

TRACK 4 : GOVERNANCE AND PARTNERSHIP

Session 5 – Tuesday 27 Nov 2018 – 15:45-17:45

**Legal and Institutional Mechanisms to Manage
the Marine Environment in the Seas of Southeast Asia:
*Status and Way Forward***

Synopsis

It is often said that Southeast Asia has one of the weakest regional mechanism for the protection of the marine environment. One reason cited is the lack of a binding agreement for the protection of the marine environment in the region and the so-called ASEAN way preferred by the littoral States.

This session aims to investigate and discuss the extent to which regional institutions can and may foster a common understanding of applicable international law and facilitate implementation. Presentations and discussions with panelists and participants will focus on:

1. Principles and rules of international marine law applicable to the seas of Southeast Asia

Principles and rules of international marine law applicable in the region including global instruments, which have developed regional institutions. Applicable treaties include, in addition of the United Nations Convention on the Law of the Sea, the 1971 Ramsar Convention, the 1979 Convention on Migratory Species, the 1992 Convention on Biological Diversity. Regional mechanisms and institutions developed under the purview of international treaties and organisations include the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their habitats of the Indian Ocean and Southeast Asia as well as regional guidelines for responsible fisheries endorsed by the Asia-Pacific Fishery Commission, a regional body of the FAO. [Table of treaties available

https://cil.nus.edu.sg/wp-content/uploads/2018/11/EAS2018_Diagram-of-Regional-Bodies.jpg]

2. Regional Institutions and the protection of the marine environment in Southeast Asia

These institutions include ASEAN bodies and ASEAN+ bodies but also other regional bodies that are connected to the ASEAN such as SEAFDEC as well as regional institutions, organisations and bodies that are independent from the ASEAN such as PEMSEA, COBSEA, the CTI-CFF and regional bodies established under international bodies. [Table of regional bodies available

https://cil.nus.edu.sg/wp-content/uploads/2018/11/Copy-of-EAS2018_Table-of-Applicable-Treaties-Updated-Nov2018.pdf]

3. Application of international marine law to the seas of Southeast Asia: The example of sensitive marine areas

These include 45 coastal and marine sites in the region identified under the Ramsar Convention, the development of critical habitats and ecological networks for migratory species listed under the 1979 Convention on Migratory Species, Ecologically and Biologically Significant Areas under the 1992 Convention on Biological Diversity, Particularly Sensitive Sea Areas under the IMO, etc.

Panelists

Chair-Moderator

Youna Lyons, Centre for International Law, National University of Singapore

Speakers

Amber Rose Maggio, Centre for International Law, National University of Singapore

Dita Liliansa, Centre for International Law, National University of Singapore

Youna Lyons, Centre for International Law, National University of Singapore

Commentators

Jacqueline Espenilla, University of the Philippines, College of Law

Prof. Raphael PM Lotilla, PEMSEA

Expected Outputs

Recommendations on advancing SDG14 targets, especially target 14(c) towards progress of indicator 14(c)(1) in Southeast Asia.

Format

Three presentations of 15min, and 5-10min by commentator followed by 55min discussion with participants with a view to developing recommendations.

For any question, please contact younalyons@nus.edu.sg

The Centre of International (CIL) (<https://cil.nus.edu.sg/>) is hosting an international conference on Regional Cooperation for the Protection of the Marine Environment, 15-16 January 2019, Singapore under its grant from the Maritime and Port Authority of Singapore. This conference will be held in cooperation with JCLOS, K.G. Jebsen Centre for the Law of the Sea, UiT The Arctic University of Norway, Tromsø – Norway (<https://cil.nus.edu.sg/event/regional-cooperation-for-the-protection-of-the-marine-environment-conference/>).

The Ocean Law and Policy Programme of CIL can be categorized under three general categories: (1) global governance, (2) regional governance and (3) maritime security. This includes regional governance issues of special interest to the Southeast Asia region including the protection and conservation of the marine environment through joint research with marine scientists, geographers, experts in remote imaging, sensing and processing and modelers of the National University of Singapore (NUS) and other universities.

CIL was established as a university-level research institute at NUS in 2009, in response to the growing need for international law thought leadership and capacity building in the Asia-Pacific region. Other focus areas of CIL are ASEAN law and policy, investment law and policy, and international law and practice.