

COMMENTS ON WORKING PAPER # 3

STATE:	Republic of Korea
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GENERAL	COMMENT
Process, Timing & Effective Date for Adoption of Proposals	<p>Korea understands that the ICSID rules are institutional rules, and that a certain level of compromise is required for all interested parties for the amendment project to bear meaningful fruit. Korea is also of the opinion that where further discussions are required, it is necessary to produce a result which reflects sufficient efforts to harmonize the concerns of different member States.</p> <p>In this context, Korea is open to the idea of an additional round of written comments as well as an in-person meeting following the publication of Working Paper no.4. Korea believes that it requires some reflection on the upcoming fourth Working Paper to confirm its position. In this regard, Korea welcomes the proposal made by the Secretariat to go through a survey on the necessity of a fourth member State meeting after the the publication of Working Paper no.4.</p>
Approach to gender neutral language in	

Spanish/French	
Other:	<p>GENERAL COMMENT</p> <p>The Republic of Korea is grateful for the continued and tireless efforts made by the Secretariat for the amendment of the ICSID rules. The following submissions are Korea's further comments to Working Paper no.3 in light of the 3rd meeting of Member States which took place 11th ~ 15th November 2019 at Washington DC.</p> <p>At the same time, Korea is currently taking part in an effort with other member States, to produce an additional joint submission. Korea believes that such a joint submission will better reflect the combined ideas and opinions of the interested member States, and help promote the efficiency of the rule amendment process. An additional joint submission if made, and to the extent that it does not coincide with the present comments, will reflect Korea's secondary position and preference in the event its primary position is not adopted and shall not be understood as a compromised or revised position of Korea in that regard.</p> <p>Additionally, Korea would like to clarify that Korea's oral and written comments during the amendment process, as well as its approval or disapproval of a final draft in the future, do not represent the final opinion of Korea regarding the individual issues dealt within the ICSID rules. It is without prejudice to any position Korea may take outside the context of the current ICSID rule amendment process.</p>

I. ADMINISTRATIVE AND FINANCIAL REGULATIONS FOR ICSID CONVENTION PROCEEDINGS	COMMENT ON PROVISION
Introductory Note	
Chapter I - Procedures of the Administrative Council	
Regulation 1 - Date and Place of the Annual Meeting	
Regulation 2 - Notice of Meetings	
Regulation 3 - Agenda for Meetings	
Regulation 4 - Presiding Officer	
Regulation 5 - Secretary of the Council	
Regulation 6 - Attendance at Meetings	
Regulation 7 - Voting	
Chapter II - The Secretariat	
Regulation 8 - Election of the Secretary-General and Deputy Secretaries-General	

Regulation 9 - Acting Secretary-General	
Regulation 10 - Appointment of Staff Members	
Regulation 11 - Conditions of Employment	
Regulation 12 - Authority of the Secretary-General	
Regulation 13 - Incompatibility of Functions	
Chapter III - Financial Provisions	
Regulation 14 - Fees, Allowances and Charges	
Regulation 15 - Payments to the Centre	
Regulation 16 - Consequences of Default in Payment	
Regulation 17 - Special Services	
Regulation 18 - Fee for Lodging Requests	
Regulation 19 - The Budget	
Regulation 20 - Assessment of Contributions	
Regulation 21 - Audits	
Regulation 22 - Administration of Proceedings	
Chapter IV - General Functions of the Secretariat	
Regulation 23 - List of Contracting States	
Regulation 24 - Panels of Conciliators and of Arbitrators	
Regulation 25 - Publication	
Regulation 26 - The Registers	
Regulation 27 - Communications with Contracting States	
Regulation 28 - Secretary	
Regulation 29 - Depositary Functions	
Chapter V - Immunities and Privileges	
Regulation 30 - Certificates of Official Travel	
Regulation 31 - Waiver of Immunities	
Chapter VI - Official Languages	
Regulation 32 - Languages of Regulations	

II. INSTITUTION RULES FOR ICSID CONVENTION PROCEEDINGS	COMMENT ON PROVISION
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Introductory Note	
Rule 1 - The Request	
Rule 2 - Contents of the Request	
Rule 3 - Recommended Additional Information	
Rule 4 - Filing of the Request and Supporting Documents	
Rule 5 - Receipt of the Request and Routing of Written Communications	
Rule 6 - Review and Registration of the Request	
Rule 7 - Notice of Registration	
Rule 8 - Withdrawal of the Request	
Rule 9 - Final Provisions	

