



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

Press Release

FIRST FIVE YEARS OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

The International Tribunal for the Law of the Sea was established by the United Nations Convention on the Law of the Sea. Its core function is to resolve disputes arising out of the interpretation and application of the Convention. There are currently 137 States Parties to the Convention.

On 1 October 1996, the International Tribunal for the Law of the Sea opened its first session in Hamburg. On 18 October 1996, the official inauguration of the Tribunal took place in the City Hall of Hamburg in the presence of the Secretary-General of the United Nations and 600 other distinguished international guests.

Pending completion of the permanent premises of the Tribunal, the host country provided the Tribunal with temporary premises located in the centre of Hamburg. Since 27 November 2000, the Tribunal has operated from its permanent premises located in Nienstedten, Hamburg, built at the expense of the Federal Republic of Germany and the Free and Hanseatic City of Hamburg.



The main courtroom of the International Tribunal for the Law of the Sea. Photograph: S. Wallocha

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The permanent premises include a modern concrete and glass building, as well as a nineteenth-century villa. The courtroom complex consists of a main courtroom for plenary sittings of the Tribunal and two smaller courtrooms for sittings of the chambers of the Tribunal. Each courtroom is equipped with modern courtroom technology, enabling parties to give presentations which appear on monitors before the judges, parties, witnesses, interpreters and the public, as well as providing a video-link facility for witnesses who are unable to travel to Hamburg. Interpretation booths and media transmission services are also installed.

The Tribunal's first task in 1996 was to prepare itself for cases. This was completed in October 1997, one year after its inauguration, with the adoption of three important procedural instruments: the Rules of the Tribunal, the Resolution on the Internal Judicial Practice of the Tribunal and the Guidelines concerning the Preparation and Presentation of Cases before the Tribunal.

Nine cases have so far been entered in the List of cases:

Case No. 1	<i>The M/V "SAIGA" Case (Saint Vincent and the Grenadines v. Guinea), Prompt Release</i>
Case No. 2	<i>The M/V "SAIGA" (No. 2) Case (Saint Vincent and the Grenadines v. Guinea)</i>
Cases Nos. 3 and 4	<i>Southern Bluefin Tuna Cases (New Zealand v. Japan; Australia v. Japan), Provisional Measures</i>
Case No. 5	<i>The "Camouco" Case (Panama v. France), Prompt Release</i>
Case No. 6	<i>The "Monte Confurco" Case (Seychelles v. France), Prompt Release</i>
Case No. 7	<i>Case concerning the Conservation and Sustainable Exploitation of Swordfish Stocks in the South-Eastern Pacific Ocean (Chile/European Community)</i>
Case No. 8	<i>The "Grand Prince" Case (Belize v. France), Prompt Release</i>
Case No. 9	<i>The "Chaisiri Reefer 2" Case (Panama v. Yemen), Prompt Release</i>

The Tribunal has delivered orders and judgments in eight cases. In its judgments the Tribunal has dealt with a wide variety of issues, involving the prompt release of vessels and crews, the prescription of legally binding provisional measures, and procedural and substantive issues relating to the registration of vessels, genuine link, exhaustion of local remedies, hot pursuit, use of force and reparation.

It is worthwhile noting that one of the cases (the Chile/European Community case) is the first case to be submitted to a special chamber of the Tribunal, under article 15,

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paragraph 2, of its Statute. It is also the first case concerning a dispute between a State and an international organization.

In his statement made at the ceremony for the opening of the new premises on 3 July 2000, the Secretary-General of the United Nations, Mr. Kofi Annan, described the Tribunal as the "keystone" of the Convention and noted that it is "the central forum available - to States, to certain international organizations, and even to some corporations - for resolving disputes about how the Convention should be interpreted and applied". The Secretary-General also stated that the Tribunal has "already built a reputation among international lawyers as a modern court that can respond quickly".

The expenses of the Tribunal are borne by the States Parties to the Convention and there is no cost for parties submitting cases by or on behalf of States Parties to the Tribunal. On 30 October 2000, the General Assembly of the United Nations, in its Resolution 55/7, requested the Secretary-General to establish and administer a voluntary trust fund to assist States in the settlement of disputes through the International Tribunal for the Law of the Sea. The fund has been established and is operational.

The Tribunal, although an autonomous judicial body, is also part of the United Nations family. In 1996, the General Assembly of the United Nations granted observer status to the Tribunal. In 1997 the Agreement on Cooperation and Relationship between the United Nations and the International Tribunal for the Law of the Sea was signed by the Secretary-General of the United Nations and the President of the Tribunal. In addition, in 2001 an agreement between the United Nations and the Tribunal was concluded to extend the competence of the United Nations Administrative Tribunal to the staff of the International Tribunal for the Law of the Sea. The Tribunal also applies the United Nations Common System of salaries, allowances and benefits and follows *mutatis mutandis* the United Nations Regulations and Rules in financial, service and administrative matters.

The following publications are issued by the Tribunal in English and French: the *Basic Texts/Textes de Base 1998* reproduces the text of the principal legal instruments relevant to the Tribunal; the *Yearbook* presents information about the judges, organization, jurisdiction, procedure, practice, finances, privileges and immunities, and activities of the Tribunal; the *Reports of Judgments, Advisory Opinions and Orders* contain the Judgments, Orders and Advisory Opinions given in cases submitted to the Tribunal; and the volume *Pleadings, Minutes of Public Sitzings and Documents* reproduces the pleadings in cases before the Tribunal as well as the minutes of the hearings and other relevant documents.

The Tribunal has also established an internship programme. The purpose of the programme is to give participants the opportunity to gain an understanding of the work and functioning of the Tribunal and to enable the Tribunal to benefit from the assistance of persons with relevant knowledge and skills in the fields of, *inter alia*, the law of the sea, public international law and international organizations.

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The Press Releases of the Tribunal, documents and other information are available on the United Nations website: <http://www.un.org/Depts/los/> and from the Registry of the Tribunal. Please contact Mr. Robert van Dijk or Ms. Julia Pope at Am Internationalen Seegerichtshof 1, 22609 Hamburg, Germany, Tel.: (49) (40) 35607-228/227, Fax: (49) (40) 35607-245/275; E-mail: press@itlos.org

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