



Report On

GMU Academy on Oceans Law and Policy

09 May 2022 – 14 May 2022

Organized by

Gujarat Maritime University

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About Gujarat Maritime University

Gujarat Maritime University (GMU) is an endeavour by Gujarat Maritime Board (GMB), the state regulator for the ports and maritime activities in Gujarat. The University has been conceived by visionaries to address the burgeoning need for a skilled workforce in the ever-changing dynamics of the maritime sector. Gujarat Maritime University is a bespoke institution for advancing maritime education, training, and research in India. The University began its academic journey in the year 2019 and has established two schools so far namely, the School of Maritime Law, Policy and Administration, and the School of Maritime Management. The University commenced its academic journey in 2019 with the establishment of its first School – the School of Maritime Law, Policy & Administration (SMLPA), which offers LL.M and Executive Diploma Programmes in Maritime Law and International Trade Law. The University also offers MBA in shipping and Logistics under its school of Maritime Management (SMM). In pursuit of creating an institution of global standards, GMU has collaborated with internationally prominent institutions like Erasmus University, STC International, CBS Executive, ISWAN, and many more such alliances shall be forged in time to come.



About GMU Academy on Oceans Law and Policy

Academy is a one-week course devoted to issues relating to the Law of the sea. The event will offer an informative overview of the regime related to ocean governance and the current challenges faced by the world in regulating oceans and seas. It will consist of a series of online sessions delivered by experts on topics such as fisheries conservation, seabed mining, protection of submarine cables, protection of the arctic marine ecosystem, etc. Academy will bring together a prestigious faculty from among the judges of the Tribunal, professors, and professionals from the maritime field with a dedicated group of highly – motivated participants from around the world.



Significance of the Course

Academy will contribute to the goals of expanding knowledge and having a positive impact on society. The event will assist in better understanding and dissemination of emerging challenges in Law of the Sea and will motivate young scholars to do research focused on these contemporary challenges in Ocean Governance. It will provide a platform for academicians and professionals of our region to interact with some of the renowned experts on the Law of the Sea. The event would be ideal for students, research scholars, academicians, and professionals who aim to enhance their expertise in the Law of the Sea.

Message by Director

School of Maritime Law, Policy and Administration

It gives me a sense of pride and privilege to present this report on GMU Academy on Oceans Law and Policy hosted by Gujarat Maritime University. Even amid the most tumultuous time that the world has seen in over a century with the COVID-19 contagion ravaging learning and the academic environment globally, it gives me fulfilment to state that we, as a responsible educational institution, are committed to supporting and continuing learning despite unprecedented challenges.

GMU Academy on Oceans Law and Policy focuses on generating awareness about the current legal regime and contemporary issues and challenges related to the Law of Seas. The participants were trained by highly acclaimed and best speakers, international and national, well known for their expertise in Law of Seas. With great excitement, I express my profound gratitude to all our expert speakers who rendered their support to this course and enjoined us to synergize the expertise of GMU to exchange information and develop a knowledge base in the field of Law of Seas.

The grit, determination and agility demonstrated by my colleagues on the organizing committee deserve to be lauded. Considering the constraints in the academic environment due to pandemics, the team worked relentlessly to report a spirited performance.

I thank everyone for their faith and continued support to Gujarat Maritime University.



Prof. (Dr.) S. Shanthakumar

Director, School of Maritime Law,
Policy, and Administration
Gujarat Maritime University

Organizing Committee

Patron



Prof. (Dr.) S. Shanthakumar

Director, School of Maritime Law,
Policy, and Administration
Gujarat Maritime University

Event Convenor



Mr Mohit Gupta

Assistant Professor,
Gujarat Maritime University

Event Coordinator



Mr Saravanan R

Teaching & Research Assistant (Law)
Gujarat Maritime University

Event Host



Manthan Gopikrishna Desai

Teaching & Research Assistant (Law)
Gujarat Maritime University

Our Expert Speakers Profile

Mr Tomas Heidar is the current Vice-President of the International Tribunal Law of the Sea. He has a long list of professional experience which cannot be easily listed. He represented as President of the Chamber for Fisheries Disputes in the year 2017-2020. He is also a part of the Special Chamber formed to deal with the Dispute concerning the delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives). Mr Tomas has also been constantly consulted by the Ministries of Foreign Affairs of the Nordic countries. Presently, he is serving as an Arbitrator under Annex VII to the Convention on Law of the Sea. He also serves as the Co-Director and Lecturer at Rhodes Academy of Oceans Law and Policy. He has authored numerous articles and books in his academic journey. Recently in the year 2020, he published a book titled "How does the law of the sea adapt to new knowledge and changing circumstances" Mr Tomas has also been awarded the title known as Knight, First Class, of the Order of the Lion of Finland.



Mr. Tomas Heidar

Dr Manimuthu Gandhi is the current Vice president of the Indian Society of International law, Sir is also Dean of VIT Law School, VIT University Chennai. In the past he has also served as Ex-joint secretary & legal Advisor and also as Director in (Legal & Treaties Division) of the Ministry of external affairs, Government of India. Mr Gandhi was associated with Jindal Global Law School, O.P Jindal Global University as Professor and sir was an Executive Director of the Centre for International Legal Studies. He was also part of the Permanent Mission of India to UN, New York as a Counsellor & Legal Advisor in which he represented India in the 6th (Legal) Committee of the UN. He has participated in the international law negotiations pertaining to all the agenda items of the 6th Committee of the UN. He has also served as an elected member of the Finance Committee International Sea Bed Authority Jamaica.



Dr Manimuthu Gandhi

V. M. Syam Kumar obtained his graduation (LL.B.) in law from Government Law College, Ernakulam. He did his Post-Graduation (LL.M) at Cochin University specializing in Maritime law. Adv. Syam Commenced practice as a junior lawyer to S. Venkiteswaran, Senior Advocate, Mumbai. He was a partner of Southern Law Chambers, Kochi, Kerala for 13 years and now practices independently. He is presently serving as a visiting faculty for 'Maritime Law' and 'Marine Insurance and P & I practice' at the National University of Advanced Legal Studies (NUALS), Kallur. He also serves as a guest faculty for 'Law of the Sea' at the School of Legal Studies, Cochin University of Science and Technology and for 'Admiralty Law and Practice' at the Kerala University of Fisheries and Oceanic Studies (KUFOS), Panangad. Adv. Syam has appeared in many high-profile maritime litigations including Enrica Lexi shooting incident involving an Italian Marine off the Indian Coast. He has 26 years of experience in litigation. He has written extensively on maritime law in various academic journals and he is a PhD candidate at Cochin University researching Private International law. He regularly appears in courts on behalf of Protection and Indemnity clubs and major shipping lines.



Adv. V. M. Syam Kumar

Our Expert Speakers Profile

Dr M. Sudhakar is the former Director of the Centre for Marine Living Resources and Ecology. Dr Sudhakar obtained a PhD from the Indian School of Mines, Dhanbad and a Master's degree in Law of the Sea and Marine Policy in 1990 from the London School of Economics & Political Science, UK as a British Council Fellow. He served in two premier research institutions of the country -- National Institute of Oceanography (NIO) & National Centre for Antarctic and Ocean Research (NCAOR) in Goa and occupied various positions such as project leader and scientist in various grades. He is a veteran Oceanographer with 33 years of professional experience, spent more than 1500 days at sea on-board research vessels, as a leader of expeditions to the Southern Ocean and Antarctica.



Dr M Sudhakar

Dr G A Ramadass is a Director of National Institute of Ocean Technology (NIOT), Chennai. Ministry of Earth Sciences, Government of India. He has been a recipient of the National Geoscience Award for the year 2010 under the Exploration of Oil and Natural Gas from Ministry of Mines, Govt of India and National Meritorious Invention Award under the category of National Societal Innovation Award – 2018 from NRDC (DSIR- Government of India). He has also made several key contributions to the Establishment of acoustic and electronics test facilities, including the Development of Acoustic Tide Gauge (ATG) and the establishment of an 8-node ATG network and the Development of algorithms and test rigs for Tsunami early warning systems. He is also a member of many International /National Committees like Naval Research Board, Review committees of NSTL & CVRDE of DRDO, National Gas Hydrate Program, Research Council of Tamil Nadu Dr J Jayalalitha Fisheries University, India-Norway task force for the Blue economy and Indian delegation to International Sea Bed Authority. He has completed his PhD in physics at the Indian Institute of Technology, Madras.



