



**United Nations Commission on
International Trade Law
Working Group III (Investor-State Dispute
Settlement Reform)**

Fortieth session (*resumed*)
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Workplan to implement investor-State dispute settlement (ISDS) reform and resource requirements

Note by the Secretariat

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I. Introduction

1. The Working Group may wish to recall that at its thirty-seventh session in April 2019, it had considered a number of proposals for a workplan and had agreed to discuss, elaborate and develop multiple potential reform solutions simultaneously. The Working Group had further agreed that a project schedule should be prepared to move the proposed solutions forward in parallel, to the maximum extent of the Working Group's capacity and in light of the tools available (A/CN.9/970, para. 81). Accordingly, a project schedule was agreed by the Working Group at its thirty-eighth session in October 2019 (A/CN.9/1004*, paras. 25 and 27). During the deliberations, the Working Group considered different means outlined in document A/CN.9/WG.III/WP.158 to implement the project schedule. It was agreed that the Working Group would consider the use of means and tools to enhance the efficient use of its conference time, when appropriate and in accordance with the practice of UNCITRAL, particularly in light of the complexity of the project and the need to develop multiple reform options.

2. The Working Group further agreed that such tools could include informal meetings on the margins of Commission and Working Group sessions, drafting groups, colloquiums, joint meetings with other international organizations, intersessional meetings, and further interactions with the Academic Forum and the Practitioners' Group (A/CN.9/970, para. 58).

3. At its thirty-ninth session scheduled for the first half of 2020, the Working Group was scheduled to consider, among others, how to plan its future work and whether to request additional session time from the Commission given its workload. However, that session could not take place as scheduled due to the coronavirus 2019 (COVID-19) pandemic. Instead, a number of informal consultations were conducted prior to the fifty-third session of the Commission.

4. At its fifty-third session, the Commission considered the resource requirements for the implementation of the work programme with respect to investor-State dispute settlement (ISDS) reform (referred to below as the "ISDS Project") based on a note prepared by the Secretariat (A/CN.9/1011).¹ Due to the limited time available at that session and divergence in views, the Commission was not able to come to a consensus on a proposed way forward and agreed that the topic would be considered at its next session in 2021. In the meantime, the Commission encouraged the Working Group to continue to make progress on its mandate.²

5. The Working Group, at its thirty-ninth session in October 2020, agreed on the process to develop a work and resourcing plan to support its work (together referred to below as the "Plan"): (A/CN.9/1044, para. 113). Delegations interested in participating in the development of an initial draft of the Plan identified themselves in November 2020. With the support of the Secretariat, the chair and the rapporteur worked with those delegations from November 2020 to January 2021 to prepare an initial draft, which was then open for comments. Based on the inputs provided on the initial draft, including those made during the informal consultations held on 22 and 23 February 2021, the current draft of the Plan was prepared. In the meantime, the Secretariat has coordinated closely with the Department for General Assembly and Conference Management (DGACM) to update any relevant information.

¹ *Official Records of the General Assembly, Seventy-fifth Session, Supplement No. 17 (A/75/17)*, Part two, paras. 102–118.

² *Ibid.*, para. 119.

II. Workplan

1. Schedule of work

	ADR Mechanisms and Dispute Prevention	Selection and Appointment of Arbitrators	Code of Conduct	ISDS Procedural Rules Reforms	Multilateral Advisory Centre	Appellate Mechanism	Multilateral Permanent Investment Court	Multilateral Instrument to Implement Reforms	
2021	Working Group #40					Instructions (2 days)	Instructions (2 days)		
	Intersessional #40	Intersessional Meeting – HK China (2 days)		Other Meetings w ICSID (2 day)/Drafting Group (2 days)	Other Meetings (2 days)/ Intersessional Meeting – Republic of Korea (2 days)	Other Meetings (3 days)		Other Meetings (2 days)	
		Commission #54 – Decision on Resource Request							
	Working Group #41			First Reading (4 days)					
	Intersessional #41	Other Meetings (2 days)/				Other Meetings (1 day)	Other Meetings (2 days)	Drafting Group (2 days)	Other Meetings (2 days)
2022	Working Group #42				Instructions (1 day)		First Reading (3 days)		
	Intersessional #42		Other Meetings (1 day)		Other Meetings (1 day)/Drafting Group (2 days)	Intersessional Meeting (2 days)	Intersessional Meeting (2 days)	Other Meetings (1 day)	
	Working Group #43	Instructions (1 day)			First Reading (3 days)				
	Intersessional #43				Drafting Group (2 days)	Drafting Group (1 day)	Drafting Group (2 days)		
		Commission #55 – Approval in Principle of the Code of Conduct							
	Working Group #44						First Reading (3 days)		Instructions (1 day)
	Intersessional #44	Drafting Group (2 days)			Drafting Group (2 days)			Drafting Group (2 days)	Intersessional Meeting (2 days)

