



**INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
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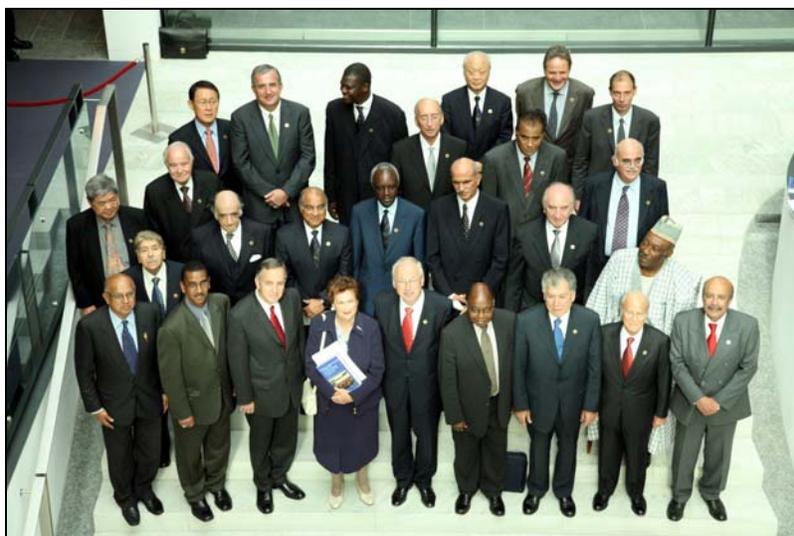
Press Release

TENTH ANNIVERSARY CEREMONY OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

HAMBURG, 29 September 2006. A ceremony to mark the Tenth Anniversary of the International Tribunal for the Law of the Sea was held today at the seat of the Tribunal.

The ceremony was attended by representatives of the Federal Government of Germany and of the Senate of the Free and Hanseatic City of Hamburg, Legal Advisors, members of the Diplomatic and Consular Corps, representatives of the United Nations, international courts and organizations and academics and practitioners working in the field of law of the sea.

Statements were given by the first and current Presidents of the Tribunal, Judges Thomas Mensah and Rüdiger Wolfrum, the First Mayor of the Free and Hanseatic City of Hamburg, Mr Ole von Beust, the State Secretary of the Federal Ministry of Transport, Building and Housing, Mr Jörg Hennerkes, the Legal Counsel of the United Nations, Mr Nicholas Michel, the President of the International Court of Justice, Judge Rosalyn Higgins and the Secretary-General of the International Seabed Authority, Mr Satya Nandan.



The Judges and speakers on the occasion of the Tenth Anniversary of the Tribunal

Photo: S. Wallocha

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In his statement, the Legal Counsel of the United Nations outlined the strong relationship between the Tribunal and the United Nations, observing that in its first ten years, the Tribunal “has established a jurisprudence which has already contributed to the development of international law of the sea in a notable way and that it plays an important role in the pacific settlement of disputes relating to the application of the Convention” and adding that “the United Nations is looking ahead at the future developments that await the international community in the field of international law of the sea.”

The President of the International Court of Justice declared that “within a decade, the Tribunal has pronounced interesting law, built a reputation for its efficient and speedy management of cases and shown innovative use of information technology”. Noting the close relationship between the Court and the Tribunal, she highlighted their “common goal of a mutually reinforcing corpus of international law in the settlement of international legal disputes.” She proceeded to state that “[t]he experience of most international courts is to start slowly and steadily build their docket. The most important factor in this formative stage of the life of a new judicial institution is confidence-building – providing that core predictability that distinguishes law from politics, but doing so in a way that is responsive to the legitimate needs and expectations of the international community. Everyone has the greatest respect for the judicial work of this Tribunal. Indeed, multilateral treaties drafted after 1996 have adopted provisions enabling the referral of disputes to the regime established by the UN Convention on the Law of the Sea. We are seeing the development of a multifaceted system for the settlement of law of the sea-related disputes, with ITLOS as an important player.”

In his address, the President of the Tribunal affirmed that, “in its first ten years the Tribunal has been successful in helping States of both developed and developing nations to reach a peaceful solution with respect to cases involving, *inter alia*, the freedom of navigation, prompt release of vessels and their crews, protection and preservation of the marine environment, the commissioning of a nuclear facility and the movement of radioactive materials, land reclamation activities, fisheries, nationality of claims, use of force in law enforcement activities, hot pursuit and the question of the genuine link between the vessel and its flag State.” He went on to note that the Tribunal’s “decisions have not only enabled parties to resolve their disputes but have also contributed to the development of international law in general, in particular with regard to environmental law”.

Calling upon States to demonstrate their commitment to the rule of international law and the peaceful settlement of law of the sea disputes either by making a declaration under article 287 of the Convention, or by including provisions in agreements made at a bilateral or multilateral level concerning any activities relating to the purposes of the Convention, the President declared that “[n]ow that the Tribunal has established itself as an active and effective body in deciding law of the sea disputes it is an opportune moment for States to consider the choices open to them in the matter of dispute settlement mechanisms.”

President Wolfrum concluded his statement with the words “The Tribunal strives to uphold the rules of law as enshrined in the Convention so that it may enable States that

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have a difference of opinion with respect to its interpretation or application to reach a peaceful resolution of the dispute ... the Tribunal ... will continue to do so, respecting the trust conferred on it by States or other entities, endeavouring to promote the rule of law in matters relating to the oceans, and striving to assist in the settlement of disputes whenever it is called upon to do so.”

At the close of the ceremony, the Ambassador of the Republic of Cyprus, Mr Leonidas Markides, presented the Tribunal with a model of the ship *Kyrenia*. Built in the early 4th century BC during the times of Alexander the Great, the *Kyrenia* is considered to be the best preserved wooden merchant ship ever found on the sea floor and the oldest Greek vessel ever discovered. The Ambassador donated the model to the Tribunal as a sign of the Republic of Cyprus’ recognition of its substantial contribution to the development of international law.

The ceremony was followed by a Symposium on ‘The Jurisprudence of the International Tribunal for the Law of the Sea: Assessment and Prospects’, organized by the International Foundation for the Law of the Sea.

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;
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