

Whaling and International Law

Malgosia Fitzmaurice



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Ian Hurd



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Whaling and International Law Malgosia Fitzmaurice, 2015-12-03 An in depth analysis of one of the most complex and intriguing legal and sociological phenomena of the contemporary period **International Law's Objects** Jessie Hohmann, Daniel Joyce, 2018-12-20 International law's rich existence in the world can be illuminated by its objects International law is often developed conveyed and authorized through its objects and or their representation From the symbolic the regalia of the head of state and the symbols of sovereignty to the mundane a can of dolphin safe tuna certified as complying with international trade standards international legal authority can be found in the objects around us Similarly the practice of international law often relies on material objects or their image both as evidence satellite images bones of the victims of mass atrocities and to found authority for instance maps and charts This volume considers these questions firstly what might the study of international law through objects reveal What might objects rather than texts tell us about sources recognition of states construction of territory law of the sea or international human rights law Secondly what might this scholarly undertaking reveal about the objects as aims or projects of international law How do objects reveal or perhaps mask these aims and what does this tell us about the reasons some physical or material objects are foregrounded and others hidden or ignored Thirdly what objects icons and symbols preoccupy the profession and academy The personal selection of these objects by leading and emerging scholars worldwide will illuminate the contemporary and historical fascinations of international lawyers As a result the volume will be an important artefact itself an object in its own right capturing the mood of international law in a given moment and providing opportunity for reflection on these preoccupations By considering international law in the context of its material culture the authors offer a new theoretical perspective on the subject

Whaling in the Antarctic Malgosia Fitzmaurice, Dai Tamada, 2016-05-23 This publication gives an in depth analysis of a very important but complex case before the International Court of Justice It deals with substantive and procedural aspects of the case analysed extensively by eminent international lawyers and practitioners The Whaling in Antarctic case is a landmark case in international law Contributors Malgosia Fitzmaurice and Dai Tamada eds Caroline E Foster Shotaro Hamamoto Theodore Christakis Christian Tams Mika Hayashi Joji Morishita Donald R Rothwell Hironobu Sakai Anthony Press Akiho Shibata Yuri Takaya **Democracies and International Law** Tom Ginsburg, 2021-09-30 Democracies and authoritarian regimes have different approaches to international law grounded in their different forms of government As the balance of power between democracies and non democracies shifts it will have consequences for international legal order Human rights may face severe challenges in years ahead but citizens of democratic countries may still benefit from international legal cooperation in other areas Ranging across several continents this volume surveys the state of democracy enhancing international law and provides ideas for a way forward in the face of rising authoritarianism **Whaling and International Law** M. Fitzmaurice, 2015 Research Handbook on Art and Law Jani McCutcheon, Fiona McGaughey, 2020-01-31 Featuring

international contributions from leading and emerging scholars this innovative Research Handbook presents a panoramic view of how law sees visual art and how visual art sees law It resists the conventional approach to art and law as inherently dissonant one a discipline preoccupied with rationality certainty and objectivity the other a creative enterprise ensconced in the imaginary and inviting multiple unique and subjective interpretations Blending these two distinct disciplines this unique Research Handbook bridges the gap between art and law Nordic Journal of International Law ,2005 **Annuaire Polonais de Droit International** ,1999 *Current Law Index* ,2000 Whaling Diplomacy Alexander Gillespie,2005-01-01 Whaling Diplomacy is the only book that addresses all of the substantive issues relating to the conservation of whales through the International Whaling Commission IWC It covers the law policy science and philosophy at the heart of each element of the debate discussing how it has developed the current problems that beset it and what is necessary for the future Together all of the issues involved in whaling form a single crucible through which the future of conservation in international environmental law is being debated Students of law politics environmental economics and philosophy will find this book of great value for its cutting edge relevance over the three disciplines Policymakers will also find it of interest for the insight into one of the most controversial conservation debates of our time BOOK JACKET

Whales and Elephants in International Conservation Law and Politics Ed Couzens,2013-11-07 Whales and elephants are iconic giants of the marine and terrestrial animal world Both are conspicuous representatives of wildlife conservation The issues of whaling and the ivory trade are closely linked both legally and politically in many ways some obvious and some surprising The treatment of both whales and elephants will be politically and legally contentious for years to come and is of great significance to conservation in general This book examines the current state of international environmental law and wildlife conservation through a comparative analysis of the treatment of whales and elephants In particular it describes the separate histories of international governance of both whales and elephants presenting the various treaties through which conservation has been implemented It is shown that international environmental law is influenced and shaped by important political actors many with opposing views on how best conservation and sustainable development principles are to be implemented Modern environmental treaties are changing as weaknesses and loopholes are exposed in older and possibly outdated treaties such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora CITES and the International Convention for the Regulation of Whaling ICRW Such weaknesses can be seen in the efforts made by some states to circumvent or weaken CITES and the International Whaling Commission and to resume commercial whaling and further in the efforts of countries to resume trade in ivory The argument is made that the Convention on Biological Diversity could be used to begin reconciling opposed views and to focus conservation efforts The argument is made that effective conservation of species cannot be achieved through individual treaties but only through a synergistic approach involving multilateral environmental agreements ecosystems of legal instruments International Regulation of Whaling Patricia W.

