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Settlement of commercial disputes

Preparation of uniform provisions on written form for arbitration agreements

Amendment to proposal by the Mexican Delegation

Note by the Secretariat

In preparation for the forty-third session of Working Group II (Arbitration and Conciliation), during which the Working Group is expected to proceed with its review of a revised draft article 7 of the UNCITRAL Model Law on International Commercial Arbitration (see the report of the forty-second session, A/CN.9/573, para. 98), the Government of Mexico, on 15 February 2005, submitted the text of a proposed revised version of article 7 for consideration by the Working Group. The text of that proposal is contained in A/CN.9/WG.II/WP.137. On 31 August 2005, the Government of Mexico submitted an amendment to that proposed revised version of article 7. That amendment is reproduced as an annex to this note in the form in which it was received by the Secretariat.



Annex

Amendment to Proposal by the Government of Mexico regarding written form for arbitration agreements, to be submitted to the UNCITRAL Working Group on Commercial Arbitration

The Permanent Mission of Mexico would like to inform the Secretariat of the Commission of an amendment to article 35, paragraph 2, of the proposal formulated by Mexico, which reads: “If the award is not made in Spanish, the party relying on it shall supply a translation thereof into such language done by an official expert”, and which should read: *“If the award is not made in an official language of this State, the party shall supply a duly certified translation into such language.”*

As can be seen from reading this new wording, it has a more general nature than the proposal originally formulated and the Mexican Mission accordingly requests the Secretariat to notify the Member States of UNCITRAL of the amendment set out in the preceding paragraph and to inform the Mexican Mission of the publication of the amended text.
