



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

Press Release

**PRESIDENT GOLITSYN REPORTS ON INCREASING JUDICIAL ACTIVITY OF THE TRIBUNAL
AND UNDERLINES THE TRIBUNAL'S COMMITMENT TO FACILITATING ACCESS TO ITS
PROCEDURES**

Judge Vladimir Golitsyn, President of the Tribunal, gave his annual statement before the General Assembly of the United Nations on Tuesday, 8 December 2015, on the occasion of the General Assembly's debate on the item "Oceans and the law of the sea".



UN Photo/Cia Pak

On organizational matters, President Golitsyn informed the delegates that Judge Vicente Marotta Rangel from Brazil had resigned as a member of the Tribunal and that the election to fill the vacancy for the remainder of the term would be held on 15 January 2016. He paid tribute to Judge Marotta Rangel's valued contribution to the work of the Tribunal.

Turning to the Tribunal's judicial activity, the President noted that the caseload had continued to increase in 2015, with the delivery of three decisions during the course of the year: the Tribunal's first advisory opinion in a case concerning illegal, unreported and unregulated (IUU) fishing submitted by seven West African States, members of the Sub-Regional Fisheries Commission (SRFC); the provisional measures order rendered by the Special Chamber formed to deal with the dispute concerning delimitation of the maritime boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean; and the order prescribing provisional measures in respect of the dispute between Italy and India concerning the *Enrica Lexie* incident.

The President pointed out that the Tribunal had provided important clarification in its Advisory Opinion on matters such as the issue of flag State obligations and flag State liability in relation to IUU fishing activities. The President indicated that the opinion might be of value to those seeking legal guidance in pursuing their efforts to deter IUU fishing.

Addressing the case concerning delimitation of the maritime boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean, President Golitsyn observed that, following the institution of proceedings by Ghana, the Parties had concluded a special agreement, through his good offices, to submit the dispute to a special chamber of the Tribunal. He informed the delegates that the Tribunal had formed the Special Chamber of five judges, comprising three judges from the Tribunal and two judges ad hoc.

The President then referred to the provisional measures phase of this case, in which Côte d'Ivoire had asked the Special Chamber to prescribe provisional measures requiring Ghana to inter alia "take all steps to suspend all ongoing oil exploration and exploitation operations in the disputed area". He noted that the Special Chamber had paid great attention in its Order to protecting the marine environment and had requested the Parties to "take all necessary steps to prevent serious harm to the marine environment". The Special Chamber also found it appropriate, in order to preserve the rights of Côte d'Ivoire, to order Ghana to take all necessary steps to ensure that no new drilling either by Ghana or under its control took place in the disputed area.

The President then turned to the third case dealt with by the Tribunal in 2015, the request for the prescription of provisional measures submitted by Italy with regard to its dispute with India concerning the *Enrica Lexie* incident. He emphasized the Tribunal's role in protecting the rights of both Parties. He noted that, in its Order, the Tribunal prescribed, as the provisional measure, that "Italy and India shall both suspend all court proceedings and shall refrain from initiating new ones which might aggravate or extend the dispute submitted to the Annex VII arbitral tribunal or might jeopardize or prejudice the carrying out of any decision which the arbitral tribunal may render".

In conclusion, President Golitsyn underlined the Tribunal's commitment to facilitating access to its procedures, citing as an example the recent joint declaration with the Republic of Singapore providing for facilities in Singapore to be put at the disposal of the Tribunal, or one of its chambers, if so desired.

With reference to the capacity-building programmes conducted by the Tribunal, the President reported on the most recent regional workshop, which had taken place in Bali, Indonesia. He seized the opportunity to thank the Ministry of Foreign Affairs of the Republic of Indonesia, the Korea Maritime Institute and the Nippon Foundation for their cooperation, support and generosity in connection with the various programmes.

The President concluded his statement by informing the delegates that the 20th anniversary of the Tribunal would be commemorated first in June 2016 in New York with a side event during the Meeting of States Parties and then in October 2016

in Hamburg with an official ceremony and a symposium on “UNCLOS and the Tribunal's contribution to international dispute settlement”.

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