



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 AUGUST 2024

Arbitral Tribunal Schedules Hearing on the Merits and Remaining Issues of Jurisdiction and Admissibility

In its Procedural Order No. 12, adopted on 30 July 2024, the Arbitral Tribunal constituted under Annex VII to the United Nations Convention on the Law of the Sea (“UNCLOS”) in the arbitration instituted by Ukraine against the Russian Federation has scheduled a hearing on the merits and remaining issues of jurisdiction and admissibility. The hearing will be held from 23 September to 5 October 2024 at the seat of the Permanent Court of Arbitration (“PCA”) at the Peace Palace, The Hague, the Netherlands.

The Arbitral Tribunal issued an Award Concerning the Preliminary Objections of the Russian Federation on 21 February 2020. Pursuant to the timetable for further proceedings set by the Arbitral Tribunal in Procedural Order No. 6, adopted on 21 February 2020, and most recently revised in Procedural Order No. 11, adopted on 29 September 2023, the Parties submitted written pleadings, witness statements, expert reports, fact exhibits, and legal authorities.

Following completion of the written phase of the proceedings, and after ascertaining the views of the Parties, the Arbitral Tribunal, in Procedural Order No. 12, confirmed the dates for the hearing and determined the modalities for public access of the hearing.

Public Access of the Hearing

Pursuant to Article 27(3) of the Rules of Procedure and in accordance with the Parties’ agreement, the opening and closing statements made by each Party’s Agent will be open to the public. The opening and closing statements will be live-streamed on the website of the PCA. A limited number of members of the public, including accredited press representatives and members of the diplomatic corps, will also be able to follow the stream of the opening and closing statements in a separate viewing room directly at the Peace Palace.

Further details, including the modalities for attending the hearing, will be communicated by the PCA in due course.

Background to 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 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”.

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 five-member Arbitral 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), Professor Alexander Vylegzhanin (Russian Federation), and Professor Vaughan Lowe KC (United Kingdom). Professor Lowe was appointed by Ukraine. Professor Vylegzhanin 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 Arbitral 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 Arbitral 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 6 interstate arbitrations, 1 other inter-state proceeding, 98 arbitrations arising under bilateral or multilateral investment treaties or national investment laws 100 cases arising under contracts involving a State or other public entity, and 5 other proceedings. 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.

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