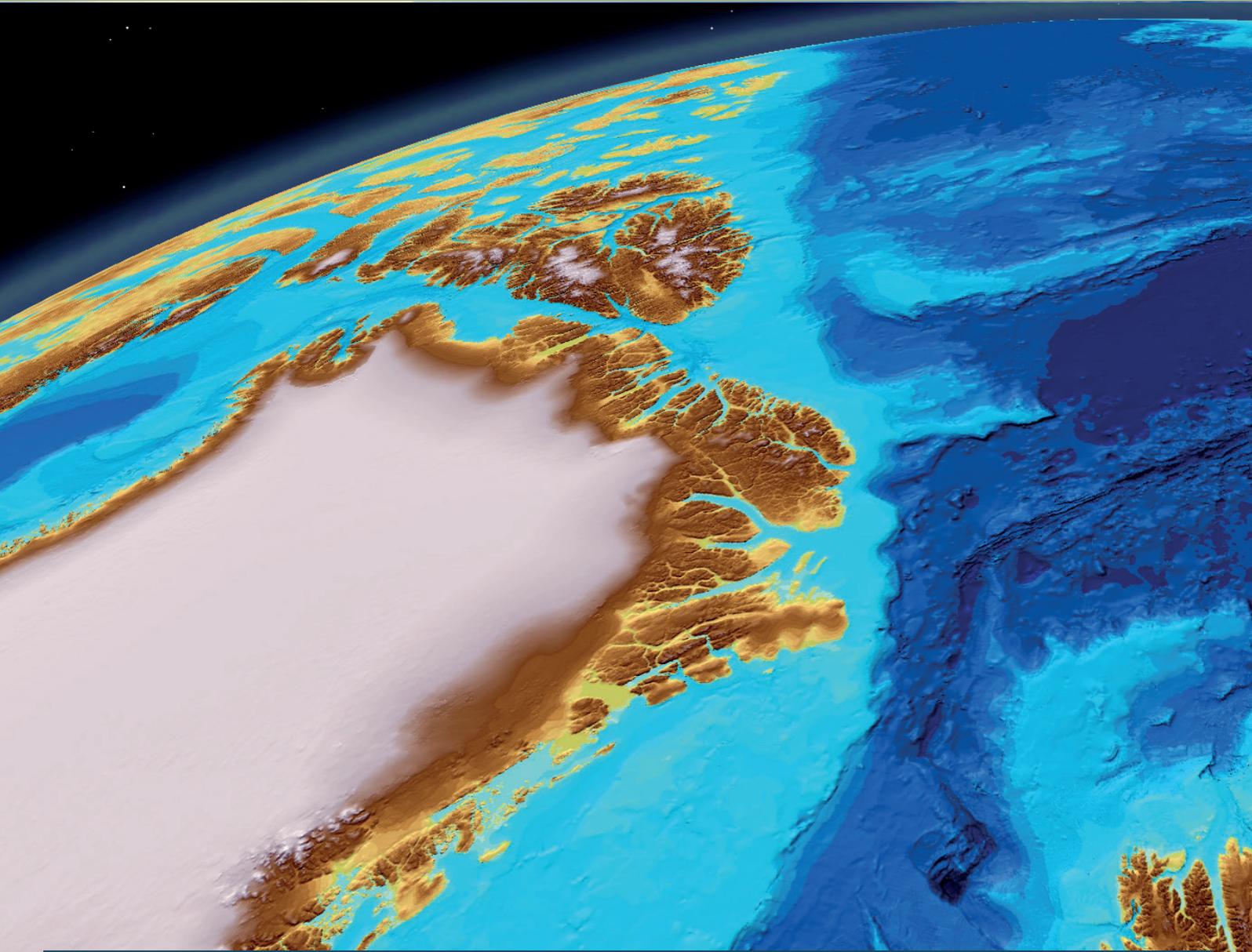


Training Workshop Programme 2016

# Defining, Delimiting and Managing the Outer Continental Shelf

22-24 February 2016, Washington DC, USA



Three quarters of the world's land boundaries follow rivers for at least part of their course and many pass through other fresh water bodies such as lakes creating numerous boundary-making challenges. Learn more about the complex relationship between boundaries and fresh water and how to develop effective strategies for delimitation and the management of transboundary resources.



# INTRODUCTION

Coastal States with broad continental margins are required to define the outer limits of their continental shelf beyond 200 nautical miles in consultation with the Commission on the Limits of the Continental Shelf (CLCS). Some States have now completed this process, but many more still have much work to do before their outer limits are formally defined. A significant number of States are struggling to get their submissions considered due to the presence of boundary and/or sovereignty disputes, and even where 'non-objection agreements' regarding continental shelf submissions have been concluded, many States are still faced with challenging negotiations concerning the delimitation of shared continental margins.

