

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

TRIBUNAL INTERNATIONAL DU DROIT DE LA MER

In the matter of the UN Convention on the Law of the Sea, 1982
Before The International Tribunal for the Law of the Sea
And in the matter of an application under S 292 of the Convention

THE GOVERNMENT OF ST VINCENT & GRENADINES
Claimant

- and -

THE GOVERNMENT OF GUINEA
Respondent

‘M/V SAIGA’

Held at Hamburg Town Hall

On Friday, 21 November 1997

CLERK OF TRIBUNAL: The International Tribunal for the Law of the Sea is in session.

THE PRESIDENT: Please be seated. I give the floor to the Registrar of the Tribunal.

THE REGISTRAR: This is the first case that the Tribunal will hear. It has been entered into the List of cases as case number one and named the M/V *Saiga* case. The representatives of Saint Vincent and the Grenadines are present

THE PRESIDENT: The Tribunal meets today in open session in the case concerning the prompt release of the arrested vessel, the M/V *Saiga*.

The Parties were duly advised of the date of the commencement hearings. Guinea has, however, indicated it is not able to be present today and requested the postponement of the hearings.

The Tribunal having considered the request has decided to issue the following order:

THE PRESIDENT: Judges Caminos, Yankov, Yamamoto, Kolodkin, Bamela Engo, Nelson, Chandrasekhara Rao, AKL, Anderson, Vukas, Warioba, Laing, Treves, Marsit, Eiriksson, Ndiaye; Registrar Chitty.

The International Tribunal for the Law of the Sea,
Composed as above,
After deliberation,

Having regard to article 292 of the United Nations Convention on the Law of the Sea,

Having regard to article 69, paragraph 1, of the Rules of the Tribunal,

Having regard to the Application submitted by Saint Vincent and the Grenadines to the Tribunal on 13 November 1997, requesting the prompt release of the M/V *Saiga* and its crew, alleged to have been detained by the authorities of Guinea on 28 October 1997,

Makes the following Order:

Whereas the Registrar, in accordance with article 52, paragraph 2 (a), and article 111, paragraph 4, of the Rules of the Tribunal, transmitted a certified copy of the Application to the Government of Guinea on 13 November 1997,

Whereas, pursuant to article 292 of the Convention, the Tribunal shall deal with the Application without delay,

Whereas, pursuant to article 292 of the Convention, the Tribunal shall deal only with the question of release, without prejudice to the merits of any case before the appropriate domestic forum against the vessel, its owner or its crew,

Whereas the President of the Tribunal, in accordance with article 112, paragraph 3, of the Rules of the Tribunal, fixed 21 November 1997 as the date for the opening of a hearing with respect to the Application,

Whereas the Government of Guinea, by a letter dated 20 November 1997, referred to difficulties in the receipt of certain documentation and requested a postponement of the hearing,

Having ascertained the views of the parties,

THE TRIBUNAL

Decides to postpone the continuation of the hearing until 27 November 1997; and

Reserves the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, in the Free and Hanseatic City of Hamburg, this twenty-first day of November, one thousand nine hundred and ninety-seven, in three copies, one of which will be placed in the archives of the Tribunal and the others transmitted to the Government of Saint Vincent and the Grenadines and the Government of Guinea, respectively.

Signed by the President and Registrar of the Tribunal.

That is the end of the Order.

The Tribunal is now adjourned.
