

## MARITIME AFFAIRS: SUMMER 2022 SPECIAL ISSUE

### UNCLOS at 40

On 01 November 1967, Arvid Pardo, the then Ambassador of Malta to the United Nations, highlighted the impending devastation of the oceans plagued by a power rivalry, destabilising legal conflicts and poisoned by pollution. He called on the international community to establish “an effective international regime over the seabed and the ocean floor beyond a clearly defined national jurisdiction”, as the only resort to avoid the inevitable escalation of tensions at the ocean.

Following the United Nations Conferences on the Law of the Sea that culminated in the years 1958 and 1960, several factors further led the convening of the Third United Nations Conference on the Law of the Sea in 1973, to write a comprehensive treaty for the oceans. It ended nine years later with the adoption in 1982 of a ‘constitution for the seas’ - the United Nations Convention on the Law of the Sea (UNCLOS). The UNCLOS is an unprecedented attempt by the international community to regulate all aspects of the resources of the sea and uses of the ocean, and thus bring a stable order to mankind's very source of life.

The UNCLOS provides a regulatory framework that address issues relating to freedom of navigation, innocent passage, delimitation of maritime zones and boundaries, legal status of natural resources in the subsoil and seabed, conservation and management of living resources in the area and in the high seas, right and duties of member States, marine scientific research, transfer and sharing of marine technology, control and prevention of marine pollution, and most important, a binding dispute settlement procedure.

However, presently the Convention, faces numerous challenges that questions its relevance and adequacy. These challenges, among others include climate change induced sea-level rise and its impact on the maritime zones and boundaries, IUU (Illegal, Unreported and Unregulated) Fishing and the related crimes, maritime piracy, marine pollution, loss of biodiversity due to over fishing in areas beyond national jurisdiction, the legal status of artificial islands. The on-going negotiations for a new agreement on the conservation and management of biodiversity in areas beyond national jurisdiction is an important step towards protection of the marine living resources under UNCLOS.

In order to understand the nuances and various challenges in respect of the UNCLOS and to commemorate 40 years of the Convention, the National Maritime Foundation (NMF) is seeking submissions for its journal Maritime Affairs – Summer 2022 Special Issue ‘UNCLOS at 40’. The special issue seeks to provide a medium to discuss and seek possible solutions to the challenges being faced by UNCLOS, through well-researched articles (5000-7000 words) under a suitable title covered by one of the five broad themes mentioned below.

**1. The role of UNCLOS in upholding maritime order and global ocean governance.**

The first theme pertains to issues including but not limited to, maritime boundary limitation, dispute settlement, fisheries, underwater cultural heritage, navigation at sea, role of specialised agencies, regional cooperation, commercial aspects of the marine environment, human health

and human rights at sea, legal regime in polar regions, gender equality in the maritime sector, the Area, the changing roles of international judicial bodies

**2. Future trajectories of the law of the sea: Technologies and ocean spaces.**

The second theme intends to explore the significance of emerging technologies that are relative to unmanned systems at sea, marine scientific research, modern satellite technologies, Maritime Domain Awareness (MDA), marine geo-engineering, ocean upwelling, decarbonisation.

**3. Conservation and sustainable use of the marine environment under UNCLOS.**

This theme pertains to discussion that concern intergenerational equity, investigations of the impact of the on-going BBNJ process, common heritage of mankind, ocean commons, area-based management tools, environmental impact assessment, technology transfer and resource sharing, pollution from seabed activities, interactions with other relevant treaties, the role of UN bodies,

**4. The climate change threat to UNCLOS.**

This fourth theme seeks profound research that responds to two fundamental questions: How best can UNCLOS address the legal consequences of sea level rise on baselines, maritime zones, sovereignty, migration? How does the treaty interact with other regimes such as the ones established by UNFCCC? How can the Convention protect the existing regimes from the threat of climate change?

**5. Maritime Security Cooperation and UNCLOS.**

The final theme solicits critical thought that substantially addresses legal issues that pertain to counter piracy measures, maritime terrorism, application of force, cyber security, port state control, hijacking and armed robbery against ships, illicit trafficking, under the UNCLOS framework.

**Submission Guidelines**

- Articles should be submitted by 28 February 2022 and forwarded to both [law5.nmf@gmail.com](mailto:law5.nmf@gmail.com) and [law6.nmf@gmail.com](mailto:law6.nmf@gmail.com).
- Authors must also Cc their submissions to: [directorgeneral.nmfindia@gmail.com](mailto:directorgeneral.nmfindia@gmail.com), [execdir.nmf@gmail.com](mailto:execdir.nmf@gmail.com) , [nmf.deputydirector@gmail.com](mailto:nmf.deputydirector@gmail.com) and [editorjournal.nmf@gmail.com](mailto:editorjournal.nmf@gmail.com) .
- For further details, please follow the link: [Instructions for Authors](#).