



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

Press Release

PRESIDENT WOLFUM ADDRESSES GENERAL ASSEMBLY, ASSERTS THE ADVANTAGES OF PERMANENT TRIBUNALS OVER ARBITRATION

Addressing the plenary of the Sixty-second Session of the United Nations General Assembly yesterday on the occasion of its annual examination of the item oceans and the law of the sea, the President of the Tribunal, Judge Rüdiger Wolfrum, reviewed the judicial and organizational developments at the Tribunal over the course of the past year.

Stating that 2007 had been a significant judicial year for the Tribunal, the President recalled the two applications for prompt release of fishing vessels submitted to the Tribunal by Japan against the Russian Federation in July 2007, the “*Hoshinmaru*” Case and the “*Tomimaru*” Case, and reported on the decision of the Special Chamber in the *Case between Chile and the European Community concerning the Conservation and Sustainable Exploitation of Swordfish Stocks in the South-Eastern Pacific Ocean* to accede to the parties’ request for a further postponement of the time-limits in the proceedings. Noting that recourse to the Tribunal had assisted Japan and the Russian Federation in resolving their differences and had enabled Chile and the European Community to reach a provisional arrangement regarding their dispute over fishery resources, the President underscored the Tribunal’s continued and significant contribution to the settlement of disputes by peaceful means in accordance with Part XV of the Convention.

Focussing on the issue of the harmonization of international jurisprudence, the President indicated that this could only be achieved through permanent courts and tribunals rather than by way of recourse to arbitration. In support of this he cited the provisional measures cases submitted to the Tribunal where critics maintain that the substantive contribution to the resolution of the disputes came not from the Annex VII arbitral tribunal but rather from the Tribunal exercising its incidental jurisdiction. In this respect, the President reminded the delegates of the options open to parties for their dispute to be heard before an *ad hoc* special chamber of the Tribunal, composed of any of the 21 judges together with judges *ad hoc* if the chamber did not include a member of the nationality of the parties. He noted that parties may propose modifications and additions to the Rules of the Tribunal and that access to the Tribunal and its facilities is not subject to any fees and is free to States Parties, the remuneration of judges and Registry staff members being financed through the regular budget of the Tribunal and not by the parties to the dispute.

(more)

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Noting that the sponsors of the draft resolution had welcomed the formation of the Chamber for Maritime Delimitation Disputes in 2007 as a standing chamber of the Tribunal, President Wolfrum indicated that its formation demonstrated the Tribunal's interest in delimitation matters, observing that a maritime boundary dispute could include issues which are closely linked or ancillary to maritime delimitation, such as issues of sovereignty over islands or land territory.

Recalling that the Tribunal had so far held four regional workshops in Dakar, Libreville, Jamaica and Singapore which had been attended by representatives of 66 States, the President announced that four further workshops would be organised in Bahrain, Buenos Aires, Cape Town and Manila. He expressed his gratitude to the governments of the respective host States and the Korea International Cooperation Agency (KOICA) for their assistance in this capacity building exercise. President Wolfrum also mentioned the law of the sea capacity building programmes organised at the seat of the Tribunal for students and young government officials, namely the internship programme (organized with the assistance of the KOICA), the Nippon Foundation/ITLOS training programme on dispute settlement under UNCLOS and the Summer Academy of the International Foundation for the Law of the Sea, which had held its inaugural session at the Tribunal in 2007.

The full text of the President's statement may be found on the website of the Tribunal under News/Statements.

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:
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