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Protecting the Oceans Beyond National Jurisdiction (Legal Aspects of Sustainable Development (Numbered))

Robin Warner

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Knowledge of the marine environment beyond national jurisdiction and its unique biodiversity is still developing. Simultaneously, traditional uses of these areas including fishing and shipping, are intensifying and new uses are emerging such as bio-prospecting for marine genetic resources and climate change mitigation activities. This volume examines the threats to the marine environment beyond national jurisdiction from existing and emerging human uses and the adequacy of current international law provisions to protect this major part of the global environment. An analysis of key provisions in the 1982 United Nations Law of the Sea Convention and complementary principles of international environmental law reveals significant tensions between the concept of high seas freedoms and the international law obligation to protect and preserve the marine environment beyond national jurisdiction. The book compares the lack of comprehensive environmental regulation for marine resource exploitation and shipping activities beyond national jurisdiction with the best practice standards for environmental protection being developed by the International Seabed Authority for deep seabed mining exploration. Recent initiatives by the international community to study issues relating to conservation of high seas biodiversity are discussed and a range of soft and hard law options to strengthen the international law framework for protection of the marine environment beyond national jurisdiction are considered.

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