The Exclusive Economic Zone

Charles Quince



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- "Accords Passés avec la Guinée Bissau le 27 Février 1980," *Official Journal of the European Community*, No. L. 226 du 29 Aout 1980, 33.
- "Act Concerning the Maritime Areas of the Polish Republic and the Marine Administration, 1991." *Law of the Sea Bulletin,* no. 21 (1991): 66.
- "African, Caribbean and Pacific States-European Economic Community: Final Act, Minutes, and Fourth ACP-EEC Convention of Lomé." *International Legal Materials* 29 (1990): 783–87.
- "African States: Conclusions of the Regional Seminar on the Law of the Sea." *International Legal Materials* 12 (1973): 210–13.
- "African States Declaration on the Issues of the Law of the Sea, May 1973." *International Legal Materials* 12 (1973): 1200.
- Aguilar, Andrés M. "The Patrimonial Sea or Economic Zone Concept." San Diego Law Review 11 (1974): 579–602.
- Akehurst, Michael. "Custom as a Source of International Law." *British Year-book of International Law* 42 (1975): 1–53.
- Akehurst, Michael. *A Modern Introduction to International Law.* London: Routledge, 1982.
- Alam, Shah. "The Problem of the Legal Status of the Exclusive Economic Zone." *Indian Journal of International Law* 24 (1984): 468–88.
- Alexander, Bruce E. "The Territorial Sea of the United States: Is it Twelve Miles or Not?" *Journal of Maritime Law and Commerce* 20 (1989): 449–87.
- Alexander, Lewis M. "Breath of Territorial Sea and Other Offshore Zone." In *The Law of the Sea: Offshore Boundaries and Zones*, edited by L. M. Alexander. Columbus: Ohio State University Press, 1967.
- Alexander, Lewis M. "Regional Arrangement in the Oceans." *American Journal of International Law* 71 (1977): 84-109.
- Alexander, Lewis M. "Regionalism and the Law of the Sea: The Case of Semi-Enclosed Seas." *Ocean Development and International Law* 2 (1974): 151–86.
- Al Mour, Awadh Mohamed. "The Legal Status of the Exclusive Zone." *Revue Egyptienne de Droit International* 33 (1977): 35–69.
- Amador, F. V. García. *The Exploitation and Conservation of the Resources of the Sea.* Leiden, Netherlands: A. W. Sijthoff, 1973.
- Amador, F. V. García. "The Latin American Contribution to the Development of the Law of the Sea." Law of the Sea Institute, Occasional Paper No. 14. July 1972.
- Anand, Ram P. *Legal Regime of the Seabed and the Developing Countries*. Delhi, India: Thomson Press, 1975.

Anand, Ram P. "The Politics of a New Legal Order for Fisheries." *Ocean Development and International Law* 11 (1982): 265–95.

- "Anglo-Norwegian Fisheries Case (United Kingdom v. Norway)." *International Court of Justice Reports* (1951): 116.
- Annex V, Conciliation, Article 7(2). Official Records 15 (1981): 235.
- Arbour, Jean Maurice. "L'Affaire du Chalutier-Usine 'La Bretagne' ou les Droits de l'État Côtier dans sa Zone Économique Exclusive." *Canadian Yearbook of International Law* 24 (1986): 61–89.
- "Asylum Case (Colombia v. Peru)." *International Court of Justice Reports* (1950): 266.
- Attard, D. J. *The Exclusive Economic Zone in International Law.* Oxford: Clarendon Press, 1987.
- "Australian Fisheries Amendment Act, 1978." In *New Direction in the Law of the Sea: Documents*, edited by Robin Churchill, Myron H. Nordquist, and S. Houston Lay, vol. 10. Dobbs Ferry, NY: Oceana, 1973.
- "Avec la Guinée," *Official Journal of the European Community*, No. L. 237 du 28 Aout 1983, 15.
- The Bahamas Fisheries Resources Act, 1977, in ST/LEG/SER. B/19 (1980): 18–19.
- Balasubramanian, S. P. "Fisheries Provisions of the ICNT—Part II." *Marine Policy* 6 (1982): 27–42.
- Baxter, R. R. "Treaties and Custom." *Recueil des Cours de l'Académie de Droit International* 129 (1970): 25–105.
- Beale, Joseph H. "Jurisdiction of a Sovereign State." *Harvard Law Review* 36 (1923): 241–262.
- "Behring Sea Fur Seals Arbitration (Great Britain v. United States of America), 1893." *Moore Digest* 1 (1898): 755.
- "Belize Act of January 24, 1992." Law of the Sea Bulletin, no. 21 (1992): 3.
- Bernhardt, Rudolf. "Custom and Treaty in the Law of the Sea." *Recueil des Cours de l'Académie de Droit International* 205 (1987): 251–329.
- Birnie, Patricia W. "Contemporary Maritime Legal Problems." In *The Maritime Dimensions*, edited by Ronald Peter Barston and Patricia W. Birnie, 169–189. London: George Allen and Unwin, 1980.
- Birnie, Patricia W. "The Law of the Sea before and after UNCLOS I and UNCLOS II." In *The Maritime Dimensions*, edited by Ronald Peter Barston and Patricia W. Birnie, 8–26. London: George Allen and Unwin, 1980.
- Bishop, W. W. "The 1958 Geneva Convention on Fishing and Conservation of the Living Resources of the High Seas." *Cornell Law Review* 62 (1982): 1206–29.
- Black, Henry Campbell, Joseph R. Nolan, and Jacqueline M. Nolan-Haley, *Black's Law Dictionary*, 6th ed. St. Paul, MN; West, 1990.
- Boczek, Bolesław A. "Peacetime Military Activities in the Exclusive Economic Zone of Third Countries." *Ocean Development and International Law* 19 (1988): 445–68.
- Bosma, John T. "The Alternative Futures of Naval Force." *Ocean Development and International Law* 5 (1978): 181–249.

Bouchez, L., G. Jaenicke, and R. Y. Jennings. "Feasibility Study on the Development of Industrial Islands in the North Sea." *International Law Aspects* 4 (1974): 2.

- Bowett, Derek W. *The Law of the Sea.* Manchester: Manchester University Press. 1967.
- Boyle, Alan E. "Marine Pollution under the Law of the Sea Convention." *American Journal of International Law* 79 (1985): 347–72.
- "Brazil: Decree-Law Extending Territorial Sea to 200 Miles No. 1098 of May 15, 1970." *International Legal Materials* 10 (1971): 1224–25.
- Brennan, K. G. "Jurisdiction of Coastal States and Other States in the Exclusive Economic Zone." Paper presented before the Seventh International Ocean Symposium of the Ocean Association of Japan, Oct. 21–22, 1982, 45–50.
- Brown, Edward D. "The Continental Shelf and the Exclusive Economic Zone: The Problem of Delimitation at UNCLOS III." *Maritime Policy and Management* 4 (1976): 377–408.
- Brown, Edward D. "The Exclusive Economic Zone: Criteria and Machinery for the Resolution of International Conflicts between Different Users of the EEZ." *Maritime Policy and Management* 4 (1977): 325–50.
- Brown, Edward D. *The International Law of the Sea: Introductory Manual.* Brookfield, VT: Dartmouth, 1994.
- Brown, Edward D. "The Significance of a Possible EC EEZ for the Law Relating to Artificial Islands, Installations and Structures, and to Cables and Pipelines, in the Exclusive Economic Zone." *Ocean Development and International Law* 23 (1992): 115–44.
- Brownlie, Ian. *Principles of Public International Law.* 4th ed. Oxford: Clarendon Press, 1990.
- Burke, William T. "Exclusive Fisheries Zones and Freedom of Navigation." *San Diego Law Review* 20 (1983): 595-624.
- Burke, William T. "Highly Migratory Species in the New Law of the Sea." *Ocean Development and International Law* 14 (1983): 273–314.
- Burke, William T. "The Law of the Sea Convention Provisions on Conditions of Access to Fisheries Subject to National Jurisdiction." *Oregon Law Review* 63 (1984): 73–119.
- Burke, William T. "Scientific Research." In *The United States without the Law of the Sea Treaty: Opportunities and Costs*, edited by Lawrence Juda, 113–15. Kingston: University of Rhode Island, Center for Ocean Management Studies, 1983.
- Burke, William T. "U.S. Fishery Management and the New Law of the Sea." *American Journal of International Law* 76 (1982): 24–55.
- Burke, William T., Richard Legatski, and William W. Woodhead. *National and International Enforcement in the Ocean*. Seattle, WA: University of Washington Press, 1975.
- Burnett, Douglas R., Tara Davenport, and Robert C. Beckman, "Overview of the International Legal Regime Governing Submarine Cables." In *Submarine Cables: The Handbook of Law and Policy*, edited by D. R. Burnett, Robert C. Beckman, and Tara Davenport. Leiden: Martinus Nijhoff, 2014.

Caddy, J. F. "Some Considerations Relevant to the Definition of Shared Stocks and their Allocation between Adjacent Economic Zones." In Food and Agriculture Organization of the United Nations Fisheries Circular No. 1749. July 1982.

