

**PCA PRESS RELEASE****ARBITRATION BETWEEN THE ARGENTINE REPUBLIC AND THE REPUBLIC OF GHANA****THE *ARA LIBERTAD* ARBITRATION (*ARGENTINA V GHANA*)****THE HAGUE, 13 NOVEMBER 2013****The Arbitral Tribunal issues a Termination Order in the *ARA Libertad Arbitration***

On 11 November 2013, the Arbitral Tribunal established under Annex VII of the United Nations Convention on the Law of the Sea (“Convention”) in the *ARA Libertad Arbitration (Argentina v. Ghana)* issued a **Termination Order**. The Termination Order records that the proceedings in this arbitration are terminated pursuant to Article 22(1) of the Rules of Procedure and that, in keeping with Article 28(4) of the Rules of Procedure, the Permanent Court of Arbitration (“PCA”) will render an accounting to the Parties of the amounts deposited with it and return the unexpended balance to the Parties in equal shares.

The Termination Order follows an official **signing ceremony** held on 27 September 2013 at the Peace Palace in The Hague between the Parties, presided over by the President of the Arbitral Tribunal, H.E. Judge Bruno Simma. At the ceremony, the Argentine Republic and the Republic of Ghana signed an **Agreement** in relation to their dispute.

The arbitration, which was initiated by Argentina pursuant to Annex VII to the Convention, concerned the detention and court measures adopted by Ghana against the Argentine frigate *ARA Libertad* in the Port of Tema, Ghana, in October 2012. As noted in the Agreement, “[o]n June 20, 2013 the Supreme Court of Ghana delivered a judgment which sets out the Ghanaian law with regard to the arrest of warships and which upholds the customary international law position on the immunity of warships.” The Parties agreed that this, and other measures taken by Ghana, “constitute sufficient satisfaction to discharge any injury occasioned by the injunction measure over the Argentine warship – frigate *ARA Libertad*”. The Parties requested that the Arbitral Tribunal “issue an order for the termination of the arbitral proceedings.”

Video footage and **photographs** of the ceremony, as well as the Termination Order and other documents related to this arbitration, may be found on the website of the PCA at <http://www.pca-cpa.org/showpage.asp?pag_id=1526>. Further information on the background to the arbitration may be found in the Press Release dated 27 September 2013, also available at <http://www.pca-cpa.org/showpage.asp?pag_id=1526>.

The Arbitral Tribunal in this matter was constituted on 4 February 2013 and was composed of H.E. Judge Bruno Simma (President), H.E. Judge Awn Shawkat Al-Khasawneh, Judge Elsa Kelly, Judge Thomas A. Mensah, and Professor Bernard H. Oxman. Prior to the conclusion of the Parties’ Agreement, the Arbitral Tribunal had convened a procedural meeting with the Parties at the Peace Palace on 21 May 2013, adopted Rules of Procedure, and established the Procedural Timetable for the proceedings. The Permanent Court of Arbitration acted as Registry in the arbitration.

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. 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.

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