

- of the notice referred to in paragraph (2) by the other Contracting Party;
- (b) Within 60 days of the receipt of the written notice referred to in paragraph (2), the other Contracting Party party to the dispute shall appoint one member. If the appointment is not made within the time limit prescribed, the Contracting Party having instituted the proceedings may, within 90 days of the receipt of the written notice referred to in paragraph (2), request that the appointment be made in accordance with subparagraph (d);
- (c) A third member, who may not be a national or citizen of a Contracting Party party to the dispute, shall be appointed by the Contracting Parties parties to the dispute. That member shall be the President of the tribunal. If, within 150 days of the receipt of the notice referred to in paragraph (2), the Contracting Parties are unable to agree on the appointment of a third member, that appointment shall be made, in accordance with subparagraph (d), at the request of either Contracting Party submitted within 180 days of the receipt of that notice;
- (d) Appointments requested to be made in accordance with this paragraph shall be made by the Secretary-General of the Permanent Court of International Arbitration within 30 days of the receipt of a request to do so. If the Secretary-General is prevented from discharging this task, the appointments shall be made by the First Secretary of the Bureau. If the latter, in turn, is prevented from discharging this task, the appointments shall be made by the most senior Deputy;
- (e) Appointments made in accordance with subparagraphs (a) to (d) shall be made with regard to the qualifications and experience, particularly in matters covered by this Treaty, of the members to be appointed;
- (f) In the absence of an agreement to the contrary between the Contracting Parties, the Arbitration Rules of UNCITRAL shall govern, except to the extent
- modtaget den i stk. 2 omhandlede meddelelse.
- b) Inden 60 dage efter modtagelsen af den i stk. 2 nævnte skriftlige meddelelse udpeger den anden kontraherende part, der er part i tvisten, et medlem. Hvis udpegningen ikke finder sted inden for den foreskrevne tidsfrist, kan den kontraherende part, der har indledt proceduren, inden for 90 dage efter modtagelsen af den i stk. 2 omhandlede skriftlige meddelelse, kræve, at udpegningen finder sted i overensstemmelse med stk. 3, litra d).
- c) Et tredje medlem, som ikke må være statsborger i en kontraherende part, der er part i tvisten, udpeges af de kontraherende parter, der er parter i tvisten. Dette medlem er formand for Voldgiftsretten. Hvis de kontraherende parter inden for 150 dage efter modtagelsen af den i stk. 2 omhandlede meddelelse er ude af stand til at enes om udpegningen af det tredje medlem, finder denne udpegning, i overensstemmelse med litra d), sted efter anmodning fra en af de to kontraherende parter indgivet 180 dage efter modtagelsen af meddelelsen.
- d) Udpegninger, der begæres i overensstemmelse med dette stykke, foretages af generalsekretæren for Den Stående Voldgiftsret senest 30 dage efter modtagelsen af begæring herom. Er generalsekretæren forhindret, foretages udpegningerne af præsidiets førstesekretær. Hvis også denne er forhindret, foretages udpegningerne af rettens alderspræsident.
- e) Udpegninger i overensstemmelse med litra a)-d) skal foretages under hensyntagen til kandidaternes kvalifikationer og erfaringer, navnlig på de af denne traktat omfattede områder.
- f) Medmindre de kontraherende parter er blevet enige om det modsatte, gælder voldgiftsreglerne under UNCITRAL, for så vidt de kontraherende parter, der