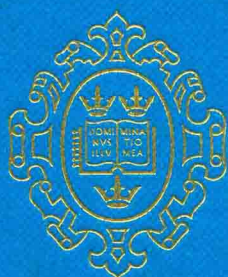

A GUIDE TO THE PCA ARBITRATION RULES

BROOKS W DALY
EVGENIYA GORIATCHEVA
HUGH A MEIGHEN



OXFORD

A GUIDE TO THE PCA ARBITRATION RULES

BROOKS W. DALY
EVGENIYA GORIATCHEVA
HUGH A. MEIGHEN

OXFORD
UNIVERSITY PRESS

OXFORD
UNIVERSITY PRESS

Great Clarendon Street, Oxford, OX2 6DP,
United Kingdom

Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
and education by publishing worldwide. Oxford is a registered trade mark of
Oxford University Press in the UK and in certain other countries

© Brooks W. Daly, Evgeniya Goriatcheva, Hugh A. Meighen, 2014

The moral rights of the authors have been asserted

First Edition published in 2014

Impression: 1

All rights reserved. No part of this publication may be reproduced, stored in
a retrieval system, or transmitted, in any form or by any means, without the
prior permission in writing of Oxford University Press, or as expressly permitted
by law, by licence or under terms agreed with the appropriate reprographics
rights organization. Enquiries concerning reproduction outside the scope of the
above should be sent to the Rights Department, Oxford University Press, at the
address above

You must not circulate this work in any other form
and you must impose this same condition on any acquirer

Crown copyright material is reproduced under Class Licence
Number C01P0000148 with the permission of OPSI
and the Queen's Printer for Scotland

Published in the United States of America by Oxford University Press
198 Madison Avenue, New York, NY 10016, United States of America

British Library Cataloguing in Publication Data
Data available

Library of Congress Control Number: 2013950974

ISBN 978-0-19-968068-9

Printed in Great Britain by
CPI Group (UK) Ltd, Croydon, CR0 4YY

Links to third party websites are provided by Oxford in good faith and
for information only. Oxford disclaims any responsibility for the materials
contained in any third party website referenced in this work.



Abyei Arbitration, The Government of Sudan/The Sudan People's Liberation Movement/Army, PCA Case No 2008-7—Great Hall of Justice, Peace Palace (2009)

TABLE OF CASES

Abyei Arbitration, Government of Sudan/The Sudan People's Liberation Movement/Army, PCA Case No 2008-7, (PCA State/Non-State Rules) . . .	3.04, 4.27, 4.38, 5.35, 5.84, 5.93, 5.128, 5.130, 5.145, 5.146, 5.147, 6.15, 6.16
Achmea BV (formerly known as 'Eureko BV') v The Slovak Republic, PCA Case No 2008-14, (Netherlands-Czech and Slovak Republic BIT), (1976 UNCITRAL Rules)	
Award 26 October 2010	5.76
Final Award 7 December 2012	6.09
Agence Transcongolaise des Communications-Chemin de fer Congo Ocean v Compagnie Minière de l'Ogooue, 1 July 1997, (1999) XXIVA YB Comm Arb 281	4.50
ARA Libertad Arbitration, Argentina v Ghana, PCA Case No 2013-11, (UNCLOS)	3.04, 4.26, 6.04, 6.96, 6.105
Arbitration on the Delimitation of the Continental Shelf (France-UK), Interpretation Decision, 14 March 1978	6.49, 6.51
Babcock Borsig AG, Re, 583 F.Supp.2d 233, (D.Mass. 2008)	5.113
Bangladesh v India, PCA Case No 2010-16, (UNCLOS)	3.04, 4.26
Barbados v Trinidad and Tobago, PCA Case No 2004-2, (UNCLOS)	3.04, 4.26, 6.96, 6.105
Bilcon of Delaware v Canada, PCA Case No 2009-4, (NAFTA), (1976 UNCITRAL Rules)	
Procedural Order No 1, 9 April 2009	3.04, 5.82, 5.83, 5.88, 5.109, 5.111, 6.84, 6.105
Procedural Order No 2 (Confidentiality Order), 4 May 2009	5.129
Procedural Order No 12, 2 May 2012	5.112
Procedural Order No 13, 11 July 2012	5.112
Procedural Order No 18, 16 April 2013	5.123, 5.130
Centerra Gold Inc and Kumtor Gold Company v Kyrgyz Republic, PCA Case No 2007-1, (Investment Agreement of 31 December 2003)	3.04
Channel Tunnel Group Limited and France-Manche SA v Secretary of State for Transport of the Government of the United Kingdom and le Ministre de l'équipement des transports de l'aménagement du territoire du tourisme et de la mer du gouvernement de la République française, PCA Case No 2003-5	3.04, 5.31
Chemtura Corporation (formerly Crompton Corporation) v Canada, PCA Case No 2008-1, (NAFTA), (1976 UNCITRAL Rules), Award 2 August 2010	6.67
Chevron Corporation and Texaco Petroleum Company v Ecuador, PCA Case No 2007-2, (Ecuador-United States BIT), (1976 UNCITRAL Rules), Final Award 31 August 2011	6.96, 6.98
Chevron Corporation and Texaco Petroleum Company v Ecuador, PCA Case No 2009-23, (Ecuador-United States BIT), (1976 UNCITRAL Rules)	3.04
Order for Interim Measures, 14 May 2010	5.104
Order for Interim Measures, 9 February 2011	5.100
First Interim Award on Interim Measures, 25 January 2012	5.100, 5.104, 6.09
Second Interim Award on Interim Measures, 16 February 2012	5.100, 5.101, 5.104, 6.09
Fourth Interim Award on Interim Measures, 7 February 2013	5.100
Chorzow Factory Case, 1927, PCIJ Series A No.13	6.49
Croatia/Slovenia, PCA Case No 2012-4	3.04, 3.05, 4.26, 5.84, 5.93, 6.30
Detroit International Bridge Company v Canada, PCA Case No 2012-25, (NAFTA), (2010 UNCITRAL Rules)	3.04, 6.84

