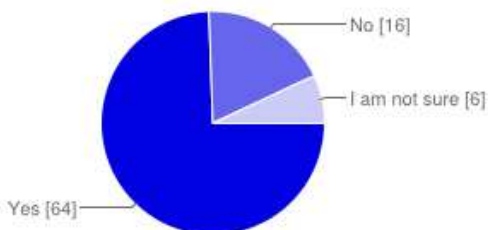


86 responses

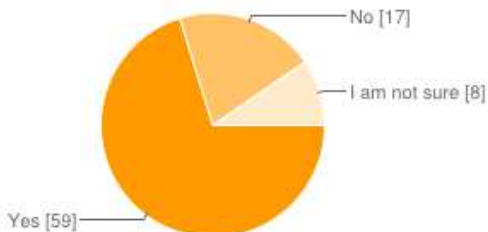
Summary

Do you see IIAs as an important and relevant policy tool today?



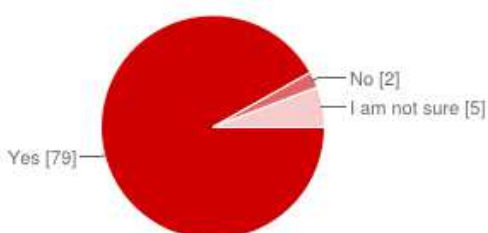
Yes	64	74%
No	16	19%
I am not sure	6	7%

Do you think that IIAs can contribute to sustainable development?



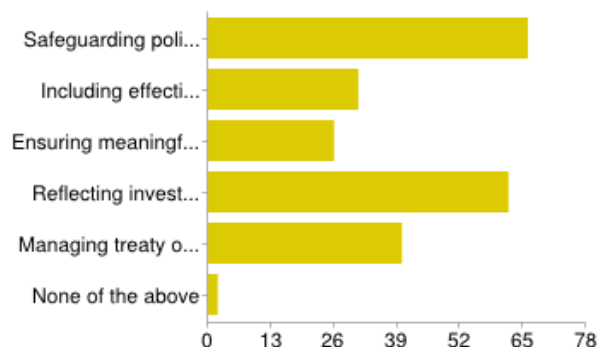
Yes	59	69%
No	17	20%
I am not sure	8	9%

Do you believe that the IIA system as it exists today (including the content of the majority of treaties) needs reform?



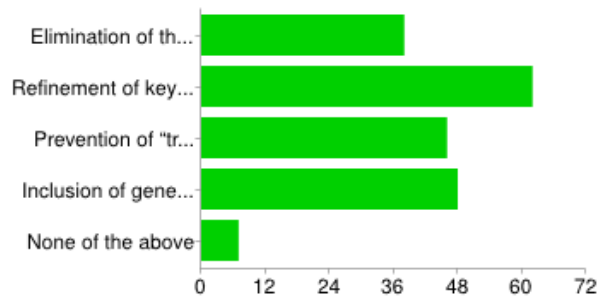
Yes	79	92%
No	2	2%
I am not sure	5	6%

In your view, what strategic issues deserve particular attention in today's IIAs negotiations?



Including effective investment promotion clauses	31	36%
Ensuring meaningful protections for investors	26	30%
Reflecting investor responsibilities	62	72%
Managing treaty overlaps (e.g. ensuring that new regional treaties replace treaties pre-existing between the parties)	40	47%
None of the above	2	2%

In your view, which of the following emerging practices should become "mainstream" in IIA drafting?

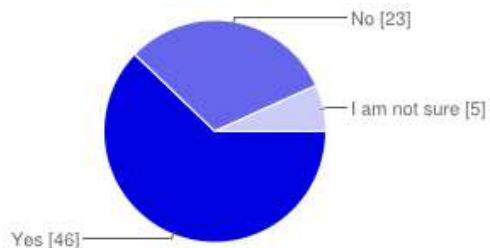


Elimination of the "umbrella" clause	38	44%
Refinement of key treaty protections (e.g. FET, indirect expropriation)	62	72%
Prevention of "treaty shopping" by investors	46	53%
Inclusion of general exceptions	48	56%
None of the above	7	8%

74 responses

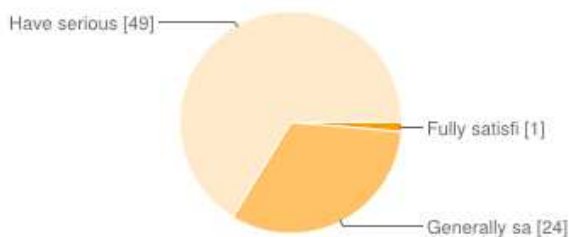
Summary

Do you think that, in principle, international arbitration is a useful and practical way of settling investor-State disputes?



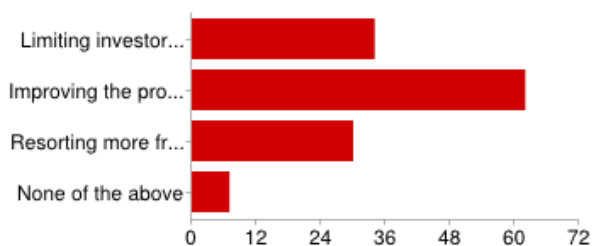
Yes	46	62%
No	23	31%
I am not sure	5	7%

Overall, how satisfied are you with the current functioning of the ISDS system?



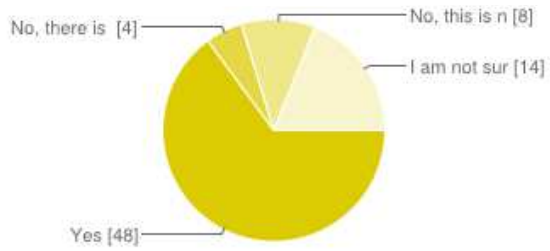
Fully satisfied	1	1%
Generally satisfied, but minor fixes are required	24	32%
Have serious concerns	49	66%

In your view, designing the optimal system for settling investment disputes would require



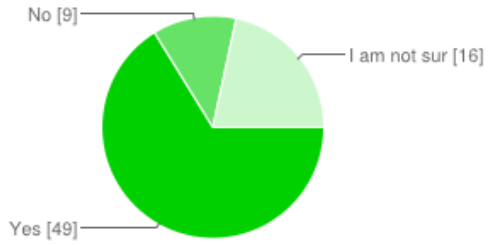
Limiting investors' access to arbitration (e.g. by introducing the "exhaustion of domestic remedies" rule)	34	46%
Improving the process for conducting arbitrations (e.g. transparency, frivolous claims, code of conduct for arbitrators)	62	84%
Resorting more frequently to ADR procedures (mediation, conciliation)	30	41%
None of the above	7	9%

In your view, should a permanent appellate body be created?



Yes	48	65%
No, there is no need	4	5%
No, this is not feasible	8	11%
I am not sure	14	19%

In your view, should serious consideration be given to the establishment of an international investment court?



Yes	49	66%
No	9	12%
I am not sure	16	22%