III. ARBITRATION RULES FOR ICSID CONVENTION PROCEEDINGS	COMMENT ON PROVISION
Introductory Note	
Chapter I - General Provisions	
Rule 1 - Application of Rules	
Rule 2 - General Duties	
Rule 3 - Party and Party Representative	
Rule 4 - Method of Filing	
Rule 5 - Supporting Documents	
Rule 6 - Routing of Documents	
Rule 7 - Procedural Languages, Translation and Interpretation	
Rule 8 - Correction of Errors	
Rule 9 - Calculation of Time Limits	
Rule 10 - Fixing Time Limits	
Rule 11 - Extension of Time Limits Applicable to Parties	
Rule 12 - Time Limits Applicable to the Tribunal	
Chapter II - Constitution of the Tribunal	
Rule 13 - General Provisions Regarding the	

Constitution of the Tribunal	
Rule 14 - Notice of Third-Party Funding	<p>Korea reiterates its previous position that paragraph (2) which carves-out party representatives from the scope of Third-Party Funders needs to be deleted.</p> <p>In Korea's opinion, the inclusion of Rule 52(4) which introduces the existence of Third-Party Funding (hereinafter "TPF") as an element to be taken into consideration in relation to Security for Costs, reflects a shared understanding that TPF is also relevant to the matter of a party's financial status. In this light, and given the possibility that certain alternate fee arrangements between a party and its representative may be used to cloak that party's impecuniosity or lack of will to comply with an adverse decision on costs, it would be more prudent not to carve-out party representatives from the scope of application.</p> <p>Furthermore, Korea echoes its previous comments that the general terms of the TPF agreement should also be subject to disclosure, and that express language regarding the tribunal's power to request further information be added.</p>
Rule 15 - Method of Constituting the Tribunal	
Rule 16 - Appointment of Arbitrators to a Tribunal Constituted in Accordance with Article 37(2)(b) of the Convention	
Rule 17 - Assistance of the Secretary-General with Appointment	
Rule 18 - Appointment of Arbitrators by the Chair in accordance with Article 38 of the Convention	
Rule 19 - Acceptance of Appointment	
Rule 20 - Replacement of Arbitrators Prior to Constitution of the Tribunal	
Rule 21 - Constitution of the Tribunal	
Chapter III - Disqualification of Arbitrators and Vacancies	
Rule 22 - Proposal for Disqualification of Arbitrators	
Rule 23 - Decision on the Proposal for Disqualification	
Rule 24 - Incapacity or Failure to Perform Duties	
Rule 25 - Resignation	
Rule 26 - Vacancy on the Tribunal	
Chapter IV - Conduct of the Proceeding	
Rule 27 - Orders and Decisions	
Rule 28 - Waiver	

Rule 29 - First Session	
Rule 30 - Written Submissions	
Rule 31 - Case Management Conference	
Rule 32 - Hearings	
Rule 33 - Quorum	
Rule 34 - Deliberations	
Rule 35 - Decisions Made by Majority Vote	
Chapter V - Evidence	
Rule 36 - Evidence: General Principles	
Rule 37 - Disputes Arising from Requests for Documents	
Rule 38 - Witnesses and Experts	
Rule 39 - Tribunal-Appointed Experts	<p>Korea reiterates its previous suggestion that reference be added to the tribunal's duty to take into due consideration: (a) the general principles of the burden of proof and (b) the increase in time and costs incurred as a consequence of the appointment when appointing experts on its own initiative. As previously mentioned, it is Korea's concern that tribunal-appointed experts are often retained at the expense of the parties in circumstances where a party has simply failed to sufficiently discharge its burden of proof.</p>
Rule 40 - Visits and Inquiries	
Chapter VI - Special Procedures	
Rule 41 - Manifest Lack of Legal Merit	<p>Korea echoes its own previous comments and the comments made by multiple delegations in that an explicit reference must be made to the power of the tribunal to take into consideration the fact that a claim was dismissed as manifestly lacking legal merit when deciding costs.</p> <p>It is Korea's view that the issue of compatibility with the ICSID Convention Article 61(2) can be well resolved by using non-binding language as previously suggested in its second written comments. Such suggested formulations will not create an unbalanced position between the Claimant and Respondent in that a Respondent's request for post-Award remedies would also be subject to an objection of manifest lack of legal merit.</p>
Rule 42 - Bifurcation	
Rule 43 - Preliminary Objections	
Rule 44 - Bifurcation of Preliminary Objections	
Rule 45 - Consolidation or Coordination of Arbitrations	
Rule 46 - Provisional Measures	
Rule 47 - Ancillary Claims	

