

Thomas Street
Seminar Abstract
Marine Policy Seminar
17 March 2005

During this seminar, I will present a topic that I will possibly concentrate in for my dissertation research. This presentation will center in a determination of whether current legal and regulatory systems induce efficient behavior in the coastal zone. This issue will be developed in regards to a fundamental tension between two international legal principles—the duty to protect the marine environment and the right to passage (or in other words, the right to the use of an ocean-space).

Both of these concepts will be developed and placed in their historical context. Their tensions will be explored through the use of three case studies—a threatened vessel's right of entry, the regulation of the passage of ship's carrying hazardous or noxious materials, and the environmental management issues attendant to straits passage.

These case studies have been studied separately but are not typically seen as emblematic with a greater tension within international law. It is well-accepted that international law provides the ability for coastal states to regulate maritime traffic for the protection of the marine environment. In juxtaposition to this, the right of transit passage is well-accepted as customarily established international law and has been codified within UNCLOS. This tension will be developed and placed within its economics foundation. Through the use of microeconomics tools, I hope to determine, through further research, whether current regulations induce efficient behavior in regards to the two above principles.