	ADR Mechanisms and Dispute Prevention	Selection and Appointment of Arbitrators	Code of Conduct	ISDS Procedural Rules Reforms	Multilateral Advisory Centre	Appellate Mechanism	Multilateral Permanent Investment Court	Multilateral Instrument to Implement Reforms	
	Working Group #45	First Reading (2 days)		First Reading (resumed) (2 days)					
	Intersessional #45	Drafting Group (2 day)	Other Meetings (1 day)	Drafting Group (2 days)		Drafting Group (2 days)			
2023	Working Group #46	Second Reading (2 days)			First Reading (2 days)				
	Intersessional #46				Drafting Group (2 days)				
	Working Group #47		Instructions (1 day)	Second Reading (3 days)					
	Intersessional #47					Drafting Group (2 days)	Drafting Group (2 days)		
	Commission #56 – Approval in Principle of ISDS Procedural Rules Reforms and ADR Mechanisms and Dispute Prevention								
	Working Group #48						Procedural Rules (2 days)	Procedural Rules (2 days)	
	Intersessional #48		Intersessional Meeting (2 days)				Drafting Group (2 days)	Drafting Group (2 days)	
	Working Group #49					Second Reading (3 days)			Instructions (1 days)
Intersessional #49		Drafting Group (1 day)						Drafting Group (3 days)	
2024	Working Group #50		First Reading (1 day)				Second Reading (3 days)		
	Intersessional #50		Drafting Group (2 days)					Drafting Group (3 days)	
	Working Group #51					Second Reading (3 days)		First Reading (1 day)	
	Intersessional #51							Drafting Group (1 day)	

	ADR Mechanisms and Dispute Prevention	Selection and Appointment of Arbitrators	Code of Conduct	ISDS Procedural Rules Reforms	Multilateral Advisory Centre	Appellate Mechanism	Multilateral Permanent Investment Court	Multilateral Instrument to Implement Reforms		
	Commission #57 – Approval in Principle of Reforms Relating to a Multilateral Advisory Centre, an Appellate Mechanism and a Multilateral Permanent Investment Court									
	Working Group #52	Second Reading (2 days)						First Reading (resumed) (2 days)		
	Intersessional #52							Drafting Group (3 days)		
	Working Group #53							Second Reading (4 Days)		
	Intersessional #53									
2025	Working Group #54	Held in Reserve								
	Intersessional #54									
		Commission #58 – Finalization of all reforms								
									Total	
	Working Group days	5	4	4	8	6	10	10	9	56
	Other Meetings days	8	7	4	13	7	12	12	15	78
	Subtotal	13	11	8	21	13	22	22	24	134

2. Commentary to the Workplan

6. The Workplan has been prepared in light of the fact that a detailed schedule of work is necessary to determine whether there is a need to request additional resources to support the ISDS Project. In short, the Workplan provides the basis for identifying necessary resources, allocating existing resources and requesting any additional resources.

7. The Workplan takes into consideration the need to develop multiple reform options simultaneously, while maintaining a balance between structural reforms and non-structural reforms.

8. The Workplan is only notional and adjustments will need to be made as the work progresses. It can serve as a basis for monitoring the progress made by the Working Group and thus ensure both predictability and flexibility, the latter allowing for it to respond to developments as well as the evolving circumstances. Delegations may raise other concerns or suggest other reform options not identified in the Workplan (for example, reforms with respect to damages). Should the Working Group decide to develop such reform options, the Workplan will be adjusted to identify the time required.

9. The categories of reform options in the Workplan should also be understood broadly, as they have been construed to allow for the consideration of a number of cross-cutting issues that have been raised in the discussions of the Working Group. For example, the category with the heading “ISDS Procedural Rules Reforms” intends to capture a number of possible reforms that involve the introduction of new procedural rules in the ISDS context. This work will include the consideration of new rules with respect to, among others, frivolous claims, multiple proceedings, shareholder reflective loss claims, counterclaims, security for costs, third party funding and treaty interpretation. Deliberations on this reform option could also include other procedural rules, for example, with respect to regulatory chill, exhaustion of local remedies, denial of benefits, consolidation, allocation of costs and so forth. Similarly, other categories found in the Workplan should be understood broadly to encompass relevant tools to implement the reforms (for example, pre-award scrutiny could be discussed in the context of appellate mechanism).

