

Court of Conciliation and Arbitration

Annual Report 2025



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(original text version in French and English translation)

FOREWORD by the President

Having been elected as the new President of the Court of Conciliation and Arbitration within the OSCE it is both, an honor and a pleasure of presenting to you, on behalf of its Bureau, the Court's report on activities undertaken in 2025, in accordance with the provisions of Article 14 of the 1992 Stockholm Convention.

As of today, the Convention on Conciliation and Arbitration within the OSCE with its 34 States parties so far, remains one of the few treaties adopted within the framework of the Organization. It is to be hoped that more States, members of the OSCE, will consider acceding to the Convention, to strengthen its optional mechanisms for the peaceful settlement of disputes and thereby broaden the panel of conciliators and arbitrators, the current challenging geopolitical situation within the OSCE region at large notwithstanding.

It is also to be hoped that State parties will continue to support the Court by nominating conciliators and arbitrators, as provided for in its founding instrument, and will continue to contribute to the small budget of the Court, as laid down in the Financial Protocol.

Beyond the circle of its States Parties, the Stockholm Convention ought to be of interest to all participating States, given that the Court is an integral part of the OSCE's structures and institutions and seeks to contribute to the fulfillment of the Organization's overarching goals.

It is in this spirit that I look forward, together with my colleagues, members of the Court's Bureau, to furthering our efforts to strengthen the ties between the Court and the OSCE, its secretariat and its institutions. I take this opportunity to thank the successive Chairpersonships for having granted my predecessors the possibility to exchange views with the wider OSCE community on the role the Court can, and should, play within the Organization's framework.

It is in this sense that I, as well as my fellow members of the Court's Bureau, look forward to the continued cooperation with our State parties, OSCE's participating States and the OSCE community at large.



Prof. Andreas Zimmermann, LL.M. (Harvard)
President

FAREWELL MESSAGE by the outgoing President

During the six years in which I had the honor of serving as President of the Court of Conciliation and Arbitration within the OSCE, our Bureau strove - with clarity and determination - to stay the course, in full accordance with the mandate entrusted to us by the 1992 Stockholm Convention, even as cooperative security in Europe and the international public order were being seriously challenged.

I - We did so with three main priorities in mind.

On the legal front, we have consistently emphasized that the Stockholm Convention is an essential component of the security architecture in Europe, falling within the framework of Article 33 of the United Nations Charter and building upon Principle V of the Helsinki Final Act signed in 1974. The peaceful settlement of disputes was enshrined in a multilateral treaty providing a “toolkit” for States Parties, allowing for the establishment of a conciliation commission and/or an arbitral tribunal under the auspices of an independent and impartial court. Alongside confidence-building measures, the aim was to provide for conciliation based on OSCE principles and arbitration grounded in international law but capable - at the parties’ discretion - of incorporating equity. The Court thus offers every guarantee to the disputing parties: conciliation is the path to reconciliation; arbitration is not blackmail! My predecessor, Professor Tomuschat, has authored several publications on the “flexibility” of conciliation; we continued this line of inquiry by identifying the obstacles hindering the practical implementation of the mechanisms provided for by the Convention, notably during a seminar organized with Sweden, as the depositary State, on *“The Stockholm Convention in a Europe in Crisis .”*

At the institutional level, we sought to expand our contacts to establish the Court as one of the “OSCE structures and institutions.” This was done officially during the annual presentation of our report in Vienna to the Permanent Council, in close coordination with the successive Chairpersonships but also through contacts with the General Secretariat from the moment I took office, as well as with the Parliamentary Assembly in Copenhagen, or other European institutions, such as the European Court of Human Rights and the CAHDI (Committee of Legal Advisers on Public International Law, Council of Europe). Emphasis was also placed on the collective responsibility incumbent upon the States Parties, with their rights and duties, particularly in the run-up to the elections. The concrete support of the States Parties was invaluable, on this occasion through the appointment of particularly qualified arbitrators and conciliators to renew the Court’s pool of expertise. Finally, the Court’s presence was strengthened on the official OSCE website, while maintaining its own visual identity, by providing interested parties with all practical information, including the basic texts presented in a “documentation kit” as well as a selective bibliography on the Court.

We sought to go further in practical terms, doing everything possible to ensure the Court is “up and running,” well-oiled and responsive, ready to address requests from both States and OSCE institutions, by developing scenarios and supporting Moot Courts, such as those implemented very effectively by our colleague Vasilka Sancin with students from the University of Ljubljana. There is, however, in my view, a limit to this “judicial diplomacy,” as the Court cannot, as such, be proactive by engaging in comparative advertising or “prospecting,” like a salesman, without losing its independence and impartiality. But we have kept watch, like a lighthouse keeper, without fail, and are happy to pass the torch to a new team.

II - Allow me to share three personal feelings on this occasion.

First, a sense of loyalty. If I chose not to stand for re-election, it is because I believed that the principle of rotation was sound after six years as President. But this in no way diminishes my attachment to the Court or my faith in the ideal of peace through law that it embodies, in accordance with the wishes of the founding fathers of the Stockholm Convention, beginning with President Robert Badinter. It is also a long-standing loyalty to the OSCE, dating back to the meetings of the Conference on the Human Dimension, which marked the first steps toward that “*united and free Europe*” to which everyone aspired. When I served as rapporteur for the Moscow Mechanism, twice over a span of ten years, I also learned that forgotten procedures could regain relevance in the face of crisis situations. That is, of course, my hope for the Court.

This speaks volumes about my confidence in the new President, Professor Andreas Zimmermann, and the members of a thoroughly renewed Bureau, while our colleague Prof. Verica Trstenjak will represent the institutional memory of the former team. Over the past year, with the assistance of the Court’s Secretariat and the Depositary State, we have ensured the establishment of a transparent and efficient procedure, by using a dedicated website for the first time, so that the elections could take place under the best possible conditions. The diligence of the States Parties in renewing the terms of the Court’s members whose mandates were coming to an end, as well as the broad participation of the Court’s members in these elections, has only served to strengthen the legitimacy of the new team, to whom I extend my best wishes for success!

My final words are to express my gratitude to my former colleagues who have become friends, starting with our Vice-President, Judge Erkki Kourula, whose advice has always been invaluable to me. This team spirit was indispensable in avoiding “the loneliness of the long-distance runner” that one can sometimes experience. Of course, Ms. Christa Allot must be closely included in these warm thanks, as she has embodied the continuity of the Court through the successive presidencies with professionalism, availability, and kindness. This is also an opportunity to thank Switzerland, as the host State, and Sweden, as the depositary State, as well as the “Friends of the Convention” States, who have consistently provided unwavering support to the Court since its inception.

I would also like to extend my gratitude to all the diplomats and legal professionals who have offered us their sympathy and encouragement. I hope they will continue to place their trust in the Court and, above all, that they will finally allow it to prove itself.



Emmanuel Decaux
former President of the Court (2019 - 2025)

1. INSTITUTIONAL MATTERS

1.1. Bureau of the Court

A major institutional change has taken place in the Court's presidency in 2025. Professor Emmanuel Decaux, who has presided over the Court since November 2019, has passed the torch to Professor Andreas Zimmermann, who was elected by the Court's members in November 2025.

The Court held the election procedure for President of the Court and membership of the Bureau starting in September 2025 with the call for candidates from among the members of the Court, and concluded with the announcement of the final voting results on 14 November 2025. Appointed conciliators and arbitrators with valid mandates were invited to cast their vote for President of the Court and membership of the Bureau from among the list of candidates. The Court's registry made the candidates' profiles available on a dedicated website, enabling voting members to gain full insight into the candidates' professional profiles and their ability to sit in the Court's Bureau.

The elections were held in line with the provisions set forth by the Convention on Conciliation and Arbitration within the OSCE (Article 7) and the Rules of procedure (Articles 8 and 9), under the supervision of the Depositary State (Sweden). The voting process was enabled by electronic voting. The elections generated significant interest, with a participation rate of 67.27%.

