# Contents

<table>
<thead>
<tr>
<th>I. Executive Summary</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>II. The Work of the Court and Its International Bureau</td>
<td>6</td>
</tr>
<tr>
<td>A. Scope of Activity</td>
<td>6</td>
</tr>
<tr>
<td>Arbitration</td>
<td>6</td>
</tr>
<tr>
<td>International Commissions of Inquiry and Conciliation</td>
<td>7</td>
</tr>
<tr>
<td>Provision of Facilities</td>
<td>7</td>
</tr>
<tr>
<td>Financial Assistance Fund</td>
<td>7</td>
</tr>
<tr>
<td>Voluntary Contributions</td>
<td>7</td>
</tr>
<tr>
<td>International Cooperation</td>
<td>7</td>
</tr>
<tr>
<td>B. Developments in 2004</td>
<td>8</td>
</tr>
<tr>
<td>Registry and Related Activities</td>
<td>8</td>
</tr>
<tr>
<td>(a) Registry</td>
<td>8</td>
</tr>
<tr>
<td>(b) Iran-United States Claims Tribunal</td>
<td>10</td>
</tr>
<tr>
<td>(c) Other Tribunals</td>
<td>10</td>
</tr>
<tr>
<td>Designation of Appointing Authorities and Arbitrators by the Secretary-General</td>
<td>10</td>
</tr>
<tr>
<td>Environmental Dispute Resolution</td>
<td>13</td>
</tr>
<tr>
<td>Mass Claims</td>
<td>13</td>
</tr>
<tr>
<td>Cooperation Agreements</td>
<td>13</td>
</tr>
<tr>
<td>Seminars and Conferences</td>
<td>14</td>
</tr>
<tr>
<td>PCA Publications</td>
<td>14</td>
</tr>
<tr>
<td>Increasing Awareness of the PCA</td>
<td>14</td>
</tr>
<tr>
<td>III. State Parties to the Conventions of 1899 and 1907</td>
<td>15</td>
</tr>
<tr>
<td>IV. (a) Members of the Permanent Court of Arbitration</td>
<td>15</td>
</tr>
<tr>
<td>(b) Specialized Panels</td>
<td>16</td>
</tr>
<tr>
<td>V. Administrative Matters</td>
<td>16</td>
</tr>
<tr>
<td>Administrative Council</td>
<td>16</td>
</tr>
<tr>
<td>International Bureau Staff</td>
<td>16</td>
</tr>
<tr>
<td>Finance</td>
<td>17</td>
</tr>
<tr>
<td>Annex 1: List of Signatory and Contracting Powers of the Hague Conventions of 1899 and 1907</td>
<td>37</td>
</tr>
<tr>
<td>Annex 2: Cases Submitted to Arbitration before the Permanent Court of Arbitration, or Conducted with the Cooperation of the International Bureau</td>
<td>41</td>
</tr>
<tr>
<td>Annex 3: International Commissions of Inquiry</td>
<td>49</td>
</tr>
<tr>
<td>Annex 4: International Conciliation Commissions</td>
<td>51</td>
</tr>
<tr>
<td>Annex 6: List of Members of the Permanent Court of Arbitration</td>
<td>57</td>
</tr>
<tr>
<td>Annex 7: Members of the Specialized Panels</td>
<td>93</td>
</tr>
</tbody>
</table>
REPORT

I. EXECUTIVE SUMMARY

1. Over the course of 2004, the PCA’s registry caseload reached an all-time high of fourteen pending cases and twenty-two requests for designation of an appointing authority or services as appointing authority.

2. With the accession of Togo and Lithuania, the number of PCA member states increased to 103. After having signed a declaration of accession to the 1899 Convention on September 5, 1996, Slovenia acceded to the 1907 Convention on January 29, with entry into force on March 29.

3. On May 17, 2004, the Administrative Council re-elected by acclamation the incumbent Secretary-General, Mr. Tjaco van den Hout, for a second five-year term, starting on May 25, 2004.

4. The PCA continued to serve as registry for both the Eritrea-Ethiopia Boundary Commission and the Eritrea-Ethiopia Claims Commission, several investor-state disputes arising under contracts or bilateral investment treaties, and the arbitration between Belgium and the Netherlands concerning the “Iron Rhine” railway line. Cases initiated in 2004 include four different arbitrations conducted under Annex VII to the United Nations Convention on the Law of the Sea (UNCLOS), and several additional investor-state arbitrations.

5. The seventh volume of the Peace Palace Papers series, Resolution of Cultural Property Disputes, which reproduces the papers presented at the seventh International Law Seminar, held in 2003, was published in August 2004.

6. On April 22 and 23, the PCA and the United Nations Commission on International Trade Law (UNCITRAL) co-hosted a Global Dispute Resolution Research Conference at the Peace Palace with the International Centre for Dispute Resolution (ICDR), dealing with the future of international commercial arbitration.

7. Following the establishment of PCA Regional Facilities in Costa Rica (2001) and South Africa (2003), progress continued in 2004 toward the establishment of similar facilities in other regions. The Republic of Korea donated US$25,000 toward the Regional Facility in Costa Rica during the year under review.

8. The PCA’s cooperation with the International Council for Commercial Arbitration (ICCA) continued in 2004, with the publication of the Yearbook Commercial Arbitration (Volume XXIX) and three supplements of the International Handbook on Commercial Arbitration.

9. The PCA has entered into an agreement with Asser Press for the publication of a PCA Award Series, to be marketed by Cambridge University Press. Progress continues on the publication of a comprehensive annotated checklist prepared by the members of the PCA Steering Committee for Mass Claims Processes. The book is in the final editing stages. Other publications activities in 2004 include a second edition of the PCA’s Basic Documents, to be published in early 2005.

10. The PCA gratefully acknowledges a voluntary contribution from the Republic of Finland of €5,000.

11. The Secretary-General and other staff members of the International Bureau made a number of presentations in the Peace Palace and elsewhere to high-ranking officials from Australia, Canada, India, Thailand, and Turkey, as well as to judges, 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 PCA premises at the Peace Palace.

12. The Secretary-General held discussions with senior government officials during visits to Croatia, Poland, Georgia, Azerbaijan, and India. Members of the PCA legal staff attended and, in some cases, addressed conferences and meetings in such venues as New York, London, Paris, Buenos Aires, Geneva, Vienna, Beijing, Auckland, and Sydney.
13. On August 3, the Secretary-General received the Prime Minister and the Minister of Foreign Affairs of Togo. The Government of Togo acceded to the 1907 Convention later in 2004.

II. THE WORK OF THE PCA AND ITS INTERNATIONAL BUREAU

A. Scope of Activity

Arbitration

14. The Permanent Court of Arbitration was established by the Convention for the Pacific Settlement of International Disputes, concluded at The Hague in 1899 during the first Hague Peace Conference. The Conference was convened at the initiative of Czar Nicolas II of Russia “with the object of seeking the most objective means of ensuring to all peoples the benefits of a real and lasting peace, and above all, of limiting the progressive development of existing armaments.” The most lasting achievement of the Conference was the establishment of the PCA: the first global mechanism for the settlement of interstate disputes. The 1899 Convention, which provided the legal basis for the PCA, was revised at the second Hague Peace Conference in 1907.

15. Although the 1899 and 1907 Conventions contain basic rules of procedure, parties may, by agreement, adopt their own procedural framework, or may elect to 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).

16. Initially conceived as an instrument for the settlement of disputes between states, the PCA was authorized, in the 1930s, to use its facilities for conciliation, and for the arbitration of international disputes between states and private parties, thus making it available for resolving certain commercial and investment disputes. The 1899 and 1907 Conventions expressly empower the PCA to administer dispute resolution between non-contracting powers or between contracting powers and non-contracting powers, if the parties have agreed to have recourse to the PCA. International commercial arbitration can also be conducted under PCA auspices; to this end, the PCA has adopted a set of Procedures for Cases Under the UNCITRAL Arbitration Rules, describing the types of registry services it makes available to such tribunals. The PCA’s current caseload – the largest in its 105-year history – reflects the breadth of PCA involvement in international dispute resolution, encompassing territorial, treaty, and human rights disputes between states; private claims against an intergovernmental organization; and commercial disputes, including disputes arising under bilateral investment treaties.

17. A list of cases submitted to arbitration under the auspices of the PCA is – to the extent permitted by confidentiality requirements – set out in Annex 2 to this Report.

International Commissions of Inquiry and Conciliation

18. 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.

19. 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. There are currently no proceedings of either type pending at the PCA.

Provision of Facilities

20. The PCA provides full registry services and legal support to tribunals and commissions, serving as the official channel of communications and ensuring safe custody of documents, in addition to services such as legal research, financial administration, logistical and technical support at meetings and hearings, travel arrangements, and general secretarial and linguistic support. At its headquarters in The Hague, the PCA has a spacious and well-appointed courtroom, as well as several hearing rooms and administrative areas, all of which are available not only for its own proceedings, but also – at reasonable rates charged by the Peace Palace in accordance with an established schedule – to non-PCA tribunals that wish to hold their hearings at the Peace Palace.

Financial Assistance Fund

21. 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). 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. The Terms of Reference and Guidelines has been reproduced in Annex 5 to this Report.

22. Since the establishment of the fund, Norway, Cyprus, the United Kingdom, South Africa, the Netherlands, and Costa Rica have made contributions, and four grants of assistance have been made: one to a Central Asian state, one to an Asian state, and two to African states. These grants have allowed the parties to defray the costs of arbitration.

