Conservation on the High Seas

Harmonizing International Regimes for the Sustainable Use of Living Resources

New Horizons in Environmental and Energy Law series

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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.

It is important to underscore the value of this new book. It does an excellent job of detailing the legal challenges that stand in the way of improved conservation for particularly difficult species, such as anadromous and catadromous fish species, as well as marine mammals.

Overall, legal scholars and practitioners will find the book to be a useful and comprehensive reference work for understanding the complexities and challenges of current legal arrangements for managing living resources on the high seas, and the history of how these have evolved.


“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 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

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the law of the sea, but also to general international lawyers.'
– Malgosia Fitzmaurice, Queen Mary, University of London, UK