable solutions to some of the most intractable challenges faced by humanity in the twenty-first century. The discussion reveals that many of the contemporary difficulties encountered in managing human impacts on the marine environment are not entirely new. The pressures are, however, intensifying due to a confluence of factors, including the climate emergency, extreme weather events and perhaps most acutely in relation to the tragic consequences of the recent Covid-19 pandemic. Furthermore, the impacts are most severe in countries in the Global South, where much remains to be done to address global inequalities, as well as to protect the human and natural environment.

In delving into the functions and the limits of the law, many of the contributions demonstrate that the normative might of instruments that protect the marine environment vary considerably and perhaps inevitably. Overall, what is also clearly evident is that the whole process of normative development is increasingly disparate. As such, it demands the creation of new mandates and new forms of engagement by intergovernmental bodies and other actors. Crucially, the authors point the way to strengthening the rule of law and the institutional setting for decision-making on the protection of the marine environment. In addition, on the basis of in-depth evaluation and analysis undertaken in the chapters, the editors provide a blueprint in the final chapter for the future development of the law and the road to ocean sustainability, which is to be applauded. Indeed, at the time of writing, several of the most pressing issues concerning the protection of the marine environment are subject to further regulatory developments with the elaboration of a new legally binding instrument on the conservation and sustainable use of biodiversity beyond national jurisdiction, as well as nascent steps to adopt a multilateral instrument aimed at controlling plastic pollution. Increasingly, we see the convergence of climate change and human rights considerations in law of the sea instruments, especially those concerned with forced migration and illegal, unreported and unregulated fishing. Moreover, the year of 2022 promises a new era of international engagement on ocean issues and will see the convening of an Ocean Summit in France, Our

Ocean Conference in Palau, the ninth World Ocean Summit and Expo in Portugal, the fourth session of the biodiversity beyond national jurisdiction intergovernmental conference at the United Nations, the fifteenth Conference of the Parties of the Convention on Biological Diversity, and the second UN Ocean Conference in Lisbon. One anticipates that the scientific basis for decision-making will become more assured in the years ahead, as we progress with the UN Decade of Ocean Science for Sustainable Development (2021–2030). We can also expect that the three institutions established by UNCLOS – the International Tribunal for the Law of the Sea, the International Seabed Authority, and the Commission on the Limits of the Continental Shelf – will continue to make steady progress in discharging their mandates and contribute to the progressive development and implementation of the law of the sea. All of the aforementioned show that marine environmental law commands broad international engagement and support. Furthermore, it will continue to flourish and remain a priority for legal scholarship.

In the regulatory and policy efforts ahead, we can be confident that the analysis undertaken in this volume will provide invaluable guidance to judges, diplomats, practitioners, academics and policymakers, who face the inevitable task of interpreting and applying the law, including mediating scientific evidence concerning the conservation and sustainable use of the marine environment, as well as its associated resources and ecological services. In doing so, this volume will make its own contribution to the maintenance of peace, stability and progress in human affairs. Permit me, therefore, to express my appreciation and congratulations to the editors and contributors for adding greatly to scholarship on the environmental rule of law for oceans, as well as to the international law of the sea more generally.

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7 January 2022*

Preface

This book crystallized in the aftermath of the Rule of Law for Oceans conference held at the University of Oslo's Faculty of Law in November 2019. The conference was organized by the faculty's research group on International Law and Governance in collaboration with the Norwegian Institute for Water Research. Scientific research on challenges and pressures on the marine environment, the role and functioning of environmental and international law, as well as the law of the sea, all culminated in the understanding that it is high time to critically examine the environmental rule of law for oceans. Many oceans and seas around the world are currently under threat. Strengthening the environmental rule of law is therefore urgent.

This book brings together a variety of perspectives from an extremely knowledgeable and intellectually creative group of scholars. Each author presents unique perspectives on the environmental rule of law for oceans (or the lack of such) and proposes legal solutions that might contribute to better protection and sustainable use of our oceans and seas. We would like to thank the authors for their patience and positive collaboration during the entire book process, and especially during the review of individual chapters. The majority of writing and editing took place during the Covid-19 pandemic, which may have slightly slowed down the process but never stopped any of us. It has been an intellectually inspiring and exciting journey.

