

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



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6 November 2013

BY E-MAIL

Dear Ms Lijnzaad,

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

Please find attached the text of a message received today from the Russian Embassy in Berlin.

Yours sincerely,



Philippe Gautier
Registrar

Ms Liesbeth Lijnzaad
Agent for the Kingdom of the Netherlands

liesbeth lijnzaad@minbuza.nl

cc Mr René Lefeber, Deputy Agent
rene.lefeber@minbuza.nl

**Text of e-mail message from the Russian Embassy
received on 6 November 2013 at 12.40 p.m.:**

Dear Mr. Gautier,

Regarding your communication from the 4th of November requesting possible comments of the Russian Side to the petition of Greenpeace International I have the honour to transmit to you the following message.

The Russian Side notified the Tribunal by the note of the Russian Embassy from October, 22, that it does not accept the arbitration procedure under Annex VII to the Convention on the Law of the Sea initiated by the Netherlands in regard to the case concerning the vessel "Arctic Sunrise" and it does not intend to participate in the proceedings of the Tribunal in respect of the request of the Netherlands for the prescription of provisional measures under Art.290, Para 5, of the Convention.

Nevertheless, the Russian Side would like to draw the attention of the Tribunal to the following.

The Tribunal by its nature is an intergovernmental mechanism of dispute settlement. This arises from the Parts 1,2,4 of the Rule 84 of the Rules of the Tribunal. According to them intergovernmental organisations only are entitled to furnish information to the Tribunal which is relevant to the case in question.

Taking into account the non-governmental character of Greenpeace International the Russian Side sees no reason for granting to this organisation the possibility to furnish information to the Tribunal in the case concerning the vessel "Arctic Sunrise".

The Russian Side would like to underline that this transmission of the Russian position to the tribunal can in no way be interpreted as a form of participation of the Russian Side in the above mentioned case.

Best regards

Ekaterina Lapikhina
Embassy of the Russian Federation
Berlin