



**Sino - Latin American Symposium on the Law of the Sea:  
Challenges and Opportunities with Development and  
Utilization of Marine Resources  
(Xiamen University South China Sea Institute, Xiamen, China,  
November 5-6, 2015)**

**1. Title of the Symposium:**

Sino - Latin American Symposium on the Law of the Sea (2015): Challenges and Opportunities with Development and Utilization of Marine Resources  
(South China Sea Institute, Xiamen University, Xiamen, China,  
November 5-6, 2015)

**2. Issues to be addressed in the agenda:**

It is currently suggested that the symposium be divided into three main sessions, between the opening and concluding sessions, with the following sub-topics discussed:

**Session One: Contributions of China and Latin American countries to the modern international law of the sea**

- a. Role and impact of Latin American countries during the UNCLOS III and their contributions to the 1982 Convention
- b. China's role during the establishment of the legal regime of development and management of mineral resources in the Area

**Session Two: Case studies of national legislation on the law of the sea and existing legal issues involved in the development and utilization of marine resources**

- a. National legislation on the law of the sea after the adoption and entry into force of the 1982 Convention
- b. International liability for pollution and damage as a result of the development of marine resources: the illicit act per omission.
- c. Jurisdiction over pollution and damage resulted from development and utilization of marine resources: Applicable law and enforcement of judicial decisions.



### **Session Three: Feasibility study of future Sino–Latin American cooperation on the development, utilization and management of marine resources**

a\_Existing agreements between China and Latin American countries: evolution, status, implementation, and prospects

b\_Future road map in the Sino – Latin American’s cooperation , including, *inter alia*, joint development of marine natural resources (fishing, hydrocarbons, biologic and genetic resources, mining, etc.).

c.Significance of the current development strategies of Sino-Latin American trade and investment in terms of marine resources sharing (i.e., China’s investment in Latin American countries on infrastructure construction such as the proposed Brazil-Peru coast-to-coast two-ocean railway referred to as “China’s new cross-ocean maritime silk road”, and China’s export of high- quality productive capacity in return for Latin American countries’ export to China of needed products)

d. Common Heritage of Mankind: Possibility of cooperation between China and Latin American countries in the Area.

e.Funding of Sino–Latin American cooperation on the development, utilization and management of marine resources.

f.The role of non-State players (NGOs, private subjects, universities, research institutes, think tanks and discussion fora, etc.) in the Sino–Latin American cooperation on the utilization and management of marine resources.

### **3. Dates and Venue of the Conference**

Two days from Thursday 5 to Friday 6 November 2015 at Science and Art Centre on the campus of Xiamen University, Xiamen, China.

The project is part of a plan to convene Sino – Latin American conference on a regular and periodical basis in the future.

### **4. Invited speakers and participants**

The conference aims at a broad participation by legal scholars, university professors, practitioners, policy makers, diplomats, and political analysts from Latin-American countries and China, affiliated with law-of-the-sea-related institutes and organizations in their respective countries such as IIRR fora, think tanks, and etc. (e.g., Inter – American Society of International Law, Argentine Association of International Law, Argentine Counsel for International Relations, UNAM’s Juridical Research Institute, Institute of Latin-American Studies of the Chinese Academy of Social Sciences, and etc.).





## 5. Description of the Programme

The organizing committee is now calling for 30-40 papers/PowerPoint presentations and their abstracts.

Subject to Xiamen University's financial rules, accommodation, meals and local transportation in Xiamen during the symposium period will be covered by the SCSI for invitees, and International round-trip air tickets will be provided by the SCSI on a case-by-case basis.

It is also planned to organise, during the symposium, a half day trip to Quanzhou City near Xiamen for symposium participants to visit this world famous port city where the ancient silk road on the sea started, and other historical wonders and attractions such as the museum of ancient ocean-going vessels.

Panels for each of the 3 sessions will be set up once the paper/PPT selection process is completed.

## 6. Expected End-Products

### *Expected main scientific results*

The symposium is expected to generate in-depth knowledge and thorough discussion on the challenges and opportunities with Sino-Latin American cooperation in developing and utilizing marine resources. It is suggested to be conducted through combining specific types of expertise (on politics, policy, economy, law of the sea, science, technology and markets) relevant for developing marine economy.

The symposium is innovative as it is the first of its kind in history. Besides, an intercultural and interdisciplinary research and exchange like this is innovative itself. In addition, it also has another far-reaching significance, as it is planned to have this first symposium followed up with regular and periodical symposiums of the similar kind in the future.

### *Plan of publication*

Papers presented at the symposium will be peer reviewed and published. Papers/PPT presentations should be submitted and received by the SCSI before 1 October 2015 in order to set up the discussion panels and plan for their publication. While presentation of papers/slides will be made during the symposium, finalised papers should be submitted within three months after the symposium. Papers should mostly concentrate on common issues, although such issues could be addressed from different angles.



