

Forslag til nytt pensum høst 2022

JUR-3623: Protection of the Marine Environment with a Focus on Marine Living Resources Law
(page total 887)

Theme 1: Introduction to the Law of the Sea (total 161 pages)

- Dolliver Nelson, 'Maritime Jurisdiction', Max Planck Encyclopaedia of International Law (2010) < <https://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e1195?rskkey=pPe6UQ&result=1&prd=OPIL> > (17 pages).
- Yoshifumi Tanaka, 'The Law of the Sea in Perspective', in *The International Law of the Sea* (CUP, 2019 3rd edition), 3-47 (45 pages)
- Jill Barrett, 'The UN Convention on the Law of the Sea: A Living Treaty' in Jill Barrett and Richard Barnes (eds), *The Law of the Sea. UNCLOS as a Living Treaty* (BICCL, 2016), 3-37 (33 pages).
- Richard Barnes, 'Flag States' in Donald Rothwell, Alex Oude Elferink, Karen Scott and Tim Stephens (eds), *The Oxford Handbook on the Law of the Sea*, (Oxford University Press, 2015), 304-324 (20 pages).
- Erik J Molenaar, 'Port and Coastal States', in Donald Rothwell, Alex Oude Elferink, Karen Scott and Tim Stephens (eds), *The Oxford Handbook on the Law of the Sea*, (Oxford University Press, 2015), 280-303 (23 pages)
- Yoshifumi Tanaka, 'Navigational Rights and Freedoms', in Donald Rothwell, Alex Oude Elferink, Karen Scott and Tim Stephens (eds), *The Oxford Handbook on the Law of the Sea*, (Oxford University Press, 2015), 536-559 (23 pages).

Theme 2: Sustainable use of living marine resources (total 254 pages)

- James Harrison, *Saving the Oceans through Law : the International Legal Framework for the Protection of the Marine Environment*. Oxford University Press; 2017:
 - o Chapter 7 'Fishing and the Conservation of Marine Living Resources' 166-208. (43 pages)
- Erik J. Molenaar, 'Regional Fisheries Management Organizations', in Marta Chantal Ribeiro, Fernando Loureiro Bastos & Tore Henriksen (eds.), *Global Challenges and the Law of the Sea* (Springer 2020) 81-109. (29 pages)
- Eva van der Marel, 'Problems and Progress in Combatting IUU fishing', in Richard Caddell and Erik J. Molenaar (Eds), *Strengthening International Fisheries Law in an Era of Changing Oceans* (Hart 2018), 355-388. (34 pages)
- Yoshifumi Tanaka, 'Reflections on the Implications of Environmental Norms for Fishing: The Link between the Regulation of Fishing and the Protection of Marine Biological Diversity', *International Community Law Review* 22 (2020) 389-409. (21 pages)
- Ernesto Penas Lado, 'The Objectives of the CFP', in Ernesto Penas Lado *Quo Vadis Common Fisheries Policy?* (John Wiley & Sons 2020) 25-42. (18 pages pages)

- Thomas Appleby & James Harrison, 'Taking the Pulse of Environmental and Fisheries Law: The Common Fisheries Policy, the Habitats Directive, and Brexit', *Journal of Environmental Law*, 31 (2019) 443–464. (22 pages)
- Richard Barnes, James Harrison, Eva van der Marel & Mihail Vatsov, 'Introduction: External Aspects of the European Union Common Fisheries Policy', *The International Journal of Marine and Coastal Law* 35(1) (2020) 5–17. (13 pages)
- Hrannar Már Ásgeirsson and Darius Campbell & João Neves, 'Illegal, Unreported, and Unregulated Fishing: How the North-East Atlantic Fisheries Commission Addresses the IUU Fishing Challenge – Is It Working?', *Ocean Yearbook* 34 (2020) 376–397. (22 pages)
- Alf Håkon Hoel, 'The evolving management of fisheries in the Arctic', Karen N. Scott & David L. VanderZwaag (eds.) *Research Handbook on Polar Law* (Edward Elgar 2020) 200-217. (18 pages)
- Rosemary Rayfuse, 'The role of law in the regulation of fishing activities in the Central Arctic Ocean', *Marine Policy* 110 (2019) 103562. (7 pages)
- Trond Bjørndal, Torben Foss, Gordon R. Munro, Mogens Schou, 'Brexit and consequences for quota sharing in the Barents Sea cod fishery', *Marine Policy* 131 (2021) 104622. (8 pages)
- Andreas Østhagen & Andreas Raspotnik, 'Why Is the European Union Challenging Norway Over Snow Crab? Svalbard, Special Interests, and Arctic Governance', *Ocean Development & International Law*, 50(2-3) (2019), 190-208. (19 pages)

Theme 3: International Marine Environmental Law (total 265 pages)