Birnie,1985 These volumes trace the legal measures by which emphasis has shifted from support of the whaling industry to ensuring an effective legal system for the preservation of whales

Work Paper on the Law and the Whale Carl Quimby Christol,John Richard Schmidhauser,George Oakley Totten,1975

Leviathan Forest L. Grieses,1972

Greasy Luck to Whalers Christina Carey McClintock,2017

Polar Law and Resources Julia Jabour,Jan-Gunnar Winther,Øyvind Ravna,Erik J. Molenaar,Niels Einarsson,Malgosia Fitzmaurice,Nikolas Sellheim,Maria Madalena das Neves,Nigel Bankes,Alyson JK Bailes,Anton Vasiliev,2015-04-23

Current Polar law developments indicate that both the Arctic and the Antarctica will continue to be the focus of growing scientific international political media and public discourse for the foreseeable future The regulation of resources and associated issues form one of the key areas of Polar law and will thus continue to constitute the crux of legal geopolitical socio economic and environmental developments An overview of Polar law questions and topical developments was provided in the pioneering 2010 Polar Law Textbook and in the 2013 Polar Law Textbook II both of which covered a number of topics relevant to the Polar resources debate Building on this work this new volume focuses on topical issues of law and resource development in the Polar Regions and covers topics of current and emergent resource related issues mainly from a legal and political perspective

Japan's Withdrawal from International Whaling Regulation Nikolas Sellheim,Joji Morishita,2023-12-11

This book examines the impact and implications of Japan's withdrawal from the International Convention for the Regulation of Whaling ICRW which came into effect in July 2019 In 1982 the International Whaling Commission IWC adopted a moratorium on commercial whaling which has been in effect ever since despite the resistance of some countries first and foremost Japan Norway and Iceland that engage in commercial whaling As one of the key contributors to scientific research and funding Japan's withdrawal has the potential to have wide ranging implications and this volume examines the impact of Japan's withdrawal on the IWC itself on the governance of whaling and on indigenous and coastal whaling It provides backgrounds and commentaries on this decision as well as normative and legal discussions on matters relating to sustainable use of resources and philosophies surrounding whaling in different IWC countries The consideration of other international environmental regimes such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora CITES is also examined in order to determine the international ripple effect of Japan's decision The book reveals that this is not just a matter of whaling but one which has significant legal managerial and cultural implications Drawing on deep analyses of IWC structures the book addresses core philosophies underlying the whaling debate and in how far these may influence environmental governance in the future This book will be of great interest to students and scholars of environmental law and governance biodiversity conservation and sustainable development as well as policymakers involved in international environmental and conservation agreements

The Protection of Whales in International Law Howard Scott Schiffman,1996

Almost Saving Whales Ian Hurd,2014

The international regime on whale hunting is in crisis despite its apparent success in rescuing most whale populations from extinction Through the

politics of legalization in world affairs disagreement over the substance of whale hunting has been displaced recast as disputes over legal technicalities of treaty interpretation and what counts as scientific research The whaling regime has thus become a microcosm of the problems of international law and diplomacy where a shared commitment to the rule of law coexists with deep disagreements over the meaning of compliance The case illustrates what can go right and what can go wrong in the design of international institutions and in the dynamics among state interests regimes and activists

Opposing Japanese Whaling in the Southern Ocean Joanna Mossop, 2015 This article examines the international law consequences of the very different actions taken by two non governmental organisations the Humane Society International and the Sea Shepherd organisation in an attempt to persuade Japan to end its scientific whaling programme in the Southern Ocean The Humane Society International sought to require Australia to enforce domestic legislation imposing a whale sanctuary in waters off Antarctica to which Australia has a claim Although the prospect of claimant states exercising jurisdiction over non nationals in Antarctica and the Southern Ocean might be superficially attractive the potential consequences for the Antarctic Treaty System are severe New Zealand's approach to legislating in respect of maritime zones in Antarctica is more restrained than Australia and is to be preferred for its deference to the Antarctic Treaty System In contrast the Sea Shepherd organisation has acted outside any domestic legal system and arguably in violation of international law rules relating to safety of shipping

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