

# OCEAN LAW & POLICY: TWENTY YEARS OF DEVELOPMENT UNDER THE UNCLOS REGIME

An Invitational Conference Co-Sponsored by the  
Law of the Sea Institute (LOSI), School of Law, University of California (UC), Berkeley; &  
Ocean Policy Institute (OPI), Korea Institute of Ocean Science & Technology (KIOST)

September 18-21, 2014  
Westin Palace, Madrid

*The conference will focus on the two decades of practice since the UN Convention on the Law of the Sea (UNCLOS) entered into force in 1994. Participants will explore the accomplishments and shortfalls witnessed in the developments in ocean governance under the UNCLOS regime.*

## Conference Organizers

Harry N. Scheiber (LOSI, UC Berkeley)  
Moon Sang Kwon (OPI, KIOST)

## Organizing Advisory Committee

Carlos Espósito, Universidad Autónoma de Madrid  
James Kraska, U.S. Naval War College  
Seokwoo Lee, Inha University  
Nilufer Oral, Istanbul Bilgi University  
Judge Tullio Treves, University of Milan

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## Law of the Sea Institute

Prof. Harry N. Scheiber, Director  
Prof. Holly Doremus, Associate Director  
Jordan Diamond, Esq., Academic Coordinator  
Ms. Karen Chin, Administrator

Thursday, September 18	
7:00 PM	<b>Welcome &amp; Light-Dinner Reception at Westin Palace</b>
Friday, September 19	
9:00 AM	<b>Opening &amp; Welcome Address</b> <ul style="list-style-type: none"> <li>• <b>John Briscoe</b>, Esq., Law of the Sea Institute (LOSI), School of Law, University of California, Berkeley; Briscoe Ivester &amp; Bazel LLP</li> <li>• <b>Ambassador Hee-Kwon Park</b>, Ambassador of the Republic of Korea to Spain</li> <li>• <b>Dr. Moon Sang Kwon</b>, Korea Institute of Ocean Science and Technology (KIOST)</li> </ul>
9:30 AM	<b>Keynote Address I</b> <ul style="list-style-type: none"> <li>• <b>Prof. Carlos Espósito</b>, Universidad Autónoma de Madrid <i>From 'Considerations of Humanity' to Human Rights in the Law of the Sea at ITLOS</i></li> </ul>
10:00 AM	<b>Panel I. Managing Ocean Resources: Rising Challenges &amp; New Responses</b> Chair: <b>Sherry Broder</b> , Esq., Jon Van Dyke Institute, William S. Richardson School of Law, University of Hawai'i <ul style="list-style-type: none"> <li>• <b>Prof. Ronán Long</b>, National University of Ireland, Galway <i>Stakeholder Participation in the EU Regulation of Marine Living Resources: New Wine in New Wineskins</i></li> <li>• <b>Prof. Davor Vidas</b>, Fridtjof Nansen Institute <i>Climate Change, Sea Level Rise and International Law in the Anthropocene</i></li> </ul>
11:00 AM	<i>Break</i>
11:15 AM	<b>Panel 2. Protecting Underwater Heritage</b> Chair: <b>Dr. Joon Soo Jon</b> , Sogang University <ul style="list-style-type: none"> <li>• <b>Prof. Mariano J. Aznar</b>, Universitat Jaume I <i>The Legal Protection of Underwater Cultural Heritage: Concerns and Prospects</i></li> <li>• <b>Dr. Seong Wook Park</b>, KIOST &amp; <b>Dr. Chang Soo Choe</b>, Korea University <i>A Study on the Protection and Management Policy of Korea's Underwater Cultural Heritage</i></li> </ul>
12:15 PM	<b>Lunch</b> Introduction: <b>Prof. Clive Schofield</b> , ANCORS, University of Wollongong <ul style="list-style-type: none"> <li>• Address: <b>Hon. Assunção Cristas</b>, Ministry of Agriculture and Sea, Portugal <i>One Cannot Change the Wind, but Can Always Adjust the Sail: the Role of Legal Framework in Developing a Blue Economy</i></li> <li>• Presentation: <b>Dr. Kwon</b> <i>Presentation of Judge Choon-Ho Park Scholar Awards</i></li> </ul>
2:00 PM	<b>Keynote Address II</b> Introduction: <b>Prof. Nilufer Oral</b> , Istanbul Bilgi University <ul style="list-style-type: none"> <li>• <b>Judge Tullio Treves</b>, University of Milan <i>UNCLOS and Non-Party States</i></li> </ul>

