

**INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA**



**YEAR 2026**

12 June 2026

**DISPUTE CONCERNING DELIMITATION OF THE MARITIME BOUNDARY  
BETWEEN GHANA AND TOGO IN THE GULF OF GUINEA**

(GHANA/TOGO)

Constitution of chamber

**ORDER**

*Present:* *President* HEIDAR; *Vice-President* CHADHA; *Judges* JESUS, BOUGUETAIA, ATTARD, KULYK, CABELLO SARUBBI, KITTICHAISAREE, KOLODKIN, LIJNZAAD, INFANTE CAFFI, DUAN, BROWN, CARACCILO, KAMGA, ARMAS PFIRTER, HORINOUCI, JOYINI, RHEE, KEH KAMARA, MARCINIAK; *Registrar* HINRICHS OYARCE.

THE TRIBUNAL,

composed as above,

after deliberation,

Having regard to articles 15, paragraphs 2 and 4, 17, 24 and 27 of the Statute of the Tribunal (hereinafter “the Statute”),

Having regard to articles 19, 30, 31, 45 and 55 of the Rules of the Tribunal (hereinafter “the Rules”),

*Makes the following Order:*

1. Whereas, further to consultations held by the President of the Tribunal with representatives of the Republic of Ghana (hereinafter “Ghana”) and the Republic of Togo (hereinafter “Togo”) in Hamburg on 2 and 3 June 2026, a Special Agreement was concluded between the two States on 3 June 2026 to submit to a special chamber of the Tribunal, to be formed pursuant to article 15, paragraph 2, of the Statute, the dispute concerning the delimitation of their maritime boundary in the Gulf of Guinea;
2. Whereas the Special Agreement and Notification between Ghana and Togo dated 3 June 2026 (hereinafter “the Special Agreement”), in its relevant part, reads:

**Special Agreement and Notification**

Pursuant to article 15, paragraph 2, of the Statute of the Tribunal, the Republic of Ghana and the Republic of Togo hereby record their agreement to submit to a special chamber of the International Tribunal for the Law of the Sea the dispute concerning the delimitation of their maritime boundary in the Gulf of Guinea. The agreement was reached on 3 June 2026, under the conditions reflected in the agreed Minutes of Consultations, attached hereto.

The Republic of Ghana and the Republic of Togo further record their agreement that the special chamber shall be comprised of the following seven individuals:

Judge Tomas Heidar, as President

Judge Neeru Chadha

Judge Ida Caracciolo

Judge Zha Hyoung Rhee

Judge Konrad Jan Marciniak

Mr Dapo Akande, Judge *ad hoc* (Republic of Ghana)

Mr Makane Moïse Mbengue, Judge *ad hoc* (Republic of Togo)

Delivery on today's date of an original of this Agreement and Notification to the Registry of the Tribunal shall constitute the notification contemplated in article 55 of the Rules of the Tribunal.

Pursuant to article 56, paragraph 3, of the Rules, the Republic of Ghana and the Republic of Togo have the honour to notify the Tribunal that the Government of the Republic of Ghana has appointed H.E. Mr Dominic Akuritinga Ayine (MP), Attorney-General and Minister of Justice, as its Agent and H.E. Ms Marietta Brew, Legal Counsel to the President of Ghana, as its Co-Agent, and the Government of the Republic of Togo has appointed H.E. Mr Pacôme Yawovi Adjourouvi, Minister of Justice, as its Agent and Mr Stanislas Bamouni Baba, Minister, Secretary General of the Government, as its Co-Agent for the purpose of all proceedings in connection with said dispute.

The address for service to which all communications concerning the case are to be sent in accordance with article 56, paragraph 1, of the Rules is as follows:

For the Government of the Republic of Ghana:  
Embassy of the Republic of Ghana  
Stavangerstrasse 17  
10439 Berlin  
Germany

...

For the Government of the Republic of Togo:  
Embassy of the Republic of Togo  
Grabbeallee 43  
13156 Berlin, Germany

...

3 June 2026

*[signed]*

H.E. Mr Dominic Akuritinga Ayine (MP)  
For the Government of  
the Republic of Ghana

*[signed]*

H.E. Mr Pacôme Yawovi Adjourouvi  
For the Government of  
the Republic of Togo

3. Whereas the minutes of consultations agreed between Ghana and Togo on 3 June 2026 and attached to the Special Agreement read:

**Consultations by the President of the Tribunal  
with representatives of  
the Republic of Ghana and the Republic of Togo  
under article 3 of annex VII  
to the United Nations Convention on the Law of the Sea**

**Minutes of consultations**

1. At the invitation of the President of the International Tribunal for the Law of the Sea, delegations from the Republic of Ghana (hereinafter "Ghana") and the Republic of Togo (hereinafter "Togo") participated in consultations with the President under article 3 of Annex VII to the Convention, held on 2 and 3 June 2026 at the premises of the Tribunal in Hamburg, Germany, on matters relating to the arbitral proceedings instituted by Ghana in the dispute between Ghana and Togo concerning the maritime boundary between Ghana and Togo in the Gulf of Guinea, including the possible transfer of the dispute to a special chamber of the Tribunal under article 15, paragraph 2, of the Statute of the Tribunal.

