REPORT

I. EXECUTIVE SUMMARY

1. 2002 was another dynamic year for the Permanent Court of Arbitration (PCA). During the year the PCA capitalized upon the developments of 2001 and strengthened its caseload. The PCA was again involved in a diverse range of activities in the international arbitration arena. It continues to be uniquely situated at the juncture between public and private international law to meet the rapidly evolving dispute resolution needs of the international community.

2. The number of Member States increased to 97 during 2002, with the addition of Malaysia and Ireland. The Kingdom of Saudi Arabia acceded to the 1907 Convention for the Pacific Settlement of International Disputes in November 2001, and became a Member State effective from January 20, 2002. Malaysia acceded to the 1907 Convention for the Pacific Settlement of International Disputes on March 7, 2002, and became a Member State effective from May 6, 2002. Ireland acceded to the 1907 Convention for the Pacific Settlement of International Disputes on May 7, 2002, and became a Member State effective from July 6, 2002.

3. During 2002 the International Bureau of the PCA acted as Registry in a number of arbitrations, in particular between states, and several hearings were held in the Peace Palace over the course of the year. The International Bureau served as registry for both the Eritrea-Ethiopia Boundary Commission and the Eritrea-Ethiopia Claims Commission. The Decision in the boundary dispute between Eritrea and Ethiopia was delivered at the Peace Palace on April 13, 2002. The Claims Commission held the first round of substantive hearings at the Peace Palace from December 3–13, 2002.

4. The International Bureau served as registry in an arbitration between the Bank for International Settlements and a number of its private shareholders. In August, hearings were held at the Peace Palace. The Tribunal rendered a Partial Award on November 22, 2002.

5. The International Bureau served as registry for an arbitration between The Netherlands and France, in which a hearing was held in October 2002. The International Bureau also served as registry for two arbitration proceedings between Ireland and the United Kingdom. Hearings for one of these two matters were held at the Peace Palace in October 2002.

6. During 2002, the PCA served as Registry for seven arbitrations, a number of which will continue to require considerable PCA staff time in 2003 (and a few even in 2004). Additionally, the PCA was approached in the year under review by parties in five other disputes that are expected to be submitted to arbitration under PCA auspices in 2003.

7. The International Bureau also dealt with nineteen new requests for the designation of an appointing authority, or the appointment of an arbitrator, in commercial arbitrations, the majority being conducted under the United Nations Commission on International Trade Law (UNCITRAL) Arbitration Rules. More than half of these cases involved a state, state entity or international organization. In six of these cases, the parties’ agreement provided that the Secretary-General of the PCA would act directly as appointing authority, rather than designating a different entity. The parties in several appointing authority cases have called upon the PCA for further administrative support at a later stage in the proceedings.

8. On April 16, 2002, the PCA Administrative Council adopted by consensus the Permanent Court of Arbitration Optional Rules for Conciliation of Disputes Relating to Natural Resources and/or the Environment. These Rules complement the Permanent Court of Arbitration Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment which were approved in June 2001.

9. The PCA Steering Committee on Mass Claims Processes, chaired by Judge Howard Holtzmann, held its third meeting at the Peace Palace in January 2002. The Steering Committee is composed of individuals who have been active in two or more of the mass claims processes currently operational. It is in the process of producing a comprehensive annotated checklist of matters to be considered by the designers of future mass claims settlement processes, in book form covering some 70 sections, which is expected to be published in 2003.

11. The PCA held two highly successful International Law Seminars in 2002. The fifth ILS Seminar, held at the Peace Palace on May 7, was entitled “Labor Law Beyond Borders: ADR and the Internationalization of Labor Disputes.” This seminar addressed the role of dispute settlement mechanisms with regard to international labor norms, and enforcement of those norms. Participants included labor law experts from Europe, North America and Africa. The keynote speaker was Ms. Cherie Booth QC. The sixth ILS Seminar, “Resolution of International Water Disputes,” held on November 8, addressed the resolution of transboundary disputes over freshwater by diplomatic and judicial means, as well as the potential role of conciliation, mediation, good offices and other *ad hoc* mechanisms. Water law experts from around the world participated in this event. The keynote address was delivered by Sir Robert Jennings, former President of the International Court of Justice.

12. In December 2001, the PCA entered into an agreement with the Government of Costa Rica and the Costa Rica-based and UN-affiliated University for Peace to establish the first PCA Regional Facility, which will be available for Latin America. A first reference in an international legal document was made to this Regional Facility in the Conciliation Report of the Organization of American States concerning the territorial dispute between Guatemala and Belize (with Honduras as interested party).

13. The Secretary-General has conducted negotiations with a number of other Governments in connection with plans to roll-out similar facilities elsewhere in the world. It should be noted that all relevant agreements with host countries are concluded under the strictures that they will not entail additional costs to the regular budget of the organization, financed from Member States’ contributions.


15. The International Bureau is reaching completion of its program of translating relevant PCA documents (currently available only in French and English) into other official languages of the United Nations: Arabic, Russian, Chinese, Spanish and also into Portugese. These versions were made available on the PCA’s website during the course of the year 2002.

16. The Secretary-General and other staff members of the International Bureau made a number of presentations in the Peace Palace and elsewhere to legal advisors, members of the diplomatic corps, lawyers and law students on subjects relating to the PCA. They addressed international conferences and universities abroad as well as groups visiting the Court’s premises on various issues, including a possible role for the PCA in the field of international environmental disputes and the PCA’s current role under the UNCITRAL Arbitration Rules.

17. The Secretary-General traveled on official visits to London, New York, Brisbane and Sydney, where he was invited to speak at various events. Other official visits included Malaysia and Singapore, where he met with the Minister of Foreign Affairs of both countries. The Deputy Secretary-General attended a research symposium in Barcelona, the ICCA Arbitration Congress in London, the Institute for Transnational Arbitration’s Annual Workshop in Dallas, and gave the luncheon address at the Tylney Hall Symposium organized by the London Court of International Arbitration in May. The General Counsel participated as an Observer in the work of the 36th and 37th sessions of the Working Group on Arbitration of the United Nations Commission on International Trade Law (UNCITRAL) in New York in March and in Vienna in October. The subjects of these sessions were proposed amendments to the UNCITRAL Model Law on International Commercial Arbitration. She was a panelist at the Tenth Zagreb Arbitration Conference of the Croatia Chamber of Commerce from 5–6 December. The Special Counsel participated as an Observer in the work of the 35th session of the UNCITRAL Commission in New York in June.
18. During 2002 the PCA was honored by the visits of the Prime Minister of the Republic of Romania, the Minister of Legal Affairs of Yemen, the Attorney General of Angola and Panama’s Vice Minister of Foreign Affairs. The Secretary-General participated in the visit of Mr. Kofi Annan, Secretary-General of the United Nations, during his visit to the Peace Palace.

II. THE WORK OF THE COURT AND ITS INTERNATIONAL BUREAU

A. Scope of Activity

Arbitration

19. The Permanent Court of Arbitration was established in The Hague in 1899 as the first global mechanism for the settlement of inter-State disputes. The PCA is empowered to provide its services to all arbitration cases submitted to it by agreement of the parties to a dispute and is accessible at all times.

20. Unless otherwise stipulated by the parties, the arbitration is to be conducted in accordance with the rules of procedure laid down in the Hague Conventions of 1899 and 1907. However, parties may also use the PCA’s own modern rules of procedure, which are based on the highly regarded and widely used arbitration rules of the United Nations Commission on International Trade Law (UNCITRAL). These are the Permanent Court of Arbitration Optional Rules for Arbitrating Disputes between Two States (adopted in 1992); the Permanent Court of Arbitration Optional Rules for Arbitrating Disputes between Two Parties of Which Only One Is a State (1993); the Permanent Court of Arbitration Optional Rules for Arbitration Involving International Organizations and States (1996); the Permanent Court of Arbitration Optional Rules for Arbitration between International Organizations and Private Parties (1996); the Permanent Court of Arbitration Optional Conciliation Rules (1996); the Permanent Court of Arbitration Optional Rules for Fact-finding Commissions of Inquiry (1997); the Permanent Court of Arbitration Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment (2001); and the Permanent Court of Arbitration Optional Rules for Conciliation of Disputes Relating to Natural Resources and/or the Environment (2002).

21. The jurisdiction of the Court may be extended to disputes between non-contracting powers or between contracting powers and non-contracting powers if the parties have agreed to have recourse to the PCA. There is also provision for arbitration by way of summary proceedings. International commercial arbitration can also be conducted under PCA auspices. The PCA provides administrative services under the UNCITRAL Arbitration Rules for parties wishing to make use of these services.

22. A list of cases submitted to arbitration before the Court, or conducted with the cooperation of the International Bureau, is set out in Annex 2 to this Report.

International Commissions of Inquiry and Conciliation

23. The Conventions of 1899 and 1907 provide for the constitution of International Commissions of Inquiry to facilitate the settlement of certain types of disputes by elucidating the facts by means of impartial and conscientious investigation. A list of cases submitted to International Commissions of Inquiry is set forth in Annex 3 to this Report. The Permanent Court of Arbitration Optional Rules of Procedure for Fact-finding Commissions of Inquiry were adopted in 1997.

24. By a decision of the Administrative Council dated May 1, 1937, the International Bureau was authorized to place its offices and organization at the disposal of Conciliation Commissions. A list of cases submitted to Conciliation Commissions is set forth in Annex 4 to this Report. The Permanent Court of Arbitration Optional Conciliation Rules, which follow as closely as possible the 1980 UNCITRAL Conciliation Rules, were adopted in 1996. On April 16, 2002, the Administrative Council adopted the Permanent Court of Arbitration Optional Rules for Conciliation of Disputes Relating to Natural Resources and/or the Environment, which complement the 2001 Permanent Court of Arbitration Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment.
Provision of Facilities

25. The PCA, which has its offices at the Peace Palace in The Hague, has a spacious and well-appointed court room, hearing rooms and administrative areas which are available to guest tribunals that wish to hold their hearings at the Peace Palace. These facilities are made available for use by the parties to disputes at reasonable rates charged by the Carnegie Foundation in accordance with an established schedule. In addition, the International Bureau can provide full registry services and legal support to tribunals and commissions, serving as the official channel of communications and ensuring safe custody of documents, and can arrange the provision of services such as legal research, financial administration, logistical and technical support at meetings and hearings, travel arrangements, and general secretarial and linguistic support.

