



PRESS RELEASE

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

THE HAGUE, 2 DECEMBER 2019

Procedural Hearing in Arbitration under Law of the Sea Convention

On 21 November 2019, the Arbitral Tribunal in an arbitration instituted by Ukraine against the Russian Federation in respect of a dispute concerning the detention of Ukrainian naval vessels and servicemen (PCA Case No. 2019-28) held a procedural hearing. The meeting took place at the Peace Palace, The Hague, at the premises of the Permanent Court of Arbitration (PCA), which acts as Registry for the proceedings.

During the meeting, the Arbitral Tribunal consulted the Parties in respect of the procedural framework for the arbitration, including the calendar for written and oral pleadings. The delegation of Ukraine was led by H.E. Ms. Olena Zerkal, Deputy Foreign Minister of Ukraine, as Agent. The delegation of the Russian Federation was led by H.E. Mr. Dmitry Lobach, Ambassador-at-large, Ministry of Foreign Affairs of the Russian Federation, as Agent.

On 22 November 2019, the Arbitral Tribunal adopted Procedural Order No. 1, including the Rules of Procedure for the arbitration, following the discussions held at the procedural meeting. The Arbitral Tribunal's procedural documents of the meeting are available for download on the PCA website.

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.

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).

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 of the Arbitral Tribunal will be made publicly available on the website of the Permanent Court of Arbitration 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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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".

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 4 interstate arbitrations, 104 investor-State arbitrations, and 53 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.

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