Investment mediation and conciliation under the ECT

Energy Charter Treaty Forum
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Negotiating strategy

The battle for credibility: what is different in investor-State disputes?
Some ICSID arbitration statistics

• ICSID cases in 2013
  - 5% were disputes invoked under the ECT
  - 64% of all arbitration cases were decided by a Tribunal
  - 36% of all arbitration cases were settled or otherwise discontinued

• Breakdown of arbitrations settled or discontinued

  - Discontinued at both parties’ request (47%)
  - Discontinued at request of one party (27%)
  - Settlement agreement embodied in award (16%)
  - Discontinued for lack of payment (8%)
  - Discontinued at the Tribunal’s initiative (1%)
  - Discontinued due to failure of parties to act (1%)

Source
International Centre for Settlement of Investment Disputes, The ICSID Caseload – Statistics (Issue 2014-1)