UNITAR

INTERNATIONAL LAW IN FOCUS SERIES

Spring & Summer 2021

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United Nations Institute for Training and Research

CONTENT

BACKGROUND

We have an agreement, for instance, today, a general agreement that the international law applies to cyberspace. But there is no agreement on how international humanitarian law applies to the cyber dimension of conflicts. [...]These are the areas where we still need international law, and in a way the role of the United Nations and namely the second commission of the General Assembly is vital. We need to find a minimum of consensus in the world on how to integrate these new technologies in the laws of war that were defined decades ago in a completely different context

António Guterres, United Nations Secretary General

International law is the cornerstone of global interaction, politics, and policy. States as well as non-state actors in today's globalized and interconnected world are constantly influencing the development of international law and in turn find their actions influenced by it. In addition, new technologies are opening up new possibilities while also creating new challenges.

In this context, UNITAR is delighted to start the new "International Law in Focus" workshop series that will explore cutting-edge legal topics. The first topic to focus on will be the Law of the Sea as governed by the United Nations Convention on the Law of the Sea (UNCLOS). The second topic will be International Humanitarian Law and Cyber Warfare and the third topic will focus on International Space Law.

Target audience

The International Law in Focus Series is aimed at students and professionals seeking a deeper understanding of international law and the respective fields of the law of the sea, international humanitarian law and cyberwarfare, or space law.

Methodology

The core workshop times of the International Law in Focus Series will vary depending on the topic sessions. The respective e-workshops will be conducted via the platform Zoom and will be facilitated by an expert on the theme. The material presented in the workshop will be interactive and assignments will be given for participants to further advance their knowledge.

Technical Requirements

UNITAR will not provide refunds for customers who face technical issues beyond UNITAR's direct control. UNITAR recommends that all prospective participants test Zoom for free at Zoom.us prior to confirming their payment.
Basic system requirements:
• Stable internet connection
• Speakers and a microphone
• A webcam or HD webcam
• Or, a HD cam or HD camcorder with video capture card

Please see further information about all technical requirements for participating in this e-workshop here.

And see the following tutorials for further tips:
• https://youtu.be/idVWWUBDC1w;
• https://youtu.be/LG_CGpUWbDo

Registration and Course Fee

Interested participants are invited to register via UNITAR's website:
Law of the Sea: Register here

IHL and Cyberwarfare: Register here

International Space Law: Register here

The course participation fee is 650 USD for each session of the Law in Focus Series. A few fellowships for participants form SIDS and LDCs are available, reducing the fee to 450 USD. To apply for the fellowship and reduced fee please provide UNITAR with a passport scan and a CV via info.ilp@unitar.org. Kindly note that the course will only take place if the minimum number of participants has been reached.

Registrations will be closed as soon as the course is full and places will be secured once the payment is confirmed.

Certification

Participants successfully participating in all e-workshops will be awarded a certificate of participation.

Schedule

Session	Day 1	Day 2	Day 3
Law of the Sea	March 3, 2021 8am – 12pm CET	March 4, 2021 2pm – 6pm CET	March 5, 2021 2pm – 6pm CET
IHL & Cyberwarfare	March 17, 2021 1pm – 5pm CET	March 18, 2021 1pm – 5pm CET	March 19, 2021 1pm – 5pm CET
International Space Law	April 14, 2021 10am – 12pm CET; 1pm – 3pm CET	April 15, 2021 10am – 12pm CET; 1pm – 3pm CET	April 16, 2021 10am – 12pm CET; 1pm – 3pm CET

SESSION 1: LAW OF THE SEA
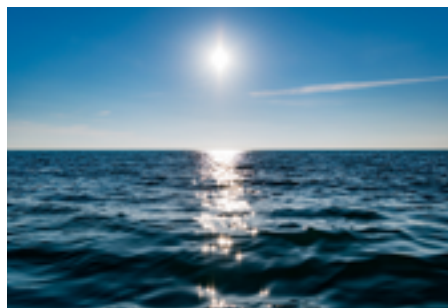
The Law of the Sea touches not only upon matters of state's responsibilities and ability to use the world's oceans, but also refers to important environmental matters and addresses questions of the use of marine natural resources. With major trading routes leading over the earth's oceans, the economic and business aspects are of keen interest to states and the private sector alike.

