

LAW OF THE SEA

Prospects for Regional Cooperation

on Fisheries by Judge Kriangsak KITTICHAISAREE

6 August 2018, Monday / 4.00pm—5.30pm
NUS Bukit Timah Campus, 469 Bukit Timah Road
Block B, Level 4, Seminar Room 4-1, Singapore 259756

Admission is free. To register, please click [here](#) or go to <https://goo.gl/YteVdF>.

INTRODUCTION

The seminar will discuss the international law of the sea applicable to the envisaged ASEAN Common Fisheries Policy (ACFP), which is pursuant to the decision of the 38th Meeting of the ASEAN Ministers on Agriculture and Forestry in Singapore in October 2016. The ACFP roadmap is being developed by ASEAN and is expected to be ready by the end of 2019. Possible elements for the ACFP include sustainable marine fisheries resources management and combating illegal, unreported and unregulated (IUU) fishing.

This seminar will, among other things, analyse the Advisory Opinion of the International Tribunal for the Law of the Sea in Case No. 21 on how a regional fisheries management organisation or arrangement (RFMO/A) can enforce the obligations of the flag state where IUU fishing activities are conducted within the exclusive economic zones of the RFMO's members, and the rights and obligations of the coastal member state of the RFMO/A in ensuring the sustainable management of shared stocks and stocks of common interest. This seminar will also discuss trade sanction against IUU fishing, such as the one adopted by the EU against certain ASEAN member states; the *modus vivendi* in fisheries regulation in overlapping claims to maritime areas within the jurisdiction of the ACFP; the implications of a future international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ); and options for dispute settlement for the ACFP.

SPEAKER



Kriangsak KITTICHAISAREE, PhD (Cantab), is a Judge of the International Tribunal for the Law of the Sea (ITLOS) since October 2017 and a member of its Chamber for Fisheries Disputes and Chamber for Maritime Delimitation Disputes. He has served as a member of the UN International Law Commission (2012–16), President of the 25th Meeting of States Parties to the 1982 UN Convention on the Law of the Sea (June 2015–June 2016), and a Conciliator under Annex V as well as an Arbitrator under Annex VII to the 1982 Convention. Dr Kittichaisaree has taught courses on International Criminal Law at the University of New South Wales and the National University of Singapore, and the Law of the Sea at Duke University's Asia-America Institute in Transnational Law. He has held visiting academic appointments at the University of Oxford and the University of Hamburg.

His publications include *The Law of the Sea and Maritime Boundary Delimitation in South-East Asia* (Oxford University Press 1987); *Regional Co-operation on the Law of the Sea: ASEAN and the EC Perspectives* (ed) (International Studies Centre, Institute of Foreign Affairs, Bangkok, 1988); 'Marine Resources Management' (1993) 8 *Foreign Relations Journal* 83, Philippine Council for Foreign Relations; and 'A Code of Conduct for Human and Regional Security around the South China Sea' (2001) 32 *Ocean Development & International Law* 131.

Prior to his election to ITLOS, he was a lawyer diplomat at the Ministry of Foreign Affairs of Thailand and served in various positions including as Director of the Division of Legal Affairs, Director-General of the Department of International Organizations, and Ambassador to Iran, Australia, and the Russian Federation. Dr Kittichaisaree argued for Thailand in ITLOS's landmark Case No. 21 *Request for an Advisory Opinion Submitted by the Sub-Regional Fisheries Commission (SRFC)*.

**Judge Kriangsak
KITTICHAISAREE**

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