



H.E. Mr Shunji Yanai
President of the International Tribunal for the Law of the Sea
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Our reference

MinBuza-2013.346776

Date 13 December 2013
Re Request for appointment of three arbitrators

Dear Sir,

On 4 October 2013, the Kingdom of the Netherlands presented a written notification, accompanied by a statement of claim and the grounds on which it is based, to the Russian Federation in order to submit the case concerning the 'Arctic Sunrise' to arbitration under Annex VII of the United Nations Convention on the Law of the Sea. Included in the written notification was the Kingdom of the Netherlands' appointment of professor dr A.H.A. Soons as its arbitrator.

On 22 October 2013 (and transmitted to the Netherlands on 23 October 2013), the Embassy of the Russian Federation in Berlin, in its diplomatic note nr. 3838, informed the Tribunal that the Russian Federation does not accept the arbitration procedure under Annex VII to the Convention initiated by the Kingdom of the Netherlands.

As the Russian Federation has not appointed its arbitrator within the timeframe specified in Article 3(c) of Annex VII, the Kingdom of the Netherlands has, by letter of 15 November 2013, requested the President of the Tribunal to make this appointment in accordance with Article 3(e) of Annex VII. On 13 December 2013 you have appointed Mr. Alberto Szekely.

As the Kingdom of the Netherlands and the Russian Federation have not, within the timeframe specified in Article 3(d) of Annex VII, reached agreement on the appointment of the other three members of the arbitral tribunal that is being constituted under Annex VII, the Kingdom of the Netherlands wishes to avail itself of its right to request that the remaining appointments be made in accordance with Article 3(e) of Annex VII.

I avail myself of this opportunity to express my gratitude for your assistance in the constitution of the arbitral tribunal so as to enable it to exercise its functions under the Convention.

Yours sincerely,



Liesbeth Lijnzaad
Agent for the Kingdom of the Netherlands

Legal Affairs Department

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cc. Mr Philippe Gautier, Registrar of the International Tribunal for the Law of the Sea.