



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

# Press Release

**PRESIDENT HOFFMANN'S STATEMENT TO THE 30<sup>TH</sup> MEETING OF  
STATES PARTIES TO THE UNITED NATIONS CONVENTION ON THE LAW OF  
THE SEA**

**“DESPITE THE RESTRICTIONS IN PLACE, THE TRIBUNAL STANDS READY TO  
FULFIL ITS MANDATE AND DEAL EFFICIENTLY WITH THE CASES  
CURRENTLY PENDING BEFORE IT AS WELL AS ANY NEW CASES THAT MAY  
BE SUBMITTED”**

On 12 November 2020, the statement of Judge Albert Hoffmann, President of the International Tribunal for the Law of the Sea, was submitted to the 30th Meeting of States Parties to the Convention. The Meeting is taking place through a combination of virtual meetings, with written statements being distributed to the States Parties, and a final in-person plenary meeting scheduled for early December 2020. President Hoffmann's statement introduces the Tribunal's annual report for 2019 and provides information on the judicial work of the Tribunal, organizational matters and recent developments in the Tribunal's capacity-building activities.

As regards organizational matters, the President recalls that at the end of August 2020 the States Parties re-elected Judge Attard and Judge Kulyk and elected Ms Kathy-Ann Brown (Jamaica), Ms Ida Caracciolo (Italy), Mr Jielong Duan (China), Ms María Teresa Infante Caffi (Chile) and Mr Maurice Kamga (Cameroon) as members of the Tribunal. Their terms of office began on 1 October 2020 and the five new judges were sworn in during a hybrid meeting of the Tribunal on the same date. The President goes on to state that he was elected on 2 October 2020, with Judge Tomas Heidar (Iceland) being elected Vice-President. Judge Neeru Chadha (India) was elected President of the Seabed Disputes Chamber on 7 October 2020.

In his statement, President Hoffmann notes with appreciation that an informal virtual session of the 30th Meeting of States Parties was held on 16 October 2020, and emphasizes the Tribunal's gratitude for the cooperation of all States Parties in endeavouring to reach a decision on the Tribunal's budget by the end of the year.

Turning to the judicial work of the Tribunal, President Hoffmann refers to three cases decided in 2019: a judgment on the merits in *The M/V "Norstar" Case (Panama v. Italy)* and two orders prescribing provisional measures, in the *Case concerning the detention of three Ukrainian naval vessels (Ukraine v. Russian Federation), Provisional Measures*, and *The M/T "San Padre Pio" Case (Switzerland v. Nigeria)*,

*Provisional Measures*. He informs the Meeting that two further cases were submitted to the Tribunal towards the end of 2019, both of which had originally been submitted to Annex VII arbitral tribunals but were subsequently transferred to the Tribunal. The first relates to the *Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives)*, which was submitted to a special chamber of the Tribunal. The second, *The M/T "San Padre Pio" (No. 2) Case (Switzerland/Nigeria)*, relates to a dispute concerning the arrest and detention of the *M/T "San Padre Pio"*, its crew and cargo.

Concerning the *Mauritius/Maldives* case, President Hoffmann informs the Meeting about the written preliminary objections filed by Maldives on 18 December 2019, challenging the jurisdiction of the Special Chamber and the admissibility of the claims submitted by Mauritius. Upon receipt of the preliminary objections by the Registry, the proceedings on the merits were suspended. The President notes that the recent hearing in the preliminary objections phase of this case took place successfully in hybrid format, with oral pleadings simultaneously interpreted from one official language of the Tribunal into the other. In this regard, the President states that "in the exceptional circumstances created by the COVID-19 pandemic, the Tribunal has thus demonstrated that it was able to fulfil its mandate".

In this context, the President further notes that the pandemic has led the Tribunal to seek innovative ways to adapt its working methods to the new circumstances. He informs the Meeting that the Tribunal's Fiftieth Session was also held in hybrid format. During the session, the Tribunal amended its Rules in order to provide that the Tribunal or the President may decide, as an exceptional measure, for public health, security or other compelling reasons, to hold hearings and readings of judgments entirely or in part by video link.

Turning to the Registry, the President notes that Ms Ximena Hinrichs Oyarce was elected as the Registrar of the Tribunal in 2019, and that Mr Antoine Ollivier was elected as Deputy Registrar on 13 March 2020.

The President then emphasizes the role of the Tribunal's training and capacity-building programmes, including the regional workshop held in November 2019 in Montevideo (Uruguay). The President expresses his sincere appreciation to both the Ministry of Foreign Affairs of Uruguay for its cooperation and the Korea Maritime Institute for its financial support for the workshop. He notes that the Tribunal's fellowship and internship programmes are running despite the constraints of the pandemic, and expresses the Tribunal's gratitude for the ongoing support given by the Nippon Foundation, the Korea Maritime Institute, the China Institute of International Studies and the Government of China for their contributions to the Tribunal's fellowship and internship programmes as well as to the IFLOS Summer Academy.

President Hoffmann's statement further informs the Meeting about a new capacity-building programme for legal advisers, funded by the Republic of Korea and planned to be launched in 2021. The purpose of the new capacity-building programme is to familiarize participants with the dispute-settlement mechanisms established by the Convention and to enhance the dispute-settlement capabilities, in particular of developing countries. The workshop will be held at the seat of the Tribunal in Hamburg, and will run for one week.

President Hoffmann's statement concludes with the information that, on 11 June 2020, the Tribunal signed a Model Agreement with Singapore, for the provision of facilities for the Tribunal to sit or otherwise exercise its functions in Singapore. The Model Agreement establishes the terms and conditions under which the Government of Singapore would provide the Tribunal with the appropriate facilities should the Tribunal or one of its chambers decide to sit or otherwise exercise its functions in Singapore in a specific case. It is the Tribunal's hope that the Model Agreement will promote peaceful settlement of disputes under the Convention and, in particular, will help pave the way for more countries in the Asian region to seek recourse to the Tribunal for the settlement of their law of the sea-related disputes.

The President's statement may be found on the website of the Tribunal at <https://www.itlos.org/en/press-media/statements-of-the-president/>.

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 or Mr Robert Steenkamp at: Am Internationalen Seegerichtshof 1, 22609 Hamburg, Germany, Tel.: +49 (40) 35607-227; Fax: +49 (40) 35607-245; E-mail: [press@itlos.org](mailto:press@itlos.org)