

CENTRE FOR INTERNATIONAL LAW

Seminar

CIL

28 JANUARY 2015, Wednesday, 4.00PM – 5.30PM

Executive Seminar Room, Level 3, Block B, NUS Bukit Timah Campus
469 Bukit Timah Road, Singapore 259756

The Kingdom of Denmark in respect of the Faroe Islands v. The European Union

The Atlanto-Scandian Herring Arbitration: A Narrative

INTRODUCTION

Coastal States have sovereign rights to determine the allowable catches of fisheries resources in areas under their jurisdiction. The management of fish stocks that are discrete and remain located in a single maritime zone may not be susceptible to cause international disputes. The situation is quite different in relation to the management of fish stocks that straddle maritime jurisdictions of two or several coastal States.

In August 2013, the European Union (EU) imposed trade sanctions against the Faroe Islands in a dispute involving the management of the shared fish stock, Atlanto-Scandian herring, which migrates in the maritime zones of several States in the North-East Atlantic. The Faroe Islands countered by filing an arbitration action under Annex VII to the UN Convention on the Law of the Sea (UNCLOS) and instituting proceedings under the WTO Dispute Settlement Mechanism. In a final settlement reached in August 2014, it was agreed that the EU would withdraw its trade sanctions in exchange for the Faroe Islands agreeing to terminate the arbitration proceedings and to cease further actions under the WTO Dispute Settlement Understanding.

The dispute on the management of herring raised several legal issues of interest for any international lawyer. Dr Kunoy acted for the Faroe Islands as Agent and Counsel in the arbitral tribunal proceedings and as Chief Legal Counsel in the WTO proceedings. In this seminar, he will share his perspectives on the manifold challenges that arose during the preparation of these proceedings in which a great range of unchallenged ideas were referred to an arbitral tribunal. Dr Kunoy will also discuss the broader impact of these cases on the management and conservation of shared fish stocks that migrate between maritime zones of two or more coastal States.

ABOUT THE SPEAKER



Dr Bjørn Kunoy, Legal Adviser, Foreign Affairs Department, The Faroe Islands

Bjørn Kunoy has been Legal Adviser in the Foreign Affairs Department of the Faroe Islands since 2007 and achieved a doctorate degree in public law in 2013. Dr Kunoy advises on all public international law questions and is vested with significant experiences in international litigation, multilateral meetings, including treaty-making functions, and has also a lengthy list of publications in public international law, EU law, law of the sea and State-investor arbitration.

Admission is free-of-charge but registration is required. To register, click [HERE](#) or email cil.events@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. For more information, please visit the CIL website at www.cil.nus.edu.sg or email: cil.info@nus.edu.sg.