

PCA Case No. 2019-28

IN THE MATTER OF AN ARBITRATION

- before -

**AN ARBITRAL TRIBUNAL CONSTITUTED UNDER ANNEX VII
TO THE 1982 UNITED NATIONS CONVENTION ON THE LAW OF THE SEA**

- between -

UKRAINE

- and -

THE RUSSIAN FEDERATION

- in respect of a -

**DISPUTE CONCERNING THE DETENTION OF UKRAINIAN NAVAL VESSELS AND
SERVICEMEN**

PROCEDURAL ORDER NO. 12

WHEREAS on 8 September 2025, the President of the Arbitral Tribunal convened a videoconference consultation with the Parties on their views on the procedure for further proceedings including the oral hearing on the merits;

WHEREAS on 28 September 2025, taking into account the views expressed during the consultation, the Arbitral Tribunal proposed that the hearing on the merits be held on 8 and 9 January 2026, either in person or in a hybrid format, at the Peace Palace in The Hague;

WHEREAS on 1 October 2025, Ukraine confirmed its availability for a hearing on 8 and 9 January 2026, and requested that the same be held in person; and whereas no comments were received from the Russian Federation regarding the Arbitral Tribunal's proposal;

WHEREAS on 3 November 2025, the Arbitral Tribunal scheduled the hearing on the merits in this case to take place in person at the Peace Palace in The Hague on 8 and 9 January 2026;

WHEREAS on 24 November 2025, Ukraine submitted its initial notification of fact and expert witnesses that it intended to present for examination at the hearing; and whereas the Russian Federation did not submit any initial notification;

WHEREAS on 5 December 2025, the Arbitral Tribunal proposed a schedule for the hearing to the Parties;

WHEREAS on 9 December 2025, Ukraine submitted its final notification of fact and expert witnesses that it intended to present for examination at the hearing; and whereas the Russian Federation did not submit any final notification;

WHEREAS on the same date, Ukraine submitted its comments on the proposed schedule for the hearing; and whereas the Russian Federation did not submit any comments on the proposed schedule;

WHEREAS on 21 December 2025, the Arbitral Tribunal informed the Parties of the withdrawal of Professor Alexander N. Vylegzhanin as arbitrator on account of health reasons;

WHEREAS on 24 December 2025, the Arbitral Tribunal decided to postpone the hearing scheduled for 8 and 9 January 2026;

WHEREAS on 6 February 2026, following the vacancy created by Professor Alexander N. Vylegzhanin's withdrawal, the President of the International Tribunal for the Law of the Sea, H.E. Judge Tomas Heidar, pursuant to Ukraine's request dated 20 January 2026 and further to consultations by correspondence with the Parties on the matter, appointed Professor Nguyễn Hồng Thao as arbitrator in these proceedings;

WHEREAS on 17 March 2026, Ukraine wrote to the Arbitral Tribunal requesting that the Tribunal proceed to schedule the merits hearing at the earliest possible date;

WHEREAS on 23 March 2026, the Arbitral Tribunal proposed to hold the oral hearing on the merits on 9 and 10 July 2026 and invited the Parties' views on the organization of the hearing;

WHEREAS on 27 March 2026, Ukraine confirmed its availability for an oral hearing on 9 and 10 July 2026 and indicated its views on the organization of the hearing; and whereas the Russian Federation did not submit any comments on the proposed dates or organization of the hearing;

WHEREAS on 5 May 2026, the Arbitral Tribunal fixed the hearing on the merits in this case to take place in person at the Peace Palace in The Hague on 9 and 10 July 2026;

WHEREAS on 6 May 2026, the Arbitral Tribunal issued Procedural Order No. 11 concerning the organization of the hearing on the merits;

WHEREAS on 1 June 2026, the Arbitral Tribunal informed the Parties of the withdrawal of Professor Nguyễn Hồng Thao as arbitrator in these proceedings by letter dated 30 May 2026;

