

Synopsis

" International Legal Regulation of the Living Fauna Resources of the High Seas".

There are many elements, Political, Economical, Social and Scientific , rise very important questions concerning the seas and the oceans in general and their resources in particular.

As a result of the independence of many states, and the development of sciences which offer a great aid to discover the great potential resources, living or nonliving, of the seas, and the great needs of the world's populations to those resources , it became obvious that all states have the desire to share in exploitation of the different kinds of the Sea's Resources, and insist to get an equitable portion of the benefits. This aim became a hope for all states of the International Community and their populations.

In my research work, at this Thesis, my concern fixed at the Living Fauna Resources of the High Seas. The importance of this subject returns, in my opinion , to the fact that it touches the matter of the surviving of mankind, and his right to obtain an equitable average of food. Specially, it became obvious that the earth could not offer all mankind's needs, of food, an in-particular of animal's brotin, except under heavy conditions which many peoples and many individuals couldn't bear them.

The Living Fauna Resources of the High Seas, if we regulate their exploration and exploitation in accordance with their nature, and regarding the different national inrerests, in view of the right of all states and all peoples to enjoy and share the advantages of the mentioned resources, under the principle of Common Heritage of Mankind, if we do so, the Living Fauna Resources will offer much in regard of acheiving the aim we hope or we prospect. Also, the equitable regulation of the L. F. R. of the High Seas will present fair solutions to many matters concerning the seas, and disputes that many arise between states, in a divided world .

In this Thesis, I divided my study to that subject into an Introduction and two sections.

I aimed of the Introduction to clarify all the sides which are related to the main subject of the Thesis. I divided it into three chapters:

The First Chapter dealing with the Definition and Limitation of the High Seas and the Freedom of Exploiting their Living Fauna Resources (The Freedom of Fishing). The Second Chapter is clarifying the Necessity of an International Regulation for the L.F.R. of the High Seas, regarding the different aspects of these resources: The importance of the Living Fauna Resources of the High Seas, the needs of these resources, the scientific development upon them , also regarding disputes and frictions between states that may arise in respect of exploration and exploitation of the L.F.R. of the High Seas. The Third Chapter is dealing with the Legal Regulation of the Living Fauna Resources of the High Seas by Bilateral and Multilateral Conventions or by the Unilateral extention of Jurisdictional Limits of the Coastal States by Declarations and Laws.

The First Section is a study of the efforts of the League of Nations, and the United Nations in respect of regulating the exploration and the exploitation of the Living Fauna resources of the High Seas on an International Scale, since 1919 until the "Geneva Convention of Fishing and Conservation of the Living Resources of the High Seas at 1958". This section is divided into two chapters: The First Chapter is clarifying the efforts of the League of Nations and the efforts of the United Nations in the way of reaching an equitable regulation for the exploration and exploitation of the Living Fauna Resources of the High Seas. And the Second Chapter is a detailed study to the "Geneva Convention on Fishing and Conservation of the Living Resources of the High Seas", which was a result of the First United Nations Conference on the Law of the Seas that met at Geneva 1958.

The result that I reached of the first section, that, although the great efforts of the League of Nations and the United Nations in respect of regulating the Living Fauna Resources of the High Seas, the International Regulation of the exploration and exploitation of these resources under the Traditional International Law is not sufficient , and is not adequate, for regulating the exploration

and the exploitation the Living Fauna Resources of the High Seas. Specially if we took into account the New considerations in this respect.

The second section is a study for the International Legal Regulation of the Living Fauna Resources of the High Seas under the New Tendencies. It is divided, also , into two chapters :

The First Chapter is a study for the New Tendencies of the International Legal Regulation of the Living Fauna Resources of the High Seas. Particularly with respect of the Exclusive Economic Zones, and the Principle of Common Heritage of Mankind, at the light of the efforts of the General Assembly of the United Nations, The Sea-Bed Committee and The Third United Nations Conference on the Law of the Sea, from 1973 and on. The Second Chapter is a discussion of the suggestion and proposals concerning the Future International Legal Regulation of the Living Fauna Resources of the High Seas. Such as the enhancing of the Authority of the Coastal States, and the enhancing of the Authority of the International and Regional Commissions and bodies which concern with those resources.

Finally, I have presented the suggestion which I believe it is the most adequate alternative before us. The most effective and the most equitable, for the regulation of the exploration and the exploitation of the Living Fauna Resources of the High Seas, in accordance with the principle of Common Heritage of Mankind. I have suggested the establishment of:

" The International Order For The Exploitation of The Living Fauna Resources of The High Seas".