Financial Assistance Fund

26. In October 1994, the Administrative Council agreed to establish a Financial Assistance Fund and approved the Terms of Reference and Guidelines for the operation of the Fund. This Fund, to which contributions are made on a voluntary basis, provides financial assistance to Qualifying States to enable them to meet, in whole or in part, the costs involved in international arbitration or other means of dispute settlement offered by the Hague Conventions. Qualifying States are State Parties to the Convention of 1899 or 1907 that (1) have concluded an agreement for the purpose of submitting one or more disputes, whether existing or future, for settlement by any of the means administered by the PCA; and (2) at the time of requesting financial assistance from the Fund, are listed on the “DAC List of Aid Recipients” prepared by the Organization for Economic Co-operation and Development (OECD) in Paris. The Terms of Reference and Guidelines are reproduced in Annex 5 to this Report.

27. A Qualifying State may seek financial assistance from the Fund by submitting a written request to the Secretary-General of the PCA. A separate Board of Trustees decides on the request.

28. Several Governments (the United Kingdom, South Africa and Costa Rica) have contributed to the Financial Assistance Fund. Since the inception of the Fund, four grants of assistance have been made: one to a Central Asian State, one to an Asian State, and two to African States. Those grants allowed the parties to defray the costs of their arbitration and achieve the peaceful resolution of their dispute.

International Cooperation

29. In 1968 the PCA entered into a cooperation agreement with the International Centre for Settlement of Investment Disputes (ICSID), and in 1990 it concluded a similar agreement with the Multilateral Investment Guarantee Agency (MIGA). Both agreements provide for the use of staff and facilities in connection with proceedings conducted at the headquarters of one institution but under the auspices of the other. A 1989 cooperation agreement with the International Council for Commercial Arbitration (ICCA) provides that ICCA will furnish the Secretary-General, at his request, with information concerning arbitration institutions, experts, procedures and activities in various parts of the world. In 1996 the International Bureau concluded an additional agreement with ICCA concerning the preparation of the ICCA Publications.

30. In October 1992 the International Bureau became a member of the International Federation of Commercial Arbitration Institutions (IFCAI), which aims to establish and maintain permanent relationships among these institutions, to facilitate the exchange and distribution of information on services offered and potential arbitrators and conciliators, to promote and facilitate the publication of research on conciliation and arbitration, and to exchange information on legislation, rules, non-confidential awards and judicial decisions. This information facilitates, inter alia, the exercise of the Secretary-General’s special competence to designate appointing authorities under the UNCITRAL Arbitration Rules (see paragraph 43, below). In November 2002, the PCA’s Special Counsel attended the IFCAI General Assembly in Paris, and reported on the activities of the PCA.

31. In December 1997 the Conference of State Parties to the Organisation for the Prohibition of Chemical Weapons (OPCW) in The Hague designated the International Bureau to serve as Registry for dispute resolution activities of the OPCW’s Confidentiality Commission. On December 9, 1998, the relevant agreement was concluded. It became operational in the course of 1999.
32. In December 2001, the PCA entered into an agreement with the Government of Costa Rica and the Costa Rica-based University for Peace to establish the first PCA Regional Facility in San José, Costa Rica, which became operational within the first six months of 2002. The University for Peace supplies office space. The Vice-Rector of the University acts as liaison for PCA Headquarters. It is anticipated that the Regional Facility will thus open up new opportunities in the field of alternative dispute resolution for the Americas, and make the PCA’s experience and expertise accessible to the Latin American region.

B. Developments in 2002

Registry and Related Activities

(a) Registry

33. During the year 2002, the International Bureau of the PCA acted as Registry in a number of inter-State, State/non-State and international commercial arbitrations. The registry activities in these cases have added considerably to the International Bureau’s ability and capacity to deal with a wide variety of dispute resolution mechanisms.

34. In August, hearings were held at the Peace Palace in the arbitration between the Bank for International Settlements in Basel and three of its former private shareholders. On November 22, the Tribunal issued a Partial Award on the legality and proper valuation method to be applied to the compulsory repurchase of the Bank’s shares. The Tribunal hearing this matter is composed of Professor W. Michael Reisman (President), Professor Dr. Jochen Abr. Frowein, Professor Dr. Mathias Krafft, Professor Paul Lagarde, and Professor Dr. Albert Jan van den Berg. The PCA acts as Registry for the arbitration. Further hearings and a final award on remaining issues are expected in 2003.


36. Following exchanges of written pleadings, the Eritrea-Ethiopia Boundary Commission, which is composed of Sir Elihu Lauterpacht, CBE QC (President), His Excellency Prince Bola Adesumbo Ajibola (appointed by Ethiopia), Professor W. Michael Reisman (appointed by Eritrea), Judge Stephen M. Schwebel (appointed by Eritrea) and Sir Arthur Watts, KCMG QC (appointed by Ethiopia), the Commission held hearings at the Peace Palace in The Hague from December 10–21, 2001. Its Decision on Delimitation of the Border was handed down on April 13, 2002. Pursuant to the December 2000 Agreement, the Boundary Commission is also responsible for the actual demarcation of the border, and the PCA Registry continues to actively assist it in accomplishing this task.

37. The Eritrea-Ethiopia Claims Commission is composed of Professor Dr. Hans van Houtte (Chairman), Judge George Aldrich and Mr. Dean James Paul (both appointed by Ethiopia) and Mr. John Crook and Ms. Lucy Reed (both appointed by Eritrea). Its mandate is to “decide through binding arbitration all claims for loss, damage or injury by one Government against the other, and by nationals (including both natural and juridical persons) of one party against the Government of the other party or entities owned or controlled by the other party that are (a) related to the conflict that was the subject of the Framework Agreement, the Modalities for its Implementation and the Cessation of Hostilities Agreement, and (b) result from violations of international humanitarian law, including the 1949 Geneva Conventions, or other violations of international law.” On December 12, 2001, the deadline for submitting claims to the Commission as established by the December 12th Agreement, each party filed a number of claims. The Agreement further provides that the Commission shall endeavor to complete its work within three years of the closing date for filing claims. The first round of hearings, for prisoner of war claims (on violations of international humanitarian law), were held at the Peace Palace from December 3–14, 2002.

38. Arbitration proceedings between France and the Netherlands, initiated pursuant to the 1976 Convention on the Protection of the Rhine Against Pollution by Chlorides and the Additional Protocol of September 25, 1991, are continuing. The members of the arbitral tribunal are Professor Krzysztof Skubiszewski (President), Judge Gilbert Guillaune (appointed by France) and Judge Peter Kooijmans (appointed by Netherlands). The Tribunal held hearings on October 3, 2002.
39. Arbitration of a dispute between Saluka Investments B.V. and the Czech Republic is being conducted under the UNCITRAL Arbitration Rules, with the PCA as Registry. The members of the arbitral tribunal are Professor Sir Elihu Lauterpacht, CBE QC (Chairman), Professor Dr. Peter Behrens and Mr. Yves Fortier. The arbitration is currently at the stage of exchange of written pleadings.

40. The International Bureau is now serving as registry for two arbitration proceedings between Ireland and the United Kingdom in connection with the commissioning of a nuclear power facility in the United Kingdom. The first case was initiated by Ireland in June 2001 pursuant to the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention). The arbitral tribunal for this case, composed of Professor W. Michael Reisman (Chairman), Mr. Gavan Griffith, QC and Rt. Hon. Lord Mustill, PC, held a week of hearings in October 2002 at the Peace Palace. The second case was initiated by Ireland in October 2001 pursuant to Annex VII of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). The arbitral tribunal, composed of H.E. Judge Thomas A. Mensah (President), Prof. James Crawford, SC, Maître L. Yves Fortier CC QC, Prof. Gerhard Hafner and Sir Arthur Watts, KCMG QC, held an organizational meeting with the representatives of the parties in March 2002.

(b) Iran-United States Claims Tribunal

41. The International Bureau, which provided the Iran-U.S. Claims Tribunal with office space and secretarial support before the latter moved to its own premises in 1982, continues to place its courtroom at the disposal of the Tribunal for hearings of the Full Tribunal. The International Bureau continues to serve as the secretariat of the Appointing Authority for the Tribunal, currently Sir Robert Jennings.

(c) Other Tribunals

42. The International Bureau makes its facilities available, upon request, to tribunals established under the rules of certain international commercial arbitration institutions, or pursuant to rules agreed ad hoc. In 2002 the following tribunals made use of the International Bureau’s facilities:

- a tribunal consisting of Prof. Dr. Karl-Heinz Böckstiegel (President), Prof. Dr. Albert Jan van den Berg and Prof. Dr. Riccardo Luzzatto held hearings from April 15–26;
- a tribunal consisting of Judge Gilbert Guillaume (President), the Hon. Andrew Rogers and Mr. V.V. Veeder held hearings on July 2;
- a tribunal consisting of Judge Florentino P. Feliciano (President), Mr. André Faurès and Mr. Christopher Thomas held hearings on September 23 and 24; and
- a tribunal consisting of Prof. Dr. Albert Jan van den Berg (President), Prof. Dr. William B. Simons and Prof. Dr. Ivan Zykin held hearings on December 2.