Dr G A Ramadass

Capt. Nitin Agarwala was Commissioned into the Indian Navy in 1993, he is a serving Naval Officer and a Naval Architect from the Cochin University of Science and Technology (CUSAT). He is an alumnus of the Indian Institute of Technology (IIT), Delhi, as also IIT, Kharagpur. In his naval career of over 22 years, sir has gained rich and varied experience as a user, an inspector, a maintainer and a policy-maker, and, a key member of the design team for naval warships. As a member of the faculty of CUSAT's Department of Ship Technology for four years, he has taught various subjects at both B.Tech and M.Tech programme-levels, while also guiding several research projects. He has authored over 80 articles, papers, book chapters and two books: Deep Seabed Mining in the Indian Ocean: Economic and Strategic Dimensions and Rise of China as a World Leader in Commercial Shipbuilding. His research interests include corrosion, shipbuilding, deep seabed natural resource, submarine cables, blue economy, artificial intelligence, climate change and "maritime technological issues" with their linkages to international relations and public policy.



Capt. Nitin Agarwala

Our Expert Speakers Profile

Dr Pramod Ganapathiraju is an MCS & Fisheries Consultant specialising in Illegal Fishing and fisheries enforcement with 18 years of consulting, research and field experience in Asia-Pacific (India, Bangladesh, Sri Lanka, Thailand, Philippines, Japan, Solomon Islands), West Africa, Caribbean and North America. His consulting work is focused on providing technical consulting and training services to Government agencies in developing countries towards addressing IUU fishing, MCS, port inspections, fisheries enforcement and monitoring in coastal fish landing sites, etc. His Consulting expertise encompasses a broad range of areas such as drafting Fisheries Laws, NPOA on IUU Fishing, Drafting Control Plans for Addressing IUU fishing, Drafting Standard Operating Procedures (SOPs) for MCS in the Fisheries Sector, SOPs for EU-Catch Certification, Developing National Fisheries Inspection Plans, Training officers of various Ministries on Dockside inspections at ports & Data management work at the office, designing MCS strategic plans, Investigating risks associated with IUU fishing at the vessel level (Vessel profiling), designing Maritime Domain Awareness strategies, Evaluating MCS Capacity in Global Fisheries; Enforcement of Port State Control Inspections; Baseline Assessment of Maritime law enforcement agencies, etc.



Dr. Pramod Ganapathiraju

Prof. James Kraska is chair and Charles H. Stockton Professor of International Maritime Law in the Stockton Centre for International Law at the Naval War College, the first-established chair at the institution and visiting professor of law and John Harvey Gregory Lecturer on World Organization at Harvard Law School. Prof. James had served as visiting professor of law at the College of Law, University of the Philippines, visiting professor of law at Gujarat National Law University, Mary Derrickson McCurdy Visiting Scholar at Duke University Marine Laboratory and fellow-in-residence at the Marine Policy Centre, Woods Hole Oceanographic Institution. He has also served as Visiting Professor of Law and John Harvey Gregory Lecturer on World Organization, Harvard Law School and in 2021 he was selected as Editor-in-Chief, *Benedict on Admiralty: International Maritime Law*. Prof. James has authored several books including, *The Free Sea: the American Fight for Freedom of Navigation*, *Science, Technology, and New Challenges to Ocean Law*, *Arctic Security in an Age of Climate Change*, *Maritime Power* and *the Law of the Sea: Expeditionary Operations in World Politics*, etc.



Prof. James Kraska

Our Expert Speakers Profile

Prof. Beckman is the Head, Ocean Law and Policy Programme, Centre for International Law (CIL), NUS. He is an international lawyer with a special interest in legal skills. For many years he taught Public International Law, International Legal Process and Introduction to Legal Method, and coached the NUS Jessup Moot team and other NUS international moot teams. He was the founding Director of the Centre for International Law (CIL), a university-wide research institute that is closely affiliated with the Faculty of Law. He served as the Director from 2009 to July 2016. He now serves as the Head of CIL's programme Ocean Law and Policy. Since joining CIL he has been joint editor of several books, has published journal articles and chapters in books, and has made numerous invited presentations at international conferences and workshops.



He has lectured at the prestigious Rhodes Academy of International Law since 2010 and is a member of its Board of Directors. Prof Beckman served as the Vice Dean (Academic Affairs) from 2001 to 2006. He was awarded the Public Administration Medal (Bronze) at the 2007 National Day Awards and the Long Service Medal at the 2013 National Day Awards. He has also received two awards from NUS – the Outstanding Educator Award in 2001, and the Staff Achievement Award in 1997.

Robert Charles Beckman

Dr S. Rama Rao has worked in the field of International Intellectual Property Law, Public Health, Bilateral Investment Protection, International Environment Law, Sustainable Development, Technology and Innovation, and arbitration particularly with reference to foreign investments, intellectual property, technology, uniform domain names and UNCITRAL commercial arbitration matters. His specialization includes International Law, Law of International Institutions, Human Rights, International Humanitarian Law, International Criminal Court, International Law on Terrorism, and Law of the Sea.



He served as Adjunct Professor in SIPA, Columbia University; Adjunct Professor in Pace University School of Law; Senior Advisor, IDLO at United Nations; International Development Law Organization. Intellectual Property and Technology a Transfer Advisor, Trans - carbon International. He has worked in World Intellectual Property Organization (WIPO) as a Director/Senior Advisor for 6 years, Deputy Director for 4 years, Senior Counsellor for 4 years and Counsellor for 2 years. He has also served as Chief Legal Advisor, Ministry of External Affairs, and the Government of India. He has been elected as a Member of the Seabed Council, International Seabed Authority.

Dr. S Rama Rao

List of Participants

S.NO	NAME	AFFILIATION
1	Abhishek Sharma	LLM Student, Gujarat Maritime University
2	Abhishek Thommandru	Research Scholar, VIT AP University
3	Adithya Variath	Research Scholar, MNLU Mumbai
4	Aditi Prasad	Academician, Jaipur National Law University
5	Aditya Chattopadhyay	LLM Student, Gujarat Maritime University
6	Aditya Vyas	-
7	Ahmad Khorsand Asgari	PhD Scholar, Osmania University
8	Aina Akinbola Aderemi	Assistant Director, CILT, ISWAN,
9	Akakini Sen	LLM Student, Gujarat Maritime University
10	Aklavya Anand	Asst. Professor, Faculty of Law, University of Delhi
11	Aliyar M E	Asst. Professor, Mahatma Gandhi University
12	Amana Khare	Research Assistant, MNLU Mumbai
13	Amrisha Pandey	Asst. Professor, Gujarat Maritime University
14	Amruta Karambelkar	Vivekananda International Foundation
15	Anadi Bikash Chowdhury	Undergraduate Law Student
16	Anjaly S	LLM Student, Gujarat Maritime University
17	Ankita Chauhan	Student, Banasthali vidhyapith
18	Arghish Akolkar	Student, DES Navalmal Firodia Law college
19	Arun Kumar	Assistant General Manager Law, Food Corporation of India
20	Arundhati Wamorkar	PhD Scholar, Dept. of Defence & Strategic Studies, University of Madras
21	Darshna Gupta	Academic Associate, School of Law, Mahindra University
22	Devakrishnan PV	LLM Student, Gujarat Maritime University
23	Dhakshayanee Srinivasan	Graduate
24	Dhruv Pal	-
25	Domnick Junior Gomes	Ex-Employee, Choksi Laboratories Ltd., VIE, Salcete Goa
26	Fatema Khokhawala	Student
27	Foysal Ahmed	Undergraduate Law Student
28	Garibaldo Maria Daniel	Teacher Escola De PESCA - Fishing School
29	Gunjan Deshpande	Research Assistant, MNLU Mumbai
30	Hafsa Shaikh	-
31	Hemendra Gaur	Manager Consulting
32	Imtiaz Ahmed Sajal	Lecturer in Law
33	Jacob Joseph	Associate Professor, Bharata Mata School of Legal Studies (BSOLS), Kerala
34	John J Vachaparambil	Associate Fellow, National Maritime Foundation

