

# INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA



**YEAR 1999**

3 August 1999

List of cases:  
No. 4

## **REQUEST FOR THE PRESCRIPTION OF PROVISIONAL MEASURES PENDING THE CONSTITUTION OF AN ARBITRAL TRIBUNAL IN THE DISPUTE CONCERNING SOUTHERN BLUEFIN TUNA**

(AUSTRALIA *v.* JAPAN)

### **ORDER**

The President of the International Tribunal for the Law of the Sea,

Having regard to article 27 of the Statute of the Tribunal,

Having regard to the Notification submitted by Australia to Japan on 15 July 1999 instituting the proceedings provided for in Annex VII of the United Nations Convention on the Law of the Sea in the dispute concerning Southern Bluefin Tuna,

Having regard to the Request submitted by Australia on 30 July 1999, for the prescription of provisional measures by the Tribunal in accordance with article 290, paragraph 5, of the Convention,

Having regard to article 90, paragraph 2, of the Rules of the Tribunal, which provides that the Tribunal shall fix the earliest possible date for a hearing,

Having ascertained the views of the Parties,

*Fixes* 18 August 1999 as the date for the opening of the hearing;

*Reserves* the subsequent procedure for further decision by the Tribunal.

Done in English and in French, the English text being authoritative, in the Free and Hanseatic City of Hamburg, this third day of August, one thousand nine hundred and ninety-nine, in three copies, one of which will be placed in the archives of the Tribunal and the others transmitted to the Government of Australia and to the Government of Japan, respectively.

*(Signed)* Thomas A. MENSAH,  
President.

*(Signed)* Gritakumar E. CHITTY,  
Registrar.