10. Establishing an end date or a goal is important in any project planning. The Workplan proposes an end date of 2025 based on existing and additional resources, which would be approximately 8 years after the ISDS Project begun in 2017. This is also in line with a detailed assessment of previous legislative projects carried out by the Commission. The Workplan also takes into account that requests for additional resources should be limited in time, in light of the prevailing liquidity crisis in the United Nations.

11. The Workplan envisages work to be undertaken through Working Group sessions as well as using various other means intersessionally. The Workplan also proposes that certain reform options be subject to “approval in principle” by the Commission in a staggered manner beginning in 2022. In the past, the Commission has used the practice of “approval in principle” when the substance of a text was mature enough to be finalized, but the text needed to be considered further at a later stage, as there might be adjustments, or it needed to be completed by a commentary or additional elements of lesser importance that was entrusted to the Secretariat or to the Working Group to finalize. Approval in principle for reform options could ease the workload of the Commission in 2025, as reaching an agreement in principle at prior sessions would make it possible to formally adopt all of the reform options more efficiently at the Commission in 2025. States may also refer to reform options that have been approved in principle as a model for their own practice pending their finalization and adoption by the Commission.

12. According to the Workplan, a total of 56 days of Working Group meetings are required to complete the ISDS Project. It is proposed that this be carried out in 15 one-week Working Group sessions over a period of 5 years beginning in 2021,

with 4 one-week sessions taking place per year from 2022 to 2024. It may be possible to spread the required 15 one-week sessions over different periods of time. For example, if 5 sessions were to be held per year, the ISDS Project could finish as early as 2024. If 3 sessions were to be held per year, the ISDS Project could finish no earlier than 2026. Adjusting the number of sessions per year would also affect when certain reform options could be presented to the Commission for approval in principle.

13. During the consultations, questions were raised whether the required number of sessions could be reduced if the Working Group no longer continued its practice of dedicating one day of an one-week session for the adoption of its report.³ Reconsideration of this practice was largely based on a successful experience of the Working Group in presenting the reports of its sessions held during the COVID-19 pandemic to the Commission. In accordance with the decision by the State Members of UNCITRAL in August 2020,⁴ the chairperson and the rapporteur prepared a summary reflecting the deliberations and any conclusions reached during the session. This summary was circulated for comments to the delegations of the Working Group after the session. Based on the comments received, the chairperson and the rapporteur revised the summary and, unless any objection was raised, it was presented to the Commission as the report of the Working Group.

14. The Working Group may wish to recall that the Commission had invited delegations to resort to informal consultations prior to actual meetings, thus reserving conference time only for those issues which required extensive deliberation.⁵ Accordingly, the Workplan proposes the use of other means or informal meetings (intersessional meetings, drafting groups, joint work with other organization as well as supporting webinars) during the intersessional period to further enhance the efficiency of deliberations while maintaining the role of the Working Group. These means aim to reduce the overall time required at a formal Working Group meeting by facilitating a better understanding of the different positions of the delegations and keeping them informed of, and engaged in, the ongoing deliberations. They also provide the opportunity to overcome disagreements and to develop options for consideration by the Working Group. Overall, they assist in building consensus, thus ensuring that formal meetings are reserved for issue that require more extensive deliberations. The Working Group may wish to recall a series of informal webinars and consultations organized or facilitated by the Secretariat following the outbreak of the COVID-19 pandemic on a number of the reform options, some of which led to a more informed discussion during the thirty-ninth and fortieth session. At the same time, the Working Group should recognize the limitations of informal meetings, in particular, the lack of interpretation in all official languages of the United Nations.

15. The Workplan foresees 78 informal meetings with a duration of 2 to 4 hours each. The Workplan suggests that these informal meetings are more actively utilized in 2021 and 2022 as they can be quite useful in information sharing and initial drafting. As the work progresses and the Working Group is called upon to make decisions, the number of informal meetings is scheduled to decrease. It is also proposed that such meetings should allow for remote participation to alleviate concerns expressed about burdens on time and costs.

