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## REGIONAL AND INTERNATIONAL ACTIVITIES

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### ORGANIZATION OF AMERICAN STATES

#### GENERAL ASSEMBLY

##### Second Regular Session

The second regular session of the OAS General Assembly was held at the General Secretariat in Washington, D. C., from April 11 through 21, 1972. All Member States of the OAS were represented at this session. There were observers from American states which are not members of the OAS and from non-American states, as well as observers from the United Nations, its specialized agencies and from the OAS specialized agencies.

The work of the Assembly was distributed among the following Committees: First Committee (juridical and political matters); Second Committee (economic and social matters); Third Committee (educational, scientific and cultural matters); Fourth Committee (administrative and budgetary matters); General Committee; Credentials Committee and Style Committee. Several of the Committees established working groups to facilitate the study of the topics assigned to them. During the second regular session the General Assembly approved 37 resolutions, from AG/RES.62 (II-0/72) to AG/RES.98 (II-0/72). These resolutions have been published by the General Secretariat in the four official languages of the Organization.

A summary of some of the resolutions adopted by the General Assembly during its second regular session follows:

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\*The opinions expressed in this report are those of the author in his personal capacity.

*Strengthening of the Principles of Non-Intervention  
and the Self-Determination of Peoples*

In Resolution 78 the General Assembly reiterated the need for the Member States of the Organization to observe strictly the principles of non-intervention and self-determination of peoples as a means of ensuring peaceful coexistence among them, and to refrain from committing any direct or indirect act that might constitute a violation of those principles. It also reaffirmed the obligation of the Member States to refrain from applying economic, political or any other type of measure to coerce another State, or to obtain from it advantages of any kind. It similarly reaffirmed the obligation of the States to refrain from organizing, supporting, promoting, financing, instigating, or tolerating subversive, terrorist, or armed activities against another State, and from intervening in a civil war in another State or in its internal struggles. Finally, the Assembly urged the Member States to take the necessary measures, in fulfilling their international commitments, to avoid intervention of any kind.

On the topic of strengthening the principles of non-intervention, the General Assembly also adopted Resolution 79. In this document, the Assembly noted the denunciation by the Minister of Foreign Affairs of Guatemala in his address at the plenary session held on April 15, 1972, and observed that in the course of discussions made possible through the efforts of the President of the General Assembly and the Secretary General of the OAS, the representative of the United Kingdom of Great Britain and Northern Ireland stated that the military forces stationed in British Honduras had been reduced, and offered to accept an observer of the OAS to verify the military forces still maintained there. The Assembly decided to take note of the denunciation made by the Government of Guatemala and of the statement and offer by the Government of the United Kingdom. It requested that the Secretary General of the OAS send an observer to the territory of British Honduras to determine the number and type of the military forces stationed there. The Secretary General was also requested to transmit the report of the observer to the Governments of the Member States, through the Permanent Council.

*Strengthening of the Inter-American System  
for the Maintenance of Peace*

In Resolution 81, the General Assembly took note of the opinion presented by the Inter-American Juridical Committee on the topic of

“Strengthening of the Inter-American System for the Maintenance of Peace,” and requested the Permanent Council, in accordance with Article 91.f of the Charter, to formulate the observations that it deems appropriate on said opinion and present them to the General Assembly at its third regular session.

*Statutes of the Inter-American Juridical Committee*

In 1970 the General Assembly approved a provisional statute of the Inter-American Juridical Committee (AG/RES. 12) and requested that the Committee submit its draft statutes to the Assembly. The draft statutes prepared by the Committee were presented to the first regular session of the General Assembly held in San José, Costa Rica, in 1971. According to Resolution 55, adopted in that city by the Assembly, the Permanent Council of the OAS made certain comments on the draft statute and submitted them to the second regular session of the Assembly. By Resolution 89 adopted during its second regular session, the General Assembly approved the statutes of the Committee.

According to Article 1 of the statutes, the Inter-American Juridical Committee is one of the organs through which the OAS carries out its objectives, and as stated in Article 3, the purpose of the Committee is to serve the Organization as an advisory body on juridical matters; to promote the progressive development and the codification of international law; and to study juridical problems related to the integration of the developing countries of the Hemisphere, and insofar as may appear desirable, the possibility of attaining uniformity in their legislation.

The Committee is composed of eleven jurists, nationals of the Member States, elected by the General Assembly in their personal capacity for a period four years, from panels of candidates presented by those States (Article 4). As provided for in Article 5, in the election of the members of the Committee an equitable geographical representation shall be taken into account, insofar as possible.

