

CONFERENCE OF MEMBERS  
OF THE PERMANENT COURT OF ARBITRATION

At the initiative of the Secretary General of the International Bureau of the Permanent Court of Arbitration (PCA), P.J.H. Jonkman, an assembly of the members of the Court was convened in the Peace Palace in The Hague on September 10th and 11th, 1993. Arising from a concern about the dormancy of the PCA, Jonkman set two principal objectives for the Conference: how to increase awareness of the Court and stimulate interest in its potential; the preparation for a possible "Universal Convention for Dispute Settlement during a Third Hague Peace Conference in 1999, coinciding with the centenary of the Permanent Court of Arbitration". The Conference, chaired by Sir Ninian Stephen of Australia, was the first ever gathering of members of the PCA.

By far the most controversial issue was the proposal to convene a Third Hague Peace Conference and the vague suggestion that the PCA be integrated into a comprehensive settlement of disputes mechanism under UN auspices. PCA members from developing countries, with the strong supporting voices of Louis Sohn of the United States and Vladimir Petrovsky of Russia, were keen advocates of such a Conference. Their basic premise was that since the PCA and the ICJ were established without Third World participation and input and since they considered it worthwhile to incorporate conciliation, arbitration and adjudication in a single, comprehensive instrument, it was essential to negotiate such a Convention and what better place than The Hague, and what better occasion than the centenary of the First Hague Peace Conference and the culmination of the UN Decade of International Law.

PCA members from developed countries were decidedly less enthusiastic. The Canadian paper had already stated for the record that the principal need was adherence to existing settlement of disputes mechanisms rather than to seek to add yet another mechanism to the plethora of general and specialized systems for peaceful resolution of disputes already in place... After extended discussion a resolution was adopted which, while making reference to the non-aligned proposal for the Third International Peace Conference, does not reach any categorical conclusion on actually convening such a meeting. Rather the resolution puts the emphasis on setting up a Steering Committee to analyze the historical development and practical application of methods of dispute settlement and to make recommendations on whether to revise the Conventions and whether