Rule 48 - Default	
Chapter VII - Costs	
Rule 49 - Costs of the Proceeding	
Rule 50 - Statement of and Submission on Costs	
Rule 51 - Decisions on Costs	
Rule 52 - Security for Costs	<p>Korea would like to suggest again the deletion of paragraph (3) subparagraph (c). In Korea's opinion, the effect that providing security for costs may have on a party's ability to maintain its claim is an element that is not readily reconcilable with the other elements that are to be taken into consideration under paragraph (3).</p> <p>Furthermore, while Korea greatly welcomes the inclusion of paragraph (4), Korea believes that its terms should be made more clear. Korea notes the Secretariat's concerns that the existence of TPF in and of itself should not be construed as grounds for ordering security for costs. However, Korea has some concerns that the current text may be misconstrued as to preclude the possibility of ordering security for costs in situations where the existence of TPF successfully functions as the sole and proof of the existence of one or more circumstances prescribed in paragraph (3). In this context, Korea suggests to modify the text 'but the existence of third-party funding by itself is not sufficient to justify an order for security for costs' to remove this ambiguity.</p>
Chapter VIII - Suspension, Settlement and Discontinuance	
Rule 53 - Suspension of the Proceeding	
Rule 54 - Settlement and Discontinuance	
Rule 55 - Discontinuance at Request of a Party	
Rule 56 - Discontinuance for Failure of Parties to Act	
Chapter IX - The Award	
Rule 57 - Timing of the Award	
Rule 58 - Contents of the Award	
Rule 59 - Rendering of the Award	
Rule 60 - Supplementary Decision and Rectification	
Chapter X - Publication, Access to Proceedings and Non-Disputing Party Submissions	
Rule 61 - Publication of Awards and Decisions on Annulment	
Rule 62 - Publication of Orders and Decisions	<p>Korea would like to stress again that Rule 62 should be made to mirror Rule 61, and that the inclusion of a deemed-consent-clause strikes the proper balance between the interests of promoting transparency and issues of compatibility with the ICSID Convention.</p>
Rule 63 - Publication of Documents Filed in the	<p>In page 350, paragraph 162 of Working Paper no.3, the Secretariat had stated that "AR 63 is similar to</p>

Proceeding	<p>proposed AR 63 in WP#2". Accordingly, it is Korea's understanding that the current text of Rule 63 is no different from its previous formulation in Working Paper no.2 in that a party may only unilaterally request for the publication of the documents that <i>it</i> has submitted in the proceedings, and <i>not</i> the documents submitted by the other party. This is because it is only natural that parties enjoy the highest degree of control over its own documents as compared to Awards, Decisions and Orders which can be said to reflect a joint interest of the parties in terms of transparency.</p> <p>However, Korea has concerns that the changes introduced to the text in Working Paper no.3 carries a deal of risk in that it may be misunderstood to allow parties to request publication of documents filed by the other party as well. Therefore, Korea proposes to return to the unequivocal text in Working Paper no.2 , or modify the current text to that effect.</p> <p>Additionally, Korea proposes to add in paragraph (1) the requirement for the parties to comply with any confidentiality concerns and timelines agreed by the parties or ordered by the tribunal when making a request for the publication of filed documents. This is to ensure that parties would not be subject to overly burdensome redaction exercises during an inconvenient phase of the proceedings such as during its preparations for the submission of written pleadings.</p>
Rule 64 - Observation of Hearings	Korea suggests that paragraph (1) return to its formulation in Working Paper no.2. It is Korea's view that it is the parties and not the tribunal that should have primary control over the conduct of the hearings .
Rule 65 - Confidential or Protected Information	Korea proposes to specify the term "applicable law" in paragraph (b), and make clear that this term is a reference to the relevant domestic laws of the parties.
Rule 66 - Submission of Non-Disputing Parties	Korea would like to reiterate its previous position that in the interests of the reduction of time and costs of the proceedings, explicit reference should be made to the tribunal's power to order a Non-Disputing Party to submit its application and submission in <i>all</i> procedural languages.
Rule 67 - Participation of Non-Disputing Treaty Party	Korea requests the Secretariat to take into consideration the proposal previously made by Korea in granting the Non-Disputing Treaty Party right to request documents to the tribunal. In Korea's view, the parties and the tribunal would mutually benefit from explicitly granting this right already accorded to Non-Disputing Parties, and in even higher degrees.
Chapter XI - Interpretation, Revision and Annulment of the Award	
Rule 68 - The Application	
Rule 69 - Interpretation or Revision: Reconstitution of the Tribunal	
Rule 70 - Annulment: Appointment of the ad hoc Committee	
Rule 71 - Procedure Applicable to Interpretation, Revision and Annulment	

