



ASCOMARE Yearbook, Volume 2:

‘Fisheries and the Law of the Sea in the Anthropocene Era’

Call for papers

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Call for Papers

ASCOMARE Yearbook (Vol.2): Fisheries and the Law of the Sea in the Anthropocene Era

<https://ascomare.com/ylos-volume-2/>

Background

The “Associazione di Consulenza in Diritto del Mare” (ASCOMARE) is an international platform established in 2018 to provide *pro bono* legal consultancy and technical assistance to Government and private institutions, as well as NGOs and the public. The main goal of ASCOMARE is to promote the study and uniform application of the law of the sea, including its framework treaty, namely the UN Convention on the Law of the Sea.

ASCOMARE is pleased to launch a call for abstracts for **Volume 2** of its Yearbook series on the Law of the Sea (YLoS) titled “**Fisheries and the law of the sea in the Anthropocene Era.**” The book aims to provide an influential legal viewpoint on the way the corpus of rules of international law, including those governing maritime spaces and activities, addresses the multi-level and integrated nature of fisheries-related problems and opportunities in the Anthropocene era.

Scope

In a human-dominated epoch (the Anthropocene era), the impact of anthropogenic pressures on marine biological diversity, including fish population and ecosystems, has dramatically increased in the last two decades. The ‘tragedy of the commons’, technological advancement, a growing environmental awareness, and maritime creeping jurisdiction trends led, in the second half of the 20th century, to a restructuring of the law of the sea zonal architecture. As such, the importance to re-conceptualize fisheries in the context of this *brave new* anthropogenic world is key to achieve inter-generational equity and a sustainable utilization of blue resources, including marine living organisms.

The 1982 UN Convention on the Law of the Sea (UNCLOS), largely reflecting customary international law, establishes a system of maritime zones wherein port/coastal/flag States’ fisheries rights and obligations coexist with other uses of the sea, as well as with the interests of the international community as a whole, such as sustainability, maritime peace and security.

The re-conceptualization of fisheries in a contemporary setting embraces a multi-level dimension finding its practical justification in the complexity of modern society, and in the fragmentation of international law at large. Whereas UNCLOS provides that “the problems of ocean space are

closely interrelated and need to be considered as a whole”, a cross-sectoral approach in the identification of causes of and possible solutions for fishery problems should be explored. This exercise entails a critical examination of the multifaceted nature of fisheries, which at least encompasses the following thematic areas or ‘dimensions’:

- **environmental dimension**, and in particular the impact of fishing and fishing related activities on the marine environment, including its marine living resources and ecosystems. The scope of this dimension also includes the impact of climate change on fisheries, and the tension existing between fisheries offences and environmental crimes (e.g., the use of destructive fishing practices), especially in the context of the duty of *all* States to protect and preserve the marine environment, and recent discussions on the crime of ‘ecocide.’
- **human rights dimension**, including the use of force in fisheries enforcement operations, inhuman punishment for fisheries violations, modern slavery, child labour, discrimination and gender equality, and human rights abuses at sea. The scope of this dimension also includes maritime safety issues related to the fishery sector, and in particular the way existing international law instruments such as the ILO Work in Fishing Convention, 2007 (No. 188), and the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 can contribute to addressing these issues.
- **security dimension**, and in particular the interlink between Illegal, Unreported and Unregulated (IUU) fishing and crimes of trans-national nature, such as illegal trade of protected species, drug trafficking, maritime terrorism, piracy and armed robbery at sea, in line with paragraph 107 of UNGA resolution A/RES/76/71. The scope of this dimension also includes the legal and diplomatic implications of fishing activities conducted in disputed maritime areas, and the way such activities may contribute to jeopardising the reaching of a final delimitation agreement under Articles 74 and 83 of UNCLOS.
- **socio-economic dimension**, and in particular how international law addresses problems of overfishing and food security, forced migration, the fisheries interests of indigenous

communities, access to fishing grounds by neighbouring landlocked and geographically disadvantaged States, and fisheries subsidies (especially in the context of the ongoing WTO negotiations). The scope of this dimension also includes an examination of practical challenges, best practices and opportunities connected with the use of new economic models, such as the so called ‘Blue Economy.’

