

INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA

GUIDELINES CONCERNING THE PREPARATION AND
PRESENTATION OF CASES BEFORE THE TRIBUNAL

(ISSUED BY THE INTERNATIONAL TRIBUNAL FOR
THE LAW OF THE SEA ON 28 October 1997)

The Tribunal,

Acting pursuant to article 50 of the Rules of the Tribunal,

Issues the following Guidelines.

WRITTEN PROCEEDINGS

1. Every pleading and its supporting documents should be printed or typewritten or prepared electronically in the format 19 x 26 cm (7 1/2" x 10 1/4"). In addition, parties should present the text of their pleadings in electronic form. The parties should consult the Registry's *Rules for the Preparation of Typed and Printed Texts*.
2. A pleading should be as short as possible.
3. Every pleading should contain a table of contents with a list of documents, including material in electronic or digital form. The table and list should be placed at the beginning of the pleading but before the commencement of Part I.
4. Every pleading and its supporting documents should be arranged, where practicable, in two parts, viz., Part I - memorial or counter-memorial or reply or rejoinder, as the case may be, and Part II - documents in support. The documents should be arranged in the same order as in the table of contents. Each document should be given a heading which should be repeated at the top of each page over which the document extends.
5. If the reproduction in large numbers of a particular annex (e.g., a large map) presents technical problems, the matter should be raised with the Registrar at the earliest opportunity, so that appropriate arrangements can be made.
6. Every pleading should be divided into paragraphs, numbered consecutively, each paragraph being confined to a distinct portion of the subject. It should contain at the end of Part I a short summary of the arguments together with the page and paragraph numbers within which such arguments may be found. The name of the other party and the name and address of the agent should be clearly and properly stated.
7. Whenever the contents of any document are to be referred to in a pleading, it will be sufficient if the pleading states the effect thereof as briefly as possible, without setting out the whole document or any part thereof, unless the precise words of such a document or any part thereof are material.

8. A party should in its pleading deal specifically with each allegation of fact in the pleading of the other party of which it does not admit the truth; it will not be sufficient for it to deny generally the facts alleged by the other party.
9. Unless otherwise specified by the Registrar, each party should furnish to the Registry 125 additional copies of its pleading with supporting documents.
10. Upon receipt of a pleading, the Registrar will endorse on it the date of its receipt in the Registry. All pleadings, documents and other communications may be submitted to the Tribunal directly in person or through courier or regular mail. They may also be submitted through facsimile or electronic means in clear form. In determining whether a party has submitted its pleadings, documents or other communications within the time-limits fixed by or under the Rules, the date on which the Tribunal receives them through facsimile or electronically will be regarded as the material date provided they are followed without unreasonable delay by the paper originals thereof.
11. Where a pleading or an application or a declaration does not satisfy the formal requirements of the Rules of the Tribunal, the Registrar will return the same to the party seeking to file it for rectification. Where necessary, the Registrar will consult the President. In determining whether a party has submitted a pleading, etc., within the time-limit fixed by or under the Rules, the time taken by the Registrar to examine whether the pleading satisfies the requirements of the Rules will be excluded.
12. The time-limits fixed in each case for the filing of the pleadings are not to be understood by the parties as authorizations to hold back a pleading until the last possible moment.
13. It is not a strict requirement that the parties print their pleadings, though this remains an option. If independently printed pleadings are submitted, it is requested that all diskettes and films used for that production be made available to the Registry on request in due course, particularly those which have been used to produce maps in colour.

ORAL PROCEEDINGS

14. Each party should submit to the Tribunal, prior to the opening of the oral proceedings, (a) a brief note on the points which in its opinion constitute the issues that still divide the parties; (b) a brief outline of the arguments that it wishes to make in its oral statement; and (c) a list of authorities, including, where appropriate, relevant extracts from such authorities, proposed to be relied upon in its oral statement. None of these materials will be treated as documents or parts of the pleadings.
15. The oral statements should be as succinct as possible and should not repeat the facts and arguments contained in the written pleadings.
16. The parties should keep within the time allotted for the presentation of their oral statements.
17. Unless otherwise decided, the Tribunal sits between 09.00 and 13.00 on all days on which the Tribunal holds oral proceedings.
18. Visual demonstration facilities for display of maps, charts, diagrams, illustrations of texts, etc., which a party intends to exhibit to the Tribunal will at the request of that party be provided by the Registrar upon payment of fees, if any, fixed for that purpose.

ADVISORY PROCEEDINGS

19. These Guidelines apply, *mutatis mutandis*, to advisory proceedings as they apply to contentious proceedings.

Thomas A. MENSAH,
President.

Gritakumar E. CHITTY,
Registrar.