



ONLINE SYMPOSIUM

Does the Exception Swallow the Rule?: The Compulsory Settlement of EEZ Fisheries Disputes under Part XV of UNCLOS

26th of August 2021

10:00-12:00 AM CEST (UTC +2)

6:00-8:00 PM AEST (UTC +10)

Registration: <https://uni-goettingen.zoom.us/join/join/AucumopjgvEtHad2wpfisDzLxm-8s2Jr4O>

Description:

This symposium will explore the legal framework for the compulsory settlement of disputes concerning fisheries in the Exclusive Economic Zone (EEZ) under Part XV of the United Nations Convention on the Law of the Sea (UNCLOS). As a general rule, all disputes concerning the interpretation or application of UNCLOS, including fisheries disputes, are subject to compulsory settlement before UNCLOS tribunals such as the International Tribunal for the Law of the Sea (ITLOS) or arbitral tribunals under Annex VII of UNCLOS. However, Article 297(3)(a) UNCLOS automatically excludes compulsory jurisdiction over many categories of EEZ fisheries disputes. This symposium will address open questions concerning the scope of this limitation (for example, in respect of disputes concerning shared fish stocks), the extent to which excluded disputes can be submitted to compulsory conciliation, and the special situation of EEZ fisheries law enforcement disputes that can only be optionally excluded under Article 298(1)(b) UNCLOS and for some of which there is a special prompt release procedure (Article 292 UNCLOS).

Program

Moderator: Dr. Eva Romée van der Marel (Faculty of Law, University of Oxford)



10:00-10:15 CEST

Dr. Natalie Klein (Professor, UNSW Sydney, Faculty of Law and Justice)

1. Introduction: “The Many Facets of EEZ Fisheries Disputes and their Resolution under UNCLOS”



10:15-10:30 CEST

Dr. Bjørn Kunoy (Professor of International Law, University of the Faroe Islands)

2. “Jurisdictional Limits to EEZ Fisheries Disputes”



10:30-10:45 CEST

Dr. Valentin Schatz (Research Associate, Institute for the Law of the Sea and Maritime Law, Faculty of Law, University of Hamburg)

3. “The Mandate of Compulsory Conciliation Commissions in EEZ Fisheries Disputes: Designed for Failure?”



10:45-11:00 CEST

Dr. Camille Goodman
(Senior Lecturer, Australian National Centre for Ocean Resources & Security (ANCORS), University of Wollongong)

4. “Judicial Settlement of EEZ Fisheries Law Enforcement Disputes: Options, Obligations and Opportunities”