List of Participants

S.NO	NAME	AFFILIATION
35	K Kirthan Shenoy	PhD Research Scholar, Gujarat National Law University
36	Khushi Jain	Student
37	Lasya Vyakaranam	Asst. Professor, Symbiosis Law School, Pune, SIU
38	Madhavi Singh Chauhan	Under Graduation Student
39	Madhumitha. V	Asst. Professor, Tamil Nadu Dr Ambedkar Law University
40	Manan Bhatt	Advocate
41	Mayuresh Shelar	Marketing Manager
42	Md. Sulaiman Hazbi	Undergraduate Law Student
43	Mohammad Asif	Research Scholar, Aligarh Muslim University
44	Mohd Salman	Student
45	Mrettika Ganguly	Undergraduate Law Student
46	Mrudula Dhar	Student, Mahatma Gandhi University, Kerala
47	Munmun Goswami	-
48	Najifa Tabassum Kabir	Undergraduate Law Student
49	Namrta Sharma	PhD Scholar, Himachal Pradesh University, Shimla
50	Nidhi	Student
51	Nurjahan Khanom Aononna	Undergraduate Law Student
52	Olesia Gorbun	PhD Scholar
53	P Vaishnavi Narayeni	Assistant Professor, Ramaiah College of Law & PhD Research Scholar
55	Parimal Verma	-
56	Patrice Young	General Secretary of Cameroon SEAFARERS Professional Trade Union
57	Piyush Kumar	Master Mariner, V Group
58	Piyush Priyadershi	-
59	Pradhan Happy David	Advocate
60	Pranab Tyagi	-
61	Pratishtha Majumdar	Advocate
62	Rachita Agrawal	-
63	Radhika Jagtap	Asst. Professor, SLS Pune
64	Radhika Sharma	Advocate
65	Rafia Binte Rafiq Tonny	Undergraduate Law Student
66	Ravi Ranjan Sahay	Advocate
67	Renu Sirothiya	Advocate
68	Rumani Sheth	Secretary General, IDAC India
69	Sachit Singh	Student
70	Safalya S Wagle	Assistant Professor of Law, RV Institute of Legal Studies

List of Participants

S.NO	NAME	AFFILIATION
71	Sakshi Rajoriya	-
72	Sakshi Tripathi	Student
73	Samriddhi Kaushik	Student, Banasthali vidyapith
74	Sangeeth Krishna GS	-
75	Sangeetha M	Senior Banking Manager
76	Satyabrata Mishra	Assistant Professor
77	Sayedeh	Intern in JTMS South Korea, a student at Ankara University
78	Shen Tai Chung Thomas	Solicitor of High Court of Hong Kong
79	Shikha Sain	Student
80	Shishir Mani Tripathi	Student, Hidayatullah National Law University
81	Shivani Pandey	Student
82	Shreya Mahendra Yadav	Student
83	Shreyas Deshmukh	-
84	Shriya Paruthi	LLM Student, Gujarat Maritime University
85	Snigdha Ande	-
86	Soni Bhola	Assistat Professor, NUSRL, Ranchi
87	Sony Vijayan	Associate Professor, Bharata Mata School of Legal Studies
88	Sparsh Jain	Student, Rashtriya Rakshak University, Gujarat
89	Stuti Billore	Student, DBRAU, UP
90	Sujata Upadhyaya	Assistant Professor, MMDU, Mullana Ambala
91	Tahedur Rahman Tanvir	Undergraduate Law Student
92	Taiyaba Fatema	Undergraduate Law Student
93	Tamanna Akter Sume	Undergraduate Law Student
94	Tarun Singh Sengar	-
95	Ujjwal Singh	Student, BABU BANARSI DAS UNIVERSITY
96	Urvashi Asudani	LLM Student, Gujarat Maritime University
97	Varda Mone	Research Scholar, VIT AP University
98	Varsha S. Shetty	2nd Officer DPO
99	Vikrant Singh Chauhan	PhD Student, Gujarat Maritime University
100	Wagisha	Student, NALSAR University of Law, Hyderabad
101	Yogini Lalwani	Assistant Professor, Viva college of law, virar
102	Manthan Gopikrishna Desai	Teaching and Research Assistant, Gujarat Maritime University

The above-mentioned participants successfully completed the course

Rapporteurs

Sl No	Name of Rapporteurs	Designation
1	Ms Akakini Sen	LLM Student, Gujarat Maritime University
2	Ms Shriya Paruthi	LLM Student, Gujarat Maritime University
3	Mr Devakrishnan PV	LLM Student, Gujarat Maritime University
4	Ms Anjaly S	LLM Student, Gujarat Maritime University

Objective of the Course:

- To provide an overview of the legal regime related to ocean governance.
- To spread awareness about contemporary challenges in regulating oceans.

Course outcomes

The Participants post completion of this course-

- will be able to understand the prevailing legal regime on ocean governance.
- will be aware of the current and emerging challenges in ocean governance.
- will be able to apply the knowledge attained to provide solutions to the contemporary issues in ocean governance.

Judging from the evaluations by participants, these objectives have been largely achieved. Participants found the course highly relevant and useful:

(On the scale of 1 to 5; 1 = low and 5 = high)

Course meeting expectations	Content of the Course	Average rating of individual sessions
4.74	4.07	4.56



Proceedings of the Event

SESSION No.	TIME (IST*)	TOPIC	RESOURCE PERSON
DAY 1 – 09.05.2022			
-	02:45 PM – 03:00 PM	Introduction to GMU Academy on Ocean Law and Policy	Prof. (Dr.) Shanthakumar Director, School of Maritime Law, Policy and Administration, Gujarat Maritime University
1	03:00 PM – 04:30 PM	The 1982 United Nations Convention on the Law of the Sea: A Living Instrument.	Mr Tomas Heidar Vice President, International Tribunal for Law of the Sea
2	05:00 PM – 06:00 PM	Baselines under the Law of the Sea, and State Practice	Dr Manimuthu Gandhi Ex – Joint Secretary (Legal & Treaties Division) & Legal Advisor, Ministry of External Affairs.
DAY 2 – 10.05.2022			
3	03:00PM – 04:30PM	An Evaluation of the Rights and Duties of Coastal States in Adjacent Waters	Adv. V.M. Syam Kumar Maritime Lawyer, Kerala High Court
4	04:45 PM – 06:00 PM	Regime for Identification and Exploitation of Continental Shelf under United Nations Law of the Sea Convention, 1982	Dr M. Sudhakar, Former Director, Center for Marine living Resources and Ecology,
5	06:15 PM – 07:15 PM	Maritime Boundary Delimitation: A legal perspective	Dr Manimuthu Gandhi, Ex – Joint Secretary (Legal & Treaties Division) & Legal Advisor, Ministry of External Affairs.
DAY 3 – 11.05.2022			
6	03:00PM – 04:30PM	Deep Seabed Mining: Prospects and Challenges	Dr G.A. Ramadass Director, National Institute of Ocean Technology.
DAY 4 – 12.05.2022			
7	03:00PM – 04:30PM	Scientific aspects of Submarine Cables with special reference to 'Green Cables'	Captain (Dr.) Nitin Agarwala Indian Navy
8	05:00 PM – 06:30 PM	International Regime for combating Illegal, Unregulated and Unreported (IUU) Fishing	Dr Pramod. Ganapathiraju MCS & Fisheries Consultant, IUU Risk Intelligence

