

CENTRE FOR INTERNATIONAL LAW

Seminar Series

CIL

13, 17, 18 May 2010

NUS Bukit Timah Campus, Block B, Level 3, Seminar Room 3

SPEAKER



Prof Ted McDorman
Faculty of Law
University of Victoria

Professor McDorman joined the Faculty of Law in 1985 and was promoted to Professor in 2001. His teaching areas include public international law, international trade law, international ocean and environmental law, and private international law (conflicts of law). He taught Canadian constitutional law for many years and has also taught Canadian environmental law and comparative Asian law. He has a cross-appointment with the Department of Geography and is an Associate of the Centre for Asia-Pacific Initiatives. Professor McDorman has been a visiting professor at institutions in Thailand, Sweden, the Netherlands and Canada. He has over 100 publications in the areas of ocean law and policy, international trade law and comparative constitutional law. Since 2000, he has been the editor-in-chief of *Ocean Development and International Law: The Journal of Marine Affairs*. He has undertaken a variety of projects for the Food and Agriculture Organization of the United Nations, including: the drafting of legislation, conducting workshops and report writing on fisheries and fisheries trade. He has also written reports for the governments of Canada, Quebec and British Columbia. From 2002 to 2004, Professor McDorman was Academic-in-Residence with the Bureau of Legal Affairs of the Department of Foreign Affairs and International Trade in Ottawa. In the spring of 2007, he was the Fulbright Visiting Chair in Canada-U.S. Relations at the Woodrow Wilson International Center for Scholars in Washington, D.C.

SEMINAR 1, 13 MAY 2010, THU, 3.30PM

Okinotorishima And The Rock/Island Controversy And Other Maritime Disputes In The East And South China Seas.

See introduction below

SEMINAR 2, 17 MAY 2010, MON, 4.00PM

Recent Developments In Maritime Boundary Delimitation Law.

See introduction below

SEMINAR 3, 18 MAY 2010, TUE, 4.00PM

The New And Continuing Debate About Innocent Passage Rights.

See introduction below

FREE ADMISSION

Please register your interest to attend by calling or emailing Ms Geraldine Ng at (65) 65166842 / cilnwfg@nus.edu.sg

ABOUT THE CENTRE FOR INTERNATIONAL LAW (CIL)

The Centre for International Law (CIL) is based at the Bukit Timah campus of the National University of Singapore. CIL's mission is to enable Singapore and the Asia-Pacific region to play a more significant role in the promotion and development of international law and policy. The Centre's aim is to become the region's intellectual hub and thought leader for research on and teaching of international law and policy. The Director of CIL is Associate Professor Robert C Beckman and the Deputy Director is Dr Navin Raj. For more information, please visit the CIL website at <http://www.cil.nus.edu.sg> or email: cilinfo@nus.edu.sg

SEMINAR 1, 13 MAY 2010, THU, 3.30PM – 5.00PM

Okinotorishima And The Rock/Island Controversy And Other Maritime Disputes In The East And South China Seas

In 2009, the dispute between Japan and China/Korea regarding whether Okinotorishima is a rock or an island came to the attention of the rest of the world. Okinotorishima is indeed an uninhabited flyspeck located to the east of the Ryukyu Islands and the question is whether the insular feature is entitled to a 200-n. mile zone (and adjoining continental shelf beyond 200-n. miles if it exists) or only a 12-n. mile territorial sea. This came to the forefront in 2009 because of Japan's submission of its proposed outer limit of the continental shelf to the Commission on the Limits of the Continental Shelf and the public reaction of China and Korea. The Okinotorishima situation will be the entrée to a broader discussion on the role of the Commission as regards the submissions and information presented to it by the various East and South Asian States in 2009 and the impact of the actions by the regional States as regards the maritime disputes in the East and South China Seas.

SEMINAR 2, 17 MAY 2010, MON, 4.00PM – 5.30PM

Recent Developments In Maritime Boundary Delimitation Law

The international law on maritime boundary delimitation, while having a foundation in multilateral treaties such as the 1982 UN Convention on the Law of the Sea, has been greatly influenced by the decisions of the International Court of Justice (ICJ) and arbitrations panels. There have been a handful of recent cases, most particularly the 2009 ICJ Black Sea Case (Romania v. Ukraine), which have solidified the law in a manner that would not have been predicted from the earlier cases. Maritime boundary delimitation law has revolved principally around the role of equidistance as a method of delimitation. Essentially, what has taken place over 50 years has been a circle with the legal framework set out in the Black Sea Case being much the same as that in the earliest multilateral convention from 1958. The question is whether this is a positive development, a negative development and whether the current legal framework will move yet again.

SEMINAR 3, 18 MAY 2010, TUE, 4.00PM – 5.30PM

The New And Continuing Debate About Innocent Passage Rights

Closely attached to freedom of navigation on the seas, the international legal right of innocent passage has long history. Wording in the relevant international treaties not all that helpfully directs that passage of a foreign vessel in the territorial sea "is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State." Despite the history and unhelpful wording about innocent passage, there is a lack of clarity of what constitutes innocent/non-innocent passage and whether this is a feature of change circumstances. Questions have been raised in recent years as regards vessels carrying spent and/or enriched nuclear materials. The innocent passage topic has arisen for the speaker in terms of a little known Canada – U.S. "dispute" on the Atlantic coast and the potential passage of LNG tankers through Canadian waters. More broadly, what is interesting is the lack of "cases" or even "situations" over the decades where there has been a public dispute between States respecting whether a vessel has or has not engaged in a passage that is innocent/non-innocent. Why is this?

Venue: NUS Bukit Timah Campus, Block B, Level 3, Seminar Room 3