

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA



YEAR 2017

15 November 2017

THE M/V “NORSTAR” CASE

(PANAMA v. ITALY)

ORDER

Present: President PAIK; Vice-President ATTARD; Judges NDIAYE, JESUS, COT, LUCKY, PAWLAK, YANAI, KATEKA, HOFFMANN, GAO, BOUGUETAIA, KELLY, KULYK, GÓMEZ-ROBLEDÓ, HEIDAR, CABELLO, CHADHA, KITTICHAISAREE, KOLODKIN, LIJNZAAD; Judges ad hoc TREVES, EIRIKSSON; Registrar GAUTIER.

The International Tribunal for the Law of the Sea (hereinafter “the Tribunal”),

Composed as above,

After deliberation,

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

Having regard to articles 45, 46, 59 and 60 of the Rules of the Tribunal (hereinafter “the Rules”),

Having regard to the Order of the President of 29 November 2016,

Makes the following Order:

Whereas, pursuant to the Order of 29 November 2016, the President fixed 11 April 2017 and 11 October 2017 as the time-limits for the filing, respectively, of the Memorial of Panama and the Counter-Memorial of Italy; and whereas the Memorial and the Counter-Memorial were filed on those dates;

Whereas, on 6 November 2017, the President held consultations with the representatives of the Parties pursuant to article 45 of the Rules;

Whereas, during those consultations, Panama expressed the view that a second round of written pleadings was necessary while Italy stated that, although it did not consider a second round necessary, it would not object to a decision of the Tribunal authorizing a second round of written pleadings;

Whereas, during the said consultations, the Parties also expressed their views regarding the time-limits for the filing of a reply and a rejoinder, should the Tribunal find it necessary to authorize the submission of these pleadings; and whereas Panama stated that a time-limit of three months would be sufficient and Italy expressed preference for a time-limit of four months;

Whereas the Tribunal, having ascertained the views of the Parties, finds that the submission of a Reply by Panama and a Rejoinder by Italy is necessary;

THE TRIBUNAL

Authorizes the submission of a Reply by Panama and a Rejoinder by Italy,

Fixes the following time-limits for the filing of those pleadings in this case:

28 February 2018 for the Reply of Panama,
13 June 2018 for the Rejoinder 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 fifteenth day of November, two thousand and seventeen, in three copies, one of which will be placed in the archives of the Tribunal and the others transmitted to the Government of Panama and to the Government of Italy, respectively.



Jin-Hyun PAIK,
President



Philippe GAUTIER,
Registrar