



IMLI COURSE ON PEACEFUL SETTLEMENT OF MARITIME DISPUTES AND DELIMITATION OF MARITIME BOUNDARIES

IMO

International Maritime Law Institute



OVER 35 YEARS SERVING THE RULE OF INTERNATIONAL MARITIME LAW

SYNOPSIS

One of the main purposes of international law is to foster the peaceful settlement of international disputes. Unlike national law, resolving disputes in international law requires the consent of all parties. However, enforcement of decisions issued by international courts and tribunals has posed serious challenges.

On the international stage, the delimitation of maritime boundaries remains a significant source of friction among States due to competing maritime claims. In boundary-making, sensitive issues arise concerning State sovereignty, sovereign rights, jurisdiction, and title to valuable natural resources and economic activities. These boundary disputes carry considerable conflict and security risks, and unresolved maritime boundaries between States can easily undermine international peace and security. The United Nations Convention on the Law of the Sea, 1982 (UNCLOS) defined the maritime zones and established principles governing the delimitation of maritime boundaries.

It is submitted that international courts and tribunals have not only applied the provisions of the Convention but have also elaborated upon them, establishing principles or clarifying the existing rules that have crystallized into customary international law. Consequently, analysis of such decisions is essential to understand the framework governing maritime boundary delimitation. Moreover, in situations where States have not successfully delimited their maritime boundaries, the desire to exploit the oceans' natural resources has prompted some States to adopt alternative arrangements. Such alternative arrangements do not prejudice any future delimitation and may vary in their content and format according to the needs of particular countries. Therefore, these arrangements for the exploitation of the resources, pending agreements on the delimitation of maritime boundaries, also warrant closer examination, with particular focus on the model arrangements found in State practice.



The Course provides a comprehensive introduction to, and an analysis of, various international maritime dispute settlement mechanisms as well as the boundary-making process and the alternative arrangements available to States, including provisional measures. It also explores the principal methods of settlement of maritime disputes under UNCLOS and examines its relevant provisions. The Course discusses the evolution of specific maritime dispute settlement procedures within the law of the sea regime, addressing the interaction among these mechanisms and assessing whether there is any fragmentation in the practice of international courts and tribunals.

In light of UNCLOS's establishment of the International Tribunal for the Law of the Sea (ITLOS) for interpreting and applying the Convention, the Course investigates ITLOS's role in the peaceful resolution of maritime disputes, with a particular focus on the jurisprudence concerning maritime boundary delimitation. To this end, the Course draws on the extensive experience of distinguished ITLOS Judges, who will offer participants valuable insight into the Tribunal's contribution to the field.

The Course also devotes particular attention to the jurisprudence of the International Court of Justice (ICJ), the principal judicial organ of the United Nations. Through its landmark maritime delimitation cases, the Court has articulated foundational principles and methodologies that continue to shape international maritime law. Moreover, by addressing both inter-State and investor-State arbitration for maritime disputes, the lectures aim to provide participants with a thorough understanding of the multifaceted avenues available for resolving maritime disputes.

Finally, the Course brings together leading experts who will share practical perspectives and first-hand experiences, enriching participants' understanding of maritime dispute settlement and boundary delimitation.



COURSE PROGRAMME

Inaugural Address: Dispute Settlement under UNCLOS and the Role of ITLOS

Judge Tomas Heidar (President, ITLOS)

Advisory Opinion of ITLOS on Climate Change

Judge Tomas Heidar

International Dispute Settlement

Judge Kathy-Ann Brown (Judge, ITLOS)

Jurisdiction of ITLOS

Dr. Ximena Hinrichs Oyarce (Registrar, ITLOS)

Relations between ITLOS and State Parties

Dr. Ximena Hinrichs Oyarce

The Contribution of ICJ to the Development of the Law on Settlement of Maritime Disputes

Mr. Lester Antonio Ortega Lemus (Strategic Adviser - LexOceana)

Baselines

Professor Tim Stephens (The University of Sydney Law School)

Territorial Sea and Contiguous Zone

Professor Norman A. Martinez Gutierrez (Director, IMLI)

The Exclusive Economic Zone

Ms. Elda Kazara-Belja (Senior Lecturer, IMLI)

