

International Symposium on the Law of the Sea

The Rule of Law in the Seas of Asia - Navigational Chart for Peace and Stability -

February 12 and 13, 2015, at Mita Kaigisho

Summary of the Symposium

March 24, 2015

Ocean Division

International Legal Affairs Bureau

On February 12 and 13, 2015 in Tokyo (Mita Kaigisho Auditorium), the Ministry of Foreign Affairs of Japan held an international symposium on the Law of the Sea, titled “The Rule of Law in the Seas of Asia: Navigational Chart for Peace and Stability”. The symposium consists of three segments, featured panel presentations by five researchers and practitioners of the law of the sea from China, France, Italy, UK and Vietnam, and four Japanese scholars. This symposium gathered more than 290 participants in total, including those from diplomatic corps based in Tokyo, Government, universities, and research institutes.



- Opening Session (in the morning of February 12)-

■ Opening Remarks by H.E. Mr. Fumio KISHIDA, Minister for Foreign Affairs

In his opening remarks, Minister KISHIDA highlighted that, with the growing number of scenes in the Seas of Asia that indicate increasing tensions, Prime Minister Shinzo ABE advocated the “Three Principles of the Rule of Law at Sea” in May last year at the Shangri-La Dialogue. He underscored what we need today to achieve the peace and stability of the seas of Asia: The respect for and thorough adherence to the rule of law at sea based upon the law of the sea, with the United Nations Convention on the Law of the Sea (UNCLOS) at the core. Minister KISHIDA then appealed that it was necessary to make the law of the sea a common “navigational chart” for all nations. ([Remarks made by Minister KISHIDA](#))

- **Views expressed in the keynote speech and panel presentations as well as those expressed during the Q&A sessions in this symposium and summarized below are those of the speakers and do not reflect the views of the Government of Japan.**

■ **Keynote Speech by H.E. Judge Shunji YANAI of the International Tribunal for the Law of the Sea (ITLOS), Former President of ITLOS**

Judge YANAI first overviewed the role played to this date by UNCLOS, which celebrated the 30th anniversary of opening for signature two years ago, in establishing the rule of law at sea. Judge Yanai then responded to the question of whether UNCLOS is capable of meeting the new challenges to come in the future, by firstly indicating how State practice and international jurisprudence, in the fields such as the methods of delimitations and in the discussion on the Area, clarified and developed UNCLOS. He then emphasized that with the activities of the organizations established by UNCLOS, including the International Tribunal for the Law of the Sea (ITLOS), UNCLOS is able to dynamically cope with new challenges. He also drew the audience's attention to the fact that, despite the so-called "Manila Declaration on the Peaceful Settlement of International Disputes (the UN General Assembly Resolution A/RES/37/10(1982))", which provides that "Recourse to judicial settlement of legal disputes should not be considered an unfriendly act between States," the third-party dispute settlement mechanism under UNCLOS is not yet fully utilized. He then called for all States parties to disputes before the international court or tribunals to appear and exercise their own rights in the proceedings, for the sake of the development of the law of the sea. He also touched upon the recent trend that Asian States make more active contributions for the development of the law of the sea. He encouraged young experts and practitioner of the law of the sea to be more proactively engaged in the development of the law of the sea and the peace and stability of the seas of Asia, to let the trend continue.



H.E. Mr. Fumio KISHIDA, Minister for Foreign Affairs



H.E. Judge Shunji YANAI of ITLOS

Segment 1: Coastal States' Rights and Entitlements at Sea based upon UNCLOS

(in the morning of February 12)

Coordinator: Mariko KAWANO Professor, Faculty of Law, Waseda University

■ **"Legal Nature of Coastal States' Rights in the Maritime Areas under UNCLOS"**

Tullio TREVES

Professor, Faculty of Law, State University of Milan

Former Judge of ITLOS

As to the scope of the coastal States' rights in various maritime areas under UNCLOS, Professor TREVES pointed out that they are limited by the rights recognized to other States in each area by international law. Especially, he noted that, under UNCLOS, a coastal State's rights in its EEZ and the freedoms therein enjoyed by other States shall be exercised with reciprocal due regard, with no priority given to either. He emphasized that States in both sides are under the obligation to exercise their rights respecting other States and to endeavor in good faith to accommodate their rights with those of others. Professor TREVES also overviewed and examined the scope of coastal States' rights in maritime areas under special circumstances, such as a "potential" maritime area, where a coastal State may establish a maritime area but has not yet done so, a so-called "gray area" of which, for example, the seabed and subsoil are the continental shelf of one State while the superjacent water column is the EEZ of the other; and "disputed areas" over which two or more States' claims of sovereign rights or jurisdiction overlap. In conclusion, Professor TREVES pointed out that the principle of due regard under UNCLOS and that of good faith under customary law will provide the clue to solution when, while UNCLOS lay down "static" regimes of maritime areas, the matters "dynamically" develop between and among the claims of States.

