



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

Press Release

(Issued by the Registry)

RELATIONSHIP AGREEMENT WITH UNITED NATIONS ENTERS INTO FORCE

HAMBURG, 20 October. The conclusive step in the process of establishing formal relationship arrangements with the United Nations was completed recently. The General Assembly of the United Nations, on the last day of the Fifty-Second Session, gave its final approval to the Agreement on Cooperation and Relationship between the United Nations and the International Tribunal for the Law of the Sea.

The draft Resolution approving the Relationship Agreement was sponsored by the Federal Republic of Germany, the host country of the Tribunal. It was co-sponsored by 41 States and adopted without a vote. In introducing the draft Resolution, the representative of Germany, Ambassador Gerhard W. Henze, expressed his gratitude for the broad support for the draft. He observed that the draft resolution represented a totally uncontroversial item. The Registrar of the Tribunal, Mr. Gritakumar E. Chitty, thereafter, addressed the General Assembly, noting that the Agreement formalized the essential cooperation and interaction between the Tribunal and the United Nations.

The Registrar said the Relationship Agreement will pave the way for further and more efficient cooperation and thereby promote the Tribunal's objective to be a user-friendly, cost-effective and efficient institution. He stated that this objective is also reflected in the Rules of the Tribunal by the short time-limits set for each step in its proceedings and by its recognition of the opportunities which modern technology has to offer in expediting and facilitating proceedings.

The Agreement provides for cooperation on several matters including, exchange of information between the United Nations and the Tribunal, reciprocity of representation in each others meetings, use by the Tribunal of the United Nations laissez-passer (travel documents), and a range of other mutually supportive activities.

The International Tribunal for the Law of the Sea is now part of the system for the peaceful settlement of disputes laid down in the United Nations Charter. It finds its very origin in efforts sponsored by the United Nations to establish a universal regime for the seas and oceans. The links of the Tribunal to the United Nations Secretariat are rooted in the role of the Secretary-General in servicing the Conference that established the Convention. The Secretary-General's role continued in servicing the Preparatory Commission for the International Seabed Authority and the International

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**Press Release ITLOS/Press 16
20 October 1998**

Tribunal for the Law of the Sea, which was created to pave the way and prepare for the institutions established by the Convention. The close ties were maintained and assistance and support was lent by the United Nations Secretariat, through its Division for Ocean Affairs and the Law of the Sea, during the initial organizational phases of the Tribunal.

Another landmark in the relations between the Tribunal and the United Nations was the granting of observer status to the Tribunal at the United Nations General Assembly. There was overwhelming support in the General Assembly, which approved observer status on 17 December 1996.

Pursuant to the recommendation of the Preparatory Commission, and the subsequent decision of the Meeting of States Parties, the Tribunal also applied to the United Nations for membership in the United Nations Joint Staff Pension Fund. The General Assembly approved the participation in the Fund as of 1 January 1997, and the Tribunal became part of the United Nations common system of salaries and allowances.

The Relationship Agreement found its origin in the draft prepared by the Preparatory Commission. On the basis of this draft the Office of the Legal Counsel of the United Nations and the Registry of the Tribunal engaged in expeditious and constructive negotiations, which resulted in early agreement upon the terms of the relationship. In his address to the General Assembly, the Registrar of the Tribunal conveyed his special thanks to the Office of the Legal Counsel and the Office of Legal Affairs of the United Nations for their continued support and cooperation.

On 18 December 1997, the Relationship Agreement was signed by the President of the Tribunal and the Secretary-General which brought it into provisional application. Article 14 of the Agreement provides, however, for the approval of both the General Assembly and the Tribunal as a condition for the entry into force of the Agreement. The Tribunal confirmed its approval of the Agreement on 12 March 1998. With the General Assembly's approval, the Agreement now definitely enters into force.

An overview of the relations between the Tribunal and the United Nations

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| 16 November 1973 | The General Assembly of the United Nations in its resolution 3067 (XXVIII) decided to convene the Third United Nations Conference on the Law of the Sea to establish a universal regime for the oceans. |
| 1973 - 1982 | The Third United Nations Conference on the Law of the Sea was convened and continued negotiations until the adoption of the United Nations Convention on the Law of the Sea in 1982. The Convention established the Tribunal. The Conference was serviced by the United Nations Secretariat. |
| 1983 - 1994 | The Secretary-General of the United Nations provided the secretariat of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea, which made preparations <i>inter alia</i> for the establishment of the Tribunal. |

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**Press Release ITLOS/Press 16
20 October 1998**

- May 1995 The Secretary-General of the United Nations designated Mr. Gritakumar E. Chitty, Officer responsible for making preparations for the establishment of the International Tribunal for the Law of the Sea, followed by his appointment as Director-in-Charge of the Registry of the Tribunal in August 1996.
- 1996 - 1997 The Office of Legal Affairs, through its Division for Ocean Affairs and the Law of the Sea, lent assistance to the Tribunal by assigning staff to service the initial sessions of the Tribunal.
- 17 December 1996 The Tribunal is granted observer status at the General Assembly of the United Nations.
- 1 January 1997 The Tribunal began participation in the United Nations Joint Staff Pension Fund.
- 18 December 1997 The Agreement on Cooperation and Relationship is signed by the President of the Tribunal, Mr. Thomas A. Mensah, and the Secretary-General of the United Nations, Mr. Kofi Annan.
- 12 March 1998 The Tribunal confirmed its approval of the Relationship Agreement at its fifth session.
- 8 September 1998 The General Assembly of the United Nations adopted resolution 52/251 which records the approval by the Assembly of the Relationship Agreement. Entry into force of the Relationship Agreement.

Since the adoption of the United Nations Convention on the Law of the Sea in 1982, and pursuant to its entry into force in 1994, the Secretary-General of the United Nations serves a range of functions with respect to the Convention in the capacity of depositary of the Law of the Sea Convention. The Secretary-General thus provides secretariat services to the Meeting of States Parties to the Convention, the intergovernmental body with responsibility for the Tribunal.

The Press Releases of the Tribunal, documents and other information are available on the United Nations website: <http://www.un.org/Depts/los/> and from the Registry of the Tribunal, Wexstrasse 4, 20355 Hamburg, Germany, Tel: (49) (40) 35607-227/228, Fax: (49) (40) 35607-245/275 or United Nations DC-1, suite 1140, New York, NY 10017, Tel: (1) (212) 963-6480, Fax: (1) (212) 963-0908, E-mail: itlos@itlos.hamburg.de

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