This workshop is designed to help States find practical solutions to outstanding challenges associated with the definition and delimitation of the outer continental shelf, and the long term exploitation and management of its resources. While the workshop will touch upon the process of preparing a submission to the CLCS, the primary focus will be on tasks that lie beyond the jurisdiction of the Commission, especially boundary delimitation and dispute resolution.

IBRU is delighted to be running this workshop in partnership with Foley Hoag, which has one of the world's foremost boundary dispute resolution practices.

## Who should attend?

- Diplomats
- Legal advisers
- Geopolitical analysts
- Oil and gas companies
- Seabed mining companies
- Pipeline and cable layers
- Ocean surveyors
- Marine Scientists
- Environmental Consultants

## Tutors



**Mr Lawrence (Larry) Martin, Foley Hoag LLP**, is a partner in the firm's Washington, D.C. office and a member of its International Litigation and Arbitration Department. Larry concentrates his practice in international disputes, typically involving foreign sovereign governments and/or their agencies and instrumentalities. Larry represents foreign sovereign interests in proceedings before the world's leading dispute resolution fora, including the International Court of Justice (ICJ), the International Tribunal for the Law of the Sea (ITLOS), the Permanent Court of Arbitration (PCA) and the International Centre for the Settlement of Investment Disputes (ICSID). He has particular experience in disputes relating to the Law of the Sea and international environmental cases. Larry also frequently represents foreign sovereigns in litigation before the courts of the United States. Reflecting his capabilities at representing clients in high-profile disputes, he has been named one of Washington, D.C.'s top lawyers by *Washingtonian* magazine and ranked in *Chamber Global* in its listing of the world's top public international law practitioners. According to *Chambers Global* (2015): "He is exceptional not only in terms of knowledge, expertise of the law, and organizational and managerial skills, but more importantly because of his character, attitude, ethics and advocacy."



**Dr Lindsay Parson, MZSL**, is a marine geologist of more than thirty years' experience in surveying and sampling in the context of maritime legal regimes. He has been the technical lead of, and permanent member of the UK delegation submitting and defending submissions to the Commission on the Limits of the Continental Shelf as provided for under the UNCLOS Article 76. MZSL has assisted more than thirty coastal states world-wide on the delineation of their continental shelf and assisted counsel at delimitation cases at the international Court of Justice, the international tribunal for the Law of the Sea and the Permanent court of Arbitration. He was the UK member and Chair of the UN International Seabed Authority Legal and Technical Commission in Kingston Jamaica between 2001 and 2006, and has published extensively on the geology of and legislative context of ocean space. He is a member of the International Law Association's Committee on Maritime Delimitation, a Chartered UK and European Geologist, and a member of a number of international advisory boards world-wide.



**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.

**Mr Paul Reichler, Foley Hoag LLP**, is one of the world's most respected and experienced practitioners of Public International Law, specializing for more than 25 years in the representation of Sovereign States in disputes with other States, and in disputes with foreign investors. He belongs to a select group of elite lawyers with extensive experience litigating on behalf of Sovereign States before the International Court of Justice in The Hague, and the International Tribunal on the Law of the Sea in Hamburg," (Chambers Global 2010). Among many other clients and cases, he was Counsel and Advocate for Nicaragua in the historic case of *Nicaragua v. United States of America* (1984-1986), regarding the illegal use of force in international relations, and for Uruguay in the landmark case of *Argentina v. Uruguay* (2006-2010), concerning international environmental protection and sustainable development. Paul has particular experience representing and advising Sovereign States in land and maritime boundary disputes with neighboring States and disputes over transboundary environmental harm.



**Dr. Derek Smith, Foley Hoag LLP**, practices in the areas of international dispute resolution, public international law and petroleum law. Derek represents government clients with regard to the settlement of international boundary disputes, with a particular emphasis on those that implicate oil and gas development. He has extensive experience in establishing unitization agreements and other legal mechanisms for handling trans-boundary resources. Derek represents governments and state entities in international arbitration and other dispute settlement proceedings, including at ICSID, the ICC and the International Court of Justice. He also works with governments of petroleum producing countries and national oil companies in the full range of matters related to oil and gas exploration, production and monetization, including the resolution of disputes.



Cover image:  
Image Source: "Jakobsson, M., L. A. Mayer, B. Coakley, J. A. Dowdeswell, S. Forbes, B. Fridman, H. Hodnesdal, R. Noormets, R. Pedersen, M. Rebesco, H.-W. Schenke, Y. Zarayskaya A. D. Accettella, A. Armstrong, R. M. Anderson, P. Bienhoff, A. Camerlenghi, I. Church, M. Edwards, J. V. Gardner, J. K. Hall, B. Hell, O. B. Hestvik, Y. Kristoffersen, C. Marcussen, R. Mohammad, D. Mosher, S. V. Nghiem, M. T. Pedrosa, P. G. Travaglini, and P. Weatherall, The International Bathymetric Chart of the Arctic Ocean (IBCAO) Version 3.0, Geophysical Research Letters, doi: 10.1029/2012GL052219."

