

# 6<sup>TH</sup> INTERSESSIONAL MEETING OF UNCITRAL WORKING GROUP III

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## Session 6

### Key Common Implementation and Enforcement Issues

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Singapore, 8 Sept. 2023

# DESIGN OPTION 1: STANDING FIRST-INSTANCE MECHANISM

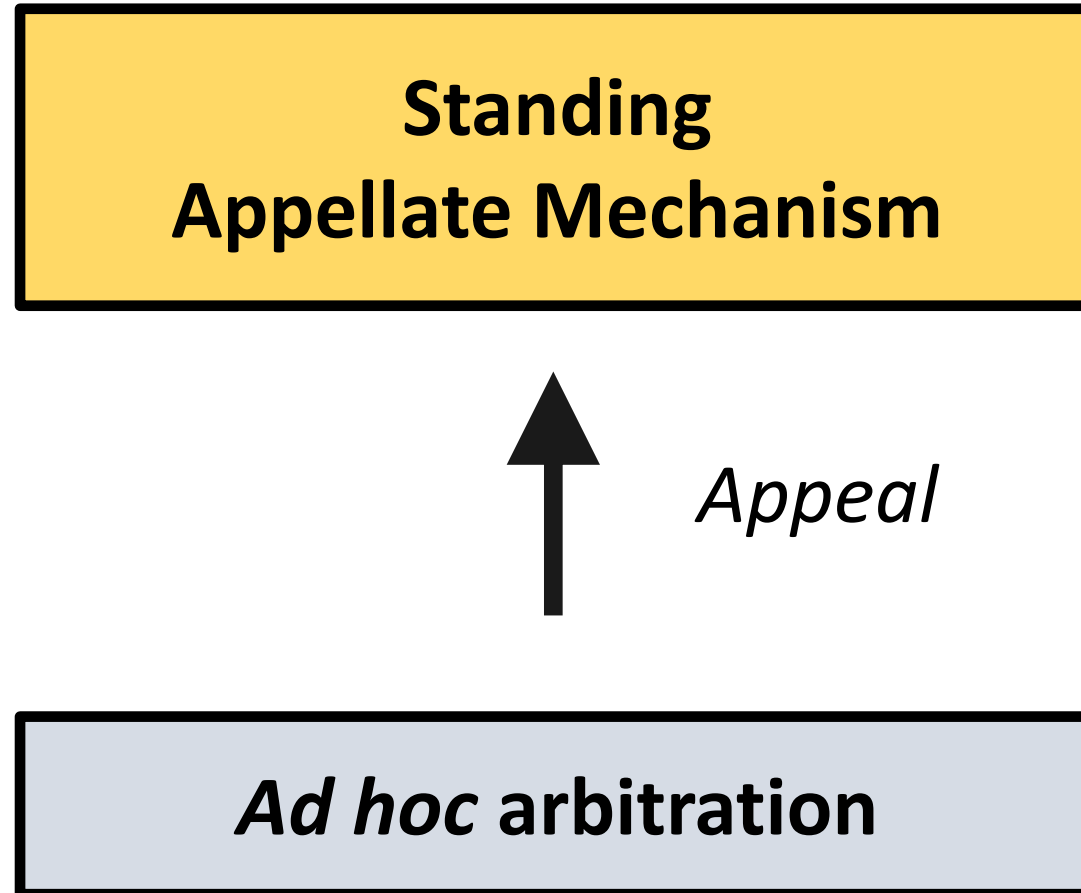
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**One-tier  
Standing Mechanism**

*(No appeal)*

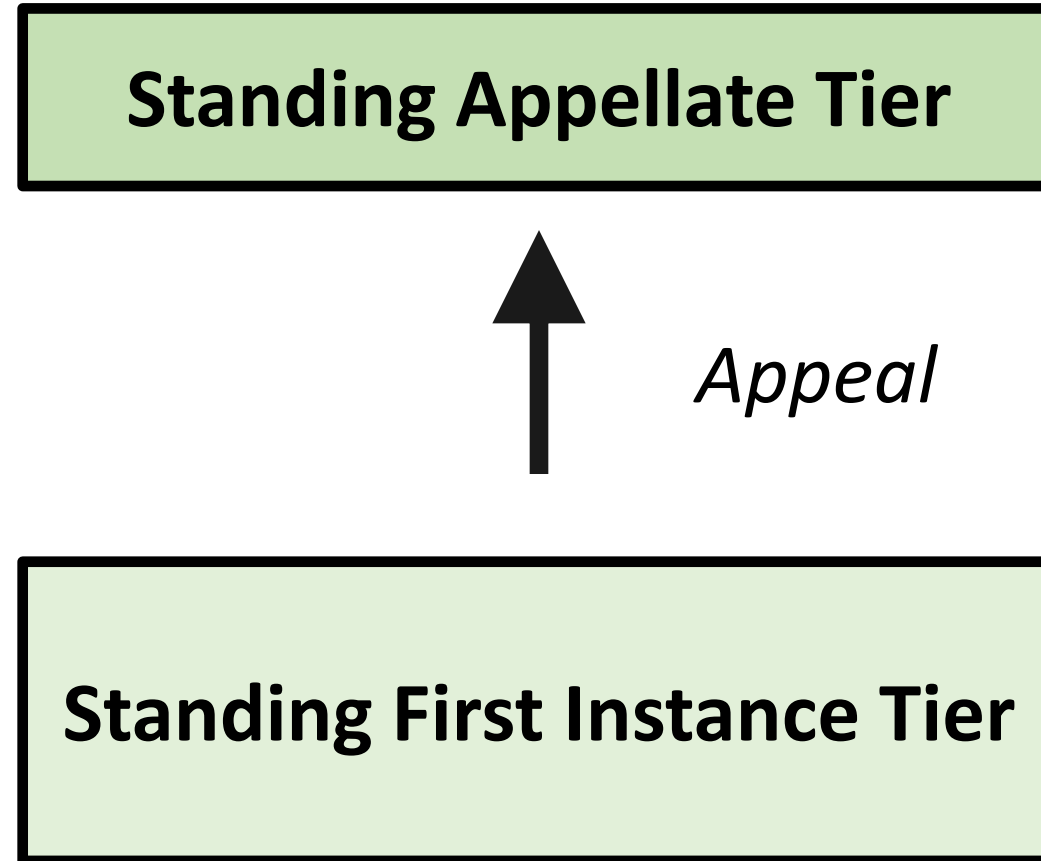
# DESIGN OPTION 2: STANDING APPELLATE MECHANISM

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# DESIGN OPTION 3: STANDING TWO-TIER MECHANISM

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# New York Convention, Art I

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## Article I:

- “1. This Convention shall apply to the recognition and enforcement of arbitral awards made in the territory of a State other than the State where the recognition and enforcement of such awards are sought, and arising out of differences between persons, whether physical or legal. It shall also apply to arbitral awards not considered as domestic awards in the State where their recognition and enforcement are sought.
- 2. The term "arbitral awards" shall include not only awards made by arbitrators appointed for each case but also those made by permanent arbitral bodies to which the parties have submitted.
- 3. When signing, ratifying or acceding to this Convention, or notifying extension under article X hereof, any State may on the basis of reciprocity declare that it will apply the Convention to the recognition and enforcement of awards made only in the territory of another Contracting State. It may also declare that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the national law of the State making such declaration” (emphasis added).