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EXCESSIVE MARITIME CLAIMS

Third Edition

J. Ashley Roach and
Robert W. Smith

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Excessive Maritime Claims Excessive Maritime Claims

J. Ashley Roach



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Excessive Maritime Claims J. Ashley Roach, Robert W. Smith, 2012-06-22 This title is designed for law of the sea and maritime law specialists The coverage includes current affairs in maritime law such as submarine cables polar areas environmental protection sovereign immunity and sunken ships and maritime law enforcement

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Excessive Maritime Claims J. Ashley Roach, 2021-03-18 State practice in the law of the sea has continued to evolve since publication of the 3rd edition of *Excessive Maritime Claims* in 2012 In this 4th edition J Ashley Roach has brought the text up to date particularly as to the provisions relating to the balance of navigational rights and freedom with the interests of coastal and island States Of particular interest are the more detailed explanations of the phrase freedom of navigation the expanded material on baselines and on the practice of archipelagic States the revisions of the material on the continental shelf on marine data collection on submarine cables and pipelines and US Ocean Policy A new chapter has been added on islands and other maritime features

United States Responses to Excessive Maritime Claims J. Ashley Roach, Robert W. Smith, 1996 A number of significant events in the law of the sea have occurred since the summer of 1994 when this book was first published by the U S Naval War College Of greatest significance is the entry into force on November 16 1994 of the United Nations Law of the Sea Convention with a reformed Part XI on deep seabed mining that gives every prospect of gaining universal acceptance In addition in submitting the Convention and implementing Agreement to the Senate for advice and consent in October 1994 President Clinton forwarded an extensive and authoritative Commentary on those documents Consequently the authors were encouraged to prepare a second edition for the wider audience which must deal with the traditional uses provisions of the modern Law of the Sea Convention now in force A new chapter on marine data collection has been added and documents have been included which will further facilitate the use of this expanded volume as a working tool for the practitioner and student alike

Excessive Maritime Claims J. Ashley Roach, Robert W. Smith, 1994

Excessive Maritime Claims J. Ashley Roach (jurist.), 1994

Excessive Maritime Claims J. Ashley Roach, 1994

United States Responses to Excessive National Maritime Claims United States. Department of State. Office of Ocean Affairs, Robert W. Smith (Geographer), J. Ashley Roach, 1992

International Law for Seagoing Officers, 7th Editi Craig H

Allen, 2022-11-15 The seventh edition of this Blue and Gold Series book brings clarity and context to international law for the seagoing professional. This book is the only work that addresses the international law of the sea from the perspective of the United States. For those who operate on, under, and over the sea, international law can sometimes be as complex as it is important. Written by the same former seagoing officer and maritime law professional who authored the current edition of *Farwell's Rules of the Nautical Road*, this book was designed to bring clarity and context to international law for the seagoing professional. Following an introduction to public international law and a short history of the law of the sea, the book describes the rules that apply in ports and in the adjacent maritime zones, including the territorial sea, exclusive economic zone, archipelagic waters, and the high seas. A highlight of the book are the chapters that focus on subjects of greatest interest to the seagoing professional, including military and intelligence activities in the maritime domain, maritime law enforcement activities, and the use of force at sea. The appendices include the text of the 1982 UN Convention on the Law of the Sea and the U.S. Senate's understandings of key provisions of the convention. Whether an academy cadet, a midshipman, a seasoned commanding officer, or master mariner, readers of this thorough and timely book will be rewarded with a far greater understanding of the international laws that govern ships and mariners at sea. New in this edition: Over a dozen new cases by courts and arbitration panels interpreting UNCLOS, including the South China Sea dispute between the Philippines and China; Coverage of Commercial Seafarer protections under Maritime Labor Convention; Global Responses to the Mediterranean Migrant Crisis; Coverage of the law protecting our vital submarine cables; Expanded coverage of unmanned and autonomous vessels and aircraft; Coverage on vessel health, safety, and quarantine measures applicable in the COVID-19 Pandemic. A new chapter surveying issues the U.S. Senate should consider in any decision regarding ratification of UNCLOS. A new appendix setting out the U.S. Navy and Coast Guard policies on sovereign immunity of government vessels and aircraft.

Maritime Claims Reference Manual, 1997 This Manual is reissued under the authority of DoD Instruction C 2005.1, U.S. Program for the Exercise of Navigation and Overflight Rights at Sea, U 1 June 21 1983. Its purpose is to provide a general reference concerning the maritime claims of all coastal nations. The *Maritime Claims Reference Manual* of July 12 1990 is hereby cancelled. The maritime claims references in this Manual represent claims made by the coastal nations. Some of the claims are inconsistent with international law. The United States does not recognize those maritime claims that are not in conformity with customary international law as reflected in the 1982 U.N. Law of the Sea Convention. Examples include excessive straight baseline claims, territorial sea claims in excess of 12 nautical miles, and other claims that unlawfully impede freedom of navigation and overflight. This Manual notes many instances in which the United States has protested excessive claims and conducted operational assertions against such excessive claims under the Freedom of Navigation Program. Failure to categorize any maritime claim as excessive within this Manual does not indicate U.S. acceptance of excessive claims.