Voluntary Contributions

23. The PCA gratefully acknowledges a voluntary contribution of €5,000 from the Republic of Finland in 2004.

International Cooperation

24. 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. In 2004, four ICSID tribunals held hearings at the PCA headquarters in The Peace Palace. 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, procedure 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.

25. For over a decade, the PCA has been a member of the International Federation of Commercial Arbitration Institutions (IFCAI), which aims to establish and maintain permanent relationships among commercial arbitration institutions; facilitate the exchange and distribution of information on services
offered and potential arbitrators and conciliators; promote and facilitate the publication of research on conciliation and arbitration; and 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).

26. 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. The relevant agreement was concluded on December 9, 1998, and became operational in the course of 1999.

27. The first PCA Regional Facility was established in Costa Rica in 2001 to serve Latin America and the Caribbean. An agreement to establish a Regional Facility in South Africa to serve Africa was concluded in 2003, and negotiations continue with a number of other governments to establish similar facilities elsewhere in the world. Pursuant to the host-country agreements, the establishment and maintenance of Regional Facilities does not entail additional costs to the organization’s regular budget. In this connection, the PCA gratefully acknowledges the donation in 2004 from the Republic of Korea for the Facility in Costa Rica of US$25,000, which is being held in the accounts of the PCA with a specific earmarking for future disbursement(s) to this Facility. Donations from other countries for this Facility are expected in 2005. Fundraising for the Regional Facility in South Africa will be undertaken in the course of 2005.

B. Developments in 2004

Registry and Related Activities

(a) Registry

28. During 2004, the International Bureau of the PCA acted as registry in a number of inter-state, state and 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 disputes. To the extent permitted by the parties’ own confidentiality requirements, information on recent and pending cases is set forth in this report and in greater detail on the PCA’s website: http://www.pca-cpa.org.

29. The International Bureau of the PCA serves as registry for the arbitral tribunal concerning the Bank for International Settlements, established pursuant to Article XV of an Agreement signed at The Hague on January 20, 1930. The tribunal is composed of Professor W. Michael Reisman (President), Professor Dr. Dres. h.c. Jochen Abr. Frowein, Professor Mathias Krafft, Professor Paul Lagarde, and Professor Albert Jan van den Berg. On September 19, 2003, the tribunal issued a final award in a dispute between the Bank and three of its former private shareholders. There are no arbitrations currently pending.

30. Since 2001, the PCA has served as registry for both the Boundary and Claims Commissions established pursuant to the December 12, 2000 Agreement between the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia.

31. The Eritrea-Ethiopia Boundary Commission, 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), delivered its Decision on Delimitation of the Border in April 2002. Thereafter, as required by the December 2000 Agreement, the Commission proceeded with activities aimed at the physical demarcation of the border. The Commission reports regularly on its work to the Secretary-General of the United Nations. These reports are annexed to the Secretary-General’s quarterly reports to the UN Security Council, and are available, *inter alia*, on the PCA website. Over the course of 2004, the Commission reported to the Secretary-General that the Commission had, regrettably, and for reasons beyond its control, been unable to make progress with its demarcation activities. In keeping with its undertaking to continue its work, if the parties cooperate fully in the manner foreseen in the Algiers Agreement, the Commission has maintained its presence in the area, but has reduced its activity to the minimum compatible with its being able to resume it, if and when the parties make it possible for the Commission to do so.
32. The Eritrea-Ethiopia Claims Commission is composed of Professor Dr. Hans van Houtte (Chairman), Judge George Aldrich and 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 2000 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 Commission held hearings in camera at the Peace Palace on the Central Front claims from both parties from November 11 to 21, 2003 and delivered its Partial Awards on April 28, 2004. The Commission held hearings in camera at the Peace Palace on the Civilians Claims from both parties from March 9 to 19, 2004 and delivered its Partial Awards on December 17, 2004. The Commission held hearings in camera at the Peace Palace on the parties’ remaining liability claims in April 2005.

33. 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, were concluded with the issuance of a final award on March 12, 2004. The members of the arbitral tribunal were Professor Krzysztof Skubiszewski (President), Judge Gilbert Guillaume (appointed by France), and Judge Peter Kooijmans (appointed by the Netherlands).

34. 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 Sir Arthur Watts, KCMG QC (Chairman), Professor Dr. Peter Behrens, and Maître L. Yves Fortier, CC QC. Further written pleadings were exchanged in 2004, and hearings took place in April 2005.

35. The International Bureau continued in 2004 to serve as registry for the arbitral tribunal established under Annex VII of the 1982 United Nations Convention on the Law of the Sea to decide a dispute between Ireland and the United Kingdom concerning a nuclear power facility in the United Kingdom (the “MOX Case”). Proceedings in the MOX Case were suspended in 2003 pending resolution of certain European law issues in the European Court of Justice, and they remained suspended throughout 2004, with the parties submitting periodic progress reports to the MOX tribunal. The tribunal is composed of Judge Thomas A. Mensah (President), Professor James Crawford, SC, Maître L. Yves Fortier, CC QC, Professor Gerhard Hafner, and Sir Arthur Watts, KCMG QC.

36. In 2003 Belgium and the Netherlands submitted to an arbitral tribunal established under the auspices of the PCA a dispute between them concerning the “Iron Rhine” (also known as the “IJzeren Rijn”) railway line, which crosses the southern Dutch province of Limburg. The tribunal, composed of Judge Rosalyn Higgins (President), Professor Guy Schrans, Judge Bruno Simma, Professor Alfred Soons, and Judge Peter Tomka, reviewed the parties’ written pleadings in 2004, and rendered its decision on May 24, 2005.

37. The PCA is serving as registry for an arbitration under the UNCITRAL Arbitration rules concerning an investment dispute between Malaysia Telekom Berhad and the Government of the Republic of Ghana. The tribunal is composed of Professor Albert Jan van den Berg (President), Professor Emmanuel Gaillard, and Mr. Robert Layton. Two hearings were held at the Peace Palace in connection with the case during 2004, and the tribunal’s award is expected in 2005.

38. In July 2003, Malaysia instituted proceedings against Singapore pursuant to Annex VII of the 1982 United Nations Convention on the Law of the Sea. The case, which concerns certain land reclamation activities in the Straits of Johor, was submitted to a duly constituted arbitral tribunal. During 2004, the PCA was chosen to serve as registry and rules of procedure were adopted for the case. However, no further action was taken pending completion of a report by a group of independent experts. The report was completed and submitted to the parties on November 5, 2004. The tribunal is composed of Mr. M.C.W. Pinto (President), Dr. Kamal Hossain, Professor Bernard H. Oxman, Professor Ivan Shearer, and Sir Arthur Watts, KCMG QC.
39. On February 24, 2004, Guyana gave written notification and a statement of claim to Suriname submitting a dispute concerning the delimitation of its maritime boundary with Suriname to an arbitral tribunal to be constituted pursuant to Annex VII of the 1982 United Nations Convention on the Law of the Sea. In accordance with the relevant provisions of UNCLOS, an arbitral tribunal has been constituted, composed of Dolliver Nelson (President), Professor Thomas Franck, Professor Hans Smit, Professor Ivan Shearer, and Dr. Kamal Hossain. The arbitral tribunal and the parties met on July 30, 2004 to discuss certain procedural and logistical matters relating to the further conduct of the case. The PCA is acting as registry in this case. By agreement of the two governments, both the written and oral proceedings in this arbitration are to be confidential. It is, however, expected that the award of the tribunal will be made public after it has been rendered.

40. The PCA is acting as registry in an arbitration between Barbados and the Republic of Trinidad and Tobago, relating to the delimitation of the exclusive economic zone and continental shelf between them, submitted under Part XV of the 1982 United Nations Convention on the Law of the Sea to an arbitral tribunal constituted in accordance with UNCLOS Annex VII. The arbitral tribunal consists of Judge Stephen Schwebel (President), Mr. Ian Brownlie, CBE QC, Professor Vaughan Lowe, Professor Francisco Orrego Vicuña, and Sir Arthur Watts, KCMG QC. The arbitral tribunal met with the parties on August 23, 2004 in London to discuss certain procedural and logistical matters relating to the case, such as timing and order of pleadings, place of arbitration and hearings, and rules of procedure. By agreement of the two governments, both the written and oral proceedings in this arbitration are to be confidential. It is, however, expected that the award of the tribunal will be made public after it has been rendered.

(b) Iran-United States Claims Tribunal

41. The PCA, which provided the Iran-United States 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, and to serve as secretariat of the tribunal’s appointing authority, who, according to the tribunal rules, is appointed by the Secretary-General. The current appointing authority is former Chief Justice of The Netherlands, W.E. Haak.

(c) Other Tribunals

42. The PCA 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 2004 the following tribunals made use of the PCA’s facilities:

- a tribunal consisting of the Rt. Hon. Lord Mustill (President), Prof. Dr. M.J.G.C. Raaijmakers, and Mr. S. Royer held hearings on March 2 and 3;
- a tribunal consisting of Mr. Allan Philip (President), the Hon. Charles N. Brower, and Professor Albert Jan van den Berg held hearings on March 8;
- a tribunal consisting of Professor Orrego Vicuña (President), Mr. William Laurence Craig, and Judge C.G. Weeramantry held hearings on March 29 and 30;
- a tribunal consisting of Mr. O.L.O. de Witt Wijnen (President), Maître L. Yves Fortier, CC QC, and Mr. V.V. Veeder, QC held hearings on May 10;
- a tribunal consisting of Judge Gilbert Guillaume (President), the Hon. Andrew Rogers, QC and Mr. V.V. Veeder, QC held hearings on June 30;
- a tribunal consisting of Maître André Faurès (President), Dr. Ali Movahed, and Sir Franklin Berman, KCMG QC held hearings on October 25.

