

PCA Case N° 2014-02

IN THE MATTER OF THE ARCTIC SUNRISE ARBITRATION

- before -

AN ARBITRAL TRIBUNAL CONSTITUTED UNDER ANNEX VII TO
THE 1982 UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

- between -

THE KINGDOM OF THE NETHERLANDS

- and -

THE RUSSIAN FEDERATION

PROCEDURAL ORDER NO. 3
(Greenpeace International's Request to File an *Amicus Curiae* Submission)

ARBITRAL TRIBUNAL:

Judge Thomas A. Mensah (President)
Mr. Henry Burmester
Professor Alfred Soons
Professor Janusz Symonides
Dr. Alberto Székely

REGISTRY:

Permanent Court of Arbitration

8 October 2014

WHEREAS on 16 September 2014, Stichting Greenpeace Council (Greenpeace International) ("**Greenpeace International**") sent an e-mail communication to the Permanent Court of Arbitration ("**PCA**"), attaching a letter addressed to the Arbitral Tribunal, in which it sought permission to file an *amicus curiae* submission "addressing the legal issues relating to international human rights law which may arise in the proceeding" ("**Letter**") as well as a copy of its *Amicus Curiae Submission* ("**Submission**");

WHEREAS on 19 September 2014, the PCA, on behalf of the Arbitral Tribunal, transmitted Greenpeace International's Letter and Submission to the Parties and invited their written comments;

WHEREAS on the same day, the PCA, at the instruction of the President of the Arbitral Tribunal, transmitted Greenpeace International's Letter to the members of the Arbitral Tribunal, but did not transmit the Submission. The PCA informed the Parties that it had "not yet conveyed the [Submission] to the President and the members of the Tribunal" and would "do so only if and when the Tribunal grants Greenpeace International permission to file this [S]ubmission";

WHEREAS by letter dated 3 October 2014, the Kingdom of the Netherlands indicated that it had informally informed Greenpeace International that it did not have any objections to the latter's application for permission to file an *amicus curiae* submission;

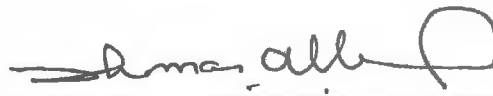
WHEREAS the Russian Federation did not provide any comments on Greenpeace International's application for permission to file an *amicus curiae* submission;

HAVING DELIBERATED, the Arbitral Tribunal finds no sufficient reason to grant Greenpeace International's application;

ACCORDINGLY, THE ARBITRAL TRIBUNAL HEREBY ISSUES THE FOLLOWING PROCEDURAL ORDER:

1. **Greenpeace International's request for permission to file an *amicus curiae* submission "addressing the legal issues relating to international human rights law which may arise in the proceeding" is denied.**

For the Arbitral Tribunal:



Judge Thomas A. Mensah
President

Dated: 8 October 2014