Economy Forms Corporation and Government of the Islamic Republic of Iran, Award No 55-165-1, 20 June 1983, (1983) 3 Iran-US CTR 55.	6.04
Ecuador v United States of America, PCA Case No 2012-5, (1976 UNCITRAL Rules) . . .	3.04, 3.33
Eritrea v Yemen, PCA Case No 2004-4	3.04
Eritrea-Ethiopia Claims Commission, PCA Case No 2001-1, (Rules of Procedure based on PCA State/State Rules)	3.04, 3.08, 4.27, 5.167, 6.24, 6.47, 6.49, 6.96
First Investment Corp of the Marshall Islands v Fujian Mawei Shipbuilding Ltd, 2012 WL 831536, (US CA 5th Circuit)	4.46, 4.50
Fougerolle v Procofrance, [1992] JDI 974.	6.10
Gabčíkovo-Nagymaros Project, Hungary/Slovakia, Judgment, 25 September 1997, ICJ Reports 1997	5.115
Glamis Gold Ltd v United States of America, (NAFTA), (1976 UNCITRAL Rules), Procedural Order No 2, 31 May 2005	5.71
Guaracachi America Inc and Rurelec PLC v Plurinational State of Bolivia, PCA Case No 2011-17, (China-Mongolia BIT), (2010 UNCITRAL Rules) Procedural Order No 17, 17 March 2013	5.123, 5.130, 5.133
Terms of Appointment and Procedural Order No 1	3.04, 5.73, 5.82, 5.83, 5.88, 5.99, 5.109, 5.122, 5.129, 5.132, 5.136, 6.84, 6.105
Guinea-Bissau v Senegal, Judgment, 12 November 1991, ICJ Reports 1991	5.77
Guyana v Suriname, PCA Case No 2004-4, (UNCLOS) Procedural Order No 6, 27 November 2006	3.04, 4.26, 4.68, 5.145, 6.96, 6.105
Award 17 September 2007	5.148, 6.16
HICEE BV v The Slovak Republic, PCA Case No 2009-11, (Netherlands-Slovakia BIT), (1976 UNCITRAL Rules), Partial Award 23 May 2011.	6.97
Himpurna California Energy Ltd v Republic of Indonesia Interim Award 26 September 1999, (2000) XXV YB Comm Arb 112	5.158
Final Award 16 October 1999, (2000) XXV YB Comm Arb 186	4.46
Honduras v Nicaragua, Judgment, 18 November 1960, ICJ Reports 192	5.77
Horst Reineccius, First Eagle SoGen Funds, Inc Mr Pierre Mathieu and La Société de Concours Hippique de La Châtre v Bank for International Settlements, PCA Case No 2000-4, Final Award 19 September 2003.	6.97
Indus Waters Kishenganga Arbitration, Pakistan v India, PCA Case No 2011-1, (Indus Waters Treaty 1960) Procedural Order No 1, 21 January 2011	5.116
Procedural Order No 3, 10 May 2011	5.116, 5.117
PCA Press Release, 22 June 2011	5.116
Procedural Order No 10, 15 August 2012	5.139
Partial Award, 18 February 2013	3.04, 4.26, 5.18, 5.116, 5.117, 5.118, 5.119, 5.139, 6.09, 6.16
Intel Corporation v Advanced Micro Devices Inc, 542 US 241, (US Supreme Court 2004) . . .	5.113
Iron Rhine Arbitration, Belgium v Netherlands, PCA Case No 2003-2, (Rules of Procedure based on PCA State/State Rules)	3.04
Award, 24 May 2005, RIAA 35	3.08, 4.27
Interpretation of the Award of the Arbitral Tribunal, 20 September 2005	6.47, 6.51, 6.55, 6.96, 6.105
Land Reclamation by Singapore in and around the Straits of Johor, Malaysia v Singapore, PCA Case No 2004-5, (UNCLOS), Award on Agreed Terms, 1 September 2005	4.26, 6.34, 6.36
Marks 3-Zet-Ernst Marks GmbH & Co KG v Presstek, 455 F.3d 7, (1st Cir 2006)	3.20, 3.21, 3.22