### *Plan of dissemination*

The outcome of this symposium will not only be presented to governmental policy makers but also to fellow researchers, academic institutions, think tanks, industrial organizations, etc. The said dissemination is expected to include:

- Publication of the papers in the peer reviewed symposium proceedings.
- A symposium webpage is planned to be set up on the SCSJ website to include a restricted area for project participants and a public area where all related publications (or linkages to publisher), presentations, and reports could be regularly uploaded.

## **7. Information on symposium coordinators from the SCSJ of Xiamen University**



**傅崐成// Prof. Kuen-chen FU (a.k.a. Lawrence K.C. FU )**

Prof. Kuen-chen FU obtained his B. L. from Taiwan University in 1974 and M. L. in 1980; He finished his LL.M. (with specialization in oceans law and policy) in University of Virginia, School of Law, 1983, and his S.J.D. in University of Virginia, School of Law, 1986. He also attended the Hague Academy of International Law in the Hague (Summer 1982). In 2013, he was awarded the honorary PhD of Law degree by the Far East Federal University (FEFU) in Russia.

Prof. FU is a Chinese State “One Thousand Elites Program” expert, professor and dean of the South China Sea Institute, Xiamen University. He set up the Centre for Oceans Law in Xiamen University, which is first of this kind in mainland China. He is also the editor-in-chief of *China Oceans Law Review* (COLR), a Chinese-English bilingual academic journal, and member of Editorial Board of *Aegean Review of the Law of the Sea and Maritime Law* (Greece). He serves as an arbitrator in mainland China, Taiwan (China) and Russia Far East Region, with several tribunals, e.g., China Maritime Arbitration Commission (CMAC) and China International Economic and Trade Arbitration Commission (CIETAC).





Prof. FU's areas of interest concentrate on international law of the sea, and Chinese and comparative law of contracts. Up to now, he has 38 books and more than 100 articles or policy papers published in either Chinese or English.

### 傅岷成

教授、博士生导师，现任厦门大学南海研究院院长

主要研究领域：国际法、海洋法、英美合同法

1974年获台湾大学法律学学士学位，1980年获台湾大学法律学硕士学位，1983年获美国弗吉尼亚大学法学硕士学位（海洋法律与政策专业），1986年获美国弗吉尼亚大学法学博士学位。曾参加1982年海牙国际法学院暑期研修班；2013年获俄罗斯远东联邦大学颁发的名誉博士学位。

作为国家“千人计划”特聘专家，傅岷成教授在厦门大学创办了国内第一个海洋法研究中心；创办并担任《中国海洋法学评论》（中英双语学术期刊）主编，同时担任希腊《爱琴海海洋法海商法评论》编辑委员会委员，并在中国大陆、中国台湾、俄罗斯远东地区的多家法庭担任仲裁员，如中国海事仲裁委员会、中国国际经贸仲裁委员会等。迄今，傅岷成教授已经出版中、英文著作共38本，发表中、英文论文及政策要报100余篇。



**Prof. Kening ZHANG**

Professor Zhang Kening is currently Professor of Law at the South China Sea and Director for Center for Oceans Policy and Law, Xiamen University. He is also Visiting Chair Professor of Law with Zhejiang University Guanghua Law School, Adjunct Professor of Law at Peking University Law School and Renmin University of China Law School. He serves as Adjunct Researcher of the National Key Laboratory of Seabed Science of the State Oceanic Administration. Professor Zhang is a member of the United Nations Committee Against Torture, the treaty body of 10 independent experts established under the United Nations Convention Against Torture.





Professor Zhang received his B.A. in English and Literature from Beijing International Studies University (1977). He completed his LL.M dissertations with honors at Melbourne University Law Faculty of Australia and obtained his LL.M from Chinese Academy of Social Sciences (1982). Professor Zhang conducted research on his doctoral dissertation jointly at Peking University Law School, University of British Columbia Law Faculty (Canada) and New York University Law School (the United States) from 1984-1987 and received S.J.D. with National Honors from Peking University (1987).

Professor Zhang worked as, inter alia, Legal Advisor to, and Director of the Department of Treaty and Law, Ministry of Foreign Affairs of China, and Counselor/Legal Advisor to the Permanent Mission of China to the United Nations. He was also the Principal Legal Officer and Interim Director-General of the Enterprise of the International Seabed Authority (the ISA). During his career, Professor Zhang was heavily involved in the establishment of legal regimes of deep seabed mining, and numerous negotiations on international treaties and agreements which led to the adoption of some major legal instruments such as the 1994 Implementation Agreement on Part XI of the UN Law of the Sea Convention, and the 1995 Implementation Agreement on the Provisions of the UN Law of the Sea Convention relating to Fish Stocks. His work at the ISA permitted him to serve as Secretary to the Council and Assembly of the ISA to adopt the existing Regulations on Prospecting and Exploration in the Area respectively for Polymetallic Sulphides (2010) and Cobalt-rich Ferromanganese Crusts (2012). Professor Zhang was a member of ISA team to present written and oral statements before the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea in Hamburg for an advisory opinion by the Chamber on responsibility and liability of sponsoring State with regard to activities in the Area (Case No. 17).

