

**МІНІСТЕРСТВО
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By Electronic Mail

Mr. Philippe Gautier
The Registrar
The International Tribunal
for the Law of the Sea
Am Internationalen Seegerichtshof 1
22609 Hamburg
Germany

2 May 2019

Re: ITLOS Case No. 26 (Detention of Three Ukrainian Naval Vessels)

Sir:

Further to your letter of 30 April 2019, Ukraine respectfully requests, consistent with Article 28 of the Tribunal's Statute, that the Tribunal continue the proceedings and render a decision on provisional measures. Convening the hearing as scheduled by the President of ITLOS is appropriate in this case.

In addition, Ukraine has made logistical arrangements and incurred costs in connection with the planned hearing dates of 10-11 May 2019, and therefore Ukraine further requests that the Tribunal maintain those previously ordered hearing dates, although defers to the President on whether one or two days of oral pleadings are necessary in light of Russia's decision not to appear. The procedure employed in the *Artic Sunrise* case — a single hearing day (to be held on 10 May 2019) with written responses to questions posed at the hearing due the following day (11 May 2019) may be appropriate here. Ukraine further requests that the Russian Federation be held to the original deadline of 7 May 2019 for the submission of any written observations. Were the Tribunal to accept a submission after that date, Ukraine's ability to respond to Russia's written observations at the hearing would be prejudiced and the efficiency of the proceedings undermined.

Ukraine would of course appreciate information on any changes to the format of the hearing that the President deems appropriate resulting from Russia's non-participation.

Sincerely,

Olena Zerkal
Agent of Ukraine