Proceedings of the Event

SESSION No.	TIME (IST*)	TOPIC	RESOURCE PERSON
DAY 5 – 13.05.2022			
9	05:00 PM – 06:30 PM	Warships and Law of the Sea	Prof. James Kraska Chair and Charles H. Stockton Professor of International Maritime Law at the U.S. Naval War College
DAY 6 – 14.05.2022			
10	03:00 PM – 04:30 PM	Legal Regime for Regulating Submarine Cables and Pipelines in Marine Spaces	Robert Charles Beckman Head, Ocean Law and Policy Programme, Centre for International Law (CIL), NUS.
11	05:00 PM – 06:30 PM	The Evolving Legal Regime on Marine Biodiversity in Areas Beyond National Jurisdiction.	Dr S. Rama Rao Former Director (Legal), Ministry of External Affairs; Government of India and Ex-Member Council; International Seabed Authority
-	07:00 PM – 08:00 PM	Mock Test	Test from Home
DAY 7 – 15.05.2022			
-	02:00 PM – 03:30 PM	Online Proctored Exam (MCQ)	Test from Home

*Timings mentioned above are as per Indian Standard Time

Inaugural Session- 09 May 2022

02:45 PM - 03:00 PM
Welcome Address

Prof. (Dr.) S. Shanthakumar
Director, Gujarat Maritime University



Prof. Dr S Shanthakumar began his oration by greeting the resource person Mr Tomas Heidar, Vice President of ITLOS and other distinguished speakers of the 1st edition of GMU Academy on Oceans Law and Policy. He spoke a few words about GMU, its vision and its mission. He spoke about the courses offered by GMU and added that the courses are specifically designed to promote maritime studies, training and research of subjects including logistics, chartering, ship finance, ship brokering, maritime law, maritime history, and maritime trade, environment and other related areas. He said Gujarat Maritime University wishes to address all challenges to the maritime industry. He opined that Gujarat Maritime University "promises to address all challenges of the maritime industry and it encourages innovation through cutting edge research, interdisciplinary approach to learning and collaboration with the maritime sector". He reiterated the commitment of the University to promote cutting-edge research in various areas related to the maritime sector and emphasised the role played by various Research Centres established under GMU and their functioning. He spoke about the regime of the ocean and the intricacies involved in regulating it. He explained the importance of the Law of Seas and opined that the Ocean Academy is privileged to have the presence of very eminent resource persons like Mr Tomas Heidar, Vice President of ITLOS, Prof. James Kraska, Chair and Charles H. Stockton, Professor of International Maritime Law at the U.S. Naval War College and Robert Charles Beckman Head, Ocean Law and Policy Programme, Centre for International Law (CIL), NUS, practitioners like S Rama Rao and Manimuthu Gandhi and other very eminent resource persons. He also briefly discussed the various topics to be discussed in the Academy. He expressed his pleasure in the wide response received by Academy with many foreign participants including academicians, practitioners and stakeholders from the maritime industry. He congratulated Assistant Prof Mohit Gupta, Head of the Centre for Maritime Labour Law and the faculties who had worked for the Academy for organising the Academy with wide participation including attendees from several foreign nations. He concluded the session at the Academy by wishing the participants get 'tons of knowledge' as well as memorable experiences attending the distinguished speakers on the seven days long Academy and wished all success for the Academy and welcomed Mr Tomas Heidar.

DAY 1 - SESSION 1

09 May 2022
3:00 PM to 4:30 PM

Mr Tomas Heidar
Vice President, International Tribunal for Law of the Sea
Topic – The 1982 United Nations Convention
On the Law of the Sea: A Living Instrument



Mr Tomas Heider started the session by discussing the historical development of the Law of the Seas. The influence of works of scholars which had impacted the development of the Law of Seas was referred. He recalled the conflict between the theories of 'Mare liberum' and 'Mare clausum' propounded by Hugo Grotius and John Seldon. Further, the claim for the territorial sea based on the 'Cannon shot rule' and its subsequent development including unilateral declarations made by individual states for extended maritime zones was analysed in the light of the Hague Conference of 1930, Truman Declaration and Santiago Declaration of 1952.

He stated that the concern of newly independent coastal states in ensuring economic independence and their claim for extended fisheries and other resources had influenced the Law of the Seas Convention. In the United Nations 2nd Conference on Law of Seas held in Geneva, 1960 States also failed to agree on the breadth of the territorial sea but came up with the '6+6 Proposal' – 6 nautical miles of territorial sea and 6 nautical miles of fishing zone, which again failed by a single vote was also discussed. He then elaborated on the Third Conference on Law of Sea held between 1973 to 1982 which led to the adoption of the United Nations Convention on Law of Sea (UNCLOS) and its features. The emergence of Group 77, the group of newly independent States and their influence in declaring the seabed and ocean floor beyond national jurisdiction and its resource as a 'common heritage of mankind' were recalled in the session. He said 2022 marks the 40th Anniversary of the Convention. He regarded UNCLOS, which contained 320 Articles and nine Annexes as the only 'comprehensive treaty on the law of the seas' and said that it is sometimes referred to as the "Constitution for the oceans". The speciality of UNCLOS in being a framework convention, which was brought in as a 'package deal' was also referred to. The UNCLOS mandated the constitution of three specialised bodies- the International Tribunal for the Law of the Sea (ITLOS), the International Seabed Authority (ISA) and the Commission on the Limits of Continental Shelf (CLCS). He gave an overview of the Convention as one laid down a zonal approach which gave different legal statuses to maritime zones.

DAY 1 - SESSION 1

09 May 2022
3:00 PM to 4:30 PM

The convention also dealt with the issue of delimitation of zones, navigation, fisheries, protection of the marine environment, marine scientific research and settlement of disputes. He then elaborated on each of the aspects by referring to relevant provisions in UNCLOS and discussed instances in which there were conflicting claims raised by States.

Mr Tomas Heider also elaborately discussed on implementing agreements under UNCLOS- The Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10th December 1982 (Part XI Agreement), 1994 and The Agreement for the Implementation of the Provisions of United Nations Convention on the Law of the Sea of 10th December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UN Fish Stocks Agreements), 1995. The discussion also covered other agreements like the 1995 FAO Code of Conduct for responsible fisheries, the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate IUU fishing etc and other soft laws.

He regarded UNCLOS as a 'carefully balanced package deal' and opined that it is important to preserve the integrity of the Convention by maintaining that package deal intact. He also stressed upon the need to adapt to changing circumstances and other new challenges which were not anticipated during the drafting of UNCLOS. The aspects of Marine biological diversity of the area beyond national jurisdiction (BBNJ) including marine genetic resources, deep seabed mineral resources and the impact of their exploitation on the marine environment are issues which are better understood now with the aid of new scientific knowledge. Also, the need for UNCLOS to be able to cope with new-age challenges caused by climate change, and global warming, which results in sea-level rising was addressed.

The lecture was followed by a Q & A session and many participants raised interesting questions and all questions were answered by the Resource person. The session came to an end with Mr Manthan Desai extending his gratitude on behalf of the University for the insightful session.



DAY 1- SESSION 2

**09 May 2022 -
05:00 PM to 06:00 PM**

Dr Manimuthu Gandhi
Ex. Joint Secretary (Legal & Treatise Division)
Legal Advisor, Ministry of External Affairs
Topic – Baselines Under the Law of the Sea, and State Practise



Dr Manimuthu Gandhi Started the session by stating that the baselines help in delimiting maritime boundaries of the states and water zones. The States can determine the baselines to measure the territorial sea according to provisions of UNCLOS. The Normal Baseline follows the pattern of the land area towards the coastal side. It is the low-water line marked on the large-scale charts officially recognised by the coastal States (Article 5 of UNCLOS). The large-scale charts give the actual distance, landmark points and other features. The Straight Baseline is an artificial geometric pattern that is drawn around the coastal region under specific circumstances like an indentation in the land area or depending on the archipelagic features (Article 7). The point where a straight baseline ends and meet with another straight baseline at a common point is the Basepoint and the line that 'turn' at the common point to form another baseline is termed the 'baseline turning point'.