³ Under the current pattern of meetings, Working Group III meets twice a year for a one-week session with four days dedicated to substantive discussion and one day dedicated to the adoption of the report. Working group are expected to hold substantive deliberations during the first nine half-day meetings (that is, from Monday to Friday morning), with a draft report on the entire period being prepared by the Secretariat for adoption at the tenth and last meeting of the Working Group (on Friday afternoon) (See *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 17* and corrigendum (A/56/17), para. 381). However, considering the length of time required for adopting the reports of Working Group III, the practice has been that one full day would be dedicated for that purpose.

⁴ The decision on the format, officers and methods of work of the UNCITRAL working groups during COVID-19 pandemic adopted on 19 August 2020 (A/CN.9/1038, Annex I). The decision which further extended on 9 December 2020 to apply to working group session in the first half of 2021 (A/CN.9/LIII/CRP.14).

⁵ General Assembly Resolution 61/32 (2006), para. 9.

16. As of the submission date of this note, a proposal has been made to hold an intersessional meeting on 20 and 21 October 2021 in Hong Kong, China. The government of the Republic of Korea has also indicated its willingness to host an intersessional meeting on 1 and 2 September 2021. Similar to the previous intersessional meetings, it is expected that the host State would report the outcome of such meetings to the Working Group. However, unlike previous intersessional meetings which focused on the regional context, the proposed intersessional meetings aim at furthering the discussions on specific reform options, while recognizing that all decisions must be taken in the Working Group. Joint work or meetings with other organizations are also envisaged in the Workplan. For example, on the code of conduct, a joint meeting with ICSID took place in March 2021.

III. Resourcing Plan

1. Resources utilized from 2017–2020

17. In 2017, the Working Group was entrusted with a broad mandate to work on the ISDS Project. Since then, the Working Group has held seven one-week sessions. During the first four sessions, the Working Group identified and discussed concerns regarding ISDS, and further considered that reform was desirable in light of the identified concerns.⁶ During the previous three sessions, the Working Group considered concrete reform solutions.⁷

18. Table 1 provides an overview of the conference⁸ and document⁹ resources utilized by the Working Group during the seven previous sessions. The table indicates that the third phase of the ISDS Project, where multiple reform solutions are expected to be developed simultaneously, will likely require more resources per session.

Table 1
Overview of resources utilized by the Working Group¹⁰

	<i>Conference resources</i>	<i>Notes by the Secretariat</i>	<i>Submissions by States and others¹¹</i>
First and second phase (34th to 37th sessions)	4 weeks	8 working papers averaging 15.6 pages	13 submissions averaging 8.1 pages
Third phase (38th, resumed 38th and 39th sessions)	3 weeks	13 working papers averaging 11.9 pages	18 submissions averaging 7.7 pages
Total	7 weeks	21 working papers averaging 13.3 pages	31 submissions averaging 7.9 pages

⁶ The deliberations and decisions of the Working Group at its thirty-fourth to thirty-seventh sessions are set out in documents [A/CN.9/930/Rev.1](#), [A/CN.9/930/Rev.1/Add.1](#); [A/CN.9/935](#); [A/CN.9/964](#); and [A/CN.9/970](#), respectively.

⁷ The deliberations and decisions of the Working Group at its thirty-eighth, resumed thirty-eighth and thirty-ninth sessions are set out in documents [A/CN.9/1004*](#); [A/CN.9/1004/Add.1](#) and [A/CN.9/1044](#), respectively.

⁸ Mainly the conference venue and related servicing (for example, document distribution and technical support) as well as interpretation into the official languages of the United Nations.

⁹ Mainly formatting, translation into the official languages of the United Nations as well as the publication and printing of documents.

¹⁰ This table takes into account all official documents produced for the Working Group that have been translated into the six official United Nations languages. For the sake of simplicity, documents issued as addenda are counted as separate documents and the average length of the document is calculated based on their English version. For a breakdown of the average document resources utilized by the Working Group during its seven sessions, see Table 2 in document [A/CN.9/1011](#).

¹¹ This includes three reports of intersessional regional meetings submitted by the host States.

19. Compared to other working groups of the Commission, a slightly larger Secretariat team has provided servicing to Working Group III and its intersessional activities. The current team includes one secretary of the Working Group, two regular staff members, one junior professional officer¹² and one administrative staff. The Working Group may wish to note that the same team also services Working Group II and further supports other areas of work of the Commission.

