

PERMANENT COURT OF ARBITRATION

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PRESS RELEASE

**ARCTIC SUNRISE ARBITRATION
(NETHERLANDS V. RUSSIA)**

THE HAGUE, 7 NOVEMBER 2014

On 31 August 2014, the Kingdom of the Netherlands submitted its *Memorial* as Claimant in the matter concerning the vessel *Arctic Sunrise* before the Arbitral Tribunal constituted under Annex VII to the United Nations Convention on the Law of the Sea. With the leave of the Arbitral Tribunal, on 30 September 2014, the Claimant submitted further *Supplementary Pleadings on Reparation for Injury*. Both submissions were filed at the Permanent Court of Arbitration (“PCA”) which acts as the Registry in this arbitration.

On 16 September 2014, the PCA received a petition from Stichting Greenpeace Council (“Greenpeace International”) seeking permission from the Arbitral Tribunal to file an *amicus curiae* submission. The Arbitral Tribunal invited the Parties to comment on the petition by 2 October 2014. By letter dated 3 October 2014, the Netherlands indicated that it did not have any objections to Greenpeace International’s petition to file an *amicus curiae* submission. Russia did not provide any comments. After deliberation, the Arbitral Tribunal issued *Procedural Order No. 3 (Greenpeace International’s Request to File an Amicus Curiae Submission)* on 8 October 2014. *Procedural Order No. 3* states that Greenpeace International’s request for permission to file an *amicus curiae* submission in the arbitration is denied.

On 8 October 2014, the Arbitral Tribunal notified the Parties of amendments to the procedural timetable set out in Section 2.1.3 of the Arbitral Tribunal’s *Procedural Order No. 2*. The Arbitral Tribunal stated that, in light of the additional time granted to the Netherlands to file the *Supplementary Pleadings on Reparation for Injury*, the deadline for Russia to submit a *Counter-Memorial* was extended to 16 March 2015. The Arbitral Tribunal also confirmed that the deadline for Russia to indicate whether it intended to submit a *Counter-Memorial* would expire on 14 October 2014. If Russia failed to indicate its intention by that date, the Arbitral Tribunal would understand that Russia does not intend to file a *Counter-Memorial*. The Arbitral Tribunal received no communication from Russia.

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These proceedings were commenced on 4 October 2013 when the Netherlands addressed to Russia a Notification and Statement of Claim under Article 287 and Annex VII, Article 1 of the United Nations Convention on the Law of the Sea. The dispute concerns the boarding and detention of the vessel *Arctic Sunrise* in Russia’s exclusive economic zone and the detention of the persons on board the vessel by Russian authorities. By *Note Verbale* to the PCA dated 27 February 2014, Russia indicated “its refusal to take part in this arbitration.”

The President of the Arbitral Tribunal is Judge Thomas Mensah (Ghana). The other members of the Arbitral Tribunal are Mr. Henry Burmester (Australia), Professor Alfred Soons (the Netherlands), Professor Janusz Symonides (Poland), and Dr. Alberto Székely (Mexico).

The Netherlands' diplomatic note instituting arbitral proceedings, including its Statement of Claim, Russia's *Note Verbale* to the PCA dated 27 February 2014, *Procedural Order No. 1 (Terms of Appointment)*, the *Rules of Procedure*, *Procedural Order No. 2* and *Procedural Order No. 3 (Greenpeace International's Request to File an Amicus Curiae Submission)* are available on the PCA's website at http://pca-cpa.org/showpage.asp?pag_id=1556.

Photograph of the Arbitral Tribunal



From left to right: Dr. Alberto Székely (Arbitrator), Professor Janusz Symonides (Arbitrator), Judge Thomas Mensah (President of the Tribunal), Mr. Henry Burmester (Arbitrator), Professor Alfred Soons (Arbitrator).

Photograph of the Arbitral Tribunal and the PCA Registry



From left to right: Dr. Alberto Székely (Arbitrator), Ms. Sarah Grimmer (Registrar, PCA Senior Legal Counsel), Professor Janusz Symonides (Arbitrator), Judge Thomas Mensah (President of the Tribunal), Mr. Henry Burmester (Arbitrator), Ms. Evgéniya Goriatcheva (PCA Legal Counsel), Professor Alfred Soons (Arbitrator).

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