■ **"Historic Waters and Rights Revisited: UNCLOS and beyond?"**

Shigeki SAKAMOTO

Professor, Faculty of Law, Doshisha University

Professor SAKAMOTO first examined the discussions of "historic waters" under international law, referring to theories and international jurisprudence. He then took up the so-called "nine-dash line" alleged by China in the South China Sea as an example of claims of "historic waters" by a State, and analyzed its legal nature. Professor SAKAMOTO underscored the ambiguity in light of international law of the nature and meaning of the "nine-dash line", by which China is said to be claiming its sovereignty or sovereign rights over the maritime area including its seabed and subsoil covering as much as approximately 70% of the South China Sea. Even in China, he pointed out four different legal interpretations on the line exist, while the Government of China itself has never given clear explanations on it. He then examined the validity of China's claims in light of international law, with the hypothesis assuming the "nine-dash line" as representing "historic waters." In rebutting the argument that the issue of the "nine-dash line" could not be solved by referring to UNCLOS because it contained no provision on the "historical waters," he pointed out that the general international law applies to the issues that UNCLOS does not specifically stipulate, and it includes the rules concerning the "historic rights" or "historic waters." He also rebutted the opinion that UNCLOS is not applicable to the "nine-dash line"

because the former had entered into force much later than the establishment of the “nine-dash line,” by emphasizing that such allegation would rend UNCLOS worthless as a code of conduct.

■ “Issues Arising from Extended Continental Shelf Claims in Maritime Areas less than 400 Miles in Width”

Kentaro NISHIMOTO

Associate Professor, School of Law, Tohoku University

Dr. NISHIMOTO took up the issue highlighted by the submissions for the extension of the respective continental shelves in the East China Sea made by China and Korea consecutively in 2012, before the Commission on the Limits of the Continental Shelf (CLCS). China and Korea claimed that their continental shelves continue up to Okinawa Trough, while the distance of their respective coasts opposite to Japan’s are less than 400 nautical miles. In accordance with Article 76 of UNCLOS, coastal States are automatically entitled to the continental shelf up to 200 nautical miles from the baseline. The same article introduces the regime of so-called “extended or outer continental shelf” beyond 200 nautical miles, indicating the outer limits are defined based on scientific and technical notions. To make its delineation “final and binding,” the same article requires coastal States to establish the outer limits based on the recommendations by the Commission on the Limits of the Continental Shelf (CLCS), a body of scientific experts. Dr. NISHIMOTO posed a question whether CLCS has a capacity to consider the submissions in the abovementioned case of East China Sea. He pointed out that CLCS’s role under UNCLOS is to ensure that coastal States adhere to Article 76 in drawing the boundary of the continental shelf with “the Area”, an international seabed zone characterized as the “common heritage of mankind.” Dr. NISHIMOTO underlined that the “delineation” between the continental shelf of a coastal State and the Area is clearly distinguished from the “delimitation” of the continental shelf between and among coastal States, in the text of Article 76 as well as in the practice. He therefore concluded that, in the case of the East China Sea where only the “delimitation” of the continental shelves matters, the CLCS has no mandate to exercise. Additionally, Dr. Nishimoto indicated that there is a clear trend of an equidistance-based delimitation in international jurisprudence and in State practice, with waning of so-called “natural prolongation” doctrine. He noted that, under these particular cases, it therefore lacks practical necessity as well for CLCS to consider the submissions made by China and Korea.



Right: Professor Mariko KAWANO (coordinator)
Left: Professor Tullio TREVES



Right: Professor Shigeki SAKAMOTO
Left: Dr. Kentaro NISHIMOTO

■ Q&A Session

For Professor TREVES's presentation, various questions were raised, including those concerning the role to be played by due regard rule and the principle of good faith in transformation of the law of the sea, and the status of military activities within the EEZ. To a question as to the role of "natural prolongation" doctrine in the delimitation of the continental shelf, Professor TREVES said that taking account of the provision of Article 76 of UNCLOS and the development of international jurisprudence (e.g., the case between Bangladesh/Myanmar before ITLOS), there would be no more role that the notion of "natural prolongation" could play independently from the provisions of Article 76 of UNCLOS.

