

International Tribunal for the Law of the Sea (ITLOS) - UPSC Notes

Topics like the International Tribunal for the Law of the Sea (ITLOS) are essential for the International Relations section of the General Studies paper-2 in the [UPSC Syllabus](#). It contains more dynamic than static portions. It is important to keep abreast of the latest happenings concerning India and her relations with other countries in the world, to clear the IAS exam.

International Tribunal for the Law of the Sea (ITLOS)

Established by the [UNCLOS](#), the International Tribunal for the Law of the Sea is an independent judicial body that adjudicates disputes arising out of the convention (UNCLOS).



UPSC Prelims Facts : ITLOS



Name: International Tribunal for the Law of the Sea

Established in the Year: 1982

Entered into Force in the Year: 1994

Headquarters: Hamburg, Germany

Sector: Maritime Jurisdiction

Is India a Signatory: Yes

Part of UNCLOS.

- ITLOS is a multi-governmental establishment formed by the mandate of the 3rd UN Conference on the Law of the Sea.
- It was created by the UN Convention on the Law of the Sea which was signed at Jamaica on the 10th of December 1982.
- The convention became effective on 16th November 1994.

International Tribunal for the Law of the Sea (ITLOS) Functions

The Convention establishes a comprehensive legal framework to regulate all ocean space, its uses and resources.

- It works to safeguard the various marine resources and protect the different species.
- It also has provisions related to territorial occupancies of seas, continental shelf, [exclusive economic zones \(EEZs\)](#).

- It also helps to promote and leverage scientific research for the development and transfer of marine technology.

Members of the International Tribunal for the Law of the Sea

The Tribunal is composed of 21 independent members elected by secret ballot by the States Parties to the Convention.

- ITLOS Members are elected for a period of 9 years and may be re-elected.
- Every 3 years, the term of one-third of the members expires.
- Also, there shall be more than 3 members from each geographical group as established by the [United Nations General Assembly](#).
- No two members may be nationals of the same State and in the Tribunal as a whole, it is necessary to assure the representation of the principal legal systems of the world and equitable geographical distribution.

International Tribunal for the Law of the Sea (ITLOS) & India

India played a constructive role in deliberations leading to UNCLOS's adoption in 1982 and has been a party to the convention since 1995.

- Ms. Neeru Chadha, an eminent lawyer and the first Indian woman to become the chief legal adviser in the Ministry of External Affairs, won the election to the International Tribunal for the Law of the Sea (ITLOS) for a nine-year term from 2017 to 2026.

Enrica Lexie Case

Known as the Enrica Lexie incident, it took place in 2012, when the Italian oil tanker Enrica Lexie, travelling off the coast of Kerala was approached by an Indian fishing vessel.

- Two Italian marines onboard fired what Italy contends were warning shots at the ship.
- Two Indian fishermen from Kerala were killed.
- After three years, Italy moved the International Tribunal for Law of the Sea (ITLOS) seeking for the two Italian marines to stay in their own country during the trial process and also to stop India from going ahead with its criminal prosecution.

Get a detailed explanation of the Enrica Lexie Case in the Hindu Video Analysis below:

<https://www.youtube.com/embed/dyINr4KvkiM>