- Yoshifumi Tanaka, 'Conservation of Marine Biological Diversity' in *The International Law of the Sea* (3rd edition, Cambridge University Press 2019) 404 – 431 (pages 28).
- James Harrison. *Saving the Oceans through Law: The International Legal Framework for the Protection of the Marine Environment*, (Oxford University Press; 2017):
 - Chapter 2 'The United Nations Convention on the Law of the Sea and the Protections and Preservation of the Marine Environment' (17-42). 26 pages
 - Chapter 4 'Land-Based Sources of Marine Pollution' (64-91). 28 pages
 - Chapter 6 'Marine Environment Threats from Shipping' (114-165). 52 pages
 - Chapter 10 'Towards integrated management of the Oceans in the international level' (275-300). 26 pages
 - Chapter 11 'The role of international law in saving the oceans and future challenges for the legal framework' (301-310). 10 pages
- Gerd Winter, 'International Principles of Marine Environmental Protection'. In: Markus Salomon and Till Markus (eds.): *Handbook on Marine Environment Protection: Science, Impacts and Sustainable Management* (Springer International Publishing, 2018), 585-605. (20 pages)

- Julien Rochette et.al. 'Regional oceans governance mechanisms: A review', *Marine Policy*. 60 (2015) 9-19. doi:10.1016/j.marpol.2015.05.012. (10 pages)
- Meagan S Wong, 'The Convention for the Protection of the Marine Environment of the North-East Atlantic (the "OSPAR Convention") (and Annexes I, II, III, IV)'. In: Michael Faure, Malgosia Fitzmaurice, Attila Tanzi, (eds.): *Elgar Encyclopaedia of Environmental Law: Volume V: Multilateral Environmental Treaties*, (Edward Elgar Publishing Limited, 2017)189-198. (9 pages)
- Ingvild U Jakobsen, 'Marine protected areas as a tool to ensure environmental protection of the marine Arctic: Legal aspects' in Elizabeth Tedsen, Sandra Cavalieri, R. Andreas Kraemer (eds): *Arctic Marine Governance: Opportunities for Transatlantic Cooperation*, (Springer, 2014) 215-233 (18 pages)
- Robin Warner, 'Principles of environmental protection at the Poles', in Karen N. Scott and David VanderZwaag (eds.): *Research Handbook on Polar Law*, (Edward Elgar Publishing Limited, 2020) 326-345. (19 pages)
- Elise Johansen and Tore Henriksen, 'Climate Change and the Arctic: adapting to the threats and opportunities in Arctic marine waters', in Jan McDonald, Jeffery Mcgree and Richard Barnes (eds.): *Research Handbook on Climate Change, Oceans and Coasts* (Edward Elgar Publishing Limited, 2020) 239 – 258. (19 pages)

Theme 4: Protection of the Marine Environment and BBNJ (total 131 pages)

- Myron H Nordquist and others (eds), United Nations Convention on the Law of the Sea 1982, A Commentary, Volume IV (Brill | Nijhoff 1990) 35 – 43 (9 pages).
- Detlef Czybulka, 'Article 192' in Alexander Proelss (ed), *United Nations Convention on the Law of the Sea: A Commentary* (CH Beck; Hart; Nomos 2017) 1277 - 1287 (11 pages).
- Tore Henriksen, 'Mapping Key Past and Current Debate on Areas beyond National Jurisdiction' in Vito De Lucia, Alex Oude Elferink and Lan Ngoc Nguyen (eds), *International Law and Marine Areas beyond National Jurisdiction* (Brill; Nijhoff 2021) (38 pages).
- Alex G Oude Elferink, 'Protecting the Environment of ABNJ through Marine Protected Areas and Area-Based Management Tools: Is the Glass Half Empty or Half Full and Whose Glass Is It Anyway?' in Vito De Lucia, Alex Oude Elferink and Lan Ngoc Nguyen (eds), *International Law and Marine Areas beyond National Jurisdiction* (Brill; Nijhoff 2021) (37 pages).
- Richard Barnes, 'The Proposed LOSC Implementation Agreement on Areas beyond National Jurisdiction and Its Impact on International Fisheries Law' in David Freestone (ed), *Conserving Biodiversity in Areas beyond National Jurisdiction* (Brill; Nijhoff 2019) (36 pages).
- *South China Sea Arbitration* (The Republic of the Philippines v The People's Republic of China) (Award) (2016) PCA Case No 2013-19, pages 369 – 397 (29 pages).

Theme 5: Climate Change and the Law of the Sea (total 76 pages)

- James Harrison, 'Litigation under the United Nations Convention on the Law of the Sea: Opportunities to Support and Supplement the Climate Change Regime' in Ivano Alogna, Christine Bakker and Jean-Pierre Gauci (eds), *Climate Change Litigation: Global Perspectives* (Brill; Nijhoff 2021) (18 pages).
- Karen N Scott, 'Ocean Acidification: A Due Diligence Obligation under the LOSC' (2020) 35 *The International Journal of Marine and Coastal Law* 382 – 408 (27 pages).
- Henrik Ringbom, 'Regulating Greenhouse Gases from Ships: Some Light at the End of the Funnel?' in Elise Johansen, Signe Busch and Ingvild U Jakobsen (eds), *The Law of the Sea and Climate Change* (Cambridge University Press 2020) (pages 31).