THE DEVELOPMENT OF THE LAW OF THE SEA BY UNCLOS DISPUTE SETTLEMENT BODIES

This is the first study to provide both a systematic assessment of the ways by which the dispute settlement bodies of the United Nations Convention on the Law of the Sea (UNCLOS) contribute to the development of the law of the sea and an exposition of the factors that explain such contribution. The book analyses UNCLOS dispute settlement bodies’ decisions and the legal reasoning in key areas of the law of the sea. It further examines the factors that impact the decision-making process of UNCLOS tribunals to explain the parameters within which UNCLOS tribunals operate and how this impacts their ability and willingness to develop the law. The book provides a unique reference point for lecturers, researchers and students of international law, particularly law of the sea, as well as practitioners and government advisors who wish to gain comprehensive insights into the functioning and the role of the UNCLOS dispute settlement system.

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The Development of the Law of the Sea by UNCLOS Dispute Settlement Bodies

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Abbreviations

AJIL American Journal of International Law
BYBIL The British Yearbook of International Law
CBD Convention on Biodiversity
CCAMLR Convention for the Conservation of Antarctic Marine Living Resources
CCSBT Convention for the Conservation of Southern Bluefin Tuna
CITES Convention on International Trade in Endangered Species of Wild Fauna and Flora
CJIL Chinese Journal of International Law
CLCS Commission on the Limits of the Continental Shelf
COLREGS Convention on the International Regulations for Preventing of Collisions at Sea
ECtHR European Court of Human Rights
EEZ exclusive economic zone
EIA environmental impact assessment
EJIL European Journal of International Law
FAO Food and Agricultural Organization
ICJ International Court of Justice
ILC International Law Commission
IJGLS Indiana Journal of Global Legal Studies
IJIL Indonesian Journal of International Law
IJMCL The International Journal of Marine and Coastal Law
ILA International Law Association
ILM International Legal Materials
IMO International Maritime Organization
List of Abbreviations

ISA  International Seabed Authority
ITLOS  International Tribunal for the Law of the Sea
IUU  illegal, unregulated and unreported
IJIL  Leiden Journal of International Law
MCA Convention  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 SRFC
MPA  marine protected area
MSY  maximum sustainable yield
nm  nautical miles
ODIL  Ocean Development & International Law
PCIJ  Permanent Court of International Justice
RECIEL  Review of European, Comparative & Environmental Law
RFMO  Regional Fisheries Management Organisation
RIAA  Reports of International Arbitral Awards
SBT  southern bluefin tuna
SDC  Seabed Disputes Chamber
SRFC  Sub-Regional Fisheries Commission
UNFSA  United Nations Fish Stocks Agreement
UNGA  United Nations General Assembly
VCLT  Vienna Convention on the Law of Treaties
WTO  World Trade Organization