

ITLOS/Press 2
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INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
TRIBUNAL INTERNATIONAL DU DROIT DE LA MER

Press Release

(Issued by the Registry)

CEREMONIAL INAUGURATION OF THE JUDGES OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

HAMBURG, 18 October. At 10 a.m. this morning, the Judges of the International Tribunal for the Law of the Sea took their oath of office and signed solemn declarations in the presence of high dignitaries including, Dr. Boutros Boutros-Ghali, the Secretary-General of the United Nations, Dr. Klaus Kinkel, the German Federal Minister of Foreign Affairs, and Dr. Henning Voscherau, the First Lord Mayor of the Free and Hanseatic City of Hamburg. In attendance were also representatives of the International Sea-Bed Authority, Mr. Satya Nandan, the Secretary-General of the Authority, Dr. Hasjim Djalal, the President of its Assembly, and Mr. Lennox Ballah, the President of its Council. The International Court of Justice was represented by the German judge on its bench, Dr. Carl August Fleischhauer and its Registrar, Mr. Valencia-Ospina. In addition, representatives from over 67 countries and an audience of 500 to 600 others witnessed the event.

The 21 Judges made their solemn declarations at a special inaugural session of the Tribunal in the stately Great Hall of the City Hall of Hamburg. After the more than 500 guests enjoyed Brahms, performed by the University of Music and Theatre, the Judges pledged that they will perform their duties and exercise their powers as judges honourably, faithfully, impartially and conscientiously. Officiating at the inauguration were Mr. Hans Corell, the Legal Counsel of the United Nations and Mr. Gritakumar Chitty, Director-in-Charge of the Registry. The session of the Tribunal was organized by the United Nations and the Registry of the Tribunal. Dr. Boutros-Ghali, Dr. Kinkel, Dr. Voscherau and Dr. Thomas A. Mensah, the President of the Tribunal, addressed the session. On behalf of the President of the Tribunal, Mr. Corell conducted the events. After the Judges had taken the solemn declaration, President Mensah closed the first public session of the Tribunal.

Dr. Boutros-Ghali said the session marked a “truly historic event” and pointed out that “Because maritime disputes can be a source of confrontation and conflict between States, the Tribunal has an important role to play in the building of an international society governed by the Rule of Law. The Law of the Sea Tribunal will be part of the system for the peaceful settlement of disputes as laid down by the founders of the United Nations. Though not an Organ of the United Nations the Tribunal finds its origin in efforts sponsored by the United Nations. As a sign of this excellent linkage a relationship agreement should soon be signed between the Tribunal and the United Nations.”

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From the City Hall the company went by the steamer "Schaarhörn" to the site on the Elbchaussee where, at a ceremony hosted by the Hamburg authorities, Dr. Boutros-Ghali laid the foundation stone for the future Tribunal. On this occasion, Dr. Boutros-Ghali, Dr. Kinkel, Prof. Edzard Schmidt-Jörtzig, the German Federal Minister of Justice, and Dr. Voscherau addressed the invitees.

Subsequently, at 7.45 p.m. Mr. Hedi M'Henni, the Tunisian Minister of Health, presented on behalf of the Tunisian Government a magnificent mosaic to the new International Tribunal for the Law of the Sea. The generous gift representing the sea-god Neptune, at present on display in the City Hall of Hamburg, will find its place in the future edifice of the Tribunal.

The International Tribunal for the Law of the Sea

The Judges were first convened and held their first meeting on 1 October in Hamburg, the seat of the newly established International Tribunal for the Law of the Sea. This was the start of their first session devoted to organizational matters. Mr. Corell represented the Secretary-General of the United Nations on this occasion. At the request of the Judges, Mr. Corell chaired the meetings of the Judges until the President of the Tribunal was elected.

On 5 October the Judges elected Judge Thomas A. Mensah from Ghana to serve as the first President of the Tribunal. The German national Judge Rüdiger Wolfrum was elected Vice-President.

The International Tribunal for the Law of the Sea has been established pursuant to the United Nations Convention on the Law of the Sea. This Convention is one of the most comprehensive international treaties ever completed. It provides for the outer limits to which coastal States can claim jurisdiction in their adjacent waters, and regulates prominent issues such as fisheries, navigation and the prevention of pollution of the marine environment. The Convention also pronounces the deep sea-bed as the common heritage of mankind and sets up the International Sea-Bed Authority to regulate the exploitation of the deep sea-bed.

The Convention on the Law of the Sea is unique in that the mechanism for the settlement of disputes is incorporated into the document, making it obligatory for parties to the Convention to go through the settlement procedure in case of a dispute with another party. The Tribunal is the central forum for the settlement of disputes arising from the Convention. At present, one hundred and seven States are party to the Convention, indicating the world wide approval which the Convention has obtained. The Convention gives the Tribunal jurisdiction to resolve a variety of international disputes. Disputes that can be referred to the Tribunal may involve *inter alia* the delimitation of maritime zones, fisheries, navigation and ocean pollution. States parties to the Convention can bring their disputes for resolution to the Tribunal. In addition, the Tribunal can resolve disputes amongst States, the International Sea-Bed Authority, companies and private individuals, arising out of the exploitation of the deep sea-bed. The Tribunal also has compulsory jurisdiction over the prompt release, upon the deposit of a bond, of arrested vessels and their crews. Furthermore, the International Sea-Bed Authority may request legal opinions, advisory opinions, from the Tribunal.

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The City of Hamburg, with its rich maritime history as part of the League of Hanseatic Cities, obtained the seat of the Tribunal during the negotiation of the Convention which was signed in 1982. The temporary building, situated at Wexstrasse in the centre of Hamburg, opened on 1 October 1996.

The Judges

On the bench are 21 Judges from all over the world. The Judges were elected among experts in the law of the sea, many of whom were involved in negotiating the Convention. They were elected on 1 August 1996 by the hundred States that were parties to the Law of the Sea Convention on that day. The composition of the International Tribunal for the Law of the Sea is as follows:

<i>Order of precedence</i>	<i>Country</i>
President	
Thomas A. Mensah	Ghana
Vice-President	
Rüdiger Wolfrum	Germany
Judges	
Lihai Zhao	China
Hugo Caminos	Argentina
Vicente Marotta Rangel	Brazil
Alexander Yankov	Bulgaria
Soji Yamamoto	Japan
Anatoly Lazarevich Kolodkin	Russian Federation
Choon-Ho Park	Republic of Korea
Paul Bamela Engo	Cameroon
L. Dolliver M. Nelson	Grenada
P. Chandrasekhara Rao	India
Joseph Akl	Lebanon
David Anderson	United Kingdom of Great Britain and Northern Ireland
Budislav Vukas	Croatia
Joseph Sinde Warioba	United Republic of Tanzania
Edward Arthur Laing	Belize
Tullio Treves	Italy
Mohamed Mouldi Marsit	Tunisia
Gudmundur Eiriksson	Iceland
Tafsir Malick Ndiaye	Senegal

(The *curricula vitae* of the Members of the International Tribunal for the Law of the Sea are to be found in United Nations Document SPLOS/11. A summary of the relevant part of the Document will be released in due course.)

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