

No. 4739

**ALBANIA, ARGENTINA, AUSTRALIA,
AUSTRIA, BELGIUM, etc.**

**Final Act of the United Nations Conference on International
Commercial Arbitration; and
Convention on the Recognition and Enforcement of Foreign
Arbitral Awards
Both done at New York, on 10 June 1958**

Official texts: English, French, Chinese, Russian and Spanish.

Registered ex officio on 7 June 1959.

**ALBANIE, ARGENTINE, AUSTRALIE,
AUTRICHE, BELGIQUE, etc.**

**Acte final de la Conférence des Nations Unies sur l'arbitrage
commercial international; et
Convention pour la reconnaissance et l'exécution des sen-
tences arbitrales étrangères
Faits à New-York, le 10 juin 1958**

Textes officiels anglais, français, chinois, russe et espagnol.

Enregistrés d'office le 7 juin 1959.

No. 4739. FINAL ACT OF THE UNITED NATIONS CONFERENCE ON INTERNATIONAL COMMERCIAL ARBITRATION. DONE AT NEW YORK, ON 10 JUNE 1958

1. The Economic and Social Council of the United Nations, by resolution 604 (XXI) adopted on 3 May 1956,¹ decided to convene a Conference of Plenipotentiaries for the purpose of concluding a convention on the recognition and enforcement of foreign arbitral awards, and to consider other possible measures for increasing the effectiveness of arbitration in the settlement of private law disputes.

2. In accordance with the terms of that resolution the Secretary-General invited to the Conference all States Members of the United Nations, those States non-members of the United Nations which are members of any of the specialized agencies or Parties to the Statute of the International Court of Justice, interested specialized agencies, The Hague Conference on Private International Law, the International Institute for Unification of Private Law, and interested inter-governmental and non-governmental organizations having consultative status with the Council.

3. The Conference met at the Headquarters of the United Nations in New York from 20 May to 10 June 1958.

4. The Governments of the following forty-five States were represented at the Conference :

Albania	Federal Republic of	Peru
Argentina	Germany	Philippines
Australia	Guatemala	Poland
Austria	Holy See	Sweden
Belgium	India	Switzerland
Brazil	Iran	Thailand
Bulgaria	Israel	Tunisia
Byelorussian Soviet Socialist Republic	Italy	Turkey
Ceylon	Japan	Ukrainian Soviet Socialist Republic
Colombia	Hashemite Kingdom of Jordan	Union of Soviet Socialist Republics
Costa Rica	Laos	United Arab Republic
Czechoslovakia	Monaco	United Kingdom of Great Britain and Northern Ireland
Ecuador	Netherlands	United States of America
El Salvador	Norway	Yugoslavia
Finland	Pakistan	
France	Panama	

¹ United Nations, *Official Records of the Economic and Social Council, Twenty-First Session, Supplement No. 1 (E/2889)*, p. 5.

5. The Governments of the following three States were represented at the Conference by observers : Federation of Malaya, Indonesia, Mexico.

6. The following inter-governmental organizations had observers at the Conference :

Hague Conference on Private International Law,
International Institute for the Unification of Private Law,
Organization of American States.

7. The following non-governmental organizations also had observers at the Conference :

International Chamber of Commerce,
American Foreign Insurance Association,
Chamber of Commerce of the United States,
Consejo Inter-Americano de Comercio y Producción,
International Association of Legal Science,
International Bar Association,
International Federation of Women Lawyers,
International Law Association,
Junior Chamber International,
Société de législation comparée.

8. The Conference elected H.E. Mr. C. W. A. Schurmann of the Netherlands as President of the Conference.

9. The Conference elected Mr. C. K. Daphtary of India as First Vice-President, Mr. Constantino Ramos of Argentina as Second Vice-President and Mr. Jaroslav Pščolka of Czechoslovakia as Third Vice-President.

10. The Conference established the following committees and working parties :

Committee on Other Measures for Increasing the Effectiveness of Arbitration in the settlement of Private Law Disputes

Chairman: Mr. Constantino Ramos (Argentina)

Vice-Chairman: Mr. Toshio Urabe (Japan)

Rapporteur: Mr. Edmund F. Becker (United States of America)

Credentials Committee

Chairman: Alan P. Renouf (Australia)

Working Party No. 1 (Preparation of drafts of articles I and II)

Chairman: Mr. C. K. Daphtary (India)

Working Party No. 2 (Preparation of draft provisions on validity of arbitration agreements)

Chairman: Mr. Albert Herment (Belgium)

Working Party No. 3 (Preparation of drafts of articles III, IV and V)

Chairman: Mr. Gunnar de Sydow (Sweden)

Drafting Committee

Chairman: Mr. Constantino Ramos (Argentina)

11. The Conference was opened by Mr. Constantin A. Stavropoulos, the Legal Counsel, on behalf of the Secretary-General. Mr. Oscar Schachter, Director of the General Legal Division of the Legal Office of the United Nations, was appointed Executive Secretary. Mr. Vladimir Fabry of the General Legal Division served as Deputy Executive Secretary and Mr. Paolo Contini served as Senior Legal Officer.

12. The Economic and Social Council, by its resolution convening the Conference, requested it to conclude a convention on the basis of the draft convention prepared by the Committee on the Enforcement of International Arbitral Awards, taking into account the comments and suggestions made by Governments and non-governmental organizations, as well as the discussion at the twenty-first session of the Council.

13. On the basis of the deliberations, as recorded in the reports of the working parties and in the records of the plenary meetings, the Conference prepared and opened for signature the Convention on the Recognition and Enforcement of Foreign Arbitral Awards¹ which is annexed to this Final Act.

