

**SPECIAL AGREEMENT AND NOTIFICATION,  
SWITZERLAND AND NIGERIA, 17 DECEMBER 2019**

### **Special Agreement and Notification**

1. The Governments of the Swiss Confederation (hereinafter “Switzerland”) and of the Federal Republic of Nigeria (hereinafter “Nigeria”) hereby record their agreement to submit to the International Tribunal for the Law of the Sea (hereinafter “the Tribunal”) their dispute concerning the arrest and detention of the *M/T “San Padre Pio”*, its crew and cargo. The agreement was reached on 3 December 2019, under the conditions reflected in the agreed Minutes of Consultations (3 December 2019), attached hereto.
2. The Parties record their agreement that, if any objection to jurisdiction or admissibility were to be raised before the Tribunal, it shall be dealt with together with the merits.
3. Each Party records its intention to choose a judge *ad hoc* pursuant to article 17 of the Statute and article 19 of the Rules of the Tribunal.
4. 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.
5. Pursuant to article 56, paragraph 3, of the Rules, Switzerland and Nigeria have the honour to notify the Tribunal that the Government of Switzerland has appointed Ms Corinne Cicéron Bühler, Director of the Directorate of International Law of the Federal Department of Foreign Affairs, as its Agent and the Government of Nigeria has appointed Ms Stella Anukam, Director, International Law and Comparative Law, Federal Ministry of Justice, as its Agent, for the purpose of all proceedings in the case.
6. 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 Switzerland:

Swiss Embassy  
Otto-von-Bismarck-Allee 4 A  
10557 Berlin

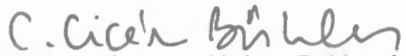
with a copy to the Agent of Switzerland

For the Government of Nigeria:

Embassy of the Federal Republic of Nigeria  
Neue Jakobstrasse Nr. 4  
10179 Berlin

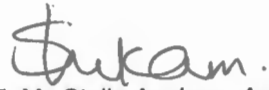
with a copy to the Agent of Nigeria

Dated: December 2019



H.E. Ms Corinne Cicéron Bühler, Agent  
For the Government of the  
Swiss Confederation

17 December 2019



H.E. Ms Stella Anukam, Agent  
For the Government of the  
Federal Republic of Nigeria

**- Minutes of consultations by the President of the Tribunal with representatives of Switzerland and Nigeria, 3 December 2019**

**Consultations by the President of the Tribunal  
with representatives of Switzerland and Nigeria**

**Minutes of consultations**

1. At the invitation of the President of the International Tribunal for the Law of the Sea (hereinafter "the Tribunal"), delegations from the Swiss Confederation (hereinafter "Switzerland") and the Federal Republic of Nigeria (hereinafter "Nigeria") participated in consultations with the President, held on 2 and 3 December 2019, at the premises of the Tribunal in Hamburg, Germany, on matters relating to the implementation of the Order of the Tribunal of 6 July 2019 in *The M/T "San Padre Pio" Case (Switzerland v. Nigeria)*, *Provisional Measures* and relating to the arbitration proceedings instituted by Switzerland in the dispute concerning the arrest and detention of the *M/T "San Padre Pio"*, its crew and cargo, including the possible transfer of the dispute to the Tribunal.

2. The composition of the delegations was as follows:

For Switzerland:

Ambassador Corinne Cicéron Bühler, Agent;  
Mr Clément Marquet;  
Ms Flavia von Meiss;  
Sir Michael Wood.


For Nigeria:

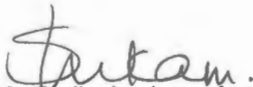
Mr Joseph Okoro, Head of Political Section, Nigerian Embassy, Co-Agent for the purpose of the consultations;  
Prof. Dapo Akande, Co-Agent for the purpose of the consultations;  
Mr Andrew Loewenstein.

3. With regard to the arbitration proceedings instituted by Switzerland by Notification and Statement of Claim and Grounds dated 6 May 2019, the Parties agreed during the consultations to transfer their dispute concerning the arrest and detention of the *M/T "San Padre Pio"*, its crew and cargo to the Tribunal. 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 4 of the Special Agreement and Notification).

4. The proceedings before the Tribunal shall be governed by the provisions contained in the Statute and the Rules of the Tribunal and the agreement referred to in paragraph 2 of the Special Agreement and Notification.

Hamburg, Germany  
3 December 2019

  
H.E. Ms Corinne Cicéron Bühler, Agent  
For the Government of the  
Swiss Confederation

  
H.E. Ms Stella Anukam, Agent  
For the Government of the  
Federal Republic of Nigeria