



ICLS
International Conference
on the Law of the Sea

Law of the Sea for the Next Generation

Challenges from New Technologies
and Environmental Crises



Nov. 30 - Dec. 01 2021

Paradise City Incheon Grand Ballroom (1F)



Ministry of
Foreign Affairs



International Tribunal
for the Law of the Sea



The Korean Society of
International Law

Law of the Sea for the Next Generation

Challenges from New Technologies
and Environmental Crises



Nov. 30 - Dec. 01 2021

Paradise City Incheon Grand Ballroom (1F)



Ministry of
Foreign Affairs



International Tribunal
for the Law of the Sea



The Korean Society of
International Law



ICLS

International Conference
on the Law of the Sea

Table of Contents



I . Program	<u>006</u>
II . Congratulatory Remarks	<u>009</u>
III. Opening Remarks	<u>012</u>
IV. Welcoming Remarks	<u>014</u>
V . Keynote Speech	<u>016</u>
VI. Session 1	<u>017</u>
VII. Session 2	<u>024</u>
VIII. Session 3	<u>029</u>
IX. Session 4	<u>035</u>
X . Session 5	<u>041</u>
Xi. Master of Ceremonies	<u>047</u>



● ● ● ● **[DAY 1] 15:00-20:20, 30 November (Tue) (KST)**

Master of Ceremonies
Prof. Kil Won LEE (Sungkyunkwan University)

Conference Opening	
15:00-15:30	Congratulatory Remarks President Albertus Jacobus HOFFMANN (International Tribunal for the Law of the Sea)
	Opening Remarks Prof. Keun-Gwan LEE (President, Korean Society of International Law)
	Welcoming Remarks H.E. Zha Hyoung RHEE (Deputy-General for International Legal Affairs, Ministry of Foreign Affairs, Korea)
15:30-16:00	Keynote Speech Judge Jin-Hyun PAIK (International Tribunal for the Law of the Sea)
16:00-16:20	Break
Session 1 New Technologies and the Law of the Sea	
16:20-18:00	Moderator Judge Roman KOLODKIN (International Tribunal for the Law of the Sea)
	Speaker 1 Prof. Natalie KLEIN (UNSW Sydney) · Maritime Autonomous Vehicles and Key Challenges for International Maritime Security Law
	Speaker 2 Prof. Hyun Jung Kim (Yonsei University) (on behalf of Prof. Anne-Thida NORODOM) · Aerial Autonomous Vehicles used for Maritime Surveillance
	Speaker 3 Dr. Joanna DINGWALL (University of Glasgow/Scottish Government) · The Regulation of Deep Seabed Mining Beyond National Jurisdiction
	Discussant 1 Prof. Seokwoo LEE (Inha University)
	Discussant 2 Judge Maurice KENGNE KAMGA (International Tribunal for the Law of the Sea)
18:00-18:40	Coffee Break
Session 2 The Role of Scientific Assessment and the Law of the Sea	
18:40-20:20	Moderator Barrister Michael Charles WOOD (Twenty Essex Chambers)
	Speaker 1 Prof. Warwick GULLETT (University of Wollongong) · The Contribution of the Precautionary Principle to Marine Environment Protection: from Making Waves to Smooth Sailing?
	Speaker 2 Prof. Alastair Neil CRAIK (University of Waterloo) · Implementing Environmental Impact Assessment in Areas Beyond National Jurisdiction: Epistemic, Institutional and Normative Challenges
	Speaker 3 Judge Ida CARACCILO (International Tribunal for the Law of the Sea) · The Role of Scientific Experts in International Adjudication and Methodologies Employed by International Courts in Assessing Scientific Evidence
	Discussant 1 Registrar Ximena HINRICHS (International Tribunal for the Law of the Sea)



● ● ● ● [DAY 2] 14:00-20:10, 1 December (Wed) (KST)

Session 3 Promoting Biodiversity beyond UNCLOS		
14:00-15:40	Moderator	Chief Executive Rena LEE (Chairperson at BBNJ IGCs)
	Speaker 1	Dr. Philomène A. VERLAAN (University of Hawai'i at Mānoa) · The Interface of Science and Law: Protecting, Preserving, and Conserving Biodiversity with the Law of the Sea Convention
	Speaker 2	Prof. Joanna Claire MOSSOP (Victoria University of Wellington) · Dispute Settlement in respect of Areas beyond National Jurisdiction
	Speaker 3	Prof. Kentaro NISHIMOTO (Tohoku University) · The Promotion and Regulation of Marine Scientific Research for the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction
	Discussant 1	Prof. Sookyeon HUH (Rikkyo University)
	Discussant 2	Director Ki Hyeon KIM (Green Diplomacy Division, Ministry of Foreign Affairs, Korea)
15:40-16:00	Break	
Session 4 Climate Change and Challenges to the Law of the Sea		
16:00-17:40	Moderator	Prof. Jae Hyung LEE (Korea University)
	Speaker 1	Prof. Daniel Michael BODANSKY (Arizona State University) · The Role of Ocean Law in Responding to Climate Change
	Speaker 2	Prof. Nigel David BANKES (University of Calgary) · Carbon Capture and Storage Projects and the Law of the Sea: Is There Anything New under the Sun?
	Speaker 3	Prof. Davor VIDAS (The Fridtjof Nansen Institute) · International Law as Sea Levels Rise: The Importance of UNCLOS for Facilitating Legal Certainty and Stability
	Discussant 1	Dr. Young Kil PARK (Korea Maritime Institute)
	Discussant 2	Dr. Wonhee KIM (Korea Institute of Ocean Science and Technology)
17:40-18:20	Coffee Break	
Session 5 UNCLOS as the Nexus of Marine Protection Norms		
18:20-20:00	Moderator	Judge Maria Teresa INFANTE CAFFI (International Tribunal for the Law of the Sea)
	Speaker 1	Prof. Maria GAVOUNELI (National & Kapodistrian University of Athens) · New forms of energy at sea
	Speaker 2	Director Nilüfer ORAL (International Law Commission) · The Regulation of Marine Litter Pollution under the Law of the Sea
	Speaker 3	Dr. Alice OLLINO (University of Milan-Bicocca) · Due Diligence and Marine Environmental Protection: Prospects and Perils
	Discussant 1	Dr. Omri M. SENDER (OMS Law)
	Discussant 2	Prof. Ki Beom LEE (Yonsei University)
20:00-20:10	Closing Remarks	



ICLS

International Conference
on the Law of the Sea



II .Congratulatory Remarks



President Albertus Jacobus HOFFMANN
International Tribunal for the Law of the Sea

Excellencies, distinguished colleagues and guests,

It is an honour for me to provide some congratulatory remarks on the occasion of the 6th International Conference on the Law of the Sea, co-organized by the Ministry of Foreign Affairs of the Republic of Korea, the Korean Society of International Law and the International Tribunal of the Law of the Sea. Since the first conference in 2016, Members of the Tribunal have, each year, contributed to and benefited from the exchange of ideas on current issues in law of the sea. I wish to thank the Ministry of Foreign Affairs and the Korean Society of International Law for their initiative in organizing this event and bringing together this distinguished group of experts to discuss the challenges facing the law of the sea.

It is a particular pleasure to be here in person, after a long period when international travel has not been possible, although of course there are still many restrictions in place worldwide and some of you are unable to join us here in Incheon. We nevertheless look forward to your contributions. For those of you who are attending in person, I look forward to discussions during the coffee breaks on some of the many interesting topics in the conference programme.

The topic of this year's conference "Law of the Sea for the Next Generation" and its focus on major challenges in ocean governance, including environmental crises and those deriving from new technologies, could not be more timely. The level of international attention being given to the protection of the environment is unprecedented and the growing momentum around the "climate justice" movement and efforts to mitigate climate change is undeniable. The recent COP26 summit provided a focal point for discussion of many aspects of climate change, although it would seem that the effect of climate change on the oceans and the role of the oceans in climate change mitigation was not a key issue in the negotiations.

