

**PRESS RELEASE****DISPUTE CONCERNING THE DETENTION OF UKRAINIAN NAVAL VESSELS AND SERVICEMEN
(UKRAINE V. THE RUSSIAN FEDERATION)**

THE HAGUE, 18 OCTOBER 2021

Conclusion of Hearing Concerning Preliminary Objections of the Russian Federation

On 15 October 2021, the Arbitral Tribunal constituted under Annex VII to the United Nations Convention on the Law of the Sea in the arbitration instituted by Ukraine against the Russian Federation on the Dispute Concerning the Detention of Ukrainian Naval Vessels and Servicemen concluded the hearing on the Russian Federation's Preliminary Objections.

The hearing, which commenced on 11 October 2021, was held at the seat of the Permanent Court of Arbitration ("PCA") at the Peace Palace, in The Hague, the Netherlands. The hearing took place in a hybrid format, with some of the members of the Parties' delegations and some of the members of the Arbitral Tribunal joining in person and others by videoconference.

The Russian Federation's Agent, H.E. Mr. Dmitry Lobach, Ambassador-at large, Ministry of Foreign Affairs of the Russian Federation, delivered the Russian Federation's opening statement in the first round of oral pleadings. Thereafter, the Russian Federation's Counsel and Advisers, Mr. Samuel Wordsworth QC, Ms. Amy Sander, Professor Alain Pellet, Professor Tullio Treves and Mr. Sergey Usoskin presented the Russian Federation's legal arguments.

Ukraine's Agent, Ms. Oksana Zolotaryova, Director of the International Law Department, Ministry of Foreign Affairs of Ukraine, delivered Ukraine's opening statement in the first round of oral pleadings. Thereafter, Ukraine's Counsel and Advocates, Ms. Marney L. Cheek, Professor Alfred H.A. Soons, Professor Jean-Marc Thouvenin, and Mr. David M. Zions presented Ukraine's legal arguments.

In accordance with Article 28(3) of the Rules of Procedure of the Arbitral Tribunal, the transcripts for each Agent's opening statements shall be public and published on the PCA website (<https://pca-cpa.org/en/cases/229/>) in due course. As for the remaining parts of the hearing, under Article 28(4) of the Rules of Procedure, transcripts of said portions shall be published together with the Arbitral Tribunal's final award, subject to any redactions of confidential information authorized by the Arbitral Tribunal.

The Arbitral Tribunal will commence its deliberations and issue an award in due course.

Background of the Dispute

The arbitral proceedings were instituted on 1 April 2019 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 the detention of Ukrainian naval vessels and servicemen.

¹ The full title of the document is "Notification under Article 287 and Annex VII, Article 1 of the United Nations Convention on the Law of the Sea and Statement of the Claim and Grounds on which it is Based".

The five-member Arbitral Tribunal is chaired by Professor Donald McRae as President (a national of Canada and New Zealand). The other members are Judge Gudmundur Eiriksson (Iceland), Judge Rüdiger Wolfrum (Germany), Judge Vladimir Vladimirovich Golitsyn (Russian Federation), and Sir Christopher Greenwood (United Kingdom). The PCA acts as Registry for the proceedings.

Further information about the proceedings is available on the PCA website at <https://pca-cpa.org/en/cases/229/>. 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 Arbitral Tribunal will be made publicly available on the PCA website seven days after they have been notified to the Parties. Further, any award of the Arbitral Tribunal will be made public unless both Parties agree otherwise.

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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 7 inter-state disputes, 112 investor-State arbitrations, 63 cases arising under contracts involving a State or other public entity, and 2 other disputes. More information about the PCA can be found at www.pca-cpa.org.

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

Annex: Overview of photographs available for download

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HEARING ON THE RUSSIAN FEDERATION'S PRELIMINARY OBJECTIONS

PEACE PALACE, THE HAGUE, 11-15 OCTOBER 2021

PHOTOGRAPHS ACCOMPANYING POST-HEARING PRESS RELEASE

(High-quality versions of these photos may be downloaded from

<https://pca-cpa.org/en/cases/229/>)

1. Hearing in session



2. Hearing in session



3. H.E. Mr. Dmitry Lobach, Agent of the Russian Federation



4. Ms. Oksana Zolotaryova, Agent of Ukraine

