

PRESIDÊNCIA DA REPÚBLICA

Decreto do Presidente da República n.º 25/2000

de 20 de Maio

O Presidente da República decreta, nos termos do artigo 135.º, alínea *b*), da Constituição, o seguinte:

É ratificada a Convenção sobre Conciliação e Arbitragem no Quadro da Conferência para a Segurança e Cooperação na Europa — CSCE, concluída em Estocolmo em 15 de Dezembro de 1992, no Terceiro Conselho Ministerial da OSCE, aprovada, para ratificação, pela Resolução da Assembleia da República n.º 43/2000, em 18 de Novembro de 1999.

Assinado em 28 de Abril de 2000.

Publique-se.

O Presidente da República, JORGE SAMPAIO.

Referendado em 10 de Maio de 2000.

O Primeiro-Ministro, *António Manuel de Oliveira Guterres*.

ASSEMBLEIA DA REPÚBLICA

Resolução da Assembleia da República n.º 43/2000

Aprova, para ratificação, a Convenção sobre Conciliação e Arbitragem no Quadro da Conferência para a Segurança e Cooperação na Europa — CSCE, concluída em Estocolmo em 15 de Dezembro de 1992, no Terceiro Conselho Ministerial da OSCE.

A Assembleia da República resolve, nos termos da alínea *i*) do artigo 161.º e do n.º 5 do artigo 166.º da Constituição, aprovar, para ratificação, a Convenção sobre Conciliação e Arbitragem no Quadro da Conferência para a Segurança e Cooperação na Europa — CSCE, concluída em Estocolmo em 15 de Dezembro de 1992, no Terceiro Conselho Ministerial da OSCE, cujo texto em inglês e a respectiva tradução na língua portuguesa seguem em anexo à presente resolução.

Aprovada em 18 de Novembro de 1999.

O Presidente da Assembleia da República, *António de Almeida Santos*.

CONVENTION ON CONCILIATION AND ARBITRATION WITHIN THE CSCE

The States parties to this Convention, being States participating in the Conference on Security and Cooperation in Europe:

Conscious of their obligation, as provided for in article 2, paragraph 3, and article 33 of the Charter of the United Nations, to settle their disputes peacefully;

Emphasizing that they do not in any way intend to impair other existing institutions or mechanisms, including the International Court of Justice, the European Court of Human Rights, the Court of Justice of the European Communities and the Permanent Court of Arbitration;

Reaffirming their solemn commitment to settle their disputes through peaceful means and their decision to develop mechanisms to settle disputes between participating States;

Recalling that full implementation of all CSCE principles and commitments constitutes in itself an essential element in preventing disputes between the CSCE participating States;

Concerned to further and strengthen the commitments stated, in particular, in the Report of the Meeting of Experts on Peaceful Settlement of Disputes adopted at Valletta and endorsed by the CSCE Council of Ministers of Foreign Affairs at its meeting in Berlin on 19 and 20 June 1991;

have agreed as follows:

CHAPTER I

General provisions

Article 1

Establishment of the Court

A Court of Conciliation and Arbitration shall be established to settle, by means of conciliation and, where appropriate, arbitration, disputes which are submitted to it in accordance with the provisions of this Convention.

Article 2

Conciliation commissions and arbitral tribunals

1 — Conciliation shall be undertaken by a conciliation commission constituted for each dispute. The commission shall be made up of conciliators drawn from a list established in accordance with the provisions of article 3.

2 — Arbitration shall be undertaken by an arbitral tribunal constituted for each dispute. The tribunal shall be made up of arbitrators drawn from a list established in accordance with the provisions of article 4.

3 — Together, the conciliators and arbitrators shall constitute the Court of Conciliation and Arbitration within the CSCE, hereinafter referred to as «the Court».

Article 3

Appointment of conciliators

1 — Each State party to this Convention shall appoint, within two months following its entry into force, two conciliators of whom at least one is a national of that State. The other may be a national of another CSCE participating State. A State which becomes party to this Convention after its entry into force shall appoint its conciliators within two months following the entry into force of this Convention for the State concerned.

2 — The conciliators must be persons holding or having held senior national or international positions and possessing recognized qualifications in international law, international relations, or the settlement of disputes.

3 — Conciliators shall be appointed for a renewable period of six years. Their functions may not be terminated by the appointing State during their term of office.