Designation of Appointing Authorities and Arbitrators by the Secretary-General

43. Articles 6, 7 and 12 of the 1976 United Nations UNCITRAL Arbitration Rules entrust the Secretary-General of the Permanent Court of Arbitration with maintaining the integrity of the arbitral process in international commercial arbitration by authorizing him, upon the request of a party, to designate an “appointing authority” for the purpose of appointing the members of an arbitral tribunal and ruling on challenges to arbitrators. Parties may also designate the Secretary-General himself as appointing authority under the UNCITRAL Rules or other instruments.

44. Complying with these requests often proves complicated, as parties only approach the Secretary-General of the PCA when they are themselves unable to resolve the problems which have arisen. Such requests require careful review of the underlying contracts and/or treaty provisions regarding dispute settlement (about which the parties were unable to agree) to determine prima facie jurisdiction and, on the basis of subsequent correspondence with the parties involved, the existence of possible procedural difficulties. Only then is a search made for a suitable appointing authority or arbitrator. During 2002 the International Bureau dealt with a variety of appointing authority cases and received nineteen new requests to designate an appointing authority or act as appointing authority.

45. March: In accordance with Article 6(3) of the UNCITRAL Rules, claimant, a European company, requested that the Secretary-General appoint the sole arbitrator in an arbitration with respondent, a European association. Respondent subsequently requested that the Secretary-General appoint the sole
arbitrator in arbitration proceedings it had commenced in a separate but related matter. The arbitration clauses in the contracts underlying both disputes called for the Secretary-General to act as appointing authority. The parties agreed that the two cases should be consolidated in a single arbitration. A list of potential arbitrators was communicated to the parties in accordance with the list procedure foreseen in Article 6(3) of the UNCITRAL Rules and following return of the list by each party, who had numbered the names of the potential arbitrators on the list in the order of preference, the sole arbitrator, an American residing in Geneva, was appointed.

46. **April:** In accordance with Article 7(2)(b) of the UNCITRAL Rules, claimant, a European individual, requested that the Secretary-General designate an appointing authority for the appointment of the second arbitrator on behalf of respondents, a group of North American individuals. In April 2002, the Secretary-General designated the International Arbitral Centre of the Austrian Federal Economic Chamber.

47. Claimant, a Middle Eastern company, proposed the names of three arbitrators and the Cairo Regional Centre for International Commercial Arbitration as appointing authority. Respondent, another Middle Eastern company, failed to reach agreement on either the choice of sole arbitrator or the appointing authority within the time limit provided for in Article 6(2) of the UNCITRAL Rules. Claimant requested that the Secretary-General designate an appointing authority for the purpose of appointing the sole arbitrator. The Cairo Regional Centre for International Commercial Arbitration was designated as appointing authority.

48. In accordance with Articles 12 and 6(2) of the UNCITRAL Rules, respondent, a European company, requested that the Secretary-General designate an appointing authority to determine its challenge of the arbitrator appointed by claimant, another European company. The Secretary-General designated as appointing authority the International Court of Arbitration of the International Chamber of Commerce.

49. In accordance with Articles 7(2) and 6(3) of the UNCITRAL Rules, claimant, a European company, requested that the Secretary-General appoint the second arbitrator on behalf of respondent, an Asian state entity. The arbitration clause in the contract underlying this dispute called for the Secretary-General to act as appointing authority. Respondent acknowledged that it had not appointed an arbitrator in the time foreseen in the parties’ agreement, but requested that the Secretary-General appoint a particular individual as the second arbitrator. Claimant advised the International Bureau that it had no objection to the appointment of that individual, who was duly appointed. The two appointed arbitrators then proceeded to appoint the presiding arbitrator in accordance with Articles 7(1) and (3) of the UNCITRAL Rules.

50. Claimants, a group of North American individuals, requested that the Secretary-General, in accordance with an investment treaty and Article 7(2)(c) of the UNCITRAL Rules, designate an appointing authority for the purpose of appointing the second arbitrator on behalf of respondent, a North American government, and the presiding arbitrator. The case is continuing.

51. **June:** In accordance with Article 7(2)(b) of the UNCITRAL Rules, claimant, a European company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of respondent, a European individual. The Secretary-General designated as appointing authority the London Court of International Arbitration.

52. **July:** Claimant, a South American company, and respondent, a consortium of companies from Europe, South America and Asia, each requested that the Secretary-General designate an appointing authority to appoint the presiding arbitrator, in accordance with Articles 7(3) and 6(2) of the UNCITRAL Rules. The parties’ agreement referred to the “UNCITRAL Model Law on International Commercial Arbitration (1985)”. Both parties confirmed their agreement to the application of the UNCITRAL Rules and that the Secretary-General designate the appointing authority. The Secretary-General designated as appointing authority the International Centre for Dispute Resolution of the American Arbitration Association.

53. **August:** In accordance with Article 7(2)(b) of the UNCITRAL Rules, claimant, a European company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of respondent, an Eastern European state entity, with respect to two separate disputes arising under two separate contracts. The Secretary-General designated an individual as appointing authority in both matters.
54. In a dispute arising under an investment treaty, claimant, an Eastern European company, and respondent, an Eastern European state, agreed that the Secretary-General would act as appointing authority. The party-appointed co-arbitrators were not able to agree upon the presiding arbitrator within the time provided in Articles 7(1) and (3) of the UNCITRAL Rules. Accordingly, the claimant requested that the Secretary-General appoint the presiding arbitrator. The case is continuing.

55. In accordance with Article 6(3) of the UNCITRAL Rules, claimant, a European company, and respondent, an international organization, jointly requested that the Secretary-General appoint a sole arbitrator to hear their dispute. A list of potential arbitrators was communicated to the parties in accordance with the list procedure foreseen in Article 6(3) of the UNCITRAL Rules. Following return of the list by each party, who had numbered the names of the potential arbitrators on the list in the order of preference, the sole arbitrator, a British individual, was appointed.

56. September: In accordance with Article 7(2)(b) of the UNCITRAL Rules, claimant, a European company, requested that the Secretary-General designate an appointing authority for the appointment of the second arbitrator on behalf of respondent, an African government entity. In September 2002, the Secretary-General designated an individual as appointing authority.

57. In accordance with Article 7(2)(b) of the UNCITRAL Rules, claimant, a European company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of respondent, a European entity. Respondent objected on the basis that procedures of amicable settlement had not yet been exhausted. Claimant responded that it wished to proceed with the designation of an appointing authority. The Secretary-General designated an individual as appointing authority.

58. Claimant, an Eastern European government entity, requested the appointment of arbitrators by the Secretary-General in a dispute with respondent, a Middle Eastern company. The Secretary-General advised on the procedure to be followed in the constitution of the arbitral tribunal under the UNCITRAL Rules. The case is continuing.

59. October: In accordance with Article 7(2)(b) of the UNCITRAL Rules, claimant, a European company, requested that the Secretary-General designate an appointing authority to appoint a presiding arbitrator. Prior to a designation being made, the parties advised that no further assistance was required.

60. In accordance with Article 7(2)(b) of the UNCITRAL Rules, claimants, two European corporations, requested that the Secretary-General designate an appointing authority to appoint a presiding arbitrator. Respondents, a group of European companies, indicated that they did not oppose the procedure. The Secretary-General appointed the Chamber of Commerce and Industry of Geneva as appointing authority.

61. Respondent, a Middle Eastern government, requested that the Secretary-General designate an appointing authority to appoint a substitute arbitrator on behalf of claimant, a European corporation, in accordance with Articles 11(3) and 7(2)(b) of the UNCITRAL Rules, following the withdrawal of claimant’s arbitrator pursuant to an objection raised by respondent. Respondent subsequently requested that any action be deferred pending further instructions.

62. November: Claimant, an Eastern European company, requested the assistance of the Secretary-General in the constitution of an arbitral tribunal in a dispute with respondent, an international organization. The arbitration clause in the contract between the parties called for the Secretary-General to act as appointing authority. The Secretary-General liaised with the parties regarding the constitution of the arbitral tribunal. He was subsequently informed that claimant had agreed to suspend its request for arbitration pending settlement discussions between the parties.

63. In accordance with Article 7(2)(b) of the UNCITRAL Rules, claimant, a European company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of respondent, an Eastern European state. The Secretary-General designated an individual as appointing authority.
Environmental Dispute Resolution

64. A Drafting Committee made up of members of the International Bureau and the Working Group on the Environmental Arbitration Rules presented a draft of *Optional Rules for Conciliation of Disputes Relating to Natural Resources and/or the Environment* to the Administrative Council in October 2001. The International Bureau received Member States’ comments on the draft and considered these at the Administrative Council Meeting of January 14, 2002. On the basis of these comments the International Bureau and Drafting Committee prepared a final draft which was circulated to Member States and approved at the Administrative Council Meeting of April 16, 2002.

65. The *Optional Rules for Conciliation of Disputes Relating to Natural Resources and/or the Environment* ("Environmental Conciliation Rules") seek to address the principal *lacunae* in environmental alternative dispute resolution ("ADR") identified by the Drafting Committee. Growing practice in environmental ADR indicates that conciliation is increasingly being resorted to in environmentally related cases. Taken together, the PCA’s Environmental Arbitration Rules and Environmental Conciliation Rules enable the PCA to provide parties with a wider range of procedures for addressing environmentally related disputes than presently available at any other institution.

66. Arbitration clauses with a reference to the PCA have been included in a number of international Conventions pertaining to environmental protection: the Convention on International Trade and Endangered Species of Wild Fauna and Flora (1973) and the Convention on the Conservation of Migratory Species of Wild Animals (1979), as well as in the dispute resolution Protocol (2000) to the Convention for the Protection of the Alps, and in November 2002 the Draft Legally Binding Instrument on Civil Liability for Transboundary Damage Caused by Hazardous Activities Within the Scope of the 1992 United Nations Economic Commission for Europe ("UNECE") Watercourses and Transboundary Effects of Industrial Accidents Conventions. A reference to dispute settlement using the PCA Environmental Rules was also included in the Organization of American States’ sponsored “Conciliators’ Recommendations to Guatemala and Belize” to resolve any disputes that may arise in connection with their usage of a territory subject of a century-old dispute, now designated as an ecological park.

