



## **European Convention providing a Uniform Law on Arbitration**

Strasbourg, 20.I.1966

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The member States of the Council of Europe, signatory hereto,

Considering that the aim of the Council of Europe is to achieve greater unity among its members, in particular by the adoption of common rules in the legal field;

Convinced that the unification of national laws would make for a more effective settlement of private law disputes by arbitration and would facilitate commercial relations between the member countries of the Council of Europe;

Considering it desirable to adopt to this end a uniform law on arbitration in civil and commercial matters,

Have agreed as follows:

### **Article 1**

- 1 Each Contracting Party undertakes to incorporate in its law, within six months of the date of entry into force of this Convention in respect of that Party, the provisions of the uniform law contained in Annex I to this Convention.
- 2 Each Contracting Party has the right, in its law, to supplement the uniform law, by provisions designed to regulate questions for which no solutions are provided, on condition that such provisions are not incompatible with the uniform law.
- 3 Each Contracting Party has the right to provide in its law, in respect of specific matters, that disputes may not be referred to arbitration or may be submitted to arbitration according to rules other than those laid down in the uniform law.
- 4 Each Contracting Party has the right to declare, at the time of signature of this Convention or at the time of deposit of its instrument of ratification, acceptance or accession, that it will apply the uniform law only to disputes arising out of legal relationships which are considered as commercial under its national law.

### **Article 2**

Each Contracting Party undertakes not to maintain or introduce into its law provisions excluding aliens from being arbitrators.

### **Article 3**

Each Contracting Party shall, for the purposes of the provisions of the uniform law, define "judicial authority", "competent authority" and, if need be, "registry of the court".

#### **Article 4**

Each Contracting Party retains the right to determine the conditions to be fulfilled by persons who may represent or assist the parties before the arbitral tribunal and, to that end, to amend the provisions of paragraph 4 of Article 16 of the uniform law.

#### **Article 5**

Each Contracting Party may:

- 1 regard notification within the meaning of paragraph 1 of Article 28 of the uniform law as implying either notification as provided for in paragraph 1 of Article 23 of the uniform law, or service, and, in particular, service by one party on another party;
- 2 regard notification under paragraphs 1 and 3 of Article 30 of the uniform law as implying either notification by the authority which has opposed the enforcement formula to the award or service, and, in particular, service by one party on another party.

The Contracting Party may, if need be, replace the words "give notice to", "notified" and "notification" by the appropriate technical terms.

It shall inform the Secretary General of the Council of Europe of its choice.

#### **Article 6**

Each Contracting Party may provide that the enforcement formula within the meaning of paragraph 1 of Article 29, Article 30 and paragraph 1 of Article 31 of the uniform law shall consist of an authorisation to enforce or of any other legal process which, under its law, enables an award to be enforced.

#### **Article 7**

Each Contracting Party shall have the right, in its law, to make provision for and to regulate the provisional enforcement of arbitral awards which are still appealable before arbitrators.

#### **Article 8**

- 1 Each Contracting Party may, when signing this Convention or depositing its instrument of ratification, acceptance or accession, declare that it avails itself of one or more of the reservations set forth in Annex II to this Convention. No other reservation shall be admissible.
- 2 Each Contracting Party may, at any time, by means of a notification addressed to the Secretary General of the Council of Europe, withdraw, wholly or in part, a reservation made by it under the preceding paragraph; the notification shall take effect on the date of its receipt.

#### **Article 9**

The provisions of the present Convention shall not affect the application of bilateral or multilateral conventions on arbitration which have been or may be concluded. This is subject to the right available to a Contracting Party under Annex III to the present Convention.

#### **Article 10**

- 1 Each Contracting Party shall communicate to the Secretary General of the Council of Europe the texts which, in implementation of this Convention, will govern arbitration after the entry into force of the Convention in respect of that Party.

- 2 The Secretary General shall transmit these texts to the other member States of the Council of Europe and to any State acceding to this Convention.

#### **Article 11**

- 1 This Convention shall be open to signature by the member States of the Council of Europe. It shall be subject to ratification or acceptance. Instruments of ratification or acceptance shall be deposited with the Secretary General of the Council of Europe.
- 2 This Convention shall enter into force three months after the date of the deposit of the third instrument of ratification or acceptance.
- 3 In respect of a signatory State ratifying or accepting subsequently the Convention shall come into force three months after the date of the deposit of its instrument of ratification or acceptance.

#### **Article 12**

- 1 After the entry into force of this Convention, the Committee of Ministers of the Council of Europe may invite any non-member State to accede thereto.
- 2 Such accession shall be effected by depositing with the Secretary General of the Council of Europe an instrument of accession, which shall take effect three months after the date of its deposit.

#### **Article 13**

- 1 Any Contracting Party may, at the time of signature or when depositing its instrument of ratification, acceptance or accession, specify the territory or territories to which this Convention shall apply.
- 2 Any Contracting Party may, when depositing its instrument of ratification, acceptance or accession or at any later date, by declaration addressed to the Secretary General of the Council of Europe, extend this Convention to any other territory or territories specified in the declaration and for whose international relations it is responsible or on whose behalf it is authorised to give undertakings.
- 3 Any declaration made in pursuance of the preceding paragraph may, in respect of any territory mentioned in such declaration, be withdrawn according to the procedure laid down in Article 14 of this Convention.

#### **Article 14**

- 1 This Convention shall remain in force indefinitely.
- 2 Any Contracting Party may, in so far as it is concerned, denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.
- 3 Such denunciation shall take effect six months after the date of receipt by the Secretary General of such notification.

**Article 15**

The Secretary General of the Council of Europe shall notify the member States of the Council and any State which has acceded to this Convention of:

- a any signature;
- b any deposit of an instrument of ratification, acceptance or accession;
- c any date of entry into force of this Convention in accordance with the provisions of Articles 11 and 12;
- d any reservation made in pursuance of the provisions of paragraph 1 of Article 8;
- e the withdrawal of any reservation made in pursuance of the provisions of paragraph 2 of Article 8;
- f any communication received in pursuance of the provisions of Articles 5 and 10;
- g any declaration received in pursuance of the provisions of Article 13;
- h any notification received in pursuance of the provisions of Article 14 and the date on which the denunciation takes effect;
- i any declaration or notification received in pursuance of the provisions of Annex III.

In witness whereof the undersigned, being duly authorised thereto, have signed this Protocol.

Done at Strasbourg, this 20th day of January 1966, in English and in French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General shall transmit certified copies to each of the signatory governments.