

Training Workshop Programme 2022

Negotiating Maritime Boundaries

6–8 June 2022, The Hague, The Netherlands



Few coastal states have agreed all their maritime boundaries with their neighbours.

This workshop focuses on the knowledge and skills required to create a successful maritime boundary agreement.



INTRODUCTION

Clearly defined maritime boundaries are essential for good international relations and effective ocean management, yet few coastal states have agreed all their maritime boundaries with their neighbours. Part of the reason for this is that boundary delimitation requires a range of specialist legal and technical skills which are not always readily available to governments. This workshop, led by some of the world's most experienced boundary negotiators, is designed to equip participants with the knowledge and skills required to conclude a successful maritime boundary agreement.

The programme will be structured around a full-day boundary negotiation exercise in which participants will work in teams to resolve a boundary dispute based on a real-world scenario. The course will also include practical instruction on building and preparing a negotiating team, negotiation strategy and tactics, and drafting an agreement

Who should attend?

- Diplomats
- Legal advisers
- Technical Experts
- Energy Officials
- Pipeline and cable layers
- Ocean surveyors
- Marine scientists
- Geopolitical analysts
- Researchers and consultants

TUTORS



Davinia Aziz, Senior state Counsel in the International Affairs Division of the Attorney General's Chambers, is on secondment as legal adviser in The Hague Diplomatic Office of the Embassy of the Republic of Singapore to Belgium, The Netherlands & Luxembourg and Mission to the European Union, holding the rank of Minister-Counsellor. At the Embassy, her portfolio includes the international legal institutions in The Hague, such as the Permanent Court of Arbitration and the International Court of Justice (ICJ). Davinia is a government lawyer of some 20 years' standing. She has done advisory and representational work across all areas of public international law, including dispute management, the law of the sea and maritime boundaries. In particular, she worked in Singaporean teams implementing the 2008 ICJ Judgment in *Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge*.



Rosemarie Cadogan, International Lawyer and former Policy Advisor, Commonwealth Secretariat, has over fifteen years experience developing public policy regulatory frameworks, administrative policies and strategies relating to maritime boundary delimitation and integrated ocean management. As Legal Negotiator on the Guyana Negotiating Team, she applied public and private international law principles towards securing rights to Guyana's maritime space in bilateral maritime delimitation negotiations, maritime enforcement (ship rider) agreements, an exclusive economic zone (EEZ) Cooperation Zone Agreement and reciprocal fisheries agreements. As Legal Adviser with the Commonwealth Secretariat, she supported the conclusion of 6 maritime boundary agreements and 5 ocean governance policies in the Eastern Caribbean and Pacific regions, review of African blue economy frameworks, implementation of a blue economy roadmap in Seychelles and advancement of oceans and trade economy strategies in Belize and Barbados. Rosemarie is admitted to the Bar in Guyana and Canada and holds a Masters' Degree in Marine and Environmental Law from Dalhousie University, Canada, a Post Graduate Diploma in International Relations from the University of Guyana, an LLB from the University of the West Indies and Prince 2 Certification in Project Management.



Mr. Henning Dobson Fugleberg Knudsen, Senior Legal Consultant, Danish Ministry of Foreign Affairs, has for more than a decade been responsible for all UNCLOS matters within the Kingdom of Denmark, including submission of data regarding continental claims south, north east and north of Greenland to the Commission on the Limits of the Continental Shelf (CLCS). Henning has acted as legal council and Deputy Head of Delegation in a number of delimitation negotiations and dialogues inter alia with Iceland, Norway, Poland and Sweden. Furthermore, he currently acts as legal council and Deputy Head of Delegation in the negotiations with Canada regarding the sovereignty over Hans Island and delimitation of continental shelf beyond 200 M south of Greenland. Henning holds master degrees in law from the University of Aarhus, the University of Oslo and the University of Tromsø, respectively, and has worked as Attorney-at-Law in Norway, Denmark, USA and Greenland. Henning is admitted to the bar in Denmark. Henning is listed as Expert on Maritime Boundary Delimitation at IHO and as Conciliator and Arbitrator under UNCLOS Annex V and VII.



