



International Foundation for the Law of the Sea

Newsletter November 2009

*Ladies and Gentlemen,
dear Friends,*

The year is drawing towards its end and you haven't heard from the Foundation for quite some time. As you might imagine, we've been pretty busy to organise our regular events which are now successfully completed. Apart from that, we've been working on a major technical overhaul of our website which is expected to go live early next year with many new features. One of the several tasks was giving the Newsletter a facelift and provide an archive for new subscribers to check out previous issues. So this is the first Newsletter in the new format and here are the news.

Summer Academy 2010

Planning and organisation have started for our fourth course from **25 July to 21 August, 2010**. Applications will be invited as from mid January, 2010 and the deadline is expected to be set for 30 April, 2010.

Maritime Talks 2009 - 24 April 2009

When we chose the theme for this year's Maritime Talks **Piracy – Scourge of Humanity** sometime in November 2008, we knew it to be a very topical issue. What we did not know by then was that it would become a hot media item with the German flag vessel *MS Hansa Stavanger* of a Hamburg Ship owner boarded 3 weeks earlier on 4 April off Somalia and still held captive when our event took place (and remained so until August). So media interest was a good deal stronger than at previous Maritime Talks and, for the first time, we made national TV.



Ad-hoc Press Conference in the small Courtroom of the Tribunal. Facing the media (from left) Vice-Admiral Stricker, Dr. Nöll, Prof. Dr. König, Prof. Dr. Ehlers. Mr. Bülow and Mr. Brandt.

Even without this extra boost we once again brought together a fairly impressive list of speakers with **Stefan Bülow** (John T. Essberger GmbH & Co. KG), **Ewald Brandt** (Public Prosecutor's Office Hamburg), **Nigel Carden** (Thomas Miller P&I Limited), **Snowy Lintern** (EU Naval Force – Somalia / EU NAVFOR), **Hans-Heinrich Nöll** (German Shipowners' Association - VDR), **Gert-Jürgen Scholz** (Federal Ministry of Transport, Building and Urban Affairs) and **Hans-Joachim Stricker** (Vice Admiral, German Fleet, Maritime Headquarters).

The Maritime Talks, traditionally held in the Courtroom of the International Tribunal for the Law of the Sea, were opened by H.E. Judge **José Luis Jesus**, President of the Tribunal. The morning session was moderated by our Chair, Board of Directors, Prof. Dr. **Doris König** and the afternoon discussion by Prof. Dr. **Peter Ehlers**.

In her Welcome Address, Doris König stated, *inter alia*:

In 2008, 293 incidents of piracy and armed robbery against ships had been reported to the ICC International Maritime Bureau's (ICC IMB) Piracy Reporting Center. 111 incidents were reported for the east coast of Somalia and the Gulf of Aden, including the largest tanker ever being hijacked and successful attacks carried out further from land than ever before. Worldwide, 49 vessels were hijacked, 889 crew members taken hostage, 32 crew members injured, 11 killed and 21 missing – presumed dead.

Today we know that the total number of incidents was surpassed already after the first three quarters of this year, according to the latest quarterly piracy report released by ICC

IMB. A total of 306 incidents were reported to the IMB Piracy Reporting Centre (PRC) in the first nine months of 2009. Global piracy statistics also reveal that during this period, 114 vessels were boarded, 34 vessels hijacked and 88 vessels fired upon. A total of 661 crewmembers were taken hostage, 12 kidnapped, six killed and eight reported missing.

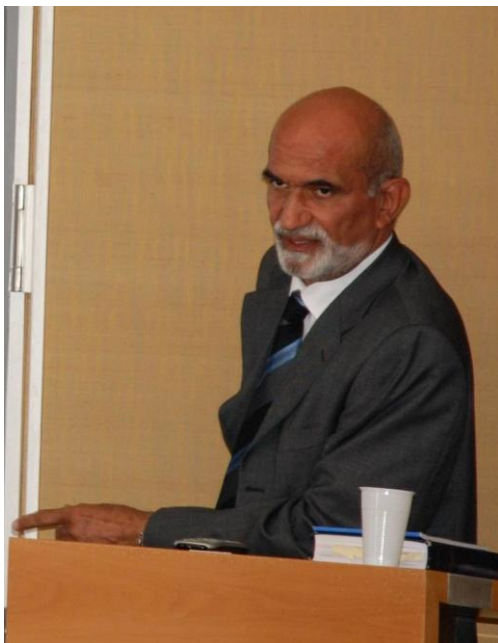
For more information and material, especially the Conference Report by **Thilo Neumann** of Bucerius Law School, please visit