The United Nations Framework Convention on Climate Change, along with the Paris Convention and the Kyoto Protocol are the primary international law instruments through which States are seeking to address climate change, with a particular focus on the reduction of greenhouse gas emissions. However, they are certainly not the only relevant legal framework. Increasing attention is being paid to other international legal instruments, including the United Nations Convention on the Law of the Sea, which I will refer to as the Convention.

The next generation of legal scholars are examining how legal proceedings under the existing international law framework, such as advisory opinions from the Tribunal or the International Court of Justice, or petitions before international human rights bodies and regional human right courts can contribute to efforts to mitigate climate change.

However, the focus on the Convention in the context of climate change mitigation has not been exclusively procedural. In terms of the substantive law of the sea, the question has been raised as to whether the obligations of States under the Convention are significant for climate change mitigation.

It has now been nearly forty years since the Convention was adopted in 1982. At that time, scientific consensus on the effect of human activity on the global climate and the relationship between CO₂ levels and temperature was only beginning to emerge. Issues such as sea level rise and ocean acidification as a result of global warming might not have been the preoccupation of delegates (in the mind of delegates) or considered to be the main drivers when the text of the Convention was negotiated. Nor were activities such as bioprospecting for marine genetic resources or ocean geo-engineering.

One of the central questions of this conference is, how the law of the sea has evolved to address challenges which have become apparent since the conclusion of the Convention, and whether this evolution has been a step in the right direction. Similar questions are more frequently being asked by (scientists, scholars and) policymakers. In this regard, I note that the International Relations and Defence Committee of the UK Parliament recently conducted an inquiry into whether the Convention remains fit for purpose in 2021, and called several distinguished legal scholars to give evidence on issues such as sea-level rise, the regulation of access to economic resources, ocean biodiversity and maritime boundary delimitation.

It is generally accepted that the prospects for any renegotiation or amendment of the Convention by means of an intergovernmental conference are dim, and that the political conditions which allowed for the adoption of such an ambitious and comprehensive international agreement no longer exist. However, this does not mean the rules enshrined in the Convention have remained static since it entered into force 27 years ago. In fact, the law of the sea has evolved in numerous ways.

First, we have seen the adoption of two implementing agreements. The 1994 Agreement relating to the Implementation of Part XI of the Convention, dealing with activities in the Area, makes substantial changes to provisions of the Convention dealing, inter alia, with decision-making within the International Seabed Authority, technology transfer, limitations on production and the Enterprise. The 1995 implementing agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks adds substance to the obligation set out on the Convention to cooperate to ensure conservation and promote the objective of the optimum utilization of fisheries resources by providing a framework for cooperation in the conservation and management of those resources.

As you are well aware, efforts are currently underway to finalize the text of an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, and I look forward to the discussion of some of the issues that have arisen during the course of negotiations on this instrument during tomorrow's panel on biodiversity.



The Convention also contains several references to generally agreed international rules and standards, in particular with respect to the protection and preservation of the marine environment. This allows standards which take account of new technologies and new scientific knowledge, adopted by international bodies such as the International Maritime Organization, to be incorporated into the Convention.

Finally, international courts and tribunals established under the Convention have a key role to play in interpreting and applying the rules of the Convention to new legal questions. The approach of the Tribunal towards the interpretation of the Convention has been consistent, while at the same time innovative when called for. From its initial case law on the arrest and detention of vessels and crews, in which the Tribunal provided valuable clarification on the issue of the nationality of ships and developed the notion of “ship as a unit”, the Tribunal has gone on to deal with important aspects of resource exploitation, whether fisheries or the non-living resources of the Area, maritime delimitation and the protection and preservation of the marine environment.

For example, in its Advisory Opinion concerning issues relating to illegal, unregulated and unreported fishing, the Tribunal clarified that a flag State is under a due diligence obligation to take all necessary measures to ensure compliance and prevent IUU fishing by vessels flying its flag and that the flag State can be held liable if it fails to comply with its due diligence obligations concerning IUU fishing activities. By clarifying the legal obligations of flag States, the Tribunal has facilitated the possibility of a future contentious case involving flag State liability for IUU fishing. I note that this advisory opinion was raised in evidence before the International Relations and Defence Committee of the UK Parliament to which I have referred to as an example of how some of the challenges posed to the law of the sea can be addressed. The issuance of advisory opinions on the interpretation of the Convention is certainly one way in which the Tribunal can ensure that the legal framework of the law of the sea is adequate to meet the challenges that lie ahead.

To date the Tribunal has not been called on to deal with issues which are the subject of this conference, including climate change, new technologies and marine biodiversity. Nor has the Tribunal had to weigh-up conflicting scientific evidence on these issues. The question of how international courts and tribunals should deal with complex scientific evidence and how well-equipped they are to do so has generated some debate.

Particularly in the context of climate change and the law of the sea, the challenge posed by the evaluation of scientific evidence in the apportionment of responsibility is significant. I look forward to the contributions of the panel on the role of scientific assessment and the law of the sea in this regard.

It is also clear that the contribution of the Tribunal to the evolution of the law of the sea will be greatly enhanced by the political will of States. However, I do not think it is naïve to consider that we are at a turning point in terms of State action on climate change and I am confident that the Tribunal can play a role by addressing and clarifying some of the key issues involved.

Excellencies, distinguished guests, it remains for me to reiterate the Tribunal’s appreciation to the Ministry of Foreign Affairs and the Korean Society of International Law for co-organizing what I am sure will be a most stimulating and informative conference. I look forward to the interesting discussions ahead and thank you for your kind attention.



III. Opening Remarks



Prof. Keun-Gwan LEE

President, Korean Society of International Law

Your Excellency Judge Albert J. Hoffmann, President of the International Tribunal for the Law of the Sea (ITLOS),

Your Excellency Zha Hyoung Rhee, Deputy-General for International Legal Affairs, Ministry of Foreign Affairs, Korea

Excellencies,

Distinguished Guests,

Ladies and Gentlemen,

I would like to extend a warmest welcome to all of you. Let me also wish all of you good health in the midst of the global health crisis.

It is my distinct privilege and honor to welcome you to the Sixth International Conference on the Law of the Sea hosted by the Korean Ministry of Foreign Affairs and co-organized by the ITLOS and the Korean Society of International Law.

Special thanks go to those who have defied the challenge posed by the Covid-19 pandemic to participate in this Conference in person. I also owe a particular debt of gratitude to Judge Jin-Hyun Paik for his keynote speech.

The Korean Society of International Law is very pleased to organize this important Conference entitled “Law of the Sea for the Next Generation: Challenges from New Technologies and Environmental Crises.” Our pleasure is all the greater since the Society worked very closely with the ITLOS for this Conference. Six Judges (Judges Hoffman, Paik, Kolodkin, Kamga, Caracciolo and Caffi) participate in this Conference, four of them in person. I should also mention that the Registrar of the Tribunal, Dr. Ximena Hinrichs Oyarce, is here with us in person.

It is needless to say that the law of the sea does not exist in a vacuum. The law of the sea, as systematized by the 1982 United Nations Convention on the Law of the Sea, remains in constant interaction with the incessantly changing environment. Through such ceaseless interaction, the law of the sea continues to evolve as a



resilient normative system that can meet new challenges. As was rightly pointed out in 2017 by Judge Vladimir Vladimirovich Golitsyn, the then President of the ITLOS, on the occasion of the 20th anniversary of the Tribunal, “The success of the Convention lies in the fact that it provides a flexible framework for the international governance of maritime activities.”

