

TO THE EMBASSY OF THE KINGDOM OF THE NETHERLANDS,

Moscow

No. 11945/1edn

The Ministry of Foreign Affairs of the Russian Federation presents its compliments to the Embassy of the Kingdom of the Netherlands and has the honour to inform it as follows, with reference to note no. MinBuza-2013.279583 of the Ministry of Foreign Affairs of the Kingdom of the Netherlands of 4 October 2013, which accompanied the document entitled 'Statement of the claim and the grounds on which it is based', and note no. MinBuza-2013.292796 of 21 October 2013 on the request by the Kingdom of the Netherlands to the International Tribunal for the Law of the Sea to prescribe provisional measures in the case concerning the vessel *Arctic Sunrise*.

The investigative activities related to the vessel *Arctic Sunrise* and its crew have been and are being conducted by the Russian authorities, since, under the United Nations Convention on the Law of the Sea of 1982, as the authorities of the coastal State, they have jurisdiction, including criminal jurisdiction, to enforce compliance with the legislation of the Russian Federation.

Upon ratification of the Convention on 26 February 1997 the Russian Federation drew up a declaration stating *inter alia* that it did not accept 'the procedures provided for in section 2 of Part XV of the Convention, entailing binding decisions with respect to disputes ... concerning law-enforcement activities in regard to the exercise of sovereign rights or jurisdiction'.

On the basis of the above, the Russian Federation does not accept the arbitration proceedings proposed by the Kingdom of the Netherlands pursuant to Annex VII of the Convention of 1982 in the case concerning the vessel *Arctic Sunrise* and does not intend to participate in the hearing by the International Tribunal for the Law of the Sea of the request by the Kingdom of the Netherlands to prescribe provisional measures pursuant to article 290,



paragraph 5 of the Convention.

Furthermore, the Russian side reaffirms that it remains open to further efforts to resolve the situation that has arisen.

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

Moscow, 22 October 2013

[Stamp:] Ministry of Foreign Affairs of the Russian Federation \* No. 1

=====End of translation=====

This is to certify that the above is a true translation of the sworn translation into Dutch of the original Russian document.

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