<http://www.iflos.org/en/events.aspx>



At the very edge of the issue - Commander Snowy Lintern addressing the audience

Summer Academy 2009 - 26 July to 23 August 2009



Freedom of Navigation & Piracy was taught by the President of the Tribunal, José Luis Jesus

Our main event happened for the third time this year. I must admit, we had a bit of a rocky start. As usual, 30 bright young people were invited to Hamburg. Only days before their planes were expected to land, we learned that 3 would not come, one overwhelmed by workload at home, one victim to a traffic accident (now thankfully recovering) and one having sad developments in the family. By then, it was too late to select other candidates from the waiting list and we started with 27 people from 22 nations.

Another blow, delivered on the morning of Saturday, 25 July (yes, one day before the Opening Ceremony) was that Professor **Thomas A. Mensah**, first President of the Tribunal, a legend in the Law of the Sea community and veteran of the 2007 and 2008 Summer Academies, would not be able to come due to very personal reasons. And yet another Maritime Law heavyweight on the faculty of the previous two years, Professor **John Hare** from Cape Town, was prevented from joining us due to serious developments at home. Our best wishes are with Tom and John.

As **Doris König** stepped in at very short notice for Tom and John's part was ably covered by our old friend **Filippo Lorenzon**, Dr. **Volker Lücke** of Ince & Co International Law Firm and Dr. **Dieter Schwampe** of Dabelstein & Passehl Law Firm in Hamburg, the participants did

not miss a single subject. And, according to the feedback, the stand-ins made an excellent job of it.

We take pride in the fact that with the President of the Tribunal, no less than 6 Judges and the Registrar, we had the highest ever number of representatives from the Tribunal; Judges **Tullio Treves** and **James A. Kateka** joined the faculty for the first time.

The biggest ever audience (over 180 registrations) in a Foundation event filled the Courtroom of the Tribunal for the traditional Guest Lecture, this year delivered by Dr. **Martin Stopford**, Head of Clarkson Research, London, about "Shipping – Crisis and Perspectives". Obviously, this topic was another theme well picked. After presenting facts and figures from his latest research, Martin was joined by a panel of prominent leaders in the North German Shipping industry, namely **Achim Boehme** (Deputy General Manager, Deutsche Schiffsbank Aktiengesellschaft, Bremen), **Thomas Lütje**, (Managing Director, HHLA Container Terminals GmbH, Hamburg), **Nikolaus W. Schües** (Chairman, F. Laeisz Shipping Group, Hamburg and former President – *Präses* - Hamburg Chamber of Commerce) and Dr. **Torsten Teichert** (Chief Executive Officer, Lloyd Fonds AG, Hamburg). Given the current economic environment, there was room for much doom and gloom, but the odd ray of hope could also be noted.



Dr. Martin Stopford

The Press was with us for interviews and coverage of the Delimitation Workshop as well as during the "Baltic Experience" – our classic excursion to Lübeck and to the beaches.



Class of 2009

After only three events, our Alumni network grew to 90 academicians from over 50 states.

Everything else, e.g. the 2009 Summer Academy Report with the Schedule, List of Lecturers, the 2009 Resolution and loads of photos are to be found at

<http://www.iflos.org/en/summer-academy/2009.aspx>

Autumn Symposium 2009 - 26 September 2009

This year's symposium was on "Conservation of Fish Stocks und Illegal, Unreported and Unregulated Fishing (IUU Fishing)" and held in the Courtroom of the Tribunal.

After the opening of the symposium by H.E. Judge **José Luis Jesus**, President of the Tribunal, Prof. Dr. **Doris König** introduced the eminent panel of experts, consisting of **Tomas H. Heidar** (Legal Adviser, Ministry for Foreign Affairs of Iceland and Director, Law of the Sea Institute of Iceland, Reykjavik, Iceland), **Kjartan Hoydal** (Secretary, North East Atlantic Fisheries Commission - NEAFC - London, Great Britain), Dr. **Till Markus** (Bremen International Graduate School for Marine Sciences - GLOMAR), **Jean-François Pulvenis de Séligny** (Director, Fisheries and Aquaculture Economics and Policy Division – FIE -, Fisheries and Aquaculture Department, Food and Agriculture Organization of the United Nations – FAO -, Rome, Italy), **Philip Saunders** (Dean and Weldon Professor of Law, Dalhousie Law School, Halifax, Canada) and **Tullio Treves** (Judge of the International Tribunal for the Law of the Sea; Professor of International Law, University of Milan, Italy).

