

LAW OF THE SEA

by Hugo Caminos

(The Library of Essays in International Law)

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Book Review

by Julio César Villano (*)

This book was edited by HE Judge Hugo Caminos, Member of the International Tribunal for the Law of the Sea (since 1996 to present) and published by Dartmouth Publishing Company (England) and Ashgate Publishing Company (USA) in 2001. HE Judge Caminos is a deeply respected Argentine law Professor, Member of the National Academy of Law and Social Sciences who teaches at the University of Miami School of Law (USA). This book is a part of a Collection (*The Library of Essays in International Law*) which is focused on relevant international law studies, and may be considered a milestone title for the Law of the Sea subject not only because of its broad scope –closely connected to the United Nations Convention on the Law of the Sea dated as of December 1982, which entered into force in 1994 and constitutes (in words by HE H. Caminos) “*a comprehensive reformation of the public international law of the sea*”- but also because of the deep and interesting arguments developed in its contents.

The excellent academic level of the essays contained in this book may be fully appreciated by reading the Acknowledgments, where the editor and publishers thank key international law institutions for permissions given to use mentioned essays and copyright material which is duly identified.

With an extension of 569 pages, the work is divided into seventeen *Parts* and an *Introduction* by HE H. Caminos where he states that the scope of the Law of the Sea is too broad and rich “*to be embraced by any single*

volume” so he has selected twenty-four essays which reflect the 1982 Convention and the contemporary State practice on most important aspects of the subjects developed.

And so Part I, by Lewis M. Alexander and Shekhar Ghosh is devoted to *Baselines and the Territorial Sea*. Part II, by S. N. Nandan and D. H. Anderson is dedicated to *Straits*. Part III, by Janusz Simonides and H. P. Rajan approaches *Islands and Archipelagic States*. Part IV, by Tommy T. B. Koh is devoted to the *Exclusive Economic Zone* while Part five by Makhdoom Ali Khan refers to *The Continental Shelf*. Part VI, by Shabtai Rosenne and Barbra Kwiatkowska is related to *Delimitation of Maritime Boundaries*. Part VII, by Ram P. Annand focuses on The High Seas, and Part VIII, by Shigeru Oda and Moritaka Hayashi does the same on *Fisheries*. Part IX, by Alexandre Kiss and Bernard H. Oxman is referred to *The International Seabed Area*. In Part X, Helmut Tuerk and Gerhard Hafner jointly refer to *Land-Locked States*. Part XI, by Alan Boyle, is dedicated to The Protection and Preservation of the Marine Environment while in Part XII Patricia Birnie refers to *Marine Scientific Research*. Part XIII, by I. A. Shearer is referred to Maritime Jurisdiction and Enforcement. In Part XIV, Budislav Vukas and Rüdiger Wolfrum (actual President of the ITLOS) write on *Military Uses of the Sea*. Part XV, by Janet Blake is devoted to *Underwater Archeological and Historical Objects* while in Part XVI, by Donald R. Rothwell and Stuart Kate do the same on *The Polar Regions*. Part XVII, by Tullio Treves is related to *Settlement of Disputes*.

Given that this book has been written in English language it would be desirable –unless for a number of Latin American law students, teachers and researchers- to have it translated into Spanish in the near future. And it probably could also be considered to up date it, particularly taking into account recent international developments regarding Law of the Sea provisions, for example: Russia’s claim to rights on the North Pole sea bed as an extension of the Eurasian continent and part of the country’s continental shelf, USA’s favorable attitude to the accession to the 1982 Convention, and developments brought by the *Agreement relating to the Implementation of Part XI of the Convention*, and by the *Agreement for the Implementation for the Provisions of the Convention*

relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stock and, even, those relevant (from a State practice point of view) results of the tasks recently fulfilled by the *Commission on the Limits of the Continental Shelf*, by the *International Seabed Authority* and by the *International Tribunal for the Law of the Sea*.

The ultimate and transcendent value of this work appears if one takes into account that in most countries there is not an authoritative book *completely dedicated* to this subject. That is, particularly, the case in Argentina where it does not exist a book (not a single one) fully dedicated to the Law of the Sea. So scholars, legal practitioners and decision-makers involved -or simply interested- in refreshing and furthering their knowledge in this area do not have access to a title regarding the main relevant problems related to this subject.

No need to mention the clarifying and useful concepts the reader can find in this book regarding both legal theory (and even recent history of the Law of the Sea, since UNCLOS I) and contemporary State practice. In fact, it has proven to be a valuable tool for the classes the undersigned teach at the Navy University Institute since 2004, when proceeded immediately to buy it as soon as he knew of the worthy knowledge, experience and merits of its editor and essay writers of this excellent book.

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