Article 12 of the statutes establishes the principal functions and powers of the Committee, as follows: a) to provide advice on juridical matters requested by the other organs of the OAS; b) to undertake the studies and preparatory work assigned by the General Assembly, the Meeting of Consultation of Ministers of Foreign Affairs, or the Councils of the Organization; c) to undertake, on its own initiative, such studies and preparatory work as it may consider advisable; d) to suggest to the General Assembly and to the Councils the holding of specialized conferences

on juridical matters; and, e) to establish cooperative relations with universities, institutes, and other teaching centers, with bar associations and other associations of lawyers and with national and international committees, organizations, and entities engaged in the development of codification of international law or in the study, research, teaching, or dissemination of information on juridical matters of international interest.

The Committee has its headquarters in Rio de Janeiro, but in special cases, it can hold meetings in any other place that it may designate, after obtaining the acquiescence of the Member State in question and obtaining the proper funding (Article 14). It is provided in Article 15 that the Committee shall hold two regular meetings each year, lasting a total of three months. However, these meetings may be extended for an additional period of up to 10 days, whenever the Committee considers it necessary. Travel expenses, honorariums, and per diem allowances of the members of the Committee incidental to attending meetings shall be borne by the OAS (Article 35).

Article 28 stipulates that the General Secretariat of the OAS shall provide full technical and secretariat services to the Committee, and shall carry out its instructions and assignments.

At the second regular session, the General Assembly re-elected two members of the Committee whose terms of office would have expired on June 30, 1972, and elected a new one to replace a member whose term of office also would have expired on the same date. As of July 1, 1972, the eleven members of the Committee and their respective countries are as follows: Jorge A. Aja Espil (Argentina), Vicente Ráo (Brazil), Edmundo Vargas Carreño (Chile), José Joaquín Caicedo Castilla (Colombia), Reynaldo Galindo Pohl (El Salvador), Adolfo Molina Orantes (Guatemala), Antonio Gómez Robledo (México), Alberto Ruiz Eldredge (Perú), Cuthbert Joseph (Trinidad and Tobago), William S. Barnes (USA), and Américo Pablo Ricaldoni (Uruguay).

#### *Rules on Reservations to Multilateral Inter-American Treaties*

By Resolution 90, the General Assembly transmitted to the governments for their observations the draft resolution entitled "Rules on Reservations to Multilateral Inter-American Treaties," prepared by a working group of the first Committee—Juridical-Political Matters. The Assembly requested the Permanent Council to study the draft, on the basis of the observations of the governments, and to present its conclusions to

the General Assembly at its third regular session. The draft resolution was divided into three major sections: 1) rules on the formulation of reservations to multilateral inter-American treaties; 2) rules on the legal effects of the acceptance or non-acceptance of reservations; 3) rules to be observed by the General Secretariat of the OAS in the performance of its functions as depository of multilateral inter-American treaties in accordance with Article 118.f of the Charter of the OAS.

#### *Draft Convention on Extradition*

The General Assembly, in Resolution 91, noting the time that had elapsed since the approval of the draft Convention on Extradition by the Inter-American Council of Jurists in 1959, decided to request the Member States that, before September 30, 1972, they submit, if they so wish, their comments on the above draft convention, and instructed the Inter-American Juridical Committee, after taking into account the observations of the governments, to prepare a new draft Inter-American Convention on Extradition and to submit it to the General Assembly through the Permanent Council.

#### *Convocation of Conferences*

By Resolution 74, the General Assembly convoked the Second Inter-American Conference on Cooperatives, to be held in Santiago, Chile, during the first half of 1973, and expressed its appreciation to the Government of Chile for its offer to act as host of this Conference.

In Resolution 75, the Assembly convoked the Fourth Inter-American Conference of Ministers of Labor to be held in Buenos Aires, during the second half of 1972, and expressed its appreciation to the Argentine Government for its offer to serve as host of the Conference.

By Resolution 76, the Assembly convoked the Sixth Inter-American Statistical Conference to be held in Santiago, in November 1972, and accepted the offer of the Government of Chile to act as host of the Conference.

