LUNCHEON SPEECH
THE CONTRIBUTION OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA TO INTERNATIONAL LAW

Helmut Tuerk*

Ladies and Gentlemen,

It is a distinct honour and high privilege indeed to have been asked to speak before such a distinguished audience of international lawyers and renowned experts on the law of the sea on the contribution of the International Tribunal for the Law of the Sea (ITLOS) to international law at this Fourth J.H.W. Verzijl Memorial Symposium. Let me express my particular gratitude and appreciation to the Director of the Netherlands Institute for the Law of the Sea, Professor A.H.A. Soons, to Dr. A.G. Oude Elferink and to Dr. E.J. Molenaar for having invited me to this important and highly interesting Symposium.

As time is limited I will endeavour to concentrate on the most important points of my topic and first give you an overview regarding the jurisdiction, composition and structure of the ITLOS, and then briefly deal with its jurisprudence. I am also aware of the fact that much, if not most, of what I am going to say is already well-known to you.

The United Nations Convention on the Law of the Sea1 (LOS Convention) of 10 December 1982 which entered into force on 16 November 1994 after eight years of protracted and particularly difficult negotiations—to which all of us who participated in them can bear witness—is certainly one of the most important treaties ever elaborated under the auspices of the United Nations. At present, 158 States and the European Community are parties to it. The Convention is thus slowly moving towards universal adherence and there is even some optimism in Washington that the United States might finally adhere to it.

Since its entry into force the LOS Convention has undoubtedly played a major role in bringing order to the oceans and eliminating the causes for many maritime disputes between States. Although the Convention provides a comprehensive regime for the seas, regulating all ocean space, its uses and its resources, there are nevertheless bound to be gaps—partly addressed by

---

1 Adopted on 10 December 1982; 1833 UNTS 296.