67. Beyond the above-mentioned UNECE process, a member of the International Bureau participated in the negotiations of other multilateral environmental agreements in 2002, providing advice on drafting of dispute settlement clauses and suggesting insertion of references to the PCA Environmental Conciliation and Arbitration Rules. These included the United Nations Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol and the United Nations Convention on Biological Diversity and its Biosafety Protocol. Discussions were also undertaken with the Secretariat of the United Nations Convention to Combat Desertification about reference to the PCA Environmental Rules in the development of that convention’s dispute settlement annex. Discussions of PCA environmental dispute settlement services were also held with the Executive Secretary of the UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. Furthermore, talks about the PCA Environmental Rules were held with the WTO Appellate Body Director and World Intellectual Property Organization Court of Arbitration. In addition, a discussion of the PCA Environmental Rules with the US Department of State took place. A partnership with the American Bar Association / United Nations Development Program International Legal Resource Center was entered into, whereby the PCA may provide names of arbitrators for environmental law capacity building programs in developing countries. The United Nations Environment Program (UNEP) has taken note of the adoption of the PCA Environmental Rules and the PCA received a letter from the Director of UNEP expressing his support for the promotion of environmental dispute resolution using the PCA Environmental Rules within UNEP administered programs and conventions, and in particular recommended these Rules for consideration as the annex on arbitration to the Rotterdam Convention on Prior Informed Consent. In another sector, the PCA has contacted fisheries organizations such as the Northwest Atlantic Fisheries Organization which do not presently have dispute settlement provisions. A member of the International Bureau also participated in a workshop of European Union Member States on the need for an EU Environmental Liability Directive suggesting that dispute settlement provisions could play a role in any future Directive. Further, a member of the International Bureau has participated in workshops on environmental security with the Institute of Environmental Security and the Netherlands Branch of the International Union for the Conservation of Nature (IUCN). In that connection the PCA is referred to as the dispute settlement forum of choice. The International Oil Pollution Compensation Fund has also been approached and has
acknowledged the potential utility of the PCA Environmental Rules in connection with its activities. Lectures on the PCA Environmental Rules were given at various universities and institutions.

68. In connection with the UNFCCC and its Kyoto Protocol, the PCA has recognized the need for provision of adequate dispute settlement in future carbon emissions trading systems, and has participated in meetings of the International Emissions Trading Association (IETA) to promote the PCA Environmental Conciliation and Arbitration Rules. This activity led IETA to issue a set of guidelines for drafting emissions trading contracts referring to the PCA Environmental Rules as dispute settlement rules of choice, and adopting a model contract referring to these Rules. The PCA also had discussions with the World Bank Prototype Carbon Fund (PCF) on emissions trading dispute settlement. The PCF Legal Instrument refers disputes to be settled under the UNCITRAL Rules but names the PCA Secretary-General as the appointing authority. Discussions were further entered into with the Government of the Netherlands, which is purchasing emissions reductions worldwide, and is considering references to the PCA Environmental Rules for dispute settlement related to these activities.

69. A member of the International Bureau attended the World Summit on Sustainable Development (WSSD) in Johannesburg, South Africa, in order to deliver a statement of the Secretary-General in plenary on the above achievements of the PCA in promoting environmental dispute settlement, recognizing these as a concrete result of the Rio-plus-10 process. Further, talks were held at various fora of the WSSD, including a conference of the IUCN, a follow-up conference to the UNEP-sponsored Judges’ Seminar on Environmental Law, and in the context of freshwater disputes at the WSSD Water Forum. Copies of the Environmental Rules were distributed to delegates in English, French, and Spanish.

70. Work promoting environmental dispute resolution using the PCA’s Environmental Rules with the above-mentioned institutions and organizations is ongoing.

Mass Claims

71. The PCA Steering Committee on Mass Claims Processes continued its work during 2002 under the chairmanship of Judge Howard M. Holtzmann. The Committee, which is composed of individuals who have been active in two or more of the mass claims processes currently operational – either as arbitrators, commissioners, administrators or counsel – is producing (in the form of a book) a comprehensive annotated checklist, especially useful for designers of future claims systems, addressing such matters as funding, balancing arbitral and administrative approaches, key elements in drafting rules of procedure, establishing standards of proof, defining the respective functions of arbitrators and the secretariat and utilizing computer technology; it will also consider the types of support that the PCA might offer to future mass claims settlement commissions or tribunals. The Committee held its third meeting in January 2002 and plans to publish its work in 2003.

Cooperation Agreements

72. The editorial staff of the International Council for Commercial Arbitration (ICCA) began operations under PCA auspices on February 1, 1997. The International Bureau employs the editorial staff of the ICCA Publications and provides them with office space and administrative and other support in the preparation of the Yearbook Commercial Arbitration, International Handbook on Commercial Arbitration and ICCA Congress Series. This arrangement arose out of the Mutual Cooperation Agreement entered into between ICCA and the International Bureau on January 20, 1989. In 2002 the editorial staff produced the 1072 page Yearbook (Volume XXVII). In addition Supplements 34–36 of the Handbook were published in the reporting period, containing, *inter alia*, new and updated materials on arbitration law and practice in Brazil, Denmark, Egypt, Germany, Greece, Portugal and Inter-American arbitration, along with the newly enacted UNCITRAL Model Law on International Commercial Conciliation. Members of the editorial staff attended the ICCA Congress in London from May 12–15 and started preparation of ICCA Congress Series No. 11 for publication in 2003.

73. The PCA continues its expanded research and publications activities with Kluwer Law International (KLI). The Deputy Secretary-General serves as editor of the *Journal of International Arbitration and World Trade and Arbitration Materials*, and has editorial responsibility for the KLI database and CD-Rom on international arbitration. In 2002, KLI launched, in collaboration with the PCA and the Dallas-based Institute for Transnational Arbitration, a comprehensive internet portal for arbitrators and arbitration practitioners, which provides timely and accurate reports on legislation, rules, cases and other
developments in the field of arbitration from a wide range of countries and arbitral institutions.

**International Law Seminars**

74. The International Bureau hosted two very successful International Law Seminars in 2002. The fifth in its series of semi-annual International Law Seminars, entitled “Labor Law Beyond Borders: ADR and the Internationalization of Labor Disputes,” was held on May 7. This Seminar addressed the role of dispute settlement mechanisms with regard to international labor norms, and enforcement of those norms. The keynote address was delivered by Ms. Cherie Booth QC and participants included labor law experts from Europe, North America and Africa. The papers emanating from this Seminar will be included in the sixth volume of the *Peace Palace Papers* series, entitled *Internationalization of Labor Dispute Settlement*, which is scheduled to be published by Kluwer Law International in mid-2003.

75. The sixth International Law Seminar, “Resolution of International Water Disputes,” held on November 8, addressed the resolution of transboundary disputes over freshwater by diplomatic and judicial means, as well as the potential role of conciliation, mediation, good offices and other *ad hoc* mechanisms. The Seminar brought together prominent experts in the field from all over the world, including keynote speaker Sir Robert Jennings. The *Peace Palace Papers* volume emanating from the Seminar will be published in early 2003, the International Year of Freshwater.

76. During the course of 2002, the PCA began preparation of the sixth International Law Seminar which will be held on May 23, 2003. This Seminar, “Resolution of Cultural Property Disputes,” will address the broad topic of means of resolving disputes relating to cultural property.

**PCA Publications**

77. The PCA’s Publications Department publishes the proceedings of the PCA’s International Law Seminars in the *Peace Palace Papers* series. The third and fourth volumes, *Arbitration in Air, Space and Telecommunications Law and Strengthening Relations with Arab and Islamic Countries through International Law: E-Commerce, the WTO Dispute Settlement Mechanism and Foreign Investment* were published by Kluwer Law International in 2002. These papers emanated from the third and fourth International Law Seminars held, respectively, in February and October 2001.

78. The Publications Department also published the * Permanent Court of Arbitration – Optional Rules for Conciliation of Disputes Relating to Natural Resources and/or the Environment.*

79. In early 2002, the centennial publication "The Hague Peace Conferences of 1899 and 1907 and International Arbitration Reports and Documents", compiled and edited by Professor Shabtai Rosenne under the auspices of the Permanent Court of Arbitration and published by T.M.C. Asser Press became available.

**Increasing Awareness of the PCA**

80. During 2002, the PCA was honored by various visits. The Secretary-General met with the Romanian Prime Minister on February 26. On March 12, he received Yemen’s Minister of Legal Affairs, on June 24, the Attorney General of Angola, and on September 4, the Minister of Justice and the Prosecutor-General of Rwanda. He met with the Vice Minister of Foreign Affairs of Panama on February 12. On November 21, the Secretary-General attended the closing ceremony in the Netherlands to commemorate 150 years of diplomatic relations with Costa Rica.

81. The PCA participated in several important international conferences and meetings during the year under review.

82. The Secretary-General attended the 16th ICCA Arbitration Congress in London from May 12–15, 2002, where he was invited as a speaker. In June 8–13, he attended the meeting of the American Arbitration Association and the United Nations in New York, at which he was the keynote speaker. In July, he visited Brisbane, Australia where he spoke at the Comparative Law Conference as the keynote speaker, as well as Malaysia and Singapore, where he held discussions with the two countries’ respective Foreign Ministers. In November, he gave the keynote address at the workshop held by the Netherlands’ Ministry of Foreign Affairs and the United Nations on Air and Space Law. In December, he visited Brussels with the PCA’s Legal Counsel and met with a representative of Eurocontrol and the Head of the Legal
83. The Deputy Secretary-General participated in the Barcelona Symposium, organized by the Global Center for Dispute Resolution Research in February. This brainstorming session, attended by dispute resolution specialists from fourteen different countries, explored topics for empirical research to benefit the worldwide legal and business communities, legislators, and organizations involved in dispute resolution. In May, the Deputy Secretary-General addressed the LCIA Symposium at Tylney Hall, England and attended the ICCA Arbitration Congress in London. In June, she represented the PCA at the Institute for Transnational Arbitration (ITA) Annual Workshop, and attended meetings organized by Kluwer Law International (KLI) and ITA in connection with their co-sponsorship of KLI’s arbitration web portal, which was launched online shortly thereafter. In December, the Deputy Secretary-General participated in events organized by the Romanian Embassy in commemoration of the 150th anniversary of the birth of the Romanian statesman Nicolae Titulescu, and spoke at a symposium.