In addition to all authors, we would also like to thank several others who have contributed to the success of this book project. First and foremost, for academic, practical and financial support in the organization of the conference and accomplishment of the book project we owe major thanks to the Faculty of Law's research group on International Law and Governance, the Scandinavian Institute of Maritime Law, as well as the Norwegian Institute for Water Research. Others who have contributed with financial support are the Fridtjof Nansen Foundation (Nansenfondet) for language editing, and the Norwegian Institute for Water Research and the law faculty of the University of Oslo for covering Open Access

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International Instruments

- 1946 Convention on the Privileges and Immunities of the United Nations, New York, 13 February 1946, in force 17 September 1946, 1 UNTS 15
- 1948 Convention on the International Maritime Organization, Geneva, 6 March 1948, in force 17 March 1958, 289 UNTS 3
- 1949 Convention between the United States of America and the Republic of Costa Rica for the Establishment of an Inter-American Tropical Tuna Commission, Washington, 31 May 1949, in force 3 March 1950, 80 UNTS 3
- 1969 Vienna Convention on the Law of Treaties, Vienna, 23 May 1969, in force 27 January 1980, 1155 UNTS 331; (1969) 8 ILM 679; UKTS (1980) 58
- 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, Washington/Moscow/London/Mexico City, adopted 29 December 1972, in force 30 August 1975, 1046 UNTS 120
- 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora, Washington, 3 March 1973, in force 1 July 1975, 993 UNTS 243
- 1973 International Convention for the Prevention of Pollution from Ships, London, 2 November 1973, 1340 UNTS 184, as Amended by the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships of 1973, 17 February 1978, 1340 UNTS 61 (MARPOL)
- 1974 Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea Area, Helsinki, 22 March 1974, in force 3 May 1980, 1507 UNTS 166
- 1975 Convention for the Establishment of a European Space Agency, Paris, adopted 30 May 1975, in force 30 October 1980, 1297 UNTS 161
- 1978 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, London, 7 July 1978, in force 28 April 1984, 1361 UNTS 2, 1362 UNTS 2
- 1979 Convention on the Conservation of Migratory Species of Wild Animals (CMS), Bonn, 23 June 1979 in force 1 November 1983, 1651 UNTS 333

- 1980 Convention on the Conservation of Antarctic Marine Living Resources, Canberra, 20 May 1980, in force 4 April 1982, 1329 UNTS 47
- 1981 Convention for the Protection of the Marine Environment and Coastal Area of the South-East Pacific (Lima Convention), adopted on 12 November 1981
- 1982 United Nations Convention on the Law of the Sea (UNCLOS), Montego Bay, 10 December 1982, in force 16 November 1994, 1833 UNTS 397
- 1987 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Basel Convention) Basel, 22 March 1987, in force 5 May 1993, 1673 UNTS 57
- 1987 Montreal Protocol on Substances That Deplete the Ozone Layer, Montreal, 16 September 1987, in force 1 January 1989, 1522 UNTS 3
- 1992 Convention for the Protection of the Marine Environment of the North-East Atlantic, Paris, 22 September 1992, in force 25 March 1998 1993 2354 UNTS 67 (OSPAR Convention)
- 1992 Convention on the Protection of the Marine Environment of the Baltic Sea Area, Helsinki, 9 April 1992, in force 17 January 2000, 2009 UNTS 197
- 1992 United Nations Framework Convention on Climate Change, New York, 9 May 1992, in force 21 March 1994, 1771 UNTS 107
- 1992 Convention on Biological Diversity, Rio de Janeiro, 5 June 1992, in force 29 December 1993, 1760 UNTS 69
- 1992 Convention for the Protection of the Marine Environment of the North-East Atlantic, Paris, 22 September 1992, in force 25 March 1998, 2354 UNTS 67
- 1993 Convention for the Conservation of Southern Bluefin Tuna, Canberra, 10 May 1993, in force 20 May 1994, 1819 UNTS 359
- 1993 Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, Rome, 24 November 1993, in force 24 April 2003, 2221 UNTS 120
- 1993 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA), New York, 4 August 1995, in force 11 December 2001, 2167 UNTS 88
- 1995 Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, Barcelona, 10 June 1995, in force 9 July 2004, 1102 UNTS 27
- 1996 International Law Commission Draft Code of Crimes against the Peace and Security of Mankind (1996), Yearbook of the International Law Commission, 1996, vol. II
- 1997 Convention on the Law of the Non-Navigational Uses of International Watercourses, New York, 21 May 1997, in force 17 August 2014, 2999 UNTS
- 1997 Kyoto Protocol to the United Nations Framework Convention on Climate Change, Kyoto, 11 December 1997, in force 16 February 2005, 2303 UNTS 162

