



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

Press Release

**PRESIDENT JESUS ADDRESSES MEETING OF SIXTH COMMITTEE
OF UNITED NATIONS GENERAL ASSEMBLY**

On 4 November 2009, Judge José Luis Jesus, President of the International Tribunal for the Law of the Sea, addressed the Meeting of the Sixth Committee of the United Nations in New York.

In his statement, the President gave an overview of the work and jurisdiction of the Tribunal, noting that the Tribunal, as an international judicial body with specialized jurisdiction over law of the sea-related disputes, holds a particular position for playing a major role in the settlement of such disputes.

The President observed that most of the cases submitted to the Tribunal to date have involved urgent proceedings, concerning requests for provisional measures under article 290, paragraph 5, of the Convention or for the prompt release of vessels and crews under article 292, both of which fall under the compulsory jurisdiction of the Tribunal.

The President noted that disputes that could be submitted to the Tribunal cover a wide range of matters, relating inter alia to illegal, unreported or unregulated fishing, the conservation of marine living resources, the protection and preservation of the marine environment, navigational issues, prompt release of vessels and crews in cases of alleged violation of coastal States' fisheries or marine environment regulations and standards, provisional measures to protect the marine environment or the rights of the parties to a dispute submitted to Annex VII arbitration, compensation for damage or wrongful acts against a State party related to activities covered by the Convention or the laying and repairing of submarine cables and pipelines on the continental shelves of coastal States.

Turning to the Tribunal's advisory jurisdiction, the President highlighted the fact that requests to the Tribunal for advisory opinions might prove to be a useful tool for States and other users of the Convention who differ on the interpretation and application of certain provisions thereof, assisting parties in narrowing their differences on a given legal point or question and facilitating the settlement of disputes through negotiations, thus helping to curb further escalation of conflicts between States. The President listed a number of situations where recourse to advisory opinions could be used.

On the topic of the structure of the Tribunal, the President observed that parties to a dispute may wish to refer a case either to the Tribunal as a full court or to a standing chamber. In addition to the Standing Chambers of the Tribunal, parties to a dispute may request the Tribunal to establish a special chamber to deal with a particular dispute as, for example in the *Case concerning the Conservation and Sustainable Exploitation of Swordfish Stocks in the South-Eastern Pacific Ocean* which Chile and the European Community submitted to a special chamber of the Tribunal.

Turning to the Convention's mechanism for the settlement of disputes, the President noted that a State may wish to consider making a declaration by choosing the Tribunal or other means of dispute settlement as laid down by article 287.

The President concluded with a reference to the Tribunal's efforts to contribute to a better knowledge of the dispute-settlement system established by the Convention, mentioning the seven regional workshops held by the Tribunal on the procedure for the settlement of disputes related to the law of the sea and the Tribunal's capacity-building and training programme on dispute settlement under the Convention, which it organises with the support of the Nippon Foundation.

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