To Dr. NISHIMOTO, a question was asked on the role of CLCS in a case of submission for extension of continental shelf in a maritime area where a delimitation dispute between coastal States is pending before an arbitral tribunal under Annex VII of UNCLOS. Stating that the "delimitation" between States and "delineation" between the continental shelf and the Area, which is an international zone, are two distinct notions, Dr. NISHIMOTO pointed out that the current Rules of Procedure of CLCS provides that CLCS does not consider a submission if a delimitation dispute exists between States in the area of submission, resulting in a problem of enabling other States to easily block the procedure before CLCS.

To the question concerning the "nine-dash line" claim and customary law, Professor SAKAMOTO answered that, since the "nine-dash line" had not been established as historic waters under the customary law in his view, other States could still invoke the rule of "persistent objector" to block such establishment.

Segment 2: Development of Legal Regimes Governing the Period pending Final Agreement of Delimitation

(in the afternoon of February 12)

Coordinator: Shigeki SAKAMOTO Professor, Faculty of Law, Doshisha University

■ "Obligation of Self-Restraint and Cooperation of Coastal States in Maritime Areas pending Delimitation"

Naoya OKUWAKI

Professor, School of Law, Meiji University

Professor OKUWAKI took up the obligation of coastal States to refrain from certain activities within a maritime area pending delimitation in order not to jeopardize or hamper the reaching of final agreement, as well as the one to promote positive cooperation to enter into provisional arrangements of a practical nature. He analyzed the concrete scope of these obligations under articles 74(3) and 83(3) of UNCLOS and general international law. He pointed out that international court and tribunal had already made it clear in their jurisprudence that, in areas pending delimitation, the unilateral activities involving any risk of "physical damage" or "permanent and physical change to the marine environment" are prohibited as "any unilateral activities that might affect the other party's rights in a permanent manner" are not permitted. Upon this basis, Professor OKUWAKI illustrated some recommended practices of self-restraint. Professor OKUWAKI then suggested that conduct in the vicinity of the median line must be refrained, at least if the conduct involves unilateral drilling of the seabed for exploitation in the disputed area. He also specified other conducts that are strongly expected to be refrained from, such as the construction of structures and installations on and around a low-tide elevation,

reclamation of such a feature to construct artificial islands or landing strips, and stationing personnel on such artificial islands. With regard to fishery resource's development, Professor OKUWAKI argued on the other hand, there was the most compelling reason to adopt provisional arrangements because of the reproductive nature of the resource and common interest of coastal States for proper conservation and exploitation of such resources. He further stated that in a semi-enclosed sea, coastal States have an obligation to cooperate in accordance with Article 123 of UNCLOS.

■ **"The Infringement of Obligations of Self-Restraint and Cooperation under Article 74(3) and 83(3) and Possible Strategies to Bring Disputes Emanating from Such Infringement before Relevant Courts and Tribunals"**

Robert G. VOLTERRA

**Visiting Professor, Faculty of Law, University College of London
Partner of Volterra Fietta (Law Firm)**

Professor VOLTERRA first overviewed the nature of the obligations of coastal States of self-restraint and cooperation in the maritime areas pending delimitation under Article 74(3) and 83(3) of UNCLOS, which were "critical components of an inter-State normative framework for stability and security." He underlined that both obligations are mandatory and the breach of them would constitute a violation of international law. From the point of view of an international litigation lawyer, he argued how a coastal State could bring a dispute to an international court or tribunal under UNCLOS when another State infringes such obligations. Since these obligations are provided for in Article 74 and 83 of UNCLOS, of which paragraph 1 concerns delimitation of the EEZ and the continental shelf respectively, the question arises whether a dispute concerning the obligations of self-restraint and cooperation would be exempted from application of the compulsory dispute settlement procedures under Part XV by the declaration made under Article 298(1)(a). Professor VOLTERRA, however, observed that there is a strong argument that the obligations to self-restraint and cooperation are independent from delimitation and not directly related to it, and thus cannot be exempted by the declaration under Article 298(1)(a). He further pointed out the strategic usefulness of the procedure of provisional measures to prevent breaches of obligations to self-restraint and cooperation, taking into consideration the lower threshold (*prima facie*) required for the establishment of jurisdiction, i.e., in such cases, court or tribunal would likely to order the very self-restraint and cooperation to the parties as provisional measures. Professor VOLTERRA also examined potential tactics to claim violation of Article 300 (good faith and abuse of rights) of UNCLOS as the basis of jurisdiction, i.e., the applicant State could avoid the question of jurisdiction in light of Article 298(1)(a) declaration.