At this Conference, the participants will focus on the two prominent challenges that will test the resilience of the law of the sea, that is, technological innovations and environmental crises. These challenges barely registered on the radar of international law experts and policy-makers when the UNCLOS was negotiated and adopted. 40 years on, the magnitude and urgency of these challenges we face today is quite alarming. As a result, the ‘guardians’ of the UNCLOS régime, represented by the ITLOS, are placed under an obligation to further evolve the régime as a flexible and resilient one that can address these challenges.

Under this overarching theme of evolution and resilience of the UNCLOS régime capable of rising up to new challenges, this Conference will look into “New Technologies and the Law of the Sea” in Session 1, “The Role of Scientific Assessment and the Law of the Sea in Session 2, ”Promoting Biodiversity beyond UNCLOS“ in Session 3, ”Climate Change and Challenges to the Law of the Sea“ in Session 4 and ”UNCLOS as the Nexus of Marine Protection Norms“ in Session 5.

We are very fortunate to have the leading authorities on these issues as moderators, speakers and discussants. In particular, I would like to express thanks to Sir Michael Wood and Prof. Nilüfer Oral both of whom are members of the International Law Commission. I am convinced that the Sixth International Conference on the Law of the Sea will be highly instrumental in helping us map and navigate the largely uncharted waters, that is, coping with the challenges to the law of the sea posed by new technologies and environmental crises.

This Conference has been organized with the unstinting support of the Ministry of Foreign Affairs (MOFA) of Korea. It is my pleasant duty to extend my gratitude to all the MOFA people involved in the organization of the conference.

Last but not least, I should also thank the members of the Korean Society of International Law, in particular, Dr. Sangmin Shim and Prof. Ki Beom Lee for their devotion to the preparation of this Conference.

Thank you very much for your kind attention!



IV. Welcoming Remarks



H.E. Zha Hyoung RHEE

Director-General for International Legal Affairs,
Republic of Korea

H.E. Albert Hoffmann, President of the International Tribunal for the Law of the Sea, H.E. Jin-hyun Paik, H.E. Roman Kolodkin, (女)H.E. Maria Teresa Infante Caffi, (女)H.E. Ida Caracciolo, and H.E. Maurice Kenge Kamga, Judges of the Tribunal, Prof. Keun-Gwan Lee, President of the Korean Society of International Law, Distinguished panelists and participants from all over the world, Ladies and gentlemen,

Introduction

It gives me great pleasure to welcome you all to the Sixth International Conference on the Law of the Sea. It is indeed a great privilege for the Ministry of Foreign Affairs to host the conference in cooperation with the International Tribunal for the Law of the Sea (ITLOS) and the Korean Society of International Law. I would like to thank President Hoffmann, and President Lee for bringing all the renowned experts together to share their invaluable insights on the way forward for the law of the sea.

I also welcome all the panelists and participants who have joined us today. As has always been the case, this year's conference is graced with the presence of many renowned scholars and experts in the law of the sea. My delight is doubled to see more than half of our distinguished foreign panelists have come to Incheon to join us in person. I would also like to thank the panelists joining us online for your admirable dedication.

Celebration of the 25th Anniversary of ITLOS

Distinguished participants,

this year marks the twenty-fifth anniversary of the Tribunal. As the guardian of the legal order of the ocean, the Tribunal has made significant achievements in elaborating the UN Convention on the Law of the Sea. One of the most meaningful achievements to date is its clarification on the meaning of some very important concepts in the law of the sea, such as 'ship as a unit' or 'genuine link,' which had captivated inquisitive minds for decades. The tribunal also made monumental decisions in the Bay of Bengal case, in which it provided guidance on how to delimit the continental shelf beyond 200 nautical miles, a topic that had not been explored by any judicial organ till then.

Yet, I believe the greatest achievement the Tribunal has made in the last 25 years is its contribution to establishing solid governance of the oceans by strengthening the rule of law in protecting and preserving the marine environment. Its orders and judgments related to the marine environment contained a number of phrases that resonated with those who recognize the need to take action against impending environmental crises. For example, the Tribunal emphasized in the Southern Bluefin Tuna case that the parties "should [...] act



with prudence and caution to ensure that effective conservation measures are taken to prevent serious harm” to the marine environment. Taking a step further, it pointed out in its advisory opinion on Responsibilities and obligations of States with respect to activities in the Area that the precautionary approach is growing into customary international law. These examples well illustrate the expertise of the Tribunal with regard to the marine environment, or in the words of President Hoffmann, “a seasoned adjudicatory body with ample experience in dealing with issues concerning the marine environment.”

UNCLOS as a Living Instrument

What we have to bear in mind is that none of these phrases came from the text of the UN Convention. On the contrary, the Convention barely provides any concrete measures on what States Parties should do in order to preserve our marine ecosystems. It is also impossible to get any clear guidance from the Convention on whether the international community should take actions against the risk of harm in the marine environment when there is no scientific evidence. Yet the Tribunal was able to deliver such progressive decisions for the marine environment without derogating from the text of the Convention.

This was all possible thanks to the evolving nature of the Convention, which is often referred to as a living instrument. It incorporates the developments in relevant norms such as international environmental law into its system, thereby enabling itself to adapt to new challenges that had been scarcely anticipated at the time of its codification. Echoing this view, Judge Vladimir Golitsyn, former President of the Tribunal, commented that “UNCLOS is subject to an ongoing process of change and adaptation to new challenges” and that “such development is being achieved through (...) interpretive implementation of the Convention.” His comment not only clearly captures the flexible nature of the Convention but also stresses the importance of applying evolutionary interpretation in the face of unprecedented challenges arising in the ocean.

Law of the Sea for the Next Generation

The theme of this year’s conference, “Law of the Sea for the Next Generation,” also reflects the evolving nature of the Convention. The Convention, as Sir Michael Wood once put, is not a monument set in stone some 30 years ago. It is flexible enough to evolve in the course of addressing challenges and wields influence on how the future of the ocean will play out. The question we should raise, therefore, is whether such evolution has been a step in the right direction for promoting peaceful uses of the ocean and ensuring a healthy and resilient ocean for our future generation, and if not, how we should navigate the law of the sea regime going forward.

As the main topic of our discussion, we present two major challenges that have proved and/or will prove instrumental in shaping the direction of the law of the sea regime and the future of the ocean. One is new marine technologies. New technologies such as unmanned maritime vehicles have opened up new ways to explore the sea and conduct maritime activities. However, their strategic implications were not fully accounted for when the states struck the deal for the convention, and they may even shift the delicate balance between coastal states and flag states that has been achieved by the Convention.

The other major challenge we will discuss this year is environmental crises. The world is witnessing dramatic and irreversible degradation of the environment, which also has a significant impact on the law of the sea regime. For example, global warming has shaken the very foundation of the Convention, such as baselines or jurisdictional zones. While pollution from numerous sources is threatening the sustainability of the oceans and even the existence of some marine species, the Convention falls short of addressing these impending issues properly. (Ladies and gentlemen,)

Conclusion

The challenges we will discuss at this year’s conference are something the law of the sea regime cannot overcome in a year or two. It will be a long and arduous journey for the regime to adapt itself to the challenges and evolve into a more comprehensive one. Such process is by no means one way. The evolved regime redefines the legal characteristics of the challenges, influences the behavior of stakeholders, and changes the future of the ocean. In this context, I believe this year’s conference will serve as an opportunity to garner insights on how we should envisage the future of the ocean and the law of the sea, which is after all “the Law of the Sea for the Next Generation.” I wish you all the best. Thank you very much.



