



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

Press Release

(Issued by the Registry)

**THE TRIBUNAL RECEIVES APPLICATION
FOR PROMPT RELEASE OF A VESSEL AND ITS CREW**

HAMBURG, 13 November. Today, the Registrar of the International Tribunal for the Law of the Sea received the first application instituting a case before the Tribunal. This follows almost immediately after the adoption of the Rules of the Tribunal and one year after its inauguration. The Tribunal has also adopted Guidelines concerning the Preparation and Presentation of Cases before the Tribunal and a Resolution on the Internal Judicial Practice of the Tribunal.

The application of Saint Vincent and the Grenadines institutes proceedings against the Government of Guinea with regard to the alleged arrest of the “M/V Saiga” off the coast of West Africa. Saint Vincent and the Grenadines requests the Tribunal to order the prompt release of the “M/V Saiga”, its cargo and crew detained in Conakry, Guinea. The vessel was allegedly:

“attacked by representatives of the Guinean Government who shot at the ship and crew and injured four of them before taking control of the vessel. The vessel was brought into Conakry, Guinea at around 21:00 on 28 October 1997. Two seriously injured crew have since been allowed to leave. The vessel and remaining crew continue to be held hostage at Conakry.”

The application is based on article 292 of the United Nations Convention on the Law of the Sea. Accordingly, where the authorities of a government of a State that is a party to the Convention have detained a vessel flying the flag of another State also party to the Convention and it is alleged that the detaining State has not complied with the requirements of the Convention for the prompt release of the vessel or its crew upon the posting of a reasonable bond or other financial security, the question of release from detention may be submitted to the Tribunal if, as is the present case, the parties have not agreed within 10 days from the time of detention, to submit the case to another court or tribunal.

(more)

For information media -- not an official record

**Press Release ITLOS/Press 8
13 November 1997**

According to the application of Saint Vincent and the Grenadines:

“Guinea has not to date sought any bond or other financial security in respect of the detention of the ‘SAIGA’, nor has it advised any interested party of the reasons for its action, nor has it allowed their representatives access to the crew remaining on board.”

The Registry has transmitted a copy of the application with all its attachments to the Government of Guinea which is the respondent in the case. Guinea has until twenty-four hours before the date of the first hearing to provide its response to the application.

Under the Rules of the Tribunal, the date for a hearing is to be set within ten days of the receipt of the application. The application having been received today, 13 November 1997, the Judges are due to meet in Hamburg, the seat of the Tribunal, on 20 November, and the first hearing is expected to take place on Friday, 21 November 1997. At the hearing each party will be accorded one day to present their evidence and arguments. A second date for the hearing will probably be 24 November. The Judges then have ten days to deliberate, reach a decision and deliver the judgement of the Tribunal. The reading of the judgement is tentatively set for 4 December 1997. The judgement will be read at a public sitting of the Tribunal. Since the Tribunal has not yet entered into its permanent premises, which are still under construction, the authorities of the host country, Germany, are taking steps to provide a suitable courtroom and facilities for the hearing. It is to be recalled that the ceremonial inauguration of the Judges took place in the elegant Great Hall of the Hamburg City Hall.

The Members of the Tribunal are President Thomas A. Mensah (Ghana), Vice-President Rüdiger Wolfrum (Germany), Judges Lihai Zhao (China), Hugo Caminos (Argentina), Vicente Marotta Rangel (Brazil), Alexander Yankov (Bulgaria), Soji Yamamoto (Japan), Anatoly Lazarevich Kolodkin (Russian Federation), Choon-Ho Park (Republic of Korea), Paul Bamela Engo (Cameroon), L. Dolliver M. Nelson (Grenada), P. Chandrasekhara Rao (India), Joseph Akl (Lebanon), David Anderson (United Kingdom), Budislav Vukas (Croatia), Joseph Sinde Warioba (United Republic of Tanzania), Edward Arthur Laing (Belize), Tullio Treves (Italy), Mohamed Mouldi Marsit (Tunisia), Gudmundur Eiriksson (Iceland), Tafsir Malick Ndiaye (Senegal).

The International Tribunal for the Law of the Sea

The International Tribunal for the Law of the Sea is an independent international judicial institutions which has been established pursuant to the United Nations Convention on the Law of the Sea. This Convention is one of the most comprehensive international treaties ever completed. It provides for the outer limits to which coastal States can claim jurisdiction in their adjacent waters and regulates prominent issues such as fisheries and navigation. A whole chapter of the Convention is devoted to the prevention of pollution of the marine environment. The Convention also pronounces the resources of the deep seabed as the common heritage of mankind and sets up the International Seabed Authority to regulate the exploitation of the deep seabed.

(more)

For information media -- not an official record

**Press Release ITLOS/Press 8
13 November 1997**

At present, 122 States are party to the Convention, indicating the world wide approval which the Convention has obtained.

The Convention gives the Tribunal jurisdiction to deal with a variety of international disputes. Disputes amongst States that can be referred to the Tribunal may involve *inter alia* fisheries, navigation, ocean pollution and the delimitation of maritime zones,. The Tribunal also has compulsory jurisdiction over the prompt release, of arrested vessels and their crews in certain circumstances and under certain conditions. In addition, the Tribunal's Seabed Disputes Chamber has its own specialized jurisdiction to deal with disputes arising out of the exploration and exploitation of the resources of the seabed and ocean floor beyond national jurisdiction as set out by Convention.

Mr. Gritakumar E. Chitty (Sri Lanka) is the first Registrar of the Tribunal. Mr. Philippe H. Gautier (Belgium) is the Deputy Registrar.

The Rules of the Tribunal, the Resolution on the Internal Judicial Practice of the Tribunal, and the Guidelines concerning the Preparation and Presentation of Cases before the Tribunal are available on the United Nations website: <http://www.un.org/Depts/los/> Previous Press Releases, setting out the background and the composition of the Tribunal and its specialized chambers, are available from the Registrar of the Tribunal.

Requests may be addressed by telephone, facsimile or E-mail:
Tel: (49) (40) 35607-227/228, Fax: (49) (40) 35607-245/275,
E-mail: itlos@itlos.hamburg.de

* * *

(more)

For information media -- not an official record