■ **"Interim Arrangement pending Maritime Delimitation: Some Successful Practices"**

NGUYEN Thi Lan-Anh

**Deputy Director-General, Institute for South China Sea Studies
Diplomatic Academy of Vietnam**

Dr. NGUYEN analyzed three cases as successful State practice of interim agreements concluded between coastal States pending delimitation of a disputed maritime area. First, she took up the "1982 Agreement on Historic Water" concluded between Cambodia and Vietnam. Dr. NGUYEN explained that the agreement makes the two States agree upon the line to sort the islands under the respective sovereignties in the disputed maritime area, and set up the "historic

waters” under the joint management. Dr. NGUYEN noted that while it is successful in avoiding aggravation of dispute and promoting cooperation, there has been no prospect for maritime delimitation in the area in the near future and the legal basis for the status of “historic waters” remains questionable by third states. Second, Dr. NGUYEN presented the joint fisheries agreement between China and South Korea. Although there has been a considerable gap between the positions of the two States - China emphasized traditional fishing rights and South Korea argued application of an EEZ regime - they could overcome this gap by flexibly creating four joint fishery zones with different legal regimes of management. However, Dr. NGUYEN underlined that the agreement is limitedly successful as illustrated by serious field incidents occurred between the fishermen and the enforcement agencies, posing questions of effectiveness of the agreement. Third, Dr. NGUYEN focused on the practice of joint resource development between Malaysia and Vietnam. Malaysia unilaterally concluded the oil resource development contract with a foreign company in a disputed maritime area. Subject to the protest of Vietnam, the two entered into negotiation and agreed to join development. The said contract was expanded to Vietnam as a party enjoying equal share with Malaysia. In conclusion, Dr. NGUYEN drew the lessons from these cases for a successful interim arrangement; (1) application of self-restraint, (2) clarity of claims of each party, (3) flexibility and creativity in seeking a form of cooperation suitable to the circumstances, (4) equal results for each party, and (5) implementation of agreement in good faith.



Right: Professor Shigeki SAKAMOTO (coordinator)
Left: Professor Naoya OKUWAKI



Right: Professor Robert G. VOLTERRA
Left: Dr. NGUYEN Thi Lan-Anh

■ Q&A Session

For Professor OKUWAKI, a question was raised whether new research methods such as three-dimensional seismic surveys to collect considerably important data as to the sea-bed resources could categorically be considered within the scope of the obligation to self-restraint. Professor OKUWAKI answered that, although seismic prospecting method is not prohibited when it does not render permanent physical change to maritime environment, it could be nonetheless regarded as provocative activity resulting in jeopardizing or hampering reaching a final agreement because of the uncertainty on the existence of substantial impact of sovereign rights for other States. To another question asking the factors for an area to be regarded as the one where the obligations of self-restraint and cooperation apply, Professor OKUWAKI answered that the area where entitlements of coastal States overlap basically constitutes the one, but it depends on the interests of the coastal States or individual circumstances, considering the viewpoint of the “not to jeopardize or hamper the reaching of the final agreement.”

Professor VOLTERRA responded to a question on the types of activities that the obligation of self-restraint is applicable by citing an arbitration case (*Eritrea v. Yemen*) as an example to explain the difficulties in setting general standards, pointing out that the actual application depends on the circumstances of individual cases. To another question if it is possible to file a case against a State evoking only the breach of obligation of co-operation, such as the one provided for in Article 123 of UNCLOS for enclosed or semi-enclosed seas, Professor VOLTERRA answered that there was no reason to prevent the filing, because the obligation to cooperate is in general the substantive obligation to make efforts to reach an agreement in good faith.

Dr. NGUYEN answered to the question asking the elements that decide successful provisional agreements in maritime areas pending delimitation, with the remarks that consideration on the effectiveness in operational level, the stability of the regime and the degree of satisfaction of States parties to the agreement are necessary. Upon the question on the examples of provisional agreements that led to the final delimitation between and among States, she touched upon one between Iceland and Norway in the area around Jan Mayen Island, and the news on the recent commencement of negotiation on the delimitation after the establishment of provisional agreements respectively between China and Republic of Korea, between Timor-Leste and Australia.

- Reception (in the evening of February 12) -

In the evening of February 12, after the sessions of the day, Mr. Minoru KIUCHI, State Minister for Foreign Affairs hosted a reception inviting the participants of the symposium at the Mita Kaigisho Reception Hall ([Speech made by State Minister KIUCHI](#)).