The Bureau of the Court, elected in November 2025 for a new mandate of six years, is composed as follows:

President:

Andreas Zimmermann (Germany), conciliator
Professor of International and European Law, University of Potsdam
Director of the Potsdam Centre of Human Rights

Members:

Mārtiņš PĀPARINSKIS (Latvia), conciliator
Professor of Public International Law,
University College London

Verica TRSTENJAK (Slovenia), conciliator
Professor of European Law, University of Vienna and Ljubljana,
Former Advocate General at the Court of Justice of the EU

Frédérique COULÉE (France), arbitrator
Professor of Public Law, University of Paris-Saclay

Marja LEHTO (Finland), arbitrator
Vice-President
Ambassador, Former Senior Expert of Public
International Law, Ministry of Foreign Affairs of Finland

Alternate Members:

Outi KORHONEN (Finland), conciliator
Chair Professor of International Law,
Faculty of Law, University of Turku

Marc PERRIN DE BRICHAMBAUT (France), conciliator
Former Judge at the International Criminal Court,
Former Secretary General of the OSCE

Manuel Jorge MAYER DE ALMEIDA RIBEIRO (Portugal), arbitrator
Lawyer, former Professor of International Law, University of Lisbon

Zinovia-Chaido (Jenny) STAVRIDIS (Greece), arbitrator
Honorary Legal Advisor, Ministry of Foreign Affairs of the Hellenic Republic

APPENDIX I:

Biographical notes of the President and the members of the Bureau

The newly elected Bureau held its inaugural meeting in January 2026. During this meeting, Ambassador Marja Lehto was elected Vice-President.

The outgoing President, Prof. Emmanuel Decaux, paid a tribute in his farewell speech to the former members of Bureau and expressed his gratitude for their commitment at the service of the Court. Former members of the Bureau include: Judge Erkki Kourula (Vice-President), Justice Mats Melin, Prof. Vasilka Sancin, Prof. Christian Tomuschat, Prof. Verica Trstenjak and Mrs. Anne Ramberg.

The Bureau is the permanent executive body of the Court. It ensures its operations, as well as the fulfillment of the duties entrusted to it under the Convention on Conciliation and Arbitration within the OSCE, the Financial Protocol and the Rules of procedure. In the event of a conciliation commission or arbitral tribunal, the Bureau appoints the conciliators, respectively the arbitrators, in addition to those appointed by the parties to the dispute.

1.2. Members and Alternate Members of the Court

Several States parties concerned by the expiry of mandates of previously appointed members have renewed mandates or appointed new members. Between March and September 2025, the following States parties have renewed the mandates or appointed new members:

Albania, Croatia, Cyprus, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Liechtenstein, Luxembourg, Poland, Slovenia and Switzerland.

As of January 2026, the Court reminded all States parties of the expiry dates and drew their attention to the functions of these members at the information session that took place on 10 March 2025 in Vienna. The upcoming elections were top of the agenda, as conciliators and arbitrators were invited to elect the next Bureau (cf. point 2.1.).

The appointed members of the Court, who offer an outstanding expertise in the field of international law and diplomacy, are the core constituent of the Court and may be appointed by the parties to a dispute to sit in the conciliation commission or the arbitral tribunal. They serve in their personal capacity, exercising full independence and impartiality in fulfilling their functions.

APPENDIX II:

List of appointed members and alternate members of the Court

2. ACTIVITIES

2.1. Information Meeting with Representative of States parties - 10 March 2025, Vienna

The Court held an information meeting with Representatives of States parties to the Convention on 10 March in Vienna.

The purpose of the meeting was for members of the Bureau of the Court to provide first-hand information to representatives of States Parties to the 1992 Stockholm Convention. The meeting addressed the timely institutional topic of the election of the next President and other members of the Bureau in September 2025. The meeting also provided an opportunity for participants to become acquainted with the specific features of each of the procedures provided for under the Convention on Conciliation and Arbitration within the OSCE.

Ambassador Anna Olsson Vrang opened the meeting with a welcome on behalf of the Depositary State of the 1992 Stockholm Convention. In his opening remarks, President Decaux noted the dual nature of the Court, created "within the OSCE", as its name suggests, but with a life of its own as a multilateral treaty with 34 States parties today. He recalled that the preamble to the Convention referred to OSCE commitments and principles. Its procedures were consequently open to other participating States on a voluntary basis, at any time, he underscored.

"We have endeavoured to raise the profile of the Court within the OSCE and to make it part of the Chairmanship-in-Office's toolbox. We must therefore insist on the complementarity of institutions and mechanisms within the OSCE," President Decaux concluded.

With regard to the specific features of conciliation, Professor Tomuschat, former President of the Court and member of the Bureau, spoke of its flexibility and the straightforward process for setting up of a conciliation commission.

"The parties enjoy almost complete freedom as to the choice of the members of any such Commission. There is no predetermined bench like in the case of the permanent international tribunals operating on the European level," he said.

Professor Sancin, member of the Bureau, talked about the function of an arbitral tribunal, the outcome of which is legally binding on the parties. The meeting concluded with an overview of the various stages of the election procedure for the President of the Court and the members of the Bureau that was to be launched in September that year. It was presented by the Registry of the Court by Christa Allot, who emphasized that the conciliators and arbitrators eligible to vote were acting in their individual capacity.

2.2. **Visit to the Court of Students of the Europa-Universität Viadrina (Germany) – 9 May 2025**

Christa Allot (Registry) welcomed a group of students enrolled in a LL.M. on International Human Rights and Humanitarian Law of the Europa-Universität Viadrina during their study trip to Geneva. She presented the core features of the Convention on Conciliation and Arbitration within the OSCE, the reasons for the Court's existence and the challenges it faces today.

2.3. Address of President Decaux at the 1536th Plenary Meeting of the OSCE Permanent Council, 2 October 2025

On 2 October, President Decaux reported to the OSCE Permanent Council about the Court's activities over the last year.

“The principle of peaceful dispute settlement has been at the heart of international relations for more than two centuries,” said President Decaux, outlining the legal framework provided by the Court to achieve this goal. “The Court is unique in that it is based on a multilateral treaty that has a life of its own and is designed to last.”

He recalled the 1957 European Convention for the Peaceful Settlement of Disputes and its relationship to the Convention on Conciliation and Arbitration within the OSCE, which entered into force on 5 December 1994. Highlighting that the Convention on Conciliation and Arbitration is now binding on 34 OSCE participating States, President Decaux said that the Court's mechanisms remain open, on a voluntary basis, to all OSCE participating States. He welcomed efforts made to ensure the Court's place in the 'OSCE toolbox' available to all OSCE stakeholders.

Acknowledging the complexities and diverse perspectives of the current geopolitical challenges, President Decaux emphasized the Court's capability of setting up a conciliation commission or an arbitral tribunal. “For the Convention to prove its usefulness, it must be used by the States and institutions of the OSCE. It must not be merely a legal ideal, but a diplomatic reality,” he said.

President Decaux, whose term ended in November 2025, concluded his address with a farewell message and words of encouragement for the next presidency.

APPENDIX III:

Address of OSCE Court's President, Professor Emmanuel Decaux,
at the 1536th Plenary Meeting of the OSCE Permanent Council
(PC.DEL/1046/25)

2.4. Simulation of Arbitral Proceedings before the OSCE Court of Conciliation and Arbitration with the OSCE, at the Faculty of Law, University of Ljubljana, 28 – 30 November 2025

The fifth student simulation of arbitral proceedings under the Convention on Conciliation and Arbitration within the OSCE took place from 28 to 30 November 2025 in Ljubljana. The event was organised within the framework of the MUNLawS conference, hosted by the Faculty of Law of the University of Ljubljana.

The initiative for student simulations was launched in 2020 by Vasilka Sancin, Judge at the European Court of Human Rights, Honorary Chair of the MUNLawS Conference, and former member of the Bureau of the Court. The simulations aim to raise awareness of, and prepare students and future legal professionals for, the procedures for the peaceful settlement of disputes provided under the 1992 Stockholm Convention.

