

**ANNEX N-47 Description of newly available information and a Reconstruction of the
sequence of events at the end of the protest**

(a) Description of newly available information

1. On 18 February 2015 the Ministry of Foreign Affairs of the Kingdom of the Netherlands received from Greenpeace International a number of video recordings, along with an identification of the authors of these videos and the RHIBs and persons seen or heard in them.
2. According to Greenpeace International these videos were recovered from an external hard disk belonging to Mr. Kieron Bryan, which was returned by the Investigative Committee of the Russian Federation and delivered to Greenpeace International's legal department in Amsterdam on 8 January 2015 (see paragraph 17 of the Addendum and Corrigendum to GPI's Statement of Facts, Annex N-44). Greenpeace International further stated that Mr. Bryan is a freelance videographer who was contracted to join the *Arctic Sunrise* in order to document its voyage in the Pechora Sea, including the protest at the *Prirazlomnaya*.
3. A USB flash drive containing the relevant video material is included as Annex N-46 to this reply. The videos are in MP4 format, which can be viewed with freely available software such as VLC media player.
4. The Netherlands was informed by Greenpeace International that it had numbered the videos consecutively with the videos it previously provided to the Netherlands as part of appendices 1 and 40 to its Statement of Facts and the Addendum and Corrigendum. There are five videos in total:
 - **Video 26** is a short clip filmed by Mr. Bryan on the deck of the MY *Arctic Sunrise* on which a number of RHIBs, presumably those of the *Arctic Sunrise*, can be seen proceeding away from the *Prirazlomnaya* and towards the *Arctic Sunrise*. As the RHIBs are still far away it is

difficult to identify them or even determine how many there are, but at least three can be made out clearly.

- **Video 27** was filmed by Mr. Bryan on the bridge of the *Arctic Sunrise*. This video appears to have been shot immediately after video 26, i.e. no recording appears to have been made between videos 26 and 27, although an unknown amount of time elapsed between the two recordings. At 1'12, three clocks are briefly seen in the background. A still from this moment, Screenshot 1, is provided together with the video. It shows the local time to be about 6:24 (all times are in hours Moscow Standard Time). It follows that video 27 begins at about 6:23. Since its duration is 10'44, it ends at about 6:34.

- **Video 28** shows the end of the protest at the Prirazlomnaya and the return to the *Arctic Sunrise* and was filmed by activist Mr. Tomasz Dziemianczuk on a grey Greenpeace RHIB, the 'Hurricane'. The video is split across two consecutive files, which have been named video 28a and 28b. The time at which these videos were recorded can be calculated in the following manner. At 9'58 in part b, Captain Willcox of the *Arctic Sunrise* can be heard saying over radio: "Hey guys, the Russians are threatening to board so I want to get the Parker and Hurricane up A.S.A.P. – A.S.A.P., OK?" Captain Willcox can also be seen saying this in video 27 at 4'00. Since video 27 begins at about 6:23 (see above), this remark was made at about 6:27. Using this reference point, it can be calculated that the two parts of the video 28 begin at the following times:

- Video 28a (duration 17'25): 6:00 ;
- Video 28b (duration 11'49): 6:17.

- **Video 29** was filmed with a camera mounted on the back of a red RHIB, the 'Suzie Q', and covers the entire duration of the protest at the Prirazlomnaya, beginning at departure from the *Arctic Sunrise* and ending with the return to it. It consists of four consecutive parts, which have been named video 29a – 29d.

The time at which these four parts were recorded can be calculated in the following manner. At 15'14 in part c, one of the *Ladoga*'s RHIBs can be seen firing a salvo into the water. This same

salvo is also visible in video 28a at 3'15. As noted above, video 28a commences at 6:00; the salvo was therefore fired at about 6:03. Using this reference point, it can be calculated that the respective parts of video 29 begin at the following times:

- Video 29a (duration 34'41): 4:39 ;
- Video 29b (duration 34'41): 5:13 ;
- Video 29c (duration 34'41): 5:48;
- Video 29d (duration 20'58): 6:22.

Crosschecking of video 29 with photos taken from the *Arctic Sunrise* confirms that these timings are reasonably accurate, with a margin of error of perhaps one minute. For example, in video 29d, the RHIB 'Suzie Q' can be seen coming to a halt a short distance from the MYAS at 10'18, i.e. at about 6:32, just as the RHIB 'Hurricane' is being hoisted up over the ship's railing. Photo 554 (included in Appendix 40 to the Addendum and Corrigendum) shows the same scene from a different perspective. According to its timestamp, it was taken at 6:31:08.

As explained on page 5 of the Addendum and Corrigendum, the time setting on the camera with which photo 554 was taken was consistent with the clocks on the bridge of the *Arctic Sunrise* . Photo 663, taken with the same camera, also supports the correctness of its time setting. The photo's time stamp is 07:43:03 and it depicts an electronic display which indicates the time as 07:43.

- **Video 30** was filmed on the bridge of the *Arctic Sunrise*. At 3'43, a clock is briefly seen in the background, which shows the local time as about 7:37. It follows that video 30 begins at about 7:33 on 18 September 2013. On the film the Ladoga can be seen nearby, displaying an "SN" flag signal.

