

CENTRE FOR INTERNATIONAL LAW

Seminar

Wednesday, 11 November 2015, 4.00PM – 5.30PM

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

Some Thoughts on Australia and the Law of the Sea

ABOUT THE SPEAKER



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Dr. Sam Bateman retired from the RAN as a Commodore (one-star) and is now a Professorial Research Fellow at the Australian National Centre for Ocean Resources and Security (ANCORS) at the University of Wollongong in Australia, and an Adviser to the Maritime Security Programme at the S. Rajaratnam School of International Studies (RSIS) at Nanyang Technological University in Singapore. His naval service included four ship commands ranging from a patrol boat to guided-missile destroyer. He has written extensively on defence and maritime issues in Australia, the Asia-Pacific and Indian Ocean, and was awarded his PhD from the University of NSW in 2001 for a dissertation on "The Strategic and Political Aspects of the Law of the Sea in East Asian Seas". He has co-authored reports for the Australian Strategic Policy Institute (ASPI), which include *Our Western Front: Australia and the Indian Ocean*, *Staying the Course: Australia and Maritime Security in the South Pacific*, *Making waves: Australian ocean development assistance*, and *Terms of Engagement – Australia's regional defence diplomacy*. He has also co-authored policy papers for RSIS, including *ASEAN and the Indian Ocean* and *Good Order at Sea in Southeast Asia – Policy Recommendations*. His current research interests include regional maritime security, piracy and maritime terrorism, oceans policy, the strategic and political implications of the Law of the Sea, and maritime cooperation and confidence-building.

INTRODUCTION

As a maritime State with one of the largest exclusive economic zones (EEZs) in the world, an extensive outer continental shelf, and a heavy dependence on seaborne trade, Australia has a vital interest in the law of the sea. As a consequence, Australia has played a leading role over the years in international efforts to develop maritime regimes, including new conventions to protect the marine environment at the International Maritime Organisation (IMO), developing the Agreement relating to the Implementation of Part XI of UNCLOS, and in negotiating Indonesia's system of archipelagic sea lanes.

However, Australia's interests in the law of the sea are not always smooth sailing. This seminar will discuss how a policy dilemma can sometimes arise between Australia's position as a coastal State with a keen national interest in protecting the marine environment, and its interests in the freedoms of navigation and overflight (FON). The latter freedoms are extremely important to Australia both economically and strategically due to its dependence on seaborne trade most of which passes through the archipelagos to its north and north-east. However, despite this concern for FON, Australia has introduced measures that other countries view as restrictions on their FON, including compulsory pilotage in the Torres Strait and the introduction of mandatory ship reporting in parts of the EEZ adjacent to the Great Barrier Reef.

This policy dilemma has been apparent most recently in determining the response to calls for Australia to support the United States in conducting FON operations in the South China Sea to challenge China's claims in the area. The seminar will conclude by weighing the costs and benefits of such action, including the need to preserve Australia's interests in the law of the sea and to maintain a stable neighbourhood.

FREE ADMISSION

Please register [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.