

## MODEL ARBITRATION CLAUSE

FOR USE IN CONNECTION WITH THE ARBITRATION OF DISPUTES BEING  
CONCILIATED UNDER THE PERMANENT COURT OF ARBITRATION  
OPTIONAL RULES FOR CONCILIATION OF DISPUTES RELATING TO  
NATURAL RESOURCES AND/OR THE ENVIRONMENT

1. *In the event that a dispute being conciliated under the Permanent Court of Arbitration Optional Rules for Conciliation of Disputes Relating to Natural Resources and/or the Environment has not been settled pursuant to said Rules within 90 days of filing an invitation to conciliate, or within such other period as the parties may agree in writing, or when some aspect of the dispute is unresolved notwithstanding the terms of a settlement agreement reached pursuant to Article 12 of said Rules, such dispute shall be finally settled under the Permanent Court of Arbitration Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment by one or more arbitrators appointed in accordance with the said Rules of Arbitration. No admission or proposal formulated during the course of the conciliation procedure, either by one of the Parties or by the Conciliation Commission, can be considered as prejudicing the rights or the contentions of either Party in the event of the failure of the procedure.*

Parties may wish to consider adding:

2. *The number of conciliators shall be [insert 'one', 'three', or 'five'].*
3. *The language(s) to be used in the conciliation proceedings shall be [insert choice of one or more languages].*
4. *The appointing authority shall be the Secretary-General of the Permanent Court of Arbitration.*
5. *The place of conciliation shall be . . . [insert city and country].*