

Statement of the Ministry of Foreign Affairs of Ukraine on the Initiation of Arbitration against the Russian Federation under the United Nations Convention on the Law of the Sea

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Ukraine has instituted arbitration proceedings against the Russian Federation under the 1982 United Nations Convention on the Law of the Sea (“UNCLOS”) to vindicate its rights as the coastal state in maritime zones adjacent to Crimea in the Black Sea, Sea of Azov, and Kerch Strait.

Since the Russian Federation’s illegal acts of aggression in Crimea, Russia has usurped and interfered with Ukraine’s maritime rights in these zones. Ukraine seeks to end the Russian Federation’s violations of UNCLOS and vindicate Ukraine’s rights in the Black Sea, Sea of Azov, and Kerch Strait, including Ukraine’s rights to the natural resources offshore Crimea which belong to the Ukrainian people.

Despite Ukraine’s protests, the Russian Federation has persisted in illegal actions in Ukraine’s maritime zones. Accordingly, Ukraine is compelled to resort to arbitration under the UNCLOS procedures. In joining UNCLOS, Ukraine and the Russian Federation agreed to settle disputes through binding arbitration.

Ukraine has asked the arbitral tribunal to enforce its maritime rights by ordering the Russian Federation to cease its internationally wrongful actions in the relevant waters, to provide Ukraine with appropriate guarantees that it will respect Ukraine’s rights under UNCLOS, and to make full reparation to Ukraine for the injuries the Russian Federation has caused.

On 14 September 2016, the Ministry of Foreign Affairs of Ukraine officially served the Ministry of Foreign Affairs of the Russian Federation with a notification of arbitration and statement of claim instituting ad hoc arbitral proceedings under Annex VII of UNCLOS.