- 1998 1998 Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention), Aarhus, 25 June 1998, in force 30 October 2001, 2161 UNTS 447
- 1998 The Rome Statute of the International Criminal Court, Rome, 17 July 1998, in force 1 July 2002, 2187 UNTS 90
- 2000 United Nations Convention against Transnational Organized Crime, Palermo, 12 December 2000, in force 29 September 2003, 2225 UNTS 209, 40 ILM 335 (2001)
- 2001 International Treaty on Plant Genetic Resources for Food and Agriculture, Rome, 3 November 2001, in force 29 June 2004, 2400 UNTS 303
- 2001 Responsibility of States for Internationally Wrongful Acts (2001), Yearbook of the International Law Commission, 2001, vol. II (Part Two)
- 2002 Convention for Cooperation in the Protection and Sustainable Development of the Marine and Coastal Environment of the Northeast Pacific, Antigua, 18 February 2002 (Not yet in force). Available online at: www.ecolex.org (TRE-001350)
- 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, Rome, 22 November 2009, in force 5 June 2016, 55 ILM 1157
- 2012 Convention on the Determination of the Minimal Conditions for Access and Exploitation of Marine Resources within the Maritime Areas under Jurisdiction of the Member States of the Sub-Regional Fisheries Commission, Dakar, 8 June 2012, in force 16 September 2012
- 2013 Protocol No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms, Strasbourg, 2 October 2013, in force 1 August 2018, Council of Europe Treaty Series – No. 214
- 2014 Agreement for the Establishment of the General Fisheries Commission for the Mediterranean as Amended by the General Fisheries Council for the Mediterranean at Its First Special Session (May 1963), at Its Thirteenth Session (July 1976), at Its Twenty-Second Session (October 1997) and by the General Fisheries Commission for the Mediterranean at Its Thirty-Eighth Session (May 2014), Rome, 20 May 2014, in force 20 May 2014, 3041 UNTS A-1691
- 2015 Paris Agreement to the United Nations Framework Convention on Climate Change, Paris, 12 December 2015, in force 4 November 2016
- 2019 Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction, Revised Draft Text of an Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction, 4th sess., Annex, UN Doc A/CONF.232/2020/3, 18 November 2019 (Draft BBNJ Agreement)

- 2022 WTO Agreement on Fisheries Subsidies, 17 June 2022, WT/MIN(22)/33WT/L/1144 (not yet in force)

EU LEGAL ACTS

Treaty on the Functioning of the European Union, Official Journal C 326, 26/10/2012 P. 1 – 390

REGULATIONS

Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters to Community institutions and bodies

Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999, OJ 2008 No. L 286, 29 October 2008 (EU IUU Regulation)

DIRECTIVES

Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy: <https://ec.europa.eu/environment/aarhus/legislation.htm> (last accessed August 2021)

Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment

Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC

Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC

Directive 2009/123/EC of the European Parliament and of the Council of 21 October 2009, amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements

Table of Cases

- The Case of the S.S. 'Lotus' (France v. Turkey)* [1927] PCIJ Rep. (Ser. A no. 10) 4
- Interpretation of the Greco-Turkish Agreement, Final Protocol, Article IV* (Advisory Opinion) [1928] PCIJ Rep (Ser. B no 16) 18
- Trail Smelter Arbitration* (1941) RIAA vol. III, 1905–82
- Interpretation of Peace Treaties with Bulgaria, Hungary and Romania* (First Phase) (Advisory Opinion) [1950] ICJ Rep. 65
- Nottebohm (Liechtenstein v. Guatemala) case* (Preliminary Objections, Judgment) [1953] ICJ Rep. 111
- North Sea Continental Shelf cases (Federal Republic of Germany v. Denmark and Netherlands)* (Judgment) [1969] ICJ Rep. 3
- Case concerning the Barcelona Traction, Light and Power Company, Limited (Belgium v. Spain)* Second Phase (Judgment) [1970] ICJ Rep. 3
- Application for Review of Judgement No. 158 of the United Nations Administrative Tribunal* (Advisory Opinion) [1973] ICJ Rep. 166
- Fisheries Jurisdiction (United Kingdom v. Iceland)* (Merits, Judgment) [1974] ICJ Rep. 3
- Nuclear Tests (Australia v. France)* (Judgment) [1974] ICJ Rep. 253
- Western Sahara (Request for Advisory Opinion)* (Order) [1975] ICJ Rep. 6
- Western Sahara* (Advisory Opinion) [1975] ICJ Rep. 12
- Request for an Examination of the Situation in Accordance with paragraph 63 of the Court's Judgment of 20 December 1974 in the Nuclear Tests (New Zealand v. France) case* (Order) [1995] ICJ Rep. 288
- Legality of the Use by a State of Nuclear Weapons in Armed Conflict* (Advisory Opinion) [1996] ICJ Rep. 66
- Legality of the Threat or Use of Nuclear Weapons* (Advisory Opinion) [1996] ICJ Rep. 226

- Gabčíkovo–Nagymaros Project (Hungary v. Slovakia)* (Judgment) [1997] ICJ Rep. 7, 37 ILM 162 (1998)
- Southern Bluefin Tuna (New Zealand v. Japan; Australia v. Japan)* (Provisional Measures, Order of 27 August 1999) [1999] ITLOS Rep. 280, 38 ILM 1624 (1999)
- Case Concerning the Conservation and Sustainable Exploitation of Swordfish Stocks in the Southern-Eastern Pacific Ocean (Chile v. European Community)* (Order of 20 December 2000) [2000] ITLOS Rep. 146, 40 ILM 475 (2001)
- The MOX Plant Case (Ireland v. United Kingdom)* (Provisional Measures, Order of 3 December 2001) [2001] ITLOS Rep. 95, 41 ILM 405 (2002)
- Kyrtatos v. Greece* (ECtHR Judgment of 22 August 2003) Application no. 41666/98 [2003] HRC D 14
- Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (Advisory Opinion) [2004] ICJ Rep. 136
- United States – Subsidies on Upland Cotton* (WTO Appellate Body Report of 3 March 2005), WT/DS267/AB/R, DSR 2005:1
- Pulp Mills on the River Uruguay (Argentina v. Uruguay)* (Judgment) [2010] ICJ Rep. 14
- Accordance with International Law of the Unilateral Declaration of Independence in respect of Kosovo* (Advisory Opinion) [2010] ICJ Rep. 403
- European Communities and Certain Member States – Measures Affecting Trade in Large Civil Aircraft* (WTO Appellate Body Report of 18 May 2011) WT/DS316/AB/R, DSR 2011:1
- M/V “Louisa” Case (Saint Vincent and the Grenadines v. Kingdom of Spain)* (Provisional Measures, Order of 23 December 2010) [2008–2010] ITLOS Rep. 58
- Mangouras v. Spain* (ECtHR Grand Chamber Judgment, Merits) [2010] ECHR 1364, IHRL 1816
- Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)* (Preliminary Objections, Judgment) [2011] ICJ Rep. 70
- Responsibilities and obligations of States sponsoring persons and entities with respect to activities in the Area (Request for Advisory Opinion submitted to the Seabed Disputes Chamber)* (Advisory Opinion) [2011] ITLOS Rep. 7
- Judgment No. 2867 of the Administrative Tribunal of the International Labour Organization upon a Complaint Filed against the International Fund for Agricultural Development* (Advisory Opinion) [2012] ICJ Rep. 10
- Questions relating to the obligation to prosecute or extradite (Belgium v. Senegal)* (Judgment) [2012] ICJ Rep. 422