2:45 PM	<p><b>Panel 3. Maritime Security I</b></p> <p>Chair: <b>Dr. James Kraska</b>, U.S. Naval War College</p> <ul style="list-style-type: none"> <li>• <b>Dr. Bimal Patel</b>, Gujarat National Law University <i>Maritime Security Laws and Practices of Australia, India, Singapore and South Africa</i></li> <li>• <b>Commander Kamal-Deen Ali</b>, Director Legal, Ghana Navy <i>Anti-Piracy Response in the Gulf of Guinea: Addressing the Legal Deficit</i></li> <li>• <b>Dr. Kraska</b> <i>Civil Disobedience in the Maritime Domain</i></li> </ul>
4:15 PM	Break
4:30 PM	<p><b>Panel 4. Maritime Security II</b></p> <p>Chair: <b>Prof. Oral</b></p> <ul style="list-style-type: none"> <li>• <b>Dr. Teoman Uykur</b>, Permanent Mission of Turkey to the UN Office at Vienna <i>Current Challenges to the Maritime Security and Regional Stability in the Eastern Mediterranean</i></li> <li>• <b>Prof. Seokwoo Lee</b>, Inha University Law School <i>The Conceptualisation and Construction of a Northeast Asian Maritime Security Architecture: To What Extent European Institutions Might Serve as a Model?</i></li> <li>• <b>Dr. Vasco Becker-Weinberg</b>, Ministry of Agriculture and Sea, Portugal <i>Liability for Wrongful Acts by Private Military and Security Companies on Board Ships</i></li> <li>• <b>Prof. Oral</b> <i>Black Sea Security under the 1936 Montreux Treaty</i></li> </ul>
8:00 PM	<p><b>Dinner (at the Westin Palace)</b></p> <p>Introduction: <b>Prof. Vidas</b></p> <ul style="list-style-type: none"> <li>• Address: <b>Prof. Said Mahmoudi</b>, Stockholm University <i>International Navigation in the Arctic Waters</i></li> </ul>
<b>Saturday, September 20</b>	
9:00 AM	<p><b>Keynote Address III</b></p> <p>Introduction: <b>Dr. Kraska</b></p> <ul style="list-style-type: none"> <li>• <b>Prof. Clive Schofield</b> <i>Ever More Lines in the Sea: Advances in the Spatial Governance of Marine Space</i></li> </ul>
9:45 AM	<p><b>Panel 5. Marine Scientific Research</b></p> <p>Chair: <b>Mr. Briscoe</b></p> <ul style="list-style-type: none"> <li>• <b>Ms. Broder</b> <i>The Future under International Law of Geoengineering: The Case of Ocean Iron Fertilization</i></li> <li>• <b>Dr. Kerrylee Rogers</b>, University of Wollongong <i>Planning for Coastal Ecosystem Services in the 21st Century</i></li> <li>• <b>Jordan Diamond</b>, Esq., LOSI <i>Recapturing the UNCLOS Debate to Inform the Evolving Context for Marine Scientific Research</i></li> </ul>

11:15 AM	<i>Break</i>
11:30 AM	<p><b>Panel 6. Multiple Fora and Multiple Roles</b></p> <p>Chair: <b>Prof. Long</b></p> <ul style="list-style-type: none"> <li>• <b>Prof. Yasuko Tsuru</b>, Sophia University <i>International Interplay on Marine Biodiversity beyond National Jurisdiction: Another New Agreement?</i></li> <li>• <b>Dr. Jung-Eun Kim</b>, KIOST <i>Rapid Development of High Seas Protection under International Law: the Role of the International Maritime Organisation</i></li> </ul>
12:30 PM	<p><b>Lunch</b></p> <p>Introduction: <b>Prof. Seokwoo Lee</b></p> <ul style="list-style-type: none"> <li>• Address: <b>Judge Jin-Hyun Paik</b>, International Tribunal for the Law of the Sea <i>Standard of Review and the Law of the Sea</i></li> </ul>
2:15 PM	<p><b>Panel 7. Ocean Issues in International Relations: Global and Regional Context</b></p> <p>Chair: <b>Prof. Schofield</b></p> <ul style="list-style-type: none"> <li>• <b>Ms. Katy Seto</b>, University of California, Berkeley <i>West Africa and the New European Common Fisheries Policy: Impacts and Implications</i></li> <li>• <b>Dr. Changyoul Lee</b>, KIOST <i>Limitations on Exercising Jurisdiction by Coastal States and Their Scope in Overlapping Claimed Areas</i></li> <li>• <b>Prof. Ian Townsend-Gault</b>, Faculty of Law, University of British Columbia <i>Human Security: The Urgent and Ever-present South China Sea Resource Issue</i></li> </ul>
3:45 PM	<i>Break</i>
4:00 PM	<p><b>Closing Reflections</b></p> <p>Chair: <b>Judge Treves</b></p> <ul style="list-style-type: none"> <li>• <b>Dean David Caron</b>, Dickson Poon School of Law, King's College London</li> <li>• <b>Prof. Oral</b></li> <li>• <b>Prof. Espósito</b></li> </ul>
5:00 PM	<p><b>Closing &amp; Adjournment</b></p> <ul style="list-style-type: none"> <li>• <b>Dr. Kwon &amp; Prof. Espósito</b></li> </ul>
8:30 PM	<b>Dinner (offsite)</b>
<b>Sunday, September 21</b>	
-	<b>Departures from Westin Palace Madrid</b>