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 PCA with maintaining the integrity of the international arbitral process, 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 as appointing authority under the UNCITRAL Rules or other instruments.
44. These requests often require careful review of the dispute settlement provisions of the underlying contracts and/or treaties, in order to establish the *prima facie* existence of an arbitration agreement 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.

45. During 2004, the PCA received twenty-two new requests for services relating to its appointing authority services under the UNCITRAL Arbitration Rules or other *ad hoc* arbitration provisions. These requests included fourteen requests that the Secretary-General designate an appointing authority, six requests that the Secretary-General act as the appointing authority for the appointment of arbitrators, one fee consultation, and one challenge decision.

46. Overview of appointing authority activity in 2004:

**Case No. AA191:** In a case introduced in 2003 (see 2003 Annual Report), the Secretary-General, as appointing authority, was called upon to decide a further challenge by Respondent, an African government, of the arbitrator appointed by Claimant, an Asian company. The Secretary-General rejected the challenge.

**Case No. AA202:** Claimant, an Asian company, requested that the Secretary-General designate an appointing authority for the appointment of arbitrators in a dispute with Respondent, another Asian company. Claimant was advised of the requirements for designation by the Secretary-General and has not proceeded with the request.

**Case No. AA203:** Claimant, a Central Asian company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of Respondent, a Caribbean company. The Secretary-General designated an individual as appointing authority.

**Case No. AA204:** The agreement governing the relationship between Claimant, a Caribbean company, and Respondent, a European company, called for the Secretary-General to act as appointing authority for the purposes of appointing a sole arbitrator. Following the failure of the parties to jointly appoint a sole arbitrator, Claimant requested that the Secretary-General proceed with the appointment of a sole arbitrator to hear the case. After consultation with the International Bureau, a sole arbitrator was appointed by agreement of the parties, without an appointment by the Secretary-General. The International Bureau is providing certain administrative services in these proceedings.

**Case No. AA205:** Claimant, an Asian company, and Respondent, another Asian company, jointly requested that the Secretary-General act as appointing authority for the appointment of a presiding arbitrator in accordance with the provisions of their agreement. The Secretary-General appointed the presiding arbitrator.

**Case No. AA206:** Claimant, a Middle Eastern company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of Respondent, another Middle Eastern company. The Secretary-General designated an institution as appointing authority.

**Case No. AA207:** Claimant, an European company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of Respondent, an American company. The Secretary-General designated an institution as appointing authority.

**Case No. AA208:** Claimant, an American company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of Respondent, a North American company. The Secretary-General designated an institution as appointing authority.

**Case No. AA209:** Claimant, a European company, and Respondent, a North American company, jointly requested that the Secretary-General act as appointing authority for the appointment of a presiding arbitrator. The case is continuing.

**Case No. AA210:** The agreement governing the relationship between Claimant, an international organization, and Respondent, a European company, called for the Secretary-General to act as
appointing authority. Following the failure of the parties to jointly appoint a sole arbitrator, Claimant contacted the Secretary-General regarding appointment of a sole arbitrator. The Secretary-General has taken no action in view of ongoing negotiations between the parties.

**Case No. AA211**: Claimants, two European companies, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of Respondents, four European companies. The Secretary-General designated an individual as appointing authority.

**Case No. AA212**: Claimant, a European company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of Respondent, another European company. The Secretary-General designated an individual as appointing authority.

**Case No. AA213**: Claimant, a European company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of Respondent, another European company. The Secretary-General designated an individual as appointing authority.

**Case No. AA214**: Claimant, a North American company, served Respondent, a European government, with a notice of arbitration and appointed the first arbitrator. Respondent appointed its arbitrator and the two party-appointed arbitrators agreed upon a presiding arbitrator. Respondent challenged the arbitrator appointed by Claimant as well as the presiding arbitrator. Respondent requested that the Secretary-General designate an appointing authority to decide on the two challenges. The Secretary-General designated an institution as appointing authority.

**Case No. AA215**: 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 an individual as appointing authority.

**Case No. AA216**: Claimant, a European company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of Respondent, another European company. The Secretary-General designated an individual as appointing authority.

**Case No. AA217**: The agreement governing the relationship between Claimant, a European individual, and Respondent, an Asian corporation, called for the Secretary-General to act as appointing authority for the purposes of appointing a sole arbitrator. Following the failure of the parties to jointly appoint a sole arbitrator, Claimant requested that the Secretary-General proceed with the appointment of a sole arbitrator to hear the case. Claimant subsequently requested that the Secretary-General defer taking any action until further notice.

**Case No. AA218**: Claimant, a European company, and Respondent, another European company, appointed their co-arbitrators. The party-appointed arbitrators were not able to reach agreement on the presiding arbitrator within the thirty-day time limit foreseen in the UNCITRAL Rules. Claimant requested that the Secretary-General designate an appointing authority to appoint a presiding arbitrator. The Secretary-General designated an individual as appointing authority.

**Case No. AA219**: Claimant, an Australian company, requested that the Secretary-General designate an appointing authority for the appointment of a sole arbitrator in a dispute with Respondent, a European company. The Secretary-General declined to act because the arbitration agreement submitted made no reference to the UNCITRAL Rules, nor did it make any reference to the PCA in relation to the constitution of an arbitral tribunal.

**Case No. AA220**: In a dispute between Claimant, a European company, and Respondent, a Caribbean company, the Secretary-General was contacted regarding arbitrator fee consultations as foreseen in Article 39(4) of the UNCITRAL Rules. The Secretary-General provided certain information regarding arbitrators’ fees. No further request was made.

**Case No. AA221**: Claimant, a North American company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of Respondent, a Central American company. The Secretary-General designated an individual as appointing authority.
Case No. AA222: Claimant, a European company, requested that the Secretary-General designate an appointing authority to appoint the second arbitrator on behalf of Respondent, another European company. Claimant withdrew its request before any action was taken by the Secretary-General.

Environmental Dispute Resolution

47. The PCA continues to expand further in the field of environmental dispute resolution, primarily through promotion of the 2001 Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment, and the 2002 Optional Rules for Conciliation of Disputes Relating to Natural Resources and/or the Environment (Environmental Rules). A sectoral approach is being used to promote the use of the Environmental Rules, focusing on major environmental issues such as climate change, biodiversity/biosafety, water, endangered species, wetlands, and fisheries.

48. An important part of environmental dispute resolution promotional activity during 2004 was the provision of expert advice on arbitration and conciliation mechanisms at international negotiations of multilateral environmental agreements (MEAs). In that connection, the PCA participated in the 10th Conference of the parties to the UN Framework Convention on Climate Change (UNFCCC) in Buenos Aires and various other meetings of the UNFCCC, meetings of UNESCO’s Water Co-operation Facility Board, and a meeting of the UN Environment Program (UNEP) Environmental Security Initiative.

49. As the Environmental Rules were designed with a view to harmonizing dispute resolution procedures in MEAs, emphasis in promotional activity has been placed on instruments that could benefit from, but have not yet adopted, dispute resolution clauses. To that end, the PCA participated in the abovementioned meetings of the UNFCCC.

50. Contact with international organizations focusing on environmental issues has increased as well, with numerous requests for information received from diverse institutions such as UNEP, UNESCO, UNFCCC, UN Convention on Biodiversity, Institute for Environmental Security, World Bank, International Finance Corporation, Foundation for International Environmental Law and Development, International Emissions Trading Association, Antarctic Treaty, and the UNECE Watercourses Convention Compliance Review Mechanism.

51. In the field of climate change, the Environmental Rules have been referred to in the International Emissions Trading Association’s Model Contract for Clean Development Mechanism projects. This reference has led to subsequent references to the Environmental Rules as standard clauses in emissions trading agreements. It is estimated that there are over one hundred emissions trading contracts that contain references to the PCA Environmental Rules.

Mass Claims

52. Members of the PCA Steering Committee for Mass Claims Processes, chaired by Judge Howard Holtzmann, continued to submit reports on various aspects of those mass claims processes on which they have worked. The Committee 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 seventy sections. The book is in the final editing stages and the editor expects to submit a final draft to the full committee for its comments and approval.

Cooperation Agreements

53. The editorial staff of the International Council for Commercial Arbitration (ICCA) began operations under PCA auspices on February 1, 1997. The PCA 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 PCA on January 20, 1989. In 2004, the editorial staff produced the 1456 page Yearbook (Volume XXIX). In addition, Supplements 40-42 of the Handbook were published in the reporting period, containing, inter alia, new and updated materials on arbitration law and practice in Australia, Canada, Croatia, Singapore, Spain, and Zambia.
54. The PCA continues its 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. KLI maintains, 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.