Mr. Minoru KIUCHI, State Minister for Foreign Affairs



State Minister KIUCHI and Judge Shunji YANAI (center) with other participants

Segment 3 : UNCLOS and Settlement of Disputes at Sea

(in the morning of February 13)

Coordinator: Naoya OKUWAKI Professor, School of Law, Meiji University

■ **"Compulsory Dispute Settlement Procedures under UNCLOS: Their Achievements and New Agendas"**

Mariko KAWANO

Professor, Faculty of Law, Waseda University

Professor KAWANO first examined the significance and limits of the enhanced jurisdiction of international courts and tribunals under UNCLOS, and, referring to international jurisprudence, she underlined that, although UNCLOS permitted States Parties to exclude the application of compulsory disputes settlement procedures under Part XV, the extent of such latitude accorded to States was much more limited than those of the optional clause system of the International Court of Justice. She also pointed out that Article 300 of UNCLOS (good faith principle and abuse of rights) could possibly provide the basis of the jurisdiction for the court or tribunal even in cases where a State concerned to a dispute declared optional exceptions. Second, Professor KAWANO argued that from the viewpoint to secure the meaningful compliance to the decisions by the courts and tribunals, the non-appearance of one Party might adversely affect both sound administration of justice as well as the effectiveness of the decisions and it is not advantageous for the non-appearing State itself. Thirdly, Professor KAWANO raised two following points as to the relations between some particular characteristics of maritime disputes and international adjudication, i.e., 1) the subject matter of a dispute is, in many maritime dispute cases, concerned with the compatibility of national legislations or enforcement measures of a State with UNCLOS. She maintained that this fact reflects the increasing importance of the national legal system in the implementation of UNCLOS. 2) Since often more than two States are involved in one maritime dispute despite of the essentially bilateral nature of international courts or tribunals, it needed to be reexamined how and to what extent they are able to play an effective role in the true settlement of that dispute. Lastly, with regard to the effect of increasing number of international courts and tribunals, she observed in both positive and negative sides, by commenting it would clarify the rules in the law of the sea by jurisprudence, but it also would create problems of forum shopping and concurrence of jurisdictions.

■ **"The Hen, the Egg and the Chicken: Jurisdictional Dilemma of Mixed Disputes and the *Philippines v. China* Case"**

ZHANG Xinjun

Associate Professor, School of Law, Tsinghua University

Bearing in mind *the Philippines v China* arbitration case concerning their dispute in the South China Sea, Dr. ZHANG examined the question of jurisdiction of courts and tribunals under UNCLOS over so-called "mixed disputes," where territorial disputes, maritime delimitation disputes and others are interrelated. The claims of the Philippines in the case are said to be formulated to avoid the territorial and maritime delimitation disputes, taking into consideration the declaration for optional exception made by China under Article 298(1)(a) of UNCLOS. Using the metaphor of relations between "a hen" and "an egg," and "an egg" and "a chicken," Dr. ZHANG argued that the claims made by the Philippines not only depend on the findings on the territorial

dispute (“a hen” and “an egg”), but also that the decisions on the case would be equal to the decisions on the maritime delimitation dispute (“an egg” and “a chicken”). He argued that, since there is no consent of China as to the jurisdiction of the Arbitral Tribunal upon territorial and maritime delimitation dispute, the Tribunal does not have jurisdiction to hear this case. Dr. ZHANG introduced the cases before international courts and tribunals in which the existence of consent of Parties, or of a third party, to a dispute was questioned when subject of the claims was disputed, contending that “mixed dispute” generally makes jurisdictional barrier before an international court. He then touched upon possible counter-arguments to his analysis, such as “real dispute” claims, principle of effectiveness, inherent or implied power doctrine and *a contrario* reading of Article 298 (1), providing critical analysis against them.