Table of Cases

Marks 3-Zer-Ernst Marks GmbH & Co KG v Presstek, Order of 20 September 2005, DNH No Civ 05-CV-121-JD.	3.20, 3.21
Mauritius v United Kingdom, PCA Case No 2011-3, (UNCLOS), Procedural Order No 2, 15 January 2013	4.26, 5.75
Mox Plant Case, Ireland v United Kingdom, PCA Case No 2002-01, (UNCLOS) . . .	6.96, 6.105
Netherlands v France, PCA Case No 2000-2	3.04
OAQ Gazprom v Republic of Lithuania, PCA Case No 2012-13, (Russia-Lithuania BIT), (1976 UNCITRAL Rules)	3.04
OSPAR Arbitration, Ireland v United Kingdom, PCA Case No 2001-3.	6.15, 6.96, 6.105
Oxus Gold plc, Re, 2007 WL 1037387, (DNJ 2007)	5.113
Philip Morris Asia Limited v The Commonwealth of Australia, PCA Case No 2012-12, (Hong Kong-Australia BIT), (2010 UNCITRAL Rules)	
Procedural Order No 2, 3 August 2012	5.74
Procedural Order No 4, 26 October 2012	5.74
Procedural Order No 6, 30 August 2012	3.04, 5.24, 5.73
Procedural Order No 7, 31 December 2012	5.73, 5.74
Philippines v China, PCA Case No 2013-19, (UNCLOS)	3.04, 4.26
Polis Fondi Immobiliari di Banche Popolare SGRpA v International Fund for Agricultural Development, PCA Case No 2010-8, (1976 UNCITRAL Rules) . . .	3.04, 6.97
Radio Corporation of America v China, Award, 13 April 1935, 3 RIAA 1621	1.04
Republic of Indonesia v Himpurna California Energy Ltd, Paruha Power Ltd v Jan Paulsson, Antonino Albert de Fina v Priyatna Abdurrasyid, President, Arrondissementsrechtbank, Court of First Instance, The Hague, 21 September 1999.	5.20
RFCC v Morocco, 18 October 2004, (2005) IASA Bulletin 186	4.59
Romak SA v The Republic of Uzbekistan, PCA Case No 2007-7, (Switzerland-Uzbekistan BIT), (1976 UNCITRAL Rules), Award 26 November 2009	5.171, 6.96, 6.97
Roz Trading Ltd, Re, 469 F.Supp.2d 1221, (ND Ga 2006)	5.113
Shahin Shaine Ebrahimi v Government of the Islamic Republic of Iran, Award No 560-44/46/47-3, 12 October 1994, (1994) 30 Iran-US CTR 170	6.04
Sociétés Siemens & BKMI v Société Dutco, 7 January 1992, No 89-18708 89-18726 (1992)	4.35, 4.36
Sovereign Participants International SA v Chadmore Developments Ltd (2001) XXVI YB Comm Arb 299, Cass Civ Ire 25 May 1992	6.10
Starrett Housing Corp v Government of the Islamic Republic of Iran, Interlocutory Award No ITL 32-24-1, 20 December 1983, (1983-III) 4 Iran-US CTR 122.	6.04
Sudan v Turriff Construction Company (Sudan) Limited, PCA Case 1966-1	3.04
TCW Group Inc and Dominican Energy Holdings LP v Dominican Republic, PCA Case No 2008-6, (CAFTA-DR), (1976 UNCITRAL Rules)	
Procedural Order No 2, 15 August 2008	3.04, 3.37, 5.128
Consent Award, 16 July 2009.	6.33, 6.98
Telekom Malaysia Berhad v Ghana, PCA Case No 2003-3	4.59
Uiterwyk Corp v Islamic Republic of Iran, Award No 375-381-1, 6 July 1988, 19 Iran-US CTR 107	4.46
Vito G Gallo v The Government of Canada, PCA Case No 2008-3, (NAFTA), (1976 UNCITRAL Rules), Award 15 September 2011	5.76

TABLE OF INTERNATIONAL TREATIES AND CONVENTIONS

Agreement between the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia for the Resettlement of displaced persons, as well as rehabilitation and peacebuilding in both countries, 12 December 2000	Art 49 1.06 Art 55..... 4.38 Art 60 5.22 Art 79 6.16
Art 4(4) 4.27 Art 5(1) 4.27 Art 5(2) 4.27, 4.38	Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958 (New York Convention)..... 3.21 Art I..... 5.101 Art I(3)..... 5.17 Art II 3.05 Art V 5.171, 6.11 Art V(1)(d) 6.13
Agreement Concerning the Headquarters of the Permanent Court of Arbitration 1999 (Headquarters Agreement) App.III	Convention on the Settlement of Investment Disputes between States and Nationals of Other States 1965 (ICSID Convention) 5.77
Art 1 4.78 Art 1(2)(a)–(g) 4.78 Art 1(9) 4.77 Art 2 4.78 Art 3(1) 4.76 Art 9(1) 4.77 Art 9(2) 4.77 Art 10(1) 4.76 Art 18..... 4.79	Energy Charter Treaty 1994..... 3.04, 3.05 Art 27(3)(d) 3.48
Convention for the Pacific Settlement of International Disputes 1899 (1899 Hague Convention) App.II, 1.03, 1.07, 2.12, 6.11, 6.74	European Convention on State Immunity 1972 Art 12(2) 3.12
Art 17..... 6.11 Art 18..... 6.11 Art 22 6.19 Art 22(1) 1.06, 5.21 Art 23 2.12, 4.37 Art 25..... 5.21 Art 26 1.04 Art 28 1.06 Art 32 4.38	Indus Waters Treaty 1960 4.26
Convention for the Pacific Settlement of International Disputes 1907 (1907 Hague Convention) 1.03, 1.07, 2.12, 6.74, App.III	North American Free Trade Agreement (NAFTA), 17 December 1992 3.04
Art 43 1.06, 5.21, 6.19 Art 44 2.12, 4.37	Statute of the International Court of Justice Art 4 4.38 Art 4(1)–(3) 4.38 Art 38 6.24 Art 38(d) 6.24 Art 55..... 6.04
	Treaty Between the Government of the Republic of Namibia and the Government of the Republic of South Africa on the Establishment of the [Ai- Ais/Richtersveld] Transfrontier Park, 17 August 2003 Art 16(2) 3.08
	Treaty Between the United Kingdom of Great Britain and Northern Ireland and the Republic of France concerning the Construction and Operation by