- Caflish, Lucius. "The Fishing Rights of Land-Locked and Geographically Disadvantaged States in the Exclusive Economic Zone." In *La Zona Economica Esclusiva*, edited by Benedetto Conforti, 29–48. Milan: Giuffrè, 1983.
- Caminos, Hugo. "The Regime of Fisheries in the Exclusive Economic Zone." In *The Exclusive Economic Zone: A Latin American Perspective*, edited by Francisco Orrego Vicuña, 143–58. Boulder, CO: Westview Press, 1984.
- "Canada, Coastal Fisheries Protection Regulations, December 9, 1979." *International Legal Materials* 15 (1976): 1372.
- Canadian Yearbook of International Law 15 (1977).
- Carlson, Cynthia E. "The International Regulation of Small Cetaceans." *San Diego Law Review* 21 (1984): 577–623.
- Carroz, Jean F. "Le Nouveau Droit des Pêches et la Notion d'Excédent." *Annuaire Français de Droit International* 24 (1978): 851–65.
- Carroz, Jean F. "Les Problèmes de la Pêche a la Conférence sur le Droit de la Mer et dans la Pratique des Etats." *Revue Générale de Droit International Public* 84 (1980): 705–51.
- Carroz, Jean F., and Michel Savini. "Les Accords de Pèche Conclus par les Etats Africains Riverains de l'Atlantique." *Annuaire Français de Droit International* 24 (1983): 674–709.
- Carroz, Jean F., and Michel Savini. "The Practice of Coastal States Regarding Foreign Access to Fishery Resources: An Analysis of the Bilateral Agreements." In *Food and Agriculture Organization of the United Nations Fisheries Report No. 293*, 43–72. Rome: Food and Agriculture Organization of the United Nations, 1983.
- "Case Concerning the Continental Shelf (Libyan Arab Jamahiriya v. Malta)." International Court of Justice Reports (1985): 33.
- "Case Concerning Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada v. United States)." *International Court of Justice Reports* (1984): 299–300.
- "Case Concerning Maritime Delimitation in the Area between Greenland and Jan Mayen (Denmark v. Norway)." *International Court of Justice Reports* (1993): 73–74.
- "Case Concerning Military and Paramilitary Activities in and Against Nicaragua (Nicaragua v. United States), Merits, June 27th, 1986." *International Court of Justice Reports* (1986): 14.
- "Case Concerning the Delimitation of Marine Areas between Canada and the French Republic." *International Legal Materials* 31, no. 1145 (1992): 175.
- "Case Concerning Land Reclamation by Singapore in and around the Straits of Johor (Malaysia v. Singapore)." Provisional Measures. ITLOS order. *ICJ Rep.* (2003, October 8): para. 92.
- "Case of the S. S. Lotus (France v. Turkey)," Permanent Court of International Justice (1927): Series A. No. 10, 28.

Cass, Deborah. "The Quiet Revolution: The Development of the Exclusive Economic Zone and Implications for Foreign Fishing Access in the Pacific." *Melbourne University Law Review* 16 (1987): 83–102.

- Castañeda, Jorge. "Negotiations on the Exclusive Economic Zone at the Third United Nations Conference on the Law of the Sea." In *Essays in International Law in Honor of Judge Manfred Lachs*, edited by Jerzy Makarczyck, 605–23. The Hague: Martinus Nijhoff, 1984.
- Castañeda, Jorge. "The Concept of the Patrimonial Sea in International Law." *Indian Journal of International Law* 12 (1972): 535–42.
- Central Intelligence Agency. *World Factbook*. 2018. https://www.cia.gov/library/publications/the-world-factbook/geos/le.html (accessed January 28, 2018).
- "Channel Continental Shelf Arbitration (United Kingdom v. France), 1977 XV." UN Reports of International Arbitral Awards 3 (1978): 3.
- Chapman, Wilbert M. "Fishery Resources in Offshore Waters." In *The Law of the Sea: Offshore Boundaries and Zones*, edited by Louis M. Alexander, 87–105. Columbus: Ohio State University Press, 1967.
- Charney, Jonathan I. "Entry into Force of the 1982 Convention on the Law of the Sea," *Virginia Journal of International Law* 35 (1995): 381–404.
- Charney, Jonathan I. "The Exclusive Economic Zone and Public International Law." *Ocean Development & International Law* 15 (1985): 233–88.
- "Charter of Economic Rights and Duties of States, GA. Res. 3281." *United Nations General Assembly Official Records* 29 Suppl. No. 31, 50, UN Document. A/9631 (1974).
- Cheng, Bing. "United Nations Resolutions on Outer Space 'Instant' International Customary Law," *Indian Journal of International Law* 5 (1965): 23–45.
- Chilean Presidential Declaration Concerning the Continental Shelf, in UN Legislative Series. *Laws and Regulations on the Regime of the High Seas* 1 (1951): 6.
- Chiu, Hungdah. "Some Problems Concerning the Application of the Maritime Boundary Delimitation Provisions of the 1982 United Nations Convention on the Law of the Sea." *Chinese Yearbook of International Law and Affairs* 4 (1984): 68–69.
- Churchill, Robin Rolf. EEC Fisheries Law. New York: Martinus Nijhoff, 1987.
- Churchill, Robin Rolf. "The Fisheries Jurisdiction Cases: The Contribution of the International Court of Justice to the Debate of Coastal State's Fisheries Rights." *International and Comparative Law Quarterly* 24 (1975): 87–88.
- Churchill, Robin Rolf, and Alan Vaughan Lowe. *The Law of the Sea*, 3rd ed. Manchester, England: Manchester University Press, 1988.
- "The Claim of Namibia of 1990." In *Law of the Sea: Current Developments in State Practice*, no. 3. New York: United Nations, 1992.
- Clingan, Thomas A. "Freedom of Navigation in a Post-UNCLOS III Environment." *Law and Contemporary Problems* 46 (1983): 107–23.
- "Conservation and Management of Living Resources of the High Seas: Proposal Submitted to the Third Session of the Preparatory Committee for the

United Nations Conference on the Environment and Development, Geneva, August 12–September 4, 1991." *Law of the Sea Bulletin*, no. 19 (1991): 42–44.

- "Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean of 1992." *Law of the Sea Bulletin*, No. 22 (1993): 21.
- "Convention for the Conservation of Salmon in the North Atlantic Ocean, 1982." Official Journal of the European Union L378 (1982): 24.
- "Convention on the Continental Shelf." *United Nations Treaty Series* 499 (1964): 311–20.
- "Convention on Fishing and Conservation of Living Resources of the High Seas." *United Nations Treaty Series* 599 (1966): 286–300.
- "Convention on the High Seas, Geneva, April 29, 1958." *United Nations Treaty Series* 450 (1963): 82–102.
- "Convention on the Territorial Sea and the Contiguous Zone." *United Nations Treaty Series* 516 (1964): 205–24.
- "Convention Relative au Développement Régional des Pêches dans le Golf de Guinée, 2 Juin 1984," *Revue Générale de Droit International Public* 91 (1987): 1115.
- Corbett, P. E. "The Consent of States and the Sources of the Law of Nations." British Yearbook of International Law 6 (1925): 20–30.
- Courier No. 64 November-December, 1980, 73.
- Crawford, James. *Brownlie's Principles of Public International Law.* Oxford: Oxford University Press, 2012.
- Dahmani, Mohammed. "Access of Land-Locked and Geographically Disadvantaged States to the Fisheries Resources of the Exclusive Economic Zone under the New Convention on the Law of the Sea." *Maritime Policy and Management* 10 (1983): 265–73.
- Dahmani, Mohamed. *The Fisheries Regime of the Exclusive Economic Zone*. Boston: Martinus Nijhoff, 1987.
- Dalton, Jane Gililand. "The Chilean Mar Presencial: A Harmless Concept or a Dangerous Precedent?" *International Journal of Marine and Coastal Law* 8 (1993): 397–418.
- D'Arechaga, Jimeneze. "Case Concerning the Continental Shelf (Tunisia v. Libyan Arab Jamahiriya)." *International Court of Justice Reports* Sep. Op. (1982): 100–42.
- Dean, A. H. "The Geneva Conference on the Law of the Sea: What Was Accomplished." *American Journal of International Law* 52 (1958) 607–28.
- De Brencker, Jean. "La Convention de Londres sur la Pêche du a Mars 1964," *Revue Belge de Droit International* 1 (1966): 143–66.
- "Declaration on the Establishment of a New International Economic Order, Adopted by the UN General Assembly at its Sixth Special Session. GA. Res. 3201." *United Nations General Assembly Official Records*, Suppl. No. 1 UN. Doc. A/9559, 1974.
- "The Declaration of Montevideo on Law of the Sea." *International Legal Materials* 9 (1970): 1081–83.

"The Declaration on the Maritime Zone. August 18, 1952," in UN Legislative Series, *Laws and Regulations on the Regime of the Territorial Sea* (1957): 723–24.

- Decree Concerning the Limits of the Territorial Sea. November 6, 1950, and Legislative Decree of February 21, 1951, in UN Legislative Series, *Supplement to Laws and Regulations on the Regime of the High Seas and Laws Concerning the Nationality of Ships* (1959): 9.
- Decree No. 1542 on November 10, 1966. In ST/LEG/SER. B/15 (1970): 78.
- Decree No. 190 Concerning Fishing and Hunting. September 28, 1949, in UN Legislative Series, *Laws and Regulations on the Regime of the High Seas* 1 (1951): 6–7.
- "Delimitation of Maritime Areas between Canada and the French Republic, Decision of Arbitration dated 10 June 1992." *International Legal Materials* 31 (1992): 1145–1219.
- De Lacharrière, Guy. "La Reforme du Droit de la Mer et le Rôle de la Conférence des Nations Unies," in *Le Nouveau Droit International de la Mer*, edited by D. Bardonnet and M. Virally, 1–33. Paris: Editions A. Pedone, 1983.
- De Vattel, Emmerich. *The Law of Nations or the Principles of Natural Law,* vol. 1. Translated by C. G. Fenwild. Washington: Carnegie Institution, 1916.
- Digest of U.S. Practice in International Law. Washington, DC: Government Printing Office, 2001.
- Dinh, Nguyen Quoc, Patrick Daillier, and Alain Pellet. *Droit International Public*, 3rd ed. Paris: Librairie Générale Droit et de Jurisprudence, 1987.
- "The Diversion of Water from the Meuse Case, (Netherland v. Belgium)." *Permanent Court of International Justice Report* Series A/B (1937): 70, 76–77.
- Dixon, Martin. *Textbook on International Law.* London: Blackstone Press, 1995.
- Douay, Claude. "Le Droit de la Mer et la Préservation du Milieu Marin." *Revue Générale de Droit International Public* 84 (1980): 178–215.
- "Draft Articles on the Economic Zone." UN Document. A/Conf. 62/C. 2/L. 38, August 5, 1974. Official Records 3 (1975): 214–15.
- "Draft Articles on the Exclusive Economic Zone Concept," in *International Legal Materials* 12 (1973): 210.
- "Draft Convention on the Law of the Sea." UN Document. A/Conf. 62/L. 78, August 28, 1981. http://legal.un.org/diplomaticconferences/1973_los/vol14.shtml
- Edeson, William R. "Types of Agreements for Exploitation of EEZ Fisheries." In *The UN Convention on the Law of the Sea: Impact and Implementation. Proceedings of the Nineteenth Annual Conference, Cardiff, 1985*, edited by E. D. Brown and R. R. Churchill, 151–77. Law of the Sea Institute, 1987.
- Edeson, William R., and Jean-François Pulvenis, *The Legal Regime of Fisheries in the Caribbean Region.* Berlin: Springer Verlag, 1983.
- "European Fisheries Convention, and Agreements on Transitional Rights (Fishing Limits; Settlement of Disputes)," *International Legal Materials* 3 (1964): 469–95.

