



ASIA-PACIFIC  
**TRADE & INVESTMENT WEEK**  
1-6 NOV 2015

*Fifth Meeting of the Asia-Pacific Foreign  
Direct Investment (FDI) Network*

Bangkok, Thailand  
2 November 2015

# Transparency in Investor-State Arbitration

**UNCITRAL Rules on Transparency**  
**Mauritius Convention on Transparency**



United Nations Commission on  
International Trade Law  
(UNCITRAL)

Shotaro Hamamoto  
Professor of International Law  
Graduate School of Law, Kyoto University  
<http://www.hamamoto.law.kyoto-u.ac.jp>



## About UNCITRAL

The core legal body of the United Nations system in the field of international trade law. A legal body with universal membership specializing in commercial law reform worldwide for over 40 years, UNCITRAL's business is the modernization and harmonization of rules on international business.

Trade means faster growth, higher living standards, and new opportunities through commerce. In order to increase these opportunities worldwide, UNCITRAL is formulating modern, fair, and harmonized rules on commercial transactions. These include:

- Conventions, model laws and rules which are acceptable worldwide
- Legal and legislative guides and recommendations of great practical value
- Updated information on case law and enactments of uniform commercial law
- Technical assistance in law reform projects
- Regional and national seminars on uniform commercial law



United Nations  
UNCITRAL

Regional Centre for Asia and the Pacific

## The main objectives of the Regional Centre are:

- (a) to enhance international trade and development in the Asia-Pacific region by promoting certainty in international commercial transactions through **the dissemination of international trade norms and standards, in particular those elaborated by UNCITRAL;**
- (b) to provide bilateral and multilateral **technical assistance** to States with respect to the adoption and uniform interpretation of UNCITRAL texts through workshops and seminars
- (c) To engage in coordination activities with international and regional organizations active in trade law reform projects in the region; and
- (d) function as a channel of communication between States in the region and UNCITRAL.

## Events

UNCITRAL-RCAP & University of Macau  
[2015 UNCITRAL Emergence Conference \[CALL FOR PAPERS\]](#)  
Macau, China, 30 November 2015

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UNCITRAL-RCAP, Ministry of Justice of Korea, KCAB & ICC  
[4th Asia Pacific ADR Conference](#)  
Seoul, 3-4 November 2015

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UNCITRAL-RCAP, IIDAC  
[Changing Dynamics of International Arbitration in India - Launch of  
UNCITRAL National Coordination Committee India](#)  
New Delhi, 31 October 2015

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UNCITRAL-RCAP, Government of the Hong Kong SAR, China -  
Department of Justice, HKIAC  
[UNCITRAL Asia Pacific Judicial Summit](#)  
Hong Kong, China, 26-28 October 2015

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Faculty of Law, The University of Hong Kong (UNCITRAL RCAP as  
supporting organization)  
[The Developing World of Arbitration: A Comparative Study of Arbitration  
Reform in the Asia Pacific](#)  
Hong Kong, China, 27 October 2015

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[<http://www.uncitral.org/uncitral/tac/rcap.html>](http://www.uncitral.org/uncitral/tac/rcap.html)

## ENQUIRIES

### Trade and Investment Division

**Office:**

United Nations Building, Rajadamnern  
Nok Avenue, Bangkok 10200, Thailand

**Telephone:** +66 2 288-1902

**Email:** [escap-tid@un.org](mailto:escap-tid@un.org)

# ESCAP-UNCITRAL Capacity Building Workshop on Cross-border Paperless Trade Facilitation: Challenges and Issues for Enabling Environment

**Organizers:**

United Nations Commission on International Trade Law - Regional Centre for Asia and the Pacific (UNCITRAL - RCAP)

United Nations Economic and Social Commission for Asia and the Pacific (ESCAP)

**Date:** 31 Mar 2015

**Location:** Bangkok, Thailand

UNCITRAL  
Rules on Transparency  
in Treaty-based  
Investor-State Arbitration

Adopted in 2013

United Nations Convention on  
Transparency in Treaty-based  
Investor-State Arbitration

Adopted in 2014



# General Assembly

Distr.  
GENERAL

A/HRC/8/5  
7 April 2008

## **PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT**

### **Protect, Respect and Remedy: a Framework for Business and Human Rights**

#### **Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie**

37. When investment cases go to international arbitration they are generally treated as commercial disputes in which public interest considerations, including human rights, play little if any role. Additionally, arbitration processes are often conducted in strict confidentiality so that the public in the country facing a claim may not even know of its existence. Where human rights and other public interests are concerned, transparency should be a governing principle, without prejudice to legitimate commercial confidentiality.

# UNCITRAL **Rules** on Transparency in Treaty-based Investor-State Arbitration

Art 1: Scope of Application

Art 2: Publication of information at the commencement of arbitral proceedings

Art 3: Publication of documents

Art 4: Submission by a third person

Art 5: Submission by a non-disputing Party to the treaty

预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_3924](https://www.yunbaogao.cn/report/index/report?reportId=5_3924)

