

## Choosing an Arbitral Forum for Investor-State Arbitration

January 2015

### Appendix – Comparison of Certain Arbitration Costs

ICSID		UNCITRAL [If using the PCA as Appointing Authority]	
Service	Fee	Service	Fee <sup>[1]</sup>
Filing Request for Arbitration (Non-refundable)	US\$25,000	Filing Request for Arbitration	No fee
Arbitrators' Fees and Expenses <sup>[a]</sup>	US\$3,000 per day + direct expenses reasonably incurred + travel expenses	Arbitrators' Fees and Expenses	Variable (no set fees)
Administrative Charges	US\$32,000 per annum from the constitution of the tribunal	Appointment of Arbitrators / Acting as an Appointing Authority (Non-refundable)	US\$1,740
Charges for Hearing and Meeting Rooms (At ICSID headquarters in Washington DC)	No fee	Other Administrative Charges	No fee <sup>[2]</sup>
Filing requests for a supplementary decision to, or the rectification, interpretation or revision of an arbitral award, or the resubmission of a dispute to a new tribunal after the annulment of an arbitral award (Non-refundable)	US\$10,000	Charges for Hearing and Meeting Rooms (Full hearing suite at the Peace Palace in The Hague)	US\$2,030 per day <sup>[3]</sup>
Requests for annulment of an arbitral award (Non-refundable)	US\$25,000	Filing requests for supplementary decision to, or correction or interpretation of an arbitral award	No fee
Source	<a href="#">link</a>	Applications to set aside an arbitral award	Depends on costs of the relevant local court
<b>Notes</b> [a] The ICSID Secretariat usually requests interim advance payments of between US\$100,000 to US\$150,000 per party, to cover anticipated expenses of the proceedings. The first such request is made after the first session of the tribunal, and subsequent requests are usually made during the written phase, as well as prior to the evidential hearing.		<b>Notes</b> [1] PCA rates converted at €1 to US\$1.16. [2] If the PCA is appointed to <i>administer</i> the dispute (rather than merely to appoint arbitrators), their administrative charges are based on hourly rates for varying levels of personnel. For example, the PCA's senior legal staff charge US\$203 per hour, and secretarial staff charge US\$58 per hour. How this compares to ICSID's US\$32,000 annual charge will depend on the volume of work to be undertaken by the administering institution. [3] Such facilities are available free of charge if the PCA administers the dispute.	