

Special Agreement and Notification

1. Pursuant to article 15, paragraph 2, of the Statute of the International Tribunal for the Law of the Sea (hereinafter "the Tribunal"), the Republic of Mauritius and the Republic of Maldives hereby record their agreement to submit to a special chamber of the Tribunal the dispute concerning the delimitation of the maritime boundary between them in the Indian Ocean. The agreement was reached on 24 September 2019, under the conditions reflected in the agreed Minutes of Consultations (17 September 2019), attached hereto.

2. The Republic of Mauritius and the Republic of Maldives further record their agreement that the special chamber shall be composed of the following nine individuals:

Judge Jin-Hyun Paik, as President
Judge José Luis Jesus
Judge Jean-Pierre Cot
Judge Shunji Yanai
Judge Boualem Bouguetaia
Judge Tomas Heidar
Judge Neeru Chadha
Mr Bernard Oxman, Judge *ad hoc* (Republic of Maldives)
Judge *ad hoc* to be chosen by the Republic of Mauritius

3. Receipt by the Registry of the Tribunal of the electronic copy of this Agreement and Notification signed by both Parties shall constitute the notification contemplated in article 55 of the Rules of the Tribunal. The date on which the Registry of the Tribunal has received this electronic copy will constitute the date of the institution of proceedings before the Tribunal. The original of the Special Agreement and Notification should be submitted to the Tribunal forthwith.

4. Pursuant to article 56, paragraph 3, of the Rules, the Republic of Mauritius and the Republic of Maldives have the honour to notify the Tribunal that the Government of Mauritius has appointed H.E. Mr Dheerendra Kumar Dabee, G.O.S.K, S.C, Solicitor-General, as its Agent and the Government of Maldives has appointed H.E. Mr Ibrahim Riffath, Attorney General, as its Agent, for the purpose of all proceedings in connection with the said dispute.

5. 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 Mauritius:

Embassy of the Republic of Mauritius
2nd Floor, Burggraf Centre
84 Kurfürstenstrasse
10787 Berlin
Germany



With a copy to:

H.E. Mr Dheerendra Kumar Dabee, G.O.S.K., S.C.
Solicitor-General, Government of the Republic of Mauritius
Agent of the Republic of Mauritius
sgo@govmu.org

H.E. Mr Jagdish Dharamchand Koonjul, G.O.S.K.
Ambassador and Permanent Representative of the Republic of Mauritius
to the United Nations, New York
jkoonjul@gmail.com

Mr Paul Reichler, Counsel
PREichler@foleyhoag.com

Professor Philippe Sands QC, Counsel
philippesands@matrixlaw.co.uk

Ms Shiu Ching Young Kim Fat
Minister Counsellor, Prime Minister's Office
syoung-kim-fat@govmu.org

For the Government of the Republic of Maldives:

Embassy of the Republic of Maldives
Pariser Platz 4A
10117 Berlin
Germany
info@maldivesembassy.de

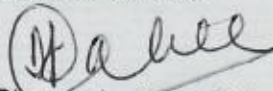
With a copy to:

H.E. Mr Ibrahim Riffath
Attorney General
Agent of the Republic of Maldives
riffath@agoffice.gov.mv
bureau@agoffice.gov.mv

H.E. Mr Ahmed Latheef
Ambassador of the Republic of Maldives to Germany
ahmed.latheef@maldivesembassy.de

Mr Alan Boyle, Counsel
AEB1953@msn.com

Dated: 24 September 2019



H.E. Mr Dheerendra Kumar Dabee
For the Government of the
Republic of Mauritius



H.E. Mr Ibrahim Riffath
For the Government of the
Republic of Maldives



**Consultations by the President of the Tribunal
with representatives of
the Republic of Mauritius and the Republic of Maldives,
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 Mauritius and the Republic of Maldives participated in consultations with the President under Annex VII to the United Nations Convention on the Law of the Sea (hereinafter "the Convention"), held on 17 September 2019, at the premises of the Tribunal in Hamburg, Germany, on matters relating to the arbitral proceedings instituted by Mauritius in the dispute concerning the delimitation of the maritime boundary between Mauritius and the Maldives in the Indian Ocean, including the possible transfer of the dispute to the Tribunal or 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 Mauritius:

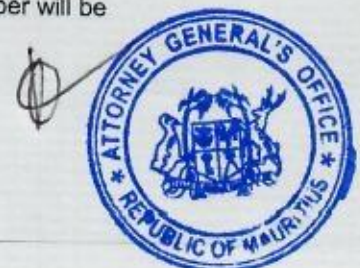
H.E. Mr Dheerendra Kumar Dabee, G.O.S.K., S.C., Solicitor-General and Agent of Mauritius;
Mr Sateaved Seebaluck, G.O.S.K, Senior Adviser to the Minister Mentor, Minister of Defence, Minister for Rodrigues;
Mr Paul S. Reichler, Attorney-at-Law, Foley Hoag LLP, member of the Bar of the District of Columbia;
Mr Andrew Loewenstein, Attorney-at-Law, Foley Hoag LLP, member of the Bar of Massachusetts.

For the Maldives:

H.E. Mr Ahmed Latheef, Ambassador, Embassy of Maldives in Germany;
Mr Alan Boyle, Essex Court Chambers;
Mr Mohamed Aseel Hassan, Senior Legal Officer, Ministry of Foreign Affairs.

3. During the consultations, the Parties agreed to transfer the arbitral proceedings instituted by Mauritius in the dispute concerning the delimitation of the maritime boundary between Mauritius and the Maldives in the Indian Ocean to a special chamber of the Tribunal to be formed pursuant to article 15, paragraph 2, of the Statute. The Parties agreed that the date of the institution of proceedings before the Tribunal is the date on which the Registry of the Tribunal has received the electronic copy of the Special Agreement and Notification signed by both Parties (see paragraph 3 of the Special Agreement and Notification). The proceedings of the special chamber of the Tribunal shall be governed by the provisions contained in the Statute and the Rules of the Tribunal.

4. The Parties agreed that the special chamber to be formed pursuant to article 15, paragraph 2, of the Statute shall be composed of nine 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:

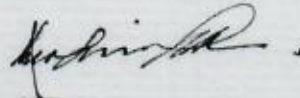
Judge Jin-Hyun Paik, as President
Judge José Luis Jesus
Judge Jean-Pierre Cot
Judge Shunji Yanai
Judge Boualem Bouguetaia
Judge Tomas Heidar
Judge Neeru Chadha

Mauritius has not yet chosen its judge *ad hoc* but will make its nomination in due course. Maldives has chosen Mr Bernard Oxman as judge *ad hoc*.

17 September 2019



H.E. Mr. Dheerendra Kumar Dabee
For the Government of the
Republic of Mauritius



H.E. Mr Ibrahim Riffath
For the Government of the
Republic of Maldives

