



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

Press Release

**THE "HOSHINMARU" CASE
(JAPAN v. RUSSIAN FEDERATION), PROMPT RELEASE
THE "TOMIMARU" CASE (JAPAN v. RUSSIAN FEDERATION), PROMPT RELEASE**

**TRIBUNAL TO DELIVER ITS JUDGMENTS ON
MONDAY, 6 AUGUST 2007 AT 2 P.M.**

Hamburg, 2 August 2007. On 6 August 2007, the International Tribunal for the Law of the Sea will deliver its Judgments in *The "Hoshinmaru" Case* and *The "Tomimaru" Case*. The Judgments will be read by the President of the Tribunal, Judge Rüdiger Wolfrum, at a public sitting in the main courtroom.

The oral proceedings in *The "Hoshinmaru" Case* were held on 19, 20 and 23 July 2007. In its final submissions, Japan requested the Tribunal, by means of a judgment:

- “(a) to declare that the Tribunal has jurisdiction under Article 292 of the United Nations Convention on the Law of the Sea (hereinafter “the Convention”) to hear the application concerning the detention of the vessel of the 88th *Hoshinmaru* (hereinafter “*the Hoshinmaru*”) and the crew in breach of the Respondent’s obligations under Article 73(2) of the Convention;
- (b) to declare that the application is admissible, that the allegation of the Applicant is well-founded, and that the Respondent has breached its obligations under Article 73(2) of the Convention; and
- (c) to order the Respondent to release the vessel of *the Hoshinmaru* and the crew, upon such terms and conditions as the Tribunal shall consider reasonable.”.

The Russian Federation requested the Tribunal to decline to make the orders sought in paragraph 1 of the Application of Japan and to make the following orders:

- “(a) that the Application of Japan is inadmissible;
- (b) alternatively, that the allegations of the Applicant are not well-founded and that the Russian Federation has fulfilled its obligations under paragraph 2 of Article 73 of the United Nations Convention on the Law of the Sea”.

The oral proceedings in *The “Tomimaru” Case* were held on 21 and 23 July 2007 and concluded with the final submissions of both parties. Japan requested the Tribunal, by means of a judgment:

- “(a) to declare that the Tribunal has jurisdiction under Article 292 of the United Nations Convention on the Law of the Sea (hereinafter “the Convention”) to hear the application concerning the detention of the vessel the *53rd Tomimaru* (hereinafter “the *Tomimaru*”) in breach of the Respondent’s obligations under Article 73(2) of the Convention;
- (b) to declare that the application is admissible, that the allegation of the Applicant is well-founded, and that the Respondent has breached its obligation under Article 73(2) of the Convention; and
- (c) to order the Respondent to release the vessel the *Tomimaru*, upon such terms and conditions as the Tribunal shall consider reasonable”.

The Russian Federation requested the Tribunal to decline to make the orders sought in paragraph 1 of Japan’s Application and to make the following orders:

- “(a) that the Application of Japan is inadmissible;
- (b) alternatively, that the allegations of the Applicant are not well-founded and that the Russian Federation has fulfilled its obligations under paragraph 2 of Article 73 of the United Nations Convention on the Law of the Sea”.

The text of the Judgments will be available shortly after their delivery on the website of the Tribunal.

Note to the Press

Following the reading of the Judgments, President Wolfrum will hold a press conference regarding the Judgments rendered by the Tribunal.

Members of the Press are welcome to attend the reading of the Judgments and the press conference but are requested to register in advance with the Press Office using the media accreditation form available on the website.

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.

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: Am Internationalen Seegerichtshof 1, 22609 Hamburg, (Germany). Telephone: +49 (040) 35607-227, fax: +49 (040) 35607-245/275, e-mail: press@itlos.org * * *