Rule 72 - Stay of Enforcement of the Award	
Rule 73 - Resubmission of Dispute after an Annulment	
Chapter XII - Expedited Arbitration	
Rule 74 - Consent of Parties to Expedited Arbitration	
Rule 75 - Number of Arbitrators and Method of Constituting the Tribunal for Expedited Arbitration	
Rule 76 - Appointment of Sole Arbitrator for Expedited Arbitration	
Rule 77 - Appointment of Three-Member Tribunal for Expedited Arbitration	
Rule 78 - Acceptance of Appointment in Expedited Arbitration	
Rule 79 - First Session in Expedited Arbitration	
Rule 80 - Procedural Schedule in Expedited Arbitration	
Rule 81 - Default in Expedited Arbitration	
Rule 82 - Procedural Schedule for Supplementary Decision and Rectification in Expedited Arbitration	
Rule 83 - Procedural Schedule for Interpretation, Revision or Annulment in Expedited Arbitration	
Rule 84 - Resubmission of a Dispute after Annulment in Expedited Arbitration	
Rule 85 - Opting Out of Expedited Arbitration	

IV. CONCILIATION RULES FOR ICSID CONVENTION PROCEEDINGS	COMMENT ON PROVISION
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Rule 2 - Party and Party Representative	
Rule 3 - Method of Filing	
Rule 4 - Supporting Documents	
Rule 5 - Routing of Documents	

Rule 6 - Procedural Languages, Translation and Interpretation	
Rule 7 - Calculation of Time Limits	
Rule 8 - Costs of the Proceeding	
Rule 9 - Confidentiality of the Conciliation	
Rule 10 - Use of Information in Other Proceedings	
Chapter II - Constitution of the Commission	
Rule 11 - General Provisions, Number of Conciliators and Method of Constitution	
Rule 12 - Notice of Third-Party Funding	
Rule 13 - Appointment of Conciliators to a Commission Constituted in Accordance with Article 29(2)(b) of the Convention	
Rule 14 - Assistance of the Secretary-General with Appointment	
Rule 15 - Appointment of Conciliators by the Chair in Accordance with Article 30 of the Convention	
Rule 16 - Acceptance of Appointment	
Rule 17 - Replacement of Conciliators Prior to Constitution of the Commission	
Rule 18 - Constitution of the Commission	
Chapter III - Disqualification of Conciliators and Vacancies	
Rule 19 - Proposal for Disqualification of Conciliators	
Rule 20 - Decision on the Proposal for Disqualification	
Rule 21 - Incapacity or Failure to Perform Duties	
Rule 22 - Resignation	
Rule 23 - Vacancy on the Commission	
Chapter IV - Conduct of the Conciliation	
Rule 24 - Functions of the Commission	
Rule 25 - General Duties of the Commission	
Rule 26 - Orders, Decisions and Agreements	
Rule 27 - Quorum	
Rule 28 - Deliberations	

Rule 29 - Cooperation of the Parties	
Rule 30 - Written Statements	
Rule 31 - First Session	
Rule 32 - Meetings	
Rule 33 - Preliminary Objections	
Chapter V - Termination of the Conciliation	
Rule 34 - Discontinuance Prior to the Constitution of the Commission	
Rule 35 - Report Noting the Parties' Agreement	
Rule 36 - Report Noting the Failure of the Parties to Reach Agreement	
Rule 37 - Report Recording the Failure of a Party to Appear or Participate	
Rule 38 - The Report	
Rule 39 - Issuance of the Report	

V. THE ADDITIONAL FACILITY RULES	COMMENT ON PROVISION
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Article 1 - Definitions	
Article 2 - Additional Facility Proceedings	
Article 3 - Convention Not Applicable	
Article 4 - Final Provisions	

VI. (ADDITIONAL FACILITY) ADMINISTRATIVE AND FINANCIAL REGULATIONS	COMMENT ON PROVISION
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Regulation 1 - Application of these Regulations	
Chapter II - General Functions of the Secretariat	
Regulation 2 - Secretary	
Regulation 3 - The Registers	

