

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA



YEAR 2023

30 June 2023

**REQUEST FOR AN ADVISORY OPINION
SUBMITTED BY THE COMMISSION OF SMALL ISLAND STATES
ON CLIMATE CHANGE AND INTERNATIONAL LAW**

**(REQUEST FOR ADVISORY OPINION
SUBMITTED TO THE TRIBUNAL)**

ORDER

The President of the International Tribunal for the Law of the Sea,

Having regard to articles 21 and 27 of the Statute of the Tribunal,

Having regard to articles 130, 133 and 138 of the Rules of the Tribunal,

Having regard to the Orders of the President of the Tribunal of 16 December 2022 and of 15 February 2023,

Makes the following Order:

Whereas, by Order dated 16 December 2022, the President of the Tribunal invited the States Parties to the United Nations Convention on the Law of the Sea (hereinafter “the Convention”), the Commission of Small Island States on Climate Change and International Law and the other intergovernmental organizations listed in the annex to that Order to present written statements on the questions submitted to the Tribunal for an advisory opinion;

Whereas, by the same Order, the President of the Tribunal fixed 16 May 2023 as the time-limit within which written statements on those questions could be presented to the Tribunal, and whereas, by Order dated 15 February 2023, the President of the Tribunal extended the said time-limit to 16 June 2023;

Whereas, as stated in the Order dated 15 February 2023, further to a request from the African Union dated 31 January 2023, the President of the Tribunal decided, on 2 February 2023, to consider the African Union an intergovernmental organization likely to be able to furnish information on the questions submitted to the Tribunal for an advisory opinion and therefore invited it to do so within the above-mentioned time-limit;

Whereas, further to requests from the International Seabed Authority and the Pacific Community received on 20 February 2023 and 8 June 2023, respectively, the President of the Tribunal decided, on 24 February 2023 and 8 June 2023, respectively, to consider the International Seabed Authority and the Pacific Community intergovernmental organizations likely to be able to furnish information on the questions submitted to the Tribunal for an advisory opinion and therefore invited them to do so within the above-mentioned time-limit;

Whereas a number of written statements were received within the prescribed time-limit;

Whereas, after the expiry of the said time-limit, two written statements were received from the Republic of Rwanda and the Food and Agriculture Organization of the United Nations on 20 and 21 June 2023, respectively, and whereas the President of the Tribunal decided that these written statements would be admitted and included in the case file;

Whereas, by Order dated 16 December 2022, the President of the Tribunal decided, in accordance with article 133, paragraph 4, of the Rules of the Tribunal, that oral proceedings would be held;

Fixes 11 September 2023 as the date for the opening of the hearing at which oral statements may be made to the Tribunal by the States Parties to the Convention, the Commission of Small Island States on Climate Change and International Law and the other intergovernmental organizations listed in the annex to the Order of the President of the Tribunal of 16 December 2022, as well as the African Union, the International Seabed Authority and the Pacific Community;

Invites the States Parties to the Convention, the Commission of Small Island States on Climate Change and International Law and the other intergovernmental organizations listed in the annex to the Order of the President of the Tribunal of 16 December 2022, as well as the African Union, the International Seabed Authority and the Pacific Community, to indicate to the Registrar of the Tribunal, not later than 4 August 2023, their intention to make oral statements at the hearing; and

Reserves the subsequent procedure for further decision.

Done in English and in French, both texts being equally authoritative, in the Free and Hanseatic City of Hamburg, this thirtieth day of June, two thousand and twenty-three.



ALBERT J. HOFFMANN
President



XIMENA HINRICHS OYARCE
Registrar
