

# CENTRE FOR INTERNATIONAL LAW

## Seminar

# CIL

**6 May 2015, Wednesday, 2.00PM – 3.30PM**

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

# Marine Protected Areas and the Freedom of the High Seas

## ABOUT THE SPEAKER



**Ms Penelope Nevill**

Barrister  
20 Essex Street

Penelope Nevill is a Barrister at 20 Essex Street Chambers in London and an Affiliated Lecturer at the University of Cambridge. She advises on all aspects of public international law and related areas of public law, commercial law and EU law and is a member of the Attorney-General's specialist panel of counsel in Public International Law. She has appeared before international and national courts and tribunals, including the International Court of Justice, and was counsel for the United Kingdom in *Mauritius v UK*, a PCA arbitration under Annex VII of the Law of the Sea Convention, which concerned, *inter alia*, the creation of a large-scale MPA around the British Indian Ocean Territory.

Before moving to the English Bar in 2010, Penelope was a Fellow and Lecturer at Downing College, University of Cambridge, where she taught international law and EU law, and a Fellow of the Lauterpacht Centre for International Law. She continues to lecture in undergraduate and graduate public international law at the University of Cambridge, King's College London and the University of Auckland. Penelope is also a barrister and solicitor of the High Court of New Zealand, where she practiced in the litigation team at Chapman Tripp (Auckland), in 1997-2001.

## INTRODUCTION

Earlier this year the United Nations General Assembly's Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction recommended to the General Assembly that it develop "an internationally legally binding instrument" under the UN Convention on the Law of the Sea. Negotiations are required to address, in particular, marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas, environmental impact assessments and capacity-building and the transfer of marine technology. One commentator has characterised this as "another push for more regulation", which could have "profound" implications for shipping.

This talk explores the implications of the proposed new treaty for the freedoms of the high seas through the creation of marine protected areas (MPAs). It will cover the history and development of MPAs since the first provision for protected marine areas in the 1946 International Convention on the Regulation of Whaling and the current legal framework relating to MPAs, including protected areas under MARPOL. It asks whether high seas MPAs under a new treaty will add significantly to the restrictions MPAs already pose to shipping and other freedoms of the high seas, and concludes with a brief note on the role of the civil society/private sector in contemporary treaty negotiations.

### FREE ADMISSION

To register, please click [HERE](#) or email  
CIL Events at [cil.events@nus.edu.sg](mailto: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](http://www.cil.nus.edu.sg) or email: [cil.info@nus.edu.sg](mailto:cil.info@nus.edu.sg).