

Law of the Sea Institute

**50** 1965-2015  
**YEARS**

Berkeley Law  
UNIVERSITY OF CALIFORNIA

# LAW OF THE SEA INSTITUTE 50<sup>TH</sup> ANNIVERSARY CONFERENCE

**October 9-10, 2015**

*Conference venue: Claremont Hotel, Berkeley, California*

A CONFERENCE CO-SPONSORED BY

**BerkeleyLaw**  
UNIVERSITY OF CALIFORNIA  
Law of the Sea Institute

**KIOST**  
KOREA INSTITUTE OF  
OCEAN SCIENCE & TECHNOLOGY

## **PRINCIPAL CONFERENCE ORGANIZERS**

Harry N. Scheiber, Law of the Sea Institute (LOSI), Berkeley Law  
Moon Sang Kwon, Korea Institute of Ocean Science and Technology (KIOST)

## **ADDITIONAL ORGANIZING COMMITTEE MEMBERS**

John Briscoe, Briscoe Ivester & Bazel LLP  
Jordan Diamond, LOSI, Berkeley Law  
Holly Doremus, LOSI, Berkeley Law  
Nilufer Oral, Istanbul Bilgi University

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## **CONFERENCE WEBSITE**

<https://www.law.berkeley.edu/centers/institute-for-legal-research/law-of-the-sea-institute/conferences/losi-50th-anniversary-conference-oct-2015/>

## OCTOBER 8 (THURSDAY)

7:00 pm **RECEPTION**  
Monterey Room (mezzanine level), Claremont Hotel

## OCTOBER 9 (FRIDAY)

### LOSI AND OCEAN LAW DEBATES: A HALF-CENTURY RETROSPECT

9:00 am **CONTINENTAL BREAKFAST**  
Lanai Room (lobby level), Claremont Hotel

9:30 am **WELCOME**

- **Harry Scheiber**, Director, Law of the Sea Institute (LOSI), Chancellor's Professor and Riesenfeld Professor of Law and History (Emeritus), Berkeley Law, USA
- **Moon Sang Kwon**, Principal Research Scientist, Ocean Policy Institute, Korea Institute of Ocean Science and Technology (KIOST), Korea

9:45 am **SPECIAL ADDRESS**

- **Judge Jin-Hyun Paik**, International Tribunal for the Law of the Sea  
"IUU Fishing and the International Tribunal for the Law of the Sea"

10:30 am **PANEL I: EVOLUTION AND LEADING FIGURES IN THE HISTORY OF LOSI**

- **Harry Scheiber**, LOSI, USA  
"Ocean Law and LOSI's Founding Period: An Historical Perspective"

10:45 am Break

11:00 am **PANEL I (continued)**  
**Moderator: Harry Scheiber, LOSI, USA**

- **Craig Allen**, University of Washington, USA  
"A Legacy of Stewards for the Public Order of the Oceans: A Tribute to William T. Burke (1926-2014)"  
**Comment: Richard McLaughlin, Texas A&M University-Corpus Christi**
- **Sherry Broder**, University of Hawai'i, USA  
"LOSI in Hawai'i"

12:15 pm **LUNCH**  
Sonoma Room (mezzanine level), Claremont Hotel

- **John Briscoe**, Briscoe Ivester & Bazel LLP, USA  
"Lew Alexander, Modern Master Mariner of the Law of the Sea"

2:00 pm **PANEL II: KEY TOPICS IN LOSI HISTORY**  
**Moderator: Carlos Espósito, Universidad Autónoma de Madrid, Spain**

- **Willy Østreng**, Norwegian Scientific Academy for Polar Research, Norway  
"Small States in the Decision-Making Process of UNCLOS III: The Case of Norway and the Role of Power"
- **Moon Sang Kwon**, KIOST, Korea  
**Chang Soo Choe**, Cyber Hankuk University of Foreign Studies, Korea  
"A Study on the Change and Continuity of the Research in the Law of the Sea: An Analysis of the Journal Articles for the Past 50 Years"  
**Comment: Seokwoo Lee, Inha University, Korea**

3:15 pm Break

3:30 pm **PANEL II (continued)**  
**Moderator: Christopher Carr, Morrison & Foerster LLP, USA**

- **James Kraska**, US Naval War College, USA  
"The Strategic Foundations of the Law of the Sea"

