

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

CASE NO. 27

**THE M/T “SAN PADRE PIO”**

**THE SWISS CONFEDERATION v. THE FEDERAL REPUBLIC OF NIGERIA**

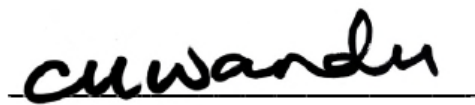


**SECOND REPORT OF THE FEDERAL REPUBLIC OF NIGERIA WITH  
RESPECT TO THE PROVISIONAL MEASURES PRESCRIBED**

16 AUGUST 2019

1. Pursuant to paragraphs 144 and 146(3) of the Tribunal's Order of 6 July 2019 and the letter of 29 July 2019 from the Registrar of the Tribunal, the Federal Republic of Nigeria ("**Nigeria**") submits this *Second Report of the Federal Republic of Nigeria with respect to the Provisional Measures Prescribed*. Nigeria's report is submitted on this date in accordance with the Registrar's letter of 31 July 2019, which informed Nigeria that the Tribunal had acceded to a request from the Swiss Confederation ("**Switzerland**") to extend the deadline for the submission of such reports from 9 August 2019 to 16 August 2019.
2. In the *Initial Report of the Federal Republic of Nigeria upon the Steps It Has Taken or Proposes to Take in Order to Ensure Compliance with the Measures Prescribed*, Nigeria reported to the Tribunal that it has fully complied with the provisional measures prescribed in the Order of 6 July 2019.
3. Nigeria annexed to its initial report a *note verbale*, delivered to Switzerland on 22 July 2019, which conveyed Nigeria's willingness to provide assistance and to cooperate in good faith in carrying out the provisional measures ordered by the Tribunal.
4. Nigeria observes that Switzerland's *Initial Report Regarding the Provisional Measures Prescribed by the Tribunal on 6 July 2019 in the M/T "San Padre Pio" Case* indicates that Switzerland has "taken note of the provisional measures prescribed" and is working to take the "necessary steps, on its side, with regard to the implementation of the measures". Switzerland's report further indicates that those steps are said to involve "various actors".
5. By *note verbale* transmitted to Switzerland on 8 August 2019, Nigeria provided assurances to Switzerland that, "insofar as the Swiss Confederation considers the Federal Republic of Nigeria to be one of the actors referred to in its initial report", Nigeria "continues to be willing to provide such assistance as may be appropriate with respect to the Swiss Confederation's obligation to post the bond or other financial security, as required by paragraph 146(1)(a) of the Order, and to cooperate in good faith in the implementation of Switzerland's undertaking, as required by paragraph 146(1)(b)". A copy of Nigeria's *note verbale* of 8 August 2019 is annexed hereto.
6. In light of the above, Nigeria remains in full compliance with the provisional measures prescribed by the Tribunal.

Respectfully submitted,

A handwritten signature in black ink, reading "cuwandu", is written over a horizontal line.

Mrs. Chinwe Uwandu

Co-Agent of the Federal Republic of Nigeria

Director/Legal Adviser  
Ministry of Foreign Affairs  
Federal Republic of Nigeria

16 August 2019

NOTE NO: E 122/2019

The Ministry of Foreign Affairs of the Federal Republic of Nigeria presents its compliments to the Embassy of the Swiss Confederation and has the honour to refer to the *Order of 6 July 2019 rendered by the International Tribunal for the Law of the Sea in The M/T "San Padre Pio" Case* and to the *Initial report regarding the provisional measures prescribed by the Tribunal on 6 July 2019*, which the Swiss Confederation has submitted to the Tribunal.

The Ministry of Foreign Affairs of the Federal Republic of Nigeria observes that the Swiss Confederation's initial report states that the Swiss Confederation is working with a view to taking the "necessary steps" for the implementation of the Order of 6 July 2019 and that those steps involve "various actors."

The Ministry of Foreign Affairs of the Federal Republic of Nigeria provides its assurances to the Swiss Confederation that, insofar as the Swiss Confederation considers the Federal Republic of Nigeria to be one of the actors referred to in its initial report, the Federal Republic of Nigeria continues to be willing to provide such assistance as may be appropriate with respect to the Swiss Confederation's obligation to post the bond or other financial security, as required by paragraph 146(1)(a) of the Order, and to cooperate in good faith in the implementation of Switzerland's undertaking, as required by paragraph 146(1)(b).

The Ministry of Foreign Affairs of the Federal Republic of Nigeria avails itself of this opportunity to renew to the Embassy of Switzerland the assurances of its highest consideration. *6*



Embassy of Switzerland  
157, Ademola Adetokunbo Crescent,  
Wuse II,  
Abuja.

The original copy received by  
Mr Olaseni Michael  
*[Signature]*  
7/8/19