

## **THE NEW LAW OF THE SEA AND THE SETTLEMENT OF DISPUTES**

- 1. The new law of the sea: a mostly conventional and institutionally dense branch of international law**
- 2. The importance of dispute settlement mechanisms:**
  - a) for ensuring that the balance between the interests of coastal States and of other States is maintained**
  - b) for dealing with ambiguous compromise provisions**
  - c) for ensuring quick elimination of conflicts (prompt release, provisional measures)**
  - d) for eradicating long-standing conflicts (delimitation etc.)**
- 3. The mechanisms for the settlement of disputes in the UN CLOS: a complex array of methods of settlement culminating in compulsory means**
- 4. The importance of compulsory means:**
  - a) a distinguishing characteristic as compared to other codification conventions**
  - b) a “default” mechanism giving priority to commitments for compulsory settlement outside UNCLOS**
  - c) a mechanism to be applied by a plurality of adjudicating bodies: compulsory jurisdiction even exercised by more than one adjudicating body was considered preferable to no compulsory jurisdiction and possible lack of uniformity in decisions an acceptable price to pay**
  - d) a mechanism not without exceptions: the protection of the sovereignty and jurisdiction of the coastal State**
- 5. The International Tribunal for the Law of the Sea**
- 6. Law of the Sea dispute-settlement since entry into force of UNCLOS**
  - a) jurisdiction not based on UNCLOS: the role of the ICJ**
  - b) jurisdiction based on UNCLOS: the jurisprudence of the ITLOS and of annex VII arbitration tribunals**
- 7. After UNCLOS: new law of the sea agreements utilizing the UNCLOS mechanisms for the settlement of disputes: are we moving towards a system?**