2. Additional resource requirements

20. This section provides an illustration of the additional conference time and resources that will be required if work is to proceed on the ISDS Project in accordance with the Workplan.

21. Based on the Workplan, two additional weeks of conference time is required for a period of three years from 2022 to 2024. This would allow for a total of 15 weeks of conference time until the first half of 2025 (9 within existing resources and 6 through additional resources), which would be followed by deliberations by the Commission to finalize the project in 2025 at its fifty-eighth session. Considering that certain reform options would be subject to approval in principle by the Commission prior to the fifty-eighth session, existing conference time of the Commission would need to be allocated to those topics during the fifty-fifth to the fifty-seventh session of the Commission.

22. Meetings of the Commission and its working groups are held using conference time allotted to UNCITRAL, which is currently a maximum of fifteen weeks per year. Therefore, the Working Group could, in principle, request the Commission to allocate any unused conference time of the Commission¹³ or other working groups to the ISDS Project, which had been the case for the unused week of the Commission in 2019¹⁴ and the case of the Rotterdam Rules project.¹⁵

23. However, this is subject to change on a yearly basis, as the Commission reiterated that the duration of each of its annual sessions was to be determined on a case-by-case basis depending on the expected workload. For example, the Commission decided to hold a three-week session in 2021. Furthermore, determination by the Commission to allocate its unused conference time to a working group during its annual session (usually held in June or July) poses practical challenges of identifying a suitable conference time in the second half of the year and rescheduling other working groups. It also leads to difficulties in planning, as the Working Group would not be able to know whether it would meet for one or two weeks in the second half of the year and if so, when.

24. If the Working Group decides to request additional conference time, it may wish to consider whether to retain the one-week session pattern or to hold two-week sessions. The Working Group may wish to further consider whether measures should be put in place to allow for remote participation by delegations to address concerns expressed about their costs of travel. Such changes in the pattern of meetings and introduction of means to facilitate remote participation would require further consultations with the Department for General Assembly and Conference Management (DGACM).

¹² The post is funded by the government of Germany with the term expiring in 2021.

¹³ With regard to unused Commission time, the Commission had indicated its understanding that two weeks for its annual sessions would generally be sufficient. *Ibid.*, *Seventy-fourth Session, Supplement No. 17 (A/74/17)*, para. 331.

¹⁴ *Ibid.*, para. 329.

¹⁵ *Ibid.*, *Fifty-sixth Session, Supplement No. 17 (A/56/17)*, paras. 376–383 and 425(c). The Commission, in 2001, increased the number of working groups from three to six, each of which would generally hold two annual sessions of one week each. However, the working group tasked with the preparation of the Rotterdam Rules was authorized by the Commission to hold two-week sessions from 2002 to 2008, except for its session in September 2002, which met for one week.

3. Programme budget implications

25. If the Working Group and eventually the Commission decides to recommend to the General Assembly that additional conference time be allocated to the Commission for advancing the ISDS Project, this will then need to be reflected in the draft resolution submitted to the Sixth Committee of the General Assembly. In that process, the budgetary implications of the request on the programme budget (mainly Section 2 – General Assembly and Economic and Social Council affairs and conference management and Section 8 – Legal affairs) would be reviewed by different bodies, including the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Fifth Committee of the General Assembly.

26. This section provides an overview of the programme budget implications so that the Working Group would be able to make an informed decision. However, it should be noted that the budget implications could vary depending on the actual request made by the Commission (including the venue of the meetings, their format, and which duty station provides the relevant services). All figures in this section are subject to further verification by the Programme Planning and Budget Division (PPBD). The Working Group may wish to further note that the figures below relate to the formal meetings of the Working Group and do not take into resources required for translation or interpretation during informal meetings.

Conference resources

27. An additional session of the Working Group would consist of 10 meetings (2 per day consisting of three hours) either in New York or Vienna. In addition to the provisions of the venue and conference servicing, these meetings would require interpretation in all official languages of the United Nations, which would need to be reflected in the budget of DGACM. This would entail additional resource requirements for meetings services in the amount of approximately \$160,000 per each additional week (Vienna-based figures). According to the Workplan, which requires two additional sessions per year, the amount required for conference resources would be \$320,000 per year.