- Whaling in the Antarctic (Australia v. Japan: New Zealand intervening)* (Judgment) [2014] ICJ Rep. 226
- Rights and Guarantees of Children in the Context of Migration and/or in Need of International Protection* (Advisory Opinion OC-21/14 of 19 August 2014) [2014] IACtHR Series A No. 21, www.refworld.org/cases,IACRTHR,54129c854.html
- Chagos Marine Protected Area Arbitration (Mauritius v. United Kingdom)* (Award of 18 March 2015) [2015] PCA Case No. 2011-03 <https://files.pca-cpa.org/pcadocs/MU-UK%2020150318%20Award.pdf>
- Request for an Advisory Opinion submitted by the Sub-Regional Fisheries Commission (SRFC)* (Advisory Opinion) [2015] ITLOS Rep. 1
- Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica) and Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)* (Judgment) [2015] ICJ Rep. 665
- The South China Sea Arbitration (Philippines v. China)* (Award of 12 July 2016) PCA Case No 2013-19 <https://pcacases.com/web/sendAttach/2086>
- Timor-Leste v. Australia (Decision on Australia's Objections to Competence of 19 September 2016)* PCA Conciliation Commission Case No 2016-10 <https://pcacases.com/web/sendAttach/10052>
- Case C-461/13 *Bund für Umwelt und Naturschutz Deutschland v. Bundesrepublik Deutschland* (The Weser Case) (Judgment of 1 July 2015) ECLI:EU:C:2015:433
- Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. India)* (Jurisdiction and Admissibility, Judgment) [2016] ICJ Rep. 255
- Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. Pakistan)* (Jurisdiction and Admissibility, Judgment) [2016] ICJ Rep. 552
- Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. United Kingdom)* (Preliminary Objections, Judgment) [2016] ICJ Rep. 833
- The Obligations in Matters of Human Rights of a State That Has Denounced the American Convention on Human Rights and the Charter of the Organization of American States* (Advisory Opinion OC-22/16 of 26 February 2016) [2016] IACtHR Series A No. 22
- Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)*, Preliminary Objections, Judgment, ICJ Reports 2017, 3, 161-20170202-ORD-01-00-BI.pdf (icj-cij.org)
- The Environment and Human Rights (State Obligation in relation to the environment in the context of the protection and guarantee of the rights to life and to personal integrity interpretation and scope of articles 4(1) and 5(1) in relation to Articles 1(1) and 2 of the American Convention on Human*

Rights) (Advisory Opinion OC-23/17 of 15 November 2017) [2017] IACtHR Series A No. 23 www.corteidh.or.cr/docs/opiniones/seriea_23_ing.pdf

Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua) (Compensation, Judgment) [2018] ICJ Rep. 15

The M/V “Norstar” case (Panama v. Italy) (Judgment of 10 April 2019) [2018–2018] ITLOS Rep. 10

Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965 (Advisory Opinion) [2019] ICJ Rep. 95

Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives) (Preliminary Objections, Judgment of 28 January 2021) ITLOS Rep. 2020-2021, p. 17.