Table of International Treaties and Conventions

Private Concessionaries of a Channel Fixed Link, 12 February 1986	Vienna Convention on Diplomatic Relations 1961	4.76
Annex	Art 29	4.77
Art VII.	Art 30(2)	4.77
Art VII(1)–(2)	Art 31(1).	4.77
Art 19(2)	Art 31(2)	4.77
Treaty establishing the European Community 1958 (as consolidated in 2002)	Art 31(3)	4.77
Art 292	Vienna Convention on the Law of Treaties 1969	
United Nations Convention on Jurisdictional Immunities of States and their Property 2004	Art 69(1)	5.58
Art 17.		
United Nations Convention on the Law of the Sea 1982 (UNCLOS)		
Art VII.		1.05, 5.115, 6.04

TABLE OF NATIONAL LEGISLATION

ITALY

Civil Code	
Art 818,	5.105

NETHERLANDS

Code of Civil Procedure, Book IV	
(Arbitration Act 1986)	4.59
Art 1058(1)(b)	6.18

SWEDEN

Arbitration Act 1999	
Art 25,	5.125

SWITZERLAND

Rules of International Arbitration	
Art 14,	4.68

UNITED KINGDOM

Arbitration Act 1996	6.12
s 43	5.113, 5.114
State Immunity Act 1978	
s 9	3.11

UNITED STATES

Federal Arbitration Act 9 USC, (1925), . . .	3.21
Art 7	5.113
United States Code	
s 1782,	5.113

TABLE OF ARBITRATION RULES

ICC Rules of Arbitration 1998		Art 16.....	3.13
Art 10(2)	4.36	Art 16(1)	5.22
Art 22(1)	5.166	Art 17(4)	3.13
ICC Rules of Arbitration 2012.....	5.167,	Art 20(1)	3.13
6.05, 6.26		Art 21(1).....	3.13
Art 4	6.79	Art 27(1)–(4)	5.145
Art 12(8)	4.36	Art 32(6)	6.18
Art 15(4)	4.68	Art 37(1)	3.13
Art 21(2)	6.26	Art 38(1)	3.13
Art 31(1).....	6.04	Art 39(1)	3.13
Art 36	6.104	Art 43	3.13
Art 40	4.72	Optional Rules for Arbitrating Disputes	
ICDR Rules 2009		Between Two States 1992 (PCA State/	
Arts 10–11	4.68	State Rules) ...	1.08, 1.10, 1.11, 1.12, 1.14,
Art 11(2)	4.68	1.16, 1.17, 2.01, 2.04, 2.08, 2.11, 2.12,	
ICSID Arbitration Rules		3.03, 3.11, 3.13, 3.37, 3.39, 4.08, 4.09,	
r 35.....	5.125	4.18, 4.20, 4.21, 4.25, 4.29, 4.37, 4.47,	
r 38	5.167	4.49, 5.22, 5.23, 5.167, 6.18, 6.21, 6.108	
Iran-United States Claims Commission		Art 1(1)	6.24
Rules of Procedure 1983		Art 3(1)	3.13
Art 14.....	4.68	Art 3(3)	3.13
LCIA Arbitration Rules 1998		Art 4	3.41
Art 5	4.26	Art 4(1)	3.13
Art 14.1	5.04	Art 5(3)	3.13
Art 26.3.....	6.04	Art 6(3)(b).....	4.08
Optional Rules for Arbitrating Disputes		Art 7(1)	4.27
Between Two Parties of Which		Art 7(3)	4.25
Only One is a State 1993 (PCA		Art 13(3)	4.47
State/Non-State Rules)	1.08, 1.10,	Art 13(5)	4.45
1.11, 1.12, 1.14, 1.16, 1.17, 2.01,		Art 16.....	3.13
2.04, 2.08, 2.11, 2.12, 3.03, 3.11,		Art 16(1)	5.22
3.13, 3.37, 3.39, 4.08, 4.09, 4.18,		Art 17(4)	3.13
4.20, 4.21, 4.25, 4.29, 4.37, 5.22,		Art 19(1)	6.24
5.23, 5.130, 6.18, 6.21, 6.108		Art 20(1)	3.13
Art 3(1)	3.13	Art 21(1).....	3.13
Art 3(3)	3.13	Art 23	5.91
Art 4(1)	3.13	Art 26(1)	6.96
Art 4(3)	5.93	Art 26(4)	6.96
Art 5(3)	3.13	Art 27	5.145, 6.105
Art 6(3)(b)	4.08	Art 31(1)(a).....	6.96
Art 7	5.35	Art 33	6.21
Art 8(3)	4.37, 5.84, 5.93	Art 33(1)	6.27
Art 8(6)	5.128	Art 35(1)(a)(iv)	6.24
Art 9(3)	5.35	Art 35(2)(i)–(ii)	6.30
Art 13(3)	4.45	Art 37(1)	3.13
		Art 38(1)	3.13

