

**DRAFT**  
**Concept Paper**  
**2<sup>nd</sup> ARF Seminar on UNCLOS**  
**To be held 2013 – 2014**

This paper outlines a proposal by Australia and the Philippines for the 2<sup>nd</sup> ARF Seminar on the UN Convention on the Law of the Sea (UNCLOS). The 1<sup>st</sup> ARF seminar on UNCLOS was held on 8 – 9 March 2011, in Manila.

The 2<sup>nd</sup> ARF seminar aims to continue building ARF Members' understanding of key provisions of UNCLOS and its ongoing benefits for regional maritime security. ARF participants will have the opportunity to study with and learn from expert speakers, and exchange views on how UNCLOS can help promote regional maritime security efforts.

The general objective of the 2<sup>nd</sup> ARF seminar will be consistent with the ARF Hanoi Plan of Action, which states that "the ARF should serve as a regional forum for maritime security issues that promotes and enhances maritime domain awareness, and develop concrete and effective regional responses to maritime security challenges". The 2<sup>nd</sup> ARF seminar will also contribute to the efforts and measures of the ARF Work Plan on Maritime Security.

**Seminar Format**

The seminar will be divided into five main sessions, where expert speakers and participants will focus on the following issues:

**1. UNCLOS - basic concepts**

- . Maritime zones
  - Rights and responsibilities in the exclusive economic zone
  - Rights and responsibilities on the high seas
- . Maritime boundary delimitation
- . UNCLOS Institutions: the Commission on the Limits of the Continental Shelf

**2. UNCLOS - Implementation and Practice**

- . Freedom of navigation
- . Naval perspectives
- . Recent ICJ jurisprudence: Nicaragua v Colombia

**3. Cooperation under UNCLOS**

- . Overview of key provisions (Part IX, Part XII and Part XIII)
- . Practical example 1: Marine Scientific Research
- . Practical example 2: Joint Development of Resources
- . Practical example 3: Cooperation of States Bordering Enclosed or Semi-Enclosed Seas
- . Practical example 4: Protection and Preservation of the Marine Environment (Marine Pollution)

- Practical example 5: Regional Fisheries Management Organisations (RFMOs)
  - Practical example 6: Piracy
- 4. Dispute settlement**
- Overview of Part XV
  - Case-study: International Tribunal for the Law of the Sea (Bangladesh v Myanmar)
  - Case study: ITLOS Cases on Provisional Measures and Prompt Release of Vessels and Crews
- 5. Current issues for UNCLOS**
- Biodiversity Beyond National Jurisdiction (BBNJ)

Speakers in these subjects will (a) cite and explain the relevant provisions of the Convention, (b) identify possible opportunities and challenges, (c) discuss examples of initiatives in these areas. Delegations may be identified as key discussants in each area.

#### Participation

All ARF members will be invited to nominate participants to attend the seminar. Participants from ARF member countries could include officials and specialists from agencies that deal with international maritime issues, including, but not limited to, foreign affairs, trade, resources, environment, fisheries and defence.

Representatives of international organisations, universities and think-tanks may be invited to give presentations to the seminar.

#### Outcome

The outcome and recommendations of the seminar will be reported to the 2014 ARF ministerial meeting.

#### Administrative arrangements

The seminar will be two days in duration and held sometime in the second half of 2013 or the first quarter of 2014. The meeting will be held in English.

The Philippines will host the meeting and the Philippines and Australia will co-chair the meeting. International travel, accommodations and other related costs necessary for participation will be borne by the participants.

Please direct comments or questions on this proposal to:

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