

Book Review

Myron Nordquist, Satya N. Nandan, and James Kraska (eds), *United Nations Convention on the Law of the Sea 1982: A Commentary. Volume VII* (Leiden: Martinus Nijhoff), 2011, ISBN 978-90-04-19117-4, hardbound, €205.00/US\$266.00, pp. xxiv + 488 incl. index available at <http://www.brill.com/publications/online-resources/united-nations-conventionlaw-sea-online>.¹

This is the final volume of the projected series of seven volumes, providing an authoritative and detailed commentary on the text of the 1982 UN Law of the Sea Convention sponsored by the Center for Oceans Law and Policy of the University of Virginia Law School. The Series Editor-in-Chief of this mammoth, nearly thirty-year undertaking is Professor Myron Nordquist from the University of Virginia Law School. The first Volume containing the Convention and Introductory Material was published in 1985. Since then Volumes in the projected series have appeared sporadically and not necessarily in chronological order. Each has been eagerly awaited and each is edited by a distinguished team, most of whom took part in the UNCLOS III negotiations themselves, often in a prominent role. Volume V, for example, which covers the Informal Plenary Sessions of the Conference and the unique Dispute Settlement Provisions, edited by Ambassador Shabtai Rosenne and Professor Louis Sohn, appeared in 1989. Volume IV on the work of the Third Committee (Articles 192–278 and the Final Act, Annex VI), edited by Rosenne and Alexander Yankov, appeared in 1991. However, the stalwarts of this series have clearly been Nordquist, Rosenne until his passing in 2010 and Ambassador Satya Nandan, the former UN Under-Secretary-General and Special Representative of the Secretary-General for Law of the Sea, former Secretary-General of the International Seabed Authority (ISA), and chair of many of the important negotiating processes—including latterly the UN Fish Stocks Agreement. This current volume benefits from the work of Ambassador Nandan (who is Series General Editor) and also Professor James Kraska of the US Naval War College.

This has been a massive undertaking. Looking back over the evolution of the project, it seems the original intent was to have six volumes. However, the two Implementation

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Agreements of 1994 and 1995 generated extra documentation to deal with. Volume VI became a huge Volume on Part IX of the Convention where the editors were assisted by Michael Lodge, Legal Adviser to the ISA.

There is current discussion in the UN General Assembly of the possibility of a third implementation agreement relating to areas beyond national jurisdiction. Were this to come about, then clearly the editors might want to reserve the option of an extra volume, but for the present this is the wrap-up volume. It contains the full text of the 1982 Convention, amended to reflect the changes brought about by the 1994 Agreement relating to the Implementation of Part XI of the Convention (the 1994 Implementing Agreement).

This is followed by the text of the second Implementing Agreement—the agreement with possibly the longest name of any convention—which we will call the 1995 UN Fish Stocks Agreement. Then follows the academic apparatus for the whole series: consolidated tables of cases and of treaties, and a comprehensive subject index to Volumes I-VI that runs to nearly 200 pages.

This series is an invaluable source for law of the sea scholars and practitioners alike, who owe a great debt to the Virginia Center for Ocean Law and Policy for having the vision to initiate this work, and to those who have labored to bring these volumes to fruition. They capture the wisdom of a generation—the generation that negotiated the 1982 Convention—some of whom, notably Ambassador Rosenne and Professor Louis Sohn, are no longer with us. It is said that each generation reinterprets its law and inevitably a new generation of commentators is arising who were not part of the UNCLOS III process and who have different views of the Convention and the processes that gave it form. However, this surely makes it more, rather than less, important to have such a comprehensive record of what took place.

David Freestone

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