Table of Arbitration Rules

Art 39(1)	3.13	Art 37(1)	3.13
Art 41.	6.102	Art 38(1)	3.13
Art 41(3)	6.108	Art 39(1)	3.13
Art 43	3.13	Art 43	3.13
Optional Rules for Arbitration between International Organizations and Private Parties 1996 (PCA International Organization/Private Party Rules)	1.04, 1.09, 1.10, 1.11, 1.12, 1.14, 1.16, 1.17, 2.01, 2.04, 2.08, 2.11, 2.12, 3.03, 3.11, 3.13, 3.37, 3.39, 4.08, 4.09, 4.18, 4.20, 4.21, 4.25, 4.29, 4.37, 5.22, 5.23, 6.18, 6.21, 6.108	Optional Rules for Arbitration of Disputes Relating to Natural Resources and the Environment 2001 (PCA Natural Resources/Environmental Rules).	1.04, 1.11, 2.01, 2.04, 2.12, 5.22, 5.23
Art 3(1)	3.13	Art 1(1)	3.14
Art 3(3)	3.13	Art 3(3)(c)	3.31
Art 4	3.41	Art 6(3)(b)	4.08
Art 4(1)	3.13	Art 7(3)	4.25
Art 5(3)	3.13	Art 7(5)	4.25
Art 6(3)(b)	4.08	Art 8(3)	4.37
Art 7(3)	4.25	Art 9	4.40
Art 8(3)	4.37	Art 13(3)	4.45
Art 13(3)	4.45	Art 16(1)	5.22
Art 16.	3.13	Art 41(3)	6.108
Art 16(1)	5.22	Optional Rules for Arbitration of Disputes Relating to Outer Space Activities 2011 (PCA Space Rules).	1.04, 1.11, 2.01, 2.04, 2.12, 3.13, 4.72, 4.74, 4.75
Art 17(4)	3.13	Art 3(3)(d)	3.31
Art 20(1)	3.13	Art 10(4)	4.37
Art 21(1).	3.13	Art 12(4)	4.45
Art 23	5.91	Art 13(5)	4.58
Art 32(6)	6.18	Art 16.	4.71
Art 33	6.21, 6.25	PCA Arbitration Rules 2012 (2012 PCA Rules)	1.01, 1.02, 1.14, 1.15, 1.16, 1.17, 1.22, 2.01, 2.04, 2.05, 2.09, 2.12, 3.06, 3.18, 3.19, 3.24, 3.44, 4.26, 4.49, 4.53, 4.67, 4.75, 5.13, 5.14, 5.17, 5.21, 5.22, 5.23, 5.81, 5.92, 5.101, 5.167, 6.12, 6.16, 6.89, 6.104
Art 33(1)	6.27	Art 1	2.06, 3.01, 5.58, 5.101
Art 37(1)	3.13	Art 1(1)	3.03, 3.07, 3.08, 4.33, 5.57
Art 38(1)	3.13	Art 1(2)	2.06, 3.07, 3.10, 3.11, 3.12, 4.50, 4.69, 4.73, 5.55, 5.101, 5.106, 5.113, 5.114, 5.171, 6.09, 6.10, 6.15, 6.56, 6.100
Art 39(1)	3.13	Art 1(3)	2.07, 3.13, 3.16, 3.30, 3.38, 3.42, 4.57, 5.11, 5.42, 5.46, 6.42, 6.72
Art 41.	6.102	Art 1(4)	2.02, 3.03, 3.14, 3.15, 5.78
Art 41(3)	6.108	Art 2	3.24, 3.25
Art 43	3.13	Art 2(1)–(6)	3.24
Optional Rules for Arbitration between International Organizations and States (PCA State/International Organization Rules).	1.10, 1.11, 1.12, 1.14, 1.16, 1.17, 2.01, 2.04, 2.08, 2.11, 2.12, 3.03, 3.11, 3.13, 3.37, 3.39, 4.08, 4.09, 4.18, 4.20, 4.21, 4.25, 4.29, 4.37, 5.22, 5.23, 6.18, 6.21, 6.108	Art 2(3)	5.100
Art 3(1)	3.13	Art 3	2.03, 3.28, 3.33, 3.38, 5.43
Art 3(3)	3.13	Art 3(1)	3.30
Art 4(1)	3.13	Art 3(1)–(5)	3.27
Art 5(3)	3.13	Art 3(2)	3.27
Art 16.	3.13	Art 3(3)	3.33
Art 17(4)	3.13		
Art 20(1)	3.13		
Art 21(1).	3.13		

