



## PRESS RELEASE

### ARBITRATION BETWEEN AEROPORT BELBEK LLC AND MR. IGOR VALERIEVICH KOLOMOISKY AS CLAIMANTS AND THE RUSSIAN FEDERATION

THE HAGUE, 15 FEBRUARY 2019

#### **The Tribunal Issues a Partial Award**

As reported previously (Press Release dated 6 December 2017), after the hearing on the merits was held in this matter from 4 to 7 November 2017, the Tribunal requested the Claimants' expert on quantum to update his valuation report and invited both Parties to file post-hearing submissions.

The Claimants filed an updated valuation report by their quantum expert on 6 December 2017 and their post-hearing submissions on 13 January 2018. The Russian Federation did not file any post-hearing submissions.

On 5 July 2018, the Tribunal requested certain additional documents from the Parties, which the Claimants provided on 12 July 2018.

By letter to the Parties dated 4 February 2019, the Tribunal recalled that, in July 2017, it had reserved its decision regarding whether, following the hearing of November 2017 and in the event that liability was established, its award would include consideration of issues of quantum or postpone these to a further phase of the proceedings. The Tribunal indicated that, having now studied the record and deliberated, it had arrived at the conclusion that it will require additional information from the Parties in order to decide the issues of quantum and that, accordingly, it had decided to render a partial award on the issues of liability, and the outstanding issues of jurisdiction and admissibility, and to postpone issues of quantum to a further phase of the proceedings in which it will ask the Parties for additional information.

On the same date, 4 February 2019, having deliberated, the Tribunal issued its unanimous Partial Award addressing the Respondent's liability in respect of the Claimants' claims under the Ukraine-Russia BIT, as well as all outstanding issues of jurisdiction and admissibility.

#### **Background on the Arbitration**

The above-referenced arbitration was commenced by the Claimants against the Russian Federation pursuant to the Ukraine-Russia BIT and in accordance with the UNCITRAL Arbitration Rules 1976 on 13 January 2015. The Claimants contend that the Russian Federation breached its obligations under the Ukraine-Russia BIT by taking measures that deprived the Claimants of their property, contractual and other rights to operate a passenger terminal for commercial flights at the Belbek Airport in Crimea.

The Tribunal was constituted on 14 April 2015. It is comprised of Professor Pierre-Marie Dupuy (Presiding Arbitrator), Sir Daniel Bethlehem, QC (appointed by the Claimants), and Dr. Václav Mikulka (appointed by the appointing authority, H.E. Judge Bruno Simma, on behalf of the Respondent).

Under the instructions of the Tribunal, the PCA will issue press releases from time to time containing information on the procedural steps taken by the Tribunal. Basic information about the proceedings is available on the PCA website [www.pca-cpa.org](http://www.pca-cpa.org).

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### **Background on the Permanent Court of Arbitration**

The Permanent Court of Arbitration is an intergovernmental organization established by the 1899 Hague Convention on the Pacific Settlement of International Disputes. The PCA has 121 Contracting Parties. Headquartered at the Peace Palace in The Hague, the Netherlands, the PCA facilitates arbitration, conciliation, fact-finding, and other dispute resolution proceedings among various combinations of States, State entities, intergovernmental organizations, and private parties. The PCA's International Bureau is currently administering 3 interstate disputes, 102 investor-State arbitrations, and 49 cases arising under contracts involving a State or other public entity. More information about the PCA can be found at [www.pca-cpa.org](http://www.pca-cpa.org).

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