Judge Jin-Hyun PAIK

International Tribunal for the Law of the Sea

Jin-Hyun Paik is Judge of International Tribunal for the Law of the Sea (ITLOS) in Hamburg, Germany since 2009 and served as its President from 2017 to 2020. He is also Professor of International Law at Seoul National University in Korea and was Dean of its Graduate School of International Studies (GSIS). He is currently President of the Special Chamber of ITLOS in the case concerning the Delimitation of the Maritime Boundary between Mauritius and Maldives in the Indian Ocean. Judge Paik was Arbitrator in the "Enrica Lexie" Incident Case (Italy v. India) at the Permanent Court of Arbitration (PCA). He currently serves as President of the Arbitral Tribunal in Dispute concerning Coastal State's Rights in the Black Sea, Sea of Azov, and Kerch Strait (Ukraine v. the Russian Federation).

Judge Paik is Member of the Institut de Droit International. He also served as President of the Asian Society of International Law (AsianSIL) from 2015 to 2017. He received Dr. iuris honoris causa on the occasion of the centennial of University of Hamburg in 2019. Professor Paik has written and edited over 130 articles and several books on international law and politics, law of the sea and Korea's foreign and security policies.



VI. Session1



Moderator : Judge Roman KOLODKIN

International Tribunal for the Law of the Sea

Judge, International Tribunal for the Law of the Sea; Member, Institute of International Law; Advisor on public International law, International and Comparative Law Research Center; professor, School of International Law, HSE University; Ambassador Extraordinary and plenipotentiary, formerly: Member, International Law Commission; Director, Legal Department, MFA Russia; Ambassador of Russia to Netherlands and Permanent Representative of Russia to the Organisation for the Prohibition of Chemical Weapons.



Speaker 1: Prof. Natalie KLEIN

UNSW Sydney

[Maritime Autonomous Vehicles and Key Challenges for International Maritime Security Law](#)

Dr. Natalie Klein is a Professor at UNSW Sydney's Faculty of Law, Australia, and an Australian Research Council Future Fellow. Professor Klein is the President of the Australian Branch of the International Law Association. She was previously at Macquarie University where she served as Dean of Macquarie Law School between 2011 and 2017, as well as Acting Head of the Department for Policing, Intelligence and Counter-Terrorism at Macquarie in 2013-2014. Professor Klein teaches and researches in different areas of international law, with a focus on law of the sea and international dispute settlement. She provides advice, undertakes consultancies and interacts with the media on law of the sea issues.

Professor Klein has been a Visiting Fellow at the Lauterpacht Centre for International Law at Cambridge University, MacCormick Fellow at the University of Edinburgh and a non-resident Fellow at the Lakshman Kadirgamar Institute in Sri Lanka. Prior to joining Macquarie, Professor Klein worked in the international litigation and arbitration practice of Debevoise & Plimpton LLP, served as counsel to the Government of Eritrea (1998-2002) and was a consultant in the Office of Legal Affairs at the United Nations. Her masters and doctorate in law were earned at Yale Law School and she is a Fellow of the Australian Academy of Law.



Speaker 2: Prof. Hyun Jung KIM (on behalf of Prof. Anne-Thida NORODOM)
Yonsei University
[Aerial Autonomous Vehicles used for Maritime Surveillance](#)

Dr. Hyun Jung KIM is an Associate Professor at the Department of Political Science and International Studies at Yonsei University (Republic of Korea). Her main research fields are law of the sea, international institutions and interrelations between international law and politics. She published legal articles in Korean, English and French. Her recent journal publications are: "Third party fishing in an undelimited area under the Republic of Korea–Japan Fisheries Agreement", *Marine Policy*, vol. 125 (2021), "What did the Republic of Korea and Japan mean by the term "joint development" in their 1974 agreement?", *Marine Policy*, vol. 117 (2020). Her multicultural research capacity is due to her academic background. She holds Doctor in law (University of Paris I Panthéon-Sorbonne), LL.M.s (University of Paris I Panthéon-Sorbonne and Korea University), and LL.B. (Korea University). She was also a lecturer of the law of the sea at the United Nations Regional Course in International Law for Asia and the Pacific (2018). She can be reached at myonjung@gmail.com.



Speaker 3: Dr. Joanna DINGWALL

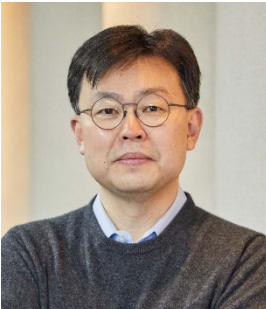
University of Glasgow/Scottish Government

[The Regulation of Deep Seabed Mining Beyond National Jurisdiction](#)

Dr Joanna Dingwall is a public international lawyer, qualified to practice law in New York, Scotland, England and Wales. Dr Dingwall lectures on international law at the University of Glasgow. Previously, she taught international law at the School of African and Oriental Studies (SOAS), University of London for several years.

Dr Dingwall holds an LL.B. (first class honours) from the University of Glasgow and an LL.M. (International Legal Studies) from New York University Law School, where she was a Saint Andrew's Society scholar and recipient of the Rankin-Stone Award. Dr Dingwall has a Ph.D. on public international law/law of the sea from the University of Glasgow, sponsored by a College of Social Sciences Scholarship. She has written extensively in the field of law of the sea, especially in relation to deep seabed mining. Her monograph, *International Law and Corporate Actors in Deep Seabed Mining* was published by Oxford University Press in summer 2021, as part of the series of Oxford Monographs in International Law.

In addition to her academic career, Dr Dingwall is also an experienced practitioner of international law, law of the sea and international dispute resolution. Throughout her legal practice to date, Dr Dingwall has advised and represented States, international organisations and private entities on an extensive range of public international law matters. Currently, Dr Dingwall is a lawyer to the Scottish Government, advising the Scottish Ministers and Marine Scotland on issues of public international law, law of the sea, European law and domestic law concerning all aspects of Scotland's offshore renewable energy industry, maritime zones/boundaries and in relation to legal protection of the marine environment. Previously, she worked as a London-based public international law and international dispute resolution practitioner for several years.



Discussant 1: Prof. Seokwoo LEE

Inha University

Seokwoo LEE is Professor of International Law, Inha University Law School, Korea (2003-present). He was Chairman of the Foundation for the Development of International Law in Asia (DILA) (2012-2017) and is Co-Chair of International Law Association (ILA) Study Group, Asian State Practice of Domestic Implementation of International Law (ASP-DIIL) (2018-). He is General Editor of Encyclopedia of Public International Law in Asia (EPILA), Co-Editor-in-Chief of Asia-Pacific Journal of Ocean Law and Policy (APJOLP) and Asian Yearbook of International Law (Asian YBIL), Executive Editor of Korean Journal of International and Comparative Law (KJICL), Co-Series Editor of the book series entitled Maritime Cooperation in East Asia, and Associate Editor of Brill Research Perspectives in the Law of the Sea, all published by Brill. He holds a D.Phil. (Oxford), LL.M. (NYU, Minnesota, and Korea University), and LL.B. (Korea University).