55. The PCA has entered into an agreement with Asser Press in the Netherlands for the publication of a PCA Award Series. The series is under the general editorship of the Deputy Secretary-General, and will feature recent arbitral awards rendered under the auspices of the PCA, accompanied by commentary from preeminent international legal scholars. The first volume of the series, containing the awards of the Eritrea-Yemen Arbitration and containing commentary by Professor Jean-Pierre Queneudec, Professor emeritus at the University of Paris I, appeared in early 2005. Forthcoming volumes will include the decisions of the Eritrea-Ethiopia Claims and Boundary Commissions, and the awards in the Ireland/United Kingdom OSPAR Arbitration, the Bank for International Settlements Arbitration, and several pending arbitrations under Annex VII of the United Nations Convention on the Law of the Sea.

Seminars and Conferences

56. No International Law Seminars were held in 2004. Following the PCA’s 7th International Law Seminar, *The Resolution of Cultural Property Disputes*, held at the Peace Palace on May 23, 2003, the PCA was invited to participate in a panel discussion regarding the arbitration of cultural property disputes at the International Bar Association Conference held in Auckland, New Zealand, on October 27, 2004. The PCA’s Special Counsel participated in the panel discussion and made a presentation on the PCA’s experience relating to the arbitration of cultural property disputes.

57. On April 22 and 23, the PCA and UNCITRAL co-hosted a Global Dispute Resolution Research Conference at the Peace Palace with the International Centre for Dispute Resolution (ICDR), dealing with the future of international commercial arbitration.

PCA Publications

58. The proceedings of the PCA’s International Law Seminars have been published by Kluwer Law International (KLI) in the Peace Palace Papers series. The seventh volume, *Resolution of Cultural Property Disputes*, emanating from the seminar held in spring 2003, was published in 2004 jointly by KLI and Schulthess.

Increasing Awareness of the PCA

59. On August 3, the Secretary-General received the Prime Minister and the Minister of Foreign Affairs of Togo. The Government of Togo acceded to the 1907 Convention later in the year.

60. The PCA participated in several important international conferences and meetings during the year under review. The Secretary-General addressed the International Oil and Gas Conference in London on April 27-28. On May 10 he spoke at the 2004 Hague Conference on Environment, Security and Sustainable Development. Furthermore, he delivered a keynote address on the future of arbitration as a revitalized tool of settlement of international disputes between states and states and non-state actors at the 2004 Conference of the Indian Society of International Law in New Delhi on November 14-17. The Secretary-General visited Croatia in May, Poland in June, Georgia in July and October, and Azerbaijan in October. He met with government ministers and also lectured at local universities during these visits.

61. The Deputy Secretary-General represented the PCA at a number of events, including a symposium on investment treaty disputes at the British Institute of International and Comparative Law, the 17th ICCA Arbitration Conference in Beijing, the European Business Mediation Congress of the CPR Institute for Dispute Resolution, and the Computer Law Association (CLA) Conference in Amsterdam. She also attended the 59th Session of the United Nations General Assembly’s Sixth Committee and participated as an observer in the informal meetings of legal advisers of ministries of foreign affairs.
62. The General Counsel attended as an observer the fortieth session of UNCITRAL Working Group II on Arbitration and Conciliation in New York, on February 23-27 and the forty-first session of this Working Group in Vienna on September 13-17. These sessions addressed the proposed amendments to the provisions on interim measures in aid of arbitration of the UNCITRAL Model Law on International Commercial Arbitration. In addition, she attended the PCA/UNCITRAL/ICDR Research Conference at the Peace Palace in April and the 17th ICCA Arbitration Conference in Beijing.

63. The Special Counsel attended the 11th annual Willem C. Vis International Commercial Arbitration Moot in Vienna from March 31 through April 7. On September 16, he addressed a meeting in Rotterdam of the Dutch Chapter of the Chartered Institute of Arbitrators. On October 22-30, he attended the International Bar Association (IBA) Conference in Auckland and on November 3, he attended the Australian Centre for International Commercial Arbitration Conference in Sydney, as well as the Australasian Forum on International Arbitration (AFIA) Symposium on November 4. In Paris he attended a meeting of the ICC Commission on Arbitration on November 18, and on November 19, he attended the ICC/AAA/ICSID Joint Colloquium on International Arbitration, also in Paris.

64. A Legal Counsel of the PCA participated in the 10th Conference of the parties to the UN Framework Convention on Climate Change (UNFCCC) in Buenos Aires and various other meetings of the UNFCCC, meetings of UNESCO’s Water Co-operation Facility Board, and a meeting of the UN Environment Program (UNEP) Environmental Security Initiative.

65. During 2004, the Secretary-General and other PCA staff members addressed groups of judges, lawyers, students, and other visitors to the Peace Palace on the activities of the PCA, and also gave a number of lectures elsewhere.

66. The PCA’s General Counsel taught a course in international commercial arbitration at the Free University, Amsterdam, in the master’s degree program in international business law. She also lectured in a masters’ level courses in international arbitration at Leiden and Utrecht Universities and made a presentation to students at the Hague Academy of International Law on August 2.

67. The PCA’s Special Counsel taught a course on international arbitration from March to May to students enrolled in the various Masters of Law programs at Leiden University. He also made presentations to students at the Hague Academy of International Law, on July 12 and 13, and on August 3.

III. STATE PARTIES TO THE CONVENTIONS OF 1899 AND 1907


IV. (a) MEMBERS OF THE PERMANENT COURT OF ARBITRATION

69. Each member state 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 May 23, 2005, along with brief biographical notes, is set forth in Annex 6 to this Report.

70. 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. Member states are requested to bring to the immediate attention of the International Bureau any alteration in the status of persons selected as Members of the Court, so that the list may be amended accordingly.
71. 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

72. 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. At the Administrative Council meeting of June 19, 2001, 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 May 23, 2005, is set forth in Annex 7 to this Report, and includes nominations put forth by the Secretary-General.

V. ADMINISTRATIVE MATTERS

Administrative Council

73. According to article 49 of the 1907 Convention (article 28 of the 1899 Convention) 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.”

74. At its regular meeting on May 17, 2004, the Administrative Council, which is charged with the direction and control of the International Bureau, examined the Budget Performance Report 2003 and the Performance Report on the Financial Assistance Fund 2003.

75. 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 Hungary served as a member of the Committee from 2003 through 2004, and will be succeeded with effect from January 2005 by the representative of Ireland. With effect from January 1, 2005, the Committee will be composed of the representatives of India, Iran and Ireland. During the year under review, the Committee met on March 2, prior to the regular spring meeting of the Administrative Council on May 17, 2004.

International Bureau Staff

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

<table>
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<tr>
<th>Position</th>
<th>Name</th>
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<tr>
<td>Secretary-General:</td>
<td>Mr. Tjaco T. van den Hout</td>
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<tr>
<td>Principal Legal Counsel and</td>
<td></td>
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<tr>
<td>Deputy Secretary-General:</td>
<td>Ms. Bette E. Shifman</td>
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<tr>
<td>General Counsel: (also see below)</td>
<td>Ms. Judith Freedberg</td>
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<td>Deputy General Counsel:</td>
<td>Ms. Anne Joyce</td>
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<td>Special Counsel:</td>
<td>Mr. Brooks Daly</td>
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<tr>
<td>Senior Legal Counsel:</td>
<td>Ms. Anne Wallemacq (until April 10, 2004)</td>
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<td>Legal Counsel:</td>
<td>Mr. Dane Ratliff</td>
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<td>Legal Counsel/Chief Editor:</td>
<td>Ms. Belinda Macmahon</td>
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<tr>
<td>Assistant Legal Counsel/Editor:</td>
<td>Ms. Anna Rich (until May 1, 2004)</td>
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<tr>
<td>Assistant Legal Counsel:</td>
<td>Mr. Devashish Krishan (until September 1, 2004)</td>
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<tr>
<td>Financial Officer:</td>
<td>Mr. Riny van Eekelen</td>
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</table>
77. At the close of 2004, the PCA hired a French lawyer (*avocat à la Cour*) from a major Paris-based international arbitration/litigation practice, for the position of Legal Counsel. He will join the PCA International Bureau in April of 2005.

78. In addition to its regular staff, the PCA relies on the services of interns and fellows who are recruited from around the world under the Internship and Fellowship Program. The program provides law students and graduates with the opportunity to be aides to the court, usually for a period of three months. At the end of the year under review, the fellowship branch of the program was discontinued in favor of a streamlined internship program.

The following individuals participated in the program in 2004:

- Michela Chirichiello (Italian): Fellow, LL.M., McGill University (Montreal) Institute of Comparative Law; LL.B., Università Federico II (Naples);
- Lillian Pinzon (American): Fellow, LL.M. Public Int’l Law, University College London; J.D., De Paul University (Chicago) Law School; B.Sc. Business Administration, University of Southern California;
- Raquel Rodrigues Barbosa De Souza (Brazilian): Fellow, M.Phil. Environmental Law, University of Cambridge; LL.B., Dip. Environmental Law, University of Brasilia (Brazil); Undergraduate Research in Tort Law (Lawyer Liability);
- Gigi Scoles (American): Fellow, LL.M. Public Int’l Law, Leiden University; J.D. Rutgers School of Law (Camden, New Jersey); B.A. Philosophy, McGill University (Montreal);
- Maki Tanaka (Japanese): Fellow, J.D., *summa cum laude*, American University Washington College of Law; M.A. Political Science, University of Mississippi; B.A. Russian Studies, Tokyo University of Foreign Studies.

