



Note

Legal Affairs Department

Minbuza-2013.334491

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the Embassy of the Russian Federation and wishes to inform the Russian Federation as follows.

Pursuant to the Order of 22 November 2013 of the International Tribunal for the Law of the Sea in the case concerning the 'Arctic Sunrise', the Kingdom of the Netherlands has concluded an agreement with the Royal Bank of Scotland ZAO, Moscow, to issue a bank guarantee in which the RBS undertakes and guarantees to pay the Russian Federation a sum up to 3,600,000 euros as may be determined by a decision of the Annex VII arbitral tribunal or by agreement of the parties and that payment under the Guarantee will be made promptly after receipt by the RBS of a written demand by the competent authority of the Russian Federation designated for these purposes to be the Head of Government, the Head of State, the Minister of Foreign Affairs, or anyone duly authorized by (any of) these persons, accompanied by a certified copy of the decision or agreement. The Guarantee is in effect until 2 December 2016, 5 p.m. (Moscow time). Upon expiry of this period the Guarantee automatically ceases to be effective, and all obligations thereunder are terminated. A copy of the Guarantee is attached.

The original copy of the Guarantee may be collected upon identification by the Minister of Foreign Affairs of the Russian Federation, Mr Sergey Lavrov, or the Legal Adviser of the Ministry of Foreign Affairs of the Russian Federation, Mr Kirill Gevorgian, until 2 June 2014, 5 p.m. (Moscow time), at the office of the RBS at the following address: 17, Building 1, Bolshaya Nikitskaya street, 125009 Moscow, the Russian Federation. After this date, the RBS will revoke the Guarantee upon which it automatically ceases to be effective, and all obligations thereunder are terminated.

The Kingdom of the Netherlands has, by letter of 2 December 2013, submitted to the Tribunal its initial report on compliance with the provisional measures prescribed in the Order of 22 November 2013. A copy of this letter, together with the annexes, is attached.

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, 2 December 2013

The Embassy of the Russian Federation

Andries Bickerweg 2

2517 JP The Hague