Extavour, Winston Conrad. *The Exclusive Economic Zone: A Study of the Evolution and Progressive Development of International Law of the Sea.* Geneva: Institut Universitaire de Haute Etudes Internationales, 1979.

- Feldman, Mark B., and David A. Colson, "The Maritime Boundaries of the United States." *American Journal of International Law* 75 (1981): 729–63.
- Ferrero, Eduardo. "El Nuevo Derecho del Mar: El Perú y las 200 Millas." Peruvian Decree No. 781, August 1, 1947.
- Fidell, Eugene R. "Fisheries Legislation: Naval Enforcement." *Journal of Maritime Law and Commerce* 7 (1976): 351–63.
- Fiji, Marine Space Act 1977, Article 12(3)(i).
- "Fisheries Agreement between Iceland and Belgium Relating to the Extension of the Icelandic Fishery limits to 200 Nautical Miles, November 28, 1975." In *New Directions in the Law of the Sea*, edited by Robin Rolf Churchill and Myron H. Nordquist, vol. 5. Dobbs Ferry, NY: Oceana, 1977.
- "Fisheries Jurisdiction Case (Federal Republic of Germany v. Iceland), Merits, Judgment of July 25, 1974." *International Court of Justice Reports* (1974): 175.
- "Fisheries Jurisdiction Case (United Kingdom v. Iceland), Merits, Judgment July 25, 1974." *International Court of Justice Reports* (1974): 23.
- Fisheries Resources (Jurisdiction and Conservation), Act No. 13 of June 16, 1977, in ST/LEG/SER. B/19 (1980): 179, Article 10(4).
- Fitzmaurice-Lachs, Malgorzata. "The Legal Regime of the Baltic Sea Fisheries." *Netherlands International Law Review* 29, No. 2 (1982): 174–251.
- Fleischer, Carl August. "The Exclusive Economic Zone under the Convention Regime and in State Practice," in *The 1982 Convention on the Law of the Sea, Proceedings of the Seventeenth Annual Conference, July 12–16, 1983,* edited by Albert W. Koers and Bernard H. Oxman, 241–285. Honolulu: Law of the Sea Institute, University of Hawaii, 1984.
- Fleischer, Carl August. "The New Regime of the Maritime Fisheries." *Recueil des Cours de l'Académie de Droit International* (1988/2), 122–23.
- Fleischer, Carl August. "The Right to a 200 Miles Exclusive Economic Zone or a Special Fishery Zone." *San Diego Law Review* 14 (1977): 548–83.
- Food and Agriculture Organization of the United Nations. "Fisheries and Aquaculture Department." 2017. http://www.fao.org/fishery/index.htm (accessed December 28, 2017).
- Food and Agriculture Organization of the United Nations Report of the Technical Consultation on High Seas Fishing. Doc. A/Conf. 164/INF/2, 1993.
- Freestone, David. "Some Institutional Implications of the Establishment of Exclusive Economic Zones by EC Member States." *Ocean Development and International Law* 23 (1992): 97–114.
- Fulton, Thomas Wemyss. *The Sovereignty of the Seas.* London: William Blackwood and Sons, 1911.
- Gambian Fisheries Act No. 14, 1977.
- Garaioca, Theodore A. "The Continental Shelf and the Extension of the Territorial Sea." *University of Miami Law Review* 10 (1956): 490–98.
- Glassner, Martin Ira. *Access to the Sea for Developing Land-Locked States*. The Hague: Nijhoff, 1970.

González-Videla, Gabriel. "Chilean Presidential Declaration Concerning the Continental Shelf." June 23, 1947.

- Gotlieb, A. E. "The Canadian Contribution to the Concept of a Fishing Zone in International Law." *Canadian Yearbook of Public & Private International Law 2* (1964): 55–76.
- Grolin, Jesper. "The Future of the Law of the Sea: Consequences of a Non Treaty or Non-Universal Treaty Situation." *Ocean Development and International Law* 13 (1983): 1–31.
- Grotius, Hugo. The Freedom of the Seas, or the Right Which Belongs to the Dutch to Take Part in the Eastern Indian Trade. Indianapolis, IN: Library Fund, 2004.
- Guinea, Marine Fisheries Code, Article 32.
- Gulland, J. A. "Conditions of Access to Fisheries: Some Resource Considerations." In *Food and Agriculture Organization of the United Nations Fisheries Report No. 293*, 143–51. Rome: Food and Agriculture Organization of the United Nations, 1983.
- Guyana, Maritime Boundaries Act No. 10.
- Hannesson, Rögnvaldur. "Fishing on the High Seas: Cooperation or Competition." *Maritime Policy* 19, no. 5 (1995): 371–77.
- Harville, John P. "Multidisciplinary Aspects of Optimum Sustainable Yield," in *Optimum Sustainable Yield as a Concept in Fisheries Management*, edited by P. M. Roedel, 59–64. Lawrence, TX: Allen Press, 1975.
- Hayashi, Moritaka. "The Management of Transboundary Fish Stocks under the LOS Convention." *International Journal of Marine and Coastal Law* 8 (1993): 245–61.
- Healey, Christopher J. "United States Tuna Management Policy." *American Society of International Law* 5 (1981): 67–100.
- Henkin, Louis. "Old Politics and New Directions," in *New Directions in the Law of the Sea,* vol. 1, edited by S. Houston Lay, Robin Rolf Churchill, and Myron H. Nordquist, 3–11. Dobbs Ferry, NY: Oceana, 1973.
- Hewison, Grant J. "The Legally Binding Nature of the Moratorium on Large-scale High Seas Driftnet Fishing." *Journal of Maritime Law and Commerce* 25, no. 4 (1994): 557–78.
- Hey, Ellen. *The Regime for the Exploitation of Transboundary Marine Fisheries Resources*. Dordrecht: Martinus Nijhoff, 1989.
- Hjertonson, K. *The New Law of the Sea: Influence of the Latin American States on Recent Development of the Law of the Sea.* Leiden, Netherlands: A. W. Sijthoff, 1973.
- Hollick, Ann L. "The Origins of the 200-mile Offshore Zones." *American Journal of International Law* 71 (1977): 435–96.
- Hudson, Carolyn. "Fishery and Economic Zones as Customary International Law." *South Dakota Law Review* 17, no. 3 (1980): 661–89.
- Hudson, Manley O. "Article 24 of the Statute of the International Law Commission." *Yearbook of the International Law Commission* 2 (1950), UN Doc. A/CN.4/16/Add.1, 5.

Ibler, Vladimir. "The Interests of the Shelf-Locked States and the Proposed Development of the Law of the Sea." *Indian Journal of International Law* 11 (1971): 389–410.

- "Iceland-Federal Republic of Germany Exchange of Notes Constituting an Agreement Concerning the Fishery Zone Around Iceland, Reykjavik, July 19, 1961." *United Nations Treaty Series* 409, 47.
- Iguchi, Takeo. "The Law of the Sea: Conventional Rules and Customary Norms." Paper presented at the Annual Meeting of the American Society of International Law, Boston, MA, April 9, 1987 (mimeograph).
- IMO doc. MEPC 58/10/7, August 15, 2008, 2, para. 10.
- India, Territorial Water, Continental Shelf, Exclusive Economic Zone, and other Maritime Zones Act.
- "Informal Composite Negotiating Text." UN Document. A/Conf. 62/WP.10. July 10, 1977. http://legal.un.org/docs/?path=../diplomaticconferences/1973_los/docs/english/vol_8/a_conf62_wp10.pdf&lang=E
- "Informal Single Negotiating Text." UN Document. A/Conf. 62/WP. 8/pt. II. Official Records 4 (1975): 152.
- International Conference of American States in Panama. "Declaration of Panama." *American Journal of International Law* 34, Suppl. 1 (1940): 17–18.
- International Law Association. "Final Report of the Committee on Formation of Customary (General) International Law: Statement of Principles Applicable to the Formation of General Customary International Law (as amended at the London Conference)." *Report of the Sixty-Ninth Conference* (London, International Law Association, 2000), 712–77.
- International Law Commission. "Freedoms of the High Seas," *Yearbook of the International Law Commission* 2 (1956): 278.

International Legal Materials 8 (1969).

International Legal Materials 9 (1965).

International Legal Materials 15 (1976).

- "Jamaica's Exclusive Economic Zone Act No. 33 December 31, 1991." *Law of the Sea Bulletin*, no. 21 (1992): 28.
- Jansoone, Roeland. "La Pratique Etatique Belge et la Zone Economique Exclusive." *Revue Belge de Droit International* 28 (1995): 93–107.

Japanese Annual of International Law (1985): 297.

- Jenning, Robert Y. "What Is International Law, and How Do We Tell It When We See it," *Swiss Yearbook of International Law* 37 (1981): 59–88.
- Johnston, Douglas M. *The International Law of Fisheries: A Framework for Policy-Oriented Inquiries*. New Haven, CT: Yale University Press, 1965.
- Johnston, Douglas M., and Edgar Gold. "Extended Jurisdiction: The Impact of UNCLOS III on Coastal State Practice." In *The Law of the Sea: State Practice in Zones of Special Jurisdiction, Proceedings of the Thirteenth Annual Conference October 15–18, 1979,* edited by Thomas A. Clingan, 27–49. Honolulu: Law of the Sea Institute, University of Hawaii, 1982.
- Juda, Lawrence. "The Exclusive Economic Zone: Compatibility of National Claims and the UN Convention on the Law of the Sea." *Ocean Development and International Law* 16 (1986): 1–58.

Juda, Lawrence. "The Exclusive Economic Zone: Non-claimant States." *Ocean Development and International Law* 19 (1988): 431–44.