Finance

79. At its meeting of November 8, 2004, the Administrative Council adopted a Resolution to address the problem of member states’ arrears in contributions. Under the Resolution, the President of the Council is requested to contact the governments of those member states that have not paid their contributions for seven years or more and to enquire whether the relevant government wished to remain a state party to the relevant Hague Convention(s). In addition, the Resolution included a Regulation requiring member states in arrears for two years or more to conclude an amortization schedule with the PCA, and, failing that, to submit to certain sanctions. The complete text of the Resolution is available to member states in a separate annex to the 2004 Financial Section of this report.

80. Also at its meeting of November 8, 2004, the Administrative Council established a Budget Committee to exist and function parallel to the Financial Committee. The newly established committee is open to the representatives of all member states, enabling the full membership of the organization to have an early consideration of Council documents of a financial nature, including those pertaining to the proposed biennial budget, before they are considered by the Administrative Council at its regular session(s).

81. The Consolidated Financial Report (containing the Audited Financial Accounts 2004 and the Budget Performance Report 2004), was duly examined by the Financial Committee on March 18, 2005,
considered by the Budget Committee on March 21, 2005, and approved by the Administrative Council on May 23, 2005. It has been made available to member states in a separate annex to this Report.

82. The budget for the biennium 2004-2005 was approved by the Administrative Council at its extraordinary meeting of September 15, 2003. It has been made available to member states in a separate annex to this Report.

83. Pursuant to article 50 of the 1907 Convention “[t]he 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 eleven 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.

84. The contributions of each Contracting Power, payable to the PCA by April 1, 2004, are set out in the Scale of Assessments, approved by the Administrative Council at its extraordinary meeting of September 15, 2003. This scale has been made available to member states in a separate annex to this Report and on the PCA website: http://www.pca-cpa.org.

* * *
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 May 23, 2005

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<td>Serbia and Montenegro (Declaration of Succession)</td>
<td>04-09-2001</td>
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<td>Slovenia (Declaration of Succession)</td>
<td>05-09-1996</td>
<td>29-03-2004</td>
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</tbody>
</table>
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 Arbitration Initiated</th>
<th>Date of Award</th>
<th>Arbitrators¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. United States of America – Republic of Mexico</td>
<td>Pious Fund of the Californias</td>
<td>22 May 1902</td>
<td>14 October 1902</td>
<td>Matzen Sir Fry de Martens Asser de Savornin Lohman</td>
</tr>
<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>22 February 1904</td>
<td>Mourawieff Lammasch de Martens</td>
</tr>
<tr>
<td>III. Japan – Germany, France and Great Britain</td>
<td>Japanese House Tax (leases held in perpetuity)</td>
<td>28 August 1902</td>
<td>22 May 1905</td>
<td>Gram Renault Motono</td>
</tr>
<tr>
<td>IV. France – Great Britain</td>
<td>Muscat Dhows (fishing boats of Muscat)</td>
<td>13 October 1904</td>
<td>8 August 1905</td>
<td>Lammasch Fuller de Savornin Lohman</td>
</tr>
<tr>
<td>V. France – Germany</td>
<td>Deserters of Casablanca</td>
<td>10/24 November 1908</td>
<td>22 May 1909</td>
<td>Hammarskjöld Sir Fry Fusinato Krieger Renault</td>
</tr>
<tr>
<td>VI. Norway – Sweden²</td>
<td>Maritime Boundary (Grisbådarna Case)</td>
<td>14 March 1908</td>
<td>23 October 1909</td>
<td>Loeff³ Beichmann Hammarskjöld</td>
</tr>
<tr>
<td>VII. United States of America – Great Britain</td>
<td>North Atlantic Coast Fisheries</td>
<td>27 January 1909</td>
<td>7 September 1910</td>
<td>Lammasch de Savornin Lohman Gray Sir Fitzpatrick Drago</td>
</tr>
<tr>
<td>IX. France – Great Britain</td>
<td>Arrest and Restoration of Savarkar</td>
<td>25 October 1910</td>
<td>24 February 1911</td>
<td>Beernaert Ce de Desart Renault Gram de Savornin Lohman</td>
</tr>
<tr>
<td>X. Italy – Peru</td>
<td>Canevaro Claim</td>
<td>25 April 1910</td>
<td>3 May 1912</td>
<td>Renault Fusinato Alvarez Calderón</td>
</tr>
<tr>
<td>XI. Russia – Turkey²</td>
<td>Russian Claim for Indemnities (damages claimed by Russia for delay in payment of compensation owed to Russians injured in the war of 1877-1878)</td>
<td>22 July/4 August 1910</td>
<td>11 November 1912</td>
<td>Lardy Bon de Taube Mandelstam³ H.A. Bey³ A.R. Bey³</td>
</tr>
<tr>
<td>XII. France – Italy</td>
<td>French Postal Vessel “Manouba”</td>
<td>26 January/6 March 1912</td>
<td>6 May 1913</td>
<td>Hammarskjöld Fusinato Krieger Renault Bon de Taube</td>
</tr>
</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. The names in bold type are those of the Presidents.
2. Pursuant to article 47 of the 1907 Convention (art. 26 of the 1899 Convention).
3. Not a Member of the Permanent Court of Arbitration.
<table>
<thead>
<tr>
<th>Parties</th>
<th>Case</th>
<th>Date Arbitration Initiated</th>
<th>Date of Award</th>
<th>Arbitrators</th>
</tr>
</thead>
<tbody>
<tr>
<td>XIII. France – Italy</td>
<td>The “Carthage”</td>
<td>26 January/6 March 1912</td>
<td>6 May 1913</td>
<td>Hammarskjöld</td>
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<td>Bon de Taube</td>
</tr>
<tr>
<td>XIV. France – Italy</td>
<td>The “Tavignano”, “Camouna” and “Gaulois” Incident</td>
<td>8 November 1912</td>
<td>settled by agreement of parties</td>
<td>Hammarskjöld</td>
</tr>
<tr>
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<td>Bon de Taube</td>
</tr>
<tr>
<td>XV. The Netherlands – Portugal</td>
<td>Dutch-Portuguese Boundaries on the Island of Timor</td>
<td>3 April 1913</td>
<td>25 June 1914</td>
<td>Lardy</td>
</tr>
<tr>
<td>XVI. Great Britain, Spain and France – Portugal</td>
<td>Expropriated Religious Properties</td>
<td>31 July 1913</td>
<td>2 and 4 September 1920</td>
<td>Root</td>
</tr>
<tr>
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<td>Lardy</td>
</tr>
<tr>
<td>XVII. France – Peru</td>
<td>French claims against Peru</td>
<td>2 February 1914</td>
<td>11 October 1921</td>
<td>Ostertag2</td>
</tr>
<tr>
<td></td>
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<td>Sarrut2</td>
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<tr>
<td>XVIII. United States of America – Norway</td>
<td>Norwegian claims case</td>
<td>30 June 1921</td>
<td>13 October 1922</td>
<td>Vallotton2</td>
</tr>
<tr>
<td></td>
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<td>Anderson2</td>
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<td>Vogt2</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 January 1925</td>
<td>4 April 1928</td>
<td>Huber</td>
</tr>
<tr>
<td>XX. Great Britain – France</td>
<td>Chevreau claims</td>
<td>4 March 1930</td>
<td>9 June 19313</td>
<td>Beichmann</td>
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<tr>
<td>XXI. Sweden – United States of America</td>
<td>Claims of the Nordstjernan company</td>
<td>17 December 1930</td>
<td>18 July 1932</td>
<td>Borel</td>
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<tr>
<td>XXII. Radio Corporation of America – China</td>
<td>Interpretation of a contract of radio-telegraphic traffic</td>
<td>10 November 1928</td>
<td>13 April 1935</td>
<td>van Hamel2</td>
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<tr>
<td></td>
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<td>Hubert2</td>
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<td>Furrer2</td>
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<td>XXIII. States of Levant under French Mandate – Egypt</td>
<td>Radio-Orient</td>
<td>11 November 1938</td>
<td>2 April 1940</td>
<td>van Lanschot2</td>
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<td>Mondrup2</td>
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<td>XXIV. France – Greece</td>
<td>Administration of Lighthouses</td>
<td>15 July 1931</td>
<td>24 July 1956</td>
<td>Verzijl2</td>
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<td>Charbouris2</td>
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<td>XXV. Turriff Construction (Sudan) Limited – Sudan</td>
<td>Interpretation of a construction contract</td>
<td>21 October 1966</td>
<td>23 April 1970</td>
<td>Erades2</td>
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<td></td>
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<td>Parker2</td>
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<td>Bentsi-Enchill2</td>
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<tr>
<td>XXVI. Iran – United States of America</td>
<td>Claims</td>
<td>19 January 1981</td>
<td>up to 30 September 2004: 683 awards</td>
<td>Skubiszewski, Arangio-Ruiz2, Broms Aghiohosseini2, Ameli2, Noon2, Aldérich2, McDonald2, Brower2</td>
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<td>Beller2, Briner2</td>
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<td>Böckstiegel2, Lagergren, Mangård2, Riphagen, Virally2, Ansari2, Bahrami, Khalilian2, Mostafavi, Sanì2, Shafeiei2, Ruda, Holtzmann2, Allison2, Duncan2, Mosk2</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.
3. The proceedings in this case were exclusively conducted in writing.
4. In this case the summary procedure provided for in Chapter IV of the Convention of October 18, 1907 was applied.
5. Pursuant to the Arbitration Agreement the award was rendered in writing.
<table>
<thead>
<tr>
<th>Parties</th>
<th>Case</th>
<th>Date of Award</th>
<th>Arbitrators</th>
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<tbody>
<tr>
<td>XXVII. United States of America – United Kingdom of Great Britain and Northern Ireland¹</td>
<td>Heathrow Airport User Charges (treaty obligations; amount of damages)</td>
<td>30 November 1992</td>
<td>Foighel² Fielding¹ Lever²</td>
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<tr>
<td></td>
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<td>2 May 1994</td>
<td>Settlement on amount of damages</td>
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<tr>
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<tr>
<td>XXVIII. Moiz Goh Pte. Ltd – State Timber Corporation of Sri Lanka¹</td>
<td>Contract dispute</td>
<td>5 May 1997</td>
<td>Pinto²</td>
</tr>
<tr>
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<tr>
<td>XXIX. African State – two foreign nationals²</td>
<td>Investment dispute</td>
<td>30 September 1997</td>
<td>Jennings Wallace¹ Hossain²</td>
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<tr>
<td></td>
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<td>Settled by agreement of parties</td>
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<tr>
<td></td>
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<td>Lack of jurisdiction</td>
<td></td>
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<tr>
<td>XXXI. Asian State-owned enterprise – three European enterprises¹</td>
<td>Contract dispute</td>
<td>2 October 1996</td>
<td>Jennings Parker² Hossain²</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Award on agreed terms</td>
<td></td>
</tr>
<tr>
<td>XXXII. State of Eritrea – Republic of Yemen¹</td>
<td>Eritrea/Yemen – Sovereignty of Various Red Sea Islands (sovereignty; maritime delimitation)</td>
<td>9 October 1998</td>
<td>Jennings Schwobel² El-Kosheri² Higett² Higgins</td>
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<tr>
<td></td>
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<td>Award on sovereignty</td>
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<td></td>
<td></td>
<td>17 December 1999</td>
<td>Award on maritime delimitation</td>
</tr>
<tr>
<td>XXXIII. Italy – Costa Rica¹</td>
<td>Loan Agreement between Italy and Costa Rica (dispute arising under financing agreement)</td>
<td>26 June 1998</td>
<td>Lalive² Ferrari Bravo Hernandez Valle²</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<tr>
<td>XXXIV. Larsen – Hawaiian Kingdom¹</td>
<td>Treaty interpretation</td>
<td>5 February 2001</td>
<td>Crawford² Greenwood² Griffith²</td>
</tr>
<tr>
<td></td>
<td></td>
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<tr>
<td>XXXV. The Netherlands – France¹</td>
<td>Treaty interpretation</td>
<td>12 March 2004</td>
<td>Skubiszewski Guillaume Kooijmans²</td>
</tr>
<tr>
<td></td>
<td></td>
<td>21 October/17 December 1999</td>
<td></td>
</tr>
<tr>
<td>XXXVI. European corporation – African government</td>
<td>Contract dispute</td>
<td>Settled by agreement of parties</td>
<td>Kuckenberg² De Moor² Desta²</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 August 2000</td>
<td></td>
</tr>
<tr>
<td>XXXVII. Eritrea-Ethiopia Boundary Commission¹</td>
<td>Boundary dispute</td>
<td>13 April 2002</td>
<td>Lauterpacht Ajibola Reisman² Schwobel² Watts</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12 December 2000</td>
<td></td>
</tr>
<tr>
<td>XXXVIII Eritrea-Ethiopia Claims Commission¹</td>
<td>Settlement of claims arising from armed conflict</td>
<td>1 July 2003</td>
<td>van Houtte² Aldrich² Crook² Pau² Reed²</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Partial Awards for prisoner of war claims 28 April 2004 Partial Awards for central front claims</td>
<td></td>
</tr>
<tr>
<td>XXXIX. 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>22 November 2002</td>
<td>Reisman² van den Berg² Frowein² Kraft² Lagarde²</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Final Award 19 September 2003 Partial Award 24 October 2001</td>
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<tr>
<td></td>
<td></td>
<td>7 March 2001; 31 August 2001</td>
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</tbody>
</table>