Dr. Liesbeth Lijnzaad, Judge, the International Tribunal for the Law of the Sea (ITLOS), has been a Judge since 2017 and is also a member of the Seabed Disputes Chamber, the Chamber for Summary Procedures as well as the Chamber for Maritime Delimitation Disputes of the Tribunal. She is a Member of the Permanent Court of Arbitration, and a conciliator and arbitrator under Annexes V and VII of the Convention on the Law of the Sea. Previously, she was the principal Legal Advisor on Public International Law at the Dutch Ministry of Foreign Affairs, and head of its international law department (2006-2017). In her capacity as government lawyer, Lijnzaad has been active in many fora, and has accumulated a wide range of experience in the practice of international law. As Legal Advisor she participated in the 6th Committee of the UN General Assembly, as well as the EU's working group on Public International Law (COJUR) and the Comité Ad Hoc de Droit International (CAHDI) of the Council of Europe, both of which she has also chaired. She has acted as Agent for the Netherlands in cases before the International Court of Justice, the International Tribunal for the Law of the Sea, the Permanent Court of Arbitration, the International Criminal Court, as well as the US Supreme Court. Dr. Lijnzaad is also endowed Professor Practice of International Law at Maastricht University (since 2011). She is an occasional lecturer at the Dutch Academy for Government Lawyers (Academie voor Overheidsjuristen), at IBRU and the Graduate Institute in Geneva (IHEID, Institut des Hautes Études Internationales et du Développement). She is the chair of the Supervisory Board of the T. M. C. Asser Institute in The Hague. Her research interests are amongst others the Law of the Sea, the Laws of Armed Conflict, Feminism and International Law as well as the Sources of International Law.



Professor Martin Pratt, Director, Bordermap Consulting, is an internationally-respected expert in boundary-making, border management and territorial dispute resolution, with over twenty years' experience working with governments, international organisations, businesses, scholars and practitioners around the world to resolve and prevent boundary-related conflict. He has extensive practical experience in maritime boundary negotiations and third-party adjudication of boundary and sovereignty disputes. Martin worked at IBRU from 1994-2015, leading the Centre's consultancy and professional training programmes for over a decade, and he remains an Honorary Professor in Geography at Durham University.

PROGRAMME

Monday 6 June	0830-0900	Registration
	0900-0915	Welcome and Introduction
	0915-1000	Boundary-making and the importance of boundary negotiations <ul style="list-style-type: none"> • Theory and practice of international boundary-making • Boundary uncertainty and boundary disputes • Types of negotiation
	1000-1100	Legal principles in maritime negotiations <ul style="list-style-type: none"> • The UN charter and dispute resolution • Sources of international law • Maritime delimitation under UNCLOS • The role of international law in negotiations • Dispute Settlement under UNCLOS • Maritime delimitation in the context of uncertain/disputed territorial sovereignty
	1100-1130	<i>Refreshments</i>
	1130-1245	Building and preparing a negotiating team <ul style="list-style-type: none"> • Required expertise • Negotiating brief • Mandate • Support services • Team dynamics • Timeframe, venues, costs
	1245-1345	<i>Lunch</i>
	1345-1515	Negotiation strategy and tactics <ul style="list-style-type: none"> • Objectives • Tactics • Initial contact • Making concessions • Opening positions
	1515-1545	<i>Refreshments</i>
	1545-1700	The role of the technical expert during negotiations <ul style="list-style-type: none"> • Before negotiations • During negotiations • After negotiations

Tuesday 7 June	All Day	Boundary-making and the importance of boundary negotiations Working in teams, participants will seek to negotiate an agreement defining the maritime boundaries between fictional states of Tasmania and Victoria. The scenario involves legal, technical and management-related problems which will require ingenuity and diplomacy to resolve.
	1045-1115	<i>Refreshments</i>
	1300-1400	<i>Lunch</i>
	1515-1545	<i>Refreshments</i>
	Evening	<i>Workshop dinner</i>

