

MODEL ARBITRATION CLAUSES
FOR USE IN CONNECTION WITH THE PERMANENT COURT
OF ARBITRATION OPTIONAL RULES FOR ARBITRATION OF DISPUTES
RELATING TO NATURAL RESOURCES AND/OR THE ENVIRONMENT

Future Disputes

Parties may choose to include the following model clause in agreements to have disputes referred to arbitration under the PCA Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment:

1. *Any dispute, controversy, or claim arising out of or relating to the interpretation, application or performance of this agreement, including its existence, validity, or termination, shall be settled by final and binding arbitration in accordance with the Permanent Court of Arbitration Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment, as in effect on the date of this agreement. The International Bureau of the Permanent Court of Arbitration shall serve as Registry for the proceedings.*

Parties may wish to consider adding:

2. *The number of arbitrators shall be [insert 'one', 'three', or 'five'].*
3. *The language(s) to be used in the arbitral 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 arbitration shall be . . . [insert city and country].*

Existing Disputes

If the Parties have not already entered into an arbitration agreement, or if they mutually agree to modify a previous agreement in order to provide for arbitration under the PCA Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment, they may enter into an agreement in the following form:

1. *The Parties agree to submit the following dispute to final and binding arbitration in accordance with the Permanent Court of Arbitration Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment, as in effect on the date of this agreement: [insert brief description of dispute].*

2. Parties may wish to consider adding additional information as set forth above in paragraphs 2-5 in 'Future Disputes'.