

International Foundation for the Law of the Sea

Presentation of the Project at the Commemoration of the 20th Anniversary of the Opening for Signature of the 1982 United Nations Convention on the Law of the Sea.

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In accordance with the Federal Ministry of Foreign Affairs the German delegation presented the project of an International Foundation for the Law of the Sea in Hamburg during the meeting commemorating the 20th anniversary of the opening for signature of the 1982 United Nations Convention on the Law of the Sea.

Ambassador Prof. Dr. Eitel, former Head of the German law of the sea delegation, Dr. Gunter Görner, former chairman of the committee dealing with the International Tribunal for the Law of the Sea and Christoph Hinz, former Director General for Maritime Transport in the Federal Ministry of Transport, introduced the project in PANEL 1 of the commemorative meeting which dealt i. a. with the settlement of disputes.

They pointed out that the presence in Hamburg of the judges of the International Tribunal for the Law of the Sea constituted an outstanding concentration of maritime law expertise of global significance. The foundation aimed to exploit this potential in the interest of the universal application of the Convention on the Law of the Sea and of further publicizing the opportunities afforded by the International Tribunal for the Law of the Sea for the peaceful settlement of disputes.

As the German delegation stated, the principal tasks of the Foundation will include

- the promotion of research and teaching in the field of international maritime law;
- furthering the dialogue between the academic world, the judges of the International Tribunal for the Law of the Sea and those working in the maritime economy;
- to facilitate access to proceedings before the Tribunal for developing countries in particular and to provide scholarships to train interns for this purpose.

In this connection the German delegation indicated that the Foundation will pursue its goals through the establishment of an Academy which will arrange its main activities to coincide with the sessions of the International Tribunal for the Law of the Sea.

It finally invited all interested countries and their maritime industry to cooperate and support the Foundation in Hamburg. Brochures were distributed at the commemorative meeting and made available to the representatives of the General Assembly as well as to the great number of viewers of the BBC-film "Blue Planet".

The Foundation project met with lively interest and led to a number of inquiries. It was further discussed at a press conference organized by the German Representation at the United Nations and attended by about 15 German (including TV) and foreign correspondents. Major points raised concerned the possible contribution of such

Foundation to the solution of current problems in international shipping such as tanker safety and protection of ships against acts of terrorism and also the support for less developed countries in applying the Law of the Sea Convention.

The presentation of the project corresponded to the general debate under TOP 25 ("Oceans and the Law of the Sea") which dealt extensively with the work of the International Tribunal for the Law of the Sea. The report of the Tribunal was delivered by judge Alexander Yankov (Bulgaria) while President L. Dolliver M. Nelson (Grenada) had to attend the hearings of the 11th case at the Tribunal in Hamburg. The judicial work of the Tribunal was highly appreciated by a great number of speakers. It was noteworthy that the International Court of Justice in The Hague and the International Tribunal for the Law of the Sea in Hamburg were without exception given equal importance. The existence of two international tribunals was generally not regarded as a risk to the unity of international law. In practice the International Court of Justice had been preferred in disputes between states concerning the sea status while the International Tribunal for the Law of the Sea had been chosen in cases, also between natural or juridical persons and states, concerning prompt release of vessels and crews and provisional measures. However, experts see no conflict in the interpretation of the Law of the Sea Convention by the two tribunals.

It became clear during the debate that the proposed work program of the International Foundation for the Law of the Sea will tackle a number of issues to which the general assembly has given high priority: piracy, armed robbery at sea, terrorism, smuggling of migrants. Moreover, the Foundation will react with its intended training program to the General Assembly Resolution calling for capacity-building particularly in developing countries for the full implementation of the Law of the Sea Convention.

Referring to the presentation of the project at the commemoration of the 20th anniversary of the UN Convention on the Law of the Sea the Foundation will now approach other maritime countries through diplomatic channel and invite them and their maritime industry to participate in the project.