The Role of European Naval Forces After the Cold War G. C. De Nooy, 1996-03-29 The purpose of this book is to describe and

analyse the instrumental role European naval forces might play in developing and sustaining a future foreign and security policy for the community of European states First Europe s rapidly changing security environment is analysed with a keen eye for the possible development of a European grand strategy foreign and security policy for the near and longer term future Derived from this analysis the present context and possible future directions are established for a common European maritime strategy Next the theoretical challenges and the practical solutions are discussed vis vis the primary tasks and capabilities of European naval forces the execution of naval operations including the provision of seapower in defence of strategic European interests Then the issue of good governance at sea is addressed The requirement for naval involvement in policing the seas and a concept for a European approach to good governance at sea are discussed In conclusion the relevance of the United Nations Convention on the Law of the Sea UNCLOS is scrutinized Special attention is paid to the potential for a joint European UNCLOS initiative and its associated instruments The individual chapters are contributed by leading experts in the field of international and maritime security affairs This book will be of interest to European policy makers naval planners officers under training in naval and defence academies and maritime institutes and students in international relations and maritime law

Limits in the Seas , Perspectives on the South China Sea Murray Hiebert,Phuong Nguyen,Gregory B. Poling,2014-10-08 The South China Sea is arguably one of the world s most dangerous regions with conflicting diplomatic legal and security claims by major and mid level powers To assess these disputes CSIS brought together an international group of experts from Australia Canada China Indonesia Japan Malaysia the Philippines the United Kingdom the United States and Vietnam This volume gathers these experts analyses to provide a diverse and wide ranging set of perspectives on the region and to explore possibilities for future cooperation

International Law for Seagoing Officers, 6th Edition Craig H Allen,2014-05-15 For those who operate on under and over the sea international law can sometimes be as complex as it is important Written by the same former seagoing officer and maritime law professional who authored the current edition of Farwell s Rules of the Nautical Road this book was designed to bring clarity and context to international law for the seagoing professional Following an introduction to public international law and a short history of the law of the sea the book describes the rules that apply in ports and in the adjacent maritime zones including the territorial sea exclusive economic zone archipelagic waters and the high seas A highlight of the book are the chapters that focus on the subjects of greatest interest to the seagoing professional including military and intelligence activities in the maritime domain maritime law enforcement activities and the use of force at sea The appendices include the text of the 1982 UN Convention on the Law of the Sea Whether an academy cadet a midshipman a seasoned commanding officer or a master mariner readers of this thorough and timely book will be rewarded with a far greater understanding of the international laws that govern ships and mariners at sea

Beyond the Law of the Sea George V. Galdorisi,Kevin R. Vienna,1997-11-20 The 1982 U N Convention of the Law of the Sea took over a decade to produce and was the final result of the largest single international

negotiating process undertaken before or since that time As the world s leading maritime nation the U S has vital immediate national interests in the Convention and in the continuing refinement of maritime law based upon the tenets of that comprehensive document The present work describes in detail the concurrent development of international law and the law of the sea the complex negotiating process that resulted in the completed Convention the role of the U S both during the Law of the Sea Convention and during the decade of negotiation that finally made the Convention acceptable and policy directions and issues for the U S in the post Convention environment This is an important new text in international law international relations and maritime affairs

Building a Normative Order in the South China Sea Tran Truong Thuy, John B. Welfield, Le Thuy Trang, 2019 The South China Sea where a number of great powers and regional players contend for influence has emerged as one of the most potentially explosive regions in the world today What can be done to reduce the possibility of conflict solve the outstanding territorial problems and harness the potential of the sea to promote regional development environmental sustainability and security This book with contributions from leading authorities in China the Philippines Vietnam Australia Singapore and the United States seeks to illuminate these questions *Keeping the Routine, Routine: The Operational Risks of Challenging Chinese Excessive Maritime Claims*, 2004 The United States asserts that China claims rights territory and airspace that are not in harmony with the world interpretation of the United Nations Convention on the Law of the Sea UNCLOS When challenging these claims or conducting operations in disputed waters the Combatant Commander must account for the increased risk these operations carry and develop a process to work through or mitigate that risk because conducting these operations is not simply about the proper interpretation and application of the Law of the Sea but is fundamentally about national security and national policy

Maritime Issues in the 1990s, 1992 *China's Maritime Claims in the South China Sea: The Threat to Regional Stability and U.S. Interests*, 2001 The South China Sea is a strategically important geographic area for the United States As a maritime nation the U S depends on the free flow of maritime traffic worldwide The South China Sea region is one of the busiest waterways for commercial maritime trade The U S and our Asian trading partners have become increasingly dependent on the flow of commodities including petroleum through the South China Sea China is the dominant power in Southeast Asia The People s Republic of China PRC the communist government of mainland China has maintained its claim to sovereignty over the South China Seas and the islands contained therein The South China Sea islands are spread out over great distances in the South China Sea Multiple nations claim sovereignty over these South China Sea islands China s excessive maritime claims in the South China Sea are adversely affecting freedom of navigation in the South China Sea and regional stability in Southeast Asia The sovereignty claims of the People s Republic of China are the most sweeping and directly challenge all other sovereignty claims in the South China Sea The economic interests associated with these islands have heightened tensions in the region The result has been various military conflicts among the island claimants over the past two decades China s current maritime claims also

violate the international law of the sea These claims already designate large sections of the South China Sea as Chinese territorial sea and threaten to do so for an even larger area of the sea Chinese law associated with these claims place unlawful restrictions on free navigation *Readings on International Law from the Naval War College Review, 1978-1994*
John Norton Moore, Robert F. Turner, 1995

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