OVERVIEW

- Role of an Appointing Authority
- Introduction to the Secretary-General of the PCA as Appointing Authority
- The role of the Appointing Authority under the UNCITRAL Arbitration Rules 1976
  - Appointing arbitrators
  - Deciding challenges to arbitrators
  - Consultation regarding deposits and arbitrators' fees
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Role of an Appointing Authority

- 1904 PCA case: Preferential Treatment of Claims of Blockading Powers against Venezuela
- His Majesty the Emperor of Russia acted as appointing authority
Role of an Appointing Authority

- 1905 PCA Case: *Muscat Dows* (France/Great Britain)
- The King of Italy, Victor Emmanuel III acted as appointing authority

UNCITRAL Arbitration Rules 1976

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UNCITRAL Arbitration Rules 2010

- The role of the Appointing Authority under the UNCITRAL Arbitration Rules 2010

  FORMER ROLES RETAINED
  - Appointing arbitrators and deciding challenges

  NEW ROLES
  - Decide that the case will be submitted to a sole arbitrator
  - Constitute tribunal (power to revoke appointment / re-appoint / designate presiding arbitrator)
  - Deprive a party of its right to appoint a substitute arbitrator
  - Authorize a truncated tribunal to proceed
  - Binding review of arbitrators’ fees
NEW ROLES

- Decide that the case will be submitted to a sole arbitrator  
  Article 7(2)
- Constitute tribunal (power to revoke appointment / re-appoint / designate presiding arbitrator)
- Deprive a party of its right to appoint a substitute arbitrator
- Authorize a truncated tribunal to proceed
- Binding review of arbitrators’ fees

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NEW ROLES

- Decide that the case will be submitted to a sole arbitrator
- Constitute tribunal (power to revoke appointment / re-appoint / designate presiding arbitrator)
- Deprive a party of its right to appoint a substitute arbitrator
- Authorize a truncated tribunal to proceed
  
  Article 14(2)

- Binding review of arbitrators’ fees

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