



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

Press Release

PRESIDENT'S ANNUAL REPORT TO THE MEETING OF STATES PARTIES

On 12 June 2017, Judge Vladimir Golitsyn, President of the International Tribunal for the Law of the Sea, presented the Tribunal's annual report for 2016 to the 27th Meeting of States Parties to the United Nations Convention on the Law of the Sea.



UN Photo/Manuel Elias.

The President first paid tribute to Judge Cachapuz de Medeiros (Brazil) who passed away on 15 September 2016. The President also informed the Meeting of States Parties that the Tribunal had re-elected Mr. Philippe Gautier as Registrar of the Tribunal on 9 March 2016 and Ms Ximena Hinrichs as Deputy Registrar on 15 March 2017.

In his statement, the President reported on the judicial work of the Tribunal, noting that the Tribunal had delivered its Judgment on preliminary objections in respect of the *M/V "Norstar" Case (Panama v. Italy)* in November 2016. In March 2016, Italy had raised preliminary objections against the jurisdiction of the Tribunal and the admissibility of Panama's Application. In its Judgment, the Tribunal rejected the objections to jurisdiction raised by Italy based on the "non-existence of a dispute

concerning the interpretation or application of the Convention”, the “lack of jurisdiction *ratione personae*” and “the failure by Panama to fulfil its obligations regarding an exchange of views under article 283 of the Convention”. Concerning admissibility, the Tribunal also rejected Italy’s objections based on “the nationality of claims”, “the non-exhaustion of local remedies” as well as on “acquiescence, estoppel and extinctive prescription”. Accordingly, in the Judgment, the Tribunal found that it had jurisdiction to adjudicate upon the dispute and that Panama’s Application was admissible. With the adoption of the Judgment, proceedings on the merits have resumed, and that the time-limits have been fixed for the filing of the Memorial of Panama and the Counter-Memorial of Italy.

The President then referred to the dispute between Ghana and Côte d’Ivoire concerning delimitation of the maritime boundary in the Atlantic Ocean and informed the delegates that the Judgment of the Special Chamber formed to deal with this case should be delivered by the end of September 2017.

The President recalled the series of academic and ceremonial events held in commemoration of the Tribunal’s 20th anniversary, expressing his gratitude to the Federal Republic of Germany, the Free and Hanseatic City of Hamburg, the Government of Japan and the Korea Maritime Institute for their support of the anniversary events.

The President emphasised the role of the training and capacity-building programmes organized by the Tribunal and expressed his appreciation to both the Government of Costa Rica and the Korea Maritime Institute for their assistance in organizing the regional workshop held in San José on 5 and 6 June 2017. He also thanked the Nippon Foundation for its continued support for the nine-month Nippon/ITLOS capacity-building programme as well as the Korea Maritime Institute and the China Institute of International Studies for their contributions to the internship programme of the Tribunal.

The President closed his statement by referring to the development of an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. On the assumption that the agreement will incorporate a dispute-settlement mechanism based on the provisions of Part XV of the Convention, the President expressed the view that such a mechanism should include the possibility of requesting advisory opinions from the Tribunal on matters arising out of the new agreement. He also called upon the negotiators to elucidate the interplay between the application of Part XV of the Convention and other parallel arrangements or declarations conferring jurisdiction on other judicial bodies, noting that it would be useful to clarify the relationship between declarations made under article 36 of the Statute of the International Court of Justice and the application of article 282 of the Convention.

The text of the President’s statement may be found on the Tribunal’s [website](#).

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

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