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?

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