He also discussed the 'Equidistant Line' that delimits the breadth of water zones of two states. Dr Gandhi highlighted that the rules to identify the Bay are proposed in Article 10 of UNCLOS. He explained the concept of the 'Closure Rule' used for identifying the Juridical Bay. He stated that the closing line of Juridical Bay becomes the baseline and the water enclosed in it is the Internal waters and the other water zones are measured from this baseline.

He also mentioned the single side baseline of Andaman and Nicobar Island which is in the Bay of Bengal. The baselines in archipelagic waters usually follow the straight Baselines, so there will be internal waters within the archipelagic subject. During the session, he also discussed the South China Sea dispute and India Srilanka maritime delimitation agreement.

DAY 2 - SESSION 1

**10 May 2022 -
3:00 PM to 4:30 PM**

Adv. V.M. Syam Kumar
Maritime Lawyer, Kerala High Court
Topic – An Evaluation of the Rights and Duties
of Coastal States in Adjacent Waters



Adv V.M. Syam Kumar started by explaining the concept of adjacent water which is similar to coastal water, it is water which lies toward land, inward of baseline. The State has an interest in the exclusive economic zone. Coastal States' interest in the adjacent waster is for the fishing, right to move along the sea (transportation), hot pursuit, innocent passage and security interest and then the nature of the rights of the coastal state. To explain the nature and the interest he referred to the following cases.

- “ The M/V 'Saiga' (No.2) Case (Saint Vincent and the Grenadines v. Guinea) (1999);
- “ S.S. I'm Alone (Canada and United States of America) (1935); and
- “ Corfu Channel (United Kingdom of Great Britain and Northern Ireland v. Albania) case (1949).

For the Indian context section 5 (4) (a) Of The Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976 was referred to. Section 5 deals with the contiguous zone of India and sub-section (4) states that the Central Government may exercise such powers and take such measures in or in relation to the contiguous zone as it may consider necessary with respect to:

- (a) the security of India, and
- (b) immigration, sanitation, customs and other fiscal matters.

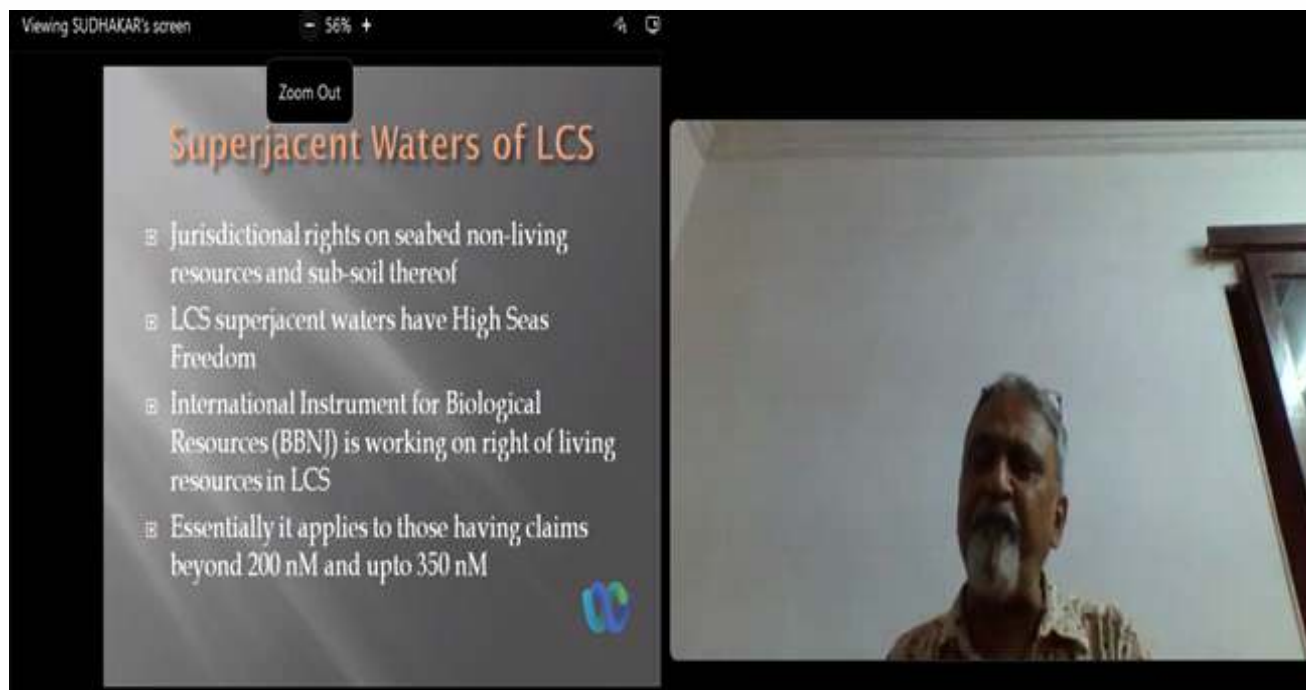
DAY 2 - SESSION 2

10 May 2022

04:45 PM to 06:00 PM

Dr M. Sudhakar

Former Director, Centre for Marine Living Resources and Ecology
Topic – Regime for Identification and Exploration of Continental Shelf under United Nations Law of the Sea Convention, 1982.



Dr M Sudhakar commenced the session by tracing the history and development of the regulatory framework on maritime zones. He mentioned that the United Kingdom was the first nation to popularise the term 'Continental shelf' and in the 1958 Law of the Sea Convention the terms- territorial sea, continental shelf and High seas were evolved. The Second Convention also discussed the outer limits of territorial sea and fisheries zone, but it was not a success in 1964 the convention of Continental shelf and by the 1970s the deliberations for the Third Law of the Sea Convention started. The concept of the common heritage of mankind, equitable sharing of resources, exclusive economic zone, and maritime zones were laid down in the Third Law of the Sea Convention. The constitution of the Commission for determining the question of the legal continental shelf was also laid down in the UNCLOS 1982.

He then subtly explained the geological aspect of the continental shelf, isobath, continental slope, continental rise, abyssal plain and continental margin. The presence of rare earth minerals and precious metals was also dealt with.

He then explained the aspect of the legal continental shelf. The legal continental shelf (LCS) deals with the zone known as the continental margin which comprises the geological shelf, geological slope and geological rise and ends up beyond the rise and in someplace it joins directly with the abyssal plain. The manganese nodules, cobalt-rich crusts and hydrothermal sulphides which are seen in mid-oceanic ridges were discussed. He added if a state could establish that it has a natural prolongation of the geological continental shelf beyond 200 nautical miles, then it can claim for legal continental shelf.

Further, the role of the International Seabed Authority (ISA) was explained. The International Seabed Authority is concerned with the extraction of Polymetallic nodules, cobalt-rich crusts and Hydrothermal sulphides. There are countries where these deposits are occurring within their EEZs. Those States need not go to ISA for licences to explore and exploit.

DAY 2 - SESSION 2

10 May 2022

04:45 PM to 06:00 PM

The requirements for claiming a legal continental shelf were explained in detail. The claims of coastal States for LCS have to be on a sound scientific basis and information. The Commission on the Limits of Continental Shelf is situated in New York. Part VI of UNCLOS deals with the Continental shelf. To establish it, the baselines are to be identified, a chart through National Hydrographic Office and International Hydrographic Office (IHO) is to be obtained, a map of 2500 meter Bathymetric Contour, a map of Foot of the Slope (FOS), a map concerning sediment thickness and all data are required to be collected based on hydrographic or seismic surveys.

