



JUDGE MARKIYAN KULYK LECTURES AT IMLI

The Institute had the pleasure of welcoming online, Judge Markiyan Kulyk (Judge of the International Tribunal for the Law of the Sea (ITLOS)) on 13 April. Judge Kulyk delivered a lecture titled “*Advisory Proceedings under UNCLOS.*” He was introduced by Professor David Attard (Director, IMLI), who informed the participants that Judge Kulyk has been a Visiting Professor at IMLI and a judge of over 10 years’ experience.



Judge Markiyan. Kulyk (Judge of International Tribunal for the Law of the Sea (ITLOS))

In his lecture, Judge Kulyk discussed the regime governing Advisory Proceedings under UNCLOS, the advisory functions of the Tribunal as a whole and of the Seabed Dispute Chamber, followed by an explanation of the conditions under which the advisory jurisdiction

can be exercised. He discussed also what international agreement may serve as the basis for the request of an Advisory Proceedings of the Tribunal, including identifying what body may make a request for Advisory Proceedings. Further, Judge Kulyk spoke about the issues of discretion and the applicable law in Advisory Proceedings as well as on the legal effects of advisory opinions under the Convention.



Prior to his becoming a Member of the Tribunal in 2011 Judge Kulyk had a successful professional career in the diplomatic service of Ukraine, including in the Ministry of Foreign Affairs as Deputy Director-General of the Treaty and Legal Directorate (1998-2001) and Director of the Department of the United Nations and other international organizations (2004-2006), and in the Secretariat of the President of Ukraine as Deputy Director of the Foreign Policy Directorate (2006-2008). He was posted twice at the Permanent Mission of Ukraine to the United Nations, first as a Legal Adviser of the Mission (1994-1997) and Adviser to the President of the UN General Assembly (1997-1998) and then as the Deputy Permanent Representative of Ukraine to the UN (2001-2004) and Alternate Representative of Ukraine on the UN Security Council (2001). In 2008-2011 Judge Kulyk served as Ambassador Extraordinary and Plenipotentiary of Ukraine to Romania.



Judge Kulyk represented Ukraine at the sessions of the United Nations General Assembly, including its Sixth and Third Committees, meetings of States Parties to the UN Convention on the Law of the Sea (Vice-President of the 12th Meeting in 2002), sessions of Assembly and Council of the International Seabed Authority, in the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of UN and Associated Personnel, in the Ad hoc Committee on jurisdictional immunities of states and their property, in the Council of Europe Committee of Experts on Terrorism, in the OSCE Working Group on the draft convention on the international legal personality, legal capacity and privileges and immunities of the OSCE. He chaired the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (2002), UN Committee for Programme and Coordination (2005) and was Head of the Delegation of Ukraine at the 24th Meeting of the Council of Ministers for Foreign Affairs of the Black Sea Economic Cooperation Organization in 2011. He is on the list of Arbitrators of the Maritime Arbitration Commission at the Ukrainian Chamber of Commerce and Industry.

He is the author of numerous articles on many aspects of international law, in particular law of the sea, and also on Ukraine's foreign policy and international relations.

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