Discussant 2: Judge Maurice KENGNE KAMGA

International Tribunal for the Law of the Sea

Member of the International Tribunal for the Law of the Sea since 1 October 2020
 Education: Bachelor's Degree in Public Law (with honours), University of Yaoundé, Cameroon (1989); Master's Degree in Public Law (with honours), University of Yaoundé, Cameroon (1990); Master's Degree in International Relations (with honours), International Relations Institute of Cameroon (1991); LL.M. in Public Law (with honours), University of Yaoundé, Cameroon (1991); Ph.D. in International Relations (specialisation in Diplomacy) (cum laude), International Relations Institute of Cameroon (1994); Certificate of Participation, The Hague Academy of International Law (1996, 2003, 2005); Diplôme d'études supérieures in International Relations (specialisation in International Law), Graduate Institute of International Studies, Geneva, Switzerland (1997); Ph.D. in International Law (specialisation in International Law of the Sea) (summa cum laude), Graduate Institute of International Studies, Geneva, Switzerland (2003); Habilitation à diriger des recherches in Public Law, University Paris Nanterre, France (2017). Professional Experience: Assistant Lecturer in Public International Law and in Constitutional Law, University of Yaoundé, Cameroon (1993- 1995); Ministry of External Relations, Yaoundé, Cameroon (1994-2020): integration as Secretary of Foreign Affairs (1994), Counsellor (2006), Diplomatic Officer, Directorate for African Affairs (1994-1997), Legal Advisor (2003-2008), Minister Plenipotentiary (2010-2020); Intern (as 9th UN Hamilton S. Amerasinghe Memorial Fellow on Law of the Sea), Division of Ocean Affairs and the Law of the Sea, Office of Legal Counsel, United Nations, New York, USA (1996); Associate Legal/Linguist Officer, International Criminal Tribunal for the former Yugoslavia, The Hague, The Netherlands (1997-2001); Legal/Publication Officer, International Tribunal for the Law of the Sea, Hamburg, Germany (2001- 2002); Member of numerous Cameroonian delegations for bilateral or multilateral negotiations; Consultant at the Legal Office of the FAO, Rome, Italy (missions in various countries in order to draft national laws on Fisheries and Aquaculture, 2001-2007); Adjunct Professor, International Relations Institute of Cameroon (2006-present); Legal Secretary, International Court of Justice, The Hague, The Netherlands (2008-2020); Adjunct Professor, Catholic University of Lille, France (2011-present); Visiting Lecturer/Professor at various universities and institutions, including: Brussels School of International Studies, Belgium (2005), University of Douala, Cameroon (2012), World Maritime University, Malmoe, Sweden (2013), International Maritime Law Institute, Malta



(2013, 2015), United Nations University, Maastricht Economic and Research Institute on Innovation and Technology, Maastricht, The Netherlands (2014-2019), Catholic University of Central Africa, Yaoundé, Cameroon (2016), Vrije Universiteit Brussel, Belgium (2020), Institut diplomatique de Paris (2020-2021) and Kadir Has University, Istanbul, Turkey (2018-2021). Member: Secretary-General, Association of Attendees and Alumni, The Hague Academy of International Law (2011-2017); Founding Member, African Society of International Law (2012-present); Société française pour le droit international (2015-present). Publications: "Review of International Instruments Concerning Protection of Sea Turtles" (with A. Van Houtte), in: FAO, National and International Regimes for the Conservation of Sea Turtles, Rome, 2004; Délimitation maritime sur la côte atlantique africaine, Bruylant, Brussels, 2006; "Sécurité alimentaire et droit international humanitaire", in: A. Mahiou and F. Snyder (eds.), La sécurité alimentaire/Food Security and Food Safety, Martinus Nijhoff Publishers, The Hague, 2006; "L'existence éphémère du traité de délimitation maritime entre la République d'Estonie et la Fédération de Russie en mer Baltique" (with E. Franckx), Annuaire du droit de la mer, Tome XII, 2007; "Les procédures d'urgence devant le Tribunal international du droit de la mer", in: Promoting Justice, Human Rights and Conflict Resolution through International Law/La promotion de la justice, des droits de l'homme et du règlement des conflits par le droit international – Liber Amicorum Lucius Caflisch, M. Kohen (ed.), Martinus Nijhoff Publishers, Leiden, 2007; "La Convention pour la protection des biens culturels en cas de conflit armé de 1954 et ses deux protocoles de 1954 et 1999", in: Le Patrimoine culturel de l'humanité/The Common Cultural Heritage of Mankind, J. Natziger and T. Scovazzi (eds.), Martinus Nijhoff Publishers, Leiden, 2008; "L'article 2 du Protocole relatif à la Charte africaine des droits de l'homme et des peuples portant création d'une Cour africaine des droits de l'homme et des peuples", in: Commentaire article par article du Protocole relatif à la Charte africaine des droits de l'homme et des peuples portant création d'une Cour africaine des droits de l'homme et des peuples, M. Kamto (ed.), Brussels, Bruylant, 2011; L'Afrique et le droit international: variations sur l'organisation internationale/ Africa and International Law: Reflections on the International Organization - Liber Amicorum Raymond Ranjeva, with M. Mbengue (eds.), Pedone, Paris, 2013; "L'assistance judiciaire devant la Cour internationale de Justice et le Tribunal international du droit de la mer", in: L'Afrique et le droit international: variations sur l'organisation internationale/Africa and International Law: Reflections on the International Organization – Liber Amicorum Raymond Ranjeva, with M. Mbengue (eds.), Pedone, Paris, 2013; "Peaceful Settlement of Disputes in Africa: the Present and the Future" (with L. Caflisch), African Yearbook of International Law, Vol. 20, 2013-2014; "Codification dans le domaine de la justice transitionnelle en Afrique", Journal of the African Union Commission on International Law, 2nd Edition, 2015; "Cameroon's Natural Trend in Internationalisation of Legal Education" (with P. Essama Mekongo), in: The Internationalisation of Legal Education, C. Jamin and W. van Gaenegem (eds.), Ius Comparatum – Global Studies in Comparative Law, Vol. 19, Springer International Publishing Switzerland, 2016; Questions de droit de la mer, du droit international humanitaire et tableau synoptique de la justice internationale sur le continent africain, Volume of synthesis of publications defended at the University of Paris Nanterre (France) in order to obtain the Habilitation à Diriger des Recherches in Public Law, 2017; "L'affermissement des principes juridiques applicables à l'exploitation des gisements pétroliers ou gaziers transfrontaliers en mer", African Yearbook of International Law, Vol. 22, 2017; "Régionalisme et justice internationale en Afrique », in: Intégration et régionalisme africain: où en est l'Union africaine aujourd'hui?, R. Ben Achour and H. Gueldich (eds.), Simfact, Tunis, 2019; "Les aspects juridiques de la migration par voie maritime", Journal of the African Union Commission on International Law, Juta Editions, Cape Town, 2020.



Moderator: Barrister Michael Charles WOOD

Twenty Essex Chambers

Sir Michael Wood is a member of the UN International Law Commission, and a Senior Fellow of the Lauterpacht Centre for International Law, University of Cambridge. He is a barrister at Twenty Essex Chambers, London, where he practises in the field of public international law, including before international courts and tribunals. He was Legal Adviser to the UK's Foreign and Commonwealth Office between 1999 and 2006, having joined as an Assistant Legal Adviser in 1970.



Speaker 1: Prof. Warwick GULLETT

University of Wollongong

The Contribution of the Precautionary Principle to Marine Environment Protection: from Making Waves to Smooth Sailing?

Warwick Gullett, Ph.D. is Professor of Law at the University of Wollongong and a member of the Australian National Centre for Ocean Resources and Security (ANCORS). He previously served as Dean of Law. His research interests focus on legal protection of the marine environment and the international law of the sea. He is the author of *Fisheries Law in Australia* (335pp, LexisNexis Butterworths, 2008) and co-editor of *Marine Pollution Contingency Planning: State Practice in Asia-Pacific States* (233pp, Brill, 2016), *Asia-Pacific and the Implementation of the Law of the Sea: Regional Legislative and Policy Approaches to the Law of the Sea Convention* (230pp, Brill, 2016) and *Marine Resources Management* (359pp, LexisNexis Butterworths, 2011). Professor Gullett is Current Legal Developments editor for the *Asia-Pacific Journal of Ocean Law and Policy*.

Professor Gullett has written extensively on laws regarding the marine environment, in particular focusing on fisheries law, marine protected areas, marine resource management and jurisdictional issues. His work has been cited by the International Tribunal for the Law of the Sea, Commonwealth Administrative Appeals Tribunal, NSW Land and Environment Court and the SA Environment Resources and Development Court. He has supervised 13 Ph.D. students to completion.



