



INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
TRIBUNAL INTERNATIONAL DU DROIT DE LA MER

Press Release

THE M/V "VIRGINIA G" CASE (PANAMA/GUINEA-BISSAU)

PUBLIC HEARING TO BE HELD FROM 2 SEPTEMBER 2013

The public hearing in *The M/V "Virginia G" Case* will open on 2 September 2013 at 10 a.m. Judge Shunji Yanai, President of the Tribunal, will preside over the hearing.

The schedule of hearings is as follows:

First round of oral argument

Panama Monday, 2 September 2013: 10 a.m.–1 p.m. and 3–6 p.m.
Tuesday, 3 September 2013: 10 a.m.–1 p.m.

Guinea-Bissau Wednesday, 4 September 2013: 10 a.m.–1 p.m. and 3–6 p.m.
Thursday, 5 September 2013: 10 a.m.–1 p.m.

Second round of oral argument

Panama Friday, 6 September 2013: 10 a.m.–1 p.m.

Guinea-Bissau Friday, 6 September 2013: 3–6 p.m.

Background of the case

On 4 July 2011, proceedings were instituted in a dispute between Panama and Guinea-Bissau regarding the oil tanker *Virginia G*, flying the flag of Panama. According to the statement of claim submitted by Panama, the *Virginia G* was carrying out refueling operations for fishing vessels in the exclusive economic zone of Guinea-Bissau when it was boarded by Guinea-Bissau authorities on 21 August 2009, escorted to the port of Bissau and arrested. The *Virginia G* was released on 22 October 2010 without the imposition of any penalty. Panama argues that the arrest was unlawful and that, during the 14 months of its detention, the tanker suffered serious damages. It therefore claims "reparation and compensation for material damage in respect of natural and juridical persons, including, but not limited to, compensation for damage to the *Virginia G*, financial losses of the owner and operator of the vessel, the owners of the cargo, the Master, members of the crew, loss of liberty and personal injuries (including pain and suffering)" in the amount of EUR 4,065,409.23.

The dispute, which was initially submitted to arbitration pursuant to Annex VII of the 1982 United Nations Convention on the Law of the Sea, was brought before the Tribunal on 4 July 2011 by virtue of a special agreement concluded by the two States.

In accordance with the time-limits fixed by the Tribunal, Panama filed its Memorial on 23 January 2012 and Guinea-Bissau its Counter-Memorial on 28 May 2012. The Reply of Panama was filed on 28 August 2012 and the Rejoinder of Guinea-Bissau on 21 November 2012.

In its Counter-Memorial Guinea-Bissau filed a counter-claim, stating that “Panama violated [article] 91 of the Convention by granting its nationality to a ship without any genuine link to Panama, which facilitated the practice of illegal actions of bunkering without permission in the EEZ of Guinea-Bissau” and seeking damages and costs resulting therefrom. In its Order dated 2 November 2012, the Tribunal found that the counter-claim presented by Guinea-Bissau was admissible under article 98, paragraph 1, of the Rules and, “in order to ensure equality between the Parties”, the Tribunal also authorized Panama to file by 21 December 2012 an additional pleading confined to the counter-claim as presented by Guinea-Bissau. Panama filed an additional pleading within this time-limit, thereby concluding the written proceedings in the case.

In accordance with the Rules of the Tribunal, copies of the written pleadings and the documents annexed thereto will be made accessible to the public upon the opening of the oral proceedings.

Attending the hearing

The hearing will be held in the main courtroom of the Tribunal and is open to the public. Members of the diplomatic and consular corps, press and general public are welcome to attend but are requested to [register](#) in advance. In particular, members of the press are requested to register with the Press Office using the [accreditation form](#).

Unobtrusive audio and video recording of the public sitting is permitted. Filming is subject to special authorization from the Press Office. Facilities are available for radio crews to connect recording equipment directly to the Tribunal’s audio system. Photographs (without flash) may be taken for a few minutes at the opening and at the end of the hearings.

Webcast

The hearing will be broadcast [live](#) on the website. A recorded webcast of the hearing will be made available under [Webcast Archives](#) after the close of each sitting. The verbatim records of the hearing will be published shortly thereafter on the website of the Tribunal.

Note: The press releases of the Tribunal do not constitute official documents and are issued for information purposes only.

The press releases of the Tribunal, documents and other information are available on the Tribunal’s websites (<http://www.itlos.org> and <http://www.tidm.org>) and from the Registry of the Tribunal. Please contact Ms Julia Ritter at: Am Internationalen Seegerichtshof 1, 22609 Hamburg, Germany,

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