- Juda, Lawrence. "IMCO and the Control of Pollution from Ships." *International and Comparative Law Quarterly* 26 (1977): 558–84.
- Juda, Lawrence. "World Marine Fish Catch in the Age of Exclusive Economic Zones and Exclusive Fishery Zones." *Ocean Development and International Law* 22, no. 1 (1991): 1–32.
- Katz, Stephen R. "Consequences of the Economic Zone for Catch Opportunities of Fishing Nations." *Maritime Studies and Management* 2 (1975): 144–53.
- Kaye, Stuart, and Donald R. Rothwell, "Australia's Antarctic Maritime Claims and Boundaries." *Ocean Development and International Law* 26, no. 3 (1995): 195–26.
- Keesing's Contemporary Archives. May (1987): 35133.
- Kelsen, Hans. Principles of International Law. New York: Rinehart, 1952.
- Kibola, H. S. "A Note on Africa and the Exclusive Economic Zone." *Ocean Development and International Law*, 16 (1986): 369–80.
- Kittichaisaree, Kriangsak. *The Law of the Sea and Maritime Boundary Delimitation in South-East Asia.* Singapore: Oxford, 1987.
- Knight, Gary H. "Effect of a Law of the Sea Treaty on the Fishery Conservation and Management Act of 1976." In *Report to the Gulf of Mexico Fishery Management Council*. Tampa: Gulf of Mexico Fishery Management Council, 1977.
- Knight, Gary H. *The Law of the Sea: Cases, Documents, and Readings.* Baton Rouge, LA: Claitor's Law Books, 1980.
- Koers, Albert W. *International Regulation of Marine Fisheries: A Study of Regional Fisheries Organizations*. London: Eyre & Spottiswoode, 1973.
- Koers, Albert W. "Enforcement of Fisheries Agreements in the High Seas: A Comparative Analysis of International State Practice." Law of the Sea Institute, University of Rhode Island, Occasional Paper No. 6, June 1970.
- Koers, Albert W. "The External Authority of the EEC in Regard to Marine Fisheries." *Common Market Law Review* 14 (1977): 269–301.
- Koers, Albert W. "The United Nations Convention on the Law of the Sea: An Overview." In *The International Law of the Sea, Issues of Implementation in Indonesia, Proceedings of a Seminar at Jakarta on 22–27 August, 1983*, edited by Ellen Hey and Albert W. Koers, 19–27. Honolulu: Law of the Sea Institute, 1984.
- Kolodkin, A., and A. Zakharov. "Some Aspects of Soviet State Practice on the Development of Ocean Resources." In *Consensus and Confrontation: The United States and the Law of the Sea Convention*, edited by John M. Van Dyke. Honolulu: Law of the Sea Institute, University of Hawaii, 1985.
- Kolosovski, I. *The 1982 Convention on the Law of the Sea, Proceedings of the Seventeenth Annual Conference, July 12–16, 1983,* edited by Albert W. Koers and Bernard H. Oxman. Honolulu: Law of the Sea Institute, University of Hawaii, 1984.

Krueger, Robert B., and Myron H. Nordquist. "The Evolution of the 200 Mile Exclusive Economic Zone: State Practice in the Pacific Basin." *Virginia Journal of International Law* 19, no. 2 (1979): 321–400.

- Kunz, Josef L. "The Nature of Customary International Law." *American Journal of International Law* 47 (1953): 662–669.
- Kwiatkowska, Barbara. "Conservation and Optimum Utilization of Living Resources." In *The Law of the Sea: What Lies Ahead?*, edited by Thomas A. Clingan. Honolulu: Law of the Sea Institute, University of Hawaii, 1989.
- Kwiatkowska, Barbara. "Exclusive Economic Zone: General Evaluation." In *Essays on the New Law of the Sea*, edited by Budislav Vukas, 99–117. Zagreb: Birotehnika, 1985.
- Kwiatkowska, Barbara. "New Soviet Legislation on the 200-Mile Economic Zone and Certain Problems of Evolution of Customary Law." *Netherlands International Law Review* 33 (1986): 24–50.
- Lahlou, Abdelkader. *Le Maroc et le Droit des Pêches Maritimes*. Paris: Librairie Générale de Droit et de Jurisprudence, 1983.
- Larkin, P. A. "An Epitaph for the Concept of Maximum Sustainable Yield." *Transactions of the American Fisheries Society* 1 (1977): 1–11.
- Lasok, Dominik, and John William Bridge. *An Introduction to the Law and Institutions of the European Communities*, 5th ed. Oxford: Butterworth, 1991.
- Lauterpacht, Hersch. *The Development of International Law by the International Court.* Cambridge: Cambridge University Press, 2011.
- "Law Concerning Maritime Zone, December 20, 1985." *International Legal Materials* 25 (1986): 889–907.
- Law No. 31 May 1977 on Provisional Measures Relating to the Fishing Zone as amended by Law No. 83 of 29 November 1977, in ST/LEG/SER. B/19 (1980): 215.

Law of the Sea Bulletin, no. 5 (1985): 17.

Law of the Sea Bulletin, no. 8 (1986): 17.

Law of the Sea Bulletin, no. 16 (1990): 57.

Law of the Sea Bulletin, no. 19 (1991): 2.

Law of the Sea Bulletin, no. 20 (1992): 20.

Law of the Sea Bulletin, no. 21 (1992): 87.

Law of the Sea Bulletin, no. 22 (1993): 21.

Law of the Sea Bulletin, June (1993): 2.

Law of the Sea Bulletin, no. 23 (1993): 65-66.

Law of the Sea Bulletin, no. 25 (1994): 2, 3, 5, 6, and 10.

- "The Law of the Sea Convention." *International Legal Materials* 21 (1982): 1261–1354.
- "The Law of the Sea: Current Development in State Practice." In *Law of the Sea: Current Developments in State Practice*, no. 3. New York: United Nations, 1992.
- Lay, S. Houston, Robin Rolf Churchill, and Myron H. Nordquist, (eds.). *New Directions in the Law of the Sea*, vol. 1. Dobbs Ferry, NY: Oceana, 1973.

Lazarev, M. "The Sea Economic Zone: An Important Problem of the 'Package.'" *Indian Journal of International Law* 17 (1977): 209–15.

- Lee, Luke T. "The Law of the Sea Convention and Third States." *American Journal of International Law* 77 (1983): 541–68.
- "Legal Information Relevant to the United Nations Convention on the Law of the Sea." *Law of the Sea Bulletin*, no. 19, 1991, 9–41.
- "Le Louis." Dodson's Admiralty Reports (Great Britain) 2 (1817).
- Lepard, Brian D. *Customary International Law: A New Theory with Practical Applications*. Cambridge: Cambridge University Press, 2010.
- Letalik, Norman G. "Boundary Making in the Mediterranean." In *Ocean Boundary Making: Regional Issues and Developments*, edited by Douglas M. Johnston and P. M. Saunders, 109–41. London: Croom Helm, 1988.
- Lévy, Jean-Pierre. "Les Nations Unies et la Convention de 1982 sur le Droit de la Mer." *Revue Belge de Droit International* 28, no. 1 (1995): 11–35.
- Lucchini, Laurent, and Michel Voelckel. Droit de la Mer. Paris: Pédone, 1990.
- MacDonald, John M. "Appreciating the Precautionary Principle as an Ethical Evolution in Ocean Management." *Ocean Development & International Law* 26, no. 3 (1995): 255–86.
- MacGibbon, I. C. "The Scope of Acquiescence in International Law," *British Yearbook of International Law* 31 (1954): 143–186.
- MacRae, Leslie M. "Customary International Law and the United Nations Law of the Sea Treaty." *California Western International Law Journal* 13 (1983): 181–222.
- Mahmoudi, Said. "Sweden: Sweden's Economic Zone Act." *International Journal of Marine and Coastal Law* 28 (1993): 524–29.
- Malone, James L. "Freedom and Opportunity: Foundation for a Dynamic Ocean Policy." *Department of State Bulletin* 84, no. 2093 (1984): 76–79.
- Malone, Linda A. International Law. New York: Aspen, 1995.
- "Maritime Delimitation and Territorial Questions Between Qatar and Bahrain (Qatar v. Bahrain)." Judgment, *International Court of Justice Reports* (2001): 91, para. 167.
- "Maritime Dispute (Peru v. Chile)." ICJ Rep. (2014): para. 179.
- The Maritime Zones Act, 1977.
- Martínez Puñal, Antonio. "The Rights of Land-Locked and Geographically Disadvantaged States in Exclusive Economic Zones." *Journal of Maritime Law and Commerce* 23, no. 3 (1992): 430–60.
- "Mauritania/Spain Fishing Agreement." Industrias Pesqueras June 1 (1982): 9.
- McDorman, Ted L. "Stateless Fishing Vessels, International Law and the UN High Seas Fisheries Conference." *Journal of Maritime Law and Commerce* 25 (1994): 531–55.
- McDougal, Myres S. "The Law of the High Seas in Time of Peace." *Denver Journal of International Law and Policy* 3 (1973): 45–58.
- McDougal, Myres S., and William T. Burke. *The Public Order of the Oceans*. New Haven, CT: Yale University Press, 1987.

McLaughlin, Richard J. "Confidential Classification of Multi-Beam Bathymetric Mapping of the U.S. EEZ: Is a New U.S. Marine Scientific Research Policy in Order?" *Ocean Development and International Law* 19 (1988), 1–33.