Speaker 2: Prof. Alastair Neil CRAIK

University of Waterloo

Implementing Environmental Impact Assessment in Areas Beyond National Jurisdiction: Epistemic, Institutional and Normative Challenges

Neil Craik is Professor of Law at the University of Waterloo with appointments to the Balsillie School of International Affairs and the School of Environment, Enterprise and Development, where he teaches and researches in the fields of international and Canadian environmental law. His current research examines international law in relation to transboundary and global commons environmental issues. Professor Craik has particular interests in deep seabed mining regulation, environmental impact assessment, and climate and geoengineering law and governance. Neil is the author/editor of several books, including *Global Environmental Change and Innovation in International Law* (Cambridge, 2018), *Climate Change Policy in North America: Designing Integration* (UTP, 2013), and *The International Law of Environmental Impact Assessment: Process Substance and Integration* (Cambridge, 2008), in addition to numerous book chapters and journal articles. He is a Senior Fellow at the Centre for International Governance Innovation (CIGI), an international affairs think tank. Professor Craik served as the Director of the School of Environment, Enterprise and Development at the University of Waterloo from 2011 to 2017.



Speaker 3: Judge Ida CARACCILO

International Tribunal for the Law of the Sea

The Role of Scientific Experts in International Adjudication and Methodologies Employed by International Courts in Assessing Scientific Evidence

- Law Degree Magna cum Laude, "La Sapienza" University, Rome (1985).
- Judge at the International Tribunal for the Law of the Sea since 1 October 2020.
- Full Professor of International Law, Department of Political Sciences, University of Campania "Luigi Vanvitelli"(2005-present).
- President of the Ma Course in "International Relations and Organizations", Department of Political Science, University of Campania "Luigi Vanvitelli" (2010-present).
- Legal Expert, Legal Affairs Service, Italian Ministry of Foreign Affairs and International Cooperation(1994-2020).
- Member of the Italian delegation for several bilateral negotiations, for several organs and committees within international organizational, and for several multilateral negotiations.
- Counsel of Italy in cases before the International Court of Justice, the EU Court of Justice, the European Court of Human Rights, the Tribunal for the Law of the Sea, the ad hoc Tribunal under Annex VII off UNCLOS.
- Ad hoc judge in the European Court of Human Rights (2016-2018)
- Member of the Permanent Court of Arbitration (2014-present); Barrister in the Rome Bar (1989/present).
- Speaker at several conferences and workshops in Italy and abroad on International Law And in particular on the Law of the Sea (2001/present).
- Professor of Advanced International Law (in English), University of Naples "Federico II"(2017-present).
- Visiting Professor in International Law and the Law of the Sea at different Foreign universities.
- Member of the scientific boards of several scientific reviews and book series.
- Author of numerous publications in Italian, English and French on Public International Law, the Law of the Sea and Human Rights Law.
- Officer of the Order of Merit of the Italian Republic (2013).



Discussant 1: Registrar Ximena HINRICHS

International Tribunal for the Law of the Sea

Ximena Hinrichs currently holds the position of Registrar of the International Tribunal for the Law Of the Sea. Prior to this role, she served as Deputy Registrar, Senior Legal Officer / Head of Legal Office and Legal Officer of the Tribunal. Previously, she worked for the Legal Office of the International Maritime Organization.

Ms Hinrichs holed a Law degree, School of Law and Social Sciences, University of Concepcion (1988); Lawyer (Abogado, 198889); Magistra Legum (LL.M), University of Hamburg (1991;) Doctor Iuris, University of Hamburg (Ph.D. 1996).

She has been lecturer for law of the sea at various academic institutions and summer schools (international Maritime Law institute, World Maritime University, Christian-Albrechts-Universitat In Kiel, HafenCity University, University of Bremen, Summer School, Jean Monnet Module, European Union and the Law of the Sea, Summer Academy, International Foundation for the Law of the Sea.

She has written articles and reports on international law and law of the sea.



VIII. Session3



Moderator: Chief Executive Rena LEE

Chairperson at BBNJ IGCs

Rena is Singapore's Ambassador for Oceans and Law of the Sea Issues and Special Envoy of the Minister for Foreign Affairs. She specialises in the practice of public international law, covering areas including law of the sea, environmental and climate change law. Rena was elected as President of the UN Intergovernmental Conference on Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ) in 2018. She is also a member of the Legal and Technical Commission of the International Seabed Authority. Rena joined the Singapore public service in 1992 and has served in a number of roles, including with the Attorney-General's Chambers and the Ministry of Foreign Affairs. She currently also serves as the Chief Executive of the Intellectual Property Office of Singapore.



Speaker 1: Dr. Philomène A. VERLAAN

University of Hawai'i at Mānoa

[The Interface of Science and Law: Protecting, Preserving, and Conserving Biodiversity with the Law of the Sea Convention](#)

Dr. Philomène Verlaan JD Ph.D. FIMarEST FSUT is an oceanographer studying the biogeochemistry and ecology of deep-sea ferro-manganese nodules and crusts (PhD, Imperial College, London). She has participated (so far) in 25 oceanic research expeditions (most recently March-June 2021) and nine research submersible dives. She is also an attorney (JD, Florida State University; member of The Florida Bar) specializing in international law of the sea. She assists international public and private governmental and non-governmental entities in negotiating the complex interface between marine science and law of the sea to achieve environmentally and commercially responsible uses of marine resources compatible with the Law of the Sea Convention, the world's "Constitution for the Oceans," through the development and implementation of legally binding international instruments. An author of over 60 refereed (many invited) international publications in her two professional specialties, she is regularly invited to speak on topics related to her work. She also serves as Visiting Scientist with the Department of Oceanography at the University of Hawaii (www.hawaii.edu), a Trustee of the Advisory Committee on Protection of the Sea (www.acops.org.uk), and on the Editorial Board of the Journal of Marine Geosciences and Geotechnology.



Speaker 2: Prof. Joanna Claire MOSSOP

Victoria University of Wellington

Dispute Settlement in respect of Areas beyond National Jurisdiction

Associate Professor Joanna Mossop has a long track record of law of the sea research. She has published on many topics including maritime security, ocean governance, dispute settlement, ocean governance and has an award-winning book on the continental shelf beyond 200 nautical miles with Oxford University Press. Most recently she has been focusing on the negotiations for a new treaty on marine biodiversity beyond 200 nautical miles, and has attended the meetings of the Intergovernmental Conference as an observer on the New Zealand delegation. She has also contributed to IUCN work on BBNJ issues. Associate Professor Mossop has provided training to New Zealand government officials in law of the sea, and is the legal adviser to the UNDP project on developing marine spatial planning on the joint continental shelf shared by Mauritius and Seychelles. In 2019 she was appointed by the New Zealand government to the list of arbitrators and conciliators under Annex V and VII of UNCLOS. In 2021 she was the leader of a team awarded a prestigious Marsden Award to study critical approaches to oceans law.



Speaker 3: Prof. Kentaro NISHIMOTO

Tohoku University

The Promotion and Regulation of Marine Scientific Research for the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction

Kentaro NISHIMOTO is Professor of International Law at the School of Law, Tohoku University and Arctic Environment Research Center, National Institute of Polar Research, Japan. He is responsible for the English-taught LL.M. program on the law of the sea at the School of Law at Tohoku University, and serves as the Research Director for the social sciences section of national flagship project for Arctic research, The Arctic Challenge for Sustainability II (ArCS II). He received his Ph.D. in Law from the University of Tokyo with the thesis "Territoriality and Functionality in the Historical Evolution of the Law of the Sea." His current research focuses on the international law of the sea, including issues such as the history of the law of the sea, sustainable development of ocean resources, and the settlement of maritime disputes. His recent publications include a co-edited book on marine biodiversity of areas beyond national jurisdiction (BBNJ) in Japanese (Shigeki Sakamoto, Kimio Yakushiji, Toshiya Ueki and Kentaro Nishimoto (eds.), *New Developments in the Law of the Sea on Areas beyond National Jurisdiction* (Yushindo, 2021)) and entries related to the practice of Japan in the field of the law of the sea in Seokwoo Lee (ed.), *Encyclopedia of Public International Law in Asia* (Brill, 2021). He has advised the government of Japan in various capacities, including as an advisor to the Japanese delegation to the intergovernmental conference on BBNJ and as a member of the Advisory Committee on the Extension of the Continental Shelf established under the Headquarters for Ocean Policy of Japan.