In her opening address, Doris König said, *inter alia*:

Today's symposium focuses on fisheries. This is a subject which is not only debated within expert and diplomatic circles but also in the media. According to the FAO State of the World Fisheries Report 2008, most of the top ten species are fully exploited or overexploited. The areas showing the highest proportion of fully exploited stocks are the Northeast Atlantic, the Western Indian Ocean and the Northwest Pacific. Overall, 80 percent of the world fish stocks for which assessment information is available are reported as fully exploited and, thus, requiring effective and precautionary management. Fish and fishery products are highly traded, and prices are increasing. That puts ever more pressure on fish stocks. Another key fisheries management issue is the lack of progress with the reduction of fishing capacities and related harmful subsidies. High prices and excess capacities are the root causes of illegal, unreported and unregulated (IUU) fishing.



Prof. Dr. Doris König

More about the Symposium including speaker notes is to be found at

<http://www.iflos.org/en/news.aspx>

Regional Workshop Cape Town

When the President of the Tribunal **José Luis Jesus** addressed the Meeting of the Sixth Committee of the United Nations' General Assembly in New York on 4 November, 2009, he mentioned the 7th Regional Workshop in Cape Town from 7 to 9 October, 2009.

The conference was organised by the Tribunal, the South African Foreign Office, the *Friedrich-Ebert Stiftung* and the Foundation. Entitled "The Settlement of Disputes relating to the Law of the Sea in Southern Africa", the conference was attended by 35 delegates from 12 out of 15 member states of the South African Development Community – SADC (Angola, Botswana, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania and Zimbabwe).

The Tribunal was represented by the President, Judges **Albert Hoffmann** and **James A, Kateka** as well as Legal Officer **Matthias Füracker**. On the occasion, our chairperson Prof. Dr. **Doris König** addressed the conference, lecturing about "Maritime Delimitation and International Dispute Settlement"

New Features on the IFLOS Homepage

Those of you having visited www.iflos.org recently, might have seen that we are continuously uploading new material, e.g. about this year's Summer Academy in the public domain sections. But you will have also noticed a somewhat mysterious new button at the bottom of the left hand side menu

[Login / Sign up](#)

which is to be the gateway to "My IFLOS", your customised user account. Members of the Summer Academy Class of 2009 already know (and have mostly activated) that function, and, thus, got into their online course material. Specific rights have already been granted to the 2007 and 2008 Alumni for their specific year of attendance.

Why create an account?

- Gives you access to special content available to registered users only
- Expedites your future registrations
- Lets you control how we communicate with you
- Provides the starting point for Summer Academy Applications (as from January 2010).

We suggest that you create your account straight away and watch how the menu changes for you.

However, alumni and those of you who had already registered for our Newsletter, will most probably receive the system answer

Email already taken.

In that case, you should click "[login help](#)", repeat your email address in the box provided and press the "Send" button. You will then receive your personal password, which can later be changed according to you wishes. If you are still at a loss, drop us an email (info@iflos.org) and we'll help.

Alumni network platform

A few months back, we put some experimental Alumni pages on the web for a short trail period. Some of you rightly pointed out that such detailed and in parts sensitive information should not be publicly accessible and we couldn't agree more. Now only Summer Academy Alumni who register through "My IFLOS" (see above) will be able to access these password protected pages (alongside the course material for their particular year of attendance). The short CVs and photos of our participants have also been removed from public access and migrated there as short "Profiles". We do hope these new features now facilitate networking not only with your own classmates but also with all others in the growing IFLOS family. *Stay in touch ...*

New Offer for our Circle of Friends

Apart from the usual 50% discount on the registration fees for both the Spring Maritime Talks and the Autumn Symposium and a standing invitation to the Summer Academy Open Events, CoF members usually received a CD with the lecture material from the latest Summer Academy and some exemplary photos.


With the implementation of "My IFLOS" (see above), Friends will in future get exclusive online access to the material (including photo documentation) for all Summer Academies. Furthermore, the material for both the Maritime Talks and the Symposium (including back issues) will soon be removed from the public pages of our website and migrated towards the

exclusive CoF section. Friends will also get access to the complete Alumni network upon request. Starting with the Maritime Talks next spring, Friends will be able to follow all the events as they build up rather than waiting for a CD ...

Feedback welcome

Please share your thoughts with us; we are always happy to get proposals and well-meant criticism in order to improve our activities. And we don't mind praise, either ...

Greetings from the Villa and best wishes,



(Joachim H. König)
Director Summer Academy
International Foundation for the Law of the Sea