



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

Press Release

PRESIDENT PAIK ADDRESSES THE UNITED NATIONS GENERAL ASSEMBLY

Judge Jin-Hyun Paik, President of the International Tribunal for the Law of the Sea, gave his annual address to the plenary of the 73rd Session of the United Nations General Assembly on 11 December 2018 under agenda item 78(a) "Oceans and the Law of the Sea".

President Paik first paid tribute to former Judge P. Chandrasekhara Rao, who passed away on 11 October 2018, emphasizing his contribution both to the work of the Tribunal and to the development of the international law of the sea.

Turning to the judicial work of the Tribunal, the President informed the Assembly that the Tribunal had held hearings on the merits in the *M/V "Norstar" Case (Panama v. Italy)* in September 2018, and that it planned to deliver its judgment in the spring of 2019. He noted that the case raised issues relating to the lawfulness of the arrest and detention of a vessel and claims for reparation, indicating that a number of disputes arising from the arrest of vessels had already been brought before the Tribunal in cases on the merits.

The President highlighted that urgent proceedings were also available to States Parties to the United Nations Convention on the Law of the Sea, in cases where a vessel is detained, namely proceedings for the prescription of provisional measures pending the constitution of an arbitral tribunal under article 290, paragraph 5, and applications for the prompt release of vessels and crews under article 292 of the Convention. He noted that in such urgent proceedings, the Tribunal renders its decision within a period of approximately one month and stated that "in light of the experience gained by the Tribunal in handling urgent proceedings, there is no reason to doubt that it could deal with a case on the merits within a relatively short period of time, in particular if the parties were to indicate that they expected an expeditious solution to their dispute".

Turning to the current negotiations in the intergovernmental conference on an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, President Paik underscored the importance of incorporating a robust dispute-settlement mechanism in the instrument – such as that included in Part XV of the Convention – in order to ensure compliance with it. He also called upon the delegates

to consider including in the new instrument the possibility of requesting the Tribunal for an advisory opinion.

As regards the capacity-building programmes organized by the Tribunal, the President thanked the Korea Maritime Institute, the China Institute of International Studies, the Korea International Cooperation Agency, the Nippon Foundation and the International Foundation for the Law of the Sea for their contributions to the regional workshop programme, the internship programme, the capacity-building and training programme in international law of the sea-related dispute settlement, and the Summer Academy. President Paik also expressed his gratitude to the Government of the Republic of Cabo Verde, which organized with the Tribunal a regional workshop in Cabo Verde (Mindelo) in May 2018.

Note: The press releases of the Tribunal do not constitute official documents and are issued for information purposes only.

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