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<table>
<thead>
<tr>
<th>Case</th>
<th>Date Arbitration Initiated</th>
<th>Date of Award</th>
<th>Arbitrators</th>
</tr>
</thead>
<tbody>
<tr>
<td>XL. Ireland – United Kingdom1: Proceedings pursuant to the OSPAR Convention</td>
<td>15 June 2001</td>
<td>2 July 2003</td>
<td>Reisman2, Griffith1, Mustil1</td>
</tr>
<tr>
<td>XLI. Saluka Investments B.V. – Czech Republic1: Investment treaty dispute</td>
<td>18 June 2001</td>
<td>–</td>
<td>Watts, Behrens2, Fortier2</td>
</tr>
<tr>
<td>XLIII. European government – European corporation: Investment treaty dispute</td>
<td>30 April 2002</td>
<td>24 May 2004</td>
<td>Hanotiau2, Schneider2, Javrin1</td>
</tr>
<tr>
<td>XLIV. Two corporations – Asian government: Contract dispute</td>
<td>16 August 2002</td>
<td>12 October 2004</td>
<td>Van den Berg2, Gaillard2, Layton1</td>
</tr>
<tr>
<td>XLVI. Belgium – The Netherlands: Dispute regarding the use and modernization of the “IJzeren Rijn” on the territory of The Netherlands</td>
<td>22/23 July 2003</td>
<td>24 May 2005</td>
<td>Higgins, Schrans2, Simma2, Soons2, Tomka</td>
</tr>
<tr>
<td>XLVII. Barbados – Trinidad and Tobago: Proceedings pursuant to the Law of the Sea Convention (UNCLOS)</td>
<td>16 February 2004</td>
<td>–</td>
<td>Schwebel2, Brownlie1, Orrego Vicuña2, Lowe2, Watts</td>
</tr>
<tr>
<td>XLIX. Malaysia – Singapore: Proceedings pursuant to the Law of the Sea Convention (UNCLOS)</td>
<td>4 July 2003</td>
<td>–</td>
<td>Pinto2, Hossain2, Shearer Oxman1, Watts</td>
</tr>
</tbody>
</table>

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>
<thead>
<tr>
<th>Parties</th>
<th>Case</th>
<th>Date of Inquiry Agreement</th>
<th>Date of Report</th>
<th>Commissioners1</th>
</tr>
</thead>
</table>
| I.      | Great Britain – Russia | Incident in the North Sea (The Dogger Bank Case) | 25 November 1904 | 26 February 1905 | Spaun  
Fournier  
Doubassoff  
Beaumont  
Davis |
| II.     | France – Italy | Capture of the “Tavignano” and cannon shots fired at the “Canouna” and the “Galois” | 20 May 1912 | 23 July 19122 | Segrave  
Somborn  
Genoese Zerbi |
| III.    | Germany – Spain | The Steamship “Tiger” (sinking of the steamer “Tiger”) | – | 8 November 1918 | Garde  
Montagut y Miro  
Horn |
| IV.     | Germany – The Netherlands | Loss of the Dutch Steamer “Tubantia” | 30 March 1921 | 27 February 1922 | Hoffmann  
Surie  
Ravn  
Unger  
Gayer |
| V.      | Great Britain – Denmark | “Red Crusader” Incident | 15 November 1961 | 23 March 1962 | de Visscher  
Gros  
Moolenburgh |


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 Request</th>
<th>Date of Report</th>
<th>Commissioners</th>
</tr>
</thead>
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<td>I. Denmark – Lithuania</td>
<td>Method of payment of the balance of the claim of Hojgaard and Schultz against the Lithuanian Government</td>
<td>1 September 1937</td>
<td>30 September 1938</td>
<td>van Karnebeek, Oldenburg, Vte de Fontenay, Römer’is, Ozolins</td>
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<tr>
<td>II. France – Switzerland</td>
<td>Customs irregularities (costs of internment in Switzerland of the 2nd Polish division)</td>
<td>20 August 1954</td>
<td>24 November 1955</td>
<td>van Asbeck, de Zulueta, Corbin, Panchaud, McNair</td>
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<td>III. Greece – Italy</td>
<td>Destruction of the Greek steamship “Roula”</td>
<td>19 March 1955</td>
<td>20 October 1956</td>
<td>François, Spiropoulos, Monaco</td>
</tr>
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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.
Permanent Court of Arbitration

Financial Assistance Fund for Settlement of International Disputes

Terms of Reference and Guidelines

(as approved by the Administrative Council on December 11, 1995)

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.
List of Members of the Permanent Court of Arbitration

