

Address by Dr Julia Monar, Director-General for Legal Affairs and Legal
Adviser of the Federal Foreign Office,
on the occasion of the 30th Anniversary Commemorative Ceremony
of the International Tribunal for the Law of the Sea

25 September 2026

Mr President,
Distinguished Judges,
Excellencies,
Ladies and Gentlemen,

Let me express my sincere gratitude to you, Mr President, for the invitation to today's celebratory event, and to all the Members of the Court, including the Registrar and the staff at the Court, for making this event possible.

It commemorates decades of work, going back to the negotiations, adoption and entry into force of the "Constitution of the Ocean" – the UN Convention on the Law of the Sea - UNCLOS. This Convention sets out the legal framework within which all activities in the oceans and seas must be carried out.

When UNCLOS was adopted, the President of the Conference, Tommy Koh, expressed the hope that the Convention would "stand the test of time." It has done exactly that and I hope that this is what we will later hear from him on the screen, too. But this has not happened automatically. A decisive factor in the success of the Convention lies with this very Tribunal and the work that it has accomplished over the last three decades.

Through its jurisprudence, the Tribunal has helped make UNCLOS what it was meant to be: the constitution of our oceans, and a living instrument. For three decades now, the Tribunal has given countries a place to resolve disputes peacefully. You have clarified the rules when circumstances have changed. And you have shown that a convention negotiated decades ago can still respond to challenges that its drafters could not possibly have foreseen.

We saw this particularly clearly in the 2024 Advisory Opinion on climate change. There, you came to the conclusion that States do have obligations under UNCLOS to protect the marine environment from the harmful effects of climate change. You also demonstrated how UNCLOS can interact with other areas of international law and continue to provide guardrails for our response to new scientific and environmental realities. This is precisely what a living framework should do.

The international community places immense trust in this Tribunal and that trust continues to grow. The historic BBNJ Agreement on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction is an important example of this growing trust. It extends the competence of the Tribunal to render Advisory Opinions in response to requests submitted by the Conference of the Parties.

Since Germany has always supported the Advisory Jurisdiction of the Tribunal, we also supported this provision during the negotiation of the BBNJ Agreement. The fact that the Tribunal was explicitly given the competence to issue Advisory Opinions in this new Agreement is an achievement that demonstrates once again that States are capable of developing new rules to protect our oceans.

Just by stepping outside and watching the ships coming into port, you see global maritime commerce in action. But you also witness something less visible: a system of rules that allows ships from different countries to navigate the world's oceans safely, freely and predictably. At the heart of that system is the law of the sea.

Hamburg is an ideal seat for this Tribunal. It is a city where maritime trade, navigation, and international cooperation have shaped local identity for centuries. To the Free and Hanseatic City of Hamburg, I therefore express our sincere gratitude for being the steadfast anchor of this Tribunal. As a country deeply committed to a rules-based order, Germany is very proud to host the Tribunal. In order to protect this international legal order at sea, we must remain extremely vigilant.

We must ensure that passage through straits used for international navigation remains safe, free - and free of charge - in accordance with the international law of the sea. We cannot accept it when countries disregard the customary international law of the sea as reflected in the Convention. It is of utmost importance to uphold the freedoms, rights and duties set out in UNCLOS, in particular freedom of navigation and overflight, including the right of transit passage. These guarantees are essential to regional stability, global security, and the maintenance of safe, free and open sea routes.

We also have to confront the dangers posed by "shadow fleets." When vessels operate without proper oversight, the consequences can be very serious for maritime safety, critical infrastructure and our environment. We must ensure that vessels are properly registered and that flag States meet their responsibilities under international law.

It is equally important to protect the international legal framework established by Part XI of UNCLOS and the 1994 Agreement recognizing the status of the Deep Seabed, or in the words of UNCLOS “the Area”, as the common heritage of humankind. No State shall claim or exercise sovereign rights over any part of the Area or its resources, nor shall any State or natural or juridical person appropriate any part of it. All rights in the resources of the Area are vested in humankind as a whole.

Above all, we must protect the integrity of UNCLOS itself. Its unique character must not be undermined by attempts to redefine the clear meaning of its text. Mechanisms of peaceful dispute resolution under the Convention must be respected and their final and legally binding rulings must likewise be respected and fully implemented by the parties to the dispute. This applies equally to judgements by this very Tribunal and to arbitral awards made by independent arbitral tribunals.

In these turbulent times, marked by geopolitical tensions, technological change and growing environmental pressures, the work of the Tribunal is more important than ever. The law of the sea stands at a historic crossroads. The decisions of this Tribunal will preserve its integrity. It is our obligation to support it now, and in the years to come.

Germany stands firmly by your side. On behalf of the Federal Foreign Office, I congratulate the Tribunal on thirty years of invaluable work.

Thank you very much.