

**Statement of Mr Hans Corell, Legal Counsel of the United Nations, on the occasion of the  
Ceremonial Inauguration of the Judges  
18 October 1996**

The International Tribunal for the Law of the Sea is now for the first time in open session: the inaugural session of the Tribunal.

Since the dawn of time, men and women have sailed the seas and oceans, harvested their resources and enjoyed the pleasures of the coastal waters and beaches. Since the very early stages of civilisation, efforts have been made to regulate the different uses of the seas and in later years also to protect its resources and the marine environment. Gradually there has emerged an international law, customary as well as treaty law, which has become known as the law of the sea.

However, it was not until a few decades ago that the content of this law was discussed at the global level with the participation of a growing number of independent states, representing all continents of the world. The outcome of these deliberations reached an important stage when, after many years of negotiations, the United Nations Convention for the Law of the Sea was adopted on 30 April 1982, fourteen years ago. The Convention, which was opened for signature at Montego Bay, Jamaica, on 10 December 1982, sets out a comprehensive framework regulating the many different uses of the seas. In 1994 the General Assembly of the United Nations adopted an Agreement Relating to the Implementation of Part XI of the Convention. This Agreement is today an integral part of the Convention which is often described as a Constitution for the Oceans. As of today, 107 States have become parties to the Convention and other States are preparing to do so.

The drafters of the Convention foresaw that there would be differences or even disputes concerning its interpretation and application. A dispute is not necessarily a negative phenomenon; a State party is always entitled to form an opinion on how international law should be interpreted or applied in a particular case. Another State party may form a contrary opinion. In such situations, what matters is the way in which disputes are settled.

In order to secure the peaceful settlement of disputes relating to the law of the sea, the Convention contains extensive jurisdictional provisions, including the establishment of the International Tribunal for the Law of the Sea. The Tribunal consists of twenty-one independent members, elected from among persons enjoying the highest reputation for fairness and integrity and of recognised competence in the field of the law of the sea. In the Tribunal as a whole the representation of the principal legal systems of the world and equitable geographical distribution shall be assured.

The Tribunal has its seat in this city with long maritime traditions: the Free and Hanseatic City of Hamburg.

On 1 August 1996 the States Parties to the Convention elected the members of the Tribunal. The Judges have been drawn from all regions of the world.

The Secretary-General of the United Nations is entrusted by the Convention with the task of the setting up of the Tribunal. On the first day of this month, the members of the Tribunal met for the first time. Their tasks during this first session were, among others: to elect the President and the Vice-President of the Tribunal, to adopt Rules of Procedure and to deal with other organizational matters.

On 5 October, Mr. Thomas A. Mensah was elected the first President of the Tribunal. Mr. Rüdiger Wolfrum was elected Vice-President.

We have gathered here today in this magnificent City Hall of Hamburg to celebrate the inauguration of the Tribunal. This inauguration takes place: in the presence of the Secretary-General of the United Nations, who is the depositary of the Convention; in the presence of one of the Judges and the Registrar of the International Court of Justice, the principal judicial organ of the United Nations; in the presence of prominent representatives of many States, including the Host State, the Federal Republic of Germany; in the presence of representatives of the Host City, the Free and Hanseatic City of Hamburg; and in the presence of specially invited guests and representatives of the media.

According to Article 11 of the Statute of the Tribunal, every member of the tribunal shall, before taking up his duties, make a solemn declaration in open session that he will exercise his powers impartially and conscientiously.

During this first open session the members of the Tribunal will be called upon to make this solemn declaration.

On behalf of the President of the Tribunal, I now invite Dr. Henning Voscherau, First Mayor of the Free and Hanseatic City of Hamburg, to take the Rostrum.