

Concluding Remarks

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The collection of articles selected for this volume has underlined how either the presence or the absence of definitions in international legal instruments can represent an obstacle in the implementation of some of the provisions thereof. The failure of the UN Convention on the Law of the Sea (UNCLOS) to regulate non-State actors at sea, or the ambiguity revolving around the meaning and legal scope of terms such as ‘ship’, ‘nationals’, ‘fringing reefs’, ‘charts’, ‘jurisdiction’ and ‘private ends’ are just some of the problems discussed in this volume. What is more, the authors looked at missing or existing law of the sea definitions through a contemporary lens. In doing that, they assessed the (re)conceptualisation of legal terms from an evolutionary standpoint, for instance in light of recent international jurisprudence, or contemporary challenges faced by modern society, including COVID-19, climate change, and forced migration at sea. But what is the invisible link connecting all the issues addressed by them in this volume? In two words: legal uncertainty.

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It is against this backdrop, that as lawyers, practitioners, and academics we shall reflect on the value of definitions and their role in a given legal system. When do they become a tool of clarification, a tool to foster legal certainty? Or when do they become cages, petrified concepts incapable of approaching an ever-changing reality? While finding an answer to these questions has never been the goal of this volume, I do believe it makes a timing and critical contribution in drawing attention to the need of addressing specific law of the sea terms, including those encapsulated into UNCLOS, particularly due to their impact on the interests of states and private actors. While stressing the importance of analysing certain terms, the volume also questions whether the mechanisms envisaged by UNCLOS, and international law at large, are up to the task of introducing and revisiting definitions fitting these changing times. As international law, like society, is in a state of constant evolution,¹ we should be encouraged to develop *fora* and initiatives – like this Yearbook – that create a space to advance ideas aimed at accompanying and supporting the international community in this arduous task.

1. *Corfu Channel* case (United Kingdom v. Albania), Judgment, Merits, I.C.J. Reports 1949, 9th April 1949, International Court of Justice (ICJ); Separate Opinion Alvarez, 41.