



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)

Texts of Articles VIII to XV of the draft Convention as adopted
by the Conference at its 20th and 21st meetings

Article VIII

1. This Convention shall be open for accession to all States referred to in article VII.
2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article IX

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.
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 X

1. 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 legislative authority, the obligations of the federal Government shall to this extent be the same as those of parties which are not federal States;

(b) With respect to those articles of this Convention that come within the legislative jurisdiction of constituent States, provinces or cantons 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 states, provinces or cantons at the earliest possible moment;

(c) A federal State party to the 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 the Convention, showing the extent to which effect has been given to that provision by legislative or other action.

2. A Contracting State referred to in paragraph 1 of this Article^{1/} shall not be entitled to avail itself of the present Convention against other Contracting States except to the extent that it is bound by the Convention.

Article XI

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

^{1/} The Conference voted only on the substance of this provision but left it to the Drafting Committee to establish the exact wording of the text.

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

Article XII

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 IX may, at any time thereafter, by notification to the Secretary-General of the United Nations, declare that the Convention shall cease to extend to the territory concerned one year after the date of the receipt of the notification by the Secretary-General.

[Article XIII - Deleted]

Article XIV

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

- (a) Signatures and ratifications in accordance with article VII;
- (b) Accessions in accordance with article VIII;
- (c) Declarations and notifications in accordance with articles [I],^{2/} IX and X;
- (d) The date upon which this Convention enters into force in accordance with article XI;
- (e) Denunciations in accordance with article XII.

^{2/} Subject to any decision that may be made by the Conference on Article I (2).

Article XV

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 VII.
