



PRESS RELEASE

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

THE HAGUE, 28 AUGUST 2024

Hearing Concerning the Merits and Remaining Issues of Jurisdiction and Admissibility

As announced in a press release issued by the Permanent Court of Arbitration ("PCA") on 7 August 2024, a hearing in the arbitration instituted by Ukraine against the Russian Federation will be held from 23 September to 5 October 2024 in the Administrative Council Chamber at the seat of the PCA, at the Peace Palace, The Hague, the Netherlands. The hearing will address the merits and remaining issues of jurisdiction and admissibility.

Public Access to the Hearing

Pursuant to Article 27(3) of the Rules of Procedure, the opening and closing statements made by each Party's Agent will be open to the public. The hearing will commence on Monday, 23 September 2024, at 10:00 a.m. The opening statement of Ukraine will be delivered on Monday, 23 September 2024, at 10:20 a.m.; the statement is expected to conclude by 10:40 a.m. The Russian Federation will deliver its opening statement on Monday, 23 September 2024, at 10:40 a.m.; the statement is expected to conclude by 11:00 a.m. Ukraine will deliver its public closing statement on Thursday, 3 October 2024, at 5:40 p.m.; the statement is expected to conclude by 6:00 p.m. The Russian Federation will deliver its public closing statement on Saturday, 5 October 2024, at 5:40 p.m.; the statement is expected to conclude by 6:00 p.m.

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 of the Parties' Agents' public opening and closing statements will be made available on the PCA Case Repository (<https://pca-cpa.org/en/cases/149/>) promptly after the conclusion of the hearing. Transcripts for the entirety of the hearing shall be published together with the Arbitral Tribunal's final award, subject to any redactions of confidential information authorized by the Arbitral Tribunal.

Live-streaming on the Internet

The opening and closing statement made by each Party's Agent will be webcast on the internet via live-stream. Details concerning the live-streaming of the opening and closing 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 welcome to follow the opening and closing statement made by each Party's Agent via live-stream on a screen, in a separate viewing room on the Peace Palace premises.

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 16 September 2024, by e-mail to hearing-registration@pca-cpa.org. Confirmation of attendance will be communicated by e-mail on 17 September 2024.

Attendance by Representatives of the Press

Representatives of the press may follow the opening and closing statement made by each Party's Agent via live-stream on a screen, in a separate viewing room on the Peace Palace premises.

On the first day of the hearing, press photographers and camera operators will be permitted in the hearing room before the hearing begins. No photography will be permitted in the hearing room once the hearing has begun, and photographers and camera operators will be asked to leave the hearing room prior to this. 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 16 September 2024, by e-mail to hearing-registration@pca-cpa.org, enclosing the accreditation 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 17 September 2024. 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 9:30 a.m. on Monday, 23 September 2024, and no later than 5:00 p.m. on Thursday, 3 October 2024, and Saturday, 5 October 2024, to allow the requisite security procedures to be completed. Representatives from the press are also kindly requested to leave the Peace Palace premises by 2:00 p.m. on Monday, 23 September 2024, and by 7:00 p.m. on Thursday, 3 October 2024, and Saturday, 5 October 2024.

Representatives of States involved in PCA proceedings occasionally agree to provide interviews on the Peace Palace premises after sittings. Please note that the PCA does not facilitate or arrange such interview requests. Journalists are kindly asked to conduct such interviews on the entrance steps to the Palace or in the entry hall (and in no case in the hearing room). It also remains open to the press to conduct any further interviews outside the Peace Palace gates.

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 and closing statement made by each Party's Agent on the Peace Palace premises must notify the PCA accordingly by 16 September 2024, by e-mail to hearing-registration@pca-cpa.org. Confirmation of attendance will be communicated by e-mail on 17 September 2024. 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' Agents' opening and closing statements via live-stream on a screen, in a separate viewing room on the Peace Palace premises. 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 9:30 a.m. on Monday, 23 September 2024, and no later than

5:00 p.m. on Thursday, 3 October 2024, and Saturday, 5 October 2024, to allow the requisite security procedures to be completed. They are kindly requested to leave the Peace Palace premises as soon as the Parties' Agents' opening and closing statements have concluded.

Parking

No parking is allowed on the Peace Palace grounds, and all vehicles should be parked in the neighbouring streets.

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”.

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 123 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.

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”.