Learning Objectives

At the end of the Law of the Sea sessions, participants should be able to:
- Explain key actors and instruments of the International Law of the Sea;
- Describe the historic development and current challenges of the Law of the Sea;
- Outline the dispute settlement mechanisms available under Law of the Sea.

Register here.

Tentative Outline

Session 1: The Development of the Law of the Sea
Session 2: The Establishment of Maritime Territory
Simulation and Reinforcement Exercise 1 and Q&A

Session 3: Maritime Jurisdiction
Session 4: The Seabed, High Seas and Common Areas
Simulation and Reinforcement Exercise 2 and Q&A

Session 5: Jurisdiction, Piracy and Maritime Crime
Session 6: Protecting the Marine Environment
Simulation and Reinforcement Exercise 3 and Q&A

Dr. Richard Caddell

Dr Richard Caddell is a Senior Lecturer in Law at Cardiff University, having joined the School of Law in 2015. He was previously a Senior Research Associate and Nippon Foundation Senior Nereus Fellow at the Netherlands Institute for the Law of the Sea, Utrecht University and has also held academic positions at the Universities of Swansea and Bangor. He was educated at Cardiff University, completing a PhD on the regulation of marine mammals in 2009. Richard is the Convenor of the LLM programme in Shipping Law. Richard's primary research interests lie in the law of the sea and international environmental law, with a particular emphasis on fisheries governance, marine mammal protection, international wildlife law, Polar law and marine environmental regulation, as well as the exercise of free speech and protest rights at sea. He is currently writing Migratory Species and International Law: Challenges of Transboundary Conservation, the first major work on the legal issues raised by migratory wildlife, which will be published in 2022 by Edward Elgar. He is the co-editor of Research Handbook on Climate Change and Biodiversity Law (Edward Elgar, 2022, with Phillipa McCormack), Strengthening International Fisheries Law in an Era of Changing Oceans (Hart, 2019, with Erik J. Molenaar), Shipping, Law and the Marine Environment in the Twenty-First Century (Lawtext, 2013, with D. Rhidian Thomas) and four editions of Blackstone's Statutes on Media Law (Oxford University Press, 2006, 2008, 2010, 2013, with Howard Johnson). Richard serves on the editorial boards of the Yearbook of International Environmental Law, the Review of European, Comparative and International Environmental Law, the Journal of International Wildlife Law and Policy and Communications Law. He regularly acts as a legal advisor to national governments, inter-governmental bodies and NGOs on environmental and marine issues and is also an academic member of Francis Taylor Building, Inner Temple, London, the UK's foremost Planning and Environmental Law set of barristers.

Register here:

Recent conflicts have demonstrated that the ravages of war continue to have a devastating impact especially on the civilian population. With the increasing amount of states developing military cyber capabilities, the interplay between the "cyber" and "real" realm of war needs to be addressed. Through the course of 3 e-workshops participants will explore methods and means of cyber warfare, and learn to distinguish between the applicability of international humanitarian law to cyber operations in international armed conflicts and non-international armed conflicts.

Learning Objectives

At the end of the International Humanitarian Law and Cyberwarfare sessions, participants should be able to:
• Describe the main rules of international humanitarian law and differentiate between those which apply to the cyberspace and the others;
• Apply the main rules governing international humanitarian law to cyber-warfare;
• Explain the link between Human rights and the cyber realm.
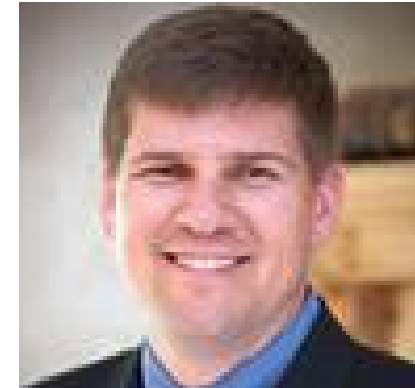
Prof. Eric Talbot Jensen