14. The Conference decided that, without prejudice to the provisions of its articles I (3), X, XI and XIV, no reservations shall be admissible to the "Convention on the Recognition and Enforcement of Foreign Arbitral Awards".

15. The representative of Argentina made the following declaration on behalf of his Government in relation to article X: "If another Contracting Party extends the application of the Convention to territories which fall within the sovereignty of the Argentine Republic, the rights of the Argentine Republic shall in no way be affected by that extension." The representative of Guatemala made the following declaration on behalf of his Government in relation to article X: "The Delegation of Guatemala will vote in favour of article X of the Convention on the express understanding that it cannot affect or detract from the rights of Guatemala over Belize (improperly called British Honduras), if the Power occupying that part of Guatemala's national territory should at any time extend this Convention to that territory."

¹ See p. 38 of this volume.

16. In addition the Conference adopted, on the basis of proposals made by the Committee on Other Measures as recorded in its report, the following resolution :

“ *The Conference,*

“ *Believing* that, in addition to the convention on the recognition and enforcement of foreign arbitral awards just concluded, which would contribute to increasing the effectiveness of arbitration in the settlement of private law disputes, additional measures should be taken in this field,

“ *Having considered* the able survey and analysis of possible measures for increasing the effectiveness of arbitration in the settlement of private law disputes prepared by the Secretary-General (document E/CONF. 26/6),

“ *Having given particular attention* to the suggestions made therein for possible ways in which interested governmental and other organizations may make practical contributions to the more effective use of arbitration,

“ *Expresses the following views* with respect to the principal matters dealt with in the note of the Secretary-General :

“ 1. It considers that wider diffusion of information on arbitration laws, practices and facilities contributes materially to progress in commercial arbitration; recognizes that work has already been done in this field by interested organizations,¹ and expresses the wish that such organizations, so far as they have not concluded them, continue their activities in this regard, with particular attention to co-ordinating their respective efforts;

“ 2. It recognizes the desirability of encouraging where necessary the establishment of new arbitration facilities and the improvement of existing facilities, particularly in some geographic regions and branches of trade; and believes that useful work may be done in this field by appropriate governmental and other organizations, which may be active in arbitration matters, due regard being given to the need to avoid duplication of effort and to concentrate upon those measures of greatest practical benefit to the regions and branches of trade concerned;

“ 3. It recognizes the value of technical assistance in the development of effective arbitral legislation and institutions; and suggests that interested Governments and other organizations endeavour to furnish such assistance, within the means available, to those seeking it;

¹ “ For example, the Economic Commission for Europe and the Inter-American Council of Jurists. ”

“ 4. It recognizes that regional study groups, seminars or working parties may in appropriate circumstances have productive results; believes that consideration should be given to the advisability of the convening of such meetings by the appropriate regional commissions of the United Nations and other bodies, but regards it as important that any such action be taken with careful regard to avoiding duplication and assuring economy of effort and of resources;

“ 5. It considers that greater uniformity of national laws on arbitration would further the effectiveness of arbitration in the settlement of private law disputes, notes the work already done in this field by various existing organizations,² and suggests that by way of supplementing the efforts of these bodies appropriate attention be given to defining suitable subject matter for model arbitration statutes and other appropriate measures for encouraging the development of such legislation;

“ *Expresses the wish* that the United Nations, through its appropriate organs, take such steps as it deems feasible to encourage further study of measures for increasing the effectiveness of arbitration in the settlement of private law disputes through the facilities of existing regional bodies and non-governmental organizations and through such other institutions as may be established in the future;

“ *Suggests* that any such steps be taken in a manner that will assure proper co-ordination of effort, avoidance of duplication and due observance of budgetary considerations;

“ *Requests* that the Secretary-General submit this resolution to the appropriate organs of the United Nations. ”

IN WITNESS WHEREOF, the undersigned representatives have signed this Final Act on behalf of their respective States.

DONE at New York, this tenth day of June, one thousand nine hundred and fifty-eight, in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. The original texts shall be deposited in the archives of the United Nations Secretariat.

² “ For example, the International Institute for the Unification of Private Law and the Inter-American Council of Jurists. ”

FOR ALBANIA:
POUR L'ALBANIE:
阿爾巴尼亞
За Албанию
FOR ALBANIA:

N. AGOLLI

FOR ARGENTINA:
POUR L'ARGENTINE:
阿根廷
За Аргентину
POR LA ARGENTINA:

C. RAMOS

FOR AUSTRALIA:
POUR L'AUSTRALIE:
澳大利亞
За Австралию
POR AUSTRALIA:

Alan RENOUF

FOR AUSTRIA:
POUR L'AUTRICHE:
奧地利
За Австрию
POR AUSTRIA:

F. MATSCH

FOR THE KINGDOM OF BELGIUM:
POUR LE ROYAUME DE BELGIQUE:
比利時王國
За Королевство Бельгии
POR EL REINO DE BÉLGICA:

Joseph NISOT
A. HERMENT

FOR BRAZIL:

POUR LE BRÉSIL:

巴西

За Бразилию

FOR EL BRASIL:

C. PEREIRA

FOR BULGARIA:

POUR LA BULGARIE:

保加利亞

За България

FOR BULGARIA:

B. TODOROV

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:

POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:

白俄羅斯蘇維埃社會主義共和國

За Белорусскую Советскую Социалистическую Республику

FOR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE BIELORRUSIA:

A. GURINOVICH

FOR CEYLON:

POUR CEYLAN:

錫蘭

За Цейлон

FOR CEILÁN:

C. COREA

FOR COLOMBIA:

POUR LA COLOMBIE:

哥倫比亞

За Колумбию

FOR COLOMBIA:

Alberto ZULETA ANGEL

FOR COSTA RICA:

POUR LE COSTA-RICA:

哥斯大黎加

За Коста-Рику

FOR COSTA RICA:

Raúl TREJOS

FOR CZECHOSLOVAKIA:

POUR LA TCHÉCOSLOVAQUIE:

捷克斯拉夫

За Чехословакию

FOR CNECOESLOVAQUIA:

Jaroslav PŠČOLKA

FOR ECUADOR:

POUR L'ÉQUATEUR:

厄瓜多

За Эквадор

FOR EL ECUADOR:

Luis COLOMA SILVA

FOR EL SALVADOR:

POUR LE SALVADOR:

薩爾瓦多

За Сальвадор

FOR EL SALVADOR:

M. Rafael URQUÍA

F. R. LIMA

FOR FINLAND:

POUR LA FINLANDE:

芬蘭

За Финляндию

FOR FINLANDIA:

B. ALHOLM

FOR FRANCE:

POUR LA FRANCE:

法蘭西

За Францию

FOR FRANCIA:

Claude CHAYET

FOR THE FEDERAL REPUBLIC OF GERMANY:

POUR LA RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE:

德意志聯邦共和國

За Федеративную Республику Германии

FOR LA REPÚBLICA FEDERAL ALEMANA:

A. BÜLOW

FOR GUATEMALA:

POUR LE GUATEMALA:

瓜地馬拉

За Гватемалу

FOR GUATEMALA:

J. RÖLZ BENNETT

M. KESTLER FARNÉS

FOR THE HOLY SEE:

POUR LE SAINT-SIÈGE:

教廷

За Святейший Престол

FOR LA SANTA SEDE:

James H. GRIFFITHS

FOR INDIA:

POUR L'INDE:

印度

За Индию

FOR LA INDIA:

C. K. DAPHTARY

FOR IRAN:
POUR L'IRAN:
伊朗
За Иран
POR IRÁN:

Fereydoun ADAMIYAT

FOR ISRAEL:
POUR ISRAËL:
以色列
За Израэль
POR ISRAEL:

H. COHN

FOR ITALY:
POUR L'ITALIE:
義大利
За Италию
POR ITALIA:

Mario MATTEUCCI
Eugenio MINOLI

FOR JAPAN:
POUR LE JAPON:
日本
За Японию
POR EL JAPÓN:

Toshio URABE

FOR THE HASHEMITE KINGDOM OF JORDAN:
POUR LE ROYAUME HASHÉMITE DE JORDANIE:
約但哈希米德王國
За Хашемитское Королевство Иордании
POR EL REINO HASHEMITA DE JORDANIA:

Thabet KHALIDI

FOR LAOS:

POUR LE LAOS:

寮國

За Лаос

FOR LAOS:

T. VILAYHONGS

FOR MONACO:

POUR MONACO:

摩納哥

За Монако

FOR MÓNACO:

John DUBE

FOR THE KINGDOM OF THE NETHERLANDS:

POUR LE ROYAUME DES PAYS-BAS:

荷蘭王國

За Королевство Нидерландов

FOR EL REINO DE LOS PAÍSES BAJOS:

C. SCHURMANN

P. SANDERS

FOR THE KINGDOM OF NORWAY:

POUR LE ROYAUME DE NORVÈGE:

挪威王國

За Королевство Норвегии

FOR EL REINO DE NORUEGA:

Stein ROGNLIEN

FOR PAKISTAN:

POUR LE PAKISTAN:

巴基斯坦

За Пакистан

FOR EL PAKISTÁN:

KAISER

FOR PANAMA:

POUR LE PANAMA:

巴拿馬

За Панаму

FOR PANAMÁ:

Jorge E. ILLUECA

FOR PERU:

POUR LE PÉROU:

祕魯

За Перу

FOR EL PERÚ:

Carlos MACKENHENIE

M. F. MAÚRTUA

FOR THE PHILIPPINE REPUBLIC:

POUR LA RÉPUBLIQUE DES PHILIPPINES:

菲律賓共和國

За Филиппинскую Республику

FOR LA REPÚBLICA DE FILIPINAS:

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FOR POLAND:

POUR LA POLOGNE:

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За Польшу

FOR POLONIA:

Jacek MACHOWSKI

FOR SWEDEN:

POUR LA SUÈDE:

瑞典

За Швецию

FOR SUECIA:

G. DE SYDOW

FOR SWITZERLAND:

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瑞士

За Швейцарию

FOR SUIZA:

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POUR LA THAÏLANDE:

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За Таиланд

FOR TAILANDIA:

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FOR TUNISIA:

POUR LA TUNISIE:

突尼西亚

За Тунис

FOR TÚNEZ:

Mongi SLIM

FOR TURKEY:

POUR LA TURQUIE:

土耳其

За Турцию

FOR TURQUÍA:

Rabi KORAL

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:

POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE:

烏克蘭蘇維埃社會主義共和國

За Украинскую Советскую Социалистическую Республику

FOR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE UCRANIA:

V. M. SAVCHENKO

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:
蘇維埃社會主義共和國聯邦
За Союз Советских Социалистических Республик
POR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

ВАХТОВ

FOR THE UNITED ARAB REPUBLIC:
POUR LA RÉPUBLIQUE ARABE UNIE:
聯合阿拉伯共和國
За Объединенную Арабскую Республику
POR LA REPÚBLICA ARABE UNIDA:

Aly MOHSEN MOUSTAFA

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
大不列顛及北愛爾蘭聯合王國
За Соединенное Королевство Великобритании и Северной Ирландии
POR EL REINO UNIDO DE LA GRAN BRETAÑA E IRLANDA DEL NORTE:

B. A. WORTLEY
N. G. C. PEARSON

FOR THE UNITED STATES OF AMERICA:
POUR LES ÉTATS-UNIS D'AMÉRIQUE:
美利堅合眾國
За Соединенные Штаты Америки
POR LOS ESTADOS UNIDOS DE AMÉRICA:

W. T. M. BEALE

FOR YUGOSLAVIA:
POUR LA YOUGOSLAVIE:
南斯拉夫
За Югославию
POR YUGOESLAVIA:

M. BESAROVIC

THE PRESIDENT OF THE CONFERENCE:

LE PRÉSIDENT DE LA CONFÉRENCE:

會議主席

Председатель Конференции

EL PRESIDENTE DE LA CONFERENCIA:

C. SCHURMANN

THE EXECUTIVE SECRETARY OF THE CONFERENCE:

LE SECRÉTAIRE EXÉCUTIF DE LA CONFÉRENCE:

會議行政秘書

Исполнительный секретарь Конференции

EL SECRETARIO EJECUTIVO DE LA CONFERENCIA:

Oscar SCHACHTER

CONVENTION¹ ON THE RECOGNITION AND ENFORCEMENT OF FOREIGN ARBITRAL AWARDS. - DONE AT NEW YORK, ON 10 JUNE 1958

Article I

1. This Convention shall apply to the recognition and enforcement of arbitral awards made in the territory of a State other than the State where the recognition and enforcement of such awards are sought, and arising out of differences between persons, whether physical or legal. It shall also apply to arbitral awards not considered as domestic awards in the State where their recognition and enforcement are sought.

2. The term "arbitral awards" shall include not only awards made by arbitrators appointed for each case but also those made by permanent arbitral bodies to which the parties have submitted.

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 II

1. Each Contracting State shall recognize an agreement in writing under which the parties undertake to submit to arbitration all or any differences which have arisen or which may arise between them in respect of a defined legal relationship, whether contractual or not, concerning a subject matter capable of settlement by arbitration.

2. The term "agreement in writing" shall include an arbitral clause in a contract or an arbitration agreement, signed by the parties or contained in an exchange of letters or telegrams.

¹ In accordance with article XII, the Convention came into force on 7 June 1959, the ninetieth day following the date of deposit with the Secretary-General of the United Nations of the third instrument of ratification or accession. The following States have deposited their instruments of ratification or accession (a) on the dates indicated :

Israel	5 January 1959
Morocco	12 February 1959(a)
United Arab Republic	9 March 1959(a)

3. The court of a Contracting State, when seized of an action in a matter in respect of which the parties have made an agreement within the meaning of this article, at the request of one of the parties, refer the parties to arbitration, unless it finds that the said agreement is null and void, inoperative or incapable of being performed.

Article III

Each Contracting State shall recognize arbitral awards as binding and enforce them in accordance with the rules of procedure of the territory where the award is relied upon, under the conditions laid down in the following articles. There shall not be imposed substantially more onerous conditions or higher fees or charges on the recognition or enforcement of arbitral awards to which this Convention applies than are imposed on the recognition or enforcement of domestic arbitral awards.

Article IV

1. To obtain the recognition and enforcement mentioned in the preceding article, the party applying for recognition and enforcement shall, at the time of the application, supply :

(a) The duly authenticated original award or a duly certified copy thereof;

(b) The original agreement referred to in article II or a duly certified copy thereof.

2. If the said award or agreement is not made in an official language of the country in which the award is relied upon, the party applying for recognition and enforcement of the award shall produce a translation of these documents into such language. The translation shall be certified by an official or sworn translator or by a diplomatic or consular agent.

Article V

1. Recognition and enforcement of the award may be refused, at the request of the party against whom it is invoked, only if that party furnishes to the competent authority where the recognition and enforcement is sought, proof that :

(a) The parties to the agreement referred to in article II were, under the law applicable to them, under some incapacity, or the said agreement is not valid under the law to which the parties have subjected it 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 deals with a difference not contemplated by or not falling within the terms of the submission to arbitration, or it contains decisions on matters beyond the scope of the submission to arbitration, provided that, if the decisions on matters submitted to arbitration can be separated from those not so submitted, that part of the award which contains decisions on matters submitted to arbitration may be recognized and enforced; or

(d) The composition of the arbitral authority or the arbitral procedure was not in accordance with the agreement of the parties, or, failing such agreement, was not in accordance with the law of the country where the arbitration took place; or

(e) 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.

2. Recognition and enforcement of an arbitral award may also be refused if the competent authority in the country where recognition and enforcement is sought finds that :

(a) The subject matter of the difference is not capable of settlement by arbitration under the law of that country; or

(b) The recognition or enforcement of the award would be contrary to the public policy of that country.

Article VI

If an application for the setting aside or suspension of the award has been made to a competent authority referred to in article V (1) (e), the authority before which the award is sought to be relied upon may, if it considers it proper, adjourn the decision on the enforcement of the award and may also, on the application of the party claiming enforcement of the award, order the other party to give suitable security.

