

UNCITRAL United Nations Commission on International Trade Law



UNCTAD 2018 High-level IIA Conference

UNCITRAL - Investor-State Dispute Settlement Reform  
Geneva, 24 October 2018

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Mandate of UNCITRAL WG III (2017 ...)



- first, **identify and consider concerns regarding ISDS**
- second, **consider whether reform is desirable** in light of any identified concerns
- third, if reform is desirable, **develop any relevant solutions to be recommended to the Commission**

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Mandate of UNCITRAL WG III (2017 ...)



- "In line with the UNCITRAL process, Working Group III would ... ensure that the deliberations, while benefiting from the widest possible breadth of available **expertise from all stakeholders, would be government-led with high-level input** from all governments, consensus-based and be fully transparent ..."

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[https://uncitral.un.org/en/working\\_groups/3/investor-state](https://uncitral.un.org/en/working_groups/3/investor-state)

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Working Group III: Investor-State Dispute Settlement Reform

36<sup>th</sup> session 29 October - 2 November 2018, Vienna

- ACN.9/WSG.WP.148 - Amended provisional agenda
- ACN.9/WSG.WP.149 - Possible reform of investor-State dispute settlement (ISDS) (draft report)
- ACN.9/WSG.WP.149 - Annex - Outline presentation of research, key discussions (draft copy)
- ACN.9/WSG.WP.150 - Possible reform of investor-State dispute settlement (ISDS) - Consistency and related matters
- ACN.9/WSG.WP.151 - Possible reform of investor-State dispute settlement (ISDS) - Ensuring independence and impartiality on the part of arbitrators and decision makers in ISDS
- ACN.9/WSG.WP.152 - Possible reform of investor-State dispute settlement (ISDS) - Arbitration and decision makers, appointment mechanisms and related issues
- ACN.9/WSG.WP.153 - Possible reform of investor-State dispute settlement (ISDS) - Cost and duration

35<sup>th</sup> session, 23-27 April, New York

- ACN.9/WSG.WP.144 - Amended provisional agenda
- ACN.9/WSG.WP.145 - Possible reform of investor-State dispute settlement (ISDS) - Submissions from the European Union
- ACN.9/WSG.WP.146 - Possible reform of investor-State dispute settlement (ISDS) - Submissions from International Intergovernmental Organizations and additional information, appointment of arbitrators
- ACN.9/WSG.WP.147 Possible reform of investor-State dispute settlement (ISDS) - Comments by the Government of Thailand

34<sup>th</sup> session, 27 November - 1 December 2017, Vienna

Next Meeting

- 1-29 October-2 November 2018, Vienna
- 2-15 April 2019, New York
- 3-14-18 October 2019, Vienna (tentative)

Additional Resources

- WG III side events and related events (Vienna, 2018)
- Investor-State Dispute Settlement Reform: Online Resources
- Audio recordings of meetings
- Bibliography of recent writings related to investor-State dispute settlement
- Contacts
- Portal for States
- Academic Forum on ISDS

Previous Topics

- Drafts/Decisions/Decisions (2012-2019)
- Transport law (2002-2009)

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Home » Library and Research Resources » Investor-State Dispute Settlement Reform: On-line Resources

Investor-State Dispute Settlement Reform: On-line Resources

Commission Documents

- View Commission documents

Working Group Documents

- View all reports

Related Texts

- CIDS research paper on whether the Mauritius Convention can serve as a model for further reforms
- CIDS supplemental report
- OECD working paper on ISDS: A scoring paper for the investment policy community
- OECD working paper on International Investment Adjudicator Compensation Systems and Investor-State Dispute Settlement
- OECD: Arbitration Authorities and the Selection of Arbitrators in ISDS with consultation paper and compilation of comments
- UNCTAD special update on ISDS Settlement: Facts and Figures
- Issues Note - Introducing Investment Dispute Settlement: UNCTAD Policy Tools

Statements

- G77 Statement
- Contribution FoI to UNCITRAL WG III 35th session Paragraph D
- Transport & Environment Statement
- CCSI Intervention WP.147 Section III
- Reform Options for ISDS
- EPIA's written comments made at the UNCITRAL Working Group on ISDS reform - 35<sup>th</sup> session

Additional Resources

- Bibliography related to Investor-State dispute settlement reform

UNCITRAL WG III - 27.10.2.11 – side events

[https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/wg\\_iii\\_side\\_events\\_v7\\_181018.pdf](https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/wg_iii_side_events_v7_181018.pdf)

- GIZ/CCSI training
- Secretariat Francophone briefing
- Academic Forum Presentation of draft multilingual glossary of ISDS terms
- ICSID Secretariat Amendments to the ICSID Rules
- Russian Arbitration Association/VIAC Application of NYC in Austria, Belarus, Russian Federation and Ukraine
- CCSI/CIEL and IISD Stakeholder Session on UNCITRAL ISDS Reform Process
- Academic Forum Updates on the current and future activities

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