



## PRESS RELEASE

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

THE HAGUE, 7 JUNE 2019

#### Commencement of Hearing Concerning Preliminary Objections of the Russian Federation

As communicated in press releases issued by the Permanent Court of Arbitration (“PCA”) on 16 April 2019 and 23 May 2019, the hearing in the arbitration Concerning Coastal State Rights in the Black Sea, Sea of Azov, and Kerch Strait, instituted by Ukraine against the Russian Federation, will begin on 10 June 2019.

The hearing will address the preliminary objections raised by the Russian Federation, and will be held at the seat of the PCA, at the Peace Palace, The Hague, in the Netherlands.

#### *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.

#### *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. The live-stream may be accessed through the following link:

<https://pca-cpa.org/en/news/dispute-concerning-coastal-state-rights>

The opening statement of the Russian Federation will be delivered on Monday, 10 June 2019, at 10 a.m. (CEST); the statement is expected to conclude by 10:30 a.m. (CEST).

The opening statement of Ukraine will be delivered on Tuesday, 11 June 2019, at 10 a.m. (CEST); the statement is expected to conclude by 10:30 a.m. (CEST).

#### *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 transcripts for each Party’s opening statements shall be public and published at the PCA Case Repository (<https://pca-cpa.org/en/cases/149/>) in due course.

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 said portions of the hearing shall be published together

with the Tribunal’s final award, subject to any redactions of confidential information authorized by the Tribunal.

### *Publication of the Parties’ Written Pleadings*

In accordance with Article 27(2) of the Rules of Procedure, the Parties’ written pleadings on the Preliminary Objections, as well as any non-confidential documentary evidence related thereto, shall be published on 10 June 2019 at the PCA Case Repository (<https://pca-cpa.org/en/cases/149/>).

### **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 Claim<sup>1</sup> 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 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 55 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](http://www.pca-cpa.org).

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

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<sup>1</sup> 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”.