



## ITLOS REGISTRAR LECTURES AT IMLI

Dr. Ximena Hinrichs Oyarce (Registrar, the International Tribunal for the Law of the Sea (ITLOS)) visited the IMO International Maritime Law Institute (IMLI) during the 2019-2020 academic year and delivered a set of lectures addressing the issue of maritime disputes settlement and the work of ITLOS to the IMLI Class of 2019-2020.



*Dr. Ximena Hinrichs Oyarce (Registrar, ITLOS) addressing the IMLI Class of 2019-2020*

Dr. Hinrichs started her lectures by giving a general overview of the dispute settlement mechanisms in international law and their importance, with particular emphasis on Part XV of the United Nations Convention on the Law of the Sea (UNCLOS). This was followed by a detailed discussion of the provisions in Section 1 of Part XV which deal with the peaceful means of settlement of international disputes and Section 2 which deals with the compulsory procedures entailing binding decisions. In her analysis of the provisions of Section 2, Dr.

Hinrichs identified two cardinal principles that make that section unique. They are the obligation to accept a mandatory settlement of dispute and freedom of choice. She also discussed limitations and optional exceptions under Section 3 of the same Part.



*Dr. Ximena Hinrichs Oyarce, Professor Norman Martinez (Professor, IMLI) and the IMLI Class of 2019-2020*

Dr. Hinrichs also covered the contribution of ITLOS to the Law of the Sea by addressing the decisions of the Tribunal regarding prompt release of the vessels and crew as per Article 292 of the UNCLOS; provisional measures available under Article 290(5) of the UNCLOS; advisory opinions given by the Tribunal; and the judgements given on the merits concerning *inter alia* arrest of vessels, fisheries and maritime delimitation. She also gave an overview of the number of cases submitted to ITLOS, including *M/V Saiga (No2) Case*, *M/V Louisa Case*, *M/V Virginia G Case* and *Southern Bluefin Tuna Case* and their important contributions with regard to the clarification of crucial issues such as nationality of claims, reparation, genuine link between the vessel and its flag State, jurisdiction, hot pursuit and use of force in law-enforcement activities.

Other areas instructively discussed by Dr. Hinrichs included the procedural rules of the Tribunal, its Statute, organization and jurisdiction.



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Dr. Hinrichs Oyarce began her career at the International Maritime Organization in 1995, moving to the Legal Office of the ITLOS in 1997. She served as Senior Legal Officer/Head of Legal Office from 2013 until her election as Deputy Registrar in 2017. Dr. Hinrichs was elected as the Registrar of the Tribunal in September 2019. Dr. Hinrichs is a member of Sociedad Chilena de Derecho Internacional, American Society of International Law, International Law Association (German Branch) and Scientific Committee of the Institute for the Law of the Sea and International Marine Environmental Law (ISRIM). She regularly lectures on law of the sea at a number of universities, summer schools and institutes and is the author of publications on the law of the sea and international law. Dr. Hinrichs holds a Degree in Law from the School of Law and Social Sciences, University of Concepción (1988), Magistra Legum (LL.M.) from the University of Hamburg (1991) and Doctor Iuris from the University of Hamburg (Ph.D., 1996).

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