This year's simulated case was set in the fictional region of Mesomonia, consisting of five States that heavily depend on the Puria River for sustaining daily life. Against this background, a dispute arose between Alvora and Rapidia. Rapidia accused Alvora of possessing or attempting to acquire chemical weapons after thiodiglycol, a known precursor and degradation product of mustard agent, was detected in water samples collected from the Puria River on its territory. Alvora, in turn, claimed that Rapidia had reduced the river's streamflow in order to expand operations at its fuel enrichment plant, suggesting that Rapidia was enriching uranium for non-peaceful purposes. The parties brought their claims before the OSCE Court of Conciliation and Arbitration. The proceedings addressed a range of legal issues, including the rights and obligations arising under international environmental law in relation to shared watercourses, the obligations of States under the Chemical Weapons Convention and the Treaty on the Non-Proliferation of Nuclear Weapons, and the conditions under which breaches of these treaties may occur. The fictional tribunal also considered whether circumstances precluding wrongfulness under the Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA), such as necessity or countermeasures, were applicable.

Students participating in the simulation had to prepare a written memorial and counter-memorial, followed by an oral presentation of their legal arguments to arbitrators.

The MUNLawS Conference brought together more than 150 participants from around the world, who actively took part in the simulations.

3. COMMUNICATION AND OUTREACH

3.1. New Website

After more than a year of intensive work involving the OSCE Secretariat, its institutions and field missions, the OSCE launched its new website at the end of November 2025. The new website features a fresh, clean design. Navigation has been made more user-friendly, highlighting the core topics of the OSCE and its work while offering a wide range of resources and original documents.

The Court's webpages are fully integrated into the OSCE's website, with the content adapted to reflect the Court's specific public information requirements. Working closely together with the dedicated communications team, the Court has found the right balance between international public law jargon and information that can easily be grasped by a wider audience. The Court's conciliation and arbitration mechanisms are explained in simple terms. Furthermore, the website offers a valuable collection of resources.

4. FINANCIAL AND ADMINISTRATIVE MATTERS

Overview of the financial statements – financial year 2025:

Total net expenditures:	CHF 110'588.19
Contributions provided by States parties:	CHF 91'758.87
Total reserves	CHF 108'589.37

The financial statements for the year 2025 were established by the auditors Bonnefous Partners Geneva, which also issued an audit report confirming that the accounts met the requirements of the Financial Protocol. Following the approval by the Bureau of the Court, the financial statements and the audit report were transmitted to the States parties to the Convention.

Although the 2025 expenditures were consistent with the budget forecast, they were slightly higher than that of the previous year. With the elections of the new Bureau of the Court, increased funding was allocated for ICT and a temporary workforce to cope with the additional workload. Regarding the Court's operational costs, it is important to note that Mrs. Allot is the only employee, working on a part-time basis. The members of the Bureau perform their duties on a purely *pro bono* basis and do not receive any allowances.

The Court's reserves have decreased slightly over the past few years, as the funds provided by the States Parties do not fully cover the expenses.

Since 2019, the Court has maintained the total amount of CHF 95'000 requested from the States Parties, despite inflation totaling 10.8%. In the longer run, the Bureau will have to consider adjusting the Court's request for funds in order to maintain the reserves at a certain threshold. If a case is submitted to the Court, the Registry must also be prepared in terms of immediately available resources.

5. OUTLOOK AND CONCLUDING REMARKS

The newly elected Bureau of the Court (cf. point 1.1), presided over by Professor Andreas Zimmermann, held its first meeting in January 2026 for a preliminary exchange and to set the agenda for 2026. President Zimmermann held the first meetings and talks in Geneva with the Permanent Representative of Switzerland to the UN, Ambassador Thomas Gürber, the German Deputy Representative, Ambassador Nikola Gillhoff, and as well as staff members. The potential organization of an event to bring together States parties in Geneva, where the Court lacks visibility, was discussed.

Further undertakings include a presentation by President Zimmermann and Vice-President Lehto at the next meeting of the CAHDI (Committee of Legal Advisers on Public International Law of the Council of Europe) in September in Tallinn, as well as an address at the OSCE Permanent Council on 2 October 2026.

The Court's Bureau is dedicated to pursuing its outreach activities with the ultimate goal of making the Court fully operational in dealing with a first case.

BUREAU OF THE COURT

Biographical Notes

PRESIDENT

Andreas Zimmermann

Professor Dr. Andreas Zimmermann is Professor of International and European Law at the University of Potsdam (Germany) and Director of the Potsdam Centre of Human Rights. He is currently Dean of the Faculty of Law, University of Potsdam.

Prior to joining Potsdam University, Prof. Zimmermann has been Director of the Walther-Schücking-Institute of International Law at the University of Kiel and research fellow at the Max-Planck-Institute of International Law, University of Heidelberg.

He held visiting professorships at the University of Michigan (United States), Copenhagen (Denmark), Tartu (Estonia), the University of Johannesburg (RSA), Hebrew University (Israel) Bir Zeit University (Palestine), the Hague Academy of International Law, the Sorbonne Abu Dhabi (UAE), as well as part of the United Nations International Law Fellowship Programme.

In addition to his academic career, Prof. Zimmermann has acted as counsel in several cases and advisory proceedings before the International Court of Justice and other interstate proceedings. He has been a member and legal adviser of the German delegation to the Preparatory Committee and the United Nations Diplomatic Conference on the Establishment of the International Criminal Court (1996-1998). He was also judge *ad hoc* in cases before the European Court of Human Rights. From 2018 until 2020, he was a member of the United Nations Human Rights Committee.

Prof. Zimmermann is a member of the Permanent Court of Arbitration and a conciliator under the Annex to the Vienna Convention on the Law of Treaties. He also serves on the Advisory Board on International Law at the German Federal Foreign Office and on the German Red Cross Committee on International Humanitarian Law.

He studied law at the Eberhard-Karls-University of Tübingen as well as at Université Aix-en-Provence. He has earned a Dr. jur. from the University of Heidelberg, as well as an LL.M. from Harvard Law School and his Habilitation from the University of Heidelberg.

Prof. Zimmermann was appointed as conciliator by Germany in June 2025 and was subsequently elected by the Court's members as President of the OSCE Court of Conciliation and Arbitration in November 2025, serving a mandate a six years.

MEMBERS OF THE BUREAU

in alphabetical order

Frédérique Coulée

Frédérique Coulée is Professor of Public Law at Université Paris-Saclay, where she leads the International and European Law programme. She is also the Founder and Co-Director of the Master's Degree in Business and Human Rights, reflecting her deep engagement with the intersection of corporate practice and human rights norms.

In addition to her academic leadership, she serves as Deputy Vice-President for Social Sciences and Humanities at Université Paris-Saclay.

Professor Coulée is a recognized expert in international legal frameworks and dispute resolution, particularly in public international law and the responsibility of enterprises under international law. She has contributed extensively to legal scholarship, including through long-standing "Pratique française du droit international" chroniques in the *Annuaire français de droit international*.

Within the academic community, she has organized and directed high-level events on global legal issues, including in her role at Paris-Saclay's Institut d'Études de Droit Public (IEDP).

Her work has also included curating research on human rights and business. In this realm, she co-led a study day under the aegis of the René Cassin International Institute for Human Rights, which examined convergences and tensions between investment law and human rights law. Professor Coulée is also a Jury member of the Paul Guggenheim Prize in International Law.

Professor Coulée was appointed by France as arbitrator of the OSCE Court of Conciliation and Arbitration in September 2025, and then elected as a member of the Court's Bureau.

Outi Korhonen

Outi Korhonen holds a Doctor of Juridical Science (S.J.D.) and an LL.M. from Harvard Law School, and earlier degrees in philosophy and the social sciences from Finnish universities. Her academic training combines international law, critical theory and interdisciplinary work on law and technology.