Document resources

28. An additional week of conference time would increase the documentation to be handled by DGACM, mainly translation of the documents into the official languages of the United Nations. This would have to be reflected in the budget of DGACM. Based on previous sessions of the Working Group, the Secretariat would prepare an average of two to three working papers and would expect to process four to five submissions by States and others per a one-week session. Overall, the additional document workload would be 7 pre-session documents (total of 59,500 words),¹⁶ 5 in-session documents (total of 10,700 words) and one post-session document (total of 10,700 words). This would entail additional resource requirements for documentation services in the amount of \$318,697.¹⁷ According to the Workplan, which proposes two additional one-week sessions per year, the amount required for document resources would be \$637,394 per year.

29. If the Working Group were to decide that the additional weeks would be held as an extension of scheduled sessions, the additional resource requirements for

¹⁶ One provisional agenda, two to three notes by the Secretariat and four submissions by States and others, all estimated at 8,500 words. There is a limitation on documents originating in the Secretariat, which should be no longer than 16 pages (8,500 words). Intergovernmental bodies are invited to consider, where appropriate, reducing their report to 20 pages (10,700 words). See General Assembly Resolution 52/214, section B, paras. 4 and 7 (reiterated in 53/208, 59/265).

¹⁷ Based on figures provided by document management services in Vienna. Cost of translation of one English Standard Page (ESP, which consists of 330 words) into one other language is set at 260 USD. The programme budget implication rate may vary depending on where the document services are to be provided.

documentation services could be reduced to \$243,000 per session, or \$486,000 per year.¹⁸

UNCITRAL Secretariat resources

30. The servicing of additional sessions of the Working Group and providing continued support to an increased number of informal meetings would require the current team servicing Working Group III to be expanded. This can be achieved by either relieving the current team members from other duties or including other Secretariat staff members as new team members. However, both options would likely have a negative impact on the Secretariat's role in supporting other work programmes of the Commission.

31. To ensure that the work programme of the Commission is not adversely affected, three new posts would be required as outlined in table 2. This would entail additional resource requirements ranging from \$353,400 to \$410,100 in 2022 depending on whether the post is to be funded by regular or extrabudgetary resources.¹⁹

32. The Working Group may also take into consideration contributions to the UNCITRAL trust fund for granting travel assistance to developing countries, aimed at enabling the participation of representatives of developing States in the deliberations of Working Group III as well as in intersessional meetings.²⁰ Should such contributions continue in the future, the administrative support for providing travel assistance to delegations to attend the additional Working Group session will also likely grow.

Table 2

Human resources

	<i>Regular budget</i>	<i>Extrabudgetary resources</i>
Legal Officer (P-3)	\$139 600	\$169 500
Associate Legal Officer (P-2)	\$115 100	\$133 700
Administrative Assistant (G-6)	\$98 700	\$106 900
Total	\$353 400	\$410 100

33. Moreover, additional resources in the amount of \$13,000 would be required to acquire furniture and equipment for the new staff members; \$5,400 for ICT-related services; and \$13,593 for travel expenses of staff to service working group sessions in New York.

4. Summary

34. In conclusion, the programme budget implication for holding two additional Working Group sessions per year would be as follows:

¹⁸ This is based on the assumption that there would be no need to produce a separate provisional agenda nor the post-session report.

¹⁹ Based on UNOV/UNODC Revised Standard Salary Costs (2020–2023) for Vienna. For the post funded by the regular budget, the figure for “continuing” staff cost in 2021 was used.

²⁰ *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 17 (A/74/17)*, para. 165.

Table 3
Programme budget implications per year

		<i>Estimates</i>
Section 2 – General Assembly and Economic and Social Council Affairs and Conference Management	Conference resources	\$320 000
	Document resources	\$486 000 to \$637 394
Section 8 – Legal affairs	Human resources	\$353 400 to \$410 100
	Other	\$31 993
Total		\$1 191 393 to \$1 399 487

IV. Concluding remarks

35. As mentioned in the introduction, the objective of this note is to provide the Working Group with information on the workplan and the resource requirement to implement the ISDS Project. Upon reviewing the work and resourcing plan, it may wish to determine whether to request the Commission to recommend to the General Assembly that additional conference and supporting resources be allocated to the Secretariat for advancing and completing the ISDS Project for a period of 3 years (2022–2024). Considering the budget situation of the United Nations, it will be challenging to obtain additional regular budget resources when the overall budget is being heavily scrutinized (A/CN.9/970, para. 49). Therefore, it would be important for the Working Group and the Commission to signal the importance of ISDS reforms and the need to deliver results within the set time frame in its recommendation to the General Assembly.