

**PRESS RELEASE****PCA CASE NO. 2024-45: THE EUROPEAN UNION V. THE UNITED KINGDOM**

THE HAGUE, 20 NOVEMBER 2024

**Initial Organisational Meeting in Arbitration under the Trade and Cooperation Agreement**

On 18 November 2024, the Tribunal in an arbitration instituted by the European Union against the United Kingdom “regarding the United Kingdom’s decision to prohibit since 26 March 2024 the fishing of sandeel in English waters of the North Sea and in all Scottish waters” held its initial organisational meeting. The meeting took place by videoconference administered by the Permanent Court of Arbitration (PCA), which acts as Registry for the proceedings.

During the meeting, the Tribunal consulted the Parties in respect of the procedural framework of the arbitration, including the calendar for oral and written submissions.

The three-member Tribunal is chaired by Dr. Penelope Ridings, MNZM (a national of New Zealand). The other members are Professor H el ene Ruiz Fabri (France) and the Hon. Justice Mr. David Unterhalter (South Africa).

Further information about the proceedings is available on the PCA Case Repository (<http://www.pcacases.com>). The PCA, after consultation with the Parties, will issue press releases from time to time concerning the status of the proceedings.

***Amicus Curiae* Submissions**

The arbitration proceedings are conducted in accordance with Annex 48 (Rules of Procedure for Dispute Settlement) of the Trade and Cooperation Agreement.

Section XII of the Rules of Procedure for Dispute Settlement governs *amicus curiae* submissions. Rules 40 to 42 thereof read as follows:

40. Unless the Parties agree otherwise within five days of the date of the establishment of the arbitration tribunal, the arbitration tribunal may receive unsolicited written submissions from natural persons of a Party or legal persons established in the territory of a Party that are independent from the governments of the Parties, provided that they:
- (a) are received by the arbitration tribunal within 10 days of the date of the establishment of the arbitration tribunal;
  - (b) are concise and in no case longer than 15 pages, including any annexes, typed at double space;
  - (c) are directly relevant to a factual or a legal issue under consideration by the arbitration tribunal;
  - (d) contain a description of the person making the submission, including for a natural person his or her nationality and for a legal person its place of establishment, the nature of its activities, its legal status, general objectives and its source of financing;
  - (e) specify the nature of the interest that the person has in the arbitration proceedings; and
  - (f) are drafted in English.

41. The submissions shall be delivered to the Parties for their comments. The Parties may submit comments, within 10 days of the delivery, to the arbitration tribunal.

42. The arbitration tribunal shall list in its report all the submissions it has received pursuant to rule 40. The arbitration tribunal shall not be obliged to address in its report the arguments made in such submissions, however, if it does, it shall also take into account any comments made by the Parties pursuant to rule 41.

The Parties to the dispute have agreed that the arbitration tribunal may receive *amicus curiae* submissions in accordance with Rules 40-42 of Annex 48 of the TCA. Any *amicus curiae* submissions should be sent by e-mail to [2024-45-amicus@pca-cpa.org](mailto:2024-45-amicus@pca-cpa.org) no later than **Thursday, 28 November 2024**.

The European Union's Request for the Establishment of the Arbitration Tribunal is made available at the following link to ensure that natural or legal persons wishing to submit *amicus curiae* submissions have clear information about the scope of the dispute: [Request for the Establishment of the Arbitration Tribunal](#).

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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 124 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 arbitrations, 1 other inter-state proceeding, 98 arbitrations arising under bilateral or multilateral investment treaties or national investment laws, 104 arbitrations 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](http://www.pca-cpa.org).

Contact: Permanent Court of Arbitration

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