



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

Press Release

PRESIDENT JESUS ADDRESSES LEGAL ADVISORS IN NEW YORK, MEETS WITH UNITED NATIONS SECRETARY-GENERAL AND LEGAL COUNSEL

On 28 October 2009, the President of the International Tribunal for the Law of the Sea, Judge José Luis Jesus, met with the Secretary-General of the United Nations, Mr Ban Ki-moon, and The Legal Counsel, Ms Patricia O'Brien. The Registrar of the Tribunal, Mr Philippe Gautier, also attended the meeting.



UN Photo

On 27 October 2009, President Jesus addressed the Informal Meeting of Legal Advisors of Ministries of Foreign Affairs at the United Nations in New York.

In his statement to the Legal Advisors, the President commented on the prompt release procedure before the Tribunal under the United Nations Convention on the Law of the Sea, noting that it applies both to cases of release from detention of vessels and crews for the alleged violation of fisheries legislation and also for the alleged violation of national laws and regulations or applicable international rules and standards for the prevention, reduction and control of pollution of the marine environment.

The President drew the attention of the Legal Advisers to the amendments introduced to the Rules of the Tribunal in March 2009 in order to better secure the prompt implementation of the Tribunal's decisions. President Jesus explained that the amendments gave the Tribunal the option to determine whether a bond or other financial security may be posted with the detaining State or with the Registrar of the Tribunal.

Turning to the second type of urgent proceedings that may be brought before the Tribunal, President Jesus stressed the importance of the need to protect the rights of parties to a dispute and the marine environment, pending the constitution of an arbitral tribunal to which a dispute is submitted under Annex VII to the Convention. In light of the jurisprudence of the Tribunal, parties may find such procedure extremely useful, in particular when faced with risks of environmental damage which requires urgent action.

Looking at the Convention's mechanism for the peaceful settlement of law of the sea-related disputes, President Jesus noted the possibility for States to make a declaration selecting one or more of the means for dispute settlement in accordance with article 287 of the Convention.

On working relations with other international courts and tribunals, the President mentioned the cooperation and mutual respect between the Tribunal and the International Court of Justice, outlining the Tribunal's past practice in relying upon the jurisprudence of the International Court of Justice, the Permanent Court of International Justice and arbitral tribunals whenever appropriate. He highlighted the constructive approach of the Tribunal in securing and maintaining consistency in international law and international judicial decisions.

The text of the President's statement may be found on the website of the Tribunal.

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