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PCA PRESS RELEASE

UKRAINE V. THE RUSSIAN FEDERATION

THE HAGUE, 22 MAY 2017

First Procedural Meeting in Arbitration under Law of the Sea Convention

On 12 May 2017, the Tribunal in an arbitration instituted by Ukraine against the Russian Federation in respect of a “dispute concerning coastal state rights in the Black Sea, Sea of Azov, and Kerch Strait” held its first procedural meeting. The meeting took place at the Peace Palace, The Hague, at the premises of the Permanent Court of Arbitration (PCA), which acts as Registry for the proceedings.

During the meeting, the Tribunal consulted the Parties in respect of the procedural framework for the arbitration, including the calendar for oral and written pleadings. The delegation of Ukraine was led by H.E. Ms. Olena Zerkal, Deputy Foreign Minister of Ukraine, as Agent. The delegation of the Russian Federation was led by H.E. Mr. Roman A. Kolodkin, Director, Legal Department, Ministry of Foreign Affairs of the Russian Federation, as Agent.

On 18 May 2017, the Tribunal adopted Rules of Procedure for the arbitration in light of the discussion at the first procedural meeting. The Tribunal’s Rules of Procedure and press photographs of the meeting are available for download on the PCA Case Repository.

The arbitral proceedings were instituted on 16 September 2016 when Ukraine served on the Russian Federation a Notification and Statement of Claim¹ under Annex VII to the 1982 United Nations Convention on the Law of the Sea (UNCLOS). The Notification and Statement of Claim refers to a “dispute concerning coastal state rights in the Black Sea, Sea of Azov, and Kerch Strait”.

The five-member Tribunal is chaired by Judge Jin-Hyun Paik as President (a national of Korea). The other members are Judge Boualem Bouguetaia (Algeria), Judge Alonso Gómez-Robledo (Mexico), Judge Vladimir Vladimirovich Golitsyn (Russian Federation), and Professor Vaughan Lowe QC (United Kingdom). Professor Lowe was appointed by Ukraine. Judge Golitsyn was appointed by the Russian Federation. Judges Paik, Bouguetaia, and Gómez-Robledo were appointed in accordance with the procedure set out in UNCLOS Annex VII, Article 3, paragraph 2.

Further information about the proceedings is available on the PCA Case Repository (<http://www.pcacases.com>). In accordance with the Rules of Procedure, the PCA, after consultation with the Parties, will issue press releases from time to time, concerning the status of the proceedings. Moreover, procedural orders and decisions of the Arbitral Tribunal will be made publicly available on the website of the Permanent Court of Arbitration seven days after they have been notified to the Parties. Further, any award of the Tribunal will be made public unless both Parties object.

¹ The full title of the document is “Notification under Article 287 and Annex VII, Article 1 of UNCLOS and Statement of the Claim and Grounds on which it is Based”.

The PCA is an independent intergovernmental organization established by the 1899 Hague Convention on the Pacific Settlement of International Disputes. The PCA has 121 Contracting Parties, including the Russian Federation and Ukraine. 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 acted as Registry in numerous arbitrations and conciliations between States, including in 14 proceedings under UNCLOS.

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