



ONLINE  
COURSE

6 APRIL - 21 MAY 2021

# IMLI COURSE ON PEACEFUL SETTLEMENT OF MARITIME DISPUTES



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IMO International Maritime Law  
Institute

OVER 30 YEARS SERVING THE RULE OF INTERNATIONAL MARITIME LAW

# SYNOPSIS

One of the main purposes of international law is to contribute to the peaceful settlement of all international disputes. Unlike national law, settlement of disputes in international law requires the consent of all parties. Further, the enforcement of the decisions of international courts and tribunals has posed some serious challenges.

The IMLI Course on Peaceful Settlement of Maritime Disputes is intended to provide a comprehensive introduction to, and an analysis of, different international maritime dispute settlement mechanisms. The Course thus explores the major methods of settlement of maritime disputes under the United Nations Convention on the Law of the Sea (UNCLOS).

The Course discusses the development of specific maritime dispute settlement procedures within UNCLOS, and addresses the interaction between these mechanisms, answers the questions

on whether there is a fragmentation or cross-fertilisation of international courts and tribunals, and whether the doctrine of *stare decisis* has a place in international law.

Considering that UNCLOS established the International Tribunal for the Law of the Sea (ITLOS) for the purpose of interpretation and application of the Convention, the Course looks at the role of ITLOS in the peaceful settlement of maritime disputes, with particular emphasis on ITLOS jurisprudence. To this end, it draws from the formidable experience of the ITLOS Judges who will provide participants with insight on the Tribunal's contribution to the field.

The Course brings together world experts in the field who will provide practical perspectives and experiences.

## WHO SHOULD ATTEND?

The Course is addressed to government officers who are responsible for advising or representing their Governments in the peaceful settlement of maritime disputes and those who render their services to government departments, including the Ministry of Justice, Ministry of Foreign Affairs, Ministry of Maritime Affairs, or Ministry of Resources. The Course is also suitable for government officers who are engaged in the drafting, review and negotiations of maritime agreements, particularly those relating to boundaries and diplomats.

The Course will be delivered online. At the end of the course a certificate of attendance will be issued.

# OPENING CEREMONY

## Introductory Address

Professor David Attard (*Director, IMLI*)

## Inaugural Address

Judge Albert Hoffmann (*President, ITLOS*)

# MODULE 1: GENERAL PRINCIPLES OF SETTLEMENT OF MARITIME DISPUTES

## International Dispute Settlement

Judge Kathy-Ann Brown (*Judge, ITLOS*)

## State Responsibility

Professor Rüdiger Wolfrum (*Director Emeritus, Heidelberg Max Planck Institute for Comparative Public Law and International Law*)

## Sources of International Law and UNCLOS

Professor David Attard (*Director, IMLI*)

## Institutional Judicial Bodies vs. ad hoc Arbitration

Professor Tullio Treves (*Pre-eminent Public International Law Expert and Senior Arbitration Counsel*)

# MODULE 2: SETTLEMENT OF MARITIME DISPUTES UNDER UNCLOS

## Jurisdiction of the Tribunal

Judge Roman Kolodkin (*Judge, ITLOS*)

## Advisory Proceedings

Judge Markiyan Kulyk (*Judge, ITLOS*)

## Seabed Disputes Chamber

Judge Neeru Chadha (*Judge, ITLOS*)

## Provisional Measures

Judge Liesbeth Lijnzaad (*Judge, ITLOS*)

## Conciliation

Professor Rudiger Wolfrum (*Director Emeritus, Heidelberg Max Planck Institute for Comparative Public Law and International Law*)

## Annex VII Arbitration

Mr. Garth Schofield (*Senior Legal Counsel, Permanent Court of Arbitration*)

## Prompt Release

Judge Stanislaw Pawlak (*Judge, ITLOS*)

## Limitations and Exceptions under Part XV Section 3

Mr. Marco Benatar (*Legal Officer, ITLOS*)

## **MODULE 3: BRINGING A CASE TO THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA**

### **Consultations and Identification of the Judicial Body**

Dr. Ximena Hinrichs Oyarce (*Registrar, ITLOS*)

### **Filing A Case**

Dr. Derek Smith (*Partner, Foley Hoag LLP*)

### **Relations between ITLOS and State Parties**

Dr. Ximena Hinrichs Oyarce (*Registrar, ITLOS*)

### **The Role of ad hoc Judges**

Judge James Kateka (*Judge, ITLOS*)

## **MODULE 4: PRACTICAL SKILLS**

### **Preparation of Written Pleadings: Research Methodology and Legal Writing**

Dr. Derek Smith (*Partner, Foley Hoag LLP*)

### **Preparation of Oral Pleadings: Oral Advocacy and Presentation of the Case**

Dr. Ann Fenech (*Partner, Fenech & Fenech Advocates*)

### **Management of the Case: Identification of Legal Advisors, Creation of Legal Team, Coordination of the Team, Appointment of Agents**

Judge Ida Caracciolo (*Judge, ITLOS*)

### **Presenting Before International Courts and Tribunals: A Practitioner's Perspective**

Judge Maria Teresa Infante Caffi (*Judge, ITLOS*)

### **Treatment of Evidence and Expert Witness**

Professor Philippe Gautier (*Registrar, ICJ*)

### **Maritime Limits and Boundaries: Delimitation Workshop**

Mr. Robert van de Poll (*Global Director Law of the Sea, Fugro*)

Mr. Pieter Bekker (*Partner, CMS Cameron McKenna Nabarro Olswang LLP*)

## MODULE 5: CASE LAW

**Delimitation of the Continental Shelf Beyond 200 nm (Cases No. 16 And 23)**

Judge Jose Luis Jesus (*Judge, ITLOS*)

**Responsibility of States for Activities in the Area (Case No. 17)**

Ambassador Helmut Tuerk (*Former Chairman of the Review Committee, International Seabed Authority; Former Judge and Vice-President, ITLOS*)

**Advisory Opinion on Fishing in the EEZ of Other States (Case No. 21)**

Judge Oscar Cabello Sarubbi (*Judge, ITLOS*)

**Legality of Enforcement Activities at Sea (Cases No. 2, 19, 24 and 25 )**

Judge Kriangsak Kittichaisaree (*Judge, ITLOS*)

**The Contribution of ITLOS to the Protection of the Marine Environment**

Judge Tomas Heidar (*Vice-President, ITLOS*)

**The Contribution of ICJ to the Development of the Law on Settlement of Maritime Disputes**

Judge Maurice Kamga (*Judge, ITLOS*)

**Peace in the Northeast Asia**

Professor Thomas Schoenbaum (*Shefelman Distinguished Professor of Law University of Washington School of Law*)





# TUITION FEE

€ 1,600

*To apply, please contact by not later than 2 April 2021  
[admissions@imli.org](mailto:admissions@imli.org).*

*Bearing in mind that eminent personalities from all over the world deliver lectures in the Institute's courses, candidates applying to a course shall be flexible as the dates of delivery may be subject to change. The Institute reserves the right to make changes to the programme.*

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