

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA



YEAR 2013

25 October 2013

THE “ARCTIC SUNRISE” CASE

(KINGDOM OF THE NETHERLANDS v. RUSSIAN FEDERATION)

**REQUEST FOR THE PRESCRIPTION OF PROVISIONAL MEASURES
UNDER ARTICLE 290, PARAGRAPH 5, OF THE UNITED NATIONS
CONVENTION ON THE LAW OF THE SEA**

ORDER

The President of the International Tribunal for the Law of the Sea,

Having regard to article 290, paragraph 5, of the United Nations Convention on the Law of the Sea (hereinafter “the Convention”),

Having regard to articles 27 and 28 of the Statute of the Tribunal,

Having regard to articles 45 and 90, paragraph 2, of the Rules of the Tribunal,

Having regard to the Notification and the Statement of Claim addressed by the Kingdom of the Netherlands (hereinafter “the Netherlands”) to the Russian Federation on 4 October 2013 instituting arbitral proceedings under Annex VII to the Convention,

Having regard to the Request, submitted by the Netherlands on 21 October 2013, for the prescription of provisional measures by the Tribunal in accordance with article 290, paragraph 5, of the Convention,

Having extended the opportunity to both Parties to present their observations on the date for the opening of the hearing,

Having regard to the note verbale of the Embassy of the Russian Federation in the Federal Republic of Germany dated 22 October 2013, received by the Registry on 23 October 2013, by which it informed the Tribunal that the Russian Federation does not intend to participate in the proceedings before the Tribunal in respect of the Request of the Netherlands for the prescription of provisional measures under article 290, paragraph 5, of the Convention,

Having regard to the letter of the Agent of the Netherlands dated 24 October 2013 requesting "the Tribunal to continue the proceedings and make its decision on the Request for Provisional Measures" in accordance with article 28 of the Statute of the Tribunal.

Fixes 6 November 2013 as the date for the opening of the hearing; and

Reserves the subsequent procedure for further decision.

Done in English and in French, both texts being equally authoritative, in the Free and Hanseatic City of Hamburg, this twenty-fifth of October, two thousand and thirteen, in three copies, one of which will be placed in the archives of the Tribunal and the others transmitted to the Government of the Netherlands and to the Government of the Russian Federation, respectively.




SHUNJI YANAI
President


PHILIPPE GAUTIER
Registrar