84. The PCA’s General Counsel attended the 36th Session of the UNCITRAL Working Group II on Arbitration and Conciliation in New York from March 4–8, and the 37th Session of the Working Group in Vienna from October 7–11. The subjects of these Sessions were proposed amendments to the provisions on the requirement of an arbitration agreement in writing and interim measures of the UNCITRAL Model Law on International Commercial Arbitration. From May 12–15, the General Counsel attended the 16th ICCA Arbitration Congress in London and from December 5–6, she attended the Tenth Zagreb Arbitration Conference of the Croatian Chamber of Commerce where she presented a paper entitled “Specialized Arbitration Rules.”

84. The PCA’s Special Counsel attended the 9th Annual Willem C. Vis International Commercial Arbitration Moot in Vienna from March 21–29, and participated as a moot arbitrator. He attended the meeting of the International Chamber of Commerce Commission on Arbitration in Paris on April 25, and in May, joined other members of the International Bureau at the 16th ICCA Arbitration Congress in London. He attended a meeting of the United Nations Economic Commission for Europe (UNECE) in Geneva on trade facilitation with a PCA Legal Assistant on May 28. From June 17–28, he attended the 35th Session of the UNCITRAL Commission in New York. On November 8, he attended the American Arbitration Association (AAA)/International Chamber of Commerce (ICC)/International Centre for the Settlement of Investment Disputes (ICSID) Triple Colloquium in New York. He attended the meeting of the International Federation of Commercial Arbitration Institutions (IFCAI) in Paris on November 22, and on November 27, the meeting of the International Chamber of Commerce Commission on Arbitration in Paris.

85. The Assistant Legal Counsel attended the negotiations of the United Nations Economic Commission for Europe (UNECE) Civil Liability Protocol in Geneva from February 3–6. He again attended the UNECE Civil Liability Protocol negotiations from September 1–4. From June 10–13, he attended a meeting of the subsidiary bodies for the UN Framework Convention on Climate Change in Bonn to discuss the PCA Environmental Rules for emissions trading systems. On July 5, he attended a Conference on Environmental Security in Brussels. He attended the World Summit on Sustainable Development in Johannesburg from August 22 to September 1, where he delivered a statement of the Secretary-General. In December, he attended the Cartagena Protocol on Biosafety Liability Workshop in Rome and the European Union Environmental Liability Directive Workshop in Antwerp.

86. During the year, other PCA staff members visited various events held in Washington D.C., Geneva, New York and Dakar and conferences in Vienna and Salzburg.

87. During 2002 the Secretary-General and other members of the International Bureau addressed a large number of lawyers, students and other visitors to the Peace Palace on the activities of the PCA, and also gave a number of lectures elsewhere. The Secretary-General participated as a judge in the Telders Moot Court held at the Peace Palace in April.

88. During 2002, the PCA’s General Counsel taught a course in International Commercial Arbitration at the Free University, Amsterdam, in the Masters Degree Program in International Business Law. The General Counsel also developed and coordinated a course in International Commercial Arbitration which was offered in the period of 5 February to 30 April to students enrolled in the various Masters of Laws programs at the University of Leiden. The PCA’s Deputy Secretary-General, Deputy General Counsel and Senior Legal Counsel also lectured in this course. From April to June 2002, the General Counsel was joint coordinator and lecturer for the course in International Commercial Arbitration at the
University of Utrecht. The General Counsel also lectured students at The Hague Academy of International Law on July 29.

89. The International Bureau noted a significant increase in requests for information concerning the PCA’s Optional Environmental Rules, and for assistance in drafting arbitration clauses providing for recourse to the PCA for use in conventions and international agreements and contracts. In addition to these more traditional modes of communication, the PCA’s website at www.pca-cpa.org continues to be enhanced with the addition of the PCA’s Basic Documents in various languages.

III. STATE PARTIES TO THE CONVENTIONS OF 1899 AND 1907

90. The Kingdom of Saudi Arabia acceded to the 1907 Convention for the Pacific Settlement of International Disputes in November 2001, and became a Member State effective from January 20, 2002. Malaysia acceded to the 1907 Convention for the Pacific Settlement of International Disputes on March 7, 2002, and became a Member State effective from May 6, 2002. Ireland acceded to the 1907 Convention for the Pacific Settlement of International Disputes on May 7, 2002, and became a Member State effective from July 6, 2002. Membership has now increased to 97 States, up from 95 in 2001. A number of other countries have indicated that internal procedures are well underway or have recently been initiated, and accession can be expected in the year 2003. A list of State Parties to the 1899 and 1907 Conventions as of April 15, 2003, is set forth in Annex 1 to this Report.

IV. A. MEMBERS OF THE PERMANENT COURT OF ARBITRATION

91. Each State Party is entitled to select up to four persons at the most, of “known competency in questions of international law, of the highest moral reputation and disposed to accept the duties of arbitrators” for inscription as a Member of the Court. A list of all the persons so inscribed as of April 15, 2003, along with brief biographical notes, are set forth in Annex 6 to this Report.

92. Members of the Court are appointed for a term of six years. These appointments are renewable. The Secretary-General has invited all Members to indicate whether they wish to have any special fields of experience mentioned in the biographical notes. Information received in response to this request has also been included in the notes. State Parties are requested to bring to the immediate attention of the International Bureau any alteration in the status of persons selected for Membership of the Court, so that the list may be amended accordingly.

93. In accordance with article 4, paragraph 1 of the Statute of the International Court of Justice, the Members of the Permanent Court of Arbitration appointed by each State Party constitute “national groups” which are entitled to nominate candidates for election, by the General Assembly and the Security Council of the United Nations, to the International Court of Justice. In addition to this statutory role granted to the Members of the PCA, they may also propose candidates for the Nobel Peace Prize.

IV. B. SPECIALIZED PANELS

94. The Permanent Court of Arbitration Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment were adopted on June 19, 2001, and the Optional Rules for Conciliation of Disputes Relating to Natural Resources and/or the Environment were adopted on April 16, 2002. The Working Group, Drafting Committee and Member States agreed that, given the highly technical nature of most environmental disputes, tribunals and conciliation committees should be made up of highly skilled experts on the subject matter. Following a decision taken at the Administrative Council meeting of June 19, Member States agreed to nominate one environmental law expert and one environmental science expert to be appointed to the lists of persons referred to in Articles 8(3) and 27(5) of the Environmental Arbitration Rules. The Secretary-General may make these lists available to assist the parties, the Tribunal, and/or the Appointing Authority, depending on the circumstances of the case. A list of Members of the Specialized Panels as of April 15, 2003, is set forth in Annex 7 to this Report, and includes nominations put forth by the Secretary-General.
V. ADMINISTRATIVE MATTERS

Administrative Council

95. According to article 49 of the Convention of 1907 (article 28 of the Convention of 1899) the “Administrative Council is composed of the diplomatic representatives of the Contracting Powers accredited to The Hague, and the Netherlands Minister of Foreign Affairs, who acts as President.”

96. During the year under review the Administrative Council, which is charged with the direction and control of the International Bureau, held an Extraordinary Meeting on January 14, 2002, at which it discussed the draft Optional Rules for Conciliation of Disputes Relating to Natural Resources and/or the Environment and the panels of Arbitrators and Scientific Experts under the Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment. The Administrative Council met on April 16 (when it dealt with the financial reports of the previous year) and on October 14 (when it considered and approved the budget for the year 2003).

97. The Administrative Council entrusts financial supervision of the International Bureau to a Committee composed of three Members of the Administrative Council resident in The Hague. Its membership is “renewed annually on the first day of January, by replacement of one member, according to the alphabetical order of the Powers” (in French) pursuant to article XI of the Rules of Procedure of the Administrative Council. The representative of United Kingdom served as a Member of the Committee from 2000 through 2002, and will be succeeded with effect from January 2003 by the representative of India. With effect from January 1, 2003, the Committee will be composed of the representatives of Greece, India and Hungary, replacing the Representative of Guatemala after a premature termination of his term of office. During the year under review, the Committee met prior to each of the two regular meetings of the Administrative Council.

