



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

# Press Release

## **PRESIDENT GOLITSYN REPORTS TO THE MEETING OF STATES PARTIES**

On 20 June 2016, the President of the International Tribunal for the Law of the Sea, Judge Vladimir Golitsyn, addressed the 26<sup>th</sup> Meeting of States Parties to the United Nations Convention on the Law of the Sea and presented the Tribunal's annual report for 2015.

Regarding administrative matters, the President informed the Meeting that Judge Cachapuz de Medeiros (Brazil) was sworn in as a Member of the Tribunal on 7 March 2016 and that, on 9 March 2016, the Tribunal re-elected Mr. Philippe Gautier as Registrar of the Tribunal for a term of five years.

In his statement, the President outlined the increase in the Tribunal's judicial activity and the variety of decisions rendered by the Tribunal in 2015. He expressed his conviction that future cases would continue to involve a broad spectrum of law of the sea matters.

The President reported on the delivery of the Tribunal's Advisory Opinion on the request submitted by the Sub-Regional Fisheries Commission (SRFC) concerning illegal, unreported and unregulated fishing (IUU fishing) activities in the exclusive economic zones of SRFC Member States. The President emphasized the input to the progressive development of the law of the sea made by the Tribunal in this Advisory Opinion, noting that it clarified several matters regarding the obligations and liability of both flag States and international organizations in relation to IUU fishing in the exclusive economic zones of SRFC Member States. He expressed the view that the Advisory Opinion should assist the SRFC in carrying out its activities and pursuing its efforts to combat IUU fishing and that it could be of value to all those engaged in preventing and deterring IUU fishing activities in other areas.

The President went on to inform the delegates about the ongoing case between Ghana and Côte d'Ivoire concerning their maritime boundary, which has been submitted to a Special Chamber formed by the Tribunal, pursuant to article 15, paragraph 2, of its Statute. The Chamber consists of five judges and includes two judges *ad hoc*. He reported to the Meeting that the hearing in the case is expected to take place in February 2017. President Golitsyn noted that a request for provisional measures was filed by Côte d'Ivoire on 27 February 2015. Côte d'Ivoire asked the Chamber to prescribe that Ghana suspend all ongoing oil exploration and exploitation

operations in the disputed area, while Ghana requested the Special Chamber to: “deny all of Côte d’Ivoire’s requests for provisional measures”. In its Order of 25 April 2015, the Chamber underlined that the Parties should in the circumstances “act with prudence and caution to prevent serious harm to the marine environment” and ordered Ghana “to take all the necessary steps to ensure that no new drilling either by Ghana or under its control takes place in the disputed area”.

The President then turned to the dispute involving Italy and India with regard to the “Enrica Lexie” incident, in which Italy, on 26 June 2015, had instituted arbitral proceedings under Annex VII to the Convention against India in respect of the dispute and had submitted the request for provisional measures to the Tribunal on 21 July 2015. The President recalled that the Tribunal’s Order of 24 August 2015 prescribed that “both Italy and India [should] suspend all court proceedings and refrain from initiating new ones which might aggravate or extend the dispute submitted to the Annex VII arbitral tribunal or might jeopardize or prejudice the carrying out of any decision which the arbitral tribunal may render”.

President Golitsyn informed the Meeting that the Tribunal was seized of a further case on 17 December 2015 by Panama, who filed an application instituting proceedings against Italy in a dispute regarding the arrest and detention of the vessel M/V “Norstar”. Preliminary objections to the jurisdiction of the Tribunal and the admissibility of Panama’s application were subsequently filed on 11 March 2016 by Italy. As required under article 97 of the Rules, proceedings on the merits have been suspended and the hearing on the preliminary objections is scheduled for September 2016.

The President announced that a series of events is being organized to celebrate the Tribunal’s 20<sup>th</sup> anniversary, commencing with a round table on “The Role of the Tribunal in the Settlement of Disputes” to take place during the Meeting of States Parties. The Hamburg events will begin on 5 and 6 October 2016 with a symposium on “The contribution of the Tribunal to the Rule of Law”, to be held at the Tribunal’s premises and designed for legal advisors, practitioners, academics, and counsel who have appeared before the Tribunal. The celebrations will culminate in an official ceremony on 7 October 2016, in the City Hall of Hamburg. President Golitsyn informed the States Parties that the keynote speakers are the Secretary-General of the United Nations and the President of the Federal Republic of Germany. He expressed his gratitude to the Government of Japan and the Korea Maritime Institute for their contributions to the 20<sup>th</sup> anniversary trust fund, and to the Government of Germany and the City of Hamburg for providing financial support in organizing the ceremony on 7 October 2016.

The President also underlined the role of training and capacity-building programmes organized by the Tribunal and expressed his appreciation to both the Ministry of Foreign Affairs of Indonesia and the Korea Maritime Institute for their assistance in organizing the Bali regional workshop held in August 2015. He also thanked the Nippon Foundation for its continued support for the nine-month Nippon/ITLOS capacity-building programme as well as the Korea Maritime Institute and the China Institute of International Studies for their contributions to the internship programme of the Tribunal. He further expressed his gratitude to the International Foundation for the Law of the Sea for its organization of the annual Summer Academy.

The text of the President's statement may be found on the Tribunal's [website](#).

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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](mailto:press@itlos.org)