

# IMLI<sup>e</sup>-News

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## EMINENT JAPANESE PROFESSOR OF INTERNATIONAL LAW LECTURES AT IMLI

Professor Atsuko Kanehara (Professor at Sophia University in Japan / Advocate and Counsel for the Government of Japan) visited IMLI on 21 February 2018 and delivered a lecture on “A New Idea of the Law of the Sea that is Required for the Purpose of Conservation and Sustainable Use of Marine Biological Diversity Beyond National Jurisdiction” to the Class of 2017-2018.



*Professor Atsuko Kanehara (Professor at Sophia University in Japan / Advocate and Counsel for the Government of Japan) and Mr. Nobukatsu Kanehara (Assistant Chief Cabinet Secretary and Deputy Secretary-General of National Security Secretariat, Government of Japan) with Professor David Attard (Director, IMLI) and the IMLI Class of 2017-2018*

To build up on the main theme of the entire lecture, she began her lecture with a discussion of the development of the high seas regulation. The distinguished Professor pointed out the shift from the combination of the *laissez-faire* principle and the due regard principle on an *ad hoc* basis to the high seas regulation on a sector-specific basis for the purpose of realization of the common interests of the international community.

Thereafter, she delved deeper into the evolution of the high seas regulation towards a sector-specific approach. Specifically, she described two related approaches taken under this type of regulation: (1) the Ecosystem Approach and (2) the Cross-Sector and/or Integrated Regulation for the purpose of the conservation and sustainable use of the Biological Diversity Beyond Areas of National Jurisdiction (BBNJ). She explained that the former is to be distinguished from the single-species management approach, that was previously employed.



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The eminent Professor then discussed the new idea of the law of the sea, the limitations of the current law of the sea, and a possible way to realize the conservation and sustainable use of BBNJ. Finally, she described Japan's practice for integrative regulation of its jurisdictional areas.

Professor Atsuko Kanehara is a Professor of the Faculty of Law, Sophia University of Japan. On an appointment by the Prime Minister, she became a Councilor of the Advisory Council for the National Headquarters for Ocean Policy of Japan. She serves as a Counsel to both the Japanese Society of International Law (JSIL) and International Law Association (ILA) Japan Branch. She is also Member of the Committee of the International Law Association on Baselines. She served as an Advocate for the Government of Japan in "Southern Bluefin Tuna" Cases (Australia and NZ v. Japan) and served as a Counsel for the Government of Japan in "Whaling in the Antarctic" case. She was a Member of the Board of the Bar Exam of Japan from 2006 to 2015. Her themes of research cover the law of State responsibility and she conducts a number of studies over various issues on the law of the sea.

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