



NOTTINGHAM TRENT UNIVERSITY PROFESSOR LECTURES AT IMLI

Professor David M. Ong, Professor of International and Environmental Law at Nottingham Law School, Nottingham Trent University UK, visited the Institute on 14 and 15 April 2016, to deliver two lectures under the rubric “*Sovereign Rights and Maritime Freedoms in the Continental Shelf Regime Beyond 200-nm.*”



Professor David M. Ong delivering his lecture to IMLI Class of 2015-2016

In his lectures, Professor Ong discussed the international legal regime applicable to the continental shelf beyond 200-nm and the high seas waters above this continental shelf beyond 200-nm, by examining several Articles of Part V (EEZ), Part VI (Continental Shelf) and Part VII (High Seas) of the United Nations Convention on the Law of the Sea (UNCLOS). Specifically, he addressed the application of article 82 of UNCLOS dealing with the revenue-sharing obligation for mineral resources produced in the continental shelf beyond 200-nm, and article 300 on good faith and abuse of rights, especially in relation to non-parties to UNCLOS, such as the USA. He

also examined the State practice on Joint Development and Transboundary Unitization in the continental shelf beyond 200-nm through the Agreements between Mauritius/Seychelles and Mexico/USA. Finally, he addressed the implications for the continental shelf regime beyond 200-nm of recent international case law such as the Mauritius/UK arbitration over the Marine Protected Area (MPA) declared by the UK government around the Chagos islands in the Indian Ocean, and the Philippines/China arbitration, *inter alia*, over insular features in the South China Sea.

Professor Ong concluded his lectures by stating that significant implementation issues remained for Article 82. He also noted that delimitation and Joint Development Agreements beyond 200-nm between States applied similar principles to the continental shelf within 200nm, but raised the issue of creeping jurisdiction by coastal States Parties to these delimitation and joint development agreements into the superjacent water column above the continental shelf beyond 200-nm that is technically High Seas.

Professor Ong has served as a consultant on offshore joint development issues to the Guyana legal team in the Guyana-Suriname maritime boundary delimitation arbitration (2007); and as a technical resource expert on Joint Development at the Second United Nations Development Programme (UNDP) South-South High Level Meeting on Oil and Gas Producing Developing Countries held in Nairobi, Kenya, 12-15 October, 2009.

His main research interests are in the International Law of the Sea, particularly on offshore joint development, published in *American Journal of International Law* (1999); and *International Environmental Law*, published in *European Journal of International Law* (2001) and *Irish Yearbook of International Law*, 2006 (2008), *Yearbook of International Environmental Law*, 2006 (2008), *Nordic Journal of International Law* (2010), and *Netherlands International Law Review* (2011); as well as several edited volumes of essays, three of which he has co-edited.

Professor Ong has also published papers in numerous edited books on the law of the sea. Among the more recent of these are 'Specifying Procedural Obligations for Joint Development and Alternative Joint Development Models for the South China Sea', in Wu Shicun and Nong Hong (editors), *Recent Developments in the South China Sea Dispute: The Prospect of a Joint Development Regime*, Routledge (2014) Chapter 7, 99-136; and 'Alternative Approaches to Piracy and Armed Robbery in Southeast Asian Waters and off the Horn of Africa: A Comparative Perspective', in *The Law and Practice of Piracy at Sea: European and International Perspectives*, edited by Panos Koutrakos and Achilles Skordas, Hart (2014) Chapter 12, 267-295.

The students of the IMLI Class of 2015-2016 were very appreciative of his practical and enlightening lectures.

* *If you do not want to receive IMLI e-News in future, please return this message to the above address with request to DELETE in the subject field.*

** *For further information please contact Ms. Tetty Lubis at publications@imli.org*