

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



2004

Public sitting

held on Saturday, 18 December 2004, at 10.30 a.m.,
at the International Tribunal for the Law of the Sea, Hamburg,

President L. Dolliver M. Nelson presiding

The “Juno Trader” Case
(Application for prompt release)

(Saint Vincent and the Grenadines v. Guinea-Bissau)

Verbatim Record

Present:

President	L. Dolliver M. Nelson
Vice-President	Budislav Vukas
Judges	Hugo Caminos
	Vicente Marotta Rangel
	Alexander Yankov
	Soji Yamamoto
	Anatoli Lazarevich Kolodkin
	Choon-Ho Park
	Paul Bamela Engo
	Thomas A. Mensah
	P. Chandrasekhara Rao
	Joseph Akl
	David Anderson
	Rüdiger Wolfrum
	Mohamed Mouldi Marsit
	Tafsir Malick Ndiaye
	José Luis Jesus
	Jean-Pierre Cot
	Anthony Amos Lucky
Registrar	Philippe Gautier

Saint Vincent and the Grenadines is represented by:

Mr Werner Gerds, Döhle Assekuranzkontor GmbH & Co KG, Hamburg,
Germany,

as Agent;

Guinea-Bissau is represented by:

Mr Abaf Seidi, Chairman of the Guinea-Bissau Association, Hamburg,
Germany.

1 **CLERK OF THE TRIBUNAL:** All rise.

2

3 **THE PRESIDENT:** Please be seated.

4

5 **CLERK OF THE TRIBUNAL:** The International Tribunal for the Law of the Sea is
6 now in session.

7

8 **REGISTRAR:** The Tribunal will today deliver its Judgment in the "*Juno Trader*"
9 Case, Application for prompt release, Case No. 13 on the List of cases, Saint
10 Vincent and the Grenadines, Applicant, and Guinea-Bissau, Respondent. The
11 Tribunal heard oral arguments from the parties at four public sittings held on 6 and
12 7 December 2004.

13

14 Mr President.

15

16 **PRESIDENT:** Judge Tullio Treves is not able to attend today's reading of the
17 Judgment, but asked that he be allowed to record his final vote from Egypt. I will ask
18 the Registrar to read the decision of the Tribunal on this matter.

19

20 Mr Registrar.

21

22 **REGISTRAR:** The decision of the Tribunal adopted on 16 December 2004 reads as
23 follows:

24

25 - I quote -

26

27 Judge Julio Treves has informed the Tribunal that he would be
28 absent from Hamburg from the afternoon of 16 December 2004 as
29 he was required to be in Cairo in order to attend a meeting of an
30 arbitration body, of which he is chairman.

31

32 Judge Treves has sought the permission of the Tribunal to record
33 his vote by telephone in the "*Juno Trader*" Case although he will be
34 absent when the formal vote is taken.

35

1 Judge Treves was present at the public sittings held in this case on
2 6 and 7 December 2004. He has taken a sufficient part in the
3 deliberations to be able to reach a judicial determination of all
4 issues of fact and law material to the decision to be given in the
5 case.

6
7 The Tribunal decides that, in the special circumstances mentioned
8 by Judge Treves, he should be allowed to record his final vote by
9 telephone.

10
11 - end of quote -

12
13 Judge Treves recorded his final vote in accordance with the decision of the Tribunal.

14
15 Mr President.

16
17 **THE PRESIDENT:** I now call on Mr Werner Gerdts, Agent of Saint Vincent and the
18 Grenadines, to note the representation of Saint Vincent and the Grenadines.

19
20 **MR GERDTS:** *[notes his appearance]*

21
22 **THE PRESIDENT:** Thank you. We have been informed that Guinea-Bissau will be
23 represented by Mr Abaf Seidi, Chairman of the Guinea-Bissau Association in
24 Hamburg. I now call on Mr Abaf Seidi to note the representation of Guinea-Bissau.

25
26 **MR SEIDI:** *[notes his appearance]*

27
28 **THE PRESIDENT:** Thank you. I will now read relevant extracts from the Judgment in
29 the "*Juno Trader*" Case.

30
31 *[The President reads the extracts.]*

32
33 The sitting is now closed.

34
35 **CLERK OF THE TRIBUNAL:** All rise.