

INTERNATIONAL ORGANISATIONS ACT 2005

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 8 International Tribunal for the Law of the Sea

11. The International Tribunal for the Law of the Sea (“ITLOS”) was established by Annex VI to the 1982 United Nations Convention on the Law of the Sea (“UNCLOS”). ITLOS is an international court with its seat in Hamburg and has jurisdiction to hear disputes submitted to it in accordance with UNCLOS and all matters specifically provided for in any other agreement which confers jurisdiction on it. The UK is a State Party to UNCLOS. The Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea (“the ITLOS Privileges and Immunities Agreement”) provides that the Tribunal and various categories of individuals connected with it shall enjoy certain privileges and immunities. The UK signed the ITLOS Privileges and Immunities Agreement but did not ratify it because it was not possible to implement the provisions of the Agreement relating to the Tribunal itself using any of the enabling provisions of the 1968 Act. The International Organisations Act 2005 brings ITLOS within the scope of the 1968 Act and thus enables the making of an Order in Council conferring privileges and immunities on the Tribunal and allows the United Kingdom to ratify the ITLOS Privileges and Immunities Agreement.