

IMLIe-News

The IMO International Maritime Law Institute Official Electronic Newsletter (Vol. 13, Issue No. 35) 6 April, 2016

JUDGE OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA (ITLOS) LECTURES AT IMLI

The Director, staff and students of the IMLI Class of 2015-2016 had the pleasure of welcoming Judge Jin-Hyun Paik, (Judge, ITLOS), who visited the Institute on 21 March, 2016. During his visit, Judge Paik also delivered a lecture to the students titled “Trends in International Adjudication and the Int’l Tribunal for the Law of the Sea”.



Judge Jin-Hyun Paik (Judge, ITLOS) with the IMLI Class of 2015-2016

Judge Paik commenced his lecture by explaining the rise of international adjudication, which is widely regarded as one of the most significant developments in international law over the past two decades. Three aspects of the proliferation of international adjudication, he said, are that states are now more willing to create new international courts, more willing to submit their disputes to adjudications and more willing to acknowledge the jurisdiction of the international courts or tribunals.

In discussing the implications of the rise of international adjudication, as a complex phenomenon with both positive and potentially worrisome implications, Judge Paik emphasized the advantages of international adjudication. International adjudication brings a number of benefits to the international community as it provides a wider range of choices for states and more effective settlement of disputes and more importantly, it promotes the rule of law in international relations.

Judge Paik concluded his lecture by providing an overview on ITLOS as an independent judicial body established by the United Nations Convention on Law of the Sea to adjudicate disputes arising out of the interpretation and application of the Convention. The balanced composition of the tribunal, which consists of 21 independent members, elected from among persons enjoying the highest reputation for fairness and integrity and of recognized competence in the field of the law of the sea, he further stated as one of the most important advantages of the tribunal. Since 1998, when ITLOS received its first case, *the M/V "SAIGA" Case (Saint Vincent and the Grenadines v. Guinea)*, a total of 25 cases have been filed, of these, 21 cases have been resolved, two were discontinued and two cases were pending.

Judge Jin-Hyun Paik has been a Member of the Tribunal since 6 March 2009 and re-elected as from 1 October 2014. He is also assigned to be a Member of the Special Chamber formed to deal with the *Dispute Concerning Delimitation of the Maritime Boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean (Ghana/Côte d'Ivoire)*.

Prior to his election to ITLOS, Judge Paik served as Legal Adviser to the Korean delegation to a number of international committees and commissions, including, *inter alia*, Preparatory Commission for the International Seabed Authority and International Tribunal for the Law of the Sea (1990–1994), Fishery Agreements with China, Japan, and for the Central Bering Sea (1992–1997), and United Nations Secretary-General's informal consultations on the Law of the Sea (1993–1994).

He attained his LL.B from Seoul National University in 1980, LL.M from Columbia University School of Law in 1983 and Ph.D. in International Law from University of Cambridge in 1989.

Judge Paik, who is also an Attorney-at-law (New York Bar), is a renowned academic in the field of international law. He currently serves as the President of Haesung Institute for Ethics in International Affairs and holds a position of Chairman for Sea Lanes of Communication (SLOCs) Study Group Korea. He is also a Professor of International Law of Graduate School of International Studies, Seoul National University. Previously, Judge Paik was a Professor of Institute of Foreign Affairs and National Security, Ministry of Foreign Affairs, Republic of Korea (1990–1997), Director of Institute of International Affairs (2008–2010), and Dean of Graduate School of International Studies in Seoul National University (2010–2012).

He has been a visiting professor to a number of prestigious institutions, including Johns Hopkins University's School of Advanced International Studies, RAND Corporation (2000), Stanford University's Hoover Institution (2003–2004), and Max Planck Institute for Comparative Public Law and International Law (2013).

Judge Paik is an Editorial Board of *International Studies Review*. He was a member of Editorial Committee of *Korean Journal of International and Comparative Law* (1991–2010), the Managing Editor of *Journal of International and Area Studies* (formerly *Asia Journal*) (1997–2000), and the Editor-in-chief of *Journal of International and Area Studies* (2008–2010).

He has also taken an important role in international law societies over the world. He is Associate Member of the Institute de Droit International. Judge Paik is the President of the Asian Society of International Law, a Member of the International Advisory Panel of Center for International Law in Singapore, a Member of the Executive Board of the Korean Society of International Law, the American Society of International Law, and the European Society of International Law.

Judge Paik has published 12 monographs and numerous articles in academic journals in English and Korean on the law of the sea, international law and organizations and the Republic of Korea's foreign and security policy, including: *Maritime Issues in the 1990s: Antarctica, the Law of the Sea and Marine Environment*, *United Nations Convention on the Law of the Sea and East Asia*, *Asian Approaches to International Law and the Legacy of Colonialism*, *Sharing and Distributing Ocean Resources*, *Regions, Institutions, and the Law of the Sea*, *Studies in Ocean Governance*.

* *If you do not want to receive IMLI e-News in future, please return this message to the above address with request to DELETE in the subject field.*

** *For further information please contact Ms. Tetty Lubis at publications@imli.org*