

CIL-ANCORS

Workshop on Maritime Boundaries Delimitation

27 – 29 February 2024, Singapore



Programme

Day 1: 27 February 2024, Tuesday

08.30–09.00	Registration and Distribution of Materials	
09.00–09.15	Welcome Introduction of Faculty and Tutors	
09.15–10.00	Introduction of Participants (ice-breaking session)	Leonardo Bernard
10.00–10.30	Group Photo and Coffee Break	
10.30–12.00	Session 1: Overview of Law of the Sea <ul style="list-style-type: none"> • Development of the law of the sea • Negotiated compromises during UNCLOS III • Overview of maritime zones • Articles 15, 74 and 83 of the LOS Convention 	Robert Harris
12.00–13.00	Lunch	
13.00–14.30	Session 2: Baselines and Geographical Complexities <ul style="list-style-type: none"> • Types of Baselines under LOSC • Reefs and Low Tide Elevations • Regime of Islands • Sea level rise considerations • The importance of coastal geography • Equidistance line and its alternatives • Technical issues 	Clive Schofield I Made Andi Arsana

14.30–15.00	Coffee Break	
15.00–15.30	Briefing on Practical Exercises <ul style="list-style-type: none"> • Introduction to the problem • Announcement of teams • Distribution of charts 	Leonardo Bernard
15.30–17.00	Practical Exercise 1 – Preparing an Initial Position <ul style="list-style-type: none"> • Participants are divided into groups. • Each group will represent a fictional state that has an unresolved boundary with its neighbouring state. • Each group is tasked with discussing and drafting an opening position, preparing concessions that can be offered as required, and proposing a delimitation line to the other team. 	Leonardo Bernard Clive Schofield
17.00–17.30	Review of Practical Exercise 1 and Closing of Day 1	
18.30	Workshop Reception Dinner	

Day 2: 28 February 2024, Wednesday		
09.00–10.30	<p>Session 3: Legal Evolution of Boundary Delimitation post-LOSC</p> <ul style="list-style-type: none"> • State practice on maritime delimitation • Development of 3 step methodology • Key cases and lessons learned 	Lawrence Martin
10.30–11.00	Coffee Break	
11.00–12.30	<p>Session 4: Factors That Can Affect Boundary Negotiation</p> <ul style="list-style-type: none"> • Disputed features, status and entitlement • Historic treaties, prior negotiations/conduct and positions • Excessive baselines • Living and non-living resources • Traditional practice 	Stuart Kaye
12.30–13.30	Lunch	
13.30–15.00	<p>Session 5: Delimitation between EEZ and Continental Shelf</p> <ul style="list-style-type: none"> • Relationship between the EEZ and the Continental Shelf • CLCS and disputes involving continental shelf beyond 200 M • Multiple Boundaries in Practice • Practical management issues 	<p>Panel Discussion:</p> <p>Robert Beckman</p> <p>Lawrence Martin</p> <p>Stuart Kaye</p> <p>Leonardo Bernard (moderator)</p>
15.00–15.30	Coffee Break	
15.30–17.30	<p>Practical Exercise 2</p> <p>Each group will continue the negotiation, taking additional information into account in seeking to reach an agreement that will protect their national interests.</p>	Leonardo Bernard Clive Schofield

Day 3: 29 February 2024, Thursday		
09.00–10.30	<p>Session 6: Sea Level Rise, Baselines, Limits and Boundaries</p> <ul style="list-style-type: none"> • Ambulatory or fixed baselines and limits • Sea level rise and maritime boundaries • Experience of Pacific Islands States in preserving their maritime entitlements and delimitation of boundaries 	<p>Panel Discussion:</p> <p>Janice Mose Malakai Vakautawale Robyn Frost Lauren Burke Clive Schofield (moderator)</p>
10.30–11.00	Coffee Break	
11.00–12.30	<p>Session 7: Referral of Boundary Dispute to a Third Party</p> <ul style="list-style-type: none"> • Compulsory referral to court or tribunal under LOSC • Declarations under Article 298(1)(a)(i) excluding sea boundary disputes • Pros and cons of delimitation by courts and tribunals • Voluntary or compulsory conciliation under LOSC • Provisional arrangements and joint development 	<p>Panel Discussion:</p> <p>Robert Beckman Lawrence Martin Tara Davenport Stuart Kaye Robert Harris (Moderator)</p>
12.30–13.30	Lunch	
13.30–15.00	<p>Practical Exercise 3</p> <p>Each group will continue the negotiation, taking additional information into account in seeking to reach an agreement that will protect their national interests.</p>	<p>Leonardo Bernard Clive Schofield</p>
15.00–15.30	Coffee Break	
15.30–16.30	Practical Exercise 3 (Continued)	<p>Leonardo Bernard Clive Schofield</p>
16.30–17.00	Presentation by negotiating teams	<p>Leonardo Bernard</p>

17.00–17.30	Closing: Lessons Learned	
17.30–18.00	Presentation of Certificates	

Faculty and Tutors

1. I Made Andi **ARSANA**, Universitas Gadjah Mada, Indonesia
2. Robert **BECKMAN**, Centre for International Law, NUS
3. Leonardo **BERNARD**, ANCORS, University of Wollongong
4. Lauren **BURKE**, Australian Attorney-General's Department
5. Tara **DAVENPORT**, Centre for International Law, NUS
6. Robyn **FROST**, Department of Foreign Affairs and Trade, Australia
7. Robert **HARRIS**, United States Department of State
8. Stuart **KAYE**, ANCORS, University of Wollongong
9. Lawrence **MARTIN**, Foley Hoag LLP, United States
10. Janice **MOSE**, The Pacific Community
11. Clive **SCHOFIELD**, ANCORS, University of Wollongong
12. Malakai **VAKAUTAWALE**, The Pacific Community