International Bureau Staff

98. In the year under review, the International Bureau was composed of:

Core:

Secretary-General: Mr. Tjaco T. van den Hout
First Secretary and Deputy Secretary-General: Ms. Bette E. Shifman
First Secretary and Senior Legal Counsel: Ms. Anne Wallemacq (until September 1, 2002)
Second Secretary and Legal Counsel: Ms. Alexa Duverger (until March 1, 2002)
Second Secretary and Legal Counsel: Ms. Catherine Cissé (from March 1, 2002)
Administrator: Mr. Jan Endlich (until January 25, 2002)
Administrator: Mr. Riny van Eekelen (from January 25, 2002)
Office Manager: Ms. Gertie Burgers

ICCA Publications:

PCA General Counsel/Managing Editor, ICCA*: Ms. Judy Freedberg
Assistant Managing Editor, ICCA/ Project Officer, PCA*: Mr. Theodore Mercredi
Sub-editor*: Ms. Heather Kurzbauer
Editorial Staff*: Ms. Sylvia Borelli

Projects*:

First Secretary and Deputy General Counsel: Ms. Anne Joyce
Special Counsel: Mr. Brooks Daly (from March 1, 2002)
Second Secretary and Legal Counsel: Ms. Catherine Cissé (from January 1 to March 1, 2002)
Third Secretary and Assistant Legal Counsel: Mr. Dane Ratliff
99. The International Bureau also conducts an Internship Program, which provides law students and law graduates from all over the world the opportunity to be involved as aides to the Court, with positions generally of three months duration. The following held internships with the International Bureau during 2002:

Lara Pair (German/American): University of Hanover; Emory University School of Law: J.D. student (January to March 2002);
Devashish Krishan (Indian): National Law School of India University: B.A., LL.B. (Hons.) (January to March 2002);
Tobias Irmscher (German): University of Marburg; University of Würzburg; Ph.D. candidate; London School of Economics: LL.M. student (February to April 2002);
Toufic Saadi (Lebanese): La Sagesse College, Diploma in Law (February to April 2002);
Olga Koukhtina (Russian): University of Vladimir; Université de Paris; Diplôme Supérieur d'Université de Droit International public, DESS d'Administration internationale (March to May 2002);
Cynthia Casiño (Filippino): Vrije Universiteit, Amsterdam; Member of Integrated Bar of the Philippines (April to June 2002);
Amrin Amin (Singaporean): National University of Singapore, LL.B. student; Columbia University School of Law (May to July 2002);
Wui Ling Cheah (Malaysian/Singaporean): National University of Singapore; Washington University exchange student (May to July 2002);
Ana Dolidze (Georgian): Tbilisi State University, graduated May 2002 (June to August 2002);
Cristina Rodríguez (Guatemalan): Universidad Francisco Marroquín (Attorney at Law and Notary Public); Instituto Femenino de Estudios Superiores, Universidad del Istmo; admitted to the Guatemalan Bar 2002 (July to September 2002);
Fernando Argueta (Guatemalan): Universidad Francisco Marroquín (BA Law, Attorney at Law and Notary Public); Leiden University, LL.M candidate; admitted to the Guatemalan Bar 2002 (July to December 2002);
Naser Alam (Bangladeshi): Dhaka University: LL.B. (Honours); Cambridge University (Queens’ College): LL.M.; University of London: LL.B. (July to September 2002);
Séverine Fontaine (French): University of Nantes: LL.B.; Erasmus University of Rotterdam: LL.M. (July to September 2002; Legal Assistant since October 1, 2002);
Alexei Barbuk (Belarussian): Belarussian State University (post-graduate); Leiden University: LL.M. candidate (July to September 2002);
Rita Feghali (Lebanese): University Saint Esprit de Kaslik: master of public and private law (August to September 2002);
Omar Mondragon (Mexican): Universidad Autónoma des Estado de Morelos, Law School, Mexico; Universidad Nacional: M.A., Summa Cum Laude; J.D., Summa Cum Laude; Harvard Law School: LL.M. candidate; licensed to practice law in Mexico (September 2002 to February 2003);
Helena Ilukwe (Nigerian): University of Lagos: LL. B.; Barrister at Law; King’s College, University of London: LL.M. (October to December 2002);
Raghunath Ananthapur (Indian): Bangalore University: B.A., LL.B.; University of Hull: LL.M. (October to December 2002);
Hong Ying (Chinese): Zhejiang University: B.A.; Erasmus University: LL.M.; Diplomat, Ministry of Foreign Affairs, China (October 2002 to March 2003);
Anna Selles Mañé (Spanish): University of Barcelona; University of Leiden: LL.M. (October to November 2002);
Sonya Hymer (American): St John’s College, Santa Fe: B.A.; University of California, Berkeley: J.D.; admitted to California State Bar (October to December 2002; Legal Assistant since January 1, 2003);
Fernando Amorim (Brazilian): attorney and professor in Private International Law (October to December 2002).

Finance

100. The Budget Performance Report 2001 and the Performance Report on the Financial Assistance Fund 2001 were duly examined by the Financial Committee on February 12, 2002, and were examined by the Administrative Council on April 16, 2002. They are available to Member States in a separate Annex to this Report.

101. The Budget for the year 2003 was approved by the Administrative Council at its meeting of October 14, 2002. It is available to Member States in a separate Annex to this Report.

102. Pursuant to article 50 of the Hague Convention of 1907, “The expenses of the Bureau shall be borne by the Contracting Powers in the proportion fixed for the International Bureau of the Universal Postal Union.” In conformity with the General Rules of the Union, which were approved at Seoul in 1994 and became effective on January 1, 1996, State Parties are divided into 11 categories contributing respectively 50, 40, 30, 25, 20, 15, 10, 5, 3, 1 and 0.5 units. The amount of the Budget, divided by the total number of units, is the unit of assessment.

103. The contributions of each Contracting Power, payable to the International Bureau by April 1, 2003, are set out in the Scale of Assessments, approved by the Administrative Council at its meeting of October 14, 2002. This scale is available to Member States in a separate Annex to this Report.
Annex 1

LIST OF THE SIGNATORY AND CONTRACTING POWERS OF THE HAGUE CONVENTIONS OF 1899 AND 1907 AND DATES ON WHICH THE CONVENTION(S) TOOK EFFECT FOR EACH OF THEM

as at April 15, 2003

<table>
<thead>
<tr>
<th>Country</th>
<th>1899</th>
<th>1907</th>
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<tbody>
<tr>
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### Annex 2

#### Cases Submitted to Arbitration before the Permanent Court of Arbitration, or Conducted with the Cooperation of the International Bureau

<table>
<thead>
<tr>
<th>Parties</th>
<th>Case</th>
<th>Date of the “compromis”</th>
<th>First session</th>
<th>Closing session</th>
<th>Number of sessions</th>
<th>Date of the award</th>
<th>Arbitrators</th>
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<tbody>
<tr>
<td>II. Great Britain, Germany and Italy – Venezuela</td>
<td>Preferential Treatment of Claims of Blockading Powers Against Venezuela</td>
<td>7 May 1903</td>
<td>1 Oct. 1903</td>
<td>13 Nov. 1903</td>
<td>14</td>
<td>22 Feb. 1904</td>
<td>Mourawieff Lammash de Martens</td>
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<tr>
<td>III. Japan – Germany, France and Great Britain</td>
<td>Japanese House Tax (leases held in perpetuity)</td>
<td>28 Aug. 1902</td>
<td>21 Nov. 1904</td>
<td>15 May 1905</td>
<td>4</td>
<td>22 May 1905</td>
<td>Gram Renault Motono</td>
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<tr>
<td>V. France – Germany</td>
<td>Desablers of Casablanca</td>
<td>10/24 Nov. 1908</td>
<td>1 May 1909</td>
<td>17 May 1909</td>
<td>6</td>
<td>22 May 1909</td>
<td>Hammerskjöld Sir Fry Fusinato Kriege Renault</td>
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</tbody>
</table>

For summaries of the arbitral awards in most of these cases, see P. Hamilton, et al., *The Permanent Court of Arbitration: International Arbitration and Dispute Resolution – Summaries of Awards, Settlement Agreements and Reports* (Kluwer Law International 1999) pp. 29-281.

1. Including the opening session and the session where the award was read.
2. The names in bold type are those of the Presidents.
3. Pursuant to article 47 of the 1907 Convention (art. 26 of the 1899 Convention).
4. Excluding visits to sites from July 14 to 20, 1909.
5. Not a Member of the Permanent Court of Arbitration.
<table>
<thead>
<tr>
<th>Parties</th>
<th>Case</th>
<th>Date of the “compromis”</th>
<th>First session</th>
<th>Closing session</th>
<th>Number of sessions</th>
<th>Date of the award</th>
<th>Arbitrators</th>
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<tbody>
<tr>
<td>XI. Russia – Turkey</td>
<td>Russian Claim for Indemnities</td>
<td>22 July/4 Aug. 1910</td>
<td>15 Feb. 1911</td>
<td>6 Nov. 1912</td>
<td>10</td>
<td>11 Nov. 1912</td>
<td>Lardy Bon de Taube</td>
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<tr>
<td></td>
<td>(damages claimed by Russia for the delay in payment of compensation owed to Russian private persons injured in the war of 1877-1878)</td>
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<td>Mandelstam H.A. Bey A.R. Bey</td>
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<td>XII. France – Italy</td>
<td>French Postal Vessel “Manouba”</td>
<td>26 Jan./6 Mar. 1912</td>
<td>31 Mar. 1913</td>
<td>26 Apr. 1913</td>
<td>10</td>
<td>6 May 1913</td>
<td>Hammarskjöld Fuinato</td>
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<tr>
<td></td>
<td>(capture of the “Manouba”)</td>
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<td>Krieger Renault Bon de Taube</td>
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<td>XIII. France – Italy</td>
<td>The “Carthage”</td>
<td>26 Jan./6 Mar. 1912</td>
<td>31 Mar. 1913</td>
<td>26 Apr. 1913</td>
<td>10</td>
<td>6 May 1913</td>
<td>Hammarskjöld Fuinato</td>
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<td>(capture of the “Carthage”)</td>
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<td>Krieger Renault Bon de Taube</td>
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<td>XIV. France – Italy</td>
<td>The “Tavignano”, “Camouna” and “Gaulois” Incident</td>
<td>8 Nov. 1912</td>
<td>26 Apr. 1913</td>
<td>3 May 1913</td>
<td>3</td>
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<td>The parties agreed to settle these cases directly</td>
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<td>(capture of the “Tavignano” and cannon shots fired at the Tunisian ships “Camouna” and “Gaulois”)</td>
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<td>Krieger Renault Bon de Taube</td>
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<tr>
<td>XV. The Netherlands – Portugal</td>
<td>Dutch-Portuguese Boundaries on the Island of Timor</td>
<td>3 Apr. 1913</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>25 June 1914</td>
<td>Lardy</td>
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<tr>
<td>XVI. Great Britain, Spain and France – Portugal</td>
<td>Expropriated Religious Properties</td>
<td>31 July 1913</td>
<td>2 Sep. 1920</td>
<td>4 Sep. 1920</td>
<td>3</td>
<td>2 and 4 Sep. 1920</td>
<td>Root de Savornin Lohman Lardy</td>
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<td></td>
<td>(religious property claims in Portugal)</td>
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<td>Sarrut Elguera</td>
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<tr>
<td>XIX. United States of America – The Netherlands</td>
<td>The Island of Palmas Case (or Miangas)</td>
<td>23 Jan. 1925</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>4 Apr. 1928</td>
<td>Huber</td>
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<td>(sovereignty over the island of Palmas)</td>
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<td>XX. Great Britain – France</td>
<td>Chevreau Claims</td>
<td>4 Mar. 1930</td>
<td>5 May 1931</td>
<td>8 May 1931</td>
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<td>9 June 1931</td>
<td>Reichmann</td>
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</table>