Liste des membres de la Cour permanente d’arbitrage

as of May 23, 2005

<table>
<thead>
<tr>
<th>Argentina</th>
<th>Argentine</th>
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<tbody>
<tr>
<td>Her Excellency Ms. SUSANA MYRTA RUIZ 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 13°, 1424 Buenos Aires;</td>
<td></td>
</tr>
<tr>
<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></td>
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<tr>
<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></td>
</tr>
<tr>
<td>His Excellency Mr. HORACIO A. BASABE, Director of the Argentine Institute for the Foreign Service, former professor of public international law (University of Buenos Aires), former legal adviser and former under Secretary for Foreign Policy of the Argentine Foreign Ministry, former Ambassador to the Czech Republic, former agent in the Laguna del Desierto Arbitration, Beruti 535, Banfield, Argentina.</td>
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<thead>
<tr>
<th>Australia</th>
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<tbody>
<tr>
<td>Prof. IVAN A. SHEARER, A.M., Doctor of Law, Challis Professor of International Law, specializations: law of the sea, law of armed conflict, international criminal law, Faculty of Law, University of Sydney, 173-175 Phillip Street, Sydney NSW 2000, fax: +61 2 351 02 00;</td>
<td></td>
</tr>
<tr>
<td>The Right Honourable Sir NINIAN STEPHEN, K.G., A.K., G.C.M.G., G.C.V.O., K.B.E., Hon. LL.D., Q.C., former Judge of the International Criminal Tribunals for the former Yugoslavia and for Rwanda, former Governor-General of Australia, former Ambassador for the Environment, 4, Treasury Place, Melbourne, Victoria 3002, fax: +61 3 96 50 02 10;</td>
<td></td>
</tr>
<tr>
<td>The Honourable Mr. MURRAY GLEESON, AC, Chief Justice of Australia, the High Court of Australia, former Chief Justice of the Supreme Court of New South Wales, graduated in arts and law from the University of Sydney, admitted to the New South Wales Bar (1963), Queen’s Counsel (appointed 1974), President of the New South Wales Bar Association (1984-1985), Lieutenant Governor of New South Wales (1989-1998), fax: +61 6 27 06 947;</td>
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</tbody>
</table>
The Honourable Mr. DAVID BENNETT, B.A., LL.B., LL.M., S.J.D. (Harvard), Solicitor-General of Australia.

**Austria**

Prof. emer. Dr. KARL ZEMANEK, Doctor of Law, Professor emeritus, former Director of the Institute of International Law and International Relations at the University of Vienna, Legal Consultant at the Austrian Ministry of Foreign Affairs, Member of the Institute of International Law and of the International Academy of Astronautics, specializations: treaty law, state succession, state responsibility, international watercourses, Outer Space, c/o Institut für Völkerrecht und Internationale Beziehungen, Universitätstrasse 2, A-1090 Vienna, fax: +43 1 42 77 93 53;

Prof. emer. Dr. FRANZ MATSCHER, Docteur en droit des Universités de Graz et de Paris, Docteur honoris causa de l'Université de Innsbruck, Professeur émérite à la Faculté de Droit de l’Université de Salzbourg, ancien Juge à la Cour européenne des droits de l’homme, Directeur de l'Institut autrichien des droits de l'homme de Salzbourg, spécialisations: procédure civile et droit comparé, arbitrage commercial international, droits de l'homme, droit international public et privé, Institut für zivilgerichtliches Verfahren, Churfürstenstrasse 1, A-5020 Salzburg, fax: +43 662 804 41 46;

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Belgium

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Dr. ALBERTO ZELADA CASTEDO.

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Bulgaria

Bulgarie

Mr. DIMITAR GOCHEV, Judge at the Constitutional Court of the Republic of Bulgaria, Judge at the Court of Arbitration, ICC, Paris, former Judge at the European Court of Human Rights, Strasbourg, former Vice-President of the Supreme Court, former President of the Commercial Department of the Supreme Court, former Judge at the Supreme Court of the Republic of Bulgaria, former Arbitrator at the Court of Arbitration, Commercial Industrial Chamber in Sofia, former Legal Adviser and Judge at the State Court of Arbitration, Sofia, fax: +359 2 87 19 86;

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Prof. Dr. TSVETANA KAMENOVA, Director of the Institute for Legal Studies, Bulgarian Academy of Science, Head of the international law department; Member of the International Law Association (Bulgarian Branch); Honorary Member of the Governing Council of UNIDROIT; Member of the Arbitration Court of the Bulgarian Chamber of Commerce and Industry; Head, International Law Department, Plovdiv University Law School; International Consultant; Former Chief Expert, Council of Ministers of the Republic of Bulgaria; Former member of a group of experts on intellectual property to the XII DG, EU Commission; Specializations: international economic law, private international law, commercial litigation, intellectual property, international protection of human rights; Address: Bulgaria, Sofia 1000, Serdika Str. No. 4, tel: +359 2 983 5424, fax: +359 2 989 2597, e-mail: kamenovat@dir.bg.

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Chile

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People’s Republic of China

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Dr. DUANMU ZHENG, LL.B., LL.M., Doctor of Law, former Vice-President of the Supreme People’s Court, Vice-President of the Chinese Society of International Law, former Member of the Drafting Committee of the Basic Law of the Special Administrative Region of Hong Kong, Professor at the Institute of Legal Studies of the Zhongshan University, Guangzhou, 27 Dong Jiao Min Xiang St., Dongcheng District, Beijing 100745, fax: +86 10 65 12 50 12.

Colombia

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

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;
His Excellency GUILLERMO FERNÁNDEZ DE SOTO VALDERRAMA, Doctor of Law and Economics, with studies on International Relations and Conflict Management. Ambassador of Colombia to The Netherlands, former Minister of Foreign Affairs, former Secretary-General of the Andean Community, former Chairman of the Bogota’s Chamber of Commerce, former Chairman of the Ibero-american Association of Chambers of Commerce, former Director General of the Inter-American Commercial Arbitration Commission and former Head of the UN Technical Mission to draw up the Special Economic Cooperation Plan for Central America, Groot Hertoginnelaan 14, 2517 EG The Hague, The Netherlands, tel.: +31 70 361 45 45, fax: +31 70 361 46 36.

Democratic Republic of the Congo

M. BALANDA MIKUIN LELELEIL, 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;


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;
Dr. SONIA PICADO, Jurist, Parliamentarian, Legislative Assembly of Costa Rica, President of Social Democrat Political Party “Liberación Nacional”, Chair of the Board of Directors of the Inter-American Institute of Human Rights, Commissioner of the International Commission on Human Security, Professor at the Interdisciplinary Course of the Inter-American Institute on Human Rights, Professor of the Interdisciplinary Course of the Inter-American Institute of Human Rights, PO Box 1224-1000, San José, tel: +506 243 2866;

Dr. RODOLFO PIZA ROCAFORT, Jurist;

Mr. Lic. JOSÉ MIGUEL VILLALOBOS UMAÑA, Jurist.

Croatia

Her Excellency Mrs. LJERKA ALAJBEG, M.M.L. (International Trade Law), Ambassador to Belgium and Luxembourg, former Chief Legal Adviser of the Ministry of Foreign Affairs of the Republic of Croatia, former Head of the International Law Department of the Ministry of Foreign Affairs, former Minister Counselor of the Embassy of the Republic of Croatia in Canada;

Dr. BOŽIDAR BAKOTIĆ, LL.B., J.S.D. (Zagreb), Professor of International Law of the University of Zagreb, Faculty of Law, Member of the OSCE Dispute Settlement Mechanism and conciliator of the Court of Conciliation and Arbitration within the OSCE, Member of the International Academy of Astronautics and formerly Member of the Board of Directors of the International Institute of Space Law; University of Zagreb, Faculty of Law, Žurilometodska 4/1, 10000 Zagreb, fax: +385 1 485 1801;

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Cuba

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Mr. ALEKOS MARKIDES, Attorney-General of the Republic;

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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 49 39 17, fax: +357 22 442 406.

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His Excellency Dr. MOUFID SHEHAB, Doctor of Law, Minister of Higher Education and Minister of State for Scientific Research, Cairo.
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Dr. DAVID ESCOBAR GALINDO, Dean of the University “Doctor José Matías Delgado”, Member of the negotiating Commission of the 1980 General Peace Treaty between Honduras and El Salvador, Member of the 1992 Peace Commission, Member of the UNESCO Council; 15-01-96

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Guatemala

Guatemala


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Guyana

Guyana

28-05-98

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Haiti

Haiti

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11-03-80 11-03-86

Son Excellence M. MARIO CARIAS ZAPATA, Docteur en droit, ancien Ambassadeur, Ministre des Relations extérieures, ministère des Relations extérieures, Tegucigalpa;

11-03-80 11-03-86

Son Excellence M. JORGE RAMON HERNANDEZ-ALCERRO, Docteur en droit, ancien Vice-Ministre des Relations extérieures, Juge à la Cour interaméricaine des droits de l’homme, Ambassadeur aux États-Unis d’Amérique, 10924 Brewer House Road, N. Bethesda, MD 20852, USA;

11-03-86

Son Excellence M. POLICARPO CALLEJAS BONILLA, Avocat et Notaire, ancien Ambassadeur et Vice-Ministre des Relations extérieures, Membre de la Commission juridique interaméricaine, Conseiller au ministère des Relations extérieures, ministère des Relations extérieures, Tegucigalpa.

