



Note

Ministry of Foreign Affairs

Legal Affairs Directorate

MinBuza-2013.277972

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the Embassy of the Russian Federation and wishes to thank the Embassy for its note of 1 October 2013 (No. 162-4).

The note responds to the requests for information of the Kingdom of the Netherlands in its notes of 23 September 2013 (DEU-0725/2013) and 26 September 2013 (DEU-0735/2013), for which the Kingdom of the Netherlands expresses its appreciation. According to the note, the boarding, investigation and detention of the "Arctic Sunrise" and its crew were justified on the basis of general provisions in the United Nations Convention on the Law of the Sea related to the exclusive economic zone and the continental shelf (Articles 56, 60 and 80). The Kingdom of the Netherlands does not consider that these provisions justify the actions taken against the "Arctic Sunrise" and its crew.

It appears therefore that the Russian Federation and the Kingdom of the Netherlands have diverging views on the rights and obligations of the Russian Federation as a coastal state in its exclusive economic zone. Accordingly, there seems to be merit in submitting this dispute to arbitration under the United Nations Convention on the Law of the Sea. In view of the urgency of the matter, resulting from the detention of the vessel and its crew, the Kingdom of the Netherlands is considering to initiate such arbitration as soon as feasible. In this respect, the Kingdom of the Netherlands reiterates its request that the vessel and its crew be immediately released and would like to stress the urgent nature of this request.

The Ministry of Foreign Affairs of the Kingdom of the Netherlands avails itself of this opportunity to renew to the Embassy of the Russian Federation the assurances of its highest consideration.

The Hague, 3 October 2013

The Embassy of the Russian Federation

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