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**PCA PRESS RELEASE**

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**ARBITRATION BETWEEN THE ITALIAN REPUBLIC AND THE REPUBLIC OF INDIA**

**THE HAGUE, 20 January 2016**

**Arbitral Tribunal Holds First Procedural Meeting in Arbitration Concerning the “Enrica Lexie” Incident**

On 18 January 2016, the Arbitral Tribunal in an arbitration between the Italian Republic and the Republic of India held a first procedural meeting at the headquarters of the Permanent Court of Arbitration (PCA) at the Peace Palace, The Hague.

At the meeting, the Arbitral Tribunal discussed the procedural framework for the arbitration with representatives of both Parties. On the basis of that discussion, the Arbitral Tribunal issued, on 19 January 2016, Rules of Procedure for the arbitral proceedings.

The Tribunal also issued a Procedural Order concerning the timetable for dealing with a request for provisional measures that had been filed by Italy on 11 December 2015. According to that Procedural Order, India shall submit a response to Italy’s request for provisional measures no later than 26 February 2016. A hearing on provisional measures will then be held on 30 and 31 March 2016 at the Peace Palace in The Hague.

The Rules of Procedure and the Arbitral Tribunal’s Procedural Order have been published on the PCA Case Repository (<http://www.pcacases.com/web/view/117>).

The arbitral proceedings were instituted by Italy on 26 June 2015, when Italy served India with a notification of dispute under Article 287 and Annex VII, Article 1 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). According to Italy, the Parties’ dispute arises from “an incident approximately 20.5 nautical miles off the coast of India involving the *MV Enrica Lexie*, an oil tanker flying the Italian flag, and India’s subsequent exercise of criminal jurisdiction over two Italian Marines from the Italian Navy ... in respect of that incident”. According to India, the “incident” in question concerns the killing of two Indian fishermen, on board an Indian vessel named the *St. Antony*, allegedly by two Italian marines stationed on the *Enrica Lexie*, and the subsequent exercise of jurisdiction by India.

The Arbitral Tribunal is composed of Professor Francesco Francioni, Judge Jin-Hyun Paik, Judge Patibandla Chandrasekhara Rao and Judge Patrick Robinson as arbitrators, and Judge Vladimir Golitsyn as arbitrator and President of the Arbitral Tribunal.

The PCA acts as Registry in the arbitration by agreement of the Parties. The PCA is an independent intergovernmental organization established by the 1899 Hague Convention on the Pacific Settlement of International Disputes. The PCA has 117 Member States, including India and Italy. Headquartered at the Peace Palace in The Hague, the Netherlands, the PCA facilitates arbitration, conciliation, fact-

finding and other dispute resolution proceedings among various combinations of States, State entities, intergovernmental organizations, and private parties. The PCA has served as Registry in numerous arbitrations between States, including in twelve cases brought under Annex VII of UNCLOS.

Further information about the status of the proceedings will periodically be made available on the PCA Case Repository.

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