Wednesday 8 June	0900-0945	Drafting an agreement <ul style="list-style-type: none"> • The law of treaties • Elements of a boundary agreement • Ratification and deposit with the United Nations
	0945-1045	Boundary negotiations within regional / multilateral frameworks <ul style="list-style-type: none"> • Challenges for small states • Regional perspectives • The Commonwealth experience
	1045-1115	<i>Refreshments</i>
	1115-1230	Options for boundary settlement when negotiations break down <ul style="list-style-type: none"> • Mediation • Conciliation • Track II diplomacy • Third-party adjudication
	1230-1300	<i>Closing discussion and wrap-up</i>
	Afternoon	<i>Optional tour of the Peace Palace (Subject to restrictions being lifted)</i>

IBRU reserves the right to modify the programme and tutors as necessary without prior notice to participants

Cover Image: IBRU participants negotiating a maritime boundary at an IBRU workshop.

Workshop Venue

The Hague, The Netherlands

The Hague is the seat of the Dutch government and parliament, the Supreme Court, and the Council of State. The city has a population of around 500,000 and is only a 30 minute train journey from the capital City Amsterdam and the main hub airport.

For more information on The Hague visit <http://denhaag.com/en>



The Hilton Hotel and Peace Palace

The workshop will be held in The Hilton Hotel in The Hague, The Netherlands

<https://www.hilton.com/en/hotels/amshhhi-hilton-the-hague/>

The hotel is a short taxi or tram ride from the central station in The Hague which has trains arriving every 20 minutes from Amsterdam airport. The hotel is a 5 minute walk from the Peace Palace.

Peace Palace Tour

Afternoon of Wednesday 8 June

We hope to offer a guided tour of the Peace Palace, the visitor centre and gardens around the Peace Palace on the afternoon of 8 June.

The tour is subject to restrictions on guided tours being lifted in time and enough interest from our workshop participants to attend. Please confirm your interest in the tour when you book your place on the workshop.

What will it cost?

The cost of the workshop is **£1,950** per participant. We regret that payment can only be accepted in GBP sterling and we are able to accept payment by most major credit and debit cards.

Full payment **MUST** be received prior to the workshop to guarantee the booking. If full payment is not received before the deadline date of 16 May 2022, any provisional places booked will be removed. Bookings made after 16 May 2022 will only be guaranteed with payment in full and if places are still available.

In addition to tuition and all course materials, the fees cover the following:

- Lunch and refreshment breaks on 6-8 June
- Evening dinner on 7 June
- Tour of the Peace Palace on 8 June (Subject to restrictions being lifted)

How to book

Places are limited and early booking is highly recommended:

- 1 Contact the IBRU Events Team or complete the online booking form at <https://www.durham.ac.uk/research/institutes-and-centres/ibru-borders-research/training-and-workshops/professional-training-workshops/>
- 2 Acknowledgement of the provisional booking will be sent by email with information on how to pay.
- 3 If payment is not received by the deadline specified, the reserved place will be cancelled and your booking removed to a waiting list.

Your place will only be confirmed when payment is received and if a place is still available.

Additional information

Accommodation

Accommodation is not included in the workshop fee and participants are required to book their own accommodation in The Hague at a venue of their choice. We strongly recommend that you organise accommodation at the The Hilton, The Hague, in which the workshop teaching will take place.

<https://www.hilton.com/en/hotels/amshhhi-hilton-the-hague/>

Travel

You are expected to organise your own travel arrangements to The Hague. Please be aware that if you require a visa to visit The Hague you will be required to apply for your own visa for entry into the country. Please allow enough time for your visa to be processed before the start of the workshop. A letter of invitation can be provided to support your visa application.

COVID-19

Please ensure you are aware of any entry requirements in to the Netherlands regarding vaccinations against COVID-19 before you book your place on the workshop and travel to the Netherlands.

Language

Teaching and workshop materials will be in English. We regret that we are unable to provide translation or interpreting services.

Cancellations

Cancellations must be received in writing not later than the 16 May 2022 and will be subject to a £250 cancellation fee, unless a substitute participant is offered. After this date the full registration fee will be charged for all cancellations.

Programme Changes

IBRU reserves the right to modify the programme as necessary without notice to participants.

Contact Information

If you have any questions about the workshop please contact the IBRU Events Team.

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