Regulation 4 - Depository Functions	
Regulation 5 - Certificates of Official Travel	
Chapter III - Financial Provisions	
Regulation 6 - Fees, Allowances and Charges	
Regulation 7 - Payments to the Centre	
Regulation 8 - Consequences of Default in Payment	
Regulation 9 - Special Services	
Regulation 10 - Fee for Lodging Requests	
Regulation 11 - Administration of Proceedings	
Chapter IV - Official Languages and Limitation of Liability	
Regulation 12 - Languages of Regulations	
Regulation 13 - Prohibition Against Testimony and Limitation of Liability	

VII. (ADDITIONAL FACILITY) ARBITRATION RULES (ANNEX B)	COMMENT ON PROVISION
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Rule 1 - Application of Rules	
Chapter II - Institution of Proceedings	
Rule 2 - The Request	
Rule 3 - Contents of the Request	
Rule 4 - Recommended Additional Information	
Rule 5 - Filing of the Request and Supporting Documents	
Rule 6 - Receipt of the Request and Routing of Written Communications	
Rule 7 - Review and Registration of the Request	
Rule 8 - Notice of Registration	
Rule 9 - Withdrawal of the Request	
Chapter III - General Provisions	
Rule 10 - General Duties	
Rule 11 - Party and Party Representative	

Rule 12 - Method of Filing	
Rule 13 - Supporting Documents	
Rule 14 - Routing of Documents	
Rule 15 - Procedural Languages, Translation and Interpretation	
Rule 16 - Correction of Errors	
Rule 17 - Calculation of Time Limits	
Rule 18 - Fixing Time Limits	
Rule 19 - Extension of Time Limits Applicable to Parties	
Rule 20 - Time Limits Applicable to Tribunal	
Chapter IV - Constitution of the Tribunal	
Rule 21 - General Provisions Regarding the Constitution of the Tribunal	
Rule 22 - Qualifications of Arbitrators	
Rule 23 - Notice of Third-Party Funding	
Rule 24 - Method of Constituting the Tribunal	
Rule 25 - Assistance of the Secretary-General with Appointment	
Rule 26 - Appointment of Arbitrators by the Secretary-General	
Rule 27 - Acceptance of Appointment	
Rule 28 - Replacement of Arbitrators Prior to Constitution of the Tribunal	
Rule 29 - Constitution of the Tribunal	
Chapter V - Disqualification of Arbitrators and Vacancies	
Rule 30 - Proposal for Disqualification of Arbitrators	
Rule 31 - Decision on the Proposal for Disqualification	
Rule 32 - Incapacity or Failure to Perform Duties	
Rule 33 - Resignation	
Rule 34 - Vacancy on the Tribunal	
Chapter VI - Conduct of the Proceeding	
Rule 35 - Orders, Decisions and Agreements	
Rule 36 - Waiver	

Rule 37 - Filling of Gaps	
Rule 38 - First Session	
Rule 39 - Written Submissions	
Rule 40 - Case Management Conferences	
Rule 41 - Seat of Arbitration	
Rule 42 - Hearings	
Rule 43 - Quorum	
Rule 44 - Deliberations	
Rule 45 - Decisions Made by Majority Vote	
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Rule 47 - Disputes Arising from Requests for Documents	
Rule 48 - Witnesses and Experts	
Rule 49 - Tribunal-Appointed Experts	
Rule 50 - Visits and Inquiries	
Chapter VIII - Special Procedures	
Rule 51 - Manifest Lack of Legal Merit	
Rule 52 - Bifurcation	
Rule 53 - Preliminary Objections	
Rule 54 - Bifurcation of Preliminary Objections	
Rule 55 - Consolidation or Coordination of Arbitrations	
Rule 56 - Provisional Measures	
Rule 57 - Ancillary Claims	
Rule 58 - Default	
Chapter IX - Costs	
Rule 59 - Costs of the Proceeding	
Rule 60 - Statement of and Submission on Costs	
Rule 61 - Decisions on Costs	
Rule 62 - Security for Costs	
Chapter X - Suspension, Settlement and Discontinuance	
Rule 63 - Suspension of the Proceeding	
Rule 64 - Settlement and Discontinuance	
Rule 65 - Discontinuance at Request of a Party	

