PRESIDENT OF THE CHAMBER FOR FISHERIES DISPUTES
LECTURES AT IMLI

Judge Stanislaw Michal Pawlak (Judge of the International Tribunal for the Law of the Sea (ITLOS)) delivered a lecture on 21 April to the IMLI Class of 2020-2021 entitled '*Prompt Release.*' Judge Pawlak was introduced by Professor David Attard (Director, IMLI), who expressed his delight to have him deliver a lecture which forms part of the IMLI Specialized Course on Peaceful Settlement of Maritime Disputes. He informed the Government nominated participants that Judge Pawlak is an eminent lawyer with an extensive and outstanding career in diplomacy.
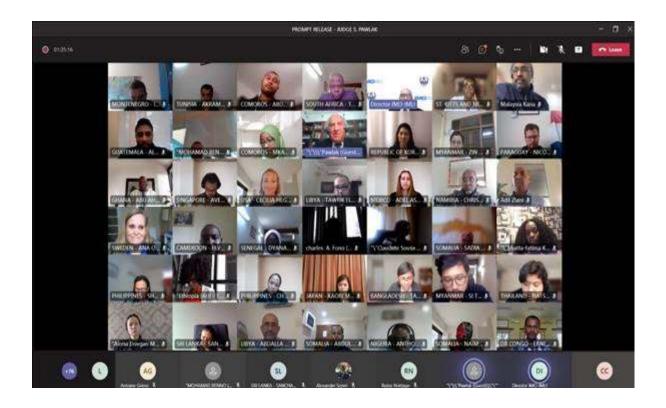

Judge Stanislaw Michal Pawlak (Judge of the
International Tribunal for the Law of the Sea (ITLOS))

Judge Pawlak thanked Professor Attard and expressed his pleasure at the opportunity to lecture participants from over 70 countries. In his lecture, Judge Pawlak explained the purpose of the Prompt Release Procedure which is to balance the rights of coastal states in protecting sovereign rights and at the same time protecting the flag state in the maritime activities of their fleets. In discussing the origin of this procedure, Judge Pawlak explained that it was as a response to the extension of the coastal state's rights in the Exclusive Economic Zone (EEZ), in which they are entitled to exploit and manage its resources. He noted that the Convention expressly recognizes the rights of the coastal state to enforce the laws made in the exercise of their sovereign rights against all foreign vessels. Judge Pawlak explained further that the authorities of the coastal state, to ensure compliance with its laws, may board, inspect, arrest, and take judicial proceedings against foreign vessels in their EEZ. He continued by discussing Article 73 of the Convention, part of which states that the arrested vessels and their crews shall be promptly released upon the posting of reasonable bond or other security. At this juncture, Judge Pawlak discussed the residual jurisdiction of the Tribunal and its process in respect of cases that require speedy prompt release of vessels and crew according to Article 292 of the Convention.

Judge Pawlak is a Member of the Special Chamber formed to deal with the Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives) and was President of the Chamber for Marine Environment Disputes. He

has held several eminent positions, including a long service to his country's Ministry of Foreign Affairs in various distinguished capacities including Deputy Chief, Polish delegation to the International Control Commission, Saigon, Viet Nam, First Secretary, Polish Embassy to the United States of America, Director, Department of International Organizations, Ambassador and Permanent Representative of Poland, UN, New York, Chairman, group of Polish experts, talks with the delegation of experts of the Russian Federation and delegations of experts of other interested States on protection and conservation of marine resources of the Sea of Okhotsk, Chairman, Polish Delegation to the International Conference which drew up the 1994 Convention on Protection of Fisheries in the Bering Sea, Chairman, Polish Delegation to the UN Conference for the Agreement on Straddling Fish Stocks and Highly Migratory Stocks, Adviser to the President of the Republic of Poland and Titular Ambassador.

In the field of academics, Judge Pawlak is currently Professor Emeritus, in the University of Warsaw and Professor in the WSB University also in Warsaw. He has served as Professor of Public International Law and International Relations and Dean, Faculty of Social Science and Administration at the Warsaw Academy of Computer Science and Administration. He is Visiting Professor in various universities in the United States, Canada and Syria.

He is a Member of several prestigious bodies with numerous impressive publications in his name.

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