

**Contribution to the report of the Secretary-General  
on oceans and the law of the sea**

1. The International Tribunal for the Law of the Sea (“the Tribunal”) delivered its judgment in the *M/V “Virginia G” Case (Panama/Guinea-Bissau)* (Case No. 19) on 14 April 2014. It issued an order prescribing provisional measures in the *“Arctic Sunrise” Case (Kingdom of the Netherlands v. Russian Federation)* (Case No. 22) on 22 November 2013. As of 1 June 2014, one case remains pending before the Tribunal: *Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission (SRFC), (Request for Advisory Opinion submitted to the Tribunal)* (Case No. 21).

2. *Case No. 19.* The case concerned the *M/V Virginia G*, an oil tanker flying the flag of Panama, arrested on 21 August 2009 by the authorities of Guinea-Bissau for allegedly carrying out unauthorized bunkering activities in support of foreign vessels fishing in Guinea-Bissau’s exclusive economic zone. The vessel and the gas oil on board were confiscated on 27 August 2009. Subsequently, the vessel was released by decision of the authorities of Guinea-Bissau, which was notified to the ship-owner on 6 October 2010. In its Judgment, the Tribunal decided that it had jurisdiction over the dispute and rejected the objections raised by Guinea-Bissau to the admissibility of Panama’s claims and based on the lack of genuine link, nationality of claims and the rule of exhaustion of local remedies. On the merits, the Tribunal had to consider the allegations of Panama that Guinea-Bissau had violated a number of provisions of the United Nations Convention on the Law of the Sea (“the Convention”) when it arrested, and later confiscated the *M/V Virginia G*. In this regard, the Tribunal found that Guinea-Bissau did not violate Panama’s right under article 58, paragraph 1, and article 56, paragraph 2, of the Convention by regulating bunkering of foreign vessels fishing in the exclusive economic zone of Guinea-Bissau. It further decided that by boarding, inspecting and arresting the *M/V Virginia G*, Guinea-Bissau did not violate article 73, paragraph 1, of the Convention. The Tribunal found, however, that by confiscating the *M/V Virginia G* and the gas oil on board, Guinea-Bissau violated article 73, paragraph 1, of the Convention, and that by failing to notify Panama, as the flag State, of the arrest and detention of the *M/V Virginia G* and subsequent actions taken against the vessel and its cargo, it also violated the requirements of article 73, paragraph 4, of the Convention. As regards other allegations of Panama, the Tribunal found that Guinea-Bissau did not violate either article 73, paragraphs 2 and 3, of the Convention or principles reflected in articles 110 and 224 of the Convention. It also decided that Guinea-Bissau did not violate

3. *Case No. 22.* On 4 October 2013, the Netherlands sent to the Russian Federation a notification instituting arbitral proceedings under Annex VII to the Convention, in a dispute concerning the boarding and detention of the vessel

disputes related to the law of the sea in different regions of the world. The purpose of these workshops is to provide government experts working on maritime and law of the sea matters with insight into the procedures for the settlement of disputes contained in Part XV of the Convention, with special emphasis on the jurisdiction of the Tribunal and the procedural rules applicable to cases before the Tribunal. On 5 and 6 June 2013, the Tribunal organized a regional workshop in Mexico in cooperation with the Government of Mexico. Representatives of 16 States from the region participated in the workshop.