



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

Press Release

**REQUEST FOR AN ADVISORY OPINION SUBMITTED TO THE TRIBUNAL BY
THE SUB-REGIONAL FISHERIES COMMISSION REGARDING
ILLEGAL, UNREPORTED AND UNREGULATED FISHING ACTIVITIES**

HEARINGS TO OPEN ON 2 SEPTEMBER 2014

The public hearings of the International Tribunal for the Law of the Sea relating to the Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission (SRFC) will open on 2 September 2014 at 3 p.m. Judge Shunji Yanai, President of the Tribunal, will preside over the sitting.

Further to Order 2014/1, of 14 April 2014, thirteen States and intergovernmental organizations have expressed their intention to participate in the hearings. In addition to the Sub-Regional Fisheries Commission, these are: Germany, Argentina, Australia, Chile, Spain, Micronesia (Federated States of), New Zealand, United Kingdom, Thailand, European Union, Caribbean Regional Fisheries Mechanism and the International Union for Conservation of Nature.

The schedule for the hearings is as follows:

Tuesday, 2 September 2014, 3 p.m. – 6 p.m.
Sub-Regional Fisheries Commission

Wednesday, 3 September 2014, 10 a.m. – 1:15 p.m.
Germany
Argentina
Australia
Chile
Spain

Thursday, 4 September 2014, 10 a.m. – 1 p.m.
Micronesia (Federated States of)
New Zealand
United Kingdom
Thailand
European Union

Friday, 5 September 2014, 10 a.m. – 1 p.m.
Caribbean Regional Fisheries Mechanism

International Union for Conservation of Nature

The verbatim records of the hearings will be published on the [website](#) of the Tribunal. The hearings can be viewed [live](#) on the website of the Tribunal and will be available in the [webcast archive](#) shortly after the closure of each sitting.

History of the proceedings

Located in Dakar, Senegal, the SRFC comprises seven member States: Cabo Verde, the Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone. In a resolution adopted during its fourteenth session in March 2013, the Conference of Ministers of the SRFC authorized the Permanent Secretary of the SRFC “to seize the International Tribunal for the Law of the Sea ... in order to obtain its advisory opinion on the following matters:

1. What are the obligations of the flag State in cases where illegal, unreported and unregulated (IUU) fishing activities are conducted within the Exclusive Economic Zone of third party States?
2. To what extent shall the flag State be held liable for IUU fishing activities conducted by vessels sailing under its flag?
3. Where a fishing license is issued to a vessel within the framework of an international agreement with the flag State or with an international agency, shall the State or international agency be held liable for the violation of the fisheries legislation of the coastal State by the vessel in question?
4. What are the rights and obligations of the coastal State in ensuring the sustainable management of shared stocks and stocks of common interest, especially the small pelagic species and tuna?”

The Request for an Advisory Opinion was transmitted by letter dated 27 March 2013 from the Permanent Secretary of the SRFC, Mr Kane Ciré Amadou, to the President of the Tribunal. The SRFC submitted a dossier of supporting documents to the Tribunal, which is available on the Tribunal’s website.

In accordance with article 133 of the Rules of the Tribunal, the Registrar gave notice of the Request for an advisory opinion to all States Parties to the United Nations Convention on the Law of the Sea (the “Convention”) and to various relevant intergovernmental organizations (for the list of organizations see the annex to the Tribunal’s Order 2013/2 of 24 May 2013). The Order of 24 May 2013 invited the States Parties to the Convention, the SRFC and the intergovernmental organizations to present written statements on the questions submitted to the Tribunal and fixed 29 November 2013 as the time-limit for the presentation of written statements. The time-limit was subsequently extended to 19 December 2013 by Order of 3 December 2013.

Thirty Statements were filed with the Tribunal within the time-limit, as follows:

I. States Parties to the Convention

Saudi Arabia, Germany, New Zealand, China, Somalia, Ireland, Micronesia (Federated States of), Australia, Japan, Portugal, Chile, Argentina, United Kingdom, Thailand, Netherlands, European Union, Cuba, France, Spain, Montenegro, Switzerland, Sri Lanka;

II. States Parties to the 1995 Straddling Fish Stocks Agreement

United States of America;

III. Intergovernmental Organizations invited to submit written statements pursuant to articles 138, paragraph 3, and 133, paragraph 3, of the Rules of the Tribunal

Forum Fisheries Agency, International Union for Conservation of Nature, Caribbean Regional Fisheries Mechanism, United Nations, Sub-Regional Fisheries Commission, Food and Agriculture Organization of the United Nations, Central American Fisheries and Aquaculture Organization

WWF International also submitted a statement, which does not form part of the case file.

By Order of 20 December 2013, the President fixed 14 March 2014 as the time-limit within which written statements on the written statements could be submitted to the Tribunal. Six States Parties and intergovernmental organizations submitted written statements in the second round of written proceedings as follows:

United Kingdom, New Zealand, European Union, Netherlands, Thailand, Sub-Regional Fisheries Commission.

WWF International also submitted a statement, which does not form part of the case file.

The written statements are available on the Tribunal's website.

Attending the hearings

The hearings will be held in the main courtroom of the Tribunal and are open to the public. Members of the diplomatic and consular corps wishing to attend the hearing are requested to contact the Tribunal's [Protocol Office](#). Members of the general public are requested to register with the [Press Office](#).

Accreditation for media representatives

Members of the press are welcome to attend the hearings but are requested to register in advance with the Press Office using the [accreditation form](#) that is available on the website of the Tribunal.

Unobtrusive audio and video recording of the hearings is permitted. Filming is subject to special authorization from the Press Office. Facilities are available for radio crews to connect recording equipment directly to the Tribunal's audio system.

Press information will be available at the sitting itself, or from the Press Office.

Note: The press releases of the Tribunal do not constitute official documents.
They 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;
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