Discussant 1: Prof. Sookyeon HUH

Rikkyo University

Sookyeon Huh is a Professor of International Law at the Rikkyo University College of Law, Tokyo. Her principal research interests lie in international spatial order; i.e., the Law of Territory and the Law of the Sea, augmenting the polyphonic nature of international law. Dr Huh received her LL.B. from Seoul National University, her two LL.M.s from the University of Tokyo and Harvard Law School, and her Ph.D. (Law, with Honours) from the University of Tokyo. Her doctoral thesis ('Revisiting Title to Territory in International Law' written in Japanese) was published by University of Tokyo Press and received the prestigious Adachi International Foundation Award. She has published a number of articles on the Law of Territory and the Law of the Sea, including "Les conditions d'appropriation d'un territoire insulaire" in *Journée SFDI « Iles et droit international »* (Pedone, 2020) (French translation from English original text), "Entitlements to Continental Shelf are Flat: Delimitation of Continental Shelf beyond 200 nm in The Gulf of Bengal Case (2009)" in Y. Nishimura et al. (eds.), *Liber Amicorum Professor Akira Kotera* (in Japanese), "Title to Territory in the Post-Colonial Era: Original Title and Terra Nullius in the ICJ Judgments on cases concerning *Ligitan/Sipadan* (2002) and *Pedra Branca* (2008)," 26 *EJIL* (2015)709-725 and "Article 245, 246, 248-257" (Sookyeon Huh and Kentaro Nishimoto) in Alex Proelss (ed.), *UNCLOS: A Commentary* (2017). She was a visiting scholar at the Law Research Centre, Seoul National University, 2017-2018 and Lauterpacht International Law Centre, University of Cambridge, 2018-19. She has also advised on maritime legal issues for Japanese and Korean research institutes.



Discussant 2: Director Ki Hyeon KIM

Green Diplomacy Division, Ministry of Foreign Affairs, Korea

Ki Hyeon KIM currently serves as Director for Green Diplomacy Division at the Ministry of Foreign Affairs. She received her doctorate in international environmental law at China University of Political Science and Law. Since joining the Ministry of Foreign Affairs in 2006, she has worked at the International Economic Affairs Bureau, the South Asian and Pacific Affairs Bureau, the International Legal Affairs Bureau, the Embassy of the Republic of Korea to the Republic of Singapore and the Embassy of the Republic of Korea to the Kyrgyz Republic. She has written papers including “A Study on the Interpretation and Application of a Global Multilateral Benefit Sharing Mechanism (GMBSM) of the Nagoya Protocol (2015)”, “The Legal Framework and Relevant Issues on MPA in ABNJ (2018)”, and “Study on Improving the Implementation of Access and Benefit-Sharing (ABS) Regime of the Nagoya Protocol (2020)”.



IX. Session4



Moderator: Prof. Jae Hyung LEE
Korea University

Jae Hyung LEE is a Professor of Law at Korea University School of Law, where he teaches International Trade Law, International Investment Law and International Environment Law. He had served as a Director of the Institute for Legal Studies of Korea University.

Prof. Lee holds a Bachelor of Law and a Master of Law from Korea University. He also holds an LL.M. and an S.J.D from University of Pennsylvania Law School. He served as the Executive Director of the Korea Society of Fair International Trade and a deputy executive director of the Korean Society of International Law. He also worked as the Executive Director of Korean Society of International Economic Law.

Prof. Lee has advised various Korean ministries on international trade law issues such as WTO disputes and FTA negotiations. He has also advised Korean ministries on climate change issues as a legal counsel for the Korean Delegation to UN climate change negotiations. He was a member of the Advising Committee on Diplomatic Policy of Korean Ministry of Foreign Affairs. He was also a member of the Central Environmental Commission of Ministry of Environment.

Prof. Lee has published a number of articles and book chapters in the field of international trade law, international investment law and international environment law. He is particularly interested in International Climate Change Law, International Trade Law such as WTO agreements and environment related international trade issues.



Speaker 1: Prof. Daniel Michael BODANSKY

Arizona State University

[The Role of Ocean Law in Responding to Climate Change](#)

Daniel Bodansky is a Regents' Professor at the Sandra Day O'Connor College of Law, Arizona State University, specializing in international environmental law generally and climate change law in particular. He served as Climate Change Coordinator at the U.S. State Department from 1999-2001 and as attorney-adviser from 1985-1989. Prior to joining the ASU faculty in 2010, he taught at the University of Washington School of Law and held the Woodruff Chair of International Law at the University of Georgia. His book, *The Art and Craft of International Environmental Law*, received the 2011 Sprout Award from the International Studies Association as the best book that year in the field of international environmental studies. His latest book, *International Climate Change Law*, co-authored with Jutta Brunnée and Lavanya Rajamani, was published by Oxford University Press in June 2017, and received the 2018 Certificate of Merit from the American Society of International Law as the best book in a specialized area of international law published the previous year. He is a member of the Council on Foreign Relations, served on the Board of Editors of the *American Journal of International Law* from 2001-2011, and is a graduate of Harvard (A.B.), Cambridge (M.Phil.) and Yale (J.D.).



Speaker 2: Prof. Nigel David BANKES

University of Calgary

Carbon Capture and Storage Projects and the Law of the Sea:
Is There Anything New under the Sun?

Nigel is an emeritus professor of law at The University of Calgary where he held a faculty position from 1984 until June of this year. From 2012 until 2019 he also held a position as an adjunct professor of law with the Jepsen (now the Norwegian) Centre for the Law of the Sea at the University of Tromsø, Norway. His principal research interests are in energy and resources law and the rights of Indigenous peoples. He was elected a Fellow of the Royal Society of Canada in 2021.



Speaker 3: Prof. Davor VIDAS

The Fridtjof Nansen Institute

International Law as Sea Levels Rise:

The Importance of UNCLOS for Facilitating Legal Certainty and Stability

Davor Vidas is Research Professor in International Law at the Fridtjof Nansen Institute, Norway, and Honorary Visiting Professor in the School of Geography, Geology and the Environment at the University of Leicester, UK. He is the Chair of the Committee on International Law and Sea Level Rise of the International Law Association (ILA; 2012–2022), and is an advisory member of the Anthropocene Working Group of the International Commission on Stratigraphy. Professor Vidas served as Principal Investigator for several major research projects on international law and interdisciplinary approaches to ocean issues. He is the founding Editor-in-Chief (with D. Rothwell) of the short monograph series Brill Research Perspectives in the Law of the Sea, and is an author or editor of many publications, including more recently International Law and Sea Level Rise (with D. Freestone and J. McAdam, eds), Brill: 2019.



Discussant 1: Dr. Young Kil PARK

Korea Maritime Institute

Dr. Young Kil PARK is Director of the Law of the Sea Research Center at Korea Maritime Institute (KMI). He was a visiting scholar at Stockton Center for International Law, Naval War College, and RI Transportation Research Center, the University of Rhode Island in 2018. His academic interests cover the law of the sea, maritime security, Arctic governance, and Korea related issues. His publications include "The complex legal status of the Current Fishing Pattern Zone in the East China Sea," in Marine Policy Vol.81 (co-author) and "Republic of Korea v. Araye: Korean Supreme Court Decision on Universal Jurisdiction over Somali Pirates," American Journal of International Law, Vol.106(3) (co-author). He holds a Ph.D. from Seoul National University in 2009, of which the title was "Universal Jurisdiction in International Law: A Reconsideration of the Concept and its Practical Implications".