Article VII

1. The provisions of the present Convention shall not affect the validity of multilateral or bilateral agreements concerning the recognition and enforcement of arbitral awards entered into by the Contracting States nor deprive any interested party of any right he may have to avail himself of an arbitral award in the manner and to the extent allowed by the law or the treaties of the country where such award is sought to be relied upon.

2. The Geneva Protocol on Arbitration Clauses of 1923¹ and the Geneva Convention on the Execution of Foreign Arbitral Awards of 1927² shall cease to have effect between Contracting States on their becoming bound and to the extent that they become bound, by this Convention.

Article VIII

1. This Convention shall be open until 31 December 1958 for signature on behalf of any Member of the United Nations and also on behalf of any other State which is or hereafter becomes a member of any specialized agency of the United Nations, or which is or hereafter becomes a party to the Statute of the International Court of Justice, or any other State to which an invitation has been addressed by the General Assembly of the United Nations.

2. This Convention shall be ratified and the instrument of ratification shall be deposited with the Secretary-General of the United Nations.

Article IX

1. This Convention shall be open for accession to all States referred to in article VIII.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article X

1. Any State may, at the time of signature, ratification or accession, declare that this Convention shall extend to all or any of the territories for the international relations of which it is responsible. Such a declaration shall take effect when the Convention enters into force for the State concerned.

2. At any time thereafter any such extension shall be made by notification addressed to the Secretary-General of the United Nations and shall take effect as from the ninetieth day after the day of receipt by the Secretary-General of the United Nations of this notification, or as from the date of entry into force of the Convention for the State concerned, whichever is the later.

¹ League of Nations, *Treaty Series*, Vol. XXVII, p. 157; Vol. XXXI, p. 260; Vol. XXXV, p. 314; Vol. XXXIX, p. 190; Vol. XLV, p. 116; Vol. L, p. 161; Vol. LIX, p. 355; Vol. LXIX, p. 79; Vol. LXXII, p. 452; Vol. LXXXIII, p. 393; Vol. LXXXVIII, p. 312; Vol. XCVI, p. 190; Vol. C, p. 211; Vol. CIV, p. 499; Vol. CVII, p. 470; Vol. CXI, p. 403; Vol. CXVII, p. 55; Vol. CLVI, p. 185; Vol. CLXXXI, p. 356; Vol. CLXXXV, p. 372; Vol. CXCIII, p. 268, and Vol. CC, p. 500; and United Nations, *Treaty Series*, Vol. 117, p. 394; Vol. 261, p. 422, and Vol. 325.

² League of Nations, *Treaty Series*, Vol. XCII, p. 301; Vol. XCVI, p. 205; Vol. C, p. 259; Vol. CIV, p. 526; Vol. CVII, p. 528; Vol. CXI, p. 414; Vol. CXVII, p. 303; Vol. CXXX, p. 457; Vol. CLVI, p. 210; Vol. CLXXXI, p. 389; Vol. CLXXXV, p. 391, and Vol. CXCIII, p. 269; and United Nations, *Treaty Series*, Vol. 122, p. 346; Vol. 134, p. 402; Vol. 269, p. 384, and Vol. 325.

3. With respect to those territories to which this Convention is not extended at the time of signature, ratification or accession, each State concerned shall consider the possibility of taking the necessary steps in order to extend the application of this Convention to such territories, subject, where necessary for constitutional reasons, to the consent of the Governments of such territories.

Article XI

In the case of a federal or non-unitary State, the following provisions shall apply :

(a) With respect to those articles of this Convention that come within the legislative jurisdiction of the federal authority, the obligations of the federal Government shall to this extent be the same as those of Contracting States which are not federal States;

(b) With respect to those articles of this Convention that come within the legislative jurisdiction of constituent states or provinces which are not, under the constitutional system of the federation, bound to take legislative action, the federal Government shall bring such articles with a favourable recommendation to the notice of the appropriate authorities of constituent states or provinces at the earliest possible moment;

(c) A federal State Party to this Convention shall, at the request of any other Contracting State transmitted through the Secretary-General of the United Nations, supply a statement of the law and practice of the federation and its constituent units in regard to any particular provision of this Convention, showing the extent to which effect has been given to that provision by legislative or other action.

Article XII

1. This Convention shall come into force on the ninetieth day following the date of deposit of the third instrument of ratification or accession.

2. For each State ratifying or acceding to this Convention after the deposit of the third instrument of ratification or accession, this Convention shall enter into force on the ninetieth day after deposit by such State of its instrument of ratification or accession.

Article XIII

1. Any Contracting State may denounce this Convention by a written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.

2. Any State which has made a declaration or notification under article X may, at any time thereafter, by notification to the Secretary-General of the United Nations, declare that this Convention shall cease to extend to the territory concerned one year after the date of the receipt of the notification by the Secretary-General.

3. This Convention shall continue to be applicable to arbitral awards in respect of which recognition or enforcement proceedings have been instituted before the denunciation takes effect.

Article XIV

A Contracting State shall not be entitled to avail itself of the present Convention against other Contracting States except to the extent that it is itself bound to apply the Convention.

Article XV

The Secretary-General of the United Nations shall notify the States contemplated in article VIII of the following :

- (a) Signatures and ratifications in accordance with article VIII;
- (b) Accessions in accordance with article IX;
- (c) Declarations and notifications under articles I, X and XI;
- (d) The date upon which this Convention enters into force in accordance with article XII;
- (e) Denunciations and notifications in accordance with article XIII.

Article XVI

1. This Convention, of which the Chinese, English, French, Russian and Spanish texts shall be equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit a certified copy of this Convention to the States contemplated in article VIII.

