

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

CASE NO. 27

**THE M/T “SAN PADRE PIO”**

**THE SWISS CONFEDERATION v. THE FEDERAL REPUBLIC OF NIGERIA**



**THIRD REPORT OF THE FEDERAL REPUBLIC OF NIGERIA WITH  
RESPECT TO THE PROVISIONAL MEASURES PRESCRIBED**

17 SEPTEMBER 2019

1. Pursuant to paragraphs 144 and 146(3) of the Tribunal's Order of 6 July 2019 and the letter of 29 August 2019 from the Legal Office of the Tribunal, the Federal Republic of Nigeria ("**Nigeria**") submits this *Third Report of the Federal Republic of Nigeria with respect to the Provisional Measures Prescribed*.
2. In the *Initial Report of the Federal Republic of Nigeria upon the Steps It Has Taken or Proposes to Take in Order to Ensure Compliance with the Measures Prescribed*, Nigeria reported to the Tribunal that it had fully complied with the provisional measures prescribed. Nigeria annexed to that initial report a *note verbale*, delivered to the Swiss Confederation ("**Switzerland**") on 22 July 2019, which conveyed Nigeria's willingness to provide assistance and to cooperate in good faith in carrying out the provisional measures.
3. In the *Second Report of the Federal Republic of Nigeria with respect to the Provisional Measures Prescribed*, Nigeria reported that it remained in full compliance with the provisional measures prescribed. Nigeria annexed thereto a *note verbale*, delivered to Switzerland on 8 August 2019, which repeated Nigeria's assurances that it "continues to be willing to provide such assistance as may be appropriate with respect to the Swiss Confederation's obligation to post the bond or other financial security, as required by paragraph 146(1)(a) of the Order, and to cooperate in good faith in the implementation of Switzerland's undertaking, as required by paragraph 146(1)(b)".
4. Despite Nigeria's repeated offers to cooperate with Switzerland in regard to the implementation of the Tribunal's Order of 6 July 2019, as far as Nigeria is aware, Switzerland has not posted the bond or other financial security, as required by paragraph 146(1)(a) of the Order. Nor, as far as Nigeria is aware, has Switzerland given the undertaking, as required by paragraph 146(1)(b).
5. Nigeria takes this opportunity to reiterate to the Tribunal and to Switzerland the assurances given in the aforementioned *notes verbales* in regard to the Tribunal's Order of 6 July 2019.
6. In light of the above, Nigeria remains in full compliance with the provisional measures prescribed by the Tribunal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'cuwandu', is written over a horizontal line.

Mrs. Chinwe Uwandu

Co-Agent of the Federal Republic of Nigeria

Director/Legal Adviser  
Ministry of Foreign Affairs  
Federal Republic of Nigeria

17 September 2019