

# CIL

CENTRE FOR INTERNATIONAL LAW  
National University of Singapore

— NCLOS —  
NORWEGIAN CENTRE  
FOR THE LAW OF THE SEA

## CIL – NCLOS Workshop Protection of the Marine Environment and Shipping: Contemporary Challenges and New Approaches 9:00 am - 6:00 pm, 21 November 2024



*Photo Credit: Patrick Kelley, U.S. Coast Guard*

The protection and preservation of the marine environment from vessel-source pollution was the main impetus for the early international conventions on the regulation of shipping as well as one of the major objective of the 1982 UN Convention on the Law of the Sea (UNCLOS). The legal regime for the protection and preservation of the marine environment from shipping activities has developed incrementally through the “competent international organization,” the International Maritime Organization (IMO), with UNCLOS providing the overarching legal framework.

The last forty years since UNCLOS was adopted has been characterized by an exponential increase in knowledge and understanding of the marine environment coupled with an intensification of maritime trade and shipping activities, which risk exacerbating existing threats to the marine environment and creating new risks, including increased greenhouse gas emissions from shipping activities. At the same time, there have also been developments in the UNCLOS-regime complex, including significant contributions by UNCLOS courts and tribunals on the UNCLOS obligation to protect the marine environment and to prevent, reduce and control pollution of the marine environment from all sources, and the adoption of new instruments such as the 2023 Agreement under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ Agreement). These developments have underscored the importance of ecosystem-based management approaches, area-based management tools (ABMTs) and environmental impact assessments (EIAs) as vital practices that facilitate the implementation of the UNCLOS obligation to protect and preserve the marine environment. These developments have had and will have implications for the regulation of shipping as the IMO and relevant regional bodies integrate these legal developments and practices in their governance frameworks while balancing the importance of harmonization and uniformity in shipping regulations, the different capabilities of states as well as the interests of the shipping industry in ensuring the cost-effective and efficient transportation of goods.

Against this background, the Centre for International Law (CIL) at the National University of Singapore (NUS) (<https://cil.nus.edu.sg/>) and the Norwegian Centre for Law of the Sea (NCLOS) at the University of Tromsø – The Arctic University of Norway (<https://uit.no/research/nclos>) are co-organizing a one-day, invite-only workshop on 21 November 2024 on “**The Protection of the Marine Environment and Shipping: Contemporary Challenges and New Approaches**” from 9 am – 6 pm. The workshop will bring together experts on law of the sea, the international regulation of shipping and environmental protection to discuss the implications of legal and practical developments in the protection of the marine environment for the regulation of shipping from both a global and regional perspective.

The workshop will explore a wide range of issues including developments in the UNCLOS-regime complex on the protection of the marine environment that have implications for the regulation of shipping; the IMO’s environmental protection mandate and its implementation of UNCLOS; existing and new approaches to the protection of the marine environment such as ecosystem based management, ABMTs and EIAs; new challenges such as the regulation of shipping to minimize greenhouse gas emissions through the use of alternative fuels and the threat posed by dark ships to the marine environment. The final session will focus on regional perspectives on the regulation of shipping, with a specific focus on the Arctic and Southeast Asia.

*\*This workshop is organized by CIL and NCLOS with support from the Singapore Maritime Institute and the Royal Norwegian Embassy in Singapore.*

| TUESDAY, 21 November 2024 |  |
|---------------------------|--|
| 8.45 - 9.00               | <b>Registration</b>  |
| 9.00 - 9.30               | <p><b>Welcome Addresses</b></p> <ul style="list-style-type: none"> <li>• <b>H.E. Leif Trana</b>, Norwegian Ambassador to Singapore</li> <li>• <b>Dr. Nilüfer Oral</b>, Director, Centre for International Law (CIL)</li> <li>• <b>Professor Vito De Lucia</b>, Director, Norwegian Centre for Law of the Sea (NCLOS)</li> </ul>  |
| 9.30-10.30                | <p><b>SESSION 1 – Setting the Stage</b><br/><b>Moderator: Dr. Nilüfer Oral (CIL)</b></p> <p><b>Presentations:</b></p> <ul style="list-style-type: none"> <li>• Environmental Principles and UNCLOS: Implications for the Regulation of Shipping by <b>Dr Tara Davenport (CIL)</b></li> <li>• IMO’s Environmental Protection Mandate by <b>Emeritus Professor Robert Beckman (CIL)</b></li> </ul>                               |
| 10.30-10.45               | <b>Break</b>   |
| 10.45-11.45               | <p><b>SESSION 2 – Ecosystem-Based Management Approaches</b><br/><b>Moderator: Dr. Youna Lyons (CIL/ACOPS)</b></p> <p><b>Presentations:</b></p> <ul style="list-style-type: none"> <li>• Ecosystem Approaches: Concepts, Tools, Mechanisms and Trends by <b>Professor Vito De Lucia (NCLOS)</b></li> <li>• The Implementation of an Ecosystem Approach to Shipping by <b>Konstantinos Deligiannis-Virvos (NCLOS)</b></li> </ul> |
| 11.45-12.00               | <b>Break</b>   |
| 12.00-1.00                | <p><b>SESSION 3 – Area-based Management Tools (ABMTs)</b><br/><b>Moderator: Dr. Jan Jakub Solski (NCLOS)</b></p> <p><b>Presentations:</b></p> <ul style="list-style-type: none"> <li>• ABMTs: Concepts, Tools, Mechanisms and Trends by <b>Associate Professor Nengye Liu (SMU)</b></li> <li>• Th Use of ABMTs in the Regulation of Shipping by <b>Dr. Youna Lyons (CIL/ACOPS)</b></li> </ul>                                  |
| 1.00-2.00                 | <b>Lunch</b>   |

