



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

## **Press Release**

**ARBITRATORS APPOINTED IN THE ARBITRAL PROCEEDINGS  
INSTITUTED BY THE KINGDOM OF THE NETHERLANDS  
AGAINST THE RUSSIAN FEDERATION  
IN RESPECT OF THE DISPUTE REGARDING THE *ARCTIC SUNRISE***

On 10 January 2014, the President of the International Tribunal for the Law of the Sea, Judge Shunji Yanai, completed the appointment procedure in the arbitral proceedings instituted under Annex VII to the United Nations Convention on the Law of the Sea (“the Convention”) in respect of a dispute between the Kingdom of the Netherlands and the Russian Federation regarding the vessel *Arctic Sunrise*. The arbitrators are Thomas Mensah (Ghana), President of the arbitral tribunal, Henry Burmester (Australia), Alfred Soons (the Netherlands) Janusz Symonides (Poland) and Alberto Székely Sánchez (Mexico)

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By a Notification and Statement of Claim dated 4 October 2013, the Kingdom of the Netherlands instituted arbitral proceedings against the Russian Federation pursuant to Annex VII to the Convention. In accordance with article 3, subparagraph (b), of Annex VII to the Convention, the Notification dated 4 October 2013 included the appointment of Alfred Soons (the Netherlands) as a member of the arbitral tribunal.

Article 3, subparagraph (c), of Annex VII to the Convention provides that the “other party to the dispute shall, within 30 days of receipt of the notification [instituting proceedings], appoint one member” of the arbitral tribunal and “[i]f the appointment is not made within that period, the party instituting the proceedings may ... request that the appointment be made” by the President of the Tribunal.

By letter dated 15 November 2013 from the Agent of the Kingdom of the Netherlands, the Netherlands requested the President of the Tribunal to appoint one member of the arbitral tribunal, pursuant to article 3, subparagraphs (c) and (e), of Annex VII to the Convention.

Further to consultations by correspondence with the Parties, the President of the Tribunal appointed Alberto Székely Sánchez (Mexico) as arbitrator.

Article 3, subparagraph (d), of Annex VII to the Convention provides that if the parties are unable to reach agreement on the appointment of one or more of the other three members of the tribunal, or on the appointment of the president of the arbitral tribunal, these appointments shall be made by the President of the

International Tribunal for the Law of the Sea at the request of a party to the dispute. In accordance with article 3, subparagraph (e), of Annex VII to the Convention, the appointments "shall be made from the list referred to in article 2 of [the] Annex within a period of 30 days of the receipt of the request and in consultation with the parties".

By letter dated 13 December 2013 from the Agent of the Kingdom of the Netherlands, the Netherlands requested the President of the Tribunal, pursuant to article 3, subparagraphs (d) and (e), of Annex VII to the Convention, to appoint the other three members of the arbitral tribunal that is being constituted and name one among them to serve as the president of the tribunal under Annex VII.

Further to consultations by correspondence with the Parties, the President of the Tribunal appointed Thomas Mensah (Ghana), Janusz Symonides (Poland) and Henry Burmester (Australia) as arbitrators in the arbitral proceedings. The President appointed Thomas Mensah as president of the arbitral tribunal.

Note: The press releases of the Tribunal do not constitute official documents and are issued for information purposes only.

The press releases of the Tribunal, documents and other information are available on the Tribunal's websites (<http://www.itlos.org> and <http://www.tidm.org>) and from the Registry of the Tribunal. Please contact Ms Julia Ritter at: Am Internationalen Seegerichtshof 1, 22609 Hamburg, Germany, Tel.: +49 (40) 35607-227; Fax: +49 (40) 35607-245; E-mail: [press@itlos.org](mailto:press@itlos.org)