

PCA Case No. 2017-06

IN THE MATTER OF AN ARBITRATION

- before -

AN ARBITRAL TRIBUNAL CONSTITUTED UNDER ANNEX VII
TO THE 1982 UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

- between -

UKRAINE
(APPLICANT)

- and -

THE RUSSIAN FEDERATION
(RESPONDENT)

- in respect of -

Dispute Concerning Coastal State Rights in the Black Sea, Sea of Azov, and Kerch Strait

PROCEDURAL ORDER NO. 4
Regarding the Timetable for the Parties' Written Pleadings on Jurisdiction

ARBITRAL TRIBUNAL:

Judge Jin-Hyun Paik (President)
Judge Boualem Bouguetaia
Judge Alonso Gómez-Robledo
Judge Vladimir Golitsyn
Professor Vaughan Lowe

REGISTRY:

The Permanent Court of Arbitration

WHEREAS on 20 August 2018, the Arbitral Tribunal unanimously adopted Procedural Order No. 3, deciding that “the Preliminary Objections of the Russian Federation shall be addressed in a preliminary phase of these proceedings”, and ordering:

The proceedings on the merits are hereby suspended, and the President of the Arbitral Tribunal, after ascertaining the views of the Parties, will fix time-limits for further pleadings in accordance with Article 10, paragraph 5, of the Rules of Procedure.

WHEREAS Article 10, paragraph 5, of the Rules of Procedure provides:

In the event that some or all of the Preliminary Objection(s) are addressed in a preliminary phase, the proceedings on the merits shall be suspended and the President of the Arbitral Tribunal, after ascertaining the views of the Parties, shall fix a time-limit not exceeding three (3) months within which Ukraine may present its written observations and submissions. The President shall fix a further time-limit not exceeding two (2) months from the receipt of Ukraine’s observations and submissions within which the Russian Federation may submit its Reply, and the same time-limit from the receipt of the Russian Federation’s Reply within which Ukraine may submit its Rejoinder.

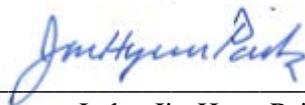
WHEREAS on 21 August 2018, in accordance with Article 10, paragraph 5, of the Rules of Procedure, the President of the Arbitral Tribunal proposed to the Parties possible dates for the submission of their respective written pleadings on jurisdiction, and invited the Parties’ respective comments;

WHEREAS on 23 and 24 August 2018, the Parties conveyed their views, indicating their agreement with the proposal of the President of the Arbitral Tribunal;

NOW, the President of the Arbitral Tribunal, having regard to Article 10, paragraph 5, of the Rules of Procedure and having ascertained the views of the Parties, establishes the following timetable for the Parties’ further written pleadings on jurisdiction:

Date	Pleading
By 27 November 2018	Written Observations and Submissions of Ukraine
By 28 January 2019	Reply of the Russian Federation
By 28 March 2019	Rejoinder of Ukraine

Dated: 27 August 2018



Judge Jin-Hyun Paik
President