



University of
Bedfordshire

**CRiL – Centre for
Research in Law**



NETwork of experts on the legal aspects
of MARitime SAFety and security
COST ACTION IS1105

Professor Lorenzo Schiano Di Pepe

University of Genova

Simon Olleson

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Jasper Teulings

Greenpeace International

Chaired by Dr Maria-Chiara Noto

Institute for International Legal Studies (ISGI)

CRiL Research Seminar

Wednesday 13 April 2016

15:00 – 17:30

Postgraduate Centre, Room P202

“Acts of Protest at Sea: The Implications of the ‘Arctic Sunrise’ Arbitration”



On 14 August 2015, the Arbitral Tribunal in the ‘Arctic Sunrise’ Arbitration brought by the Netherlands against Russia, rendered its Award on the merits. The case arose out of the arrest and seizure by Russia of a Dutch-flagged Greenpeace vessel which had been involved in acts of peaceful protest by Greenpeace activists against an oil drilling rig in the Arctic circle, and the subsequent detention by Russia of all those on board. The seminar aims to assess the implications of the Award regarding the right to peaceful protest at sea, the international law of the sea, and international law more generally.

A number of individuals and NGOs engage in acts of peaceful protest, having as their aim to draw public attention to activities considered to be either unlawful or dangerous for the environment, such as whaling, oil drilling and the dumping of waste. Such acts of peaceful protest on the one hand implicate a number of rights under international human rights law, notably the rights to freedom of expression and assembly. On the other hand, they raise difficult and fundamental questions for the contemporary law of the sea, insofar as the lawful responses available to States are not adequately defined and regulated. As a consequence, States often rely on alleged threats to security in an attempt to justify measures which restrict or prevent such demonstrations. Different, at times conflicting, interests are at a stake: those of States, of non-state actors (individuals, private commercial entities and NGOs) and, in certain circumstances, the international community as a whole.

The ‘Arctic Sunrise’ arbitration constitutes an important landmark in the process of clarification of international law in this regard, whilst also representing an example of the effectiveness of resort to judicial means for the international peaceful settlement of disputes. The seminar will provide an assessment of the impact and implications of the Award as regards the right to peaceful protest, as to specific questions arising under the international law of the sea, and as to the manner in which violations of the relevant international rules may be enforced.

MARSAFENET

Marsafenet brings together experts in international law of the sea from 23 countries in order to increase the knowledge on maritime security and safety and to develop a common conceptual and methodological framework to help fill legal gaps and to turn scientific results into feasible solutions.

Professor Lorenzo Schiano Di Pepe

Lorenzo is a professor of European Union law at the University of Genoa. He has published widely in international and European environmental law, the law of the sea, European Union institutional law, European Union transport law and private international law. He is a practicing counsel and is qualified to practise before the Supreme Court of Italy (Cassazione). He holds degrees from the University of Genoa (laurea), the University of London (UCL) (LL.M. International Business Law), Georgetown University Law Center (LL.M. International Legal Studies), the University of Milan (Ph.D. in international law).

Mr Simon Olleson

Simon is a barrister specialising in public international law. He provides advice and advocacy in relation to traditional inter-State disputes (including before the International Court of Justice), investment protection disputes, international human rights law, issues of sovereign immunity, State succession and the law of the sea. He also practises before the English courts in matters of public international law. Simon has appeared as counsel before the International Court of Justice, as well as before arbitral tribunals operating under the auspices of the International Centre for the Settlement of Investment Disputes and the Permanent Court of Arbitration. He is a graduate of the University of Cambridge (BA (Hons) Law and MA; Dip Int L) and New York University (LLM).

Mr Jasper Teulings

Jasper is a counsel at Greenpeace International and head of its Legal Unit. He advises on all legal aspects of campaigning, with a particular focus on freedom of expression. He provides strategic legal advice to Greenpeace International's senior management team. He represents Greenpeace International in international meetings and NGO committees. Jasper has studied at the University of Amsterdam and the University of Kent at Canterbury. He has over 10 years' experience working at private law firms specialising in media law. Jasper has been registered with the Dutch Bar since 1994. He also serves on the (Supervisory) Boards of Earthrights International and SOMD.

Dr Maria-Chiara Noto

Maria-Chiara is a qualified lawyer and serves as legal adviser to the Italian Army, providing assistance in International and Military Law. She is a visiting research fellow at the Institute for International Legal Studies (ISGI) of the National Research Council (CNR) in Rome. Maria-Chiara was a Visiting Fellow at the Centre for Research in Law (CRiL) at the University of Bedfordshire for one year, where she carried out research and contributed to teaching on the LLM and LLB programmes. She is a graduate of the University of Parma (Law) and University of Nice (LLM International Humanitarian Law). She holds a PhD in International law from the University of Milan.

All are welcome. No registration required.

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