

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA



YEAR 2016

29 November 2016

THE M/V “NORSTAR” CASE

(PANAMA v. ITALY)

ORDER

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

Having regard to articles 24 and 27 of the Statute of the Tribunal,

Having regard to articles 45, 46, 59, 60 and 97 of the Rules of the Tribunal,

Having regard to the Orders of the Tribunal of 3 February 2016, 15 March 2016 and 4 August 2016,

Having regard to the Judgment of the Tribunal of 4 November 2016 on the preliminary objections raised by Italy,

Makes the following Order.

Whereas, by an Application submitted to the Tribunal on 17 December 2015, the Republic of Panama (hereinafter “Panama”) instituted proceedings against the Italian Republic (hereinafter “Italy”) in a dispute concerning the arrest and detention of the M/V “Norstar”;

Whereas, during the consultations held by the President with the representatives of the Parties on 28 January 2016, the Parties indicated their wish that a time-limit of 6 months would apply to the submission of the Memorial and the Counter-Memorial;

Whereas, by Order of 3 February 2016, the President fixed 28 July 2016 and 28 January 2017 as the time-limits for the filing of a Memorial by Panama and a Counter-Memorial by Italy, respectively;

Whereas on 11 March 2016 Italy filed preliminary objections to the jurisdiction of the Tribunal and the admissibility of Panama's Application;

Whereas, pursuant to article 97, paragraph 3, of the Rules, the proceedings on the merits were suspended upon receipt of the preliminary objections by the Registry as stated in the Order of the Tribunal dated 15 March 2016;

Whereas, in its Judgment dated 4 November 2016, the Tribunal found that it has jurisdiction to adjudicate upon the dispute and that the Application filed by Panama is admissible;

Whereas, at the request of the President, a letter dated 4 November 2016 was sent to the Parties by the Registrar to ascertain their views with regard to the further procedure in respect of the case;

Whereas the views of the Parties were communicated to the Tribunal by Panama in a communication received on 15 November 2016 and by Italy in communications received on 12 and 21 November 2016.

THE PRESIDENT

Having ascertained the views of the Parties,

Fixes the following time-limits for the filing of the Memorial and the Counter-Memorial:

11 April 2017 for the Memorial of Panama;
11 October 2017 for the Counter-Memorial of Italy; and

Reserves the subsequent procedure for further decision.

Done in English and in French, both texts being equally authoritative, in the Free and Hanseatic City of Hamburg, this twenty-ninth day of November, two thousand and sixteen, in three copies, one of which will be placed in the archives of the Tribunal and the others transmitted to the Government of the Republic of Panama and the Government of the Italian Republic, respectively.



Vladimir GOLITSYN
President



Philippe GAUTIER
Registrar