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PRESS RELEASE

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

THE HAGUE, 18 FEBRUARY 2015

Filing of Supplemental Submissions by the Netherlands; Hearing held in Vienna

On 28 November 2014, pursuant to Section 2.1.4.1 of *Procedural Order No. 2*, the Arbitral Tribunal posed to the Netherlands a series of questions related to the contents of the Netherlands' *Memorial*. Pursuant to Section 2.1.4.2 of *Procedural Order No. 2*, the Netherlands was required to file its "supplemental submission in reply to the questions posed by the Arbitral Tribunal within 45 days from the issuance of the Tribunal's questions", *i.e.*, by 12 January 2015.

On 12 January 2015, the Netherlands filed its *Second Supplemental Written Pleadings* and accompanying documents containing its replies to the Arbitral Tribunal's questions of 28 November 2014 ("**Supplemental Submissions**").

On 13 January 2015, pursuant to Section 2.1.4.3 of *Procedural Order No. 2*, the Arbitral Tribunal invited Russia to indicate within 15 days whether it intended to submit any comments on the Supplemental Submissions. The Arbitral Tribunal indicated that if Russia chose to submit comments, it would have 30 days from the date of its indication of intention to do so.

On 23 January 2015, the Arbitral Tribunal provisionally scheduled a hearing for 10 and 11 February 2015, subject to modification in the event of an indication from Russia by 27 January 2015 of an intention to submit comments on the Supplemental Submissions, or otherwise participate in the arbitration. As Russia did not indicate by 27 January 2015 an intention to submit comments on the Supplemental Submissions, or otherwise participate in the arbitration, the Arbitral Tribunal confirmed that a hearing would be held as provisionally scheduled.

On 10 and 11 February 2015, a hearing was held at the Palais Niederösterreich in Vienna. The hearing pertained to issues concerning jurisdiction, admissibility, and merits. The hearing did not pertain to matters already decided in the *Award on Jurisdiction* dated 26 November 2014 or to issues of compensation.

The hearing was attended by a delegation from the Netherlands. Prof. Dr. Liesbeth Lijnzaad (Agent for the Netherlands), Prof. Dr. René Lefeber (Co-Agent) and Prof. Dr. Erik Franckx (Counsel) addressed the Tribunal. Russia did not attend or otherwise participate in the hearing.

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At the hearing, the Netherlands presented eight fact witnesses to the Tribunal for examination; namely, the master of the *Arctic Sunrise* and four Greenpeace campaigners who were on board the *Arctic Sunrise* when it was boarded and detained in Russia's exclusive economic zone in September 2013, and three legal counsel who were engaged in subsequent proceedings before the Russian authorities. The Arbitral Tribunal posed several questions to the Netherlands, which the Netherlands addressed in preliminary fashion at the hearing. The Netherlands has been granted leave to file its full and final responses to the Arbitral Tribunal's questions as well as additional documents upon which it seeks to rely by 25 February 2015.

A transcript and an audio-recording of the hearing have been delivered to Russia.

The Arbitral Tribunal held preliminary deliberations following the hearing. The Arbitral Tribunal plans to deliberate further and issue an award in due course.

* * *

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 Convention. 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 Permanent Court of Arbitration 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*, *Procedural Order No. 3 (Greenpeace International's Request to File an Amicus Curiae Submission)*, *Procedural Order No. 4 (Bifurcation)*, and the *Award on Jurisdiction* are available on the PCA's website at http://pca-cpa.org/showpage.asp?pag_id=1556.

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