

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

THE M/V "SAIGA" CASE
(SAINT VINCENT AND THE GRENADINES v. GUINEA)
List of cases: No. 1

PROMPT RELEASE

ORDER OF 21 NOVEMBER 1997

1997

TRIBUNAL INTERNATIONAL DU DROIT DE LA MER

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE DU NAVIRE «SAIGA»
(SAINT-VINCENT-ET-LES-GRENADINES c. GUINÉE)
Rôle des affaires : No. 1

PROMPTE MAINLEVÉE

ORDONNANCE DU 21 NOVEMBRE 1997

Official citation:

*M/V "SAIGA" (Saint Vincent and the Grenadines v. Guinea),
Order of 21 November 1997, ITLOS Reports 1997, p. 10*

Mode officiel de citation :

*Navire «SAIGA» (Saint-Vincent-et-les-Grenadines c. Guinée),
ordonnance du 21 novembre 1997, TIDM Recueil 1997, p. 10*

21 NOVEMBER 1997
ORDER

M/V "SAIGA"
(SAINT VINCENT AND THE GRENADINES v. GUINEA)

PROMPT RELEASE

NAVIRE «SAIGA»
(SAINT-VINCENT-ET-LES-GRENADINES c. GUINÉE)

PROMPTE MAINLEVÉE

21 NOVEMBRE 1997
ORDONNANCE

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA



List of cases:
No. 1

THE M/V "SAIGA" CASE

SAINT VINCENT AND THE GRENADINES *v.* GUINEA

ORDER

Present: *President* MENSAH; *Vice-President* WOLFRUM; *Judges* CAMINOS, YANKOV, YAMAMOTO, KOLODKIN, BAMELA ENGO, NELSON, CHANDRASEKHARA RAO, AKL, ANDERSON, VUKAS, WARIOBA, LAING, TREVES, MARSIT, EIRIKSON, 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) Thomas A. MENSAH,
President.

(Signed) Gritakumar E. CHITTY,
Registrar.