Abbreviations

AB	appellate body (WTO)
ABNJ	areas beyond national jurisdiction
ABPMM	area-based protection and management measures
ABS	access and benefit-sharing
AC	Arctic Council
AHTEG	The Ad Hoc Technical Expert Group
AMOC	Atlantic meridional overturning circulation
AOA	agreement on agriculture (WTO)
ATS	Antarctic Treaty System
Basel Convention	Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal
BBNJ	biodiversity beyond national jurisdiction
BMSY	biomass that enables a fish stock to deliver the maximum sustainable yield
BSAP	Baltic Sea Action Plan
CBD	Convention on Biological Diversity
CCAMLR	Commission for the Conservation of Antarctic Marine Living Resources
CCSBT	Convention for the Conservation of Southern Bluefin Tuna
CIGI	Centre for International Governance Innovation
CJEU	Court of Justice of the European Union
CLCS	Commission on the Limits of the Continental Shelf
CMAR	The Eastern Tropical Pacific Marine Corridor
CMM	conservation and management measures
CMS	Convention on Migratory Species of Wild Animals

CO ₂	carbon dioxide
COC	ASEAN code of conduct
COFI	The FAO Committee on Fisheries
COLREG	Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs)
COP	conference of parties
COPUOS	UN Committee on the Peaceful Uses of Outer Space
COSIS	Commission of Small Island States on Climate Change and International Law
CPPS	Permanent Commission for the South Pacific (Comisión Permanente del Pacifico Sur)
CTE	Committee on Trade and Environment (WTO)
DNA	deoxyribonucleic acid
DOALOS	United Nations Division for Ocean Affairs and the Law of the Sea
DOC	China–ASEAN Declaration on Conduct of the Parties in the South China Sea
DSI	digital sequence information
DSM	dispute settlement mechanism
EA	ecosystem approach
EAF	ecosystem approach to fisheries
EBSA	ecologically and biologically significant area
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EEZ	exclusive economic zone
EIA	environmental impact assessment
ESA	European Space Agency
Espoo Convention	Convention on Environmental Impact Assessment in a Transboundary Context
ETP	Eastern Tropical Pacific
ETPO	Eastern Tropical Pacific Ocean
EU	European Union
EU IUU Regulation	Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999
FAA	fisheries access agreement

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FAO	Food and Agricultural Organization of the United Nations
FMSY	fishing mortality consistent with achieving Maximum Sustainable Yield (MSY)
FTA	free trade agreement
GATT	General Agreement on Tariffs and Trade
GES	good environmental status
GESAMP	Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection
GFCM	General Fisheries Commission for the Mediterranean
GHG	green house gas emissions
GLT	green legal theory
GPA	The Global Programme of Action for Protection of the Marine Environment from Land-Based Activities
Gt	gross tonnage
HELCOM	Helsinki Commission / Baltic Marine Environment Protection Commission
HRCDD	Human Rights Case Digest
IACHR	Inter-American Court of Human Rights
IASC	International Arctic Science Committee
IASS	Institute for Advanced Sustainability Studies
IATTC	Inter-American Tropical Tuna Commission
IAU	International Astronomic Union
ICC	International Chamber of Commerce
ICES	International Council for the Exploration of the Sea
ICISS	International Commission on Intervention and State Sovereignty
ICJ	International Court of Justice
ICJ Rep.	ICJ reports of judgments, advisory opinions and orders
ICRW	International Convention for the Regulation of Whaling
IDDRI	Institute for Sustainable Development and International Relations
IEBMM	integrated ecosystem-based marine management
IHRL	international human rights law
ILC	International Law Commission
ILM	international legal materials