She is Chair Professor of International Law in the Faculty of Law at the University of Turku. Her publications include several books and more than seventy scholarly articles and book chapters on international law, global governance, and law & emerging technologies. She has held academic posts and research leadership roles across Finnish universities and research consortia.

Professor Korhonen is the Principal Investigator of the CIDS (Critical Inquiry into Decentralised Autonomous Organisations working for Sustainability) project funded by the Academy of Finland, which examines the legal and governance implications of digitally-native and autonomous organizational forms; she also leads and participates in projects addressing academically critical approaches to AI and digital governance. She has acted as project leader in multi-disciplinary research consortia on digital disruption and governance.

In addition to her research and teaching, Professor Korhonen serves on national and university steering committees concerned with multiculturalism and societal interaction, and

is active in international research networks. She is listed as a conciliator (Finland) in international court/assembly contexts and contributes as an expert to comparative and policy projects.

Professor Korhonen was appointed by Finland as a conciliator of the OSCE Court of Conciliation and Arbitration in June 2025. She was elected to its Bureau in November 2025.

Marja Lehto **Vice-President**

Marja Lehto was Ambassador for International Legal Affairs at the Ministry for Foreign Affairs of Finland until her retirement in February 2026.

Over her diplomatic career, she has served in a number of high-level roles, including as Finland's Ambassador to Luxembourg (2009–2014), Director of the Unit for Public International Law in the Ministry for Foreign Affairs (2000–2009), and Legal Adviser at the Finnish Permanent Mission to the UN in New York (1995–2000).

She is also Adjunct Professor of International Law at the University of Helsinki, contributing to academia through teaching and research.

Ambassador Lehto was a member of the United Nations International Law Commission and Special Rapporteur for the topic "Protection of the Environment in Relation to Armed Conflicts" from 2017 to 2022. Her work led to the completion and adoption of draft principles on environmental protection in and after armed conflict in 2022. In 2023, she became one of the two recipients of the "Elisabeth Haub Award for Environmental Law and Diplomacy", recognised for her pivotal role in advancing legal protection for the environment in times of armed conflict.

She is a Member of the Council of the International Institute of Humanitarian Law since 2019 and currently one of its Vice-Presidents.

Dr. Lehto has published extensively in international law, notably on the law of the sea, use of force, terrorism, environmental law, state responsibility and cyber.

In June 2025, Ambassador Lehto was appointed by Finland as arbitrator at the OSCE Court of Conciliation and Arbitration, and was subsequently elected Vice-President by the Court's Bureau in January 2026.

Mārtiņš Paparinskis

Mārtiņš Paparinskis is Professor of Public International Law at University College London (UCL), Faculty of Laws, where he teaches and supervises in a broad range of fields including general public international law, international environmental law, international investment law, and international dispute settlement.

He holds a D.Phil., an M.Phil., and an M.Jur (with distinction, Clifford Chance Prize) from the University of Oxford. Professor Paparinskis is a member of the United Nations International Law Commission (ILC) and Special Rapporteur on compensation for the damage caused by internationally wrongful acts. In 2025, he was elected the Chair of its 76th session.

He is a member of the Permanent Court of Arbitration and serves on several other international bodies. These include the Implementation Committee of the UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes, of which he has been a member since 2018. In investment dispute resolution, he is a member of the ICSID (International Centre for Settlement of Investment Disputes) Panel of Arbitrators, and since 2020, also of its Panel of Conciliators.

Beyond academia and dispute resolution, he contributes to his home country's legal expertise: he is part of the Council of Independent Experts in International and European Law advising the Latvian Minister of Foreign Affairs. Professor Paporinskis has published widely in leading peer reviewed journals.

He has been a conciliator of the OSCE Court of Conciliation and Arbitration since 2019 and was elected as a member of its Bureau in November 2025.

Marc Perrin de Brichambaut

Marc Perrin de Brichambaut is a French career diplomat, former Judge at the International Criminal Court and former Secretary-General of the OSCE.

From 2015 until 2024, he was Judge at the International Criminal Court. During this period, he served six years in Pre-Trial Chamber II, examining and deciding upon the request of the Office of the Prosecutor for arrest warrants and Declarations for the Confirmation of Charges. Judge Perrin de Brichambaut presided over Trial-Chamber II, which in 2017 awarded compensation to individual victims of war crimes for the first time, setting a precedent in this field. He served as Second-Vice-President of the Court from 2018 until 2021.

Previously, Marc Perrin de Brichambaut was Secretary-General of the OSCE from 2005 until 2011. In this position, he provided political advice and support to the chairmanships of the Organization (Slovenia, Belgium, Spain, Finland, Greece, Kazakhstan and Lithuania). He was instrumental in the preparation of annual ministerial meetings, with a particular focus on the 2010 summit in Astana. He was an ardent proponent of the OSCE, engaging proactively with participating States, academic institutions, and the private sector to promote the Organization's interests.

Prior to being appointed as Secretary-General of the OSCE, Perrin de Brichambaut served in numerous senior positions at the French Ministry of Foreign Affairs and the Ministry of Defence. As Legal Advisor to the Foreign Ministry, he led the French delegation to the Rome Conference and signed the Rome Statute on behalf of France. In his capacity as Ambassador of France to the Vienna Negotiations on Arms Control and Confidence-Building (Conference on Security and Co-operation in Europe), he negotiated the first revision of the Treaty on Conventional Forces in Europe and the Open Skies Treaty.

Prior career paths include the active service at the French "Conseil d'Etat" (Supreme Court for judicial review). He was appointed Conseiller d'Etat in 1992. He graduated from the Ecole Normale Supérieure de Saint-Cloud and the Ecole Nationale d'Administration.

Marc Perrin de Brichambaut was appointed as conciliator of the OSCE Court of Conciliation and Arbitration in September 2025 and was subsequently elected as a member of the Court's Bureau.

Manuel de Almeida Ribeiro

Manuel de Almeida Ribeiro is a distinguished Portuguese international lawyer and arbitrator. He served as President of the International Law Association (ILA) from 2020 to 2022, and was for many years President of the Sociedade Portuguesa de Direito Internacional, the Portuguese branch of the ILA.

He enjoyed a long academic career: from 1983 until 2021, he was Professor of International Law (and related disciplines) at the Instituto Superior de Ciências Sociais e Políticas (ISCSP) of the University of Lisbon.

In the private and public sectors, Ribeiro has extensive experience: he was Legal Counsel for Galp Energia / Petróleos de Portugal S.A. from 1995 to 2013. He also served as Adviser to the Prime Minister of Portugal between 1992 and 1995.

Ribeiro holds a PhD in Political Science (1992) from the Technical University of Lisbon. He also earned an “agregação” (a senior academic qualification) in Legal and Political Sciences from the same university in 2002. Earlier in his education, he obtained a law degree from the State University of Rio de Janeiro.

He is a seasoned arbitrator and mediator. At present he is “Of Counsel” at SRS Legal in Portugal, with particular expertise in arbitration (especially in energy) and mediation.

In January 2021, Professor Ribeiro was appointed by Portugal as arbitrator of the OSCE Court of Conciliation and Arbitration and was subsequently elected as a member of the Court’s Bureau in November 2025.

Zinovia-Chaido Stavridi

Zinovia-Chaido (Jenny) Stavridi is Honorary Legal Adviser of the Ministry of Foreign Affairs of the Hellenic Republic. She served as Legal Adviser and Head of the Legal Department of the Greek Ministry of Foreign Affairs, leading the Public International Law and European Law Sections of the Department (2022-2024) and as Head of the Section of Public International Law (2013-2022) .

She has a long-standing engagement with public international law at the highest levels of the Greek Foreign Service, which has shaped her career.

