

**IN THE MATTER OF THE *ARA LIBERTAD* ARBITRATION**

**- before -**

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

**- between -**

**THE ARGENTINE REPUBLIC**

**- and -**

**THE REPUBLIC OF GHANA**

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**TERMINATION ORDER**

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**ARBITRAL TRIBUNAL:**

**H.E. Judge Bruno Simma (President)  
H.E. Judge Awn Shawkat Al-Khasawneh  
Judge Elsa Kelly  
Judge Thomas A. Mensah  
Professor Bernard H. Oxman**

**REGISTRY:**

**The Permanent Court of Arbitration**

**WHEREAS** the Argentine Republic (“**Argentina**”) invoked Article 287 of the United Nations Convention on the Law of the Sea (“**UNCLOS**”) and Article 1 of Annex VII to the UNCLOS with regard to a dispute concerning the detention of and court measures adopted by the Republic of Ghana (“**Ghana**”) against the frigate ARA Libertad, as set out in Argentina’s Notification dated 29 October 2012;

**WHEREAS** in accordance with Article 3 of Annex VII to the UNCLOS, by 4 February 2013, the Arbitral Tribunal composed of H.E. Judge Awn Shawkat Al-Khasawneh, Judge Elsa Kelly, Judge Thomas A. Mensah, Professor Bernard H. Oxman, and H.E. Judge Bruno Simma (President) was constituted;

**WHEREAS** following the constitution of the Arbitral Tribunal, Terms of Appointment were signed by the Parties, the President of the Arbitral Tribunal on behalf of the Arbitral Tribunal, as well as the Secretary-General of the Permanent Court of Arbitration on 21 May 2013;

**WHEREAS** the Arbitral Tribunal held a First Procedural Meeting with the Parties at the Peace Palace in The Hague, the Netherlands on 21 May 2013;

**WHEREAS**, after receiving the Parties’ comments during and subsequent to the First Procedural Meeting, the Arbitral Tribunal issued Procedural Order N° 1 and adopted the Rules of Procedure for this arbitration on 31 July 2013;

**WHEREAS** the Parties informed the Arbitral Tribunal on 11 September 2013 that they had reached an agreement on the settlement of the dispute between them;

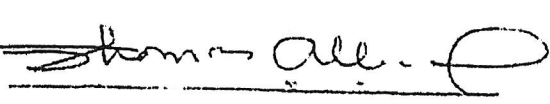

**WHEREAS** the Parties met at the Peace Palace in The Hague, the Netherlands on 27 September 2013 and concluded a Settlement Agreement in which they jointly requested that the Arbitral Tribunal “issue an order for the termination of the arbitral proceedings”; and,

**CONSIDERING** the provisions of Article 22 of the Rules of Procedure concerning “Settlement or other grounds for termination” as well as Article 26 of the Rules of Procedure and Article 7 of Annex VII to the UNCLOS concerning Tribunal expenses and remuneration:

**THE ARBITRAL TRIBUNAL HEREBY ISSUES THE FOLLOWING ORDER:**

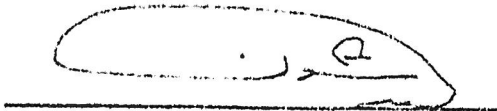
1. The proceedings in this arbitration are terminated pursuant to Article 22(1) of the Rules of Procedure.
2. In keeping with Article 28(4) of the Rules of Procedure, the Permanent Court of Arbitration will render an accounting to the Parties of the amounts deposited with it in this matter and return the unexpended balance to the Parties in equal shares.

Dated: 11 November 2013



Judge Elsa Kelly

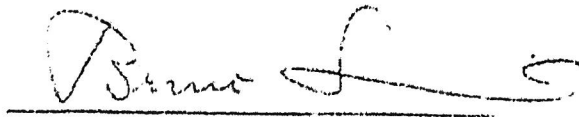
Judge Thomas A. Mensah



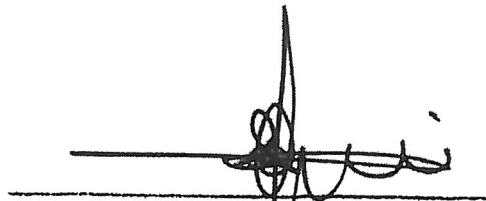
H.E. Judge Awn Shawkat Al-Khasawneh



Professor Bernard H. Oxman



H.E. Judge Bruno Simma  
President



Ms. Sarah Grimmer  
Registrar