

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA  
TRIBUNAL INTERNATIONAL DU DROIT DE LA MER



Am Internationalen Seegerichtshof 1, 22609 Hamburg, Germany  
Telephone: + 49-40-35607-270 Facsimile: + 49-40-35607-275  
E-mail: [gautier@itlos.org](mailto:gautier@itlos.org)

23 October 2013

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BY E-MAIL  
ORIGINAL BY COURIER

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Dear Ms Lijnzaad,

***The Arctic Sunrise Case (Case No. 22)***

I hereby transmit to you the copy of note verbale No. 3838 of 22 October 2013 (with an attachment in Russian language) from the Embassy of the Russian Federation, received by the Registry of the Tribunal on 23 October 2013. In this communication, the Russian Federation informs the Tribunal that it notified "the Kingdom of the Netherlands by note verbale (attached) that it does not accept the arbitration procedure under Annex VII to the Convention initiated by the Netherlands in regard to the case concerning the vessel "Arctic Sunrise and that it does not intend to participate in the proceedings of the International Tribunal for the Law of the Sea in respect of the request of the Kingdom of the Netherlands for the prescription of provisional measures under Article 290, Paragraph 5, of the Convention".

At the request of the President of the Tribunal, I wish to draw your attention to article 28 of the Statute of the Tribunal which provides as follows:

Dr Liesbeth Lijnzaad  
Legal Adviser  
Ministry of Foreign Affairs  
PO Box 20061  
2500 EB The Hague  
The Netherlands

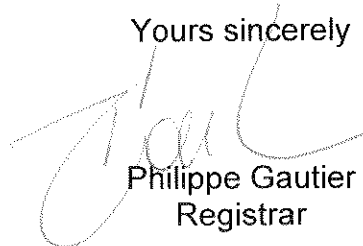
E-mail: [liesbeth.lijnzaad@minbuza.nl](mailto:liesbeth.lijnzaad@minbuza.nl)

Article 28  
*Default*

When one of the parties does not appear before the Tribunal or fails to defend its case, the other party may request the Tribunal to continue the proceedings and make its decision. Absence of a party or failure of a party to defend its case shall not constitute a bar to the proceedings. Before making its decision, the Tribunal must satisfy itself not only that it has jurisdiction over the dispute, but also that the claim is well founded in fact and law.

The President of the Tribunal would be grateful to receive any comments that the Kingdom of the Netherlands may wish to make in this respect by tomorrow, 24 October 2013, 5 p.m.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Philippe Gautier', is written over the typed name and title.

Philippe Gautier  
Registrar