

**SPECIAL AGREEMENT BETWEEN THE GABONESE REPUBLIC AND  
THE REPUBLIC OF EQUATORIAL GUINEA**

## **Special Agreement**

*[Translation]*

The Gabonese Republic and the Republic of Equatorial Guinea (hereinafter “the Parties”),

Whereas there is a dispute between them, the subject of which is set forth in Article 1 of this Special Agreement,

Recognizing that several years of efforts devoted to seeking a solution through negotiation have failed to achieve the desired result,

Recalling their acceptance of the mediation offered by the United Nations Secretary-General with a view to the peaceful settlement of the dispute,

Conscious of the longstanding fraternal ties between the peoples of Gabon and Equatorial Guinea, and wishing to maintain and strengthen the respectful, friendly and co-operative relations between the two States,

Being resolved to settle their dispute peacefully and, to that end, to bring it before the International Court of Justice (hereinafter “the Court”),

Have agreed as follows:

**Article 1**  
**Submission to the Court and subject of the dispute**

1. The Court is requested to determine whether the legal titles, treaties and international conventions invoked by the Parties have the force of law in the relations between the Gabonese Republic and the Republic of Equatorial Guinea in so far as they concern the delimitation of their common maritime and land boundaries and sovereignty over the islands of Mbanié/Mbañe, Cocotiers/Cocoterros and Conga.

To this end:

2. The Gabonese Republic recognizes as applicable to the dispute the special Convention on the delimitation of French and Spanish possessions in West Africa, on the coasts of the Sahara and the Gulf of Guinea, signed in Paris on 27 June 1900, and the Convention demarcating the land and maritime frontiers of Equatorial Guinea and Gabon, signed in Bata on 12 September 1974.

3. The Republic of Equatorial Guinea recognizes as applicable to the dispute the special Convention on the delimitation of French and Spanish possessions in West Africa, on the coasts of the Sahara and the Gulf of Guinea, signed in Paris on 27 June 1900.

4. Each Party reserves the right to invoke other legal titles.

**Article 2**  
**Applicable law**

The Court is requested to settle the dispute in accordance with Article 38, paragraph 1, of its Statute.

**Article 3**  
**Procedure**

1. The Parties, mindful of Practice Direction I adopted by the Court, agree, without prejudice to the burden of proof, that the number and order of pleadings will be governed by the following provisions:

- (a) One Party will file the first pleading no later than seven months after the date on which this Special Agreement is notified to the Registrar of the Court.
- (b) The other Party will file the second pleading no later than seven months after receiving from the Registrar a certified copy of the first pleading.
- (c) The Party that filed the first pleading will file the third pleading no later than five months after receiving from the Registrar a certified copy of the second pleading.
- (d) The Party that filed the second pleading will file the fourth pleading no later than five months after receiving from the Registrar a certified copy of the third pleading.

2. If one Party requests an extension of a time-limit, the Court will make a decision in accordance with Article 44 of its Rules.

3. The order in which the Parties are heard during the oral proceedings will be the same as that followed during the written proceedings.

**Article 4**  
**Entry into force**

1. This Special Agreement shall enter into force the day after the date on which both Parties have notified each other in writing that the necessary formalities have been completed.

2. Each of the two Parties agrees to make every effort, in good faith, to ensure that this Special Agreement enters into force promptly, in so far as possible within six months of its signature. To this end, each Party agrees to implement the applicable constitutional provisions and complete the necessary formalities with all due dispatch.

**Article 5**  
**Registration with the United Nations Secretariat**

This Special Agreement shall be registered with the United Nations Secretariat, pursuant to Article 102 of the Charter of the United Nations, at the request of either Party.

**Article 6**  
**Notification**

This Special Agreement shall be notified to the Registrar of the Court by either Party as soon as possible after it enters into force.

Done in French and Spanish, both versions being equally authoritative, and signed in Marrakesh on [15] November, two thousand and sixteen.

On behalf of the Gabonese Republic	On behalf of the Republic of Equatorial Guinea
<i>(Signed)</i> H.E. Mr. Ali BONGO ONDIMBA, President of the Republic.	<i>(Signed)</i> H.E. Mr. Obiang NGUEMA MBASOGO, President of the Republic.

On behalf of the United Nations, as witness,

*(Signed)* H.E. Mr. BAN Ki-moon,  
Secretary-General.

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