Mrs. Stavridi served as national representative at the Sixth Committee of the General Assembly of the U.N., the Steering Committee on Public International Law (CAHDI) of the Council of Europe, the Steering Committee on Human Rights of the Council of Europe, where she also served as member of its Bureau, as well as representative of the Greek Ministry of Foreign Affairs in various other international multilateral and bilateral meetings and negotiations. In 2009, she was appointed Special Representative of the Greek Chairpersonship-in-Office of the OSCE to strengthen the OSCE’s legal framework, drawing on her legal expertise. Academically, she is a guest lecturer in the LL.M. in International & European Law programme at the National and Kapodistrian University of Athens and has delivered lectures on various subjects of Public International Law including at the Diplomatic Academy of the Greek Ministry of Foreign Affairs.

In her advisory capacity, she has represented the Hellenic Republic in international litigation mechanisms, including as Agent of the Hellenic Republic before the International Court of Justice.

Mrs Stavridi was appointed by Greece as arbitrator of the OSCE Court of Conciliation and Arbitration in April 2025, and was then elected to its Bureau.

Verica Trstenjak

Verica Trstenjak (national of Slovenia, based in Austria, Vienna) is a lawyer and Professor of European Union Law and teaches at universities in Austria and Slovenia. She has published numerous books and more than 300 articles. She has been a lecturer at many universities worldwide (e.g. Zurich, Hamburg, Amsterdam, Luxemburg, Valetta, Sydney, Montreal, Singapore, Los Angeles, San Francisco, New York, Kyoto, Seoul, Nursultan, Aruba) and at different international and European conferences. She is a member of editorial boards of several important legal journals, e.g. *European Law Review*. Her main research topics include European Law, human rights, legal protection and artificial intelligence.

From 2004 to 2006 she was a judge at the General Court of the European Union and from 2006 to 2012 an Advocate General of the European Court of Justice in Luxembourg. In these positions, she played a significant role in shaping and advancing European Law.

Professor Trstenjak was a Member of the Management Board and then a Member of the Executive Board of the EU Agency for Fundamental Rights (2017-2022). She is an external scientific member of the Max Planck Institute in Hamburg and a Vice-President of the ethics commission of the Slovenian Olympic Committee. In 2024, she was appointed to the Administrative Board of Review (the highest control body) of the European Central Bank in Frankfurt. She is a member of two international academies of science: *Academia Europaea (Academy of Europe, London)* and the *European Academy of Science and Art (Salzburg)*. In the past, she held the function of State Secretary for Science in Slovenia.

In 2020, the Austrian President, Alexander Van der Bellen, awarded her with the Austrian state decoration “Cross of Honour for Science and Art, First Class”.

Professor Trstenjak has been appointed by Slovenia as a conciliator of the OSCE Court of Conciliation and Arbitration in 2019 and was re-elected as a member of its Bureau in November 2025.



Appointed Members and Alternate Members of the Court
Status on 14 October 2025

	Date of Appointment	Expiry Date
ALBANIA		
<i>Conciliators</i>		
• Armand SKAPI Secretary General of the Ministry for Europe and Foreign Affairs Ministry for Europe and Foreign Affairs of Albania	05/2025	05/2031
• Shpresa PEZA Director of International Law, Law of the Sea, and Treaties Ministry for Europe and Foreign Affairs of Albania	05/2025	05/2031
<i>Arbitrator</i>		
• Ejona HOXHA Head of the Multilateral Agreements Unit Ministry for Europe and Foreign Affairs of Albania	05/2025	05/2031
<i>Alternate arbitrator</i>		
• Marsida KURTI Head of the Bilateral Agreements Unit Ministry for Europe and Foreign Affairs of Albania	05/2025	05/2031
ARMENIA Mandates expired		
AUSTRIA		
<i>Conciliators</i>		
• Peter LAUNSKY-TIEFFENTHAL Ambassador, Secretary-General for Foreign Affairs Federal Ministry for European and International Affairs of Austria	05/2020	05/2026
• Gerhard HAFNER Professor ret. of International Law University of Vienna	05/2020	05/2026
<i>Arbitrator</i>		
• Hans WINKLER Former Ambassador, former Director of the Diplomatic Academy of Vienna	05/2020	05/2026
<i>Alternate arbitrator</i>		
• Ursula KRIEBAUM Professor, University of Vienna	05/2020	05/2026

BELARUS

Conciliators

- Vladimir SENKO 09/2020 09/2026
Former Minister of Foreign Affairs
Former Chairman of the Committee for Foreign Relations and
National Security of the Council of the Republic of Belarus
- Sergei MARTYNOV 09/2020 09/2026
Former Minister of Foreign Affairs, Republic of Belarus

Arbitrator

- Petr MIKLASHEVICH 09/2020 09/2026
Chairman of the Constitutional Court, Republic of Belarus

Alternate Arbitrator

- Andrei ZABARA 09/2020 09/2026
Deputy Chairman of the Supreme Court, Republic of Belarus

BOSNIA-HERZEGOVINA

Mandates expired

CROATIA

Mandates expired

CYPRUS

Conciliators

- Tefkros Th. OIKONOMOU 07/2025 07/2031
Justice, Supreme Constitutional Court of the Republic of Cyprus
- Spyros ATTAS 07/2025 07/2031
Ambassador, Ministry of Foreign Affairs, Republic of Cyprus

Arbitrator

- Stalo HADJIYIANNI 07/2025 07/2031
Justice, Supreme Constitutional Court of the Republic of Cyprus

Alternate Arbitrator

- Angelos DAVID 07/2025 07/2031
Justice, Supreme Court of the Republic of Cyprus

DENMARK

Conciliators

- Jonas BERING LIISBERG 06/2025 06/2031
State Secretary for Foreign Policy
Ministry of Foreign Affairs of Denmark
- Peter TAKSØE-JENSEN 06/2025 06/2031
Ambassador, Ministry of Foreign Affairs of Denmark

(Denmark continued)

Arbitrator

- Michael BRAAD
Ambassador, Ministry of Foreign Affairs of Denmark 06/2025 06/2031

Alternate Arbitrator

- Vibeke PASTERNAK JØRGENSEN
Ambassador, Under-Secretary for Legal Affairs
Ministry of Foreign Affairs of Denmark 06/2025 06/2031

FINLAND

Conciliators

- Outi KORHONEN
Professor, Faculty of Law, University of Turku 05/2025 05/2031
- Tuomas KUOKKANEN
Justice, Supreme Administrative Court of Finland 05/2025 05/2031

Arbitrator

- Marja LEHTO
Ambassador, Ministry of Foreign Affairs of Finland 05/20205 05/2031

Alternate Arbitrator

- Jan KLABBERS
Professor, Faculty of Law, University of Helsinki 05/2025 05/2031

FRANCE

Conciliators

- Marc PERRIN DE BRICHAMBAUT
Former Secretary General of the OSCE
Former Judge at the International Criminal Court 09/2025 09/2031
- Hervé ASCENSIO
Professor at the Sorbonne Law School
Université Paris 1 Panthéon-Sorbonne 09/2025 09/2031

Arbitrator

- Frédérique COULÉE
Professor of Public Law
University of Paris-Saclay 09/2025 09/2031

Alternate Arbitrator

- Sandrine BARBIER
Deputy Director for Legal Affairs
Ministry of Europe and Foreign Affairs of France 09/2025 09/2031

GERMANY

Conciliators

- Andreas ZIMMERMANN 06/2025 06/2031
Professor of Public, Public International and European Union Law
University of Potsdam, Director of the Potsdam Centre of Human Rights

- Doris KÖNIG 06/2025 06/2031
Justice, Vice-President of the Federal Constitutional Court

Arbitrator

- Silja VÖNEKY 06/2025 06/2031
Professor of Public International Law, Comparative Law and
Ethics of Law, (Co-)Director of the Institute for Public Law,
University of Freiburg
Judge at the Constitutional Court of Baden-Württemberg
Alternate Member of the Bureau of the Court

Alternate Arbitrator

- Christian WALTER 06/2025 06/2031
Chair of Public International Law and Public Law
Ludwig-Maximilians-Universität München

GREECE

Arbitrator

- Zinovia-Chaido (Jenny) STAVRIDIS 04/2025 04/2031
Honorary Legal Adviser
Ministry of Foreign Affairs of Greece