| <b>TIME TUESDAY, 21 November 2024</b> |  |
|---------------------------------------|--|
| 2.00-3.00                             | <p><b>SESSION 4 – Environmental Impact Assessments (EIAs)</b><br/> <b>Moderator: Professor Vito De Lucia (NCLOS)</b><br/> <b>Presentations:</b></p> <ul style="list-style-type: none"> <li>• The Use of EIAs in the Regulation of Shipping by <b>Konstantinos Deligiannis-Virvos (NCLOS)</b></li> <li>• EIAs under the new BBNJ Agreement: implications for Shipping by <b>Dr. Youna Lyons (CIL/ACOPS)</b></li> </ul>  |
| 3.00-3.15                             | <b>Break</b>   |
| 3.15-4.15                             | <p><b>SESSION 5 – Emerging Challenges to the Marine Environment: Case Studies</b><br/> <b>Moderator: Dr. Maria Madalena das Neves (NCLOS)</b><br/> <b>Presentations:</b></p> <ul style="list-style-type: none"> <li>• The IMO’s GHG Strategy: Alternative Fuels and the Impact on the Marine Environment by <b>Joel Ong (CIL)</b></li> <li>• The Challenge of Dark Ships to the Protection of the Marine Environment by <b>Emeritus Professor Robert Beckman (CIL)</b></li> </ul>  |
| 4.15-4.30                             | <b>Break</b>   |
| 4.30-5.45                             | <p><b>SESSION 6 – Regional Perspectives</b><br/> <b>Moderator: Emeritus Professor Robert Beckman (CIL)</b><br/> <b>Presentations:</b></p> <ul style="list-style-type: none"> <li>• Institutional Interactions on the Regulation of Shipping in the Arctic: OSPAR, IMO and The Arctic Council by <b>Dr. Maria Madalena das Neves (NCLOS)</b></li> <li>• Institutional Interactions on the Regulation of Shipping in the Arctic: The Polar Code: views from Canada and Russia by <b>Dr. Jan Jakub Solski (NCLOS)</b></li> <li>• Institutional Interactions on the Regulation of Shipping in Southeast Asia by <b>Dr. Liu Yulu (CIL)</b></li> </ul> |
| 5.45-6.00                             | <b>Wrap-up</b>   |

# SPEAKERS

## FROM ROYAL NORWEGIAN EMBASSY IN SINGAPORE

His Excellency Leif TRANA, Norwegian Ambassador to Singapore

## FROM THE CENTRE FOR INTERNATIONAL LAW, NATIONAL UNIVERSITY OF SINGAPORE

Dr. Nilüfer ORAL, Director

Emeritus Professor Robert BECKMAN, Co-Head, Ocean Law and Policy Programme

Dr. Tara Maria DAVENPORT, Co-Head, Ocean Law and Policy Programme

Mr. Joel ONG, Research Assistant, Ocean Law and Policy Programme

Dr. Youna LYONS, Global Senior Fellow, Ocean Law and Policy Programme; Chair of the Board and Trustee, Advisory Committee on Protection of the Sea (ACOPS)

Dr. LIU Yulu, Research Fellow, Ocean Law and Policy Programme

## FROM THE NORWEGIAN CENTRE FOR THE LAW OF THE SEA, THE UNIVERSITY OF TROMSØ – THE ARCTIC UNIVERSITY OF NORWAY

Dr. Vito De LUCIA, Director

Dr. Maria Madalena das NEVES, Associate Professor

Dr. Jan Jakub SOLSKI, Associate Professor

Mr. Konstantinos VIRVOS, PhD candidate

## FROM YONG PUNG HOW SCHOOL OF LAW, SINGAPORE MANAGEMENT UNIVERSITY (SMU)

Dr. Nengye LIU, Associate Professor

*All information is accurate as of 4 November 2024*