(b) Reconstruction of the sequence of events at the end of the protest

5. The newly available footage allows the sequence of events around the end of the protest at the *Prirazlomnaya* to be reconstructed with more precision.

6. Towards the end of the protest there were five RHIBs belonging to the *Arctic Sunrise* in the water:

- The 'Hurricane', a 6.40m grey boat with a black stripe down its sides, a white A-frame and a distinctive black nose;
- The 'Suzie Q', a 7.01m red boat with a black A-frame;
- The 'Novi 1' and 'Novi 2', two identical 4.50m grey boats with no A-frame. The boats can be told apart on photos and footage by the fact that there were two persons in the 'Novi 1' and three persons in the 'Novi 2';
- The 'Parker', a 6.50m black boat with a metallic A-frame.

7. Around 5:59, climber Mr. Marco Weber descends from the western side of the *Prirazlomnaya* and steps into one of the two RHIBs of the *Ladoga*, which are waiting at the base of the platform. The other climber, Ms. Sini Saarela, has descended previously and is already seated in the same RHIB (video 29c from 11'11).

8. Three of the RHIBs from the *Arctic Sunrise* – the 'Novi 2', 'Hurricane' and 'Suzie Q' – are in the vicinity and observe from a certain distance. The 'Parker' has previously left the platform to deliver freelance journalists Mr. Kieron Bryan and Mr. Denis Sinyakov back to the *Arctic Sunrise*, which is over 3 nautical miles to the east (see paragraph 25 of the Addendum and Corrigendum, Annex N-44). The RHIB 'Novi 1' has also left the scene and commenced its return to the *Arctic Sunrise*.

9. Around 6:00, the two Coast Guard RHIBs begin heading towards the *Ladoga*, which is located some distance to the west of the platform (video 28a from 0'20; video 29c from 12'15). Initially the two RHIBs proceed alongside one another, but after a few seconds one of them turns to port and begins to chase the 'Novi 2' RHIB of the *Arctic Sunrise*. The RHIB of the Russian Coast Guard with Ms. Saarela and Mr. Weber on board continues at speed towards the *Ladoga*.

10. The Coast Guard RHIB abandons its chase of the 'Novi 2' after about half a minute and resumes its course towards the *Ladoga*, followed by the 'Hurricane' and 'Suzie Q' (video 28a from 1'09; video 29c from 13'10). The 'Novi 2' turns to starboard and moves away from the other RHIBs, positioning itself about halfway between the *Prirazlomnaya* and the *Ladoga* (video 28a from 1'10).

11. Around 6:02, the Coast Guard RHIB with Ms. Saarela and Mr. Weber on board arrives alongside the *Ladoga*. The second Coast Guard RHIB stops not far behind; roughly 15 metres further back are the 'Suzie Q' and the 'Hurricane', which look on as Ms. Saarela and Mr. Weber are taken on board the *Ladoga* via a ladder hanging over the vessel's side (video 28a from 2'23; video 29c from 14'22).

12. Around 6:03, a person on the second Coast Guard RHIB fires into the water in front of the 'Hurricane'. The 'Hurricane' turns to starboard and heads away from the *Ladoga* at high speed in the direction of the *Arctic Sunrise*, with the *Prirazlomnaya* on its right (video 28a from 3'15; video 29c from 15'14). It passes the 'Novi 2' (video 28a at 3'54). The 'Novi 2' begins to follow the 'Hurricane' (video 29c from 15'44).

13. By 6:04, the 'Hurricane' is parallel with the north face of the *Prirazlomnaya* and slows down to report to the 'Parker' (on which action coordinator Mr. Francis Hewetson) the fact that Ms. Saarela and Mr. Weber are on board of the Coast Guard vessel (video 28a from 4'25).

Around 6:06, the 'Hurricane' leaves the *Prirazlomnaya* behind and resumes its journey east towards the *Arctic Sunrise*. Given its high speed, the 'Hurricane' is at least 500m away from the platform one minute later, *i.e.* around 6:07.

14. Meanwhile, the 'Suzie Q' has stayed behind near the *Ladoga*. Around 6:06, the two Coast Guard RHIBs have headed away, back towards *Prirazlomnaya* (video 29c from 17'48).

15. At about 6:08, the 'Hurricane', which is now well over 500m to the east of the *Prirazlomnaya*, encounters the 'Parker', which was on its way back to the platform after dropping Bryan and Sinyakov off at the *Arctic Sunrise*. Both boats come to a halt. Mr. Hewetson can be heard saying over the Parker's radio: "I'll tell you what to do, Suzie Q. If there are no people on the rig – if we have no people hanging on ropes, you make your way back to the Sunrise. Do you copy? Over." The 'Suzie Q' responds: "Copy." (video 28a from 8'00). Immediately after the end of the discussion, the 'Suzie Q' indeed sets course for the *Arctic Sunrise* at high speed (video 29c at 20'46). A short while later, the 'Hurricane' also resumes its return journey to the *Arctic Sunrise* (video 28a at 9'45).

