



UNCITRAL
Working Group III
on ISDS Reform



Forum for Further Preparatory Work
on Investment Mediation

In Search of the Optimal Model for Mandatory Mediation in ISDS Disputes

Ms Sun Huawei

Partner

Zhong Lun Law Firm

Option 3 – Mandatory Mediation

1. The parties shall submit their dispute to mediation [within – days from **service of the notice of arbitration**]. If the parties cannot reach an agreement within [6][9] months after the [commencement of the mediation procedure][appointment of the mediator]/**[2] months on the constitution of [co-mediators/the panel of mediators] after the dispute is submitted to mediation**, the dispute shall, upon request of any party, be submitted to [arbitration][other ISDS method].
2. Mediation shall remain available to the parties at any time, including after the commencement of other ISDS proceedings (arbitration).

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