Professor Zhang was appointed the Director of Studies for the English-speaking Section of 1992 Private International Law Session of the Hague Academy of International Law as the first Asian person appointed to the position. He is Editor of the *Chinese Journal of International Law* published by Oxford University Press.

## 张克宁

厦门大学南海研究院教授、厦门大学海洋政策与法律中心主任

主要研究领域：国际法、海洋法、国际海底资源管理与开发

1977 年获北京第二外国语学院英语专业学士学位，1980-1982 年在澳大利亚墨尔本大学法学院作访问学者，1982 年获中国社会科学院研究生院法学硕士学位，1987 年获北京大学法学博士学位。1986-1987 年作加拿大不列颠哥伦比亚大学 (UBC) 法学院客座讲师，美国纽约大学(NYU) 法学院访问学者。1991 年获国家教委及国务院学位委员会授予的“做出突出贡献的中国博士学位获得者”证书。曾任联合国国际海底管理局首席法律事务官兼企业部临时总干事、外交部条约法律司法律顾问、中国常驻联合国代表团 (纽约) 参赞兼法律顾问等职。





张克宁教授现任联合国禁止酷刑委员会委员、北京大学法学院兼职教授、中国人民大学法学院兼职教授、浙江大学光华法学院讲席教授、国家海洋局海底科学重点实验室客座研究员、中国海洋法学会理事、英文《中国国际法年刊》（牛津大学出版社）编辑。



**Dr. Pablo Ferrara LL.M.**

Dr. Pablo Ferrara obtained his LL.B. at Universidad de Buenos Aires (University), Buenos Aires, Argentina in 2002, and completed his LL.M. in 2007 and Juris Scientiae Doctor in 2010, both at Boalt Hall School of Law, University of California at Berkeley, USA.

Dr. Pablo Ferrara was former Assistant Professor in Universidad Torcuato Di Tella, Buenos Aires, Argentina and Visiting Scholar in Max Planck Institute for Comparative Public Law and Public International Law. In 2011, he worked as a Senior Associate Lawyer in Baker & McKenzie.

Currently, Dr. Pablo Ferrara is an assistant professor at the South China Sea Institute, Xiamen University. His areas of interest include Environmental Law and Energy Law, Law of the Sea and International Environmental Law.

**助理教授**

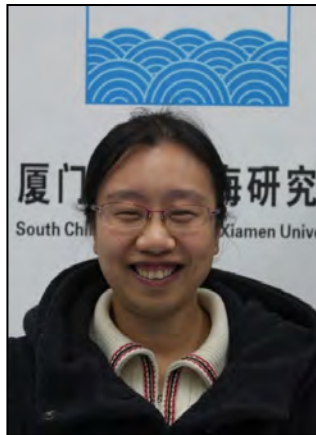
主要研究方向：环境法与能源法、海洋法、国际环境法

2002年获得阿根廷布宜诺斯艾利斯大学法学学士学位，2007年获得美国加州大学伯克利分校法学硕士（LLM）学位、2010年获得加州大学伯克利分校法学博士学位。

Pablo Ferrara 博士曾担任阿根廷陶库阿托迪特拉大学助理教授、马克斯-普朗克比较公法与国际法研究所访问学者、贝克·麦肯西律师事务所高级律师（2011年）。作为



第一位在中国高校全职任教的阿根廷人——“来自拉丁美洲的学术先行者”，Ferrara 博士将架起中国与拉美的学术交流桥梁。Ferrara 博士目前就中国南海问题、海洋能源及环境、油气开发等领域开展。



**林蓁// Dr. Zhen LIN**

Dr. LIN obtained her bachelor degree in law in Beijing Foreign Studies University in 2006 and continued her studies in Université Paris 1, France, where she obtained her Master and Doctor degrees in Law. She is currently assistant professor with South China Sea Institute of Xiamen University, PR China, which is an interdisciplinary institution and national think-tank specialized in the South China Sea Issues.

Her areas of interest include international public law, the law of the sea. She is proficient both in French and English.

### **林蓁**

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主要研究领域：国际公法，海洋法

先后获得北京外国语大学法学学士学位、法国巴黎一大硕士学位、法国巴黎一大法学博士学位，精通法语和英语。







Xia ZHANG

Ms. Xia ZHANG is Chief Staff of the South China Sea Institute of Xiamen University.

She obtained her Double Bachelor of Law and English in 2010 at Minzu University of China, Master's Degree (Economic Law) in 2013 at Law School of Xiamen University. She has been serving as the chief executive secretary at the South China Sea Institute, Xiamen University since Feb. 2013.

Ms. ZHANG takes charge of personnel management, submitting official documents, hosting conferences, external contacts and other daily administrative work for the Institute.

## 张霞

行政秘书

2010 年获中央民族大学法学与英语双学士学位，2013 年获厦门大学法学院经济法硕士学位。自 2013 年 2 月至今，一直担任厦门大学南海研究院行政秘书一职，负责南海研究院的人事管理、公文周转、会议主办、对外联络、办公室后勤服务及其他日常工作。



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