

CIL-ANCORS MARITIME BOUNDARIES WORKSHOP

Monday - Wednesday, 24-26 February, 2025
National University of Singapore

CIL

CENTRE FOR INTERNATIONAL LAW
National University of Singapore

PROGRAMME

DAY 1

MONDAY, 24 FEBRUARY 2025

08.30-09.00	Registration / Distribution of Materials	
09.00-09.15	Welcome Workshop Aims and Content Introduction of Faculty and Tutors	Robert Harris, Stuart Kaye & Robert Beckman
09.15-10.00	Introduction of Participants (ice-breaking session)	Leonardo Bernard
10.00 – 10.30	Group Photo & Coffee Break	
10.30 – 12.00	Session 1: Maritime Zones and Rules of Delimitation <ul style="list-style-type: none"> • Overview of UNCLOS • Maritime zones and the significance of maritime boundaries • Articles 15, 74 & 83 of UNCLOS 	Robert Harris
12.00 – 13.00	Lunch	

<p>13.00 – 14.30</p>	<p>Session 2: Role of Baselines in Maritime Delimitation</p> <ul style="list-style-type: none"> • The role of baselines in the delineation of maritime limits and maritime delimitation • Review of types of baselines • Straight and archipelagic baselines in delimitation • Equidistance line and its alternatives • Use of modern technology in developing a baselines model 	<p>Clive Schofield I Made Andi Arsana</p>
<p>14.30 – 15.30</p>	<p>Session 3: Island, rock, and LTEs in Delimitation (Panel Discussion)</p> <ul style="list-style-type: none"> • Island vs Rock • How ICJ has treated offshore features in delimitation cases • Decision in SCS Case on status and entitlement of features • How LTEs are treated in maritime delimitation 	<p>Moderator: Tara Davenport Panel: Clive Schofield Stuart Kaye Robert Beckman</p>
<p>15.30 – 16.00</p>	<p>Coffee Break</p>	
<p>16.00 – 16.15</p>	<p>Briefing on Practical Exercises</p> <ul style="list-style-type: none"> • Introduction to Problem • Announcement of teams 	<p>Clive Schofield and Leonardo Bernard</p>
<p>16.15 – 17.15</p>	<p>Practical Exercise 1 – Preparing an Initial Position</p> <p>Participants are divided into groups. Each group represents a fictional State with an unresolved boundary with its neighbouring State. Each group is tasked with constructing an opening position, preparing concessions that can be offered as required, and proposing a line to the other team.</p>	<p>All, led by Clive Schofield and Leonardo Bernard</p>
<p>17.15 – 17.30</p>	<p>Review of Practical Exercise 1</p>	<p>Clive Schofield and Leonardo Bernard</p>

17.30	End of Day 1	
DAY 2 TUESDAY, 25 FEBRUARY 2025		
09.00 – 10.30	Session 4: Review of Boundary Delimitation Jurisprudence <ul style="list-style-type: none"> Articles 74 & 83 of UNCLOS Evolution in the approach of courts and tribunals How courts and tribunals considered factors that can affect boundary delimitation 	Lawrence Martin
10.30 – 11.00	Coffee Break	
11.00 – 12.30	Session 5: Delimitation of Continental Shelf Beyond 200 M <ul style="list-style-type: none"> Article 76 of UNCLOS Role of the CLCS Impact of <i>Nicaragua v Colombia</i> (2023) Grey areas 	Leonardo Bernard
12.30 – 13.30	Lunch	
13.30 – 14.30	Session 6: Sea Level Rise, Baselines, Limits and Boundaries (Panel Discussion) <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 	Moderator: Robert Beckman Panel: Nilüfer Oral (TBC) Clive Schofield Robert Harris
14.30 – 15.30	Practical Exercise 2 Each group will continue the negotiation taking additional information into account in seeking to reach an agreement that will better protect their national interests.	All, led by Clive Schofield and Leonardo Bernard
15.30 – 16.00	Coffee Break	

16.00 – 17.00	Practical Exercise 2 (Continued)	All, led by Clive Schofield and Leonardo Bernard
18.00 – 21.00	Sightseeing and event dinner (TBC)	
DAY 3 WEDNESDAY, 26 FEBRUARY 2025		
09.00 – 10.30	Session 7: Referral of Boundary Dispute to Third Party <ul style="list-style-type: none"> • Voluntary or compulsory conciliation under UNCLOS • Agreement to refer disputes to court or tribunal • Compulsory referral to court or tribunal under UNCLOS (Annex VII arbitral tribunal as default) • Declarations under Article 298 	Robert Beckman
10.30 – 11.00	Coffee Break	
11.00 – 12.30	Session 8: Options for dealing with boundary disputes <ul style="list-style-type: none"> • Provisional arrangements for joint development of resources • Bilateral arrangements to address particular problems such as unregulated activities, illegal fishing, maritime crimes, environmental pollution, and ship-to-ship transfer • Separate boundaries between the continental shelf and the water column • Agree to let the boundary remain unresolved 	Stuart Kaye
12.30 – 13.30	Lunch	

13.30 – 14.30	<p>Session 9: Building A National Team for Negotiation (Panel Discussion)</p> <ul style="list-style-type: none"> • The importance of ‘whole of Government approach’, with <i>all</i> relevant agencies • The importance of having a clear direction and mandate from government on the critical issues • Negotiating techniques and the importance of fully understanding your national interests and your position on each issue, as well as understanding the position of the other side • Considerations on developments in case law and implications for national positions • The pros and cons of deferring negotiations on boundary and negotiating ‘provisional arrangements of a practical nature’ • How to use national and foreign experts on legal and technical issues (including use of new technologies and charts) 	<p>Moderator: Robert Beckman</p> <p>Panel:</p> <p>Daphne Hong Arif Havas Oegroseno Nguyen Quy Binh</p>
14.30 – 15.30	<p>Practical Exercise 3</p> <p>Each group will continue the negotiation, taking additional information into account to reach an agreement that will protect their national interests.</p>	<p>All, led by Clive Schofield and Leonardo Bernard</p>
15.30 – 16.00	<p>Coffee Break</p>	
16.00 – 17.00	<p>Practical Exercise 3 (Continued)</p>	<p>All, led by Clive Schofield and Leonardo Bernard</p>
17.00 – 17.30	<p>Exercise wash-up and General Discussion</p> <p>Presentation by negotiating teams</p>	<p>Leonardo Bernard and Clive Schofield</p>
17.30 – 18.00	<p>Closing</p>	<p>Robert Beckman, Stuart Kaye and Robert Harris</p>

FACULTY & PANEL MEMBERS (as of 20 December 2024, in alphabetical order)

1. **I Made Andi ARSANA**, Universitas Gadjah Mada, Yogyakarta, Indonesia
2. **Robert BECKMAN**, Centre for International Law, National University of Singapore
3. **Leonardo BERNARD**, Australian National Centre for Ocean Resources and Security, University of Wollongong
4. **Tara DAVENPORT**, Centre for International Law, National University of Singapore
5. **Robert HARRIS**, United States Department of State
6. **Daphne HONG**, Attorney-General's Chambers, Singapore
7. **Stuart KAYE**, Australian National Centre for Ocean Resources and Security, University of Wollongong
8. **Lawrence MARTIN**, Foley Hoag LLP, United States
9. **NGUYEN Quy Binh**, Hanoi University, Vietnam
10. **Arif Havas OEGROSENO**, Ministry of Foreign Affairs, Indonesia
11. **Nilüfer ORAL**, Centre for International Law, National University of Singapore
12. **Clive SCHOFIELD**, Australian National Centre for Ocean Resources and Security, University of Wollongong