#### *Standards for Inter-American Specialized Conferences*

In Resolution 85, the General Assembly approved standards for the inter-American specialized conferences to be observed by the organs,

agencies, and other entities of the OAS responsible for functions related to holding such conferences (Article 1). The characteristics of these conferences are specified in Article 2, according to which the specialized conferences shall be convoked in accordance with the Charter of the OAS and its standards, and are to have the following characteristics: a) they must be inter-governmental, that is, all the delegations must represent their respective governments and participate in the name of such governments; b) they must deal with special technical matters or develop specific aspects of inter-American cooperation.

The inter-American specialized conferences shall be held when so decided by a) the General Assembly; b) the Meeting of Consultation of Ministers of Foreign Affairs; c) the Councils of the Organization (Article 4).

#### *Telecommunications*

The organization plan of the Inter-American Telecommunications Conference (CITEL) was approved by the General Assembly by Resolution 92. CITEL is a specialized conference of the OAS. It is directly associated with the Inter-American Economic and Social Council (CIES), and fulfills its objectives through regular and special meetings, through its permanent Executive Committee (COM/CITEL), and its permanent technical committees, in collaboration with the General Secretariat of the OAS (Articles 2 and 3).

CITEL has, among others, the following principal functions as stipulated in Article 3: to facilitate and promote, by all means available to it, the continuing development of telecommunications in the hemisphere; to organize and sponsor periodic meetings of technicians and experts to study planning, financing, construction, operation, standardization, technical assistance, maintenance, and other matters related to the use and operation of telecommunications in the Americas; to sponsor or undertake studies that will permit the development of telecommunication networks; to promote and study technical assistance and cooperation projects, in agreement with the governments of the countries concerned; to recommend studies and sponsor the adoption of agreements between the governments of the Member States of the OAS, in connection with the planning, installation, maintenance, and operation of telecommunication systems in the Hemisphere.

CITEL has further functions, i.e., to study the legal aspects of telecommunications, taking into account existing inter-American instruments, with a view to the preparation of new draft conventions in this field; to

study the legal problems related to direct transmission via satellite, in order to prepare draft inter-American conventions or agreements on this subject and to formulate a common position for the Member States of the OAS when dealing with the pertinent international agencies; to prepare studies on the harmonization or unification of the legislation of the Member States of the OAS on matters relating to telecommunications; to make recommendations to the governments of the Member States, taking into account those made by the International Telecommunications Union (ITU).

CITEL will meet at least once every four years (Article 5). All members of the OAS have the right to be represented in CITEL (Article 10). CITEL shall establish such working committees as it may deem advisable for consideration of the various topics on the agenda (Article 22).

#### *Standards Relating to OAS Specialized Organizations*

In Resolution 87, the General Assembly approved standards for the implementation and coordination of the provisions of the OAS Charter relating to the inter-American specialized organizations.

The following shall be considered inter-American specialized organizations: (a) Existing specialized organizations registered as of the date on which these standards are approved; b) those intergovernmental organizations that may be established by treaties or multilateral agreements having specific objectives and functions in technical areas of common interest to the American States.

#### *Other Resolutions of the OAS General Assembly*

Other resolutions adopted by the OAS General Assembly at its second regular session deal with the following matters, among others: Tribute to the memory of Benito Juárez; strengthening of the cultural heritage of the Americas; coordination among the Councils and the other organs of the system; activities with regard to youth; program-budget of the OAS 1972-1974; additional functions of the Preparatory Committee of the Assembly; basis of financing of the program-budget of the OAS; annual reports of the principal organs of the OAS, and other matters of administrative and financial nature.

#### *Place and Date of the Third Session of the General Assembly*

By Resolution 96, the General Assembly set April 4, 1973, as the opening date for its third regular session, to be held at the headquarters of



the OAS General Secretariat in Washington, D.C. The Assembly authorized the Permanent Council to change the date indicated if circumstances so required.

#### INTER-AMERICAN JURIDICAL COMMITTEE

The Committee met in Rio de Janeiro from July 17 to August 25, 1972. The agenda for this meeting contained the following topics, among others: The Law of the Sea, divided into eight chapters, as follows: Territorial sea, zones of special jurisdiction, guarantees for international communication, continental shelf, regional agreements, straits, peaceful uses of the oceans. Other agenda items included studies for the Inter-American Specialized Conference on Private International Law, treatment of foreign investment, draft inter-American conventions on bills of exchange and checks of international circulation, jurisdictional immunity of states, rules of procedure of the Committee.

#### CACTAL

The Specialized Conference on the Application of Science and Technology to Development of Latin America (CACTAL) was held in Brasilia from May 12 through 19, 1972. This was a conference of the OAS. CACTAL approved significant conclusions and recommendations on the application of science and technology to the development of the Latin American countries. Several of these recommendations dealt with different aspects of the transfer of technology, including the problem of industrial property.

