

**Contribution to the report of the Secretary-General
on oceans and the law of the sea**

Judicial work

1. The *Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives)* (Case No. 28) is pending before a Special Chamber of the Tribunal. By order dated 15 December 2021, the President of the Special Chamber fixed 14 April 2022 as the time-limit for the filing of a reply by Mauritius and 15 August 2022 as the time-limit for the filing of a rejoinder by the Maldives. In *The M/T "San Padre Pio" (No. 2) Case (Switzerland/Nigeria)* (Case No. 29), by order dated 29 December 2021, the President placed on record the discontinuance, by agreement of the Parties, of the proceedings and ordered that the case be removed from the List of cases.

2. *Case No. 28.* The case relates to the dispute between Mauritius and the Maldives concerning the delimitation of their maritime boundary in the Indian Ocean. It was submitted to a special chamber of the Tribunal by notification of a special agreement concluded between the Parties on 24 September 2019. On 18 December 2019, the Maldives filed with the Special Chamber preliminary objections to the jurisdiction of the Special Chamber and to the admissibility of the claims submitted by Mauritius. Pursuant to article 97 of the Rules of the Tribunal, the proceedings on the merits were suspended upon receipt of the preliminary objections by the Registry. A public hearing on the preliminary objections was held from 13 to 19 October 2020 in hybrid format. On 28 January 2021, the Special Chamber delivered its Judgment on the preliminary objections raised by the Maldives. In its Judgment, the Special Chamber concluded that it has "jurisdiction to adjudicate upon the dispute concerning the delimitation of the maritime boundary between the Parties in the Indian Ocean and that the claim submitted by Mauritius in this regard is admissible" (Judgment, Preliminary Objections, paragraph 351).

3. By order dated 3 February 2021, the President of the Special Chamber fixed 25 May 2021 as the time-limit for the filing of the memorial by Mauritius and 25 November 2021 as the time-limit for the filing of the counter-memorial by the Maldives. The memorial and the counter-memorial were filed within the time-limits so prescribed. By order dated 15 December 2021, the President of the Special Chamber, taking into account the agreement of the Parties, fixed 14 April 2022 as the time-limit for the filing of a reply by Mauritius and 15 August 2022 as the time-limit for the filing of a rejoinder by the Maldives. Oral proceedings will follow.

4. *Case No. 29.* The case related to the dispute between Switzerland and Nigeria concerning the arrest and detention of the *M/T "San Padre Pio"*, its crew and cargo. The *M/T "San Padre Pio"* is a motor tanker flying the flag of Switzerland, which was arrested by Nigerian authorities while it was allegedly engaged in ship-to-ship transfers of gasoil in Nigeria's exclusive economic zone. Switzerland had previously instituted arbitral proceedings against Nigeria under Annex VII to the Convention in relation to the arrest and detention of the *M/T "San Padre Pio"*, its crew and cargo. The case was submitted to the Tribunal by notification of a special agreement concluded between the Parties on 17 December 2019.

5. By order dated 18 June 2021, the President of the Tribunal fixed 9 September 2021 as the date for the opening of the oral proceedings. By letter dated 30 July 2021, the Agent of Switzerland

requested that the opening of the oral proceedings be postponed until a later date “[i]n view of the ongoing implementation of a Memorandum of Understanding ... concluded by Switzerland and Nigeria on 20 May 2021 regarding the issue of the M/T ‘San Padre Pio’”. Having regard to the special circumstances of the case and having sought the views of the Parties, the opening of the oral proceedings was postponed until a later date which was to be fixed after consultations with the Parties.

6. By letter dated 10 December 2021, the Agent of Switzerland requested the Tribunal to record the discontinuance of the case in accordance with the terms of the Memorandum of Understanding. In response, Nigeria indicated that it had no objection to the discontinuance of the case by the Tribunal. In accordance with article 105 of the Rules of the Tribunal, the President of the Tribunal, by order dated 29 December 2021, placed on record the discontinuance, by agreement of the Parties, of the proceedings and ordered that the case be removed from the List of cases.

Capacity-building

7. Since 1997, the Tribunal has run an internship programme for young government officials or students of law, international relations, public relations, political science, library science and translation. While restrictions owing to the COVID-10 pandemic continued to be in force throughout the reporting period, the Tribunal managed to keep the programme running as normal and in person. Since 2007, with the support of the Nippon Foundation, the Tribunal has organized a capacity-building and training programme on dispute settlement under the Convention. Despite COVID-19-related restrictions, the 2021-2022 edition of the programme was organized with all participants being present in Hamburg. In September 2021, the Tribunal established a Junior Professional Officer programme for young professionals to serve in the Legal Office of the Tribunal’s Registry, or in other departments of the Registry, as necessary. The Tribunal has also organized a series of workshops on the settlement of disputes related to the law of the sea in different regions of the world. The purpose of these workshops is to provide government experts working on maritime and law of the sea matters with insight into the procedures for the settlement of disputes contained in Part XV of the Convention, with special emphasis on the jurisdiction of the Tribunal and the procedural rules applicable to cases before the Tribunal. On 2 and 3 June 2022, the Tribunal organized a regional workshop in Malta in cooperation with the IMO International Maritime Law Institute and with the financial support of the Government of Cyprus and the Korean Maritime Institute.