Alternate Arbitrator

- Miltiadis SARIGIANNIDIS 04/2025 04/2031
Associate Professor of Public International Law
Aristotle University of Thessaloniki

HUNGARY

Conciliators

- Vanda LAMM 10/2025 10/2031
Professor emeritus of International Law,
Széchenyi István University, Győr
Vice-President of the Hungarian Academy of Sciences
Former Member of the Bureau of the Court

- Pal SONNEVEND 10/2025 10/2031
Professor, Dean of the Faculty of Law
ELTE University of Budapest

Arbitrator

- László BLUTMAN 10/2025 10/20231
Professor of International and European Law,
University of Szeged

Alternate Arbitrator

- László TRÓCSÁNY 10/2025 10/2031
Rector, Károli Gáspár University of the Reformed Church in Hungary
Former Judge of the Constitutional Court, former Minister of Justice,
Former Member of the European Parliament

ITALY

Conciliators

- Riccardo PISILLO MAZZESCHI 02/2025 02/2031
Emeritus Professor of International Law, University of Siena
- Attila TANZI 02/2025 02/2031
Professor of International Law, University of Bologna

Arbitrator

- Maria Chiara MALAGUTI 02/2025 02/2031
Professor of International Law,
Università Cattolica Sacro Cuore, Milano

Alternate Arbitrator

- Ida CARACCILOLO 02/2025 02/2031
Professor of International Law, University of Napoli 2

LATVIA

Conciliator

- Mārtiņš PĀPARINSKIS 07/2025 07/2031
Professor of Public International Law, University College London

Arbitrator

- Inga REINE 07/2025 07/2031
Judge at the General Court, Court of Justice of the European Union

LIECHTENSTEIN

Conciliator

- Hugo VOGT 09/2025 09/2031
Attorney at law, Member of the Board and Partner,
Beck Rechtsanwälte Ltd., Liechtenstein

Arbitrator

- Manuel WALSER 09/2025 09/2031
Attorney at law, Public Notary, Walser Attorneys at law Ltd.
Lecturer, University of Liechtenstein

LITHUANIA

Conciliators

- Toma BIRMONTIENĖ 03/2021 03/2027
Professor, Institute of Public Law
Mykolas Romeris University Law School
- Vygantė MILAŠIŪTĖ 03/2021 03/2027
Professor, Faculty of Law, University of Vilnius

Arbitrator

- Andrius NAMAVIČIUS 03/2021 03/2027
Ambassador, Director, Law and International Treaties Department,
Ministry of Foreign Affairs of the Republic of Lithuania

(Lithuania continued)

Alternate Arbitrator

- | | | |
|---|---------|---------|
| • Lyra JAKULEVIČIENĖ
Professor and Dean
Mykolas Romeris University Law School | 03/2021 | 03/2027 |
|---|---------|---------|

LUXEMBOURG

Conciliator

- | | | |
|---|---------|---------|
| • Danielle SCHWEITZER
Chamber President, Court of Appeal, Luxembourg | 03/2025 | 03/2031 |
|---|---------|---------|

Arbitrator

- | | | |
|--|---------|---------|
| • Annick BRAUN
Counsellor at the Administrative Court, Luxembourg | 03/2025 | 03/2031 |
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Alternate Arbitrator

- | | | |
|---|---------|---------|
| • Annick EVERLING
Deputy Director, Justices of the Peace | 03/2025 | 03/2031 |
|---|---------|---------|

MALTA

Mandates expired

MOLDOVA

Mandates expired

MONACO

Mandates expired

MONTENEGRO

Conciliator

- | | | |
|--|---------|---------|
| • Nikola RAŽNATOVIĆ
Director of the Section for Restrictive Measures and Public
International Law, Ministry of Foreign Affairs of Montenegro | 09/2024 | 09/2030 |
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Arbitrator

- | | | |
|---|---------|---------|
| • Ivana ŠIKMANOVIČ
Acting General Director for International Legal Affairs,
Ministry of Foreign Affairs of Montenegro | 09/2024 | 09/2030 |
|---|---------|---------|

NORTH MACEDONIA

Mandates expired

NORWAY

Mandates expired

POLAND

Conciliators

- Anna WYROZUMSKA 05/2025 05/2031
Professor, University of Lodz
- Michał KOWALSKI 05/2025 05/2031
Professor, Jagiellonian University in Krakó

Arbitrator

- Roman KWIECIEŃ 05/2025 05/2031
Professor, Jagiellonian University in Kraków

Alternate Arbitrator

- Przemysław SAGANEK 05/2025 05/2031
Professor, Polish Academy of Science

PORTUGAL

Conciliator

- Gilberto Jorge DE SOUSA JERÓNIMO 02/2021 02/2027
Ambassador, Permanent Representative to the Council of Europe

Arbitrator

- Manuel Jorge MAYER DE ALMEIDA RIBEIRO 02/2021 02/2027
Professor, Social and Political Sciences Faculty
University of Lisbon

Alternate Arbitrator

- Mateus PEREIRA KOWALSKI 02/2021 02/2027
Professor, Autonomous University of Lisbon /
Director of the International Law Department
Ministry of Foreign Affairs of Portugal

ROMANIA

Mandates expired

SAN MARINO

No appointments made so far

SLOVENIA

Conciliators

- Verica TRSTENJAK 07/2025 07/2031
Former advocate general at the Court of Justice of the EU
and former judge at the General Court of the EU,
Professor of European Law, University of Vienna and
University of Ljubljana, Member of the Bureau of the Court
- Jure VIDMAR 07/2025 07/2031
Chair of Public International Law
University of Maastricht

Arbitrator

- Maja MENARD 07/2025 07/2031
Senior Partner at the Law Firm Fatur Menard, l.f. Ltd., Ljubljana

(Slovenia continued)

Alternate Arbitrator

- | | | |
|--|---------|---------|
| <ul style="list-style-type: none"> • Maša KOVIČ DINE
Assistant Professor, Department of International Law
Faculty of Law, University of Ljubljana | 07/2025 | 07/2031 |
|--|---------|---------|

SWEDEN

Conciliators

- | | | |
|---|---------|---------|
| <ul style="list-style-type: none"> • Anne RAMBERG
Attorney at law, Former Secretary-General
of the Swedish Bar Association
Alternate Member of the Bureau of the Court | 10/2021 | 10/2027 |
| <ul style="list-style-type: none"> • Marie JACOBSSON
Ambassador, former Principal Legal Adviser on International Law
Ministry for Foreign Affairs of Sweden | 10/2021 | 10/2027 |

Arbitrator

- | | | |
|--|---------|---------|
| <ul style="list-style-type: none"> • Mats MELIN
Former Justice and Chairman of the Supreme Administrative Court
Alternate Member of the Bureau of the Court | 10/2021 | 10/2027 |
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Alternate Arbitrator

- | | | |
|--|---------|---------|
| <ul style="list-style-type: none"> • Pål WRANGE
Professor of Public International Law, Stockholm University | 10/2021 | 10/2027 |
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SWITZERLAND

Conciliators

- | | | |
|--|---------|---------|
| <ul style="list-style-type: none"> • Anna PETRIG
Professor of Public International Law and Public Law,
Faculty of Law, University of Basel | 09/2025 | 09/2031 |
| <ul style="list-style-type: none"> • Charlotte SIEBER-GASSER
Professor, Chair of Public Economic Law, International Law
and EU Law, Kalaidos Law School | 09/2025 | 09/2031 |

Arbitrator

- | | | |
|---|---------|---------|
| <ul style="list-style-type: none"> • Robert KOLB
Professor of Public International Law, Faculty of Law,
University of Geneva | 09/2025 | 09/2031 |
|---|---------|---------|

Alternate Arbitrator

- | | | |
|--|---------|---------|
| <ul style="list-style-type: none"> • Sabine SCHNYDER
Attorney at law, Independent Arbitrator, Zurich and Geneva | 09/2025 | 09/2031 |
|--|---------|---------|