For example, CACTAL recommended to the Latin American countries, should they be lacking in such machinery, that they set up the proper machinery or agencies for the specific purpose of dealing with the whole gamut of problems relating to the transfer of technology. Among other functions, the proposed agencies should perform the following: Take charge of the registration, deposit, examination, and approval of agreements relating to the transfer of technology in the public and private sectors; evaluate, negotiate and control contracts for technical assistance, engineering services, investment projects, licenses for the use of patents and trademarks; assist enterprises in the different countries to find other possible suppliers of technology; take steps to train personnel of institutions responsible for the transfer of technology.

## INTER-AMERICAN SPECIALIZED CONFERENCE ON PRIVATE INTERNATIONAL LAW

This Conference was convoked by the OAS General Assembly at its first regular session held in San José, Costa Rica, in 1971 (AG/RES.48). The resolution entrusted the Permanent Council of the OAS the task of preparing a draft agenda for the Conference. The governments of several Member States of the OAS have presented to that Council proposals for topics to be included on the draft agenda. In June and July 1972, the Permanent Council studied these proposals, through a Working Group of its Committee on Legal and Political Matters.

The Working Group has recommended that the following topics be included on the draft agenda of the Conference: Commercial companies, with special reference to multinational companies; international sale of goods; bills of exchange, checks and promissory notes of international circulation; international maritime transportation, with special reference to bills of lading; international commercial arbitration; recognition and enforcement of foreign judgments; letters rogatory; taking of evidence abroad in civil and commercial matters; uniformity of powers of attorney to be utilized abroad.

## UNITED NATIONS

### UNCITRAL

The United Nations Commission on International Trade Law (UNCITRAL) held its fifth session from April 10 to May 5, 1972 at the United Nations Headquarters in New York.

UNCITRAL was created in 1966 by the United Nations General Assembly to promote harmonization and unification of the law of international trade. The Commission has twenty-nine Member States, and this membership assures representation of each of the geographical regions and the legal and economic systems of the world.

The Commission meets once every year in the spring. It has established working groups to prepare draft uniform laws and conventions in several specialized fields.

As evidenced in the "Summary of the Fifth Session (1972)", prepared by its Secretariat, UNCITRAL has been working on the following priority topics: 1) international sale of goods; 2) international payments;

3) international commercial arbitration, and 4) international legislation of shipping. The Summary was used in the preparation of this section of the present report.

The work of UNCITRAL in the unification and harmonization of the law relating to international sale of goods is concentrated in three areas: a) Uniform rules governing the international sale of goods; b) general conditions of sale and standard contracts; and, c) limitations (prescription) of claims.

One of the goals established by the Commission is the world-wide unification of the basic rules governing the obligations of sellers and buyers under contracts of international sale of goods. In connection with this matter, mention is made of the 1964 Hague Convention on a Uniform Law on the International Sale of Goods (ULIS). At its second annual session (1969), UNCITRAL established a Working Group of fourteen members with the task of ascertaining which modifications in the rules embodied in the Hague Convention might render these rules capable of wider acceptance by countries of different legal, social and economic systems.

The Working Group has held three sessions, and has prepared several reports. A progress report on the work of the third session held in January 1972 was presented to the Commission. This report contains recommendations in respect to certain provisions relating to the first fifty-five articles of ULIS, and explains the progress made with respect to other provisions. The Commission has formulated the policy that, when a uniform law is in preparation by a Working Group, the Commission will postpone decision on specific provisions until a final text can be examined as a whole.

The work of the Commission in the field of general conditions of sales and standard contracts is directed towards the development of appropriate general conditions of sale that might voluntarily be adopted by the parties to contracts of international sales of goods. At its fifth session, UNCITRAL considered a report by the U.N. Secretary General, which outlined steps taken to assess the desirability of extending the use in other regions of certain general conditions of sale drawn up under the auspices of the U.N. Economic Commission for Europe.

Limitation (prescription) of claims. At its second session, UNCITRAL took steps towards the unification of the rules relating to the time within which claims arising out of international sale transactions could be brought before a tribunal; the wide divergence in national rules concerning this question have proved troublesome in practice. To this end, the Commission established a Working Group of seven members and entrusted it with

the task of preparing a draft convention that would set uniform rules on the subject.

