

LOSI Conference Papers, 2012

“Securing the Ocean for the Next Generation”

Papers from the Law of the Sea Institute, UC Berkeley–Korea Institute of Ocean Science and Technology Conference, held in Seoul, Korea, May 2012

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Preface

Proceedings edited by

**Professor Harry N. Scheiber, LOSI
and Director Moon Sang Kwon, KIOST
Assistant Editor: Emily A. Gardner**

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This Preface introduces papers presented at the tenth in a series of annual international conferences organized and sponsored or co-sponsored by the Law of the Sea Institute, School of Law, University of California, Berkeley, USA. The May 2012 conference was jointly sponsored and co-organized in collaboration with the Korea Institute of Ocean Science and Technology (KIOST, formerly KORDI), and hosted by KIOST on May 21-24, 2012 in Seoul, Korea. This was the third LOSI-KIOST collaboration in conferences and publications.

Preface by the Co-editors

Law of the Sea Conference, LOSI-KIOST, Seoul, 2012

**Harry N. Scheiber, Director, LOSI; and
Moon Sang Kwon, Director, KIOST**

The Law of the Sea Institute of the University of California, Berkeley (LOSI), and the Korea Institute of Ocean Science and Technology (KIOST) are privileged to publish this symposium that addresses central issues of policy and law relating to the uses of the global oceans. Many of the most salient issues of ocean uses and their legal ordering that confront legal scholars, governments, jurists and policy specialists in the present day are addressed in the papers of this symposium.

Among the most prominent questions that receive careful analysis and are the subject of interesting new perspectives are the uses and regime of the deep seas beyond the areas of national jurisdiction; the administration and impact of Exclusive Economic Zone laws; the problems of equitable and efficient sharing of marine resources; the vicissitudes of resolving marine boundary delimitation conflicts; ecosystem management and related issues of equitability; and the content and implications of the International Tribunal for the Law of the Sea in adjudication of the recent Bay of Bengal case.

The papers are now published after a full process of vetting and editing, after being given in their original form at a conference hosted by the KIOST, in Seoul, in May 2012. Academic researchers, jurists, and policy officials from many countries throughout the world were participants in this conference, and were fortunate to have the honor of opening keynote papers by Professor (former ITLOS Judge) Tullio Treves, and ITLOS Judge Jin-Hyun Paik.

Gracious hospitality was extended to the presenters and a large invited audience of participants by KIOST, through principal co-sponsorship by KIOST and LOSI-UC Berkeley, further supported by generous grants from the Ministry of Oceans and Fisheries of the Korean Government; the Sea Lanes of Communication, Korea; the Office of the Dean, School of Law, University of California, Berkeley; and Academia Sinica, Taiwan.

The co-editors are grateful to the Ministry of Oceans and Fisheries and other sponsoring organizations, aforementioned; and to Ms. Charity Lee and other members of the KIOST staff for their dedicated work in assuring success of the Seoul conference. We also thank Ms. Emily Gardner, LL.M. (UC Berkeley Law) for her role as assistant editor of this symposium; Ms. Karen Chin and Ms. Toni Mendicino of the Institute for Legal Research, UC Berkeley, for administrative and editorial assistance; and Professors Seokwoo Lee of Inha University-Incheon, and David Caron, then of UC Berkeley, now Kings College, London, for their

roles in the planning and organization. We are especially gratified to note that it was a welcome feature of the conference that several excellent papers were the winners of a special KIOST-LOSI international competition inviting early-career scholars to offer submissions of papers for presentation at Seoul.