



Nederlandse Organisatie voor Wetenschappelijk Onderzoek



Universiteit Utrecht

Utrecht University School of Law

# SEMINAR ON EXTRATERRITORIALITY IN PORT STATE JURISDICTION

*Diverging Approaches to the Regulation of Global Values within the Law of the Sea  
Regime*

*14 December 2015, Utrecht University School of Law*

*Sweelinckzaal, Drift 21, 3512 BR Utrecht*

Port States regulate, directly or indirectly, conduct occurring beyond their territory. Through port State jurisdiction, the territorial link that exists between a visiting foreign vessel and the port State is sometimes used as a trigger to extend the jurisdictional reach and effects of port State laws. This possibility is used for the regulation of shipping and fishing vessels, namely aimed at preventing pollution from vessels and fighting illegal, unreported and unregulated fishing. Port States therefore act to enhance *global values* such as the protection and preservation of the marine environment or the conservation and management of marine living resources. Whilst that possibility is normally aimed at upholding the applicable international rules and standards, there has been an increasing number of unilateral initiatives aimed at going beyond those compromises. This seminar analyses the different approaches to developing standards towards the protection of *global values* in the law of the sea regime.

The seminar is divided into three thematic panels. Within each panel, two speakers are given 15 minutes each to present their papers, followed by a commentator introducing the debate. The expected result of this seminar will be an academic journal special edition featuring the articles submitted by the presenters and coverage of the debate. The presentations shall be recorded for online distribution.



Utrecht Centre for Water,  
Oceans and Sustainability Law

## SEMINAR ON EXTRATERRITORIALITY IN PORT STATE JURISDICTION PROGRAMME

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### Welcome and Introduction:

13:00 - 13:10: Welcoming of participants

13:10 - 13:30: Introductory words by Prof. Cedric Ryngaert: *The UNIJURIS Project as a Contribution to the Law of the Sea Doctrine*

### Presentations and Discussions:

#### *Session I: Approaches to Port State Extraterritoriality in the International Shipping Sector*

13:30 – 13:45: **Prof. Robin Churchill (University of Dundee)**

*Multilateral Approach (Top-down): From Global Standards to Port State Implementation*

13:45 – 14:00: **Dr. Bevan Marten (University of Wellington)**

*From Residual Port State Jurisdiction to Global Standards of Protection*

14:00 - 14:30: **Debate** (kick off by Prof. Erik Molenaar)

14:30 - 14:50: **Coffee break**





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***Session II: Approaches to Port State Extraterritoriality in the International Fishing Sector***

14:50 – 15:05: **Dr. Andrew Serdy (University of Southampton)**

*From Global Values and Necessity to Unilateral and Regional Port State Implementation*

15:05 – 15:20: **Ms. Judith Swan**

*From Residual Port State Jurisdiction to the Furtherance of Global Standards Relating to the Conservation and Management of Marine Living Resources*

15:20 - 15:50: **Debate** (kick off by Prof. Erik Molenaar)

15:50 - 16:10: **Coffee break**

***Session III: A Clash Between the Existing Approaches and Increasing Port State Extraterritoriality?***

16:10 - 16:25: **Mr. Nelson Coelho (Utrecht University)**

*The Legal Relevance of Port State Extraterritoriality in the Law of the Sea Regime*

16:25 - 16:40: **Mr. Arron Honniball (Utrecht University)**

*The Relationship Between Port State Extraterritoriality and Flag State Exclusivity*

16:40 - 17:10: **Debate** (kick off by Prof. Henrik Ringbom)

17:10 - 17:20: **Concluding remarks**

17:20 - 18:00: **Drinks**



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