

**DRAFT RECOMMENDATION REC(2008)... OF THE COMMITTEE OF MINISTERS TO
MEMBER STATES ON THE NOMINATION OF INTERNATIONAL ARBITRATORS
AND CONCILIATORS**

1. The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe;
2. *Considering* that the aim of the Council of Europe is to achieve a greater unity between its members;
3. *Having regard* to the work of the Committee of Legal Advisers on Public International Law (CAHDI);
4. *Bearing in mind* the Conventions for the Pacific Settlement of International Disputes of 29 July 1899 and 18 October 1907;
5. *Bearing in mind* the European Convention for the Peaceful Settlement of Disputes of 29 April 1957 (ETS 23);
6. *Having regard* to the Charter of the United Nations and in particular to Article 33, paragraph 1;
7. *Bearing in mind* United Nations General Assembly resolution 2625 (XXV) of 24 October 1970 adopting the *Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among States in Accordance with the Charter of the United Nations*;
8. *Recalling* the United Nations Decade of International Law, which had as one of its main purposes the promotion of means and methods for the peaceful settlement of disputes between states;
9. *Bearing in mind* the 2005 World Summit Outcome, adopted by General Assembly resolution 60/1 of 16 September 2005, emphasizing the obligation of States to settle their disputes by peaceful means;

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10. Recommends that the Governments of member States maintain, and keep under review, a list of treaties and other instruments which provide for the nomination of arbitrators or conciliators for inclusion in lists maintained for the purpose of implementing provisions concerning the peaceful settlement of disputes;

11. Recommends further that the Governments of member States consider nominating arbitrators and conciliators in accordance with the instruments in question, and that they keep such nominations under review.
12. Requests the Secretary General to forward this Recommendation to the Secretary-General of the United Nations.