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Fishing Entity Enforcement in High Seas Fisheries

Ying-Ting Chen

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The concept of a "fishing entity" is a new category of fishing actors, separate from that of states, in the international law of the sea. The emergence of this new category provides a significant development towards a more flexible application of regulations regarding usage of the sea. A fishing entity owns advanced technology and fishing skills, and, as such, has an important role to play in global and regional conservation and management of fishery resources. Despite this, it is defined as being distinct from a "state" in the relevant legal documents, resulting in unclear circumstances involving certain global and regional agreements which usually apply to the latter. This ambiguity is particularly prevalent in legal procedures on the high seas when the sovereignty of a "state" comes into question, such as boarding and inspection. This book provides a detailed definition of the role of the "fishing entity" in the international law of the sea, and its obligations and rights in high seas fishery enforcements.

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