2. The composition of the delegations was as follows:

For Ghana:

H.E. Mr Dominic Akuritinga Ayine (MP), Attorney-General and Minister of Justice, Agent;

Mr Fui S. Tsikata, Reindorf Chambers, Counsel and Advocate;

Mr Philippe Sands KC, Professor, 11 King's Bench Walk, Counsel and Advocate;

Mr Remi Reichhold, 11 King's Bench Walk, Counsel;

Mr Nana Poku, Head of Arbitration Secretariat;

Mr Kwame Mfodwo, Legal Adviser / Consultant.

For Togo:

H.E. Mr Pacôme Yawovi Adjourouvi, Minister of Justice, Agent;

Mr Stanislas Bamouni Baba, Minister, Secretary General of the Government, Co-Agent;

Mr Edem Kokou Tengue, Minister in charge of Maritime Economy;

Mr Cofie Séna Rodrigue Woussido, Chargé d'affaires, Head of diplomatic mission in Germany;

Mr Sena Agbayissah, Avocat au Barreau de Paris, Counsel;

Mr Alexander Marcopoulos, Avocat aux Barreaux de Paris et de New York, Counsel;

Mr Enguerrand de la Morsanglière, Avocat au cabinet Hughes Hubbard & Reed.

3. During the consultations, the parties agreed to transfer the arbitral proceedings instituted by Ghana in the dispute between Ghana and Togo concerning the maritime boundary between Ghana and Togo in the Gulf of Guinea to a special chamber of the Tribunal to be formed pursuant to article 15, paragraph 2, of the Statute, it being understood between the parties that, if any objection to jurisdiction or admissibility were to be raised before the special chamber, it shall be dealt with together with the merits.

4. The proceedings of the special chamber shall be governed by the provisions contained in the Statute and the Rules of the Tribunal and the agreement referred to in paragraph 3 above.

5. The parties request the special chamber to authorize that the written proceedings shall consist, in the following order, of: a Memorial by Ghana, a Counter-memorial by Togo, a Reply by Ghana and a Rejoinder by Togo.

6. The parties agreed that the special chamber to be formed pursuant to article 15, paragraph 2, of the Statute shall be composed of seven members, two of whom will be judges *ad hoc* chosen by the parties in accordance with article 17 of the Statute. The composition of the special chamber will be determined by the Tribunal with the approval of the parties. In this respect, the parties have agreed on the following names:

Judge Tomas Heidar  
Judge Neeru Chadha  
Judge Ida Caracciolo  
Judge Zha Hyoung Rhee  
Judge Konrad Jan Marciniak

The judges *ad hoc* shall be Mr Dapo Akande (nominated by Ghana) and Mr Makane Moïse Mbengue (nominated by Togo).

...

4. Whereas the Special Agreement provides that delivery on 3 June 2026 of an original of the Special Agreement and Notification to the Registry of the Tribunal shall constitute the notification contemplated in article 55 of the Rules; and whereas an original copy of the Special Agreement was delivered to the Registrar of the Tribunal on that day;

5. Whereas the Special Agreement states that Ghana has appointed H.E. Mr Dominic Akuritinga Ayine (MP) as Agent and H.E. Ms Marietta Brew as Co-Agent, and Togo has appointed H.E. Mr Pacôme Yawovi Adjourouvi as Agent and Mr Stanislas Bamouni Baba as Co-Agent;

6. Whereas Ghana and Togo are States Parties to the United Nations Convention on the Law of the Sea;

7. Whereas the Tribunal has before it a request by the two States Parties that the dispute concerning their maritime boundary in the Gulf of Guinea be heard and

determined by a special chamber to be formed under article 15, paragraph 2, of the Statute;

8. Whereas, in the Special Agreement, the Parties conveyed their views regarding the composition of the special chamber of the Tribunal;

9. Whereas, in the Special Agreement, Ghana notified the Tribunal of its choice of Mr Dapo Akande to sit as judge *ad hoc* in the special chamber, and Togo notified the Tribunal of its choice of Mr Makane Moïse Mbengue to sit as judge *ad hoc* in the special chamber; and whereas no objection to these choices appears to the Tribunal;

THE TRIBUNAL,

Unanimously,

1. *Decides* to accede to the request of Ghana and Togo to form a special chamber of seven judges to deal with the dispute concerning their maritime boundary in the Gulf of Guinea;

2. *Determines*, with the approval of the Parties, the composition of the Special Chamber formed to deal with this case as follows:

President	Heidar
Judges	Chadha
	Caracciolo
	Rhee
	Marciniak
Judges <i>ad hoc</i>	Akande
	Mbengue

3. *Declares* that the Special Chamber as composed above is duly constituted;

4. *Decides* that the proceedings before the Special Chamber shall be governed by the provisions contained in the Statute and the Rules;

5. *Decides* that the quorum required for meetings of the Special Chamber is four members of the Special Chamber;
6. *Reserves* the subsequent procedure for further decision by the Special Chamber.

Done in English and in French, both texts being equally authoritative, in the Free and Hanseatic City of Hamburg, this twelfth day of June, two thousand and twenty-six, in three copies, one of which will be placed in the archives of the Tribunal and the others transmitted to the Government of Ghana and to the Government of Togo, respectively.



Tomas HEIDAR,  
President



Ximena HINRICH S OYARCE,  
Registrar

---