

UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
LIMITED

E/CONF.26/L.63  
9 June 1958

ORIGINAL: ENGLISH/RUSSIAN

UNITED NATIONS CONFERENCE ON  
INTERNATIONAL COMMERCIAL  
ARBITRATION

CONSIDERATION OF THE DRAFT CONVENTION ON THE RECOGNITION  
AND ENFORCEMENT OF FOREIGN ARBITRAL AWARDS (ITEM 4 OF  
THE AGENDA)

New text of Articles I (3), V (1)(a), (b) and (e) adopted  
by the Conference at its 23rd meeting

Article I, paragraph 3

3. When signing, ratifying or acceding to this Convention, or notifying extension under article X hereof, any State may on the basis of reciprocity declare that it will apply the Convention to the recognition and enforcement of awards made only in the territory of another Contracting State. It may also declare that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the national law of the State making such declaration.

Article V, paragraph 1 (a), (b) and (e)

- (a) The arbitration agreement or the arbitration clause is not valid under the national law to which the parties have subjected their agreement or, failing any indication thereon, under the law of the country where the award was made; or
- (b) the party against whom the award is invoked was not given proper notice of the appointment of the arbitrator or of the arbitration proceedings or was otherwise unable to present his case; or
- (c) the award has not yet become binding on the parties, or has been set aside or suspended by a competent authority of the country in which, or under the law of which, that award was made.