

STATEMENT BY

H.E. JUDGE ALBERT J. HOFFMANN

PRESIDENT OF THE  
INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

ON

THE ANNUAL REPORT OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF  
THE SEA FOR 2022

FOR

THE THIRTY-THIRD MEETING OF THE STATES PARTIES TO THE  
UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

12 June 2023

Mr President, distinguished delegates,

1. It is a pleasure for me to address the Meeting of States Parties to present to you the Annual Report of the International Tribunal for the Law of the Sea for the year 2022.

2. On behalf of the Tribunal, I convey to you, Mr President, our congratulations on your election as President of the Meeting of States Parties and wish you every success in the fulfilment of your mandate.

3.  
for the period from 1 January to 31 December 2022. In my statement, I will refer to certain key aspects of the report, providing the meeting with additional information on more recent developments regarding the work of the Tribunal where relevant.

4. Allow me to first report on the judicial work of the Tribunal, beginning with the *Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives)*. You may recall that this case was submitted to a special chamber of the Tribunal by special agreement concluded on 24 September 2019. In a first phase of the case devoted to the preliminary objections raised by the Maldives, the Special Chamber concluded that it had jurisdiction to adjudicate upon the dispute concerning the delimitation of the maritime boundary between the Parties in the Indian Ocean and that the claim submitted by Mauritius in this regard was admissible. The proceedings on the merits then resumed. On 28 April 2023, the Special Ch2

circumstances method.<sup>1</sup> Under this method, the first step to be taken is the construction of a provisional equidistance line. In this regard,







be constituted pursuant to article 15, paragraph 2, of the Statute of the Tribunal. By Order of 27 April 2023, a special chamber of the Tribunal composed of five members

between the two States.  
as Case No. 32.

List of cases

17. As in the *Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean*, the decision of the parties in *The M/T "Heroic Idun" (No. 2) Case* to transfer proceedings instituted under Annex VII of the Convention to a special chamber of the Tribunal highlights the flexibility of the [redacted] s and the Tribunal [redacted] meet the needs of parties to a law of the sea dispute.

18. Another significant development regarding the judicial work of the Tribunal in 2022 was the submission of a request for an advisory opinion by the Commission of Small Island States on Climate Change and International Law, which I will refer to as [redacted] n 26 August 2022, the Commission decided to request an advisory opinion from the Tribunal on two questions:

What are the specific obligations of State Parties to the United Nations Convention on the Law of the Sea [redacted], including under Part XII:

(a) to prevent, reduce and control pollution of the marine environment in relation to the deleterious effects that result or are likely to result from climate change, including through ocean warming and sea level rise, and ocean acidification, which are caused by anthropogenic greenhouse gas emissions into the atmosphere?

[and]

(b) to protect and preserve the marine environment in relation to climate change impacts, including ocean warming and sea level rise, and ocean acidification?

19. The request for an advisory opinion was filed with the Registry on 12 December 2022 and entered into the List of cases as Case No. 31. On 16 December 2022, as President of the Tribunal, I issued an order on the conduct of

proceedings in the case and fixed 16 May 2023 as the time-limit within which States Parties to the Convention, the Commission and other intergovernmental organizations listed in the annex to the order may present written statements on the questions submitted to the Tribunal for an advisory opinion. This time-limit was later extended to 16 June 2023. It is anticipated that oral proceedings will be held later this year.

20. In addition to providing information on judicial work, the Annual Report which is before you also includes a review of organizational and administrative issues addressed by the Tribunal during its two sessions held in 2022. The Registrar will address certain budgetary matters of the Tribunal in a separate statement.

21. In this context, I wish to report on the completion of works undertaken by the Government of Germany at the premises of the Tribunal. The replacement of the audiovisual equipment in both the deliberations room and the main courtroom has now been completed, and the interim courtroom has been dismantled. The modernized courtroom, which is now equipped with LED video walls, was used by the Special Chamber for the reading of the Judgment in the *Mauritius/Maldives* case in April 2023 and is available for all future hearings of the Tribunal and its chambers. I wish to express my gratitude to the Government of Germany for undertaking this work and for ensuring that the Tribunal is equipped with the most modern technology in order to conduct proceedings as efficiently as possible.

22. Apart from its judicial and administrative work, the Tribunal is also active in the field of capacity-building in the law of the sea and seeks to increase awareness to take this opportunity to update you on these capacity-building activities.

23. The Tribunal regularly organizes regional workshops that enhance capacity-building in the law of the sea. The sixteenth such regional workshop was held earlier this month in Nice, France, and was attended by representatives of nine States from the region and the European Union. The workshop, which was co-organized with the Institute for Peace and Development at Côte d Azur University, was made possible with the financial assistance of the Republic of Cyprus, France and the Korea







