



International Workshop

Organized by :

The Sorbonne Research Institute for International and European Law
- IREDIES -

*PACIFIC AND MILITARY USES OF
THE EXCLUSIVE ECONOMIC ZONE :
EXPLORING 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 - 17h55, Salle 1
Paris 1 University – 12, place du Panthéon - 75005 Paris

Compulsory registration before Friday 26th January 2018 :
<https://www.univ-paris1.fr/unites-de-recherche/iredies/inscription/inscription-the-impact-of-due-regard-29012018/>

9h00 - 9h30

WELCOMING

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

MORNING SESSION CHAIRED 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:

Jean-Pierre COT, Judge, International Tribunal of the Law of the Sea

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

12h45-14h: Lunch for registered participants

AFTERNOON SESSION CHAIRED BY :
Raphaële RIVIER, Professor, Paris 1 University

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

17h45-17h55

CONCLUSIONS

Jean-Marc SOREL, Professor, Paris 1 University

18h-19h30: Cocktail for registered participants

WORKSHOP PRESENTATION

“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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