



Dili International Conference

Navigating Challenges: Law of the Sea and Maritime Dispute Settlement

15 – 16 May 2025

Concept Note

Four decades ago, States, under the auspices of the United Nations, reached an agreement on a convention that established a comprehensive framework governing the world's oceans. The **United Nations Convention on the Law of the Sea (UNCLOS)** entered into force in 1994 and currently has 170 States Parties, comprising both coastal and non-coastal states, as well as developed and developing countries.

UNCLOS provides the legal framework for maritime governance, delineating the rights and responsibilities of nations regarding the use of the world's oceans, the protection of the marine environment, and the right of all states to pursue peaceful uses of the seas. Moreover, numerous provisions are now considered as customary international law.

Further, the Convention remains the relevant governing framework on how activities in the oceans and seas must be carried out, including to address the triple planetary crisis of climate change, pollution and biodiversity loss. UNCLOS continues to evolve to address emerging challenges of today's oceans and seas. This is evidenced by the adoption of implementing agreements such as the most recent one on Conservation and Sustainable Use of Marine Biological Diversity Beyond National Jurisdictions.

Given that the ocean covers more than 70 percent of the surface of our planet, it plays an integral role in supporting human activity, including livelihoods, transportation, commerce, and energy production. It also holds incremental value in absorbing excess heat from the climate.

However, maritime disputes often arise, threatening stability, security, and prosperity. This includes many unresolved maritime boundary disputes, and also in sensitive and strategic maritime areas. Maritime disputes often concern sovereignty, security and control of resources. In an increasingly uncertain and conflict-prone world, these disputes feed global tensions and threaten regional and international peace and stability. These concerns are being magnified with the emergence of a fractured and multipolar world in which the application of international law and the effectiveness of international institutions are being challenged.

Fortunately, UNCLOS contains comprehensive dispute settlement mechanisms to address disputes. One of the great successes of UNCLOS was the agreement among States Parties to include comprehensive dispute settlement mechanisms to all disputes, both binding and non-binding.

In light of this, the International Conference on **Navigating Challenges: Law of the Sea and Maritime Dispute Settlement** seeks to provide a platform to discuss the effectiveness of UNCLOS to resolve maritime disputes in the current complex international environment. The Conference will bring together Pacific, ASEAN, G7+, and CPLP nations to engage in dialogue, knowledge sharing, and collaboration for the peaceful settlement of maritime disputes.

The conference aims to explore peaceful resolutions to maritime disputes, drawing insights from past experiences, such as the Timor Sea conciliation, to address contemporary issues, such as the implications of the International Court of Justice and the International Tribunal for the Law of the Sea advisory opinions on climate change.

Objectives:

Facilitate Dialogue: Foster open and constructive dialogue among participating nations to understand perspectives, concerns, and aspirations regarding maritime disputes.

Share Best Practices: Share lessons learned from past dispute settlement mechanisms, including the Timor Sea conciliation, to identify effective strategies for peaceful resolution.

Address Contemporary Challenges: Examine the implications of the ICJ and the ITLOS advisory opinions on climate change on maritime disputes and explore innovative approaches to address environmental concerns within the framework of the Law of the Sea.

Offer viable pathways and practical alternatives towards peaceful resolution of maritime disputes.

Key Themes:

Lessons from the Timor Sea Conciliation: Discuss the process, outcomes, and lessons learned from the Timor Sea conciliation process as a model for effective dispute resolution.

Strengthening International Legal Mechanisms: Exploring the role of international legal frameworks and institutions, including UNCLOS, ITLOS and the ICJ, in resolving maritime disputes and ensuring compliance with international law.

Regional Approaches to Conflict Resolution: Highlighting the importance of regional cooperation and mechanisms including ASEAN in addressing maritime disputes and fostering peace and stability.

Climate Change and Maritime Disputes: Assessing the impact of climate change and sea rises on maritime boundaries, resource management, and security, and identifying strategies to mitigate associated risks.

Sustainable Resource Management: Promoting sustainable and equitable management of maritime resources to prevent conflicts and enhance economic development in coastal communities.