- Meltzer, Evelyne. "Global Overview of Straddling and Highly Migratory Fish Stocks: The Non-sustainable Nature of High Seas Fisheries." *Ocean Development and International Law* 25 (1994): 255–328.
- Mfodwo, S. Kwame B., Ben Martine Tsamenyi, and Sam K. N. Blay. "The Exclusive Economic Zone: State Practice in the African Atlantic Region." *Ocean Development and International Law* 20 (1989): 445–99.
- Milić, Milenko. "The Third United Nations Conference on the Law of the Sea." *Case Western Reserve Journal of International Law* 8, no. 1 (1976): 168–87.
- Mohamed, Mohd Ibrahim Hj. "National Management of Malaysian Fisheries." *Marine Policy* 15, no. 1 (1991): 2–14.
- Monnier, Jean. "Le Droit d'Accès a la Mer et la Liberté de Transit Terrestre." In *Traité du Nouveau Droit de la Mer*, edited by René-Jean Dupuy and D. Vignes, 441–62 Paris: Economica Bruylant, 1989.
- Moore, Gerald K. *Coastal State Requirements for Foreign Fishing*. FAO Legislative Study No. 21, Rev. 2. Rome: Food and Agriculture Organization of the United Nations. 1985.
- Moore, Gerald K. "National Legislation for the Management of Fisheries under Extended Coastal State Jurisdiction." *Journal of Maritime Law and Commerce* 11 (1980): 153–82.
- Morin, Jacques-Yvan. "La Zone de Pêche Exclusive du Canada." *Canadian Yearbook of Public & Private International Law* 2 (1964): 77–106.
- Mouton, Martinus Willem. *The Continental Shelf.* The Hague: Martinus Nijhoff, 1952.
- "The MOX Plant Case (Ireland v. United Kingdom)." Provisional Measures. ITLOS sep. op. Judge Wolfrum *ICJ Rep.* (2001, December 3): 3.
- Mtango, E. E., and Friedl Weiss. "The Exclusive Economic Zone and Tanzania: Considerations of a Developing Country." *Ocean Development and International Law* 14 (1984): 1–54.
- "The M/V SAIGA (No. 2) Case (St. Vincent and the Grenadian v. Guinea)." Judgment, (July 1, 1999).
- Nakauchi, K. *Japan's Ocean Affairs*. Saitama, Japan: Law of the Sea Institute, 1988.
- Narokobi, Camillus. "International Management of Highly Migratory Species." In *Consensus and Confrontation: The United States and the Law of the Sea Convention*, edited by John M. Van Dyke. Honolulu: Law of the Sea Institute, University of Hawaii, 1985.
- Nauru, Marine Resources Act No. 8 of 1978.
- Nelson, L. D. M. "The Emerging New Law of the Sea." *Modern Law Review* 42 (1979): 42–65.
- Nelson, L. D. M. "The Patrimonial Sea." *International & Comparative Law Quarterly* 22 (1973): 668–686.
- "The Netherlands Territorial Sea Act, January 9, 1985." *Law of the Sea Bulletin*, no. 6 (1985): 16.

New Zealand Territorial Sea and Exclusive Economic Zone Act, 1977, 309, Article 15(j).

- Nikitina, Elena N., and Peter H. Pearse, "Conservation of Marine Resource in the Former Soviet Union: An Environmental Perspective." *Ocean Development and International Law* 23 (1992): 380, note 22.
- "Niue Treaty on Cooperation in Fisheries Surveillance and Law Enforcement in the South Pacific Region." *International Legal Materials* 32 (1993): 136–36.
- "North Sea Continental Shelf Cases (Federal Republic of Germany v. Denmark; Federal Republic of Germany v. Netherlands)." International Court of Justice Reports (1969): 3–258.
- O'Connell, D. P. *The International Law of the Sea*, vols. 1 and 2, edited by I. A. Shearer. Oxford: Clarendon Press, 1982.
- Oda, Shigeru. "Fisheries under the United Nations Convention on the Law of the Sea." *American Journal of International Law* 77 (1983): 739–55.
- Oda, Shigeru. *The International Law of the Ocean Development: Basic Documents.* Leiden, Netherlands: Sijthoff, 1972.
- Oda, Shigeru. *International Law of the Resources of the Sea.* Germantown, MD: Sijthoff and Noordhoff, 1979.
- Oda, Shigeru. "International Law of the Resources of the Sea." *Recueil des Cours de l'Académie de Droit International* (1986): 394–95.
- Oda, Shigeru. *The Law of the Sea in Our Time—II: The United Nations Seabed Committee, 1969–1973.* The Hague, Netherlands: Sijthoff Publications on Ocean Development, 1977.
- Office of the Special Representative of the Secretary General for the Law of the Sea. Law of the Sea: Status of the United Nations Convention on the Law of the Sea. New York: United Nations, 1985.
- Official Records 2 (1974).
- Official Records 3 (1975).
- Official Records 10 (1978).
- Okere, B. Obinna. "Nigeria's Exclusive Economic Zone." *Nigerian Law Journal* 12 (1984): 65–78.
- Oppenheim, Lassa. *International Law: A Treatise*, vol. 1, edited by H. Lauterpacht. New York: Congmans, Green, 1955.
- "Organization of African Unity: Declaration on African Cooperation, Development, and Economic Independence." *International Legal Materials* 12 (1973): 996–1013.
- Osicke, Ebere. "The Contribution of States from the Third World to the Development of the Law on the Continental Shelf and the Concept of the Economic Zone." *Indian Journal of International Law* 15 (1975): 313–33.
- Oxman, Bernard H. "An Analysis of the EEZ as Formulated in the Informal Composite Negotiating Text." In *The Law of the Sea: State Practice in Zones of Special Jurisdiction, Proceedings of the Thirteenth Annual Conference, October 15–18, 1979*, edited by Thomas A. Clingan. Honolulu: Law of the Sea Institute, University of Hawaii, 1982.

Oxman, Bernard. "The Duty to Respect Generally Accepted International Standards." *New York University Journal of International Law and Politics* 26 (1991): 109, 122–29.

- Oxman, Bernard H. "The Third United Nations Conference on the Law of the Sea: The 1976 New York Sessions." *American Journal of International Law* 71, no. 2 (1977): 247–69.
- Oxman, Bernard H. "The Third United Nations Conference on the Law of the Sea: The 1977 New York Session." *American Journal of International Law* 72 (1978): 57–83.
- Oxman, Bernard H. "The Third United Nations Conference on the Law of the Sea: The Seventh Session 1978." *American Journal of International Law* 73 (1979): 1–41.
- Oxman, Bernard H. "The Third United Nations Conference on the Law of the Sea: The Tenth Session, 1981." *American Journal of International Law* 76 (1981): 1–23.
- Pakistan Territorial Waters and Maritime Zones Act, 1976.
- Paolillo, Felipe H. "The Exclusive Economic Zone in Latin American Practice and Legislation." *Ocean Development and International Law* 26, no. 2 (1995): 105–25.
- Park, Choon-ho. "Offshore Oil Development in the China Seas: Some Legal and Territorial Issues." In *Ocean Yearbook*, vol. 2, edited by E. M. Borgese and N. Ginsburg, 302–16. Chicago: University of Chicago Press, 1980.
- Parry, Clive, John P. Grant, Anthony Perry, and Arthur D. Watts, eds. *Encyclopedic Dictionary of International Law*. New York: Oceana, 1986.
- Permanent Court of International Justice Series A/13, No. 42 (1931).
- Peters, Paul, Alfred H. A. Soons, and Lucie A. Zima, "Removal of Installations in the Exclusive Economic Zone," *Netherland Yearbook of International Law* 15 (1984): 167–207.
- Pfirter, Frida María Armas. "Straddling Stocks and Highly Migratory Stocks in Latin American Practice and Legislation: New Perspectives in Light of Current International Negotiations." *Ocean Development and International Law* 26 (1995): 127–50.
- Pierce, George A. B. "Selective Adoption of the New Law of the Sea: The United States Proclaims its Exclusive Economic Zone." *Virginia Journal of International Law* 23 (1983): 581–601.
- Philips, J. C. "The Economic Resources Zone and the South West Pacific." *International Lawyer* 16 (1982): 265–78.
- Philips, J. C. "The Exclusive Economic Zone as a Concept in International Law." *International and Comparative Law Quarterly* 26 (1977): 585–619.
- Platzoder, R. (ed.). *Third United Nations Conference on the Law of the Sea: Documents of the Caracas Session.* Hamburg: United Nations, 1975.
- Plesman, Wolf, and Volker Röben. "Marine Scientific Research: State Practice versus Law of the Sea?" In *Law of the Sea at the Crossroads: The Continuing Search for a Universally Accepted Regime*, edited by Rüdiger Wolfrum, 273–392. Berlin: Duncker and Humblot, 1991.
- Pohl, R. Galindo. "The Exclusive Economic Zone in the Light of Negotiations of the Third United Nations Conference on the Law of the Sea." In *The Ex-*

clusive Economic Zone: A Latin American Perspective, edited by Francisco Orrego Vicuña, 31–59. Boulder, CO: Westview Press, 1984.

- "Poland and United Kingdom: Fisheries Agreement." *International Legal Materials* 4 (1965): 168–69.
- Political Constitution of Panama. March 1, 1946, in UN Legislative Series, Laws and Regulations on the Regime of the High Seas 1 (1951): 15 Article 209.
- Ponsonby, David, and Georges Dussart. *The Anatomy of the Sea.* San Francisco: Chronicle Books, 2005.
- Pontecorvo, Giulio. "The Taking of Living Resources: Expectations and Reality." In *The 1982 Convention on the Law of the Sea, Proceedings of the Seventeenth Annual Conference, July 12–16, 1983*, edited by Albert W. Koers and Bernard H. Oxman, 286–308. Honolulu: Law of the Sea Institute, University of Hawaii, 1984.
- Prat y Coll, Juan. "Some Considerations on the Adoptions of National Policy in a Distant Water Fishing Nation to the Recent Evolution of the Law of the Sea." In *Food and Agriculture Organization of the United Nations Fisheries Report No. 293*, 89–94. Food and Agriculture Organization of the United Nations, Rome, 1983.
- "Preamble to the Niue Treaty on Cooperation in Fisheries Surveillance and Law Enforcement in the South Pacific Region, June 9, 1992." *International Legal Materials* 32 (1993): 136.
- Prescott, J. R. V. "Maritime Boundaries and Issues in the Southwest Pacific Ocean." In *Ocean Boundary Making: Regional Issues and Developments*, edited by Douglas M. Johnston and P. M. Saunders. London: Croom Helm, 1988.
- Presidential Declaration with Respect to the Continental Shelf. October 29, 1945 in UN Legislative Series, *Laws and Regulations on the Regime of the High Seas* 1 (1951): 13.
- Presidential Proclamation, June 6, 1969, in ST/LEG/SER. B/15 (1970): 95–96.
- Presidential Proclamation No. 2667, Concerning the Policy of the United States with Respect to the Natural Resources of the Subsoil and Seabed of the Continental Shelf, September 28, 1945, in UN Legislative Series, *Laws and Regulations on the Regime of the High Seas* 1 (1951): 38.
- Presidential Proclamation No. 2668, Concerning the Policy of the United States with Respect to Coastal Fisheries in Certain Areas of the High Seas, September 28, 1945.
- Presidential Proclamation of 29 November 1956. In ST/LEG/SER. B/15 (1970): 49.
- "President Reagan's Statement on the Two-Hundred-Mile EEZ." *Virginia Journal of International Law* 23 (1983): 598–601.
- Proclamation of Governor-General of December 20, 1957. In ST/LEG/SER. B/15 (1970): 107.
- "Procureur de la République v. J. Crujeiras Tome, 1981." *Revue Générale de Droit International Public* (1983): 465.
- "Program of Action on the Establishment of a New International Economic Order, Adopted by the UN General Assembly at its Sixth Special Session, GA.

