



UNITED NATIONS CONFERENCE ON  
INTERNATIONAL COMMERCIAL ARBITRATION

CONSIDERATION OF THE DRAFT CONVENTION ON THE RECOGNITION AND  
ENFORCEMENT OF FOREIGN ARBITRAL AWARDS (ITEM 4 ON THE AGENDA)

Pakistan: amendments to draft Convention

1. Article No. I, paragraph 1: may be reworded as follows to make it simpler.

"Subject to para 2 of this article, this convention shall apply to recognition and enforcement both of arbitral awards made abroad and of arbitral awards arising out of differences between persons, whether physical or legal, domiciled in territories of different states".

2. In the opening sentence of Article IV the word "only" be omitted.

3. A new clause be added to Article IV as follows:

"That award has been **improperly** obtained or is otherwise invalid".

4. The word "complete", be added in between words "become" and "final in clause (b) of Article III.

5. In Article VI provision be made that

"where awards are given in countries which were parties to Geneva Convention and also sign, ratify or accede to proposed Convention, the Geneva Convention will no longer be valid".

6. At the end of para I of Article XII the following be added:

"Provided that the Convention shall continue to be applicable to arbitral awards in respect of which enforcement proceedings have been instituted before the denunciation takes effect".

7. It would be advisable to include in the Convention an article containing definitions of terms like "Arbitral awards, Arbitration proceedings, persons whether physical or legal, Commercial Contracts, Contracts, Contracting States, specialized agencies of United Nations, International Court of Justice, etc."