The Continental Shelf

Dr. Ángeles Jiménez García-Carriazo (Ramon y Cajal Research Fellow, University of Cadiz)

The Relationship between the Exclusive Economic Zone and the Continental Shelf

Ms. Elda Kazara-Belja

Technical Aspects of the Recent Maritime Boundary Delimitation Cases

Dr. Robin Cleverly (Maritime Boundary Expert - Marbdy Consulting)

The Three-Stage Approach to Maritime Boundary Delimitation

Dr. Murat Sümer (The Nippon Foundation Lecturer in International Maritime Law, IMLI)

Equitable Considerations in the Maritime Boundary Delimitation

Dr. Murat Sümer

Limitations and Exceptions under Part XV Section 3 of UNCLOS

Mr. Marco Benatar (Legal Officer, ITLOS)

Prompt Release

Judge Maurice Kamga (*Judge, ITLOS*)

Advisory Proceedings

Judge Markiyan Kulyk (Judge, ITLOS)

Provisional Measures

Judge Frida María Armas Pfirter (Judge, ITLOS)

Conciliation

Judge Frida María Armas Pfirter

Agreements on Delimitation of Maritime Boundaries

Judge Konrad Jan Marciniak (Judge, ITLOS)

The Role of Islands in Maritime Boundary Delimitation

Dr. Murat Sümer

Advisory Opinion on Fishing in the EEZ of Other States (Case No. 21)

Judge Oscar Cabello Sarubbi (Judge, ITLOS)

Legality of Enforcement Activities at Sea (Cases No. 2, 19, 24 and 25)

Judge Kriangsak Kittichaisaree (Judge, ITLOS)

Consultations and Identification of the Judicial Body

Professor Alina Miron (Professor of International Law at the University of Angers)

The Role of ad hoc Judges

Professor Anna Petrig (Chair of International and Public Law, University of Basel, Switzerland)

Filing A Case

Mr. Yuri Parkhomenko (*Partner, Foley Hoag LLP*)

Preparation of Written Pleadings: Research Methodology and Legal Writing

Mr. Yuri Parkhomenko

Inter-State Arbitration and the Permanent Court of Arbitration

Dr. Murat Sümer

Preparation of Oral Pleadings: Oral Advocacy and Presentation of the Case

Professor Alina Miron

Management of the Case: Identification of Legal Advisors, Creation of Legal Team, Coordination of the Team, Appointment of Agents

Judge Ida Caracciolo (Judge, ITLOS)

Presenting Before International Courts and Tribunals: A Practitioner's Perspective

Judge Maria Teresa Infante Caffi (Judge, ITLOS)

Treatment of Evidence and Expert Witness

Professor Philippe Gautier (Registrar, ICJ)

Role of UNCLOS in Investor-State Arbitration

Dr. Murat Sümer

Workshop on Maritime Limits and Boundaries: Legal and Scientific Delimitation

Mr. Robert van de Poll (Global Director Law of the Sea, Fugro) and Professor Pieter Bekker (Partner, Dentons USA LLP, Chair Centre for Energy, Petroleum and Mineral Law and Policy, University of Dundee)

WHO SHOULD ATTEND?

The Course is addressed to government officers and private practitioners who are responsible for advising or representing States in the peaceful settlement of maritime disputes and delimitation of maritime boundaries as well as those who render their services to government departments, including the Ministry of Foreign Affairs, Ministry of Justice and Ministry of Maritime Affairs.

The Course is also suitable for diplomats and legal advisers who are engaged in drafting, reviewing, and negotiating maritime agreements, particularly those relating to boundaries.

The Course will be delivered in a hybrid mode. Candidates who attend at least 80 per cent of the lectures will be eligible for a Certificate of Attendance.



TUITION FEE

€ 2,500

*To apply, please contact by not later than 4 April 2025
admissions@imli.org*

Bearing in mind that eminent personalities from all over the world deliver lectures in the Institute's courses, candidates applying to a course shall be flexible as the dates of delivery may be subject to change. The Institute reserves the right to make changes to the programme.

More information regarding the IMLI's programmes and courses is available on the IMLI website:

<https://www.imli.org/content/programmes-and-courses>

**For information on admissions, please contact:
admissions@imli.org**