1. Pursuant to article 47 of the 1907 Convention (art. 26 of the 1899 Convention).
2. To settle the procedural questions. At this date the Tribunal was adjourned sine die. The oral procedure started on October 28, 1912.
3. Not a Member of the Permanent Court of Arbitration.
4. The proceedings in this case were exclusively conducted in writing.
5. In this case the summary procedure provided for in Chapter IV of the Convention of October 18, 1907 was applied.
6. Pursuant to the Compromis the award was rendered in writing.
<table>
<thead>
<tr>
<th>Parties</th>
<th>Case</th>
<th>Date of the “compromis”</th>
<th>First session</th>
<th>Closing session</th>
<th>Number of sessions</th>
<th>Date of the award</th>
<th>Arbitrators</th>
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<tr>
<td>of America</td>
<td></td>
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<td>CLOSING SESSION</td>
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</table>

| of America – China            | of America v. China                      |                          |               |                 |                   |                   | Hubert Furrer                   |
|                               |                                           |                          |               |                 |                   |                   | CLOSING SESSION               |

| XXIII. States of Levant       | Radio-Orient                              | 11 Nov. 1938             | 10 Feb. 1940  | 4               | 2 Apr. 1940       | 24 July 1956        | Raestad Mondrup                 |
| under French Mandate – Egypt  |                                           |                          |               |                 |                   |                   |                                 |

|                              |                                           |                          |               |                 |                   |                   |                                 |

| (Sudan) Limited – Sudan      | Company v. Sudan                          |                          |               |                 |                   |                   |                                 |

| of America                   |                                           |                          |               |                 |                   |                   | Skubiszewski, Arangio-Ruiz, Broms, Aghahosseini, Ameli, Noori, Aldrich, Duncan, Duncan, Mosk |

| America – United Kingdom     | (treaty obligations; amount of damages)   |                          |               | is closed       |                   |                   |                                 |
| of Great Britain and Northern |                                           |                          |               | Opening         | 1                 | 2 May 1994 Settlement |                                 |
| Ireland                      |                                           |                          |               | second phase    |                   |                   | on amount of damages; order discontinuing proceedings pending |

Of the Tribunals V, VI, IX, X, XI, XII, XIII and XIV only the opening and closing sessions were public; the sessions of the Tribunals XX, XXII and XXV were closed sessions.

Of the Arbitral Tribunal XXIV all sessions were public, except the first session of Monday, August 2, 1954.

1. Pursuant to article 47 of the 1907 Convention (art. 26 of the 1899 Convention).
2. Not a Member of the Permanent Court of Arbitration.
<table>
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<tr>
<th>Parties</th>
<th>Case</th>
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<th>Closing session</th>
<th>Number of sessions</th>
<th>Date of the award</th>
<th>Arbitrators</th>
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<tr>
<td>XXIX. African State – two foreign nationals¹</td>
<td>Investment dispute</td>
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<td>–</td>
<td>30 Sep. 1997</td>
<td>Jennings Wallace¹</td>
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1. Pursuant to article 47 of the 1907 Convention (art. 26 of the 1899 Convention).
2. Not a Member of the Permanent Court of Arbitration.
<table>
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<th>Parties</th>
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<tr>
<td>Eritrea-Ethiopia Boundary Commission¹</td>
<td>Boundary dispute between Eritrea and Ethiopia</td>
<td>14</td>
<td>13 Apr. 2002</td>
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<td>Eritrea-Ethiopia Claims Commission¹</td>
<td>Settlement of claims arising from conflict between Eritrea and Ethiopia</td>
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<td>Dr. Horst Reineccius; First Eagle SoGen Funds, Inc.; Mr.P.M. Mathieu – Bank for International Settlements¹</td>
<td>Dispute with former private shareholders</td>
<td>1</td>
<td>22 Nov. 2002</td>
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<td>Ireland – United Kingdom³</td>
<td>Proceedings pursuant to the OSPAR Convention</td>
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<td>Saluka Investments B.V. – Czech Republic¹</td>
<td>Claim pursuant to investment treaty between The Netherlands and the Czech Republic</td>
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<tr>
<td>Ireland – United Kingdom³</td>
<td>Proceedings pursuant to the Law of the Sea Convention (UNCLOS)</td>
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1. Pursuant to article 47 of the 1907 Convention (art. 26 of the 1899 Convention).
2. Not a Member of the Permanent Court of Arbitration.
# International Commissions of Inquiry

<table>
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<tr>
<th>Parties</th>
<th>Case</th>
<th>Date of the inquiry</th>
<th>First session</th>
<th>Closing session</th>
<th>Number of sessions</th>
<th>Date of the report</th>
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<td>II. France – Italy</td>
<td>Capture of the “Tavignano” and cannon shots fired at the “Canouna” and the “Galois”</td>
<td>20 May 1912</td>
<td>1 July 1912</td>
<td>23 July 1912</td>
<td>21</td>
<td>23 July 1912¹</td>
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<tr>
<td>III. Germany – Spain</td>
<td>The Steamship “Tiger” (sinking of the steamer “Tiger”)</td>
<td>–</td>
<td>1 Nov. 1918</td>
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<td>Moolenburgh</td>
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</tbody>
</table>


1. The names in bold type are those of the Presidents.
2. In conformity with the Inquiry Convention, this report was transmitted by the Parties to the Arbitral Tribunal charged with deciding these cases. As the Parties agreed to settle these cases, the report was not published.
## International Conciliation Commissions

<table>
<thead>
<tr>
<th>Parties</th>
<th>Case</th>
<th>Date of submission of the request</th>
<th>First session</th>
<th>Closing session</th>
<th>Number of sessions</th>
<th>Date of the &quot;procès-verbal&quot;</th>
<th>Commissioners</th>
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<tbody>
<tr>
<td>I. Denmark – Lithuania</td>
<td>Method of payment of the balance of the claim of the Højgaard and Schults company on the Lithuanian Government</td>
<td>1 Sept. 1937</td>
<td>12 Nov. 1937</td>
<td>4 June 1938</td>
<td>12</td>
<td>30 Sept. 1938</td>
<td>van Karnebeck Oldenburg, Ve de Fontenay Römeris Ozolins</td>
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1. On May 1, 1937, the Administrative Council authorized the International Bureau to put its offices and organization henceforth at the disposal of Conciliation Commissions.
2. The names in bold type are those of the Presidents.
Establishment of a Financial Assistance Fund

1. The Hague Conventions for the Pacific Settlement of International Disputes of 1899 and 1907 brought into being what is today the oldest existing global system for the peaceful settlement of international disputes. They established the Permanent Court of Arbitration, and provided for the settlement of such disputes by States Parties through arbitration and other peaceful means of their own choice.

2. States Parties to the Conventions undertake to use their best efforts to ensure the peaceful settlement of their disputes. However, there may be instances when States are deterred from recourse to international arbitration or other means of settlement offered by the Conventions because they find it difficult at the time to allocate funds to meet the costs involved. Such costs may include the fees and expenses of members of an arbitral or other body entrusted with settling the dispute; the expenses of implementing an award or other decision or recommendation of such a body; payments to agents, counsel, experts and witnesses; and operational or administrative expenses connected with oral or written proceedings. Making funds available to meet costs of this nature could facilitate recourse to arbitration or other means of settlement, thus advancing the aims and purposes of the Conventions, and promoting friendly relations and cooperation among States.

3. Accordingly, the Secretary-General of the Permanent Court of Arbitration (the “Secretary-General”) has, with the approval of the Administrative Council, established a Financial Assistance Fund for the Settlement of International Disputes (the “Fund”). The Fund will provide financial assistance to Qualifying States (as defined herein), in accordance with the terms and conditions specified herein, to enable them to meet, in whole or in part, expenses of the type referred to in paragraph 2.

Contributions to the Fund

4. The Fund shall consist of voluntary financial contributions by States, intergovernmental organizations, national institutions, as well as natural and legal persons.

Request for Financial Assistance from the Fund

5. For purposes of this document, “Qualifying State” shall mean a State that is a party to the Convention of 1899 or 1907, or any institution or enterprise owned and controlled by such State, which has concluded an agreement for the purpose of submitting one or more disputes, whether existing or future, for settlement under the auspices of the Permanent Court of Arbitration by any of the means administered by the Permanent Court of Arbitration, and which State, at the time of requesting financial assistance from the Fund, is listed on the “DAC List of Aid Recipients” prepared by the Organization for Economic Co-operation and Development (OECD).

6. Any Qualifying State may seek financial assistance from the Fund, by submitting a written request therefor to the Secretary-General, accompanied by:

   i. a copy of the above-mentioned dispute resolution agreement, as well as, in the case of an agreement to submit future disputes, a brief description of the specific dispute concerned;
   ii. an itemized statement of the estimated costs for which financial assistance is sought from the Fund;
   iii. an undertaking that the requesting State shall supply a final statement of account providing details of the expenditures made from the approved amounts, audited by an independent accountant acceptable to the International Bureau of the Permanent Court of Arbitration.
Implementing Office

7. The International Bureau of the Permanent Court of Arbitration shall be the implementing office for the Fund, and shall be responsible for the administration of the Fund. The International Bureau shall make no allocations or disbursements from the Fund, other than pursuant to a decision of the Board of Trustees, as set forth below.