Res. 3202." *United Nations General Assembly Official Records*, Suppl. No. 1, UN Document. A/9559, 1974.

- "Pulp Mills on the River Uruguay (Argentina v. Uruguay)." Judgment. *International Court of Justice Reports* (2010, April 20): 14, 78, para. 193.
- Pulvenis, Jean-François. "Vers une Emprise des États Riverains Sur la Haute Mer au Titre des Grand Migrateurs: Les Régime International de la Pêche au Thon dans le Pacific Oriental." *Annuaire Français de Droit International* 35 (1989): 774–806.
- Pulvenis, Jean-François. "Zone Économique et Plateau Continental: Unité ou Dualité." *Revue Iranienne des Relations Internationales* 12 (1978): 103–20.
- Puri, Rama. "The Legal Regime of Marine Fisheries." *Indian Journal of International Law* 22 (1982): 240–50.
- Quéneudec, Jean-Pierre. "Les Incertitudes de la Nouvelle Convention Sur le Droit de la Mer." In *Essays on the New Law of the Sea*, edited by Budislav Vukas, 47–57. Zagreb, Yugoslavia: University of Zagreb, 1985.
- Quince, C. *The Persistent Objector and Customary International Law.* Denver, CO: Outskirts Press, 2010.
- Rao, P. Sreenivasa. "Public Order of Oceans: Problems and Prospects." *Indian Journal of International Law* 17 (1977): 216–26.
- Rauch, Elmar. "Military Uses of the Oceans." *German Yearbook of International Law* 28 (1985): 229–67.
- Reeves, Jesse S. "The Codification of the Law of Territorial Waters," *American Journal of International Law* 24, no. 3 (1930): 486-499.
- Rembe, Nasila S. Africa and the International Law of the Sea: A Study of the Constitution of the African States to the Third United Conference on the Law of the Sea. Leiden, Netherlands: Sijthoff and Noordhoff, 1980.
- Report of the Committee on Land-Locked States, Belgrade Conference, 1980. London: International Law Association, 1980.
- "Report of the Committee on the Peaceful Uses of the Seabed and Ocean Floor beyond the Limits of National Jurisdiction." *United Nations General Assembly Official Records* 28th Sess., Suppl. No. 21, UN Document. A/9021 (1969).
- Revised Single Negotiating Text Part II, UN Doc. A/Conf. 62/WP. 8/Rev. 1/Pt. II. Official Records 5 (1976): 51.
- Richardson, Elliot P. "Law of the Sea: Navigation and Other Traditional National Security Considerations." San Diego Law Review 19 (1982): 553–76.
- Richardson, Elliot P. "Power, Mobility and the Law of the Sea." *Foreign Affairs* 58 (1980): 902–19.
- "Rights of Nationals of the United States in Morocco Case (United States v. France)." *International Court of Justice Reports* (1952): 200.
- Riphagen, Willem. "La Navigation dans le Nouveau Droit de la Mer." *Revue Générale de Droit International Public* 84 (1980): 141–75.
- Robb, Dean. "Access Conditions and Compliance Control." In *Food and Agriculture Organization of the United Nations Fisheries Report No. 295.* Rome: Food and Agriculture Organization of the United Nations, 1984.

Robertson, Horace B. "Navigation in the Exclusive Economic Zone." *Virginia Journal of International Law* 24, no. 4 (1984), 865–915.

- Rosenne, Shabtai. "Settlement of Fisheries Disputes in the Exclusive Economic Zone." *American Journal of International Law* 73 (1979): 89–104.
- Rothwell, Donald R., and Tim Stephens. *The International Law of the Sea.* Oxford: Hart, 2010.
- Schneider, Jan. "Prevention and Control of Marine Pollution: Pollution from Vessels." in *The Environmental Law of the Sea*, edited by Douglas M. Johnston, 203–17. Gland, Switzerland: International Union for Conservation of Nature and Natural Resources, 1981.
- Schulz, Wesley S. "Oceanic Research: International Law and National Legislation." *Marine Policy* 4 (1980): 91–127.
- Schreiber, Alfonso A. "The Exclusive Economic Zone: Its Legal Nature and the Problem of Military Uses." In *The Exclusive Economic Zone: A Latin American Perspective*, edited by Francisco Orrego Vicuña, 123–41. Boulder, CO: Westview Press, 1984.
- Schwarzenberger, Georg. *International Law as Applied by International Courts and Tribunals*, vol. 1, 3rd ed. London: Stevens and Sons, 1957.
- Schwarzenberger, Georg, and Edward D. Brown. *A Manual of International Law.* Milton, Oxon, England: Professional Books, 1976.
- Scovazzi, Tullio. "Explaining Exclusive Fishery Jurisdiction." *Marine Policy* 9 (1985): 125.
- Scovazzi, Tullio. "Implications of the New Law of the Sea for the Mediterranean." *Marine Policy* 5 (1981): 302–12.
- Scovazzi, Tullio. "Coastal State Practice in the Exclusive Economic Zone: The Right of Foreign States to Use this Zone." In *New Developments in Marine Science and Technology: Economic, Legal, and Political Aspects of Change, Proceedings of the Twentieth Annual Conference 1988,* edited by Lewis M. Alexander, Scott Allen, and Lynne Carter Hanson. Honolulu: Law of the Sea Institute, University of Hawaii, 1989.
- Selden, John. *Of the Dominion or Ownership of the Sea.* Translated by Marchamont Nedham. 1652. Reprint, New York: Arno, 1972.
- Senegal, Law 76-89 of July 1976.
- Shaw, Malcolm N. *International Law*. Cambridge: Grotius, 1991.
- Shearer, Ivan Anthony, ed. *Starke's International Law.* 11th ed. Boston: Butterworths, 1994.
- Singela, A. Mpazi. *Land-Locked States and the UNCLOS Regime*. New York: Ocean, 1983.
- Singela, A. Mpazi. "Land-Locked States' Rights in the Exclusive Economic Zone from the Perspective of the UN Convention on the Law of the Sea: An Historical Evaluation," *Ocean Development and International Law* 20, no. 1 (1989): 65.
- Sisco, Eric Allan. "Hot Pursuit from a Contiguous Fisheries Zone—An Assault on the Freedom of the High Seas." San Diego Law Review 14 (1977): 656–80.
- Smith, Robert W. (ed.). Exclusive Economic Zone Claims: An Analysis and Primary Documents. Boston: Martinus Nijhoff, 1986.

Sohn, Louis B., and Kristen Gustafson. *The Law of the Sea in a Nutshell.* St. Paul, MN: West Group, 1984.

- Soons, Alfred H. A. "The Developing Regime of Marine Scientific Research: Recent European Experience and State Practice." In *New Developments in Marine Science and Technology: Economic, Legal, and Political Aspects of Change, Proceedings of the Twentieth Annual Conference 1988,* edited by Lewis M. Alexander, Scott Allen, and Lynne Carter Hanson, 293–315. Honolulu: Law of the Sea Institute, University of Hawaii, 1989.
- Soons, Alfred H. A. "Regulation of Marine Scientific Research by the European Community and Its Member States." *Ocean Development and International Law* 23 (1992): 259–77.
- Soons, Alfred H. A. *Marine Scientific Research and the Law of the Sea.* Deventer: Kluwer Law and Taxation, 1982.
- "South Georgia and the South Sandwich Islands Proclamation No. 1 of 1993." *Law of the Sea Bulletin*, no. 24 (1993): 46–47.
- The South Pacific Forum Fisheries Agency. *Regional Compendium of Fisheries Legislation (Western Pacific Region)*, vol. 2. Rome: Food and Agriculture Organization of the United Nations, 1984.
- "Southern Bluefin Tuna Cases (New Zealand v. Japan; Australia v. Japan)." Provisional Measures. ITLOS, sep. op. *ICJ Rep.* (1999, August 27): para. 16 and note 6.
- Spain/US Fisheries Agreement Concerning Fisheries off the United States Coasts 16 February, 1977, in ST/LEG/SER. B/19 (1980): 228.
- "Specialized Conference on the Caribbean Countries on the Problems of the Law of the Sea: Declaration of Santo Domingo." *American Journal of International Law* 66 (1972), 918–20.
- "Status of the United Nations Convention on the Law of the Sea." *Law of the Sea Bulletin*, no. 19 (1991): 1, note d.
- Stevenson, John R., and Bernard H. Oxman, "The Preparations for the Law of the Sea Conference." *American Journal of International Law* 68 (1974): 1–32.
- Stevenson, John R., and Bernard H. Oxman. "The Third United Nations Conference on the Law of the Sea: The 1974 Caracas Session," *American Journal of International Law* 69 (1975): 1–30.
- Stevenson, John R., and Bernard H. Oxman. "The Third United Nations Conference on the Law of the Sea: The 1975 Geneva Session." *American Journal of International Law* 69, no. 4 (1975): 763–97.
- ST/LEG/SER. B/19 (1980): 377.
- Straburzyński, Andrzej. "Exclusive Fishery Zones: International and Polish Practice." *Polish Yearbook of International Law* 29 (1970): 257–272.
- Sun, Kuan-Ming. "Policy of the Republic of China toward the South China Sea." *Marine Policy* 19 (1995): 401–9.
- "Sweden's Act on Sweden's Economic Zone, December 3, 1992." Law of the Sea Bulletin, no. 23 (1993): 24–28.
- Symonides, Janusz. "The Concept and Claims of Geographically Disadvantaged States at the Third United Nations Law of the Sea Conference." *Recueil des Cours de l'Académie de Droit International* (1988): 293.

