



PRESS RELEASE

DISPUTE CONCERNING COASTAL STATE RIGHTS IN THE BLACK SEA, SEA OF AZOV, AND KERCH STRAIT (UKRAINE V. THE RUSSIAN FEDERATION)

THE HAGUE, 23 MAY 2019

Hearing Concerning Preliminary Objections of the Russian Federation

As announced in a press release issued by the Permanent Court of Arbitration (“PCA”) on 16 April 2019, a hearing in the arbitration instituted by Ukraine against the Russian Federation will be held from 10 June to 14 June 2019 at the seat of the PCA, at the Peace Palace, The Hague, in the Netherlands. The hearing will address the preliminary objections raised by the Russian Federation.

Hearing Schedule

In accordance with the schedule fixed by the Tribunal, the hearing will be conducted in two rounds. On Monday, 10 June 2019, the Russian Federation will deliver its first round of oral arguments. On Tuesday, 11 June 2019, Ukraine will deliver its first round of oral arguments. On Thursday, 13 June 2019, the Russian Federation will present its second round of oral arguments. On Friday, 14 June 2019, Ukraine will present its second round of oral arguments.

Public Access to the Hearing

Pursuant to Article 27(3) of the Rules of Procedure, only the opening statement made by each Party’s Agent in the first round of oral pleadings will be open to the public. The opening statement of the Russian Federation will be delivered on Monday, 10 June 2019, at 10 am; the statement is expected to conclude by 10:30 am. The opening statement of Ukraine will be delivered on Tuesday, 11 June 2019, at 10 am; the statement is expected to conclude by 10:30 am.

No public access will be available for the remainder of the hearing in any form. However, under Article 27(4) of the Rules of Procedure, transcripts for the entirety of the hearing shall be published together with the Tribunal’s final award, subject to any redactions of confidential information authorized by the Tribunal.

Live-streaming on the Internet

The opening statement made by each Party’s Agent in the first round of oral pleadings will be webcast on the internet via live-streaming. Details concerning the live-streaming of the opening statements will be published on the website of the PCA shortly before the hearing.

Attendance by Members of the Diplomatic Corps

Interested members of the diplomatic corps are also welcome to follow the opening statement made by each Party’s Agent in the first round of oral pleadings on screen, in a designated viewing area at the Peace Palace.

In view of the limited capacity of the venue, seats will be assigned as a matter of priority to members of the diplomatic corps. The PCA requests members of the diplomatic corps who plan to attend the hearing to notify it accordingly by 6 June 2019, by e-mail to registration@pca-cpa.org.

Attendance by Representatives of the Press

Representatives of the press may follow the opening statement made by each Party's Agent in the first round of oral pleadings on screen in a designated press area at the Peace Palace.

On the first day of the hearing, press photographers will be allowed to take photographs in the hearing room before the start of the Parties' statements. No photography will be permitted once the Parties' statements have begun, and photographers will be asked to leave the hearing room at that stage. In addition, a selection of high-resolution pictures taken by a professional photographer on the PCA's behalf will be made available on the PCA Case Repository (<https://pca-cpa.org/en/cases/149/>). These photographs may be freely downloaded and reproduced, with appropriate credit.

Interested representatives of the press are required to register by 6 June 2019, by sending an e-mail to registration@pca-cpa.org, enclosing the registration form attached to the present Press Release. Should the number of registrants exceed the number of available seats, the PCA will allocate seats on a first-come-first-served basis. Confirmation of attendance will be communicated by e-mail on 7 June 2019. Only those registrants who have received advance confirmation from the PCA will be granted access to the Peace Palace.

Representatives of the press are kindly asked to arrive at the Peace Palace no later than 30 minutes before the start of the hearing, to allow the requisite security procedures to be completed. Representatives from the press are also kindly requested to leave the Peace Palace premises by 2:30 pm.

Representatives of States involved in PCA proceedings occasionally agree to provide interviews after sittings. Please note that the PCA does not facilitate or arrange such interview requests. Journalists are kindly asked to conduct such interviews either in the Palace entry hall or on the entrance steps (and in no case in the hearing room).

In the press area, television crews will be able to connect to the video and audio stream. The following connections will be made available: 10x audio with a XLR connection, 10x HD-SDI Video with embedded audio 1080i, 50 Hz, 10x SDI video with embedded audio 720i, 50Hz.

Attendance by Members of the General Public

Members of the general public wishing to follow the opening statement made by each Party's Agent in the first round of oral pleadings directly at the Peace Palace must notify the PCA accordingly by 6 June 2019, by e-mail to registration@pca-cpa.org. Confirmation of attendance will be communicated by e-mail. Only those members of the general public who have received advance confirmation from the PCA will be granted access to the Peace Palace.

Upon prior registration and confirmation, members of the general public will be able to follow the Parties' opening statements on screen, in a designated viewing area at the Peace Palace. Any seats available for the general public will be allocated in order of registration, on a first-come-first-served basis.

Those members of the general public who have received confirmation from the PCA are kindly asked to arrive at the Peace Palace no later than 30 minutes before the start of the hearing, to allow the requisite security procedures to be completed. They are kindly requested to leave the Peace Palace premises as soon as the Parties' opening statements have concluded.

Parking

No parking is allowed on the Peace Palace grounds, and all vehicles should be parked in the neighbouring streets. Media wishing to use satellite vehicles on the Peace Palace grounds are requested to obtain further information by sending an e-mail to registration@pca-cpa.org. It should be noted, however, that the Peace Palace is not equipped with a power supply for satellite vehicles.

Background of the Dispute

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 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 the Republic 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 Article 3, paragraph 2, of Annex VII to the UNCLOS. The PCA acts as Registry for the proceedings.

Further information about the proceedings is available on the PCA Case Repository (<https://pca-cpa.org/en/cases/149/>). In accordance with the Rules of Procedure, the PCA, after consultation with the Parties, will from time to time issue press releases, concerning the status of the proceedings. Moreover, procedural orders and decisions of the Tribunal will be made publicly available on the website of PCA seven days after they have been notified to the Parties. Further, any award of the Tribunal will be made public unless both Parties object.

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Background on the Permanent Court of Arbitration

The Permanent Court of Arbitration is an intergovernmental organization established by the 1899 Hague Convention on the Pacific Settlement of International Disputes. The PCA has 122 Contracting Parties. 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’s International Bureau is currently administering three inter-state disputes, 106 investor-State arbitrations, and 54 cases arising under contracts involving a State or other public entity and two other disputes. More information about the PCA can be found at www.pca-cpa.org.

The PCA has acted as Registry in numerous arbitrations and conciliations between States, including in 14 proceedings under UNCLOS.

Contact: Permanent Court of Arbitration
E-mail: bureau@pca-cpa.org

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”.