



**INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
TRIBUNAL INTERNATIONAL DU DROIT DE LA MER**

Press Release

TRIBUNAL INVITES STATES PARTIES TO THE CONVENTION, THE SUB-REGIONAL FISHERIES COMMISSION AND OTHER INTERGOVERNMENTAL ORGANIZATIONS TO PRESENT WRITTEN STATEMENTS ON IUU FISHING ACTIVITIES BY 29 NOVEMBER 2013

The International Tribunal for the Law of the Sea has adopted an Order regarding the conduct of Case No. 21, which relates to a Request for an Advisory Opinion from the Sub-Regional Fisheries Commission (SRFC). Located in Dakar, Senegal, the SRFC comprises seven member States: Cape Verde, the Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone. In a resolution adopted during its fourteenth session (27-28 March 2013), the Conference of Ministers of the SRFC authorized the Permanent Secretary of the SRFC “to seize the International Tribunal for the Law of the Sea [...] in order to obtain its advisory opinion on the following matters:

1. What are the obligations of the flag State in cases where illegal, unreported and unregulated (IUU) fishing activities are conducted within the Exclusive Economic Zone of third party States?
2. To what extent shall the flag State be held liable for IUU fishing activities conducted by vessels sailing under its flag?
3. Where a fishing license is issued to a vessel within the framework of an international agreement with the flag State or with an international agency, shall the State or international agency be held liable for the violation of the fisheries legislation of the coastal State by the vessel in question?
4. What are the rights and obligations of the coastal State in ensuring the sustainable management of shared stocks and stocks of common interest, especially the small pelagic species and tuna?”

In its Order, the Tribunal decides that the SRFC and several other intergovernmental organizations are likely to be able to furnish information on the questions submitted to the Tribunal and invites them as well as the States Parties to the United Nations Convention on the Law of the Sea to present written statements

on the questions contained in the Request, fixing 29 November 2013 as the time-limit for the presentation of such written statements.

The intergovernmental organizations in question are listed in the Annex to the Order. They include United Nations bodies, regional fishery bodies and other intergovernmental organizations invited to attend the 30th meeting of the Committee on Fisheries (COFI, a subsidiary body of the FAO Council) and those with observer status at the fourteenth session of the Conference of Ministers of the SRFC, which took place in March 2013. The full list may be found annexed to the Order on the website of the Tribunal.

The subsequent procedure has been reserved for further decision.

The text of the Order is available on the [website](#) of the Tribunal.

Note: The press releases of the Tribunal do not constitute official documents and are issued for information purposes only.

The press releases of the Tribunal, documents and other information are available on the Tribunal's websites (<http://www.itlos.org> and <http://www.tidm.org>) and from the Registry of the Tribunal. Please contact Ms Julia Ritter at: Am Internationalen Seegerichtshof 1, 22609 Hamburg, Germany, Tel.: +49 (40) 35607-227; Fax: +49 (40) 35607-245; E-mail: press@itlos.org