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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)

Amendments to Draft Convention submitted by
the Polish Delegation

1. The title of the Convention should read: "Convention on the Recognition and Enforcement of International Arbitral Awards in Private (Commercial) Law."
2. Article 1 of the Convention should read: "Each of the Contracting States recognized the validity of the arbitration clauses concluded between the physical person resident in different Contracting States and legal persons whose either main or subsidiary domicile is in different Contracting States by which the parties to a contract agree to submit to arbitration all or any differences that may arise in connexion with such contract relating to commercial matters or to any other matters capable of settlement by arbitration, whether or not the arbitration is to take place in a country to whose jurisdiction none of the parties is subject. Each Contracting State reserves the right to limit the obligation mentioned above to contracts which are considered as commercial under its national law. Any Contracting State which avails itself of this right will notify the Secretary-General of the United Nations, in order that the other Contracting States may be so informed."
3. In article III, para. (b) the words: "and in particular that its enforcement has not been suspended" should be deleted.
4. Change the wording of article VII, para. (1) as follows: "This Convention shall be open for signature and ratification on behalf of all States."
5. Delete in article VIII, para. (1) the words: "referred to in article VII".

6. After article X should be added a new article in the following wording:

"The Geneva Protocol on Arbitration Clauses of 1923 and the Geneva Convention on the Execution of Foreign Arbitral Awards of 1927 become automatically extinct to the Contracting Parties of this Convention."