TAJIKISTAN

Arbitrator

- | | | |
|--|---------|---------|
| <ul style="list-style-type: none"> • Nasiba ISLOMOVA
Leading Expert of the Supreme Economic Court of the
Republic of Tajikistan | 04/2022 | 04/2028 |
|--|---------|---------|

UKRAINE

No appointments made so far

UZBEKISTAN

Mandates expired



Séance du Conseil permanent de l'OSCE
Jeudi, 2 octobre 2025

Discours d'Emmanuel DECAUX
Président de la Cour de conciliation et d'arbitrage au sein de l'OSCE

Monsieur le Président, Excellences, Mesdames, Messieurs,

Je vous remercie de votre accueil. C'est toujours un honneur de venir devant vous pour présenter le rapport annuel de la Cour de conciliation et d'arbitrage au sein de l'OSCE, en vertu de l'article 14 de la Convention de Stockholm adoptée en 1992. Comme vous le savez, la Convention qui est entrée en vigueur le 5 décembre 1994 lie aujourd'hui 34 Etats parties. Mais il faut à souligner que les mécanismes de la Cour restent ouverts de manière *ad hoc*, sur une base volontaire, à tous les Etats participants de l'OSCE. A ce titre, la Cour créée « au sein de l'OSCE », fait partie des structures et institutions de notre organisation et je salue les efforts déployés par les autres institutions pour lui donner sa place dans « la boîte à outils » à la disposition de tous les protagonistes de l'OSCE.

Dans le même temps, les Etats parties ont également un rôle à jouer, en assumant pleinement leurs droits et leurs obligations, et je tiens à saluer tout particulièrement le soutien apporté par l'Etat dépositaire - la Suède - qui a contribué à une réflexion collective sur les défis affrontés par la Cour, à l'occasion d'un séminaire organisé à l'occasion du 30^{ème} anniversaire de l'entrée en vigueur de la Convention de Stockholm. Le rapport du séminaire est disponible sur le site de la Cour, comme tous les textes de référence, notamment un « kit documentaire » et une bibliographie spécialisée.

Certains, parmi les « amis » de la Convention pourraient être tentés par le scepticisme au regard de la situation présente marquée par les remises en cause des fondements de l'OSCE et des bases de « l'architecture de sécurité en Europe ». Pour autant la Cour a l'originalité d'être fondée sur un traité multilatéral qui a sa vie propre et qui s'inscrit dans le temps long, tout comme la Convention européenne pour le règlement pacifique des différends de 1957. Mais si la Convention de 1957 n'est qu'un aiguillage, orientant les Etats vers les voies classiques comme la justice, la conciliation et l'arbitrage, la Convention de 1992 va plus loin, en créant une Cour à même de mettre en place une commission de conciliation ou un tribunal arbitral. Autrement dit, la Cour a une permanence, non seulement à travers les listes de conciliateurs et d'arbitres qui la composent, mais avec un Bureau assurant la continuité et l'effectivité de la Cour. A cet égard il me faut saluer le dévouement et la disponibilité de notre Bureau, ainsi que

l'appui logistique de la Suisse, notre Etat-hôte. Pour autant, qu'est-ce que l'effectivité sans efficacité ? Pour que la Convention puisse faire la preuve de son utilité, encore faut-il qu'elle soit utilisée par les Etats et les institutions de l'OSCE. Encore faut-il qu'elle ne soit pas seulement un idéal juridique, mais une réalité diplomatique.

Monsieur le Président,

I – En ces temps incertains, il convient d'abord, me semble-t-il, de rappeler des principes simples et des procédures précises.

Le principe du règlement pacifique des différends est au cœur des relations internationales depuis plus de deux siècles. L'idée d'un tiers arbitre, neutre, indépendant et impartial, a prévalu avec les conférences de La Haye de 1899 et de 1907. Il s'agissait selon les termes éloquents de Léon Bourgeois d'assurer l'égalité du droit entre les Etats faibles et puissants, récusant ainsi la loi de la jungle. L'idée de « la paix par le droit » est à la base de la Charte des Nations Unies de 1945, qui consacre le renoncement au recours à la force contre l'intégrité territoriale ou l'indépendance politique de tout Etat (art.2 §4), tout comme l'engagement de régler les « *différends internationaux par des moyens pacifiques, de telle manière que la paix et la sécurité internationales ainsi que la justice ne soient pas mises en danger* » (art.2 §.3). C'est le sens de l'article 33 de la Charte qui énumère les diverses modes de règlement pacifique, de la négociation à la justice internationale, en passant par l'arbitrage et la conciliation.

Le principe V du Décalogue de l'Acte final de Helsinki signé il y a cinquante ans, s'inscrit dans le droit fil des engagements juridiques de la Charte. Restait à définir les voies et moyens pour donner toute sa portée pratique à ces engagements. En ce sens, le Décalogue précisait qu'en cas d'impasse, « *les parties à un différend continuent de rechercher un moyen, convenu mutuellement, de résoudre pacifiquement le différend* » (V. §.3). Après bien des tergiversations, notamment de Genève à La Valette, la réunion de Stockholm est venue au début des années quatre-vingt-dix donner un cadre concret à ces engagements. La Convention de 1992 offre en effet un « mode d'emploi » très précis, avec deux voies complémentaires.

La mise en place d'une commission de conciliation est une procédure obligatoire pour les Etats parties, sur saisine unilatérale, mais dont le résultat n'est pas contraignant en lui-même. C'est une procédure rapide, économique et confidentielle, permettant aux Parties de rapprocher leurs points de vue sans pour autant que le rapport de la commission s'impose à elle. La base juridique de la conciliation repose non seulement sur le droit international mais également, c'est une originalité, sur « *les engagements souscrits dans le cadre de la CSCE* » (art.24). Le cas échéant, la procédure de conciliation peut s'articuler avec une procédure d'arbitrage.

La procédure d'arbitrage doit être acceptée dans son principe par les Parties au litige, soit par une déclaration unilatérale faite pour une durée limitée, soit par un compromis ad hoc entre les deux Parties. Une fois mis en place, un tribunal arbitral fonctionne de manière classique, sur la base du droit international, avec pour résultat une sentence ayant l'autorité de la chose jugée.

Il faut reconnaître que l'arbitrage interétatique est aujourd'hui éclipsé par le succès de l'arbitrage transnational, mais c'est une fonction qui garde toute son importance pratique pour éviter des procédures longues devant la Cour internationale de justice, la Cour européenne des droits de l'homme, voire la Cour permanente d'arbitrage.

II – Quoi qu'il en soit la Cour est disponible à tout moment, même au stade précontentieux pour jouer le rôle de facilitateur. Sans chercher à élargir ses fonctions, faute d'exercer celles qui lui reviennent, et sans concurrencer d'autres procédures internes à l'OSCE – comme le Mécanisme de Moscou auquel je reste personnellement très attaché – la Cour garde de nombreux atouts et de grandes potentialités.

La Convention de Stockholm est un instrument vivant. Cela se traduit dans sa composition même. Elle combine la continuité et le changement, comme la « nef de Thésée ». Le mandat de ses membres est de six ans renouvelables. Il en va de même pour les membres du Bureau élus par leurs pairs selon des modalités particulières pour six ans. Mme Christa Allot, au nom de la Cour, en liaison étroite avec l'Etat dépositaire a rappelé aux Etats parties les prochaines échéances, comme je l'ai fait moi-même au printemps lors d'une réunion informelle des Etats parties en marge d'une réunion du Bureau de la Cour à Vienne.

La première étape qui revient aux Etats est de nommer (ou de renouveler) les conciliateurs et les arbitres de leur liste nationale, lorsque leurs mandats arrivent à échéance. Cela a été le cas récemment pour nombre des Etats parties et je me réjouis de voir des diplomates, des juristes ou des jurisconsultes de grande expérience rejoindre la Cour en espérant que leurs compétences seront mises à profit. Cela ne peut que renforcer la qualité de la Cour et ce faisant, la représentativité et la qualité du Bureau de la Cour.

