

Special Agreement Instituting Proceedings before the International Tribunal for the Law of the Sea

[Identity of the parties to the agreement, for example:]

The Government of ... and the Government of ...,

or

The Government of ... and the [International Organisation]

Considering that a dispute has arisen between them concerning [...];

Desiring that this dispute should be settled by a decision of the International Tribunal for the Law of the Sea ("Tribunal") [or by a special chamber of the Tribunal formed pursuant to article 15, paragraph 2, of the Statute];

Have agreed as follows:

Article 1

The Tribunal / [Chamber] is requested to determine [questions submitted to the Tribunal/Chamber].

Article 2

The contracting Parties agree that the written proceedings should consist of:

- (1) a Memorial of the [Government of ...] to be submitted within [...] months of the Notification of the present Agreement to the Tribunal/ [Chamber];
- (2) a Counter-Memorial of the [Government of ...] to be submitted within [...] months of delivery of the Memorial.

[Article 3

for entities not parties to the United Nations Convention on the Law of the Sea

Both parties agree to comply with the terms of the Statute of the Tribunal, contained in Annex VI to the 1982 United Nations Convention on the Law of the Sea]

[Article 4

where the dispute is being submitted to a special chamber of the Tribunal

The dispute shall be resolved by a special chamber of the Tribunal, composed of [five] judges, pursuant to article 15, paragraph 2, of the Statute of the Tribunal.

If the parties cannot agree on the composition of the chamber, any party may, after a period of 60 days following the date of the notification of this Agreement to the Tribunal, request the President of the Tribunal to determine the composition of the chamber. If the President is

unable to act or is a national of one of the parties to the dispute, the composition of the Chamber shall be determined by the next available senior member of the Tribunal who is not a national of one of the parties to the dispute.]

Article 5

The present Agreement shall enter into force upon signature. It shall be notified to the Tribunal pursuant to article 24, paragraph 1, of the Statute of the Tribunal. The notification may be done jointly or by any party to the Agreement.

or

This Agreement shall enter into force on the first day of the month following the date of receipt of the last of the notifications by which the parties have informed each other of the completion of their respective formal requirements for the entry into force of this Agreement.

Upon entry into force of the present Agreement, it shall be notified to the Tribunal pursuant to article 24, paragraph 1, of the Statute of the Tribunal. The notification may be done jointly or by any party to the Agreement.

or

The present Agreement shall be subject to ratification. The instruments of ratification shall be exchanged as soon as possible in [...] and the present Agreement shall enter into force immediately upon the exchange of those instruments.]

Upon entry into force of the present Agreement, it shall be notified to the Tribunal pursuant to article 24, paragraph 1, of the Statute of the Tribunal. The notification may be done jointly or by any party to the Agreement.

Article 6

In witness whereof the undersigned, being duly authorized thereto, have signed the present Agreement.

Done in duplicate at [place], on [date], both texts being equally authoritative.

<i>Name of signatory</i> <i>Position</i>	<i>Name of signatory</i> <i>Position</i>
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