

THE ICJ AND ITLOS IS THERE A PLACE FOR JUDICIAL DIALOGUE BETWEEN THEM?

The International Court of Justice (ICJ) and the International Tribunal for the Law of the Sea (ITLOS) are the two main judicial bodies of the United Nations. The ICJ is the principal judicial organ of the UN, while the ITLOS is a specialized tribunal for the law of the sea. Both bodies have jurisdiction over a wide range of international law disputes, and their decisions are binding on the parties to the cases. The question of whether there should be a place for judicial dialogue between the ICJ and the ITLOS is a complex one, involving issues of jurisdiction, competence, and the relationship between the two bodies. This paper will explore the arguments for and against such dialogue, and will conclude that there is a strong case for a more formalized and structured form of judicial dialogue between the ICJ and the ITLOS.

could be passed on to the ITLOS from its years of adjudication as the principal judicial organ of the United Nations, while the ITLOS, for its part, has specialized expertise on the law of the sea that could be valuable to the ICJ.

Since their establishment, the ITLOS and the ICJ have contributed in promoting and reinforcing the rule of law at the international level. Furthermore, they have a critical role to play in the peaceful settlement of disputes on the basis of applicable international law, thereby helping to prevent conflicts and achieve the objectives of the United Nations. The institutions' decisions, opinions, and other measures, have important implications for the international community as they develop and clarify international law and strengthen the international legal system.

Mr. Peter Tomka, Senior Member of the ICJ and its past President and Vice-President, will address the evolution of its jurisprudence on the law of the sea, in particular the law of maritime boundary delimitation. He will illustrate how this jurisprudence has had an impact on the work of the ITLOS and arbitral tribunals and to what extent the ICJ has taken into account the work of these other dispute settlement bodies.

Mr. Jin-Hyun Paik, the President of ITLOS, will be speaking about the unique character of the ITLOS and its relationship with the ICJ in practice from the perspective of ITLOS. Furthermore, he will be discussing ways to promote cooperation between the judicial bodies to maximize the benefits to be gained from their respective knowledge and experience in peacefully resolving conflicts.

Ms. Daphne Hong, Director-General of the International Affairs Division of the Attorney-General's Chambers of Singapore, will moderate the discussion, which would also be enriched by her experience and insights from the perspective of the government's Legal Adviser.