



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

Press Release

(Issued by the Registry)

**GUINEA COMPLIES WITH JUDGMENT OF THE TRIBUNAL
- ARRESTED VESSEL RELEASED FROM DETENTION -**

HAMBURG, 6 March. The International Tribunal for the Law of the Sea received information on 4 March 1998 from Counsel for Saint Vincent and the Grenadines that Guinea has released the oil tanker, the M/V "SAIGA", its captain and its crew. Today, it was confirmed that Guinea has done so in compliance with the Judgment of the Tribunal of 4 December 1997. The Judgment called for the release of the arrested vessel and its crew, upon the deposit of a bond of US\$ 400,000 taking into consideration the value of the cargo, which was already with the Guinean authorities. The oil tanker and its crew are said to have left Conakry and to be safely berthed in the port of Dakar, Senegal. The two crew members, who were seriously injured by gunshot at the time of arrest, were earlier released.

The oil tanker M/V "SAIGA" flying the flag of Saint Vincent and the Grenadines was arrested off the coast of West Africa by Guinea. Guinea claims that the M/V "SAIGA" was engaged in smuggling activities off its coast and thus arrested. Saint Vincent and the Grenadines accuses Guinea of piracy, claiming a pattern of such activities against foreign vessels. The vessel and its crew had been arrested and held by Guinea since 28 October 1997.

The arrest and detention of the M/V "SAIGA" and its crew was brought to the Tribunal by Saint Vincent and the Grenadines initially for the limited purpose of securing the release of the vessel and crew. In this case, the Tribunal ordered the immediate release of the vessel on the deposit by Saint Vincent and the Grenadines of a bond for US\$ 400,000 in addition to the security of the cargo of gas oil valued US\$ one million, which had been discharged from the vessel by the Guinean authorities. Guinea has now complied with this Judgment.

The Tribunal is presently seized of the merits (the substance) of the dispute between Saint Vincent and the Grenadines and Guinea, which concerns many important law of the sea issues mainly relating to economic activities in the exclusive economic zone. The issues raised include: the freedom of navigation, the enforcement of customs laws, the bunkering of vessels and the right of hot pursuit (See Press Release No. 13). It also deals with recent developments, which include the filing of criminal charges against the Master of the M/V "SAIGA" resulting in a Guinean court imposing a fine of approximately US\$ fifteen million and ordering the confiscation of the vessel.

(more)

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Incidental to the case on the merits, Saint Vincent and the Grenadines has requested the Tribunal to prescribe provisional measures. Saint Vincent and the Grenadines requested that Guinea should not interfere with the freedom of navigation and related rights of Saint Vincent and the Grenadines. It further requested that Guinea suspend the application and effect of the judgements of the Guinean Courts concerning the M/V "SAIGA"; desist from enforcing these judgements; and desist from enforcing its customs laws within the exclusive economic zone.

The release of the vessel and its crew featured in the Request by Saint Vincent and the Grenadines for the prescription of provisional measures, on which hearings were held on 23 and 24 February 1998. The release of the vessel and its crew was only one aspect of this Request.

Among the reasons for Saint Vincent and the Grenadines to maintain the Request for provisional measures the communication of 4 March 1998 states the fear of repetition in the near future of similar arrests. The communication also stresses Saint Vincent and the Grenadines intention to proceed with the substantive claims for damages and other relief arising from the detention of the M/V "SAIGA".

The decision of the Tribunal on the Request for the prescription of provisional measures will be read at a public sitting of the Tribunal in the Albert-Schiefer-Room at the Chamber of Commerce of Hamburg on 11 March 1998 at 4.00 p.m.

Further details concerning the case are contained in Press Releases Nos. 8, 9, 10, 11, 12 and 13 of the Tribunal.

The Rules of the Tribunal, the Resolution on the Internal Judicial Practice, the Guidelines concerning the Preparation and Presentation of Cases, and previous Press Releases, setting out the background and the composition of the Tribunal are available on the United Nations website: <http://www.un.org/Depts/los/> and from the Registrar of the Tribunal. Requests may be addressed by telephone, facsimile or E-mail:
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