Eric Talbot Jensen teaches and writes in the areas of Public International Law, Criminal Law, The Law of Armed Conflict, International Criminal Law, Cyber Law and National Security Law. His recent scholarship has appeared, among others, in the Texas, Temple, Houston, and Israel Law Reviews; the Virginia, Stanford, Chicago, Michigan, and Minnesota Journals of International Law; the Stanford Law and Policy Review; and International Law Studies. Professor Jensen is a co-author on a law school casebook on the Law of Armed Conflict and a student treatise on National Security Law for Aspen Publishing and a co-author on an Oxford University text analyzing application of the laws of war to the war on terror. He was a member of the group of experts that produced both the Tallinn Manual on the International Law Applicable to Cyber Warfare and the recently released Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations. Professor Jensen recently returned to BYU Law School after serving for one year as the Special Counsel to the Department of Defense General Counsel. Prior to joining the BYU law faculty in 2011, Professor Jensen spent 2 years teaching at Fordham Law School in New York City and 20 years in the United States Army as both a Cavalry Officer and as a Judge Advocate. During his time as a Judge Advocate, Professor Jensen served in various positions including as the Chief of the Army's International Law Branch; Deputy Legal Advisor for Task Force Baghdad; Professor of International and Operational Law at The Judge Advocate General's Legal Center and School; legal advisor to the US contingent of UN Forces deployed to Skopje, Macedonia as part of UNPREDEP; and legal advisor in Bosnia in support of Operation Joint Endeavor/Guard.

Tentative Outline

I. Cyber Warfare - Jus ad Bellum
   A. The Jus ad Bellum
      1. UN Charter Regime
      2. Art. 2.4 - Use of Force
      3. Art. 51 - Self-Defense and Armed Attack
      4. Art. 2.7 - Prohibited Intervention
      5. Sovereignty
   B. Applicability of International Law to Cyber Operations
      1. UNGGE
      2. Statements by States
   C. Applicability of Jus ad Bellum to Cyber Operations
      1. UNGGE
      2. Statements by States
      3. Tallinn Manual 2.0
   D. Application of Jus ad Bellum to Cyber Operations
      1. Art. 2.4 - Cyber Use of Force
      2. Art. 51 - Self-Defense and Cyber Armed Attack
      3. Art. 2.7 - Prohibited Intervention by Cyber Means
      4. Cyber Sovereignty
   E. Other Important Issues
      1. Attribution
      2. Responses
   F. Scenarios on Cyber Operations under the Jus ad Bellum
**II. Cyber Warfare - Jus in Bello**
   A. The Jus in Bello
      1. Attack
      2. Distinction
      3. Precautions

      4. Neutrality
      5. Marking
      6. Participants
   B. Applicability of Jus in Bello to Cyber Operations
      1. UNGGE
      2. Statements by States
      3. Tallinn Manual 2.0
   C. Cyber Participation
      1. Distinction
      2. Combatants
      3. Fighters
      4. Civilians
      5. DPHers
   C. Scenarios on Participation
   D. Cyber Attacks
   E. Cyber Means and Methods
   1. Cyber Tools
      2. Art. 36 Reviews
      3. Perfidy
   F. Cyber Targeting
      1. Discrimination
      2. Military Objectives
      3. Precautions in the Attack
      4. Precautions in the Defense
   G. Other Issues
      1. Marking
      2. Neutrality
   H. Scenarios on Targeting and Attacks
III. Conclusion

SESSION 3: INTERNATIONAL SPACE LAW
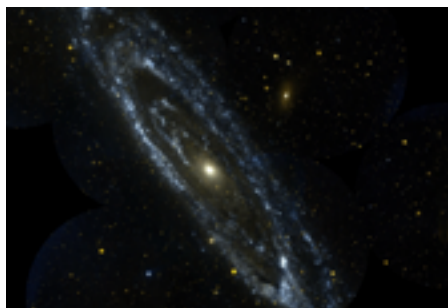
Space law is a relatively recent field of international law, yet in a rapid change and constant development. It covers space-related activities such as public and private space exploration, liability for damages caused by space objects, environmental preservation and new space-related technologies. The three interactive e-workshops on space law will introduce participants to the main legal instruments governing the spacial environment and the role of the Committee on the Peaceful Uses of Outer Space (COPUOS) to space law-making. Participants will then deepen their knowledge on national space law and space security law. Our experts will give then the necessary tools to discuss the challenges that space law is and will continue to face in the future, namely, among others, debris mitigation, space traffic and cybersecurity.

Register here.

Learning Objectives

At the end of the Space Law sessions, participants should be able to:
- Identify and analyze the legal framework regulating space activities;
- Identify the main legal issues related to the application of space law;
- Describe the main challenges related to space security.

