

**General Assembly**

Distr.: Limited
20 May 2025

Original: English

**United Nations Commission on
International Trade Law
Fifty-eighth session
Vienna, 7–23 July 2025**

**Summary of the second meeting on the operationalization of
the Advisory Centre on International Investment Dispute
Resolution**

Contents

I.	Introduction.....	2
II.	Establishing the Advisory Centre within the United Nations system as a related organization or a specialized agency	3
III.	Criteria to determine the location of the headquarters and regional offices	4
IV.	Budget samples of the Advisory Centre	5
V.	Financing of the Advisory Centre	6
VI.	Thresholds for entry into force	8
VII.	Classification of the Members of the Advisory Centre	9
VIII.	Recommendations to the Commission.....	10

I. Introduction

1. In July 2024, the United Nations Commission on International Trade Law (“UNCITRAL” or the “Commission”) finalized and adopted in principle the Statute of the Advisory Centre on International Investment Dispute Resolution (the “Advisory Centre”).¹ The Statute, which consists of 16 articles, sets forth rules on the creation of the Advisory Centre, its objectives, general principles of operation, membership, governance structure, services, financing, legal status and liability and other related issues.²

2. In adopting the Statute in principle, the Commission agreed that the operationalization of the Advisory Centre would require further preparatory work.³ The Commission agreed that the basis of the preparatory work should be the Statute and that the work could address issues such as: (a) ways to establish the Advisory Centre within the United Nations system based entirely on extrabudgetary resources; (b) criteria for determining the location of the headquarters and regional offices; (c) the anticipated budget based on potential membership and workload, and the need to ensure sustainable operations; (d) the amount of contributions by Members and methods of payment; (e) objective criteria for classifying States in the annexes; (f) thresholds of membership and contributions for the entry into force of the Statute; and (g) decisions, rules and regulations to be adopted by the Governing Committee, including staff and financial regulations.⁴

3. The Commission also agreed that in order to facilitate the preparatory work, it would utilize an informal process involving all States and regional economic integration organizations (REIOs). It was agreed that, as an informal process, no decisions should be made, and the transparency and inclusiveness of the process should be maintained by ensuring remote participation and by making a summary of the informal discussions available.⁵

4. In that context, the first meeting on the operationalization of the Advisory Centre (referred to as “AC-OP meeting”) was held from 2 to 4 December 2024 in Bangkok. A summary of the first meeting ([A/CN.9/WG.III/WP.251](#)) was made available for exchange of views at the first part of the fifty-first session of UNCITRAL Working Group III in February 2025 (see [A/CN.9/1196](#), paras. 19-30). At that session, a proposal to host the third AC-OP meeting in Paris from 1 to 3 December 2025 was welcomed and the Government of Paraguay expressed an interest to host an AC-OP meeting in the near future ([A/CN.9/1196](#), para. 28).

5. The second meeting on the operationalization of the Advisory Centre (the “Meeting”) was held from 6 to 8 May 2025 in Yerevan, Armenia. The Meeting was organized jointly by the Office of the Representative of the Republic of Armenia on International Legal Matters (Office of the Prime Minister of Armenia), the Ministry of Foreign Affairs of the Republic of Armenia and the UNCITRAL secretariat. The Meeting, which was held in person and online, was attended by participants from 57 States, REIOs and international organizations, with the total participants exceeding 160 (approximately 50 individuals attended in person and 113 attended online).

6. The Meeting was facilitated by informal papers prepared by the UNCITRAL secretariat, including an annotated provisional agenda and background documents on establishing the Advisory Centre within the United Nations system as a related organization or a specialized agency; the location of the headquarters of the Advisory Centre and regional offices; classification of the Members of the Advisory Centre; budget samples of the Advisory Centre; financing of the Advisory Centre and the

¹ *Official Records of the General Assembly., Seventy-ninth Session, Supplement No. 17 (A/79/17)*, para.167.

² *Ibid.*, Annex III.

³ *Ibid.*, para. 159.

⁴ *Ibid.*, para. 158.