Discussant 2: Dr. Wonhee KIM

Korea Institute of Ocean Science and Technology

KIM Wonhee is a Senior Researcher at the Korea Institute of Ocean Science and Technology. Prior to joining the KIOST, Dr. Kim was a senior research at Korea Maritime Institute and a Secretary in Chief of the Korean Society of International Law. He also has taught public international law and judicial settlement of international disputes at Konkuk University, Ewha Womans University and Korea National Open University. His research interests include territorial and boundary dispute, the law of the sea, maritime security and the law and practice of international courts and tribunals. Recent publications include "Recent State Practice on Reservation in the Declaration Accepting the Compulsory Jurisdiction of the International Court of Justice and the Limits of the Reservation" (2018) and "Re-conceptualization of the Critical Date in Territorial Disputes in the Light of the Law of Evidence before the International Courts and Tribunals" (2020).



Moderator: Judge Maria Teresa INFANTE CAFFI

International Tribunal for the Law of the Sea

Judge of the International Tribunal for the Law of the Sea (elected in 2020). In her professional capacity, she has held several positions including professor, Faculty of Law and of the Institute of International Studies in the University of Chile. She was Co-Agent of Chile in disputes before the International Studies in the University of Chile. She was Co-Agent of Chile in disputes before the International Court of Justice (Maritime dispute, 2008-2014; Obligation to negotiate, 2013-2018; Status and use of the waters of the Silala, 2016-2020). She was also Ambassador of Chile to the Kingdom of the Netherlands, Permanent Representative to the Organization for the Prohibition of Chemical Weapons (OPCW), Chair of the Sub-Working Group on Non-State Actors of the OPCW and Co-Chair of the Study Group on Governance (together with Japan and Switzerland) of the OPCW and Co-Chair of the Study Group on Governance (together with Japan and Switzerland) of The Hague Working Group of the Assembly of States Parties. Professor Infante was Chair of the Working Group of the Bureau on the implementation of article 97 of the Rome Statute. She has advised and participated in research programs for, amongst others, the permanent Commission of the South Pacific, Ministry of Foreign Affairs of Chile, United Nations Development Program (UNDP), National Commission of the Environment and participated in diplomatic negotiations on maritime and Antarctic matters, and with neighboring and South American countries on issues of integration, limits, international law, and cooperation on border policies.



Speaker 1: Prof. Maria GAVOUNELI

National & Kapodistrian University of Athens

[New forms of energy at sea](#)

LL.M. (Cantab), Ph.D. (Cantab) (Guggenheim Prize); Associate Professor of International Law, Faculty of Law & Athens Public International Law Center – Athens PIL, National & Kapodistrian University of Athens; Fulbright Scholar – Greece at the University of California Berkeley (2018-2019); Associate Research Fellow, Institute of Advanced Legal Studies, University of London (2005-2019). President of the Greek National Commission for Human Rights; Member of the Managing Board, National Transparency Authority; Senior Policy Advisor, Hellenic Foundation for European & Foreign Policy – ELIAMEP. Visiting professor and lecturer in several universities and research institutions around the world; published extensively on the law of the sea, energy and environmental law as well as migration issues.



Speaker 2: Director Nilüfer ORAL

International Law Commission

[The Regulation of Marine Litter Pollution under the Law of the Sea](#)

Nilüfer Oral is Director of the Centre of International Law (CIL) at the National University of Singapore, and Co-director of the CIL eAcademy of International Law. She is a member of the UN International Law Commission and is Co-chair of the Study Group on Sea-level rise in relation to international law. She was a climate change negotiator for the Turkish Ministry (2009 – 2016). She has also appeared before the International Tribunal for the Law of the Sea. Nilufer Oral is a Distinguished Fellow of the Law of the Sea Institute at Berkeley Law (University of California Law Berkeley); Senior Fellow of the National University of Singapore Law School; and Honorary Research Fellow at University of Dundee. She was elected to the Executive Council of the Asian Society of International Law. She is also a member of the Executive Council of the International Law Association, Singapore branch and Director of Studies. Dr. Oral is on the board of editors of several academic journals and has published widely in international journals and books.



Speaker 3: Dr. Alice OLLINO

University of Milan-Bicocca

Due Diligence and Marine Environmental Protection: Prospects and Perils

Dr. Alice Ollino (Ph.D, LL.M.) is a post-doctoral fellow in public international law at the University of Milano-Bicocca. Her first monograph, "Due Diligence Obligations in International Law" is upcoming and will be published by Cambridge University Press in early 2022. Dr Ollino is the recipient of the 2019 European Society of International Law Young Scholar Prize. Her research interests include general public international law, especially international law of State responsibility. Dr Ollino has published on public international law issues in national and international peer-reviewed journals. Alice is also a qualified lawyer.



Discussant 1: Dr. Omri M. SENDER

OMS Law

Dr Omri Sender is an international law practitioner and scholar advising Governments, international organizations and others on issues across the full breadth of public international law. He serves as counsel to States in various international dispute settlement proceedings, including before the International Court of Justice in The Hague. Dr Sender previously served as Counsel to the World Bank and Law Clerk to the Chief Justice of the Supreme Court of Israel, and assisted the UN International Law Commission's Special Rapporteur on 'Identification of customary international law'. He is a graduate of the George Washington University Law School (S.J.D.), New York University School of Law (LL.M.), and Tel Aviv University (LL.M. and LL.B.).



Discussant 2: Prof. Ki Beom LEE

Yonsei University

Prof. Ki Beom Lee is teaching public international law as Assistant Professor at Yonsei Law School, Yonsei University. He obtained his LL.B. degree at the College of Law, Yonsei University, his LL.M. degree at The Graduate School, Yonsei University and his Ph.D. degree at the School of Law, The University of Edinburgh. Prof. Lee had taught public international law at Seoul National University, The Catholic University of Korea, Kwangwoon University and Chonbuk National University. His research interests include maritime boundary delimitation, international dispute settlement, territorial issues and international institutional law. The title of his Ph.D. thesis is “The Demise of Equitable Principles and the Rise of Relevant Circumstances in Maritime Boundary Delimitation”. He has written more than 30 articles and papers in the field of public international law, including “The Korea Coast Guard’s Use of Force Against Chinese Fishing Vessels: A Note”, *Ocean Development & International Law*, Vol. 49 (2018), pp. 226-235 and “Should the Invocation of Paragraph 5(a) of Annex I to the CLCS Rules of Procedure Result in an Automatic Deferral of the Consideration of a Submission?”, *Chinese Journal of International Law*, Vol. 13 (2014), pp. 605-619.



Xi. Master of Ceremonies



Prof. Kil Won LEE
Sungkyunkwan University

Kil Won Lee is Associate Professor at Sungkyunkwan University Law School, Seoul, where he teaches the law of international institutions, the law of the sea, international environmental law and international economic law. Prior to his move to Seoul, he was Professor at Chungnam National University Law School, Daejeon, from 2012 to 2021. He served as a Secretary-General of the Korean Branch of the International Law Association from 2015 to 2021. He currently works with the National Marine Biodiversity Institute of Korea on issues associated with marine biodiversity beyond national jurisdiction. He holds a JSD and an LLM from the University of Illinois at Urbana-Champaign (USA) and a MA/LLB from Sungkyunkwan University (Korea).



ICLS

International Conference
on the Law of the Sea



Ministry of
Foreign Affairs



International Tribunal
for the Law of the Sea



The Korean Society of
International Law