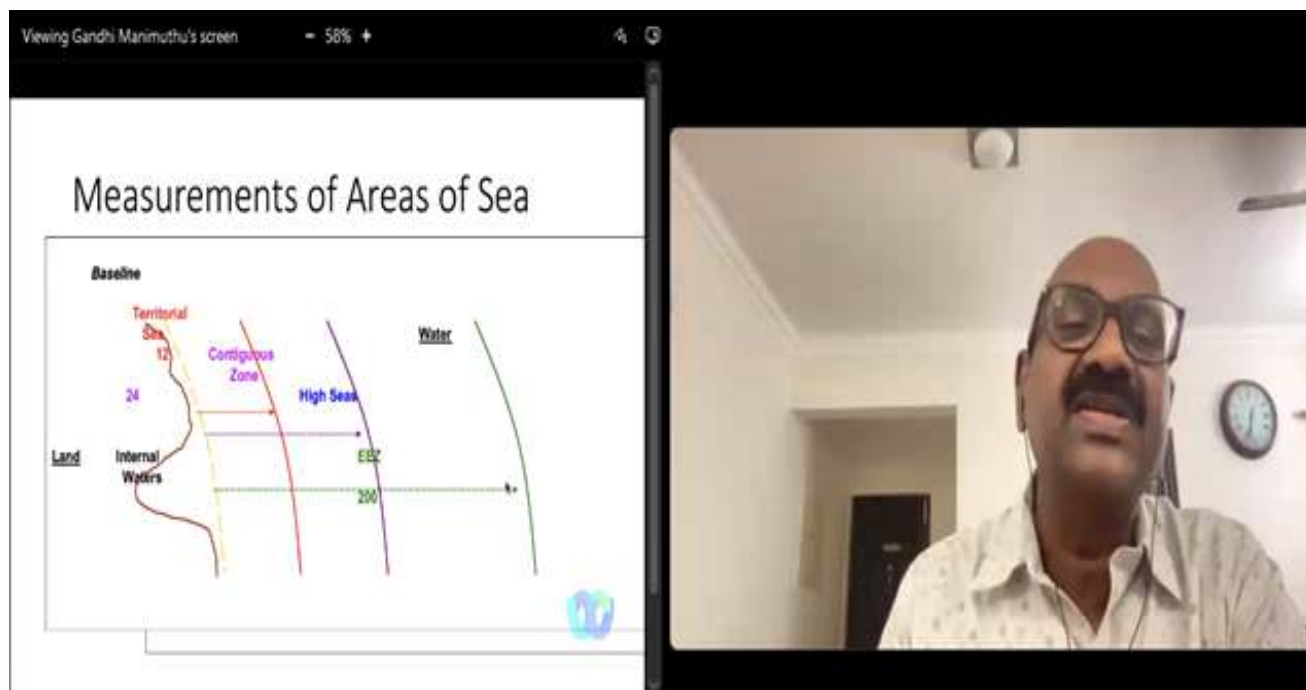
Further, the session concentrated on the Commission on Legal Continental Shelf, its working and its members. He said the Commission is functioning directly under the UN. Any decision arrived at by the 21-member commission is final and binding on the coastal States. The Commission is very judicious and looks at all angles including geological and geophysical. The members of this Commission are not lawyers or diplomats. They are the only scientist who has done their master's degree in geology, geophysics or hydrography. This has been mandated in UNCLOS. The term of members is for 5 years. 92 claims have been submitted to the commission for far including partial claims and joint claims. India submitted its partial claim in 2009 as the 48th claim and came for examination two years back. Now the commission is having six regular meetings per year. There is a backlog of applications to be dealt with. There are sub-commissions among the Commission to look into claims. Concluded the session by stating that unlike the other chapters in UNCLOS, the chapter dealing with the Area and the Continental shelf are driven by economic reasons.



DAY 2 – SESSION 3

10 May 2022
06:15 PM to 07:15 PM

Dr Manimuthu Gandhi
Ex. Joint Secretary (Legal & Treatise Division)
Legal Advisor, Ministry of External Affairs
Topic – Maritime Boundary Delimitation: A Legal Perspective



The resource person started the lecture by stressing the importance of baselines in delimitation. He stated that "baselines are the basis of disputes and baselines are the basis for delimitation" and how the baseline of one country is fixed will have a lasting impact on the maritime zones of not only that country but also adjacent and neighbouring countries. He said that the possibility of overlapping zones may lead to disputes and there were many disputes relating to maritime delimitation even before the Permanent Court Arbitration. He then discussed the Anglo-Norwegian Fisheries case, which was the first case after United Nations came into force and told that the case was important as it dealt with an issue pertaining to a dispute relating to the territorial sea. During that time the extent of the territorial sea was three nautical miles whereas one party maintained that it had the territorial sea of four nautical miles. It was pointed out that the methodology of delimitation laid down in the 1958 convention on the Law of Seas was followed in UNCLOS 1982 also except for Art 76 which deals with the delimitation of the continental shelf.

Further, he elaborated on the reason for conflict between States. Earlier disputes with regard to territorial sea delimitation were connected with fisheries rights, as water beyond 3 nautical miles was considered a part of the open sea and all states used to exercise fisheries rights there. Thus the ascertaining of territorial sea was considered important. He also glanced through the delimitation in case of a claim for an extended continental shelf and explained the concept of the continental shelf, continental rise, continental slope, continental margin and abyssal plain.

The Resource person then discussed various case laws and principles adopted by Courts in deciding the delimitation issue.

- The Anglo-Norwegian fisheries case law marked the first deviation from general principles. The principle of Equitable solution was stressed.

DAY 2 – SESSION 3

10 May 2022

06:15 PM to 07:15 PM

- In the North sea continental shelf case, UK and Netherland insisted on the equidistance principle whereas Germany insisted on the equity principle which was upheld by the court.
- He explained that the reason for the deviation is that the median line will not always provide an equitable solution.
- Libya- Malta and Tunitia, Court laid down the equidistant, special circumstance rule. The special circumstances in which Malta was placed were considered and recognised by the court in delimitation.

After discussing case laws and explaining the principles, he told that delimitation by agreement is the best possible solution in case of opposing and adjoining coasts.

He added that in about 20 decisions of ICJ with equidistance special circumstances and equidistance relevant circumstances rule were adopted by Court. Equidistance relevant circumstances rule was mostly employed in the territorial delimitation of coasts opposing and adjoining. There is no consistent practice by Court in this regard.

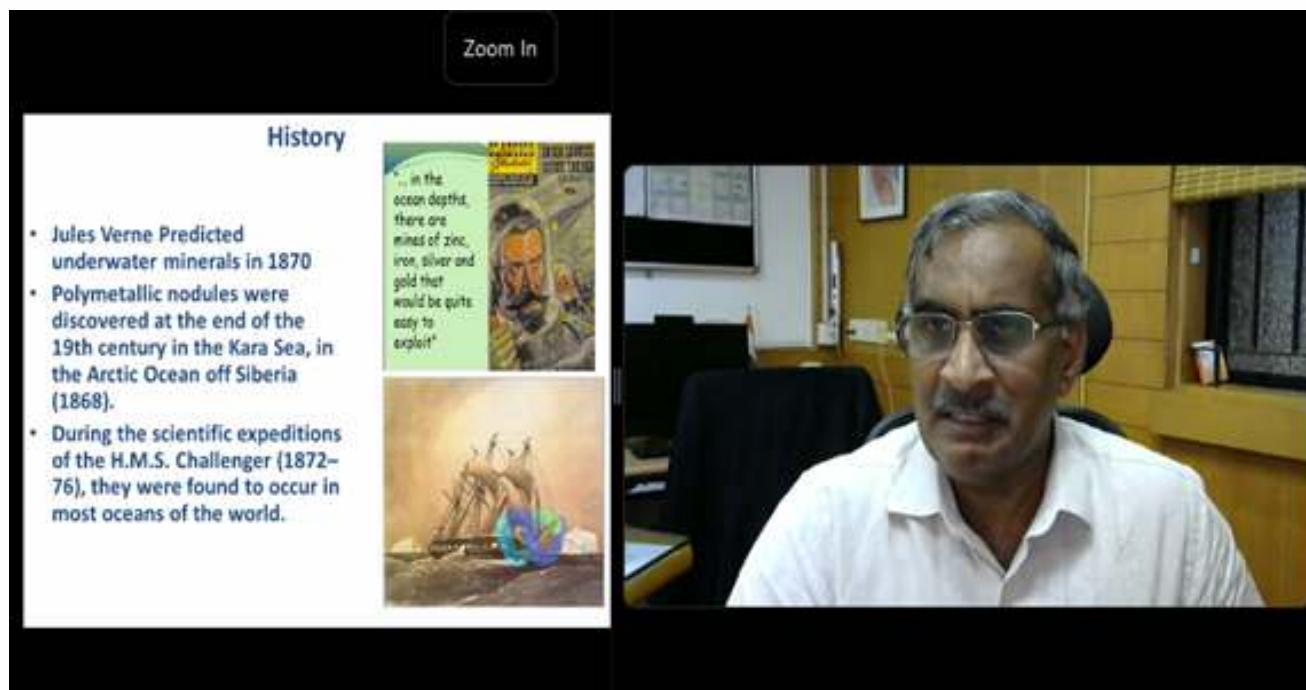
The delimitation between India and Sri Lanka, India and Bangladesh, and the Sir Creek dispute were elaborately discussed. He concluded the session by explaining the aspect of an extended continental shelf and India's claim for an extended continental shelf. He said that law relating to delimitation depends largely on judicial pronouncements rather than UNCLOS provisions and opined that the new situations emerging can only be addressed in this way.