Tentative Outline

I.   Fundamentals of International Space Law I
- COPUOS: history, methods of work, contribution to space law-making
- The 1967 Outer Space Treaty

II.   Fundamentals of International Space Law II
- The International Space Law Treaty Regime
- Soft Law

III. National Space Law
- National Space Law & Policy Overview
- Authorization and Supervision of domestic (private) space activities
- Selected examples of national space legislation

IV.   Space Security
- Peaceful Uses and PAROS
- Debris, SSA & STM

V.   Resources and the Law
- Orbit-Spectrum Resource
- Space Resource Extraction Activities

VI.   Space Data Applications
- Remote Sensing Applications and the Law
- Space and Cybersecurity

SESSION 3: INTERNATIONAL SPACE LAW

Dr. Fabio Tronchetti

Dr. Fabio Tronchetti works as a Co-Director of the Institute of Space Law and Strategy and as a Zhuoyue Associate Professor at Beihang University, Beijing (China). He also holds the position of Adjunct Professor of Comparative National Space Law at the School of Law of the University of Mississippi (United States). Previously, he worked as an Associate Professor at the School of Law of the Harbin Institute of Technology (China) and as Lecturer at the International Institute of Air and Space Law, Leiden University (the Netherlands). He holds a PhD in International Space Law (Leiden University), an Advanced LL.M in International Relations (Bologna University, Italy) and studied at the University of Cambridge, England (UK). He is Member of the International Institute of Space Law (IISL), European Centre for Space Law (ECSL), the Asian Society of International Law (ASIL) and the Italian Branch of the International Law Association (ILA).Dr. Tronchetti is the recipient of the 2019 International Institute of Space Law (IISL) Young Achiever Award, the co-recipient of the 2015 International Academy of Astronautics (IAA) Social Science Award for the book 'Handbook on Space Law (co-authored with Prof. von der Dunk) and the recipient of the 2007 Diederiks-Verschoor award. He has published extensively in the field of international space law and policy.

Dr. P.J. Blount

Dr. P.J. Blount (Ph.D., Global Affairs, Rutgers University, 2016; M.S. Global Affairs, Rutgers University, 2015; LL.M., Public International Law, King's College London, 2007; J.D., University of Mississippi School of Law, 2006; B.A./A.B.J., University of Georgia, 2002) is a Research Fellow in Cybersecurity Governance and Regulation at SES and the University of Luxembourg. He has also served as an adjunct professor in the LL.M. in the Air and Space Law at the University of Mississippi School of Law and in the Department of Political Science and Law at Montclair State University. In Fall of 2017, he was a Visiting Scholar at the Institute of Space Law at the Beijing Institute of Technology School of Law. Blount's primary research areas are legal issues related to space security and cyberspace governance. He has published and presented widely on the topic of space security law and has given expert testimony on space traffic management before the U.S. House of Representatives' Subcommittee on Space. Blount serves as the co-editor-in-chief of the Proceedings of the IISL, and he was formerly the Editor-in-Chief of the Journal of Space Law. He is a member of the Board of Directors of the International Institute of Space Law and a member of the State Bar of Georgia in the United States.

UNITAR

About us

Established in 1965, UNITAR is an autonomous institution with-in the United Nations system with a mission to deliver innovative training and conduct research on knowledge systems to develop the capacities of its beneficiaries. As the training arm of the UN, its mission is to develop capacities to enhance global decision-making and to support country level action for shaping a better future.

At the heart of UNITAR, the Division for Multilateral Diplomacy (DMD) delivers training and support workshops to address the needs of diplomats, government officials, international civ-il servants and students to meet complex, global challenges. UNITAR's Division for Multilateral Diplomacy activities cover a wide range of policy domains, including bilateral and multilateral negotiation, environmental and climate change diplomacy, economic diplomacy, human rights, diplomatic protocol, Agenda 2030 and other related topics, as well as capacities and skills development activities such as diplomatic report writing, public speaking, media relations and negotiation techniques, among many others.

Contact

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"UNITAR's Division for Multilateral Diplomacy is at the forefront of our efforts to ensure that our future leaders are equipped for any challenges they will face in the 21st century."

Mr. Nikhil Seth
United Nations Assistant Secretary-General
Executive Director, UNITAR