FOR AFGHANISTAN:

POUR L'AFGHANISTAN:

阿富汗

За Афганистан

FOR EL AFGANISTÁN:

FOR ALBANIA:

POUR L'ALBANIE:

阿爾巴尼亞

За Албанию

FOR ALBANIA:

FOR ARGENTINA:

POUR L'ARGENTINE:

阿根廷

За Аргентину

FOR LA ARGENTINA:

Subject to the declaration contained in the Final Act¹

C. RAMOS

26 August 1958

FOR AUSTRALIA:

POUR L'AUSTRALIE:

澳大利亞

За Австралию

FOR AUSTRALIA:

FOR AUSTRIA:

POUR L'AUTRICHE:

奧地利

За Австрию

FOR AUSTRIA:

FOR THE KINGDOM OF BELGIUM:

POUR LE ROYAUME DE BELGIQUE:

比利時王國

За Королевство Бельгии

FOR EL REINO DE BÉLGICA:

Joseph NISOT

A. HERMENT

¹ Sous réserve de la déclaration consignée dans l'Acte final.

FOR BOLIVIA:

POUR LA BOLIVIE:

玻利維亞

За Бoливию

FOR BOLIVIA:

FOR BRAZIL:

POUR LE BRÉSIL:

巴西

За Бразилию

FOR EL BRASIL:

FOR BULGARIA:

POUR LA BULGARIE:

保加利亞

За България

FOR BULGARIA:

Bulgaria will apply the Convention to recognition and enforcement of awards made in the territory of another contracting State. With regard to awards made in the territory of non-contracting States it will apply the Convention only to the extent to which these States grant reciprocal treatment.¹

A. GHEORGIEV

17.XII.1958

FOR THE UNION OF BURMA:

POUR L'UNION BIRMANE:

緬甸聯邦

За Бирманский Союз

FOR LA UNIÓN BIRMANA:

¹ [Traduction — Translation] La Bulgarie appliquera la Convention à la reconnaissance et à l'exécution des sentences rendues sur le territoire d'un autre État contractant. En ce qui concerne les sentences rendues sur le territoire d'États non contractants, elle n'appliquera la Convention que sur la base d'une stricte réciprocité.

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
 POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:
 白俄羅斯蘇維埃社會主義共和國
 За Белорусскую Советскую Социалистическую Республику
 POR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE BIELORRUSIA: .

F. N. GRYAZNOV
 29/XII.1958

FOR CAMBODIA:
 POUR LE CAMBODGE:
 高棉
 За Камбоджу
 POR CAMBOJA:

FOR CANADA:
 POUR LE CANADA:
 加拿大
 За Канаду
 POR EL CANADÁ:

FOR CEYLON:
 POUR CEYLAN:
 錫蘭
 За Цейлон
 POR CEILÁN:

N. T. D. KANAKARATNE
 December 30th, 1958

FOR CHILE:
 POUR LE CHILI:
 智利
 За Чили
 POR CHILE:

FOR CHINA:
 POUR LA CHINE:
 中國
 За Китай
 POR LA CHINA:

FOR COLOMBIA:

POUR LA COLOMBIE:

哥倫比亞

За Колумбию

FOR COLOMBIA:

FOR COSTA RICA:

POUR LE COSTA-RICA:

哥斯大黎加

За Коста-Рику

FOR COSTA RICA:

Alberto F. CAÑAS

FOR CUBA:

POUR CUBA:

古巴

За Кубу

FOR CUBA:

FOR CZECHOSLOVAKIA:

POUR LA TCHÉCOSLOVAQUIE:

捷克斯拉夫

За Чехословакию

FOR CZECHOSLOVAKIA:

Czechoslovakia will apply the Convention to recognition and enforcement of awards made in the territory of another contracting State. With regard to awards made in the territory of non-contracting States it will apply the Convention only to the extent to which these States grant reciprocal treatment.¹

Jaroslav PŠČOLKA

October 3, 1958

¹ [Translation — Translation] La Tchécoslovaquie appliquera la Convention à la reconnaissance et à l'exécution des sentences rendues sur le territoire d'un autre État contractant. En ce qui concerne les sentences rendues sur le territoire d'États non contractants, elle n'appliquera la Convention que sur la base d'une stricte réciprocité.

FOR DENMARK:

POUR LE DANEMARK:

丹麥

За Данию

FOR DINAMARCA:

FOR THE DOMINICAN REPUBLIC:

POUR LA RÉPUBLIQUE DOMINICAINE:

多明尼加共和國

За Доминиканскую Республику

FOR LA REPÚBLICA DOMINICANA:

FOR ECUADOR:

POUR L'ÉQUATEUR:

厄瓜多

За Эквадор

FOR EL ECUADOR:

El Ecuador, a base de reciprocidad, aplicará la Convención al reconocimiento y a la ejecución de sentencias arbitrales dictadas en el territorio de otro Estado Contratante únicamente y sólo cuando tales sentencias se hayan pronunciado sobre litigios surgidos de relaciones jurídicas consideradas comerciales por el Derecho ecuatoriano¹.

José A. CORREA

Dec. 17/1958

FOR EL SALVADOR:

POUR LE SALVADOR:

薩爾瓦多

За Сальвадор

FOR EL SALVADOR:

M. Rafael URQUÍA

F. R. LIMA

¹ [Translation] Ecuador, on a basis of reciprocity, will apply the Convention to the recognition and enforcement of arbitral awards made in the territory of another Contracting State only if such awards have been made with respect to differences arising out of legal relationships which are regarded as commercial under Ecuatorian law.

