

IMLLe-News

PROFESSOR OF INTERNATIONAL LAW LECTURES AT IMLI

Professor Surya Subedi QC, OBE (Professor of International Law, University of Leeds) visited the IMO International Maritime Law Institute on 19 January 2017 and delivered a lecture on the Role of the Commission on the Limits of the Continental Shelf (CLCS) to the IMLI Class of 2016-2017.

Professor Subedi thanked Professor Attard (Director of IMLI) for the kind invitation extended to him to visit and give a lecture to IMLI's multi-cultural class and invited the students to join the Asian Society of International Law which is opened to all including non-Asians.



Professor Surya Subedi QC, OBE (Professor of International Law, University of Leeds) meeting with the Class of 2016-2017

In the course of his lecture, Professor Subedi introduced the Class to the powers, functions, composition and challenges of the CLCS.

He began his lecture by informing the students that, after the Second World War, the States' interests beyond their land boundaries, focused on exploration of resources and security issues, often undermined the rule of international law in securing these interests. He further brought to their attention that the Geneva Convention on the Continental Shelf was unable to resolve some of the challenges brought about by claims to areas which were high seas before the Truman Proclamation of 1945.

The main focus of Professor Subedi's lecture centered on Article 76 of the United Nations Convention on the Law of the Sea (UNCLOS). In this respect, he engaged the students into a discussion of how far a State may claim the outer limits of its continental shelf, and whether this possible of extension of a State's Continental Shelf is not a tool to enhance the further acceleration of 'sea grabbing'. He detailed some of the functions of the CLCS which notably include assistance to developing countries in their submissions and interpretation of data.



Professor Surya Subedi QC, OBE (Professor of International Law, University of Leeds) during his lecture at IMLI

Professor Subedi also referred to the issue of overlapping claims and the ambiguity of the provisions of UNCLOS as some of the challenges facing the CLCS. He said that whilst Article 76 (3) does not preclude the use of submarine ridges and elevations in the definition of Continental

Shelf, Article 76 (6) does not clarify the difference between the two geological features. He made the students understand that the decision of CLCS on the submission of States is only recommendatory which raises the question about the enforceability of such a decision. The students agreed with Professor Subedi that so long as the cost of the appointment of members of the CLCS is borne by the nominating State, questions of independence, impartiality and objectivity of the CLCS will be questioned.

Professor Subedi obtained LL.B. and M.A. from the University of Tribhuvan in 1980 and 1984, respectively. He obtained an LL.M. with distinction from University of Hull in 1988 and a Ph.D. from Oxford University in 1993. Professor Subedi began his academic career as a Lecturer in Law in 1993 at University of Hull. After rapid successive promotions, he became a Professor of Law in 1999. He moved to University of Leeds in 2004 as Professor of International Law.

From 2009 to 2015 he was the UN Special Rapporteur for human rights in Cambodia. He also served as a member of a high-level Advisory Group on Human Rights to the British Foreign Secretary between 2010 and 2015. He is a founder of the Asian Society of International Law and Chairman of the Board of Editors of its flagship journal - the Asian Journal of International Law. He has extensive publications to his credit including six books and over 60 articles.

Professor Subedi was recently appointed by Her Majesty Queen Elizabeth II as a Honorary Queen's Counsel (QC) in recognition of his contribution to international law. He was made an Officer of the Order of the British Empire (OBE) for services to international law and to British-Nepal relations in 2004. He was equally recognised in Nepal in 1998 by His late Majesty King Birendra as *Suprabal Gorhka Daxinbahu*.

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