The Working Group held three sessions and prepared a draft Convention on Prescription (Limitation) in the Field of International Sale of Goods. At its fifth session, the Commission examined carefully the draft Convention and, reflecting the Commission's view that the Convention should be concluded as soon as possible, adopted a final text of the draft Convention.

UNCITRAL requested the Secretary-General to prepare an opinion on the provisions of the draft Convention and to circulate the document to governments and interested international organizations for observations and comments.

The Commission also considered alternative methods for the final conclusion of a convention on prescription in the international sale of goods on the basis of the text approved by the Commission. In view of technical and specialized nature of the subject, the Commission recommended that the General Assembly convene an international conference of plenipotentiaries for the purpose of concluding the Convention.

Study of international legislation on shipping. At its fourth session (1971), the Commission agreed to review the rules governing the responsibility of ocean carriers for cargo, as embodied in the Brussels Convention on Bills of Lading, 1924, and the Brussels Protocol of 1968. This decision has been one of the major developments in the work of the Commission in the field of international legislation on shipping. The object of the review is the removal of uncertainties and ambiguities in those rules and the establishment of a balanced allocation of risks between the cargo owner and the carrier. Following the establishment by the Commission of a detailed work program in this area, a Working Group of twenty-one members met in February 1972. The report of the Working Group set forth concrete proposals on extension of the carriers's responsibility to periods prior to loading and after discharge, damage to "on deck" cargo and the validity of agreements restricting the places where the suit may be brought.

The work of UNCITRAL on the subject of international payments is directed especially towards the unification and harmonization of the law relating to negotiable instruments used in effecting international payments, such as bills of exchange, promissory notes, and cheques.

A draft Uniform Law on International Bills of Exchange and a detailed commentary thereon was submitted to the Commission at its fifth session (1972).

*Draft Uniform Law on International Bills of Exchange*

The draft prepared by the U.N. Secretariat (80 articles) is accompanied by an extensive and excellent commentary (U.N. document A/CN.9/67 of 31 March 1972).

As explained in the introduction to this document, UNCITRAL decided at its fourth session (1971) "to proceed with work directed towards the preparation of uniform rules applicable to a special negotiable instrument for optional use in international transactions." To this end, the Commission requested the Secretary General "to prepare a draft of such rules accompanied by a commentary. The present report, setting forth a draft Uniform Law on International Bills of Exchange with commentary, has been prepared in response to that decision."

The decision of the Commission "was based upon the analysis of a substantial body of information resulting from questionnaires directed to governments and to banking and trade institutions. The inquiries were designed to ascertain current methods and practices for making and receiving international payments and also the nature and scope of problems encountered in settling international transactions by means of negotiable instruments. The inquiries evidenced that, in spite of a trend towards increasing use of the cable or telegraphic transfer, negotiable instruments play a vital role in international payment transactions, and that the problems encountered in this area made it advisable to continue the work on this subject."

It is further stated in the introduction that "the use of an international bill of exchange subject to the uniform law is optional: the drawer of a bill of exchange may elect to draw the bill either under national law or under the uniform law. In order to draw a bill of exchange subject to the uniform law, it is required under Article 1(2)(a) that the bill bear the designation 'International bill of exchange subject to the Convention of. . . .' The present draft like the existing formulations, does not attempt to provide rules for many of the issues that may arise in connection with a negotiable instrument such as capacity to contract, the authority of agents, bankruptcy, succession and torts. Such issues are dealt with under the general law and it would not be practical to establish uniform rules for these areas as a part of a uniform law dealing with negotiable instruments.

Consequently, under this draft, as under the existing systems of negotiable instruments law, such areas are governed by applicable national law."

It is also explained that the rules embodied in the present draft reflect a criterion to minimize departures from the existing principal legal systems of negotiable instruments law. "The present draft uniform law is concerned with bills of exchange in the narrow sense of the term; checks and promissory notes are not within the scope of the present draft. Inquiries have been made among the banking and trade circles as to the desirability of extending the uniform rules on international bills of exchange to international promissory notes. The virtually unanimous view of those consulted was that it would be advisable for the uniform law also to encompass promissory notes, since in certain parts of the world, promissory notes are widely used in international commerce and there are indications that promissory notes may well assume, in the future, greater importance than is at present the case."