⁵ *Ibid.*, para. 159.

entry into force of the Statute; and a road map for the operationalization of the Advisory Centre.⁶

7. Mr. Robert Abisoghomonian, the Deputy Minister of Foreign Affairs of Armenia and Mr. Liparit Drmeyan, Deputy Representative on International Legal Matters opened the Meeting by underscoring the importance of effective investment dispute resolution mechanisms in the interconnected and interdependent global economy and the pressing need to support developing and least developed countries (“LDCs”) in addressing inequalities in access to legal and technical resources, while also strengthening their capacities to effectively participate in international arbitration. Ms. Anna Joubin-Bret, the Secretary of UNCITRAL, thanked the Government of Armenia for hosting the second AC-OP meeting. The Meeting was chaired by Mr. Shane Spelliscy and Ms. Natalie Yu-Lin Morris-Sharma, respectively the chairperson and rapporteur of Working Group III.

8. This Note, which contains the summary of the second AC-OP meeting, was prepared jointly by the Government of Armenia and the UNCITRAL secretariat. It is presented to the Commission for its consideration along with the summary of the first AC-OP meeting and the report of the fifty-first session (first part) of Working Group III in February 2025.⁷

II. Establishing the Advisory Centre within the United Nations system as a related organization or a specialized agency

9. Based on the discussions at the first AC-OP meeting,⁸ deliberations focused on whether to establish the Advisory Centre either as a specialized agency or a related organization of the United Nations. It was said that both options would allow the Advisory Centre to be established as an independent organization in line with its Statute, while also allowing it to pursue a formal relationship and broad cooperation with the United Nations system. It was noted that the choice should be guided by the need to ensure the efficiency and sustainability of the Centre’s operation. In that context, it was further confirmed that the establishment of the Advisory Centre should not have any implication on the budget of the United Nations.⁹

10. Preference was expressed for the Centre to become a related organization of the United Nations. It was stressed that this would offer greater flexibility and autonomy and allow for a more expeditious establishment, while leaving open the possibility for the Centre to become a specialized agency at a later stage (see para. 13 below). In that context, preference was also expressed for the Advisory Centre to seek participation in the UN Common System overseen by the International Civil Service Commission (ICSC) and the United Nations Joint Staff Pension Fund (UNJSPF). There was also general support that the administrative framework of the United Nations should form the basis of the Advisory Centre’s operations.¹⁰

11. Noting that the Convention on the Privileges and Immunities of Specialized Agencies (1947) applies only to agencies listed therein, discussions took place on the possible application of the Convention on the Privileges and Immunities of the United Nations (1946) to the Advisory Centre, including an explicit reference to that Convention in the Statute in addition to the paragraphs in article 9. This was in light of the need to provide privileges and immunities to staff members of the Centre in jurisdictions that were not Members of the Centre but where activities of the Centre may take place. It was generally felt that further clarifications on the issue would be needed.

⁶ Informal documents are available in English only at: <https://uncitral.un.org/en/content/second-advisory-centre-operationalization-meeting-yerevan-armenia>.

⁷ See A/CN.9/1196, para. 30.

⁸ See A/CN.9/WG.III/WP.251, para. 9.

⁹ See also *Official Records of the General Assembly, Seventy-ninth Session, Supplement No. 17 (A/79/17)*, para.158.

¹⁰ See also A/CN.9/WG.III/WP.251, para. 12.

12. It was said the work could begin to prepare a relationship agreement with the United Nations, although it could only be concluded after the entry into force of the Statute and the formal establishment of the Centre. It was said that the possible gap between the early operations of the Centre and the conclusion of the relationship agreement would need to be addressed.

13. It was also said that the possibility of the Centre becoming a specialized agency thereafter should not be ruled out and the United Nations Industrial Development Organization and the World Tourism Organization (UN Tourism) were provided as examples.

14. Views were expressed that the UNCITRAL Secretariat should serve as the interim secretariat of the Advisory Centre. It was said that interim secretariat functions could include, among others, the collection of voluntary contributions and the preparation of a relationship agreement. It was said that the functioning of the interim secretariat should operate on extrabudgetary resources without any implication on the UN regular budget. It was said that existing or newly established trust funds could be used to collect voluntary contributions, including for the functioning of the interim secretariat.

15. After discussion, it was widely felt that the Advisory Centre should aim to become a related organization of the United Nations, become part of the United Nations common system, participate in the UNJSPF and base its operations on the administrative framework of the United Nations. Lastly, it was suggested that the secretariat of UNCITRAL should assume the interim secretariat functions of the Advisory Centre.

III. Criteria to determine the location of the headquarters and regional offices

16. On 6 May 2025 (Tuesday), the representative of Paraguay delivered a presentation on the Government's interest to host the headquarters or regional office of the Advisory Centre.¹¹ The representatives of Armenia, Democratic Republic of the Congo, France, Ghana and Thailand reiterated their Governments' interest to host the headquarters or regional office of the Advisory Centre. In addition, the representative of Egypt informed the Meeting about the ongoing internal consultations regarding its possible hosting of the Advisory Centre.