Rule 66 - Discontinuance for Failure of Parties to Act	
Chapter XI - The Award	
Rule 67 - Applicable Law	
Rule 68 - Timing of the Award	
Rule 69 - Contents of the Award	
Rule 70 - Rendering of the Award	
Rule 71 - Supplementary Decision, Rectification and Interpretation of an Award	
Chapter XII - Publication, Access to Proceedings and Non-Disputing Party Submissions	
Rule 72 - Publication of Orders, Decisions and Awards	
Rule 73 - Publication of Documents Filed in the Proceeding	
Rule 74 - Observation of Hearings	
Rule 75 - Confidential or Protected Information	
Rule 76 - Submission of Non-Disputing Parties	
Rule 77 - Participation of Non-Disputing Treaty Party	
Chapter XIII - Expedited Arbitration	
Rule 78 - Consent of Parties to Expedited Arbitration	
Rule 79 - Number of Arbitrators and Method of Constituting the Tribunal for Expedited Arbitration	
Rule 80 - Appointment of Sole Arbitrator for Expedited Arbitration	
Rule 81 - Appointment of Three-Member Tribunal for Expedited Arbitration	
Rule 82 - Acceptance of Appointment in Expedited Arbitration	
Rule 83 - First Session in Expedited Arbitration	
Rule 84 - Procedural Schedule in Expedited Arbitration	
Rule 85 - Default in Expedited Arbitration	
Rule 86 - Procedural Schedule for Supplementary Decision, Rectification and Interpretation in Expedited Arbitration	
Rule 87 - Opting Out of Expedited Arbitration	

VIII. (ADDITIONAL FACILITY) CONCILIATION RULES	COMMENT ON PROVISION
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Rule 1 - Application of Rules	
Chapter II - Institution of the Proceedings	
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Rule 3 - Contents of the Request	
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Rule 5 - Filing of the Request and Supporting Documents	
Rule 6 - Receipt of the Request and Routing of Written Communications	
Rule 7 - Review and Registration of the Request	
Rule 8 - Notice of Registration	
Rule 9 - Withdrawal of the Request	
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Rule 10 - Party and Party Representative	
Rule 11 - Method of Filing	
Rule 12 - Supporting Documents	
Rule 13 - Routing of Document	
Rule 14 - Procedural Languages, Translation and Interpretation	
Rule 15 - Calculation of Time Limits	
Rule 16 - Costs of the Proceeding	
Rule 17 - Confidentiality of the Conciliation	
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Rule 19 - General Provisions, Number of Conciliators and Method of Constitution	
Rule 20 - Qualifications of Conciliators	
Rule 21 - Notice of Third-Party Funding	

Rule 22 - Assistance of the Secretary-General with Appointment	
Rule 23 - Appointment of Conciliators by the Secretary-General	
Rule 24 - Acceptance of Appointment	
Rule 25 - Replacement of Conciliators Prior to Constitution of the Commission	
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Rule 27 - Proposal for Disqualification of Conciliators	
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Rule 30 - Resignation	
Rule 31 - Vacancy on the Commission	
Chapter VI - Conduct of the Conciliation	
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Rule 39 - First Session	
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Chapter VII - Termination of the Conciliation	
Rule 42 - Discontinuance Prior to the Constitution of the Commission	
Rule 43 - Report Noting the Parties' Agreement	
Rule 44 - Report Noting the Failure of the Parties to Reach Agreement	
Rule 45 - Report Recording the Failure of a Party to Appear or Participate	

Rule 46 - The Report	
Rule 47 - Issuance of the Report	

IX. ICSID FACT-FINDING RULES	COMMENT ON PROVISION
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Rule 2 - Fact-Finding Proceedings	
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Chapter II - Institution of the Fact-Finding Proceeding	
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Rule 7 - Qualifications of Members of the Committee	
Rule 8 - Number of Members and Method of Constituting the Committee	
Rule 9 - Acceptance of Appointment	
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Rule 11 - Sessions and Work of the Committee	
Rule 12 - General Duties	
Rule 13 - Calculation of Time Limits	
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Rule 15 - Confidentiality of the Proceeding	
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Rule 18 - Failure of a Party to Participate or Cooperate	
Rule 19 - Report of the Committee	

Rule 20 - Issuance of the Report	
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X. (FACT-FINDING) ADMINISTRATIVE AND FINANCIAL REGULATIONS	COMMENT ON PROVISION
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XI. RULES FOR MEDIATION PROCEEDINGS	COMMENT ON PROVISION
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Chapter II - Institution of the Mediation	
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Rule 6 - Registration of the Request	
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Rule 12 - Number of Mediators and Method of Appointment	
Rule 13 - Acceptance of Appointment	
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Rule 17 - Duties of the Parties	
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Rule 21 - Termination of the Mediation	

XII. (MEDIATION) ADMINISTRATIVE AND FINANCIAL REGULATIONS)	COMMENT ON PROVISION
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