- **regional dimension**, including the role and expanding mandate of Regional Fisheries Management Organizations (RFMOs), and the way States bordering enclosed/semi-enclosed seas coordinate the management, conservation, exploration and exploitation of the living resources of the sea (Article 123(a) UNCLOS). The scope of this dimension also covers the examination of practical challenges, best practices and opportunities of harmonising fisheries rules at supra-national level, such as for the Caribbean Community Common Fisheries Policy, or the Common Fisheries Policy of the European Union.
- **spatial dimension**, focusing on maritime spatial planning, as well as on the tension existing between fisheries and other uses of the sea, such as navigation, digital connectivity (submarine cables), marine scientific research, hydrocarbon activities, including activities in the Area, the production of energy by the sea (e.g., offshore wind-farms) and military exercises. The scope of this dimension also includes the examination of the interlink between fisheries and bioprospecting, including the access and benefit sharing for marine genetic resources in areas beyond national jurisdiction (BBNJ), especially in the context of the ongoing inter-governmental negotiations for a BBNJ multilateral instrument.

ASCOMARE is interested in submissions that examine the theme with reference to **at least one of the six thematic-dimensions listed above**. The research aims at assessing and discussing the way the corpus of rules of international law, including those governing maritime spaces and activities, addresses the multi-level and integrated nature of fisheries-related problems and opportunities in the Anthropocene era. The ASCOMARE YLoS strives to serve as a tool to support the work of international law experts, judicial institutions, policy makers and legal practitioners in the field of fisheries and the law of the sea.

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Submission Guidelines and application process

Authors are invited to submit their abstracts using this [Form](#), by **31 May 2022**. Submissions must be original and should not have been published previously.

Abstracts

A concise description of the purpose, methods, and implications of your intended paper. This will be used to evaluate and place your work in the appropriate session of the Yearbook:

- The abstract should be no less than 150 words but no more than 300 words.
- Do not include citations in the abstract. Avoid mentioning other works, but if you must, mention so the abstract can be read without the need to consult a reference list. E.g. “Ludwig Wittgenstein’s ‘Philosophical Investigations’.”
- Avoid acronyms, but if you must use them, spell out in full. E.g. “CGRN (Common Ground Research Networks).”
- Only one abstract per author(s) will be considered.
- Submissions in both **English** and **Italian** are welcome.

In the application form please include name, affiliation and email address of the author(s).

All submissions will be reviewed by the Editorial Board, formed by members of the ASCOMARE’s legal team and external experts. Please use the link below for applications.

For more information on the application process please feel free to contact Mr Marco La Rocca at mlarocca@ascomare.com or Ms Chiara Pavesi at ylos@ascomare.com.

Successful applicants will be informed by **30 June 2022**.

Papers overview submission

If your proposal is accepted, you will be requested to submit the full article by **30 September 2022**, earlier submissions are encouraged.

Articles should be no less than 5,000 words and no longer than 10,000 words, including footnotes. Manuscripts must be prepared according to the “Instructions for Authors” to be found [here](#).

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ASCOMARE YLoS employs the OSCOLA (4th Edition) system of citation and footnotes. More details are available [here](#). The Editorial Board reserves the right to return manuscripts that are not in accordance with the manuscript format and structure' instructions.

In line with the goal of ASCOMARE to promote and facilitate a widespread and uniform understanding of the law of the sea in all the regions of the world, the YLoS will be released in a digital open-access version. Open Access allows readers, North and South, to get access to academic knowledge that is normally available behind large paywalls. Authors submitting their applications agree with this publication/open-access policy. Next to the online open-access version, a paper version of the YLoS will also be available for sale.

Awards and prizes

The Editorial Board may recommend one of the selected articles for the “Aldo Leucci and Ortensio Degli Atti” award (2nd ed.). The award will be conferred to the author of the most insightful contribution based on two leading criteria: use of international case-law, and legal reasoning. The winner will be announced in **December 2022**.

Prizes: the winner of the award will receive a written certificate, a paper version of the ASCOMARE YLoS and Volume II of the “United Nations Convention on the Law of the Sea 1982: A Commentary” (*Virginia Commentary*).

[SUBMIT YOUR APPLICATION](#)