16. Around 6:10, the 'Suzie Q' passes along the north face of the *Prirazlomnaya*, turning slightly to port to avoid the *Ladoga*'s two RHIBs which are lying in front of the platform. One of these two RHIBs fires a red flare diagonally into the air in front of the 'Suzie Q' (video 29c at 22'05). The 'Suzie Q' continues at high speed past the Coast Guard RHIBs. By 6:12, it is more than 500m away from the platform.

17. At approximately 6:11, the 'Hurricane' encounters the 'Novi 1' and comes to a halt. A discussion ensues with the two persons on the 'Novi 1'. They explain that the 'Novi 1' is going slowly towards the *Arctic Sunrise* because one of them is in pain (video 28a from 11'26). It is therefore likely that the 'Novi 1' left the 500m zone around the *Prirazlomnaya* before the 'Hurricane', *i.e.* before 6:07. In any event, it was substantially outside this zone by 6:11.

18. Around 6:13, the 'Suzie Q' catches up with the 'Parker' at a position well over 500m east of *Prirazlomnaya*. The 'Parker' is moving slowly in the direction of the *Arctic Sunrise*. The 'Suzie Q' briefly slows down and comes alongside the 'Parker', then picks up speed again (video 29c at 24'31).

19. Still around 6:13, the 'Parker' informs the *Arctic Sunrise* that all boats are returning (video 28a at 13'12).

20. Around 6:16, the 'Suzie Q' catches up with the 'Novi 1' and 'Novi 2', at a location midway between the *Prirazlomnaya* and the *Arctic Sunrise*. The 'Novi 1' and 'Suzie Q' stop and come alongside one another. The 'Parker' also appears on the 'Suzie Q's' portside shortly after. The 'Novi 2' continues on towards the *Arctic Sunrise* (video 29c from 27'55).

21. Around 6:22, the 'Hurricane', 'Novi 2' and 'Parker' approach the stern of the *Arctic Sunrise* and are photographed from that vessel by Denis Sinyakov and another person standing on the deck (photos 535-537 and 1016-1019,¹ included in Appendix 40 to the Addendum and Corrigendum, Annex N-44).

22. Around 6:23, Kieron Bryan, who has previously been filming the returning RHIBs from the deck (video 26), switches on his camera on the bridge of the *Arctic Sunrise* (video 27). As he begins filming, on-board campaigner Dimitri Litvinov is demanding over VHF channel 16 that the *Ladoga* return Ms. Saarela and Mr. Weber. The *Ladoga* responds that the boats and people of the *Arctic Sunrise* have attacked the *Prirazlomnaya* and that the *Arctic Sunrise* must stop or heave to, failing which preventive fire may be opened. Litvinov in turn informs the *Ladoga* that everything it says is being recorded (video 27, from 0'00). Meanwhile, Captain Willcox is busy on another radio, coordinating the return of the RHIBs. Action Coordinator Mr. Hewetson reports that 'Novi 2' is limited in its ability to manoeuvre as it only has forward power. Captain Willcox responds that the 'Novi 2' will be taken on board first (video 27, from 1'00). The 'Novi 2' is lifted on board at about 6:25 (photos 1020-1032).

23. At about 6:27, the *Ladoga* can be heard saying: "*Arctic Sunrise, this is Russian Coast Guard ship. I repeat: your people on your boats entered in 500-metre zone around oil platform Prirazlomnaya. This is dangerous zone. Two of your people are arrested. You have to stop your vessel or heave to. I want to send an inspection party to you. Do you – are you ready to receive my inspection team?*" Mr. Litvinov responds that the inspection party is not welcome on board and that the *Ladoga* has no right to forcibly board the *Arctic Sunrise* as it is in international waters (video 27 from 3'13).

¹ As explained on page 5 of GPI's Addendum and Corrigendum, the time stamps on photos 853 – 1113 are not correct, as the clock of the camera with which these pictures were taken was not set properly. The correct time can be calculated by adding one hour and 56 minutes to the time stamp.

24. Meanwhile, the crews of the 'Hurricane' and 'Parker' are chatting about 150m from the *Arctic Sunrise* (video 28b from 8'00). Immediately after the *Ladoga* has finished speaking on VHF channel 16, which is at about 6:27, Captain Willcox picks up the radio and tells them: "*Hey guys, the Russians are threatening to board so I want to get the Parker and Hurricane up A.S.A.P. – A.S.A.P., OK?*" (video 27 at 4'00; video 28b at 9'58). The 'Hurricane' proceeds directly to the pilot door on the port side of the *Arctic Sunrise* whilst the 'Parker' proceeds to the vessel's starboard (video 28b at 11'16; photos 1041-1044).

25. At about 6:29, the *Ladoga* states that it suspects the *Arctic Sunrise* of terrorism (video 27 at 5'40). Mr. Litvinov dismisses the allegation as 'ridiculous'.

26. At approximately 6:30, the 'Novi 1' and 'Suzie Q' approach the *Arctic Sunrise* (photos 1048-1057). The 'Suzie Q' is hoisted on board at about 6:37 (photos 1088-1096, video 29d from 14'40), followed one minute later by the 'Novi 1' (photos 1097-1113).