## PROGRAMME

Monday 22 February	0800-0900	<b>Registration</b>
	0900-0915	<b>Welcome &amp; Introduction</b>
	0915-1030	<b>The continental shelf : an overview</b> <ul style="list-style-type: none"> <li>the evolution of the legal regime of the continental shelf</li> <li>continental margins around the world</li> <li>Article 76 and its implications</li> </ul>
	1030-1100	<b>Refreshments</b>
	1100-1300	<b>Resource potential of the outer continental shelf</b> <ul style="list-style-type: none"> <li>characteristics of the seabed</li> <li>oil and gas resources</li> <li>mineral and other resources</li> </ul>
	1300-1400	<b>Lunch</b>
	1400-1530	<b>Defining the limits of the continental shelf beyond 200M</b> <ul style="list-style-type: none"> <li>the Commission on the Limits of the Continental Shelf</li> <li>submissions to the CLCS: the global state of play</li> <li>lessons learned from submissions to date</li> <li>practicalities of completing a submission</li> </ul>
	1530-1600	<b>Refreshments</b>
	1600-1700	<b>Regional case study: West Africa</b>
	1715-1900	<b>Reception hosted by Foley Hoag</b>
Tuesday 23 February	0900-1030	<b>Delimiting the outer continental shelf</b> <ul style="list-style-type: none"> <li>legal principles</li> <li>case law</li> <li>state practice</li> </ul>
	1030-1100	<b>Refreshments</b>
	1100-1230	<b>Options for resolving overlapping claims</b> <ul style="list-style-type: none"> <li>known and potential overlapping claims</li> <li>addressing overlapping claims in submissions to the CLCS</li> <li>options for dispute resolution</li> </ul>
	1230-1330	<b>Lunch</b>
	1330-1700	<b>Practical exercise</b> Working in teams, participants will seek to resolve a fictional dispute relating to the delimitation and management of the outer continental shelf
	(1430-1500)	<b>Refreshments</b>
	Evening	<b>Workshop dinner</b>
Wednesday 24 February	0900-1000	<b>Regional case study: the Arctic Ocean</b>
	1011-1100	<b>Managing the outer continental shelf</b> <ul style="list-style-type: none"> <li>rights and responsibilities coastal States</li> <li>payments and contributions with respect to the exploitation of the OCS</li> <li>commercial interests</li> </ul>
	1100-1130	<b>Refreshments</b>
	1100-1230	<b>The view from the outside of the convention: a US perspective</b>
	1230-1300	<b>Closing discussion and wrap-up</b>

IBRU reserve the right to change or modify the programme and tutors participating without prior notice to participants

## THE VENUE

Foley Hoag has offices in Boston, Paris and Washington DC and since its creation in 1943 has become a high-performing firm with a long record of success across a wide range of industries.

Foley Hoag regularly represents Sovereign States in disputes over maritime and land boundaries. The firm has been counsel in more maritime boundary cases before international courts and arbitral tribunals than any other law firm in the world. Foley Hoag has helped clients achieve victories in maritime boundary cases before the International Tribunal for the Law of the Sea (ITLOS) in Hamburg and the International Court of Justice (ICJ) in The Hague.

The firm's Washington D.C. office is conveniently located in the heart of the business district, just three blocks north and west of the White House. For more information about Foley Hoag visit their website at [www.foleyhoag.com](http://www.foleyhoag.com)

### Workshop Venue:

The Offices of Foley Hoag LLP  
1717 K Street NW, Washington  
DC 20036-5342



## INFORMATION

### What will it cost?

The cost of the workshop is **£1,650** per participant.

We regret that payment can only be accepted in GBP sterling, however, 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 **4 February 2016**

any provisional places booked will be removed. Bookings made after 4 February 2016 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 22, 23 and 24 February
- Workshop dinner on the evening Tuesday 23 February

### 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 [www.durham.ac.uk/ibru/workshops/booking](http://www.durham.ac.uk/ibru/workshops/booking)
- 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 Washington DC at a venue of their choice. We strongly recommend that your accommodation is within easy access of the public transport system in order to travel with greater ease to the workshop venue.

#### Travel

You are expected to organise your own travel arrangements to Washington DC. Please be aware that if you are not a US citizen you will require a VISA to enter the United States of America and you will be required to apply for your own visa for entry in to the country. Please allow enough time for your visa to be processed before applying for the workshop.

#### 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 4 February 2016 and will be subject to a £50 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.

#### Venue

The Foley Hoag offices can be found at : 1717 K Street NW, Washington DC 20036-5342

1875 K Street, N.W., Suite 800, Washington, D.C. 20006-1238  
The workshop will take place at this venue throughout the 3 days. You are expected to make your own way to the venue for the start of the workshop each day.



### Contact Information

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

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