17. Discussions were held on possible criteria for determining the location of the headquarters and/or regional offices of the Advisory Centre, mainly: (i) support from the host State/Government; (ii) stable environment; (iii) accessibility and affordability; (iv) geographic distribution; (v) attractiveness to a qualified workforce; and (vi) cooperation and coordination with other organizations and relevant stakeholders.

18. A suggestion to include the presence of specialized expertise in ISDS in the host Government as an additional element was not supported. On the other hand, it was felt that membership of the host State in relevant organizations, such as ICSID and PCA, could be an element under factor (vi). It was also mentioned that the willingness of the host State to provide in-kind contributions, for example, administrative support, could be an additional element under factor (i). The importance of a conducive legal and institutional ecosystem was also emphasized. While it was said that some factors should be given more weight, it was generally felt that the Commission should consider the above-mentioned factors in a holistic manner.

19. While noting that only the location of the headquarters is to be indicated in the Statute, it was suggested that there could be merit in considering the location(s) of regional office(s) and reflecting that in the Statute or in the General Assembly resolution adopting the Statute. The importance of ensuring the Centre's accessibility across all regions and to a wide range of beneficiaries was stressed. It was said that

¹¹ The video presentation is available at <https://uncitral.un.org/en/content/second-advisory-centre-operationalization-meeting-yerevan-armenia>.

the establishment of regional offices would be complementary in nature and ensure efficient service distribution, address regional specificities and promote inclusiveness. In that context, the possibility for candidate Governments to present joint proposals involving a broader group of States working collaboratively to fulfil more of the factors in paragraphs 17 and 18 together was underlined.

20. On the other hand, it was recalled that the Working Group and the Commission had considered such an approach and had decided to defer the decision of establishing offices to the Governing Committee of the Advisory Centre (article 9(3)). In support, it was said that regional offices should be established only after the headquarters is fully operational with the Governing Committee considering the management and resource implications thereof.

21. As to the time frame, it was widely felt that the Commission should make a final call for Governments to express an interest in hosting the headquarters or regional office of the Advisory Centre, possibly by mid-October 2025. It was, however, noted that this would be for the purposes of decision-taking by the Commission and not for that by the Governing Committee, which may take place at a later stage.

22. It was further suggested that interested Governments submit detailed proposals to the UNCITRAL secretariat addressing the factors listed in paragraphs 17 and 18 and be given the opportunity to present their proposals at the third AC-OP meeting. Prospective host countries were urged to include concrete indicators in their written submissions, which could include: (i) expected support from the host State or Government, including indicative multi-year figures for financial or in-kind contributions, any ceilings or limits; (ii) time frames for concluding a host-country agreement, including privileges and immunities granted to other international organizations in the host country; (iii) information on the political and economic situation, including currency conversions; (iv) accessibility, including travel costs and flight connectivity to and from major LDC capitals; (v) information on visa facilitation measures; (vi) information about digital infrastructure supporting remote engagement and cybersecurity protections; and (vii) human capital and institutional environment, including the presence and size of the local arbitration or ISDS community, local language capabilities and cost-of-living considerations relevant to staff recruitment and retention. It was emphasized that such practical details, if available, would assist the Commission in making informed and comparative assessments.

IV. Budget samples of the Advisory Centre

23. Discussions were held about the notional budget of the Advisory Centre, based on three sample scenarios with the secretariats of the Centre comprised of 10, 15 or 21 staff members.¹² Each scenario was presented, outlining the associated costs, the types of services to be provided (including the number of cases handled), and the possible functions of the regional offices.

24. A wide range of views were exchanged with regard to the three scenarios, mainly with regard to the type of services to be provided in each scenario. One view was that the Centre could begin with a smaller secretariat focusing on article 6 services with the possibility to provide article 7 services at a later stage. Another view was that article 7 services should be effectively provided from the outset, as they were key for both beneficiaries and donors, and a potential source of income for the Centre. Overall, it was widely felt that the Centre should retain flexibility to adjust its services based on available resources and evolving circumstances and that the Centre could expand its services as demand for services and accompanying budget increased.

25. It was generally felt that installation costs of the headquarters or regional offices, including those relating to the premises, should be borne by the respective host State. Governments wishing to host the headquarters or regional offices were invited