According to Article 1 (2) of the draft, an international bill of exchange is a written instrument which (a) contains, in the text thereof, the words "Pay against this International Bill of Exchange, drawn subject to the Convention of . . ." (or words of similar import); and b) contains an unconditional order whereby one person (the drawer) directs another (the drawee) to pay a definite sum of money to a specified person (the payee) or to his order, and (c) is payable on demand or at definite time; and (d) is signed by the drawer, and (e) shows that it is drawn in a country other than the country of the drawee or the payee or of the place where payment is to be made.

The draft Uniform Law on International Bills of Exchange is divided into the following main chapters and sections: Sphere of application, form; interpretation: general, interpretation of formal requirements, completion of an incomplete instrument; transfer and negotiation; rights and liabilities: the rights of a holder and a protected holder, liability of the parties, the drawer, the drawee and the acceptor, the guarantor; presentment, dishonor and recourse; presentment for acceptance, presentment for payment, recourse; discharge: general, payment, renunciation, requisition by a prior party, discharge of a prior party; limitation (prescription); lost bills.

At its fifth session, the Commission established a Working Group consisting of eight members and entrusted it with the task of preparing a final draft uniform law on international bills of exchange and promissory notes. The Working Group was also requested to consider whether it was advisable to draw up uniform rules on international checks. The Commission also took note of the progress made in other projects in the field of

international payments, such as banker's commercial credits and bank guarantees, work on which is being carried out primarily by the International Chamber of Commerce.

### *International Commercial Arbitration*

At its second session (1969), UNCITRAL appointed Dr. Ion Nestor as Special Rapporteur on certain problems relating to international commercial arbitration, including those concerning the application and interpretation of existing conventions on the subject. A comprehensive report by the Special Rapporteur was presented at the fifth session (1972) of UNCITRAL.

The report, entitled "International Commercial Arbitration" (U.N. document A/CN.9/64 of 1 March 1972), is divided into the following main chapters and sections: Introduction. General account of activities and results of the work on international commercial arbitration: Activities undertaken and results achieved in the period 1920-1945; activities within the framework of the League of Nations; activities undertaken outside the framework of the League of Nations; attempts to unify the rules of arbitral procedure. Activities undertaken and results achieved in the period between 1945-1970: Activities under the auspices of the United Nations and of international bodies other than the UN; work on unification and harmonization undertaken by research organizations; seminars, congresses, conferences and other types of international meetings organized in recent years; observations on the development of arbitration since the Second World War. Problems concerning the application and interpretation of existing multilateral international conventions on international commercial arbitration: Problems relating to the arbitration agreement and the arbitral procedure; problems relating to arbitral awards and the enforcement of foreign arbitral awards. Possible measures for increasing the effectiveness of international commercial arbitration: general questions, findings and final proposals.

In the final part of his report, the Special Rapporteur considers that UNCITRAL should note the favorable trend towards ratification of the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, and recommend other states to ratify it as soon as possible.

The Rapporteur feels that the problems relating to the uniformity of interpretation and application of the provisions of multilateral conventions are not numerous. He stresses that it is encouraging to note that very few

foreign arbitral awards have had to be enforced with the cooperation of the courts on the basis of these international conventions. "That proves, first, that arbitration has, generally speaking, enjoyed the confidence of the parties, who have implemented arbitral awards of their own free will, and secondly, that the existing conventions on the enforcement of foreign arbitral awards have a preventive effect in that they discourage those who might be tempted not to comply with those awards of their own free will."

The Special Rapporteur "maintains the view he expressed during the discussion on his preliminary report, . . . that there is no need at the present time to envisage a revision of parts of the 1958 New York Convention."

The Rapporteur recalls the meeting of the Second Commission of the International Arbitration Conference held in Paris in 1961, which reconsidered the problem of the harmonization of the rules of procedure of the arbitration centers. He indicates that on that occasion, a whole series of recommendations were adopted on the content of rules "covering the four successive stages of the opening of the procedure, the instruction, the hearings and finally the award."

The Special Rapporteur considers that it would be in the general interest for UNCITRAL to encourage and sponsor the establishment by non-governmental organizations of an International Organization of Commercial Arbitration. The Organization would have for its main object the promotion, on a universal scale, of cooperation among organizations concerned with international commercial arbitration; its tasks would include the creation of a permanent framework for such cooperation, the establishment of a documentation and information center, the publication of an international journal, the preparation of draft laws on international commercial arbitration for submission to UNCITRAL, the organization of congresses and symposia and the standardization of the rules of procedure of permanent arbitration centers. The Organization would not have executive powers with regard to its member organizations and would not interfere with bilateral or regional multilateral cooperation.