

SUMMARY OF THE CONFERENCE

“Diritto del mare e nuovi interessi della comunità internazionale” (Law of the Sea and New Interests of the International Community) Santa Maria de Salina, Italy, September 29-30, 2011

On September 29 and 30, 2011 took place in Italy the Conference “Law of the Sea: New Interests of the International Community”, which constitutes the outcome of a research project, coordinated by Prof. Angela Del Vecchio and sponsored by five Italian universities: Luiss Guido Carli, University of Rome “Tor Vergata”, University of Pisa, University of Sannio and Second University of Naples.

Since the signature of the UN Convention on the Law of the Sea, the assets of the international community have undergone major changes. The process of globalization has also changed the key interests of the international community. The five operational units involved in the research project aimed at analyzing how and to what extent these changes are having an impact on the International Law of the Sea. To this end, they focused on some of the areas in which the transformations taking place seem to be more significant.

The conference has been developed in five sessions with the presence of Italian as well as international academics and professionals.

The first session has concerned the immigration by sea. Indeed, during the last two decades, the cases of illegal immigration by sea have increased in the Mediterranean and in other geographic areas. Given the shortcomings of UNCLOS on the subject, several multilateral and bilateral agreements have been concluded, some of which provide the necessary cooperation in patrolling activities between the State of departure and the State of arrival.

The traffic of illegal migrants by sea carried out by organized criminal groups, often on a transnational basis, is not the only threat to the safety of maritime navigation. As more and more terrorist networks operating on global and modern forms of piracy make navigation extremely vulnerable, especially in some areas, it seemed appropriate to identify, as the fourth theme of research, the evolution of international cooperation in the fight against maritime piracy and terrorism at sea. The analysis of these aspects of security in maritime traffic has been undertaken during the second session of the conference.

The third session has focused on the cooperation on the safety in navigation. The increase of the world maritime traffic and the serious accidents involving oil tankers due to frequent environmental disasters have caused the evolution of international standards and relevant legislation. The speakers have assessed whether or not the new solutions contained in these instruments adequately respond to the needs of the international community to improve the safety of navigation, to protect the lives of persons on board and to reduce the accidents during navigation that might cause serious damage to marine environment.

The fourth session of the conference has covered the legal framework of the Arctic seas and the resources found therein. After the identification of what is causing the “Arctic competition” and the strategic and economic objectives behind it, the rules applicable to the exploitation of the Arctic resources have been assessed, along with

the international cooperation aimed at preventing the deterioration of the marine environment of the area. The analysis has been conducted by making comparisons with the international legal framework of the Antarctic, in order to highlight the differences of the rules of the two polar zones as well.

Finally, the last session has concerned the marine resources and the sea as an energy source in light of the interests of the international community. In particular, speakers have primarily focused on recent developments of the system of exploitation of fish stocks (mainly on the strategies developed by the FAO and the EU to counter the phenomenon of illegal, unreported and unregulated fishing) along with gas mineral resources existing on the seabed and in the subsoil. Also the recent developments of practice were analyzed, where the international community tries to use the sea as a source of renewable energy by building offshore wind farms, and by harnessing wave and tidal energy.

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