DAY 3

11 May 2022
03:00 PM to 04:30 PM

Dr G.A. Ramadass
Director, National Institute of Ocean Technology
Topic - Deep Seabed Mining: Prospects and Challenges



Dr G.A. Ramadass started his presentation by saying the hunting factors of seabed mining like Polymetallic manganese nodules (PMN), Polymetallic sulphides (PMS) and Cobalt-rich ferromanganese crusts. PMN are the lumps of materials precipitated from seawater and sediment pre-water which contains nickel, manganese, copper, cobalt etc. PMS is formed when the hydrothermal fluids interact with the seawater on the seafloor at hydrothermal vent sites. Copper and Zinc are the most common metals that can be recovered from them. Cobalt crusts are formed occurs in the shallow depth where volcanic activities are usual. These crusts got deposited into the hard rocks in the areas of seamounts, ridges and plateaus due to the ocean currents. Later he discussed the Environmental Issues that resulted from seabed mining like the seafloor becoming cloudy due to taking away the minerals for extraction while collecting the nodules and the water column becomes a nudge therefore not discharging back onto the seashore.

He further detailed the initial step of the survey and discussed two types of mining. He stated that exploratory mining is usually to provide something for scientific research and to make data for further reference. The exploratory method can be considered the beginning of the Exploitation of minerals. Another form of mining is Commercial mining which means it is a way of attracting national and international private investors to invest in those minerals for future use and exploitation.

On the other hand, he discussed the refraction and seismic reflection methods. These are the methods to explore minerals beneath the seafloor. They use artificially generated sound waves commonly the Sonar System, Echo Sound, Side Scan, Sub-bottom Profiler etc. At the end of the session, he discussed the achievements of India in this field the National Institute of Ocean Technology (NIOT) developed a Mining Machine which is a Mining System Configuration established last year (2021). In 2019, NIOT also made a new deep-sea crawler that deployed to depths greater than 5 km., the deepest known test of a seabed locomotion system. He stated that according to their new initiative of Deep Ocean Mission, India is also working for the 'Samudrayaan Mission' and developing 'Matsya 6000', which is a manned submersible which can operate in greater depth. Still, now 5 countries have human-occupied submersibles. India is also working for an Integrated Mining System in the future.

DAY 4 – SESSION 1

12 May 2022
03:00 PM to 04:30 PM

Capt. (Dr.) Nitin Agarwala
Indian Navy

Topic – Legal Regime for Regulating Submarine
Cables and Pipelines in Marine Spaces



Captain Dr Nithin Agarwala termed the Ocean Academy as a 'great endeavour' of Gujarat Maritime University to educate one and all with respect to issues related to the marine environment. He stated that India had overlooked the marine aspect of the nation and opined that its time to look upon the aspect of the marine environment also.

He focused on the scientific and technological aspects of submarine cables. He explained the submarine cable system using a diagram and explained how the transmission is initiated, carried on and received and the equipment used for facilitating smooth transmission from one station to another station. He discussed the Power feeding equipment and submarine line terminals in the landing station. The installation of submarine cables is done using specialised ships after firstly mapping the ocean floor in order to minimise the environmental impacts and to minimise the threat of damage to cables. He added that the 'cable plough' is employed to properly submerge cables under the ocean floor and is also employed for laying down submarine cables. Further, he proceeded to explain cable vulnerabilities wherein damages are caused to submarine cables and explained the four types of faults that may happen to submarine cables.

The session also addressed the environmental aspect of submarine cables. It was pointed out by the resource person that optical fibre cables will not cause environmental impacts if it's laid down properly as their "footprint" is small when compared with submarine pipelines or trawl dredges. It acts as a substrate for marine organisms and is fully colonised by marine organisms in 1-2 months depending on conditions. He observed that they are generally non-polluting.

In the later part of the session, the aspects of submarine power cables were elaborately addressed. The underwater domain awareness was another important issue covered in the session. The two aspects in this regard are explained to be 1) Marine scientific research which is concerned with how the ocean behaves and predicting how the ocean will behave in the future 2) Threat Monitoring which is mainly concerned with security and military aspect.

DAY 4 – SESSION 1

12 May 2022

03:00 PM to 04:30 PM

The underwater threat monitoring system was explained by tracing the use of submarines from the period of World War- II. The development of the Integrated Undersea Surveillance System (IUSS) by the United States of America after World War II was also discussed.

Then the Green cables were discussed. It's also known as smart cables. The smart cables or green cables use the submarine telecommunication cables for marine scientific research. Over one million kilometres of submarine cables are stated to be present today. It was said that with minor modification it can be used for marine scientific research thereby providing deep ocean and seabed data. This will also help to achieve the Sustainable Development Goals of the United Nations. In order to use this, some modifications need to be done.



DAY 4 – SESSION 2

12 May 2022
05:00 PM – 06:30 PM

Dr Pramod. Ganapathiraju
MCS & Fisheries Consultant, IUU Risk Intelligence
Topic – International Regime for combating Illegal,
Unregulated and Unreported (IUU) Fishing



Dr Pramod discussed the United Nations Convention of Law of Sea, 1982 which incorporated the legal regime for the illegal, unreported and unregulated fishing in maritime zones of the countries. There are some agreements, which are considered soft laws. These include the Food and Agricultural Organization Compliance Agreement, 1993; United Nations Fish Stock Agreement, 1995; United Nations Port State Measures Agreement, 2009; International Plan of Action to prevent, deter and eliminate illegal, unreported and unregistered Fishing, 2001.

According to him, India does not have stringent laws related to illegal fishing and the rights of small-scale fishermen. Many fishing communities from Orissa, West Bengal, and Tamil Nadu go to UAE countries to support their community, as UAE have proper laws related to IUU Fishing and the rights of the fishermen. Argentina, Australia, Malaysia, Japan, New Zealand, Norway, and Iceland imposes heavy penalties when it comes to IUU Fishing in their maritime zones.

He also stated that India does not have such Marine Fisheries Organizations to deal with the IUU Fishing activities within Indian Maritime Zones. In India, the fishing in the Mangrove area is monitored by the Forest Department and the fishing of rare species in this area is also under Wild Life Crime Bureau. The accidental entry into any country's Maritime zone is also covered under the IUU Fishing regulations. Orissa is proactive in terms of illegal fishing and also imposes a heavy fine.

DAY 5

13 May 2022
05:00 PM – 06:30 PM

Prof. James Kraska
Chair and Charles H Stockton,
Professor of International Maritime Law at U.S. Naval War College
Topic – Warships and Law of the Sea



Prof. Kraska started the presentation by stating that the Ocean can be used in Peacetime and at that time law of the sea will be applied for governance and the Humanitarian Law says reasonable force can be used and in wartime, the law of Naval Warfare will also be added for governing the situation. The belligerents can fight and use force at the time of war but cannot interfere in the matter of neutrality and the armed conflict only targets the belligerents, when lawfully using the force in peacetime then it will be governed by the Humanitarian Law.