■ “Third-party Intervention as a Possible Means to Bridge the Gap between the Bilateral Nature of Annex VII Arbitration and the Multilateral Nature of the UNCLOS”

Mathias FORTEAU

**Professor of Public International Law, University of Paris Ouest
Member of the International Law Commission of the UN**

Despite the third-party intervention to the procedure was not mentioned under Annex VII to UNCLOS and that it had also been traditionally considered incompatible with the bilateral nature of arbitration, Professor FORTEAU maintained with reasons that the third-party intervention is both useful and feasible for the arbitration under UNCLOS. In his reasoning, he firstly pointed out the multilateral and quasi-universal nature of UNCLOS as a convention setting several obligations *erga omnes* with “constitutional” nature requiring certain uniformity in its interpretation. As a multilateral convention, he argued, that it is useful for UNCLOS to have a third-party intervention procedure to the dispute settlement mechanism. He then referred to the decisions made by WTO ad-hoc arbitral tribunal and the fact that the arbitral tribunal under UNCLOS, which is compulsory, possesses the power to determine its own procedure, maintaining that the silence of UNCLOS as to the procedure of third-party intervention before the Annex VII arbitral tribunal could be interpreted as authorizing the tribunal to accept such intervention. He further argued that the consent of the Parties to the dispute is not necessary before an Annex VII arbitral tribunal except the intervening third-party seeks to become a party to the case. He also stated that the classical modality of intervention before international courts and tribunals lacks usefulness with too much burden to the intervening State, and suggested a “soft” intervention for Annex VII arbitration with more flexibility and conciseness only requiring submission of short written observations to the intervening State.



Right: Professor Naoya OKUWAKI (coordinator)
Left: Professor Mariko KAWANO



Right: Dr. ZHANG Xin-jun
Left: Professor Mathias FORTEAU

■ Q&A Session

Upon the question as to the role to be played by the judicial settlement of multilateral dispute, Professor KAWANO indicated that, while the traditional function of international adjudication was to settle bilateral disputes, the decisions of international courts and tribunals constitute precedents of which we cannot ignore the influence or effects, and are contributing greatly to the development of international law. She also pointed out that consideration of multilateral/*erga omnes* elements is becoming indispensable in today's international community. She then concluded that international courts or tribunals should take into account their own roles, not only in bilateral dispute settlements, but also in the formation and clarification and rules of international law.

Asked on how to determine the relations of disputes of the "one depends on the determination on the other" and the one to have "determination on one amounts to the determination on the other," Dr. Zhang answered that they need to be evaluated by judges on case-by-case basis with their legal insight, and that they need to be decided preliminarily before the merits. As to the reason of non-appearance of China before the Arbitral Tribunal, Dr. ZHANG indicated that it was because the Arbitral Tribunal "clearly lacks the jurisdiction" according to the Chinese Government, and the stance is just as in the cases of non-appearance before the ICJ in 70s and 80s. He added that, in more than half of these cases, the ICJ rendered judgments favorable for the non-appearing parties.

Professor FORTEAU, to the question asking the function of "soft" third-party intervention before Annex VII arbitral tribunal that he proposed, answered that its objective was to let the tribunal take note of the position of the third State which has interest either in the interpretation of the convention or in the dispute itself. He indicated that it is comparable with the submission of statements in advisory procedure before ITLOS or ICJ. As to the question if such soft intervention would impair the very nature of arbitration of bilateral settlement of disputes, Professor FORTEAU pointed out that the recent trend in a number of multilateral instruments mainly in the field of environment to accommodate arbitration procedure in the process and to provide third party intervention to arbitration for and only with the consent of the *tribunal*. He then argued that the "bilateral" and "party driven" notion of arbitration needs to be reexamined with the contemporary perspective of international law.

- Closing Session (at noon of 13 February) -

■ Concluding Remarks by the Keynote Speaker and Panelists

Having Mr. Tomoyuki YOSHIDA, Deputy Director-General, International Legal Affairs Bureau of the Ministry of Foreign Affairs, as Chair, the Keynote Speaker and the Panelists provided general observations to conclude the symposium.

■ Closing Remarks by Mr. Tomoyuki YOSHIDA, Deputy Director-General, International Legal Affairs Bureau of the Ministry of Foreign Affairs

In his closing remarks, Mr. Tomoyuki YOSHIDA, Deputy Director-General, the International Legal Affairs Bureau of the Ministry of Foreign Affairs, expressed his gratitude to the Keynote Speaker and Panelists, as well as to the other participants, emphasizing that many points

made in the symposium would provide the clues in addressing the issues in the seas of Asia today from the viewpoint of international law. Mr. YOSHIDA then recalled the importance to make the law of the sea, with UNCLOS at its center, a “common language” or “common navigational chart” among States for the peace and stability in the seas of Asia, underscoring the importance of promoting discussions not only at governmental level, but also in various fora, evaluating the symposium as one example to be modeled on. He concluded with the remarks that Japan will continue to take initiatives in the promotion of the rule of law at sea, with the fact that various efforts to settle maritime disputes peacefully in accordance with rule of law are bearing their fruits.



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