

A LAW OF THE SEA INSTITUTE CONFERENCE

# Multilateralism and International Ocean-Resources Law



February 21 - 22, 2003, UC Berkeley

Sponsored and organized by the Law of the Sea Institute,  
Earl Warren Legal Institute, UC Berkeley

Co-sponsored by the  
School of Marine Affairs, University of Washington

With major support from the  
California Sea Grant College Program

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Sho Sato Program for Japanese and US Law, Boalt Hall School of Law, UC Berkeley  
Stoel Rives LLP, San Francisco

Organizer: Prof. Harry N. Scheiber

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**PROGRAM**

**Friday, February 21**

**Morning Session – 140 Boalt Hall, School of Law**

**I. Welcoming and Commemoration of the 50<sup>th</sup> Anniversary of the  
International North Pacific Fisheries Convention**

**9:00am - 9:30am**

Vice Chancellor Beth Burnside, UC Berkeley  
Dean Robert Berring, School of Law, UC Berkeley  
Harry N. Scheiber, UC Berkeley  
Marc Hershman, University of Washington  
Hon. Shigeru Nakamura, Japanese Consulate, San Francisco  
Wendell Sanford, Canadian Consulate, Los Angeles

**Special communication: Hon. Shigeru Oda, International Court of Justice,  
The Hague, Netherlands**

**9:30am - 10:10am**

**II. “Japan, the Pacific Fisheries, and the North Atlantic Triangle:  
The Route to the North Pacific Fisheries Convention”** **10:10am - 10:50am**  
Harry N. Scheiber, UC Berkeley  
Moderator: Akio Watanabe, President, Research Institute for  
Peace and Security, Japan; and Professor Emeritus,  
University of Tokyo  
Comment: Elizabeth Elliot-Meisel, Creighton University

*Break* *10:50am - 11:00am*

**III. “Scientific Cooperation in the North Pacific: The PICES Project”** **11:00am - 12:00pm**  
Warren Wooster and Sara Tjossem, University of Washington  
Moderator: Russell Moll, California Sea Grant College Program  
Comment: Helen Rozwadowski, Georgia Tech  
Additional Comment: Kathryn Mengerink, UC Berkeley,  
“Pre-PICES Scientific Cooperation”

### **Afternoon Session – 140 Boalt Hall, School of Law**

**IV. “Rethinking the Principle of Abstention: The North Pacific and Beyond”** **2:00pm – 2:50pm**  
Yasuko Tsuru, Tokyo Gakugei University  
Moderator: T.J. Pempel, UC Berkeley  
Comment: Tsuneo Akaha, Monterey Inst. of International Studies

**V. “Regionalism, Fisheries, and the Environmental Challenges in the Pacific”** **2:50pm - 3:40pm**  
Jon Van Dyke, University of Hawaii  
Moderator: John Noyes, California Western School of Law  
Comment: Edward Miles, University of Washington

*Break* *3:40pm - 3:50pm*

**VI. “Russian Policy and the Pacific Fisheries”** **3:50pm - 4:40pm**  
Vladimir Kaczynski, University of Washington  
Moderator: Bernard Einar Skud, former director, INPFC  
Comment: Tsuneo Akaha, Monterey Inst. of International Studies

**VII. “The ‘Volga Case’ and ITLOS: Further Developments in the Prompt  
Release Saga?”** **4:40pm - 5:10pm**  
Donald Rothwell, University of Sydney  
Moderator: John Briscoe, Esq., Stoel Rives, LLP, San Francisco  
Discussion: audience

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## **Saturday, February 22**

### **Morning Session – Moot Court Room, 115 Boalt Hall, School of Law**

**VIII. “Multilateralism and Marine Issues in the Southeast Atlantic” 9:00am - 9:50am**

Erik Franckx, Vrije Universiteit Brussel, Belgium  
Moderator: Katrina Wyman, New York University  
Comment: David D. Caron, UC Berkeley

**IX. “Marine Ecosystem Management and “Post-Sovereign”  
Transboundary Governance” 9:50am - 10:40am**

Bradley Karkkainen, Columbia University and UC Berkeley  
Moderator: Dolores Wesson, California Sea Grant College Program  
Comment: Jon Van Dyke, University of Hawaii

*Break* 10:40am - 10:55am

**X. “Straddling and Highly Migratory Flags” 10:55am - 11:45am**

Davor Vidas, Nansen Institute, Norway  
Moderator: Wendell Sanford, Canadian Consulate, Los Angeles  
Comments: Judge Tullio Treves, UNITLOS and University of Milan;  
and Christopher Carr, Esq., Stoel Rives, LLP, San Francisco

**General Discussion: audience 11:45am - 12:15pm**

### **Afternoon Session – Moot Court Room, 115 Boalt Hall, School of Law**

**XI. “Fisheries in the South Atlantic: The Negotiation between the  
European Union and Mercosur” 2:00pm - 2:45pm**

Juan Sola, University of Buenos Aires, Argentina  
Moderator: Andrew Guzman, UC Berkeley  
Discussion: audience

**XII. “The Relation between the Living Resources of the Seabed and the  
Protection of the Environment” 2:45pm - 3:30pm**

Frida Armas-Pfirtner, Austral University, Argentina  
Moderator: Damir Arnaut, US Department of State  
Comment: Richard McLaughlin, University of Mississippi

*Break* 3:30pm - 3:45pm

**Final Panel and Open Discussion**

**3:45pm - 5:20pm**

Moderator: David D. Caron, UC Berkeley

Panelists (5 minutes each)

3:45pm - 4:30pm

John Briscoe, Esq., Stoel Rives, LLP, San Francisco

Erik Franckx, Vrije Universiteit Brussel, Belgium

Seok-Yong Lee, Hanam University, Korea

Richard McLaughlin, University of Mississippi

Judge Choon-ho Park, UNITLOS

Judge Tullio Treves, UNITLOS and University of Milan

Open Discussion

4:30pm - 5:20pm

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**SOCIAL PROGRAM**

**Thursday, February 20**

**Reception (buffet dinner) -- Howard Room, Faculty Club** **6:00pm - 8:15pm**

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**Friday, February 21**

**Continental Breakfast -- Goldberg Room, Boalt Hall School of Law** **8:00am - 9:00am**

**Luncheon -- Heyns Room, Faculty Club** **12:30pm - 2:00pm**  
(Luncheon sponsored by the Institute of East Asian Studies and  
the Center for Japanese Studies, UC Berkeley)  
**Speaker: Marc Hershman, University of Washington**

**Invitational Banquet -- Women's Faculty Club** **6:30pm - 9:00pm**  
(Reception -- 6:30pm; dinner -- 7:00pm)  
**Keynote Address: Akio Watanabe, President, Research Institute for  
Peace and Security, Japan; and Professor Emeritus,  
University of Tokyo**  
Presiding: Harry N. Scheiber, UC Berkeley  
Introduction: T.J. Pempel, UC Berkeley

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**Saturday, February 22**

**Continental Breakfast -- Goldberg Room, Boalt Hall School of Law** **8:15am - 9:00am**

**Luncheon -- Heyns Room, Faculty Club** **12:30pm - 2:00pm**  
**Speaker: Robert Hage, Director General, Legal Bureau, Dept.  
of Foreign Affairs and International Trade, Canada**  
Presiding: Thomas Barnes, UC Berkeley

**Informal dinner for speakers and invitees -- Mandarin Garden (Chinese restaurant)** **6:45 pm**  
Shattuck Square, Berkeley (transportation by taxi)  
(drinks -- 6:45pm; dinner -- 7:15pm)