Le deuxième stade, propre au fonctionnement interne de la Cour, de manière indépendante et collégiale, en dehors de toute interférence extérieure, consister dans l'élection d'un nouveau Bureau pour les six années à venir. Il s'agira d'un profond renouvellement.

A cette occasion, je veux exprimer toute ma gratitude aux membres du Bureau dont les mandats se sont achevés, notamment le professeur Christian Tomuschat, qui avait succédé au président Robert Badinter en 2013, et le vice-président de la Cour, le juge Erkki Kourula, ainsi que notre collègue Vasilka Sancin devenue juge slovène à Strasbourg. Je me réjouis d'autant plus que plusieurs piliers du Bureau sortant restent membres de la Cour, Verica Trstenjak, Anne Ramberg, Mats Melin, et Silja Vöneky. Leur sagesse, leur appui et leur amitié ont été très précieux.

Je souhaite plein succès à celui ou à celle qui me succédera à la présidence de la Cour, reprenant le flambeau que nous avaient transmis les pères fondateurs de la Cour, notamment Robert Badinter et Lucius Caflisch, dont les encouragements n'ont jamais manqué. Notre fidélité à leur exemple, ne peut que nous renforcer dans notre détermination à faire prévaloir la force du droit contre le droit de la force.



ORIGINAL IN FRENCH
English Translation

OSCE Permanent Council Meeting
Thursday, 2 October 2025

Address by Emmanuel DECAUX
President of the Court of Conciliation and Arbitration within the OSCE

Mr. Chairman, Excellencies, Ladies and Gentlemen,

Thank you for your welcome. It is always an honour to appear before you to present the annual report of the Conciliation and Arbitration Court within the OSCE, pursuant to Article 14 of the Stockholm Convention adopted in 1992. As you know, the Convention, which entered into force on 5 December 1994, now binds 34 States Parties. However, it should be emphasized that the Court's mechanisms remain open on an *ad hoc* basis, on a voluntary basis, to all OSCE participating States. As such, the Court, established "within the OSCE," is part of the structures and institutions of our organization, and I welcome the efforts made by other institutions to give it its place in the "toolbox" available to all OSCE stakeholders.

At the same time, the States Parties also have a role to play in fully assuming their rights and obligations, and I would like to pay special tribute to the support provided by the Depositary State - Sweden - which contributed to a collective reflection on the challenges facing the Court at a seminar organized on the occasion of the 30th anniversary of the entry into force of the Stockholm Convention. The seminar report is available on the Court's website, along with all reference texts, including a "documentary kit" and a specialized bibliography.

Some of the Convention's "friends" may be tempted to be sceptical about the current situation, marked by challenges to the foundations of the OSCE and the basis of the "security architecture in Europe." However, the Court is unique in that it is based on a multilateral treaty that has a life of its own and is designed to last, just like the 1957 European Convention for the Peaceful Settlement of Disputes. But while the 1957 Convention is merely a guide, directing States towards traditional channels such as justice, conciliation and arbitration, the 1992 Convention goes further by creating a Court capable of setting up a conciliation commission or an arbitral tribunal. In other words, the Court is permanent, not only through the lists of conciliators and arbitrators that comprise it, but also through a Bureau that ensures the continuity and effectiveness of the Court. In this regard, I must commend the dedication and availability of our Bureau, as well as the logistical support of Switzerland, our host country. However, what is

effectiveness without efficiency? For the Convention to prove its usefulness, it must be used by the States and institutions of the OSCE. It must not be merely a legal ideal, but a diplomatic reality.

Mr. Chairman,

I – In these uncertain times, I believe it is first necessary to recall some simple principles and specific procedures.

The principle of peaceful dispute settlement has been at the heart of international relations for more than two centuries. The idea of a neutral, independent, and impartial third-party arbitrator prevailed at the Hague Conferences of 1899 and 1907. In the eloquent words of Léon Bourgeois, the aim was to ensure equality of rights between weak and powerful states, thus rejecting the law of the jungle. The idea of "peace through law" is the basis of the 1945 United Nations Charter, which enshrines the renunciation of the use of force against the territorial integrity or political independence of any State (Art. 2 §4), as well as the commitment to settle "*international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered*" (Art. 2 §3). This is the meaning of Article 33 of the Charter, which lists the various means of peaceful settlement, from negotiation to international justice, including arbitration and conciliation.

Principle V of the Decalogue of the Helsinki Final Act, signed fifty years ago, is fully in line with the legal commitments of the Charter. It remained to be seen how these commitments could be put into practice. In this regard, the Decalogue specified that in the event of deadlock, "*the parties to a dispute shall continue to seek a mutually agreed means of peaceful resolution of the dispute*" (V. §.3). After much dithering, particularly in Geneva and Valletta, the Stockholm meeting in the early 1990s provided a concrete framework for these commitments. The 1992 Convention offers a very precise "user's manual" with two complementary approaches.

The establishment of a conciliation commission is a mandatory procedure for the States Parties, upon unilateral referral, but the outcome is not binding. It is a rapid, economical, and confidential procedure, allowing the Parties to reconcile their points of view without the commission's report being binding on them. The legal basis for conciliation is not only international law but also, uniquely, "*the commitments made within the framework of the CSCE*" (Art. 24). Where appropriate, the conciliation procedure may be combined with an arbitration procedure.

The arbitration procedure must be accepted in principle by the parties to the dispute, either by a unilateral declaration made for a limited period or by an *ad hoc* agreement between the two parties. Once established, an arbitral tribunal operates in the traditional manner, on the basis of international law, resulting in an award that has the force of *res judicata*. It must be acknowledged that inter-state arbitration is now overshadowed by the success of transnational arbitration, but it remains an important practical tool for avoiding lengthy proceedings before

the International Court of Justice, the European Court of Human Rights, or even the Permanent Court of Arbitration.

II – In any case, the Court is available at any time, even at the pre-litigation stage, to act as a facilitator. Without seeking to expand its functions, failing to exercise those that are incumbent upon it, and without competing with other internal OSCE procedures – such as the Moscow Mechanism, to which I personally remain very attached – the Court retains many strengths and great potential.

The Stockholm Convention is a living instrument. This is reflected in its very composition. It combines continuity and change, like the "ship of Theseus." The term of office of its members is six years, renewable. The same applies to the members of the Bureau, who are elected by their peers according to specific procedures for a term of six years. Ms. Christa Allot, on behalf of the Court, in close liaison with the Depositary State, reminded the States Parties of the upcoming deadlines, as I did in the spring during an informal meeting of the States Parties on the sidelines of a meeting of the Court's Bureau in Vienna.

The first step for States is to appoint (or renew) the conciliators and arbitrators on their national lists when their terms of office expire. This has recently been the case for a number of States Parties, and I am delighted to see highly experienced diplomats, lawyers, and legal advisers joining the Court, in the hope that their skills will be put to good use. This can only enhance the quality of the Court and, in so doing, the representativeness and quality of the Court's Bureau.

The second stage, specific to the internal functioning of the Court, independently and collegially, without any external interference, consists of electing a new Bureau for the next six years. This will be a profound renewal.

On this occasion, I would like to express my gratitude to the members of the Bureau whose terms of office have come to an end, in particular Professor Christian Tomuschat, who succeeded President Robert Badinter in 2013, and the Vice-President of the Court, Judge Erkki Kourula, as well as our colleague Vasilka Sancin, who has become a Slovenian judge in Strasbourg. I am all the more delighted that several pillars of the outgoing Bureau remain members of the Court: Verica Trstenjak, Anne Ramberg, Mats Melin, and Silja Vöneky. Their wisdom, support, and friendship have been invaluable.

I wish every success to the person who will succeed me as President of the Court, taking up the torch passed on to us by the founding fathers of the Court, notably Robert Badinter and Lucius Caflisch, whose encouragement has never failed us. Our loyalty to their example can only strengthen our determination to ensure that the force of law prevails over the law of force.

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