



**NOTICE OF
UNIVERSITY ORAL
GEODESY AND GEOMATICS ENGINEERING
Master of Science in Engineering**

Sara Cockburn

April 26, 2005

@ 9:30 am

Room E11 - Head Hall

Board of Examiners:

**Supervisor:
Examining Board:**

**Dr. Sue Nichols, GGE
Dr. David Monahan, GGE
Dr. Ian Methven, Ctr. Property Studies**

Chair:

Dr. Don Kim, GGE

**MARINE CADASTRES AND THE LAW: USING MODERN DEVELOPMENTS IN MARINE BOUNDARY
LAW TO CONSTRUCT A LEGAL FRAMEWORK FOR SURVEYORS IN OFFSHORE AND COASTAL
ENVIRONMENTS**

ABSTRACT

There are several major problems facing those who work with marine boundaries on a daily basis. First, new law and policies on the subject are emerging constantly, and they take several forms, including international conventions, national legislation, regional and local legislation, case law, arbitration decisions, and environmental, land use, and coastal policies. This emergence is due to an ongoing attempt to cope legally with a new and emerging set of marine resource and boundary issues. The development of marine boundary law is a necessity because more individuals, groups, business entities and political entities are seeking to use marine resources. This taxes not only the resources themselves, but also the law's ability to deal with conflict if boundaries are not sufficiently defined. Because of the new pressures on marine resources, we can expect entire new areas of law to emerge in an attempt to address them.

Second, there are a wide variety of boundary types in the ocean, due mainly to the variety of property rights in the marine environment. Unlike land-based property rights, marine property rights are not usually tied to a parcel, and are generally separately held in unbundled form, unlike the traditional "bundle of sticks" view of land tenure.

Third, and perhaps most importantly, there are many areas of the marine environment where political, private, group, and corporate boundaries or zones are insufficiently defined from a legal perspective and would have to be newly defined should a conflict arise.

The objectives of this thesis are to (1) to examine case studies from recent major sources of law including international convention, regional legislation, and arbitration panel decisions in order to determine the common threads affecting the work of the surveyor; and (2) to develop a fundamental legal framework that may be used by surveyors working in coastal and offshore environments to determine the essential ways in which law and policy affect their work.

Faculty Members and Graduate Students are invited to attend this presentation.