

Statement of Mr Kofi Annan, Secretary-General of the United Nations, on the occasion of the Opening of the Headquarters building of the Tribunal

3 July 2000

President Chandrasekhara Rao, Madam Minister of the Federal Ministry of Justice, Mr. President of the Senate of the Free and Hanseatic City of Hamburg and First Mayor of Hamburg, Ladies and Gentlemen,

I am honoured and delighted to join you for this solemn and yet very happy event, in this beautiful City which is proud to call itself "Free and Hanseatic".

Those titles evoke a great history, and form in themselves an eloquent manifesto. The Hanse, that great league of north European trading cities to which Hamburg once belonged, was almost a forerunner of the United Nations. It brought together, for mutual assistance and defence, communities whose way of life was founded on sea-borne commerce, freely transacted by free men under agreed rules.

For them, as for all of us in today's global economy, the Law of the Sea was no luxury but essential to their survival. What more fitting location could there be, then, for the permanent seat of the International Tribunal for the Law of the Sea? And what a pleasure it is, today, to celebrate the installation of the Tribunal in that permanent seat!

I think we all knew, when the Law of the Sea Conference decided 20 years ago to accept Germany's offer to host the Tribunal, that we would get something pretty impressive. And I think we have it. But we could hardly have imagined an edifice quite so splendid, or so appropriate to the theme of peace and justice in the oceans.

Having just completed a tour of the premises, I can assure you that the building, besides being meticulously crafted to serve the specialised needs of this institution, is a work of art in its own right. It has a timeless quality, which no doubt it owes in part to the tranquil parkland setting, but in larger part to the genius of the architects. They have achieved a remarkable harmony between the ancient trees so carefully preserved, the renovated villa in all its glory, and the glass, metal and stone of the modern structure they have added.

We must all feel particular gratitude to the City, and indeed to the German people. By establishing the Tribunal in Hamburg, and generously endowing this magnificent new Headquarters Building, they have shown once again their strong commitment to promoting the rule of international law and preventing armed conflict. They have shown that they understand how much world peace depends on the existence of robust mechanisms for the peaceful settlement of disputes.

The Tribunal, dedicated to the peaceful resolution of international disputes relating to the oceans, is such a mechanism. It is the keystone of the United Nations Law of the Sea Convention, which in turn is one of the UN's greatest achievements. And, like the International Court of Justice, it is central to the regime of international peace and security that has evolved since the United Nations Charter was adopted.

The Law of the Sea Convention, now almost universally accepted, provides the essential framework for the rule of law in the marine sphere, governing the uses of the sea and access to its resources, and regulating inter-state relations. It is sometimes called the Constitution for the Oceans.

Under that Constitution, the Tribunal plays a key role in the uniquely binding dispute settlement procedure. It is the central forum available - to States, to certain international organizations, and even to some corporations - for resolving disputes about how the Convention should be interpreted and applied.

When the Convention was adopted, the Secretary-General was entrusted with the task of starting up the Tribunal. The United Nations lent its staff to the new institution to assure it a successful start.

I myself, like my predecessors, have maintained a keen interest in developments relating to the Convention and its institutions. I am delighted to note that in its first four years the Tribunal has already built a reputation among international lawyers as a modern court that can respond quickly.

In large part this is due to the outstanding quality of the judges, who have carried out their work in an expeditious, responsible and efficient manner. The Tribunal is indeed fortunate to have secured the services of members so eminent, and so learned in the law of the sea.

On a personal note, I take particular pride in the work of my countryman, Judge Thomas Mensah, who served as President of the Tribunal for its first three years. But I have no doubt at all, Mr. President, that under your able leadership the Tribunal will maintain the same record of excellence and success.

Credit is also due, of course, to the dedication and hard work of the Registrar, Mr. Gritakumar Chitty, his deputy, M. Philippe Gautier, and all their staff.

Naturally, recourse to international dispute resolution depends on the parties being ready to submit their differences to judicial decision. It is very encouraging that this Tribunal had more cases submitted to it in its first three years than any previous international court. It has dealt with a wide variety of cases, from both developing and developed countries, involving such matters as the prompt release of vessels and crew, the prescription of legally binding provisional measures, and more substantive issues concerning the rights and obligations of States under the Convention. And I think the Minister of Justice gave us a very detailed account of how complex some of those cases could be.

The record already shows that the Tribunal's decisions, once given, are put into effect. States, and other parties, recognise its authority and accept the objectivity of its interpretations and decisions, which are coming to form the core of international jurisprudence in the law of the sea.

I hope that more and more parties will be encouraged to make use of the Tribunal in settling their disputes, and also that States will support it - notably by giving it the financial security it needs. And I am glad to note the recommendation of

the Meeting of States Parties to the Convention, that a voluntary Trust Fund be established to assist States which have difficulty in meeting the costs of bringing a case before the Tribunal. Indeed it is vital that the Tribunal be fully accessible to all.

The Judges of the Tribunal, as well as the staff of the Registry, reflect the cultural and geographical diversity of the human family. That reminds us that societies and cultures can co-exist, blossom and flourish only when international law, firmly rooted in global values, is fully implemented and enforced. The Tribunal is there to help us implement an important aspect of international law, and so put those global values into practice.

Long may it continue to do so!