International Workshop

Organized by:
The Sorbonne Research Institute for International and European Law
- IREDIES -

PACIFIC AND MILITARY USES OF THE EXCLUSIVE ECONOMIC ZONE:
EXPLOREING COASTAL AND NON-COASTAL STATES’ OBLIGATION TO HAVE “DUE REGARD” TO RIGHTS AND DUTIES OF OTHER STATES IN THE UN CONVENTION ON THE LAW OF THE SEA

Monday, 29th January 2018, 9h00-17h45, Salle 1
Paris 1 University - 12, place du Panthéon - 75005 Paris

Compulsory registration before Wednesday 24th January 2018
9h00 - 9h30

WELCOMING
Welcoming remarks, Georges HADDAD, President of the University Paris 1
Preliminary remarks, Yann KERBRAT, Professor, Paris 1 University

MORNING SESSION CHAIRMED BY:
Evelyne LAGRANGE, Professor, Paris 1 University

9h30 - 11h

PANEL 1 – “DUE REGARD” OBLIGATIONS IN THE UNCLOS PROVISIONS RELATING TO THE EEZ: HISTORICAL AND CONTEMPORARY PERSPECTIVES

Genesis of the “due regard” obligations in UNCLOS
Shotaro HAMAMOTO, Professor, Kyoto University

Legal nature and content of “due regard” obligations in recent international case law
Mathias FORTEAU, Professor, Paris Nanterre University

Discussant:
Rolf Einar FIFE, Ambassador of Norway in France, former Dir. of Legal Affairs of the Norwegian Ministry for Foreign Affairs

11h-11h15: Coffee break

11h15-12h45

PANEL 2 – “DUE REGARD” OBLIGATIONS AND PACIFIC/ECONOMIC USES OF THE EEZ

“Due regard” obligations and fisheries in the EEZ
Tullio SCOVAZZI, Professor, Milano-Biococca University

“Due regard” obligations and the exercise of other freedoms in the EEZ
Yurika ISHII, Assistant Professor, National Defense Academy of Japan

Discussant:
Frederik NAERT, Legal Advisor EU Council Legal Service, Senior Researcher KU Leuven

12h45-14h: Lunch for registered participants
14h-15h30

PANEL 3 – “DUE REGARD” OBLIGATIONS AND THE LIMITATIONS OF MILITARY USES OF THE EEZ BY NON-COASTAL STATES

The rights of the coastal State as a limitation to third States’ military activities in the EEZ
Ioannis PREZAS, Assistant Professor, Paris 1 University

The respect of other State’s rights as a limitation to the military uses of the EEZ by third States
Geneviève BURDEAU, Emeritus Professor, Paris 1 University

Discussant:
Pierre BOUSSAROQUE, Deputy Director of Legal Affairs, French Ministry for Foreign Affairs

15h30-15h45: Coffee break

15h45-17h15

PANEL 4 – THE LIMITATIONS OF MILITARY USES OF THE EEZ BY NON-COASTAL STATES: OTHER THAN “DUE REGARD” OBLIGATIONS IN THE UNCLOS

The limitations of the use of the EEZ by third States resulting from the law on the use of force and CBRN weapons
Charlotte BEAUCILLON, Assistant Professor, Paris 1 University

The limits of military activities by third States in the EEZ resulting from environmental law
Pascale RICARD, Ph.D., Paris 1 University

Discussant:
Benjamin HAUTECOUVERTURE, Senior Research Fellow, Foundation for Strategic Research

17h30-17h45

CONCLUSIONS
Jean-Marc SOREL, Professor, Paris 1 University

18h-19h30: Cocktail for registered participants
“Due regard” obligations have been formalized especially in articles 56(2) and 58(3) of the 1982 UN Convention on the Law of the Sea (UNCLOS), both relating to the exclusive economic zone. They have long remained dormant, but were recently reactivated by international practice in the 2016 South China Sea case (Philippines v. China). The Workshop aims at clarifying these “due regard” obligations, their nature and the conditions of their application, as well as the consequences of their violation. First, it will focus on their execution in relation to the exercise of UNCLOS rights (fishing, navigation, laying of submarine cables and pipelines, scientific research). Second, the emphasis will be put on military activities of non-coastal States, such as the launch of ballistic missiles or the test of nuclear materials, into or nearby the exclusive economic zone of another State. Based on the analysis of international case law as well as State practice, our discussions will gather academics’ and practitioners’ expertise in the fields of public international law, international law of the sea, and law of international security.

INFORMATION AND REGISTRATION:
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Compulsory registration before Friday 26th January 2018