Board of Trustees

8. For purposes of deciding on requests for financial assistance from the Fund, there shall be a Board of Trustees (the “Board”), composed of no fewer than three and no more than seven members who have experience in international dispute resolution and are of the highest moral standing. Members shall be appointed by the Secretary-General with the approval of the Administrative Council, and shall serve for a term of four years, which may be renewed. The Secretary-General shall be entitled to fill any vacancy occurring in the membership of the Board with immediate effect, pending approval by the Administrative Council at its next following meeting.

9. The Secretary-General shall serve as chairman of the Board. He shall conduct and participate fully in meetings of the Board, but shall not vote on any request for financial assistance from the Fund.

10. The Board shall examine requests for financial assistance from the Fund, and shall determine the amount of financial assistance to be given, if any, the categories of expenses to which it may be applied, as well as any terms and conditions it deems appropriate.

11. After having consulted the Board of Trustees, the Secretary-General shall adopt rules governing, inter alia, the manner in which the work of the Board is to be conducted. The work of the Board shall be conducted in strict confidentiality.

12. In considering a request for disbursement, the Board shall be guided, inter alia, by the financial needs of the requesting State and the availability of funds.

13. Members of the Board shall not be entitled to receive fees for their services, or reimbursement of expenses incurred in that connection. The Secretary-General may, in exceptional cases and in his sole discretion, determine the amount to be paid to a member by way of reimbursement of expenses for travel and subsistence incurred in connection with the rendering of services to the Board.

14. Upon the approval of a request for financial assistance, the amount granted shall be disbursed to the requesting State out of the Fund, pursuant to the terms and conditions set forth by the Board in its decision.

15. The decision of the Board concerning a request for financial assistance from the Fund shall be final, and not subject to recourse or review.

Reporting

16. The Secretary-General shall report to the Administrative Council at least once annually in detail on the activities and transactions relative to the Fund, including contributions pledged and received, and allocations and disbursements made. The Annual Report of the PCA shall contain a summary report on the activities of the Fund.
<table>
<thead>
<tr>
<th>Country</th>
<th>Name</th>
<th>Date of appointment</th>
<th>Date of latest renewal</th>
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<tbody>
<tr>
<td>Argentina</td>
<td>Son Excellence M. ERNESTO LUIS E. DE LA GUARDIA, ancien Conseiller juridique du ministère des Affaires étrangères, ancien Sous-Secrétaire d’État de Politique extérieure, spécialisations: droit des traités, droit de la mer, arbitrage international, Guido 1585/10, 1016 Buenos Aires, tél/fax: +54 1 48 14 48 65;</td>
<td>21-11-83</td>
<td>12-04-96</td>
</tr>
<tr>
<td>Argentina</td>
<td>Her Excellency Ms. SUSANA MYRTA RUZ CERUTTI, Lawyer and career diplomat, former Ambassador to Switzerland, Agent to the International Arbitral Tribunal dealing with a border dispute between Argentina and Chile, former member or head of delegations to several arbitral proceedings, former Legal Adviser, former Vice-Minister and Minister of Foreign Affairs, former Ambassador to Canada, since November 2000 Secretary of State for Foreign Relations, Av. Libertador Gral. San Martin 4408, piso 13º, 1424 Buenos Aires;</td>
<td>26-04-95</td>
<td>03-07-01</td>
</tr>
<tr>
<td>Argentina</td>
<td>His Excellency Mr. ANTONIO BOGGIANO, Judge and former President of the Supreme Court of Argentina, Professor of Law, University of Buenos Aires, Representative to the Hague Conference on Private International Law, Member of the Governing Counsel of UNIDROIT, Rome, former Representative to UNCITRAL, Palace of Justice, Talcahuano 550, Buenos Aires, fax: +54 1 43 72 15 25;</td>
<td>09-01-96</td>
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<tr>
<td>Argentina</td>
<td>His Excellency Mr. ENRIQUE J.A. CANDIOTI, Argentine Ambassador to Germany, Member of the United Nations International Law Commission, former Secretary of State for Foreign Affairs and former Legal Adviser of the Argentine Foreign Ministry, former Ambassador to the United States of America, Australia and New Zealand, specializations: public international law, law of the sea, territorial and boundary matters, international arbitration, Dorotheenstrasse 89, D-10117 Berlin, Germany.</td>
<td>25-07-97</td>
<td></td>
</tr>
<tr>
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<td>23-10-86</td>
<td>23-10-92</td>
</tr>
<tr>
<td>Australia</td>
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<td>20-04-89</td>
<td>21-12-95</td>
</tr>
<tr>
<td>Australia</td>
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<td>26-08-99</td>
<td></td>
</tr>
</tbody>
</table>
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Austria

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Belgium

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Chile

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Son Excellence M. CARLOS RESTREPO PIEDRAHITA, Docteur en droit et ès sciences politiques et sociales, Professeur de droit constitutionnel, ancien Ambassadeur, ministère des Affaires étrangères, Santa Fé de Bogotá; 01-08-88 01-08-94

His Excellency Mr. RAFAEL RIVAS POSADA, Lawyer, former Minister of Education, Ambassador to the EEC, Belgium and Luxembourg, Ministry of Foreign Affairs of Colombia; 25-11-97

Dr. FERNANDO HINESTROSA, Doctor of Law, Professor of Civil Law at the University of Colombia, former Minister of Justice, former Minister of Education, President of the Court of Arbitration of the Bogotá Chamber of Commerce, Dean of the University of Colombia since 1963. 19-10-99

Democratic Republic of the Congo République démocratique du Congo

M. BALANDA MIKULLELEILEIL, Docteur en droit, Premier Président de la Cour suprême de Justice, Président du Groupe de travail spécial d’Experts de la Commission des droits de l’homme de l’ONU sur l’Afrique australe, Membre du Tribunal administratif de l’ONU, Professeur ordinaire à la Faculté de Droit de Kinshasa, spécialisations: droit international public, droit international administratif, droit des organisations internationales, droit international criminel, Cour suprême de Justice, Boîte postale 3382, Kinshasa/Gombe ou 1, Avenue Bellevue, Kinshasa/Ngaliema, Boîte postale 13197, Kinshasa I; 18-02-81 23-03-93


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Costa Rica Costa Rica

Dr. ELIZABETH BENITO ODIO, Second Vice-President of Costa Rica, Minister of Environment and Energy, former Minister of Justice, Permanent Representative to the United Nations Office at Geneva, former Minister of Justice and Attorney General, former Judge of the ICTY, former Vice-President of the ICTY, jurist; specializations: Introduction to Law, History of Law, Private Law, Labor Law, Family Law, International Human Rights Law; Apartado Postal 2292-1000, San José, tel: +506 224 4092 fax: +506 253 6984; 20-12-00 23-01-01
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Mr. ALECOS MARKIDES, Attorney-General of the Republic; 30-11-95 03-07-02
His Excellency Mr. GEORGHIOS PIKIS, President of the Supreme Court of Cyprus; 30-11-95 03-07-02
Mr. SOTOS DEMETRIOU, Member of the Public Service Commission, former President of the District Court of Nicosia, former Senior District Judge in Paphos; former District Judge in Famagusta, former Barrister at Law, former chairman and founder member of the Chartered Institute of Arbitrators; Rega Fereou 33, CY-1087 Nicosia; tel: +357 22 602 575, fax: +357 22 442 406. 04-04-03

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Justice ERNEST LINESI SAKALA, Judge of the Supreme Court of Zambia; 05-09-00

Justice S.K. MUNTHALI, LL.B., Judge of the High Court of Zambia since 1998, former Advocate of High Court of Zambia, former lecturer in Commercial Law, Evelyn Hone College, former Senior Legal Aid Counsel, former Principal State Advocate and Director of Public Prosecutions; Kabwe High Court, P.O. Box 80607, Kabwe; tel/fax: +263 5 222 385, e-mail: kabuzimunthali@hotmail.com. 25-04-02
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Poland
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**Portugal**

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Prof. DINO C. LANCULESCU is a counselor in the Ministry of Justice. He studied at the Law University of Bucharest, and has worked as an arbitrator in various organisations, such as ICC in Paris, AAA in New York and the International Commercial Court of Arbitration in Romania. As a professor, he also lectured at the National Institute of Magistracy in Romania and was the Dean of different scholars programs, in the area of maritime and fluvial law. He also participated in the drafting of the International Criminal Court’s statute in 1998. He has served as Judge, then director of the international legal relation and European integration, as well as Secretary of State in the Ministry of Justice. He has served as advocate for the Supreme Court in Bucharest, and currently acts as counselor to the Prime Minister and Minister of Justice.

Russian Federation Fédération de Russie

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Serbia and Montenegro Serbie et Monténégro

Prof. Dr. VID VUKASOVIC is chairman of the Scientific Council of the Institute of International Politics and Economics. He has worked extensively on the United Nation’s Environmental Program, as well as participating in sessions of the Governing Council. He also contributed to the work of the Intergovernmental Working Group of Experts on natural resources shared by two or more states that drafted the principles concerning the shared natural resources (Geneva 1976, Nairobi 1977) and the work of Ad Hoc meetings of
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South Africa Afrique du Sud
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Advocate de Wet often acts as guest lecturer in international environmental law as part of the Masters degree course of the University of Pretoria. She holds an LLB degree from the University of the Free State and two Masters degrees, one in international law from the University of Pretoria in South Africa.

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**Argentina**

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Canada

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Cyprus Chypre

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Egypt Egypte
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Republic of Korea

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Libyan Arab Jamahiriya
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**Macedonia, FYR**

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United States of America

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Uruguay
Mr. VICTOR CANTON - CV will follow shortly.