

Blueprint for a Plurilateral WTO Arbitration Agreement Under Article 25 DSU

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Essential Elements

1. Clear requirements for the commencement of arbitral proceedings
2. Legitimate rules on the appointment/conduct of arbitrators
3. Agreed framework for servicing of proceedings, eg WTO Secretariat
4. Pre-agreed special panel terms of reference to safeguard the recognition of the arbitration
5. Carefully drafted arbitration terms of reference to delimit the arbitral jurisdiction
6. Well balanced rules of arbitral procedure
7. Clear rules on third party intervention
8. Internal review mechanism for arbitral awards