

### **Special Agreement and Notification**

Pursuant to Article 15, paragraph 2, of the Statute of the Tribunal, the Republic of Ghana and the Republic of Côte d'Ivoire hereby record their agreement to submit to a special chamber of International Tribunal for the Law of the Sea the dispute concerning the delimitation of their maritime boundary in the Atlantic Ocean. The agreement was reached on 3 December 2014, under the conditions reflected in the agreed Minutes of Consultation (3 December 2014), attached hereto.

The Republic of Ghana and the Republic of Côte d'Ivoire further record their agreement that the special chamber shall be comprised of the following five individuals:

Judge Boualem Bouguetaia, as President

Judge Rüdiger Wolfrum

Judge Jin-Hyun Paik

Mr Thomas Mensah, Judge *ad hoc* (Ghana)

Judge Ronny Abraham, Judge *ad hoc* (Côte d'Ivoire)

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 Côte d'Ivoire have the honour to notify the Tribunal that the Government of Ghana has appointed H.E. Ms Marietta Brew Appiah-Opong, Attorney General and Minister for Justice, as its Agent and the Government of Côte d'Ivoire has appointed Mr Adama Toungara, Minister of Petroleum and Energy, as its Agent, and Dr Ibrahima Diaby, Director General of Hydrocarbons, Ministry of Petroleum and Energy, as 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 are as follows:

For the Government of Ghana:

Embassy of the Republic Ghana  
Stavangerstrasse 17-19  
10439 Berlin  
Germany

With a copy to:

H.E. Ms Marietta Brew Appiah-Opong  
Attorney General and Minister for Justice  
Email: [marietta.opong@mojagd.gov.gh](mailto:marietta.opong@mojagd.gov.gh)  
[amaadusu@gmail.com](mailto:amaadusu@gmail.com)

For the Government of Côte d'Ivoire:

Embassy of the Republic of Côte d'Ivoire  
Schinkel Strasse 10  
14193 Berlin  
Germany

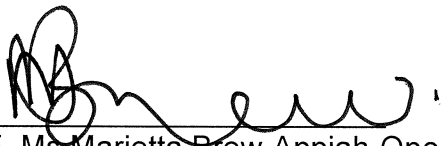
With a copy to:

Mr Adama Toungara  
Minister of Petroleum and Energy  
[adtoungara@yahoo.fr](mailto:adtoungara@yahoo.fr)

Dr Ibrahima Diaby  
Director General of Hydrocarbons  
Ministry of Petroleum and Energy  
[ibrahima\\_diaby@yahoo.fr](mailto:ibrahima_diaby@yahoo.fr)

Dated: 3 December 2014

Signed:



H.E. Ms Marietta Brew Appiah-Opong  
For the Government of Ghana



Dr Ibrahima Diaby  
For the Government of Côte  
d'Ivoire

**Consultations by the President of the Tribunal  
with representatives of Ghana and Côte d'Ivoire,  
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 Ghana and Côte d'Ivoire participated in consultations with the President under Annex VII to the Convention, held on 2 and 3 December 2014, at the premises of the Tribunal in Hamburg, Germany, on matters relating to the arbitration proceedings instituted by Ghana in the dispute between Ghana and Côte d'Ivoire concerning the delimitation of the maritime boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean, 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. Ms Marietta Brew Appiah-Opong, Attorney General and Minister for Justice, Agent  
Ms Sylvia Adusu, Chief State Attorney, Counsel  
Prof. Philippe Sands QC, Matrix Chambers  
Mr Larry Martin, Foley Hoag  
Mr Fui Tsikata, Counsel  
Mr Kwame Mfodwo, Advisor  
H.E. Ms Akua Sena Dansua, Ambassador of Ghana to Germany

For Côte d'Ivoire:

Dr Ibrahima Diaby, Co-Agent, Directeur Général des Hydrocarbures au Ministère du Pétrole et de l'Énergie de Côte d'Ivoire  
Mr Michel Pitron, Avocat au Barreau de Paris  
Mr Adama Kamara, Avocat au Barreau de Côte d'Ivoire  
Sir Michael Wood, Barrister, 20 Essex Street

3. During the consultations, the parties agreed to transfer the arbitral proceedings instituted by Ghana in the dispute between Ghana and Côte d'Ivoire concerning the delimitation of the maritime boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean 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 Rules of the Tribunal and the agreement referred to in paragraph 3 above.

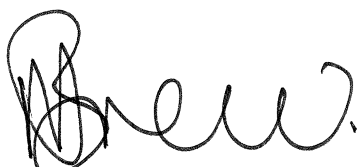
5. The parties request the special chamber to authorize that the written proceedings shall consist, in the following order, of: a Memorial presented by Ghana and a Counter-memorial presented by Côte d'Ivoire. The special chamber may authorize or direct that there shall be a Reply by Ghana and a Rejoinder by Côte d'Ivoire if it decides, at the request of a party or *proprio motu*, that these pleadings are necessary.

6. The parties agreed that the special chamber to be formed pursuant to article 15, paragraph 2, of the Statute shall be composed of five members, two of whom will be judges ad hoc chosen by the parties in accordance with article 17 of the Statute of the Tribunal. 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 Bouguetaia  
Judge Paik  
Judge Wolfrum

The judges ad hoc shall be Mr Thomas Mensah (nominated by Ghana) and Mr Ronny Abraham (nominated by Côte d'Ivoire).

Hamburg, Germany  
3 December 2014



For Ghana  
H.E. Ms Marietta Brew  
Appiah-Opong, Agent



For Côte d'Ivoire  
Dr Ibrahima Diaby,  
Co-Agent