3:30 pm	<p><b>PANEL II</b> (continued)</p> <ul style="list-style-type: none"> <li>▪ <b>Daniel Bodansky</b>, Arizona State University, USA “The IMO and Climate Change”</li> <li>▪ <b>Clive Schofield</b>, University of Wollongong, Australia “Seeking Lines in the Sea: Progress and Challenges in the Delimitation of Maritime Boundaries over the Past 50 Years”</li> </ul>
5:00 pm	<p><b>REPORTS ON NEW DEVELOPMENTS</b></p> <ul style="list-style-type: none"> <li>▪ <b>Craig Allen</b>, University of Washington, USA “IMO Policy and the Refugee Crisis”</li> <li>▪ <b>Jennifer Jeffers</b>, Morison &amp; Foerster LLP, USA “Palau's New Fisheries Policy”</li> </ul>
5:30 pm	<p><b>GROUP PHOTO</b> Sonoma Room (mezzanine level), Claremont Hotel</p>
7:00 pm	<p><b>DINNER</b> Sonoma Room (mezzanine level), Claremont Hotel</p> <ul style="list-style-type: none"> <li>▪ <b>DINNER ADDRESS</b> <b>Bernard Oxman</b>, University of Miami, USA “The Framers Move On”</li> </ul>
<p><b>OCTOBER 10 (SATURDAY)</b> <b>NEW ISSUES IN MARINE RESOURCES LAW AND MANAGEMENT</b></p>	
8:45 am	<p><b>CONTINENTAL BREAKFAST</b> Lanai Room (lobby level), Claremont Hotel</p>
9:15 am	<p><b>KEYNOTE ADDRESS</b></p> <ul style="list-style-type: none"> <li>▪ <b>Ronán Long</b>, National University of Ireland, Galway, Ireland “Regulating and Managing Marine Living Resources: Five Decades of Triumph and Failure in the European Union”</li> </ul>
10:00 am	<p><b>PANEL III: AREAS BEYOND NATIONAL JURISDICTION: MANAGING BIODIVERSITY</b> <i>Moderator: Yasuko Tsuru, Sophia University, Japan</i></p> <ul style="list-style-type: none"> <li>▪ <b>Robin Warner</b>, University of Wollongong, Australia “Promoting A New Convergence: Developing New Regulatory Paradigms for Marine Areas Beyond National Jurisdiction in the Pacific Ocean”</li> <li>▪ <b>Kristina Gjerde</b>, International Union for Conservation of Nature “Perspectives on a Developing Regime for Marine Biodiversity Conservation and Sustainable Use Beyond National Jurisdiction”</li> </ul>
11:00 am	Break
11:15 am	<p><b>PANEL III</b> (continued) <i>Moderator: Jordan Diamond, LOSI, Berkeley Law, USA</i></p> <ul style="list-style-type: none"> <li>▪ <b>Nilufer Oral</b>, Istanbul Bilgi University, Turkey “Freedom of the High Seas or Protection of the Marine Environment? Challenges for the New Implementing Agreement to UNCLOS”</li> <li>▪ <b>David VanderZwaag</b>, Dalhousie University, Canada “Governance of the Arctic Ocean Beyond National Jurisdiction: Cooperative Currents, Restless Sea”</li> <li>▪ <b>Su Jin Park</b>, Korea Maritime Institute, Korea “New Changes on the Marine Genetic Resources in the Areas Beyond National Jurisdiction and Under UNCLOS”</li> </ul>

12:30 pm	<p><b>LUNCH</b> Napa 3 Room (mezzanine level), Claremont Hotel <i>Lunch sponsored by Morrison &amp; Foerster LLP</i></p> <ul style="list-style-type: none"> <li>▪ <b>Joel Coito</b>, US Coast Guard, USA “Enforcement at Sea of US and International Law: The US Coast Guard”</li> </ul>
2:00 pm	<p><b>PANEL IV: PROTECTION OF MARINE LIVING RESOURCES: EVOLUTION OF APPROACHES</b> <b>Moderator: Russell Moll</b>, California Sea Grant Program (retired), USA</p> <ul style="list-style-type: none"> <li>▪ <b>Holly Doremus</b>, LOSI, Berkeley Law, USA “Scientific Knowledge and Policymaking”</li> <li>▪ <b>Kathryn Mengerink</b>, Environmental Law Institute, USA “Deep Sea Impacts and Defining Significance”</li> <li>▪ <b>Stephen Minas</b>, King's College London, United Kingdom “Abuse of Rights? The Declaration of Marine Protected Areas, Maritime Territorial Disputes, and the Chagos Arbitration”</li> </ul>
3:15 pm	Break
3:30 pm	<p><b>PANEL IV (continued)</b> <b>Moderator: Bernard Oxman</b>, University of Miami, USA</p> <ul style="list-style-type: none"> <li>▪ <b>Seokwoo Lee</b>, Inha University, Korea “The Implications of the ICJ Judgment on Whaling in the Antarctic: A New Era of Transparency for Scientific Whaling Research?”</li> <li>▪ <b>Vasco Becker-Weinberg</b>, Universidade NOVA de Lisboa, Portugal “The European Union and Marine Spatial Planning”</li> </ul>
4:30 pm	<b>CLOSING REFLECTIONS</b>
5:10 pm	<b>CLOSE OF CONFERENCE</b>
6:20 pm	<p><b>SHUTTLE BUS TO DINNER IN SAN FRANCISCO</b> Please meet at front entrance of hotel. Shuttle bus will leave promptly at 6:30. Shuttle bus will return guests to hotel after dinner.</p>
7:30 pm	<p><b>DINNER</b> Sam's Grill and Seafood Restaurant, 374 Bush Street, San Francisco <i>Hosted by John Briscoe</i></p>

## LAW OF THE SEA INSTITUTE

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