Table of Arbitration Rules

Art 3(3)(d)	5.43	Art 13(2)	4.57
Art 3(3)(g)	5.19	Art 13(4)	3.49
Art 3(4)	3.32	Art 13(5)	4.58
Art 3(5)	3.34	Art 14.	4.50, 4.52, 4.63
Art 4	3.35, 3.38	Art 14(1)	4.64
Art 4(1)	2.08, 3.38, 3.39, 4.08, 4.24, 5.08	Art 14(1)–(2)	4.60
Art 4(1)–(3)	3.34	Art 14(2)	3.49, 4.50, 4.51, 4.53, 4.62, 4.64, 4.65
Art 4(1)(b)	5.19	Art 15.	4.65, 4.66
Art 4(2)	6.29	Art 15(1).	6.62
Art 4(11).	6.29	Art 16.	1.20, 4.69, 4.70, 4.77, 5.24, 5.124
Art 5	2.06, 3.40	Art 16(2)	5.100
Art 5(1)	3.41	Art 17.	5.01
Art 5(1)–(3)	3.39	Art 17(1).	5.03, 5.07, 5.87, 5.109, 5.166
Art 5(2)	3.42	Art 17(2)	5.05, 5.07, 5.08, 5.59, 5.88
Art 5(3)	3.42	Art 17(3)	5.09, 5.76, 5.166
Art 6	2.07, 3.06, 3.43, 5.115, 6.72	Art 17(4)	3.30, 5.02, 5.10, 5.11
Art 6(1)	3.16, 3.32, 3.38, 3.42, 3.48	Art 17(5)	5.13
Art 6(1)–(3)	3.42	Art 18.	3.06, 5.15, 5.16, 5.43, 6.15
Art 6(3)	3.51	Art 18(1)	6.15
Art 7	4.01, 4.04	Art 18(1)–(2)	5.14
Arts 7–10	3.49	Art 18(2)	5.20
Art 7(1)	4.02	Art 19.	3.06, 5.25
Art 7(2)	4.04	Art 19(1)	5.28
Art 8	4.05, 4.29, 4.31, 4.33	Art 19(1)–(2)	5.24
Arts 8–11	4.51	Art 19(2)	5.28
Art 8(1)	4.07	Art 20	5.40, 5.45, 5.47, 5.79, 5.90
Art 8(1)–(2)(d)	4.04	Art 20(1)	3.33, 5.42, 5.43
Art 8(2)	4.05, 4.19	Art 20(1)–(4)	5.39
Art 8(2)(b)	2.08, 3.39, 4.08, 4.09, 4.12, 4.24, 5.08	Art 20(2)	5.43
Art 8(2)(d)	4.19	Art 20(3)	5.43
Art 9	2.06, 2.11, 3.06, 4.05, 4.23, 4.26, 4.29, 4.31, 4.33	Art 20(4)	5.43, 5.44
Art 9(1)	4.03, 4.27, 4.28	Art 21.	5.45, 5.46, 5.47, 5.79, 5.90
Art 9(1)–(3)	4.22	Art 21(1)–(4)	5.44
Art 9(3)	2.08, 3.39, 4.05, 4.08, 4.24, 4.28, 5.08	Art 21(2)	5.47
Art 10.	4.31	Art 21(3)	5.51, 5.158
Art 10(1)	4.34	Art 22	5.49, 5.50, 5.52
Art 10(1)–(4)	4.30	Art 23	5.53, 5.57, 5.58, 6.09
Art 10(2)	4.26, 4.33	Art 23(1)	5.55, 5.56, 5.77
Art 10(3)	4.26, 4.34, 4.36	Art 23(1)–(3)	5.52
Art 10(4)	2.12, 4.37	Art 23(2)	5.49, 5.59, 5.60, 5.61
Art 11.	4.38, 4.39, 4.41	Art 23(3)	5.62, 5.77, 5.86, 6.09
Art 12	4.10, 4.43, 4.44, 4.62, 4.64	Art 24	3.04, 5.78, 5.79, 5.90
Art 12(1)	4.26, 4.44, 4.63	Art 25.	5.89, 5.90, 5.146
Art 12(1)–(4)	4.42	Art 26	3.04, 5.95, 5.103
Art 12(2)	4.44	Art 26(1)	5.97
Art 12(3)	4.44, 4.50, 4.52, 4.63	Art 26(1)–(9)	5.94
Art 12(4)	4.45, 4.50, 4.51, 4.52, 4.63, 4.64	Art 26(2)	5.98
Art 13	4.50, 4.54, 4.63	Art 26(2)(a)	5.100
Art 13(1)	4.56	Art 26(2)(b)	5.100
Art 13(1)–(5)	4.53	Art 26(2)(c)	5.99
		Art 26(3)	5.99, 5.102, 5.103
		Art 26(3)(a)	5.102
		Art 26(4)	5.103