Symonides, Janusz. "Delimitation of Maritime Areas between the States with Opposite or Adjacent Coasts." *Polish Yearbook of International Law* 13 (1984): 19–46.

- Symonides, Janusz "The Legal Status of the Enclosed and Semi-Enclosed Seas." *German Yearbook of International Law* 27 (1984): 315–33.
- Szekely, A. *Latin America and the Development of the Law of the Sea.* Dobbs Ferry, NY: Oceana, 1979.
- Taitt, Branford M. "The Exclusive Economic Zone: A Caribbean Community Perspective, Part I, Evolution of a Concept." *West Indian Law Journal* 7 (1983): 36–55.
- Tanaka, Yoshifumi. *The International Law of the Sea.* Cambridge: Cambridge University Press, 2012.
- Tavernier, Paul. "Les Nouveaux Etats Sans Littoral d'Europe et d'Asie et l'Accès à la Mer." *Revue Générale de Droit International Public* 97 (1993): 727–44.
- Teiwaki, Roniti. "Agreements in the South Pacific: Kiribati and the Distant Water Fishing States." *Marine Policy* 11 (1987): 273–84.
- "Temple of Preah Vihear Case, (Cambodia v. Thailand)," *International Court of Justice Reports* (1962): 25–27 and 29–30.
- "Territorial and Maritime Dispute (Nicaragua v. Colombia)." Judgment. *International Court of Justice Reports* (2012): 666, para. 114.
- "The Territorial Sea Act 1987." Law of the Sea Bulletin, no. 14 (1989): 1.
- "The Territorial Sea and Exclusive Economic Zone Act of Tanzania, 1989." In *Law of the Sea: Current Developments in State Practice*, no. 2. New York: United Nations, 1989.
- Toulmin, G. E. "The Barcelona Conference on Communications and Transit and the Danube Statute." *British Yearbook of International Law* 23 (1922): 167–78.
- "Treaty on Fisheries between the Government of Certain Pacific Island States and the Government of the United States of America, April 2, 1987." *International Legal Materials* 26 (1987): 1048–50.
- Treves, Tullio. "Codification du Droit International et Pratique des Etats dans le Droit de la Mer," Recueil des Cours de l'Académie de Droit International 223 (1990/4): 85.
- Treves, Tullio. "Military Installations, Structures and Devices on the Seabed." *American Journal of International Law* 74 (1980): 808–57.
- Treves, Tullio. "La Navigation." In *Traité du Nouveau Droit de la Mer*, edited by René-Jean Dupuy and D. Vignes, 687–808 (Paris: Éditions Economica, 1985).
- Tunkin, G. I. *Theory of International Law.* Cambridge: Harvard University Press, 1974.
- "UN Convention on Transit Trade of Land Locked States." *International Court of Justice Reports* (1984).
- UN Department of International Economic and Social Affairs. *Economic Cooperation among Developing Countries in Marine Affairs*. New York: United Nations Publications, 1987.

UN Division for Ocean Affairs and the Law of the Sea. *The Law of the Sea: National Legislation on the Exclusive Economic Zone.* New York: United Nations, 1993.

UN Division for Ocean Affairs and the Law of the Sea. *Law of the Sea Bulletin*, no. 23 (1993): 15.

UN Division for Ocean Affairs and the Law of the Sea. *Practice of States at the Time of Entry into Force of the United Nations Convention on the Law of the Sea.* New York, United Nations, 1994.

UN Doc. A/67/PV. 52 (December 12, 2012).

UN Document. A/AC. 138/SR. Official Records 78 (1972): 11.

UN Document. A/CN.4/659 (March 14, 2013).

UN Document. A/CN.4/663 (17 May 2013).

UN Document. A/Conf. 13/C. 1/L. 159. Official Records 3 (1958): 253.

UN Document. A/Conf. 13/C. 1/L. 77, Rev. 1, 2, 3. *Official Records* 3 (1958): 232.

UN Document. A/Conf. 13/C. 1/L. 131. Official Records 3 (1958): 269.

UN Document. A/Conf. 151/4 (Part II). *Official Records* (1992): chap. 17 paras. 17–52.

UN Document. A/Conf. 62/L. 78, August 28, 1981. *Official Records* 15 (1981): 172–248.

UN Document. A/Conf. 62/WP 10/Rev. 1, April 28, 1979.

UN Document. A/Conf. 164/37. Official Records (1995): Article 37.

UN Document. NG 4/9/ Rev. 2, 15 May 1978. Official Records 10 (1978): 50.

UN Food and Agriculture Organization. *Compendium of Basic Texts Concerning International Management and Development of Tuna Fisheries*. Fisheries Circular No. 842. Rome: UN Food and Agriculture Organization, 1992.

UN Food and Agriculture Organization Circulaire sur les Pêches No. 807, Rev. 1. Rome: UN Food and Agriculture Organization, 1992.

UN Food and Agriculture Organization Circulaire sur les Pêches No. 835, Rev. 1. Rome: UN Food and Agriculture Organization, 1992.

UN Food and Agriculture Organization, Committee on Fisheries, Twelfth Session. Rome, June 6–12, 1978, COFI/78/Inf. 8 May 1978, 43–65.

UN Food and Agriculture Organization Legislative Study No. 35. Rome: UN Food and Agriculture Organization, 1984.

UN Food and Agriculture Organization Yearbook of Fishery Statistics 50 (1980): 92.

UN Legislative Series. Laws and Regulations on the Regime of the High Seas 1 (1951).

UN Legislative Series. *National Legislation and Treaties Relating to the Law of the Sea* (1974).

"United Kingdom and Denmark Agreement Regarding the Fisheries Zone Around the Faroe Islands, 1959." *Revue Générale de Droit International Public* (1963): 621.

"United Kingdom and Denmark Agreement Regarding the Fisheries Zone Around the Faroe Islands, 1959." *Revue Générale de Droit International Public* 67 (1963): 621.

- United Nations. *The Law of the Sea: Current Developments in State Practice*, no. 2. New York: United Nations, 1989.
- United States. "President's Ocean Policy Statement, March 10, 1983." The Division of Ocean Affairs and the Law of the Sea.
- United States Department of State, Bureau of Intelligence and Research, Geographer. *International Boundary Study, Series A: Limits in the Seas, National Claims to Maritime Jurisdiction* No. 36 (1973).
- "United States/EEC Agreement Concerning Fisheries off the United States Coasts, February 15, 1977." *International Legal Materials* 16 (1977): 257.

United States FMCA of 1976.

- United States, Marine Mammal Protection Act, 1992.
- "Uruguay: Decree Extending Territorial Waters." *International Legal Materials* 8 (1969): 1067-72.
- US/Mexico Fisheries Agreement of November 24, 1976, in ST/LEG/SER. B/19 (1980): 430.
- "U.S.S.R. and United Kingdom: Fisheries Agreement." *International Legal Materials* 4 (1965): 174–75.
- Vallarta, Jose Luis. "Protection and Preservation of the Maritime Environment and Marine Scientific Research at the Third United Nations Conference on the Law of the Sea." *Law and Contemporary Problems* 46, no. 2 (1983): 147–154.
- Van Kleffens, Eelco Nicolaas. "Sovereignty in International Law." *Recueil des Cours de l'Académie de Droit International* 82 (1953): 84–106.
- Vanuatu's Maritime Zones act of 1981, Part V.
- Vicuña, Francisco Orrego. *The Exclusive Economic Zone: Regime and Legal Nature under International Law.* Cambridge: Cambridge University Press, 1989.
- Vicuña, Francisco Orrego. "The 'Presential Sea': Defining Coastal States' Special Interests in High Sea Fisheries and other Activities." *German Yearbook of International Law* 35 (1992): 264–92.
- Vicuña, Francisco Orrego. "Towards an Effective Management of High Seas Fisheries and the Settlement of the Pending Issues of the Law of the Sea." *Ocean Development and International Law* 24 (1993): 81–92.
- Vicuña, Francisco Orrego. "Trends and Issues in the Law of the Sea of Applied in Latin America." *Ocean Development and International Law* 26, no. 2 (1995): 93–103.
- Villiger, Mark E. Customary International Law and Treaties: A Study of Their Interactions and Interrelations, with Special Considerations of the 1969 Vienna Convention on the Law of Treaties. Boston: Martinus Nijhoff, 1985.
- Wali, Ibrahim J. "An Evaluation of the Convention on the Law of the Sea from the Perspective of Landlocked States." *Virginia Journal of International Law* 22 (1982): 627–66.

"Wimbledon Case (France, Italy, Japan, and the United Kingdom v. Germany)." *Permanent Court of International Judgment* Ser. A, No. 1, (1923): 26–28.

- Wolfrum, Rüdiger. "The Emerging Customary Law of Marine Zones: State Practice and the Convention on the Law of the Sea." *Netherlands Yearbook of International Law* 18 (1987): 121–44.
- "World Review of Highly Migratory Species and Straddling Stocks." *Food and Agriculture Organization of the United Nations Fisheries Technical Paper No* 337, 50–63. Rome: Food and Agriculture Organization of the United Nations, 1994.
- Yusuf, Abdulqawi A. "Towards a New Legal Framework for Marine Research: Coastal State Consent and International Coordination," *Virginia Journal of International Law* 19 (1979): 411–27.
- Zakharov, A. J. "Comment to Article by C. A. Fleischer, the Exclusive Economic Zone under the Convention Regime and in State Practice." In *The 1982 Convention on the Law of the Sea, Proceedings of the Seventeenth Annual Conference, July 12–16, 1983*, edited by Albert W. Koers and Bernard H. Oxman. Honolulu: Law of the Sea Institute, University of Hawaii, 1984.

