IN THE MATTER OF AN 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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PROCEDURAL ORDER NO. 1
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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

31 July 2013

WHEREAS the Argentine Republic ("**Argentina**") has 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 ("**PCA**") on 21 May 2013;

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

CONSIDERING the discussions held at that Meeting and the points of agreement reached by the Parties in consultation with the Arbitral Tribunal as well as Argentina's comments of 10 and 24 June 2013 and Ghana's comments of 13 June 2013,

THE ARBITRAL TRIBUNAL HEREBY ISSUES THE FOLLOWING PROCEDURAL ORDER:

1. Rules of Procedure

1.1 The rules of procedure appended to this Order ("**Rules**") shall apply in these proceedings on a supplemental basis, subject to the UNCLOS (including its Annex VII), the Terms of Appointment dated 21 May 2013, and subsequent Procedural Orders of the Arbitral Tribunal.

1.2 To the extent that any question of procedure is not expressly governed by the UNCLOS (including its Annex VII), these Rules, or existing Procedural Orders issued by the Arbitral Tribunal, the question shall be determined by the Arbitral Tribunal after consultation with the Parties.

2. Procedural Timetable

2.1 The procedural timetable shall be as follows:

Participant	Event	Date
Argentina	Submission of Memorial	21 February 2014
Ghana	Submission of any objections to the Arbitral Tribunal's jurisdiction or the admissibility of any claims that Ghana requests be dealt with as a preliminary issue ("Preliminary Objections")	21 May 2014
Argentina	Submission of Response to any Preliminary Objections filed by Ghana	21 August 2014
All	Hearing on Ghana's Preliminary Objections	27 - 31 October 2014
Arbitral Tribunal	Decision on Ghana's Preliminary Objections	
Ghana	Submission of Counter-Memorial (if necessary)	Six months from the Tribunal's Decision on Ghana's Preliminary Objections

2.2 The Arbitral Tribunal will determine the need for, and scheduling of, any further written submissions and hearings at an appropriate later stage, in consultation with the Parties.

2.3 Unless otherwise provided, all time limits in the present proceedings shall expire on the due date at midnight at the seat of arbitration.

3. Title of the Arbitration

3.1 These proceedings shall be known as the *ARA Libertad Arbitration (Argentina v. Ghana).*

4. Standing request from the Tribunal

4.1 With reference to paragraph 11(7) of the appended Rules of Procedure, the Tribunal hereby issues a standing request to the Parties that an English translation be provided to it of any pleading or exhibit submitted by any of the Parties in Spanish only.

Dated: 31 July 2013

ON BEHALF OF THE ARBITRAL TRIBUNAL

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H.E. Judge Bruno Simma
President