He stated that Article 29 of UNCLOS 1982 defines a warship as a ship belonging to the armed forces that shows the sovereign nationality of the State and which works under the command of a commissioned officer and manned by a crew under the regular armed force discipline and will get the immunity even in the internal waters. After this definition, he directly moves into the provisions that deal with warships under UNCLOS under the head 'Regime'. Article 29 – 32 gives the idea of warships in the Territorial sea; Articles 95, 102, 107, 110 and 111 (of High Seas); Article 236 (Environment-related) and Article 298 which gives optional exceptions to the applicability of Dispute Resolution. Mandatory dispute settlement won't apply if it is military activity.

He also stated that in connection with Environment issues, warships are not subject to the rules of the Coastal State but the Flag state must be in order with the provisions of MARPOL 1973. He said the following can be considered under the Law of Naval Warfare:

- Law of the prize – it is the method of capturing the enemy vessels during warfare. It can be both the ship and the cargo and this developed under customary international law.
- Neutrality – is the method of states not being a participant in the war or other words refraining from being in war. This can be considered a policy decision.

DAY 5

13 May 2022

05:00 PM – 06:30 PM

- Law of Armed Conflict – it is about the operational management of rules and policies during war. It also recognizes the protection of victims.
- Law of the Sea – it is a body of customs, treaties, and international agreements by which governments maintain order, productivity, and peaceful relations on the sea.

During the armed conflict at the oceans, only the warships have the belligerent rights and during peacetime, they have the right to preserve and protect the security of the Nation. He also explained the Paris Declaration of 1856 that abolishes Privateering. Privateering is the technique of privately owned vessels used as warships to fight against and seize the enemy vessel on the ocean with the permission of the government. The privateers are authorized and protected as prisoners of war and not as pirates and at the time of war the goods of the neutral state in the enemy flagged vessels are protected from capture as well.

He also mentioned the 'Arctic Sunrise Case' and the contemporary issue of Ukraine - Russian War where the Turkish Foreign Minister Mevlut Cavusoglu closed the Bosphorus and Dardanelles Straits to Russian warships, exercising Ankara's right under Article 19 of the 1936 Montreux Convention to elevate reading on Warships and the Law of the Sea by the listeners.



DAY 6 – SESSION 1

14 May 2022
03:00 PM – 04:30 PM

Robert Charles Beckman
Emeritus Professor, Faculty of Law,
Head, Ocean Law and Policy Programmer,
Centre for International Law (CIL), NUS
Topic – Legal Regime for Regulating Submarine Cables and Pipelines in Marine Spaces



Mr Beckman started his lecture by discussing the history of the legal regime of submarine cables. It started with the Convention for the Protection of Submarine Cables, 1884, which became effective on the first day of May 1888 there were only thirty-nine member states but from the Asia-Pacific region Japan, Australia and New Zealand were the member state. He further stated that this convention served as the basis for the review of the Law of Sea by the International Law Association and the International Law Commission in 1950.

Further, there was discussion on laying cables in the different maritime zone. Mr Beckman also gave a brief overview of the cable route surveys and cables and navigation charts. There was discussion on the threats to submarine cables which are caused by fishing activities, ship anchors, natural hazards, intentional taking, permit delays, intentional attacks on submarine cables and breaking or injury of cables. He stated that Article 113 of UNCLOS, 1982 deals with the protection of cables. In conclusion, he stated that States have the right to lay and repair cables outside the territorial sea but it is subject to due regard.

An overview of the International Cable Protection Committee (ICPC) was given. It is an NGO in the USA that works on protecting and promoting the resilience of submarine telecommunications cables. Member States are working with many states for adopting the National Resilience and Protection Plan based on guidelines given by ICPC. He considers that it is high time for adopting an international instrument on submarine cables. It has to be declared as the critical communications infrastructure, and States should designate one government agency as the lead agency for dealing with the security of submarine cables. He also suggested that the member States should cooperate at the regional level to address the threats to submarine cables and a new convention should be adopted to make the intentional breaking or theft of cables an international crime among contract states.

DAY 6 – SESSION 2

14 May 2022

05:00 PM – 06:30 PM

Dr Rama Rao

Former Director (Legal), Ministry of External Affairs; Government of India and Ex-Member Council; International Seabed Authority
Topic – The Evolving Legal Regime on Marine Biodiversity in Areas Beyond National Jurisdiction



Mr S Rama Rao started the topic by giving an overview of the term 'Biological diversity'. He explained the definition of the term 'Biological Diversity' provided under the Convention on Biological Diversity. He added that "it includes, in part the diversity of the species and interrelationship between the species and the ecosystem wherein the overarching framework, geospatial covering ecological as well."

The Resource person then spoke about the evolution of the concept of conservation of marine biological diversity and said that the law of the sea Conventions generally was silent on the aspect of preservation and conservation of marine biological diversity. Dr Rao also spoke about the Brundtland Commission and the emergence of the concept of sustainable development were mentioned. He stated that the constitution of the Brundtland Commission was pointed as a turning point which brought about a new trend in the development of the law governing marine biodiversity. He also stated that this was for the first time beyond UNCLOS, in the environment field marine environment was covered. He further elaborated that UNCLOS was not entered into force until 1995.

Further, the session covered the role of the General Assembly in the development of a regime for regulating marine biodiversity. It was said that from 2004 onwards a working group was constituted to deal with the issue and it examines the issues relating to the preservation and conservation of biodiversity beyond national jurisdiction and its Report was submitted. This led to the establishment of a Preparatory Committee established by the UN. The Committee started to work on the issue and for the first time there was a "dissection of the universe of marine biodiversity from the point of view of the law of the sea." The initiation of an Intergovernmental Conference on conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction under the aegis of the UN and the details of Sessions held were discussed. He opined that the final session is expected to take place in 2022 and added that this is the first-time marine biodiversity is discussed in terms of international law. The session was followed by Q & A. The session came to an end with Mr Saravanan R extending his gratitude on behalf of the University for the insightful session.

Testimonials of the Participants

The course gives an insight from basics to intricate issues associated with the Law of the Sea. The more intriguing aspect of the course is the intersection of professional & industry experts from the maritime field, their scientific and technical expertise, and the Law of the Sea. It also gave an idea about the contemporary challenges to be addressed and the associated cross-cutting issues. Overall, it was a wonderful learning experience. I would like to thank the GMU for designing the course and looking forward to more such courses, training programs and research projects.

P Vaishnavi Narayeni

Assistant Professor, Ramaiah College of Law & PhD Research Scholar

The GMU Academy on Oceans Law and Policy conducted by the Gujarat Maritime University (GMU) from 09 June to 14 June 2022 was indeed one of a kind teaching capsule. The topics covered by eminent persons both international and national are relevant in today's world. Each session was very insightful, thought-provoking and knowledge-driven. Also, each speaker was able to do justice to the numerous questions posed during the Q&A session. Some of the answers provided during this session gave insights into areas which were not known to me. Also, the reading materials and the PPTs shared proved very helpful for the MCQ test, which I consider was very important to test the concentration, listening and learning capabilities of the participants in the course. The certificates provided will have a positive impact on the career of each participant.

I am thoroughly satisfied with the GMU Academy on Oceans Law and Policy and thank GMU for taking the time to conduct such a necessary, relevant and important course and also congratulate GMU for being able to conduct the entire course without any technical or other issues.

John J Vachaparambil

Associate Fellow, National Maritime Foundation

It was a beautiful and educational event. Thanks to GMU. Especially I have benefited a lot from the course. I hope you will come up with something new for us.

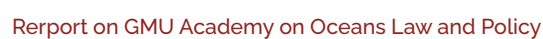
Anadi Bikash Chowdhury

Law Student

First of all, thank you for giving me such an opportunity to join this event. I only got to study Ocean law in international law which was very little in portion. After joining this event, I got to experience and learn about lots of things. And in the near future, I think it's going to be very helpful to me as I got even more curious to learn about this subject.

Mrettika Ganguly

Law Student



Glimpse of Past editions of GMU Academy





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