27-10-86

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24-07-81 02-04-99

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01-01-93 02-04-99

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02-04-99

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25-02-97

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20-06-00
Nations Human Rights Conference in Vienna, elected President of the Supreme Court Bar Association, elected Honorary Tagore Law Professor at Calcutta University, elected Member of Asia New Delhi to serve on the World Comparative Constitutional Studies Committee of the American Council of Learned Societies, former United Nations Special Rapporteur on the Impartiality and Independence of the Judiciary, Jurors and Assessors and the Independence of Lawyers, 18, Willington Crescent, New Delhi-110 001, tel: +911 1379 2424, fax: +911 379 4466;

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### Lao People’s Democratic Republic

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<th>Position and Experience</th>
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<tr>
<td>M. KET KIETTISAK</td>
<td>Licencié en droit, actuellement Vice Ministre de la Justice, ancien Président de la Cour Suprême;</td>
<td>28-10-93</td>
<td>07-11-03</td>
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<tr>
<td>M. KISINH SINPHANGAM</td>
<td>Licencié en droit, actuellement Secrétaire du Ministère de la Justice et Conseiller près du Ministère, ancien Procureur Général Adjoint;</td>
<td>28-10-93</td>
<td>07-11-03</td>
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<tr>
<td>M. BOUNTHONG VONGSALY</td>
<td>Docteur en droit, actuellement Ambassadeur du Laos en Brunei Darussalam, ancien Ambassadeur du Laos en Malaisie, ancien Juge auprès du Tribunal de Première Instance, ancien Directeur du Département des Traités et du droit du Ministère des Affaires Etrangères, ministère des Affaires étrangères, Ambassade de République démocratique populaire lao, No. 11, Spg 480, Jalan Kebangsaan Lama, Bandar Seri Begawan BC4115, Brunei Darussalam, fax: +673 234 5888.</td>
<td>28-10-93</td>
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### Latvia

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<tr>
<td>Ms. INGRIDA LABUCKA</td>
<td>Minister of Justice, former Sworn Advocate for the Sworn Advocates office (1994-2000), member of the European Legislator Association (since 1991), member of the board of the Judicial Training Centre; Ministry of Justice, 36, Brivibas Blvd., LV - 1536, Riga, Latvia; tel: +371 703 6801, fax: +371 728 5575, e-mail: <a href="mailto:tm.kanceleja@tm.gov.lv">tm.kanceleja@tm.gov.lv</a>;</td>
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</tr>
<tr>
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<td>Judge at the European Court of Human Rights (since 1998), conciliator of the Organisation on Security and Cooperation in Europe (since 1997), Member of the Academic Council of the Riga Graduate School of Law (since 1997), author and co-author of various laws and regulations, former Deputy Prime Minister and Minister of Justice, ambassador to Austria, Switzerland and Hungary (1994-1995), former ambassador to Germany and Switzerland (1992-1993), former Chairman of the Judicial Council of the Latvian Human Rights Office (1995-1998), former referender on the Higher Court of Schleswig-Holstein, Kiel (1986-1989); European Court of Human Rights, F-67075 Strasbourg, France; tel: +33 3 8841 3049, fax: +33 3 8841 2760, e-mail: <a href="mailto:egils.levits@echr.coe.int">egils.levits@echr.coe.int</a>;</td>
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</tr>
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<tr>
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<td>13-08-01</td>
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### Lebanon

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<tr>
<td>M. ANTOINE BAROUD</td>
<td>Président honoraire du Conseil d’État, Avocat, Université libanaise, Jeita Kesrouan;</td>
<td>23-02-72</td>
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M. DRISS DAHAK, Premier Président de la Cour Suprême;

M. ABDELMOUNIM EL MEJDOUB, Procureur Général du Roi près le Cour Suprême;

M. CHAOUKI SERGHINI, Professeur à la Faculté des Sciences juridiques, économiques et sociales de Rabat.

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Prof. Dr. JOHAN G. LAMMERS, Legal Adviser of the Netherlands Ministry of Foreign Affairs, Professor of International Environmental Law, University of Amsterdam, former Professor of Public International Law and International Relations, University of Amsterdam, former Rapporteur and Member of the Experts Group on Environmental Law, established by the World Commission on Environment and Development, former Director of the 1985 Centre for Studies and Research in International Law and International Relations (concerning Transfrontier Pollution and International Law) of the Hague Academy of International Law, Ministry of Foreign Affairs, P.O. Box 20061, 2500 EB, The Hague, tel: +31 70 348 61 37 fax: +31 70 348 51 28; 01-02-00

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Prof. Dr. JOSÉ ANTONIO MORENO RUFFINELLI, Lawyer and career diplomat, Minister of Foreign Affairs of the Republic of Paraguay since March 2001, former Ambassador to the Federal Republic of Brazil, former Legal Adviser to the Foreign Affairs Ministry, former delegate to several sessions of the U.N. General Assembly and the A.S.O. (American States Organization). Former Vice President of the Latin-American Parliament, former Member of the Chamber of Representatives (Honorable Cámara de Diputados), former President of the Chamber of Representatives, member to several national advisory commissions. Representative to UNCITRAL, Arbitrator for the Paraguay Arbitration and Conciliation Center, Arbitrator for MERCOSUR, Professor of Law at the Catholic University “Nuestra Señora de la Assunción”, specializations: civil law, family law, C/Presidente Franco, Esq. J.F.Oleare, Assunción, 1210 Paraguay, tel: 59521- 444456.

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24-06-96

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Ms. MIRIAM GARCIA DE PEREZ, Chargé d’Affaires of the Bolivarian Republic of Venezuela in Austria, Attorney at Law, Professor of Private and Public International Law;

Ms. MIRNA MAS Y RUBI SPOSITO, Attorney at Law, Specialist in Trade Arbitration, Legal Adviser of the Ministry of Foreign Affairs, former Judge of the Venezuelan Judicial system, Ministerio de Relaciones Exteriores, Torre MRE, Carmelitas, Caracas 1010;

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Zambia

Mr. Justice PETER CHITENGI, Judge of the High Court of Zambia; 05-09-00

Mr. ALI MOHAMMED HAMIR, Private Legal Practitioner, former Attorney-General of Zambia; 05-09-00

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

Justice S.K. MUNTHALI, LL.B., former 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; P.O. Box 72351, Ndola; e-mail: kabuzimunthali@yahoo.com. 25-04-02

Zimbabwe

Mr. PADDINGTON GARWE, High Court Judge, The High Court of Zimbabwe, Box 8050, Causeway, Harare; 18-01-94 18-01-01

Mr. ARTHUR MANASE, Chairman of the Department of Private Law, University of Zimbabwe, specializations: banking and negotiable instruments law, commercial law, Department of Private Law, University of Zimbabwe, P.O. Box MP 167, Mount Pleasant, Harare, fax: +263 4 33 34 07; 18-01-94 18-01-01


Secretary-General

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Members of the Specialized Panels Established Pursuant to
the PCA Optional Rules for Arbitration of Disputes Relating to
Natural Resources and/or the Environment

Membres des Commissions spécialisées en vertu du
Règlement facultatif de la CPA pour l'arbitrage des différends
relatifs aux ressources naturelles et/ou à l'environnement

PANEL OF ARBITRATORS
as of May 23, 2005

NOMS DES ARBITRES
au 23 mai 2005

Argentina
Professor JULIO BARBOZA is currently serving as Judge and First Vice-President of the UN Administrative Tribunal. He is a Professor of International Law at the Institute for Foreign Service, the Argentina Catholic University and Belgrano University. He was former Professor at the Buenos Aires National University, Salvador University and the Catholic University of Cordoba. He is visiting Professor of Civil Law at Southern Methodist University in Texas, USA, as well as at the Inter-American Institute of International Law, of the Organisation of the American States, in Rio de Janeiro, Brazil. Prof. Barboza has been a Legal Advisor for the Argentine Ministry of Foreign Affairs, and was a former Ambassador in Poland and Czechoslovakia. As Special Rapporteur for the UN Law Commission, he has submitted eleven reports on the topic of International Liability for the Injurious Consequences of Acts not Prohibited by International Law. He holds an LL.B from Buenos Aires National University School of Law, and a Master of Laws (cum laude) in Comparative Law from Southern Methodist University Law School, in Texas, USA.

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Belarus

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**India**

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Annexe 7 - Commissions spécialisées

Specialized Panels - Annex 7

Autonoma de Mexico, a Master’s degree from the Fletcher School of Law and Diplomacy in the United States, a Ph.D. in International Law from the University of London, and an Honorary Doctorate of Laws from the University of New Mexico in the United States.

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**Serbia and Montenegro**

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**Slovak Republic**

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<th>Country</th>
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**Note:** The dates of appointment and nomination are not explicitly mentioned in the text.
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Canada

Mr. JOHN BUCCINI has extensive experience, at both the domestic as well as the international levels, in research, advisory and regulatory programs involving the development and implementation of science-based policies and programs on toxic substances and biotechnology products. He also has considerable experience in negotiating multilateral environmental agreements including: United Nations Environment Program (UNEP) Stockholm Convention on Persistent Organic Pollutants (POPs) (1995-2001); served as Chair of the Intergovernmental Forum on Chemical Safety Working Group on POPs; collaborated with UNEP in planning, organising and conducting regional workshops; and served as Chair on the UNEP intergovernmental negotiating committee (1998-2001) that concluded the successful development of the Convention in December 2000. He also participated in the United Nations Economic Commission for Europe Aarhus POPs Protocol (1995) and the UNEP Biosafety Protocol (1998). Mr. Buccini currently works as a consultant, providing analytical, advisory, report preparation, meeting facilitation and other services to the private sector, governments and intergovernmental organisations. He has a B.Sc. (Honours in Chemistry), M.Sc. and Ph.D. from the University of Manitoba. He was also a Postdoctoral Fellow at Carleton University (1970-1972).

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Libyan Arab Jamahiriya

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Macedonia, FYR

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- 116 -
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Netherlands

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Sweden
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Thailand
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United States

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Mr. VICTOR CANTON

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