WHEREAS on 12 June 2026, the Arbitral Tribunal wrote to the Parties postponing the hearing scheduled for 9 and 10 July 2026;

WHEREAS on 25 June 2026, the Arbitral Tribunal wrote to the Parties to enquire as to the Parties' availability to reschedule the hearing for a tentative date in the period of 30 November to 2 December 2026, subject to progress in re-constituting the Arbitral Tribunal;

WHEREAS on 3 July 2026, Ukraine wrote to the Arbitral Tribunal confirming its availability for an oral hearing in the period of 30 November to 2 December 2026; and whereas the Russian Federation did not submit any comments on the tentative date proposed;

WHEREAS on 24 July 2026, following the vacancy created by Professor Nguyễn Hồng Thao's withdrawal, the President of the International Tribunal for the Law of the Sea, H.E. Judge Tomas Heidar, pursuant to Ukraine's request dated 3 July 2026 and further to consultations by correspondence with the Parties on the matter, appointed Dr. Alberto Székely y Sánchez as arbitrator in these proceedings;

WHEREAS on 24 August 2026, the Arbitral Tribunal fixed the hearing on the merits in this case to take place in person at the Peace Palace in The Hague on 30 November and 1 December 2026 (the "**Hearing**");

WHEREAS Article 17, paragraph 2, of the Rules of Procedure of the Arbitral Tribunal provides:

The dates for the hearings shall be set by the Arbitral Tribunal, after ascertaining the views of the Parties. The Arbitral Tribunal shall give the Parties adequate advance notice of the date, time and place of any oral hearing.

WHEREAS in accordance with Article 17, paragraph 2, of the Rules of Procedure, the Arbitral Tribunal has ascertained the views of the Parties regarding the procedural and administrative aspects of the Hearing, following the Arbitral Tribunal's invitation to both Parties;

WHEREAS Article 28, paragraph 3, of the Rules of Procedure provides:

The presentation of the Parties' opening statements at any hearing shall be open to the public. The Arbitral Tribunal, after ascertaining the views of the Parties, shall consider at the appropriate time the extent to which any other parts of hearings shall be open to the public.

* * *

THE ARBITRAL TRIBUNAL HEREBY DECIDES:

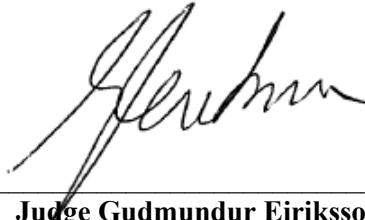
1. The following schedule for the Hearing is established:

Monday, 30 November 2026 (10:00 – 17:45 CET)	
10:00 – 10:15 CET	Administrative matters
10:15 – 11:45 CET	First round of oral argument (Ukraine)
11:45 – 12:00 CET	Break
12:00 – 13:30 CET	First round of oral argument (Ukraine)
13:30 – 14:30 CET	Lunch break
14:30 – 16:00 CET	First round of oral argument (Russian Federation)
16:00 – 16:15 CET	Break
16:15 – 17:45 CET	First round of oral argument (Russian Federation)
Tuesday, 1 December 2026 (10:00 – 18:15 CET)	
10:00 – 11:00 CET	Examination of [REDACTED]
11:00 – 11:15 CET	Break
11:15 – 12:15 CET	Examination of Mr. Geoffrey Thomas and Mr. Alexander Shterev
12:15 – 14:00 CET	Lunch break
14:00 – 16:00 CET	Second round of oral argument (Ukraine)
16:00 – 16:15 CET	Break
16:15 – 18:15 CET	Second round of oral argument (Russian Federation)

2. The opening statements of each Party's Agent in the first round of oral argument will be made accessible to the public through an online stream available on the PCA website.

Dated: 24 August 2026

ON BEHALF OF THE ARBITRAL TRIBUNAL

A handwritten signature in black ink, appearing to read 'G. Eiriksson', is written over a horizontal line.

Judge Gudmundur Eiriksson
President