



International Foundation for the Law of the Sea

Newsletter July 2010

*Ladies and Gentlemen,
dear Friends,*

in less than a week, 32 young bright people from 30 nations around the globe will assemble in the Villa for the start of our fourth Summer Academy. Again, it was a long and sometimes uneven road towards the Foundation's main event and even now last minute preparations are underway. Since our last newsletter, the Tribunal's Seabed Disputes Chamber was asked for an Advisory Opinion, Hamburg saw the German premiere of the Oratory *Mare Liberum*, the Foundation found new sponsors for the Summer Academy and, last but not least, we have started to establish close links with Partner Institutions. So here are the news:



*Professor **Philippe Gautier**
Registrar of the Tribunal
at the 2009 Opening Ceremony*

Request for an Advisory Opinion



*Professor **Tullio Treves**
President of the Seabed
Disputes Chamber*

*He will lecture on
Offshore Resources
during the
2010 Summer Academy
(2 August, 2010)*

In May 2010, the **Seabed Disputes Chamber** of the International Tribunal for the Law of the Sea has received its first Request to render an Advisory Opinion from the Council of the International Seabed Authority. The Council adopted Decision ISBA/16/C/13 on 6 May 2010 during the Authority's Sixteenth Session, in which, in accordance with article 191 of the United Nations Convention on the Law of the Sea, it decided to request the Seabed Disputes Chamber to render an advisory opinion on the following questions:

1. What are the legal responsibilities and obligations of States Parties to the Convention with respect to the sponsorship of activities in the Area in accordance with the Convention, in particular Part XI, and the 1994 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982?
2. What is the extent of liability of a State Party for any failure to comply with the provisions of the Convention, in particular Part XI, and the 1994 Agreement, by an entity whom it has sponsored under Article 153, paragraph 2 (b), of the Convention?
3. What are the necessary and appropriate measures that a sponsoring State must take in order to fulfil its responsibility under the Convention, in particular Article 139 and Annex III, and the 1994 Agreement?

This is the first advisory opinion that the Seabed Disputes Chamber has been called upon to render. The procedure, as contained in articles 130 to 137 of the Rules includes a written phase, in which States Parties to the Convention and relevant intergovernmental organizations may present statements, as well as the possibility of holding oral proceedings. The text of the Request for an Advisory Opinion is available on the Tribunal's website http://www.itlos.org/start2_en.html.

Mare Liberum



Hugo Grotius
Painting by
Michiel van Mierevelt

Hugo Grotius (* 10 April 1583 in Delft /The Netherlands; † 28 August 1645 in Rostock/Germany) does not need an introduction to those dedicated to the Law of the Sea. In 1609, his famous book *Mare Liberum* was published in Leiden. To commemorate the 400th anniversary of this event, Dutch composer Roel van Oosten (*1958) created an oratory for soprano, baritone, choir and orchestra. The libretto was written by Jeroen Vervliet, using original texts from *Mare Liberum* as well as from Wilfred Owen, John McCrea and Walt Whitman.

After two public performances in The Netherlands (The Hague and Delft), the Foundation took pride to co-host the 3rd performance – and the Premiere in Germany – on 5 June 2010 in Hamburg. We entirely agree with the organizers and sponsors that Hamburg as the seat of the International Tribunal for the Law of the Sea was the location of choice for this extraordinary musical experience. It also marked the 10th anniversary of the Tribunal's move into the current buildings in Nienstedten.

Standing ovations from an audience of some 500 guests honoured not only the attending composer but also the excellent rendition by Estefanía Perdomo (Soprano), Frans Fiselier (Baritone), the *Haags Toonkunstkoor* Choir (The Hague) and the *Defts Studenten Musiek Gezelschap Krashna Musika* Orchestra (Delft), conducted by Daan Admiral.

Following the Benefit Gala, the Senate of the Free and Hanseatic City of Hamburg hosted a Reception at the Tribunal, where artists and guests were welcomed by the Deputy Registrar Doo-young Kim and State Counsel Bernd Reinert. Donations went towards the “Care for Somalia” project, chosen by students from Bucerius Law School.



Further Information

<http://www.haagstoorkunstkoor.nl/Mare%20Liberum>

and

<http://www.mareliberum.nu/>

Summer Academy 2010 opens next Sunday

While maintaining the high quality of applicant's academic achievements, professional skills and experience, the number of applications was significantly up against last year, making the selection process an arduous business. 7 candidates were identified by the Tribunal in the framework of the Capability Building Program (sponsored by the Nippon Foundation) and 25 more by the Foundation. Only one in six applications for scholarships was eventually successful.

For this year's schedule, faculty and further information, please visit our homepage at <http://www.iflos.org/en/summer-academy/overview.aspx>.

Open Event - Guest Lecture 2010

This year, the traditional Guest Lecture in the Courtroom of the Tribunal will be on Friday, 6 August 2010, 4.30 p.m. entitled "Challenges for the Shipping Industry in the 21st Century". We are happy that **Ralf Nagel** (Minister retired and Chief Executive Officer, German Ship-owners' Association) has kindly agreed to deliver that lecture. Please visit <http://www.iflos.org/en/news.aspx> for further information and to download the flyer including registration form.



Minister (ret) **Ralf Nagel**

The Summer Academy is sponsored by



New Sponsors

Since our very start in 2007, the Summer Academy enjoys the ongoing support of the Nippon Foundation (via the Tribunal) and the Edmund-Siemers-Stiftung. The Zeit-Stiftung Ebelin and Gerd Bucerius joined the circle of sponsors in 2008 and we are grateful for their significant contribution.

Nevertheless, this year's Summer Academy would not have been possible without a generous donation from the German Foreign Office (*Auswärtiges Amt*). Furthermore, the Hamburg Law Offices of Ince & Co. and Lebuhn & Puchta agreed to fund one scholarship each. These were awarded to participants from Cameroon and Peru. We should also like to mention the Universities of Tartu (Estonia) and Strathclyde (Glasgow, UK) who provided funds for two further participants studying at these institutions. Last but not least, our Partner Institution, the International Max Planck Research School for Maritime Affairs (IMPRS - see below) supported the attendance of one of their scholars from New Zealand.

Thank you very much to all sponsors and donators enabling us to continue the Summer Academy.

Partner Institutions

The Foundation takes pride in the fact that prestigious institutions support our activities, the Summer Academy in particular. There are various areas of common interest as well as joint activities.



International Max Planck Research School for Maritime Affairs

Partnership agreements with further Institutions are in various states of discussion.

Fellows and scholars from IMPRS (<http://www.maritimeaffairs.org/>) will join the

Summer Academy Class of 2010 for the Tour of the Tribunal on 26 July as part of their "Meet the Maritime Players" Programme and the MPI (<http://www.mpipriv.de/ww/en/pub/news.cfm>) will host an evening reception on 17 August.

Greetings from the Villa and best wishes,

(Joachim H. König)
Director Summer Academy