IMO	International Maritime Organization
INTERPOL	The International Criminal Police Organization
IOC	Intergovernmental Oceanographic Commission of UNESCO
IPBES	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services
IPCC	Intergovernmental Panel on Climate Change
IPOA IUU	FAO international plan of action to prevent, deter, and eliminate illegal, unreported and unregulated fishing
ISA	International Seabed Authority
ITLOS	International Tribunal for the Law of the Sea
ITLOS Rep.	ITLOS reports of judgments, advisory opinions and orders
ITPGRFA	The International Treaty on Plant Genetic Resources for Food and Agriculture
IUCN	International Union for Conservation of Nature
IUCN-ELC	IUCN Environmental Law Centre
IUU fishing	illegal, unreported and unregulated fishing
IWC	International Whaling Commission
Kyoto Protocol	Kyoto Protocol to the United Nations Framework Convention on Climate Change
LDC	least developed country
LME	large marine ecosystem
London Convention	Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter
MAFF	Ministry of Agriculture, Forestry and Fisheries
MARPOL	International Convention for the Prevention of Pollution from Ships
MC	ministerial conference (WTO)
MGRs	marine genetic resources
MLRs	marine living resources
Montreal Protocol	Montreal Protocol on Substances that deplete the ozone layer
MPAs	marine protected areas
MSFD	marine strategy framework directive
MSP	maritime spatial planning
MSPD	maritime spatial planning directive
MSR	marine scientific research
MSY	maximum sustainable yield
NAMCCO	North Atlantic Marine Mammal Commission

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NDC	nationally determined contribution
NEAFC	North East Atlantic Fisheries Commission
NGR	negotiating group on rules (WTO)
nm	nautical miles
NOAA	The United States National Oceanic and Atmospheric Administration
NPS	UN principles relevant to the use of nuclear power in outer space
OECD	Organisation for Economic Cooperation and Development
OJ	<i>Official Journal of the European Union</i>
OSPAR Convention	Convention for the Protection of the Marine Environment of the North-East Atlantic
OZ	ocean zoning
PA	Paris Agreement to the United Nations Framework Convention on Climate Change
PAG	Pacific Arctic Group
PAME	Arctic Council Working Group on Protection of the Arctic Marine Environment
PCA	Permanent Court of Arbitration
PCIJ	Permanent Court of International Justice
PCIJ Rep.	PCIJ collection of judgment and advisory opinions
PICES	North Pacific Marine Science Organization
PSMA	agreement on port state measures
PSSA	particularly sensitive sea areas
RCRA	Resource Conservation and Recovery Act (US Law)
RECIEL	<i>Review of European, Comparative & International Environmental Law</i>
RFB	regional fisheries bodies
RFMA	regional fisheries management arrangement
RFMO	Regional Fisheries Management Organisation
RIIA	United Nations, Reports of International Arbitral Awards
RMC	regional ministerial committee
RMP	revised management procedure
RNA	ribonucleic acid
ROG	regional ocean governance
RSP	Regional Seas Programme
RTC	regional technical committee
SBT cases	southern bluefin tuna cases
SCM	subsidies and countervailing measures

SCS	South China Sea
SDG	sustainable development goal
SDT	special and differential treatment
SJD	San José Declaration
SOLAS	International Convention for the Safety of Life at Sea
SPS	sanitary and phytosanitary measures
TAC	ASEAN Treaty of Amity and Cooperation in Southeast Asia
TBT	technical barriers to trade
TFEU	Treaty on the Functioning of the European Union
TMG	think tank for sustainability
TOC	the ocean cleanup
TRIPS Agreement	The Agreement on Trade-Related Aspects of Intellectual Property Rights
UKTS	The United Kingdom Treaty Series
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNCLOS III	The 3rd United Nations Conference on the Law of the Sea (1973–1982)
UNCTAD	United Nations Conference on Trade and Development
UNEA	United Nations Environmental Assembly
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNEP-WCMC	UNEP World Conservation Monitoring Centre
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
UNFSA	United Nations Agreement Relating to the Conservation and Management of Straddling Fish Stocks and Migratory Fish Stocks
UNGA	United Nations General Assembly
UNISPACE	United Nations Conference on the Exploration and Peaceful Uses of Outer Space
UNODC	United Nations Office on Drugs and Crime
UNTOC	United Nations Convention against Transnational Organized Crime
UNTS	United Nations Treaty Series

List of Abbreviations

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USC	United States code
USCA	United States code annotated
USD	United States dollar
VLCT	Vienna Convention on the Law of Treaties
WFD	Water Framework Directive
WTO	World Trade Organization
WWF	World Wide Fund for Nature

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