AALCC Asian-African Legal Consultative Committee

AC Allowable Catch

ACP African Caribbean and Pacific Coastal States
AFDI Annuaire Français de Droit International

AJICL American Journal of International and Comparative

Lau

AJIL American Journal of International Law
ASIL American Society of International Law
BYIL British Yearbook of International Law
Colum JWB Columbia Journal of World Business

Colum LR Columbia Law Review

CMLR Common Market Law Review

Courier The Courier (Africa-Caribbean-Pacific-European

Community)

CYILA Chinese Yearbook of International Law and Affairs

CYIL Canadian Yearbook of International Law

DJILP Denver Journal of International Law and Policy

DLJ Dalhousie Law Journal

Dods Dodson's Admiralty Reports (Great Britain)

DWFS Distant Water Fishing States ECR European Court Reports

EEC European Economic Community
EFC European Fisheries Convention

EEZ Exclusive Economic Zone
EFZ Exclusive Fishing Zone

FA Foreign Affairs

FAO Food and Agriculture Organization

FRG Federal Republic of Germany

GA Res United Nations General Assembly Resolutions

GDR German Democratic Republic

GDS (s) Geographically disadvantaged states

Grotius Trans Transactions of the Grotius Society, 1915–1958/59

GYIL German Yearbook of International Law

Harvard LR Harvard Law Review
HC Harvesting Capacity
HMS Highly Migratory Species
ICI International Court of Justice

ICJ Rep International Court of Justice Reports

ICLQ International and Comparative Law Quarterly

ICNT Informal Composite Negotiating Text

IJ International Journal

IJIL Indian Journal of International Law

IJMCL International Journal of Marine and Coastal Law

ILA International Law AssociationILC International Law CommissionILM International Legal Materials

Int. L. International Lawyer

ISNT Informal Single Negotiating Text

ITLOS International Tribunal for the Law of the Sea

It. YIL Italian Yearbook of International Law

IUHEI Institut Universitaire de Hautes Etudes Internatio-

nales

JAIL Japanese Annual of International Law

JDI Journal de Droit International

JMLC Journal of Maritime Law and Commerce

JORADP Journal Officiel de la République Algérienne Démo-

cratique et Populaire

Keesing's Keesing's Contemporary Archives
LCP Law and Contemporary Problems

LLS (s) Land-Locked State(s)

LNTS League of Nations Treaty Series

LOS UN Convention on the Law of the Sea

Marit. Pol. Mgmt. Maritime Policy and Management

Marit. Stud. Mgmt. Maritime Studies and Management

Mod LR Modern Law Review

Moore International Arbitrations. Moore, J. B. *History and*

Digest of International Arbitrations to which the U.

S. has been a Party, 1898

Moore, Digest J. B. Moore, Digest of International Law 8 vols., 1906

MP Marine Policy

MULR Melbourne University Law Review

NAFO North Atlantic Fisheries Organization

NILR Netherlands International Law Review

NLJ Nigerian Law Journal

NYIL Netherland Yearbook of International Law

OAU Organization of African Unity

ODIL Ocean Development and International Law

Official Records 1958 Official Records of the First UN Conference on the

Law of the Sea

Official Records 1960 Official Records of the Second UN Conference on the

Law of the Sea

Official Records Official Records of the Third UN Conference on the

1973–1982 *Law of the Sea*

OJEC Official Journal of the European Community

OLR Oregon Law Review
OPN Ocean Policy News

Para (s) Paragraph(s)

PCIJ Permanent Court of International Justice

Phil LJ Philadelphia Law Journal

PYIL Polish Yearbook of International Law
RBDI Revue Belge de Droit International

RCADI Recueil des Cours de l'Académie de Droit Internatio-

nal

REDI Revue Egyptienne de Droit International
RGDIP Revue Générale de Droit International Public
RHDI Revue Hellénique de Droit International
RIAA UN Reports of International Arbitral Awards
RICNT Revised Informal Composite Negotiating Text
RIRI Revue Iranienne des Relations Internationales

RSNT Revised Single Negotiating Text

SAYIL South African Yearbook of International Law

SDLR San Diego Law Review
SEP OP Separate Opinion

ST/LEG/SER. B/1 UN Legislative Series, Laws and Regulations on the

Regime of the High Seas 1 (1951).

ST/LEG/SER. B/2 UN Legislative Series, Laws and Regulations on the

Regime of the High Seas 2 (1952).

ST/LEG/SER. B/6 UN Legislative Series, Laws and Regulations on the

Regime of the Territorial Sea (1957).

ST/LEG/SER. B/8 UN Legislative Series, Supplement to Laws and Reg-

ulations on the Regime of the High Seas and Laws

Concerning the Nationality of Ships (1959).

ST/LEG/SER. B/15 UN Legislative Series, National Legislation and Trea-

ties Relating to the Territorial Sea, the Contiguous Zone, and the Continental Shelf, the High Seas and to Fishing and Conservation of Living Resources of the

Sea (1970).

ST/LEG/SER. B/16 UN Legislative Series, National Legislation and Trea-

ties Relating to the Law of the Sea (1974).

ST/LEG/SER. B/18 UN Legislative Series, National Legislation and Trea-

ties Relating to the Law of the Sea (1976).

ST/LEG/SER. B/19 UN Legislative Series, National Legislation and Trea-

ties Relating to the Law of the Sea (1980).

Swiss YIL Swiss Yearbook of International Law
SYIL Spanish Yearbook of International Law

Texas ILJ Texas International Law Journal

Trans AFS Transactions of the American Fisheries Society

UK United Kingdom
UN United Nations

UNCLOS I First United Nations Conference on the Law of the

Sea (Geneva 1958)

UNCLOS II Second United Nations Conference on the Law of

the Sea (Geneva 1960)

UNCLOS III Third United Nations Conference on the Law of the

Sea (1973-1982)

Abbreviations 257

UN Doc United Nations Documents

UNGAOR United Nations General Assembly Official Records

UNTS United Nations Treaty Series

US United States

USSR Union of Soviet Socialist Republics

VCT Vienna Convention on the Law of Treaties
VJIL Virginia Journal of International Law

WILJ West Indian Law Journal

YILC Yearbook of the International Law Commission

YUN Yearbook of the United Nations YWA Yearbook of the World Affairs

Table of Cases

Anglo-Norwegian Fisheries Case, ICJ Reports, 1951.

Asylum Case (Columbia v. Peru), ICJ Reports, 1950.

Behring Sea Fur Seals Arbitration (Great Britain v. United States), 1893, in Moore, Digest vol. 1 1898, p. 755.

Channel Continental Shelf Arbitration (United Kingdom v. France), 17 UNRI-AA, 1978.

Case Concerning the Continental Shelf (Tunisia v. Libyan Arab Jamahiriya), ICJ Reports, 1982.

Case Concerning the Continental Shelf (Libyan Arab Jamahiriya v. Malta), ICJ Reports, 1985.

Case Concerning Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada v. United States), ICJ, Reports, 1984.

Case Concerning the Delimitation of Marine Areas between Canada and the French Republic, Decision of the Court of Arbitration dated 10 June 1992, in ILM, 1992.

Case Concerning Maritime Delimitation in the Area between Greenland and Jan Mayen (Denmark v. Norway), ICJ Reports, 1993.

Case Concerning the Diversion of Water from the Meuse (Netherlands v. Belgium), 1937, PCIJ Reports, Series A/B N 70.

Case Concerning the Land, Island, and Maritime Frontier Dispute, (El Salvador v. Honduras; Nicaragua intervening), 1992, ICJ Reports, 1992.

Case Concerning Land Reclamation by Singapore in and around the Straits of Johor (Malaysia v. Singapore), 2003, ITLOS, 2003.

Case Concerning Military and Paramilitary Activities in and Against Nicaragua (Nicaragua v. United States), Merits, June 27, 1986, ICJ Reports, 1986.

Corfu Channel Case (United Kingdom v. Albania), 1949 ICJ Reports, 1949.

Fisheries Jurisdiction Case (United Kingdom v. Iceland), Merits, 1974, ICJ Reports, 1974.

Guyana v. Suriname, Decision of Annex VII Arbitral Panel, 2007.

Le Louis, The 2 Dods, 1817.

Maritime Delimitation and Territorial Question Between Qatar and Bahrain (Qatar v. Bahrain), 2001 ICJ Reports, 2001.

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Maritime Dispute (Peru v. Chile), 2014, ICJ Report 2014.

The M/V "SAIGA" (No. 2) Case (Saint Vincent and the Grenadines v. Guinea), 1999, ITLOS, 1999.

The M/V "Virginia G" Case (Panama v. Guinea Bissau), 2014, ITLOS, 2014.

North Continental Shelf Cases (West Germany v. Denmark; West Germany v. Netherland), ICJ Reports, 1969.

Pulp Mills on the River Uruguay (Argentina v. Uruguay), 2010, ICJ Reports, 2010.

Railroad Traffic (Lithuania v. Poland) Case (Advisory Opinion), PCIJ Reports Series A/B, No. 42, 1931.

Southern Bluefin Tuna Cases (New Zealand v. Japan; Australia v. Japan), 1999, ITLOS 1999

Territorial and Maritime Dispute (Nicaragua v. Colombia), 2012, ICJ Reports, 2012.

The ARA Libertad Case (Argentina v. Ghana), 2012, ITLOS, 2012.

The MOX Plant Case (Ireland v. United Kingdom), 2001, ITLOS 2001.

The Rights of Nationals of the United States in Morocco (United States v. France) Case, ICJ Reports, 1952.

The Rights of Passage over Indian Territory (Portugal v. India), Merits, ICJ Reports, 1960.

The Temple of Preah Vihear Case (Cambodia v. Thailand), ICJ Reports, 1962.

Countries with the Largest and Smallest Exclusive Economic Zones

Rank	Area (km²)	Country
1	11,351,000	United States
2	11,035,000	France
3	8,505,348	Australia
4	7,566,673	Russia
5	6,805,586	United Kingdom
6	6,159,032	Indonesia
7	5,599,077	Canada
8	4,479,388	Japan
9	4,083,744	New Zealand
10	3,879,666	China
11	3,681,989	Chile
12	3,660,955	Brazil
13	3,441,810	Kiribati
14	3,177,593	Mexico
15	2,996,419	Federated States of Micronesia
ŧ	i .	:
137	10,503	Syria
138	10,225	Bahrain
139	10,090	Brunei
140	9,974	Saint Kitts and Nevis
141	7,745	Montenegro
142	7,459	Djibouti
143	7,031	Lithuania
144	3,447	Belgium
145	1,606	Democratic Republic of the Congo
146	1,067	Singapore
147	771	Iraq
148	288	Monaco
149	220	Slovenia
150	166	Jordan
151	50	Bosnia and Herzegovina

Source: Food and Agriculture Organization of the United Nations.

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