¹ [Traduction] L'Équateur appliquera la Convention, sur la base de la réciprocité, à la reconnaissance et à l'exécution des sentences arbitrales rendues sur le territoire d'un autre État contractant, uniquement lorsque ces sentences auront été prononcées au sujet de différends issus de rapports de droit qui sont considérés comme commerciaux par le droit équatorien.

FOR ETHIOPIA:

POUR L'ETHIOPIE:

阿比西尼亞

За Эфиопию

FOR ETIOPIÁ:

FOR THE FEDERATION OF MALAYA:

POUR LA FÉDÉRATION DE MALAISIE:

馬來亞聯邦

За Малайскую Федерацию

FOR LA FEDERACIÓN MALAYA:

FOR FINLAND:

POUR LA FINLANDE:

芬蘭

За Финляндию

FOR FINLANDIA:

G. A. GRIPENBERG

Dec. 29th, 1958

FOR FRANCE:

POUR LA FRANCE:

法蘭西

За Францию

FOR FRANCIA:

G. GEORGES-PICOT

25 novembre 1958

FOR THE FEDERAL REPUBLIC OF GERMANY:

POUR LA RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE:

德意志聯邦共和國

За Федеративную Республику Германии

FOR LA REPÚBLICA FEDERAL ALEMANA:

A. BÜLOW

FOR GHANA:

POUR LE GHANA:

迦納

За Гану

FOR GHANA:

FOR GREECE:

POUR LA GRÈCE:

希臘

За Грецию

FOR GRECIA:

FOR GUATEMALA:

POUR LE GUATEMALA:

瓜地馬拉

За Гватемалу

FOR GUATEMALA:

FOR HAÏTI:

POUR HAÏTI:

海地

За Гаити

FOR HAÏTÍ:

FOR THE HOLY SEE:

POUR LE SAINT-SIÈGE:

教廷

За Святейший Престол

FOR LA SANTA SEDE:

FOR HONDURAS:

POUR LE HONDURAS:

洪都拉斯

За Гондурас

FOR HONDURAS:

FOR HUNGARY:

POUR LA HONGRIE:

匈牙利

За Венгрию

FOR HUNGRÍA:

FOR ICELAND:

POUR L'ISLANDE:

冰島

За Исландию

FOR ISLANDIA:

FOR INDIA:

POUR L'INDE:

印度

За Индия

FOR LA INDIA:

C. K. DAPHTARY

FOR INDONESIA:

POUR L'INDONÉSIE:

印度尼西亞

За Индонезию

FOR INDONESIA:

FOR IRAN:

POUR L'IRAN:

伊朗

За Иран

FOR IRÁN:

FOR IRAQ:

POUR L'IRAK:

伊拉克

За Ирак

FOR IRAK:

FOR IRELAND:

POUR L'IRLANDE:

愛爾蘭

За Ирландию

FOR IRLANDA:

FOR ISRAEL:

POUR ISRAËL:

以色列

За Израиль

FOR ISRAEL:

H. COHN

FOR ITALY:

POUR L'ITALIE:

義大利

За Италию

FOR ITALIA:

FOR JAPAN:

POUR LE JAPON:

日本

За Японию

FOR EL JAPÓN:

FOR THE HASHEMITE KINGDOM OF JORDAN:

POUR LE ROYAUME HASHÉMITE DE JORDANIE:

約但哈希米德王國

За Хашемитское Королевство Иордании

FOR EL REINO HASHEMITA DE JORDANIA:

Thabet KHALIDI

FOR THE REPUBLIC OF KOREA:

POUR LA RÉPUBLIQUE DE CORÉE:

大韓民國

За Корейскую Республику

FOR LA REPÚBLICA DE COREA:

FOR LAOS:

POUR LE LAOS:

寮國

За Лаос

FOR LAOS:

FOR LEBANON:

POUR LE LIBAN:

黎巴嫩

За Ливан

FOR EL LÍBANO:

FOR LIBERIA:

POUR LE LIBÉRIA:

賴比瑞亞

За Либерию

FOR LIBERIA:

FOR LIBYA:

POUR LA LIBYE:

利比亞

За Ливию

FOR LIBIA:

FOR LIECHTENSTEIN:

POUR LE LIECHTENSTEIN:

力喜騰斯坦因

За Лихтенштейн

FOR LIECHTENSTEIN:

FOR THE GRAND DUCHY OF LUXEMBOURG:

POUR LE GRAND-DUCHÉ DE LUXEMBOURG:

盧森堡大公國

За Великое Герцогство Люксембург

FOR EL GRAN DUCADO DE LUXEMBURGO:

G. HEISBOURG

Le 11 novembre 1958

FOR MEXICO:

POUR LE MEXIQUE:

墨西哥

За Мексику

FOR MÉXICO:

FOR MONACO:

POUR MONACO:

摩納哥

За Монако

FOR MÓNACO:

M. A. PALMARO

Le 31/12/58

FOR MOROCCO:
POUR LE MAROC:
摩洛哥
За Марокко
POR MARRUECOS:

FOR NEPAL:
POUR LE NÉPAL:
尼泊爾
За Непал
POR NEPAL:

FOR THE KINGDOM OF THE NETHERLANDS:
POUR LE ROYAUME DES PAYS-BAS:
荷蘭王國
За Королевство Нидерландов
POR EL REINO DE LOS PAÍSES BAJOS:

C. SCHURMANN

FOR NEW ZEALAND:
POUR LA NOUVELLE-ZÉLANDE:
紐西蘭
За Новую Зеландию
POR NUEVA ZELANDIA:

FOR NICARAGUA:
POUR LE NICARAGUA:
尼加拉瓜
За Никарагуа
POR NICARAGUA:

FOR THE KINGDOM OF NORWAY:
POUR LE ROYAUME DE NORVÈGE:
挪威王國
За Королевство Норвегии
POR EL REINO DE NORUEGA:

FOR PAKISTAN:
POUR LE PAKISTAN:
巴基斯坦
За Пакистан
POR EL PAKISTÁN:

Khwaja Mohammed KAISER
30th of December 1958

FOR PANAMA:
POUR LE PANAMA:
巴拿馬
За Панаму
POR PANAMÁ:

FOR PARAGUAY:
POUR LE PARAGUAY:
巴拉圭
За Парагвай
POR EL PARAGUAY:

FOR PERU:
POUR LE PÉROU:
秘魯
За Перу
POR EL PERÚ:

FOR THE PHILIPPINE REPUBLIC:

POUR LA RÉPUBLIQUE DES PHILIPPINES:

菲律賓共和國

За Филиппинскую Республику

FOR LA REPÚBLICA DE FILIPINAS:

Octavio L. MALOLES

The Philippine delegation signs *ad referendum* this Convention with the reservation that it does so on the basis of reciprocity and declares that the Philippines will apply the Convention to the recognition and enforcement of awards made only in the territory of another Contracting State pursuant to article I, paragraph 3, of the Convention.¹

FOR POLAND:

POUR LA POLOGNE:

波蘭

За Польшу

FOR POLONIA:

Jacek MACHOWSKI

With reservations as mentioned in article I, par. 3².

FOR PORTUGAL:

POUR LE PORTUGAL:

葡萄牙

За Португалию

FOR PORTUGAL:

FOR ROMANIA:

POUR LA ROUMANIE:

羅馬尼亞

За Румынию

FOR RUMANIA:

¹ [Traduction — Translation] La délégation des Philippines signe la présente Convention *ad referendum* en faisant la réserve suivante : sa signature est donnée sur la base de la réciprocité et elle déclare que les Philippines appliqueront la Convention à la reconnaissance et l'exécution des seules sentences rendues sur le territoire d'un autre État contractant, conformément à l'article premier, paragraphe 3, de la Convention.

² Avec la réserve mentionnée à l'article premier, paragraphe 3.

FOR SAN MARINO:

POUR SAINT-MARIN:

聖馬利諾

За Сан-Марино

FOR SAN MARINO:

FOR SAUDI ARABIA:

POUR L'ARABIE SAOUDITE:

沙烏地阿拉伯

За Саудовскую Аравию

FOR ARABIA SAUDITA:

FOR SPAIN:

POUR L'ESPAGNE:

西班牙

За Испанию

FOR ESPAÑA:

FOR THE SUDAN:

POUR LE SOUDAN:

蘇丹

За Судан

FOR EL SUDÁN:

FOR SWEDEN:

POUR LA SUÈDE:

瑞典

За Швецию

FOR SUECIA:

Agda ROSSEL
Dec. 23, 1958

FOR SWITZERLAND:

POUR LA SUISSE:

瑞士

За Швейцарию

FOR SUIZA:

Félix SCHNYDER
29 décembre 1958

FOR THAILAND:

POUR LA THAÏLANDE:

泰國

За Таиланд

FOR TAILANDIA:

FOR TUNISIA:

POUR LA TUNISIE:

突尼西亞

За Тунис

FOR TÚNEZ:

FOR TURKEY:

POUR LA TURQUIE:

土耳其

За Турцию

FOR TURQUÍA:

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:

POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE:

烏克蘭蘇維埃社會主義共和國

За Украинскую Советскую Социалистическую Республику

FOR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE UCRANIA:

P. UDOVICHENKO

29.XII.1958

FOR THE UNION OF SOUTH AFRICA:

POUR L'UNION SUD-AFRICAINE:

南非聯邦

За Южно-Африканский Союз

FOR LA UNIÓN SUDAFRICANA:

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:

POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:

蘇維埃社會主義共和國聯邦

За Союз Советских Социалистических Республик

FOR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

A. SOBOLEV

29.XII.58

FOR THE UNITED ARAB REPUBLIC:

POUR LA RÉPUBLIQUE ARABE UNIE:

聯合阿拉伯共和國

За Объединенную Арабскую Республику

POUR LA REPÚBLICA ARABE UNIDA:

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:

大不列顛及北愛爾蘭聯合王國

За Соединенное Королевство Великобритании и Северной Ирландии

POUR EL REINO UNIDO DE LA GRAN BRETAÑA E IRLANDA DEL NORTE:

FOR THE UNITED STATES OF AMERICA:

POUR LES ETATS-UNIS D'AMÉRIQUE:

美利堅合衆國

За Соединенные Штаты Америки

POUR LOS ESTADOS UNIDOS DE AMÉRICA:

FOR URUGUAY:

POUR L'URUGUAY:

烏拉圭

За Уругвай

POUR EL URUGUAY:

FOR VENEZUELA:

POUR LE VENEZUELA:

委內瑞拉

За Венесуэлу

POUR VENEZUELA:

FOR VIET-NAM:

POUR LE VIETNAM:

越南

За Вьетнам

POUR VIET-NAM:

FOR YEMEN:

POUR LE YÉMEN:

葉門

За Йемен

FOR EL YEMEN:

FOR YUGOSLAVIA:

POUR LA YOUGOSLAVIE:

南斯拉夫

За Югославию

FOR YUGOESLAVIA:

