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CASE No. 19 "VIRGINIA G"
ITLOS HAMBURG - 6 SEPTEMBER

I- SUBMISSIONS IN RELATION TO THE CLAIM.



For the reasons given in writing and in oral argument, or any of them, or for any other reason that the International Tribunal deems to be relevant, the Government of the Republic of Guinea-Bissau respectfully requests the International Tribunal to adjudge and declare that:

- 1- The International Tribunal has no jurisdiction about claims related to the vessel IBALLA G.
- 2- The claims submitted by Panama are inadmissible due to the nationality of VIRGINIA G, the absence of a right of diplomatic protection concerning foreigners, or the lacking exhaustion of local remedies, and should therefore be dismissed.

Alternatively, that:

- 1- The actions of the Republic of Guinea-Bissau did not violate the right of Panama and of the vessels flying her flag to enjoy freedom of navigation and other internationally lawful users of the sea, as set forth in terms of Article 58(1) of the Convention.
- 2- Guinea-Bissau laws can be applied for the purpose of controlling the bunkering to fishing vessels in the Exclusive Economic Zone.
- 3- Guinea-Bissau did not violate Article 56 (2) of the Convention.
- 4- Guinea-Bissau did not violate Article 73 (1) of the Convention.
- 5- Guinea-Bissau did not violate Article 73 (2) of the Convention.
- 6- Guinea-Bissau did not violate Article 73 (3) of the Convention.

7- Guinea-Bissau did not violate Article 73 (4) of the Convention.

8- Guinea-Bissau has not used excessive force in boarding and arresting the VIRGINIA G.

9- Guinea-Bissau did not violate the principles of Article 224 and 110 of the Convention.

10. Guinea-Bissau did not violate neither Article 225 of the Convention nor the SUA Convention, not even the principles of safety of life at sea and collision prevention.

11- Guinea-Bissau did not violate Article 300 of the Convention.

12- The Republic of Guinea-Bissau has no obligation to immediately return to Panama the discharged gasoil or to pay any compensation for it.

13- The Republic of Guinea-Bissau has no obligation to pay in favour of Panama, the VIRGINIA G, her owners, crew and any persons or entities with an interest on the vessel's operations any compensation for damages and losses.

14- The Republic of Guinea-Bissau has no obligation to give apologies to the Republic of Panama.

15- The Republic of Guinea-Bissau has no obligation to pay any interest.

16- The Republic of Guinea-Bissau has no obligation to pay costs and expenses incurred by Panama.

17- The Republic of Guinea-Bissau has no obligation to pay any compensation or relief to Panama, the VIRGINIA G, her owners, charterers or any other persons or entities with interest in the vessel's operation.

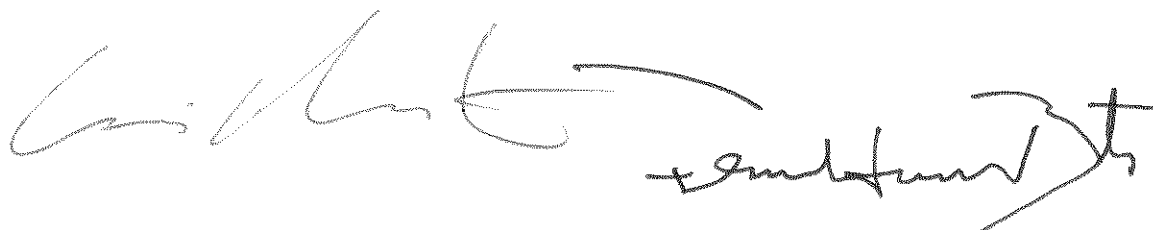
II- SUBMISSIONS IN RELATION TO THE COUNTER-CLAIM.

The Government of the Republic of Guinea-Bissau respectfully requests the International Tribunal to adjudge and declare that:

A- Panama violated Article 91 of the Convention.

B- Panama is to pay in favour of Guinea-Bissau compensation for damages and losses caused as a result of the aforementioned violation, in the amount quantified and claimed by Guinea-Bissau in Paragraph 266 of its Counter-Memorial, or in an amount deemed appropriate by the International Tribunal.

C- Panama is to reimburse all legal and other costs the Republic of Guinea-Bissau has incurred with this case.



LUÍS MENEZES LEITÃO FERNANDO LOUREIRO BASTOS

AGENTS AND COUNSELS FOR THE REPUBLIC OF GUINEA-BISSAU

Hamburg, 6 September 2013