Table of Arbitration Rules

Art 26(5)–(9)	5.104	Art 35(1)(d)	6.23, 6.26
Art 26(6)	5.105	Art 35(2)	6.28, 6.47
Art 26(9)	5.105	Art 36	6.14, 6.31
Art 27	5.107, 5.108, 5.109, 5.142	Art 36(1)	6.33, 6.35, 6.43
Art 27(1)	5.110	Art 36(1)–(3)	6.30
Art 27(1)–(4)	5.106	Art 36(2)	5.157, 6.40, 6.41
Art 27(2)	5.11	Art 36(3)	6.42, 6.43
Art 27(3)	5.112, 5.115, 5.131, 5.132	Art 37	6.10, 6.45, 6.46, 6.49, 6.53, 6.54, 6.57, 6.60, 6.61, 6.62, 6.73
Art 27(4)	5.120, 5.134, 5.135	Arts 37–39	6.44
Art 28	5.107, 5.108, 5.109, 5.142	Art 37(1)	6.44
Art 28(1)	5.122	Art 37(1)–(2)	6.43
Art 28(1)–(4)	5.120	Art 37(2)	6.44
Art 28(2)	5.125	Art 38	6.10, 6.53, 6.54, 6.60, 6.61, 6.73
Art 28(3)	5.126	Art 38(1)	6.54
Art 29	5.141, 5.142, 5.145, 6.81	Art 38(1)–(3)	6.51
Art 29(1)	5.143, 5.147	Art 38(2)	6.57
Art 29(1)–(5)	5.140	Art 38(3)	6.58
Art 29(2)	5.147	Art 39	6.59, 6.60, 6.61, 6.73
Art 29(3)	5.148, 5.149	Art 39(1)–(3)	6.58
Art 29(4)	5.150	Art 39(2)	6.63
Art 29(5)	5.151	Art 39(3)	6.64
Art 30	5.153	Art 40	1.20, 6.38, 6.65, 6.71
Art 30(1)	6.31	Art 40(1)	6.38, 6.67, 6.95, 6.109
Art 30(1)–(3)	5.152	Art 40(1)–(3)	6.64
Art 30(1)(a)	5.155, 6.40, 6.41	Art 40(2)	6.67, 6.68, 6.95
Art 30(1)(b)	5.158, 5.160	Art 40(2)(b)	6.106
Art 30(2)	5.159	Art 40(2)(c)	6.66, 6.106
Art 30(3)	5.161	Art 40(2)(f)	6.66, 6.106
Art 31	5.162, 5.163, 5.165, 5.168, 5.171	Art 40(3)	6.62, 6.73
Art 31(1)	6.04	Art 41	2.08, 5.152, 6.69, 6.75, 6.80, 6.95
Art 31(1)–(2)	5.162	Arts 41–43	6.65
Art 31(2)	5.168	Art 41(1)	6.81, 6.82, 6.85, 6.86, 6.92, 6.109
Art 32	5.168, 5.171	Art 41(1)–(4)	6.74
Art 33	5.04, 6.01, 6.43	Art 41(2)	3.49, 6.83, 6.86, 6.91, 6.92, 6.109
Art 33(1)	6.03, 6.04	Art 41(3)	3.50, 6.109
Art 33(2)	6.02, 6.03, 6.06	Art 42	6.67, 6.71, 6.92
Art 34	6.07, 6.34, 6.43, 6.48, 6.56	Art 42(1)	6.95
Art 34(1)	6.09	Art 42(1)–(2)	6.92
Art 34(1)–(7)	6.06	Art 42(2)	6.100
Art 34(2)	6.09, 6.10, 6.43	Art 43	2.08, 5.132, 5.162, 6.79, 6.86, 6.101
Art 34(2)–(6)	6.44, 6.58, 6.64	Art 43(1)–(5)	6.100
Art 34(3)	6.13, 6.95	Art 43(2)	6.40, 6.106
Art 34(4)	6.15, 6.43	Art 43(3)	5.104, 6.104, 6.111
Art 34(5)	6.17, 6.43	Art 43(4)	2.08, 3.39, 4.08, 4.24, 6.31, 6.108, 6.110
Art 34(6)	6.08, 6.18, 6.42	Art 43(5)	6.112
Art 34(7)	6.08, 6.19	Art 68	6.12
Art 35	2.06, 6.20, 6.21, 6.24	Art 69	6.12
Art 35(1)	6.22, 6.23, 6.27	Annex	3.06
Art 35(1)–(2)	6.19		
Art 35(1)(a)	6.23, 6.24		
Art 35(1)(a)(iv)	6.24		
Art 35(1)(b)	6.23, 6.25		
Art 35(1)(c)	6.23, 6.25		

Table of Arbitration Rules

PCA Rules of Arbitration and Conciliation for Settlement of International Disputes between Two Parties of Which Only One Is a State 1962	1.07	3.27, 3.39, 3.44, 3.45, 3.46, 3.47, 4.03, 4.04, 4.07, 4.12, 4.20, 4.21, 4.26, 4.29, 4.30, 4.36, 4.37, 4.41, 4.49, 4.56, 4.68, 4.72, 5.08, 5.13, 5.14, 5.17, 5.46, 5.56, 5.58, 5.63, 5.65, 5.74, 5.75, 5.77, 5.83, 5.92, 5.96, 5.101, 5.102, 5.104, 5.106, 5.144, 5.167, 6.04, 6.05, 6.12, 6.19, 6.53, 6.55, 6.62, 6.83, 6.85, 6.88, 6.91, 6.92, 6.95, 6.108, App.XII
Rules on the Taking of Evidence in International Arbitration of the International Bar Association 2010 (IBA Rules)	5.109	
Art 3	5.112	Art 1 3.02
Art 9	5.112	Art 1(1) 3.05
UNCITRAL Arbitration Rules 1976 (1976 UNCITRAL Rules)	1.05, 1.10, 1.12, 1.17, 1.18, 1.21, 3.07, 3.33, 3.39, 3.46, 3.47, 4.04, 4.12, 4.18, 4.20, 4.21, 4.29, 4.37, 4.40, 4.46, 4.47, 4.59, 5.20, 5.26, 5.48, 5.51, 5.62, 5.63, 5.65, 5.75, 5.96, 5.97, 5.100, 5.115, 5.134, 5.137, 5.138, 5.139, 5.147, 5.160, 5.166, 5.168, 6.15, 6.39, 6.50, 6.55, 6.57, 6.62, 6.63, 6.77, 6.94, 6.95, 6.96, 6.99, 6.100, 6.104, 6.105, App.XI	Art 1(2) 3.18
Art 3(3)(d)	3.31	Art 1(3) 3.24
Art 6(1)–(2)	4.07	Art 2 3.26
Art 7(3)	4.25	Art 3 3.29, 3.33
Arts 11–13	4.67	Art 3(4)(a) 3.32
Art 12(2)	4.46	Art 4 3.36
Art 13(2)	4.46	Art 4(1) 5.08
Art 14	4.67	Art 4(2)(c) 3.37
Art 15(2)	5.09	Art 5 3.42
Art 15(3)	5.10	Art 6 4.75
Art 16(3)	5.115	Art 6(2) 3.48
Art 18	3.37	Art 6(7) 3.51
Art 19	3.37	Art 7 4.02
Art 21(4)	5.71	Art 8 4.06, 4.18
Art 22	5.80	Art 8(1) 5.08
Art 23	5.91	Art 8(2)(b) 4.08, 5.08
Art 24	5.108	Art 9 4.24
Art 25	5.108	Art 9(2) 5.08
Art 25(1)	5.122	Art 9(3) 4.25, 5.08
Art 25(4)	5.126, 5.131	Art 10 4.31
Art 26(1)	5.98	Art 10(2) 6.02
Art 26(3)	5.105	Art 11 4.40
Art 28(1)	5.158	Art 12 4.44
Art 28(2)	5.159	Art 13 4.55
Art 31	6.02	Art 14 4.62
Art 31(2)	6.02	Art 14(2) 4.48, 4.65
Art 32(2)	5.101	Art 15 4.67
Art 34(2)	6.40, 6.41	Art 16 4.71, 4.74, 4.75
Art 40(3)	6.38	Art 17 5.02, 5.106
UNCITRAL Arbitration Rules 2010 (2010 UNCITRAL Rules)	1.02, 1.05, 1.12, 1.16, 1.17, 1.18, 1.21, 2.05, 2.06, 2.07, 2.08, 3.03, 3.06, 3.20, 3.22, 3.24,	Art 17(2) 5.88
		Art 19 5.26
		Art 20 5.41
		Art 21(3) 5.48
		Art 22 5.51
		Art 23 5.54
		Art 23(2) 5.49
		Art 24 5.80
		Art 25 5.91
		Art 26 5.96, 5.99
		Art 26(3)(a) 5.99
		Art 26(3)(b) 5.99
		Art 27 5.108
		Art 27(3) 5.131

Table of Arbitration Rules

Art 28	5.121	UNCITRAL Model Law on
Art 29	5.141	International Commercial
Art 29(2)	5.147	Arbitration, as amended in 2006
Art 29(5)	5.131	(UNCITRAL Model Law) . . . 3.07, 5.03,
Art 30	5.154	5.58, 5.98, 5.104, 5.106, 6.04
Art 31	5.164, 5.165	Annex I
Art 31(1)	5.166	Art 8
Art 31(2)	5.168	Art 12(1)
Art 32	5.169	Art 16.
Art 33	6.02	Art 17.
Art 33(1)	6.02	Art 17B
Art 33(2)	6.02	Art 17H.
Art 34	4.53, 6.08	Art 20
Art 35.	6.21	Art 26
Art 35(1)	6.26, 6.27, 6.29	Art 26(2)
Art 35(3)	6.26	Art 27
Art 36	6.32	Art 34
Art 37	6.45	Art 34(2)(a)(iv)
Art 40	6.66	Art 36
Art 40(1)	6.97	UNCITRAL Rules on Transparency
Art 41.	6.76, 6.78	in Treaty-Based Investor-State
Art 41(6)	6.90	Arbitration 2013
Art 42	6.94	
Art 43	6.102	

LIST OF DEFINED TERMS

1899 Hague Convention	Convention for the Pacific Settlement of International Disputes, 1899
1907 Hague Convention	Convention for the Pacific Settlement of International Disputes, 1907
1961 Vienna Convention	Vienna Convention on Diplomatic Relations, 1961
1976 UNCITRAL Rules	UNCITRAL Arbitration Rules, 1976
1990s PCA Rules	PCA State/State Rules, State/Non-State Rules, State/ International Organization Rules, and International Organization/Private Party Rules
2010 UNCITRAL Rules	UNCITRAL Arbitration Rules, 2010
2012 PCA Rules (or Rules)	PCA Arbitration Rules, 2012
BIT	Bilateral investment treaty
CAFTA-DR	Dominican Republic–Central America–United States Free Trade Agreement
Explanatory Note	Explanatory Note of the International Bureau of the PCA Regarding Time Periods Under the PCA Arbitration Rules 2012
Headquarters Agreement	Agreement concerning the Headquarters of the Permanent Court of Arbitration, 1999
Host Country Agreement	Agreement between the PCA and a host country establishing a legal framework under which PCA-administered proceedings can be conducted in the territory of the host country on an ad hoc basis
IBA Rules	Rules on the Taking of Evidence in International Arbitration of the International Bar Association
ICC	International Chamber of Commerce
ICDR	International Center for Dispute Resolution
ICJ	International Court of Justice
ICSID	International Centre for Settlement of Investment Disputes
LCIA	London Court of International Arbitration
NAFTA	North-American Free Trade Agreement
New York Convention	Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958
PCA	Permanent Court of Arbitration
PCA Drafting Committee	PCA Drafting Committee that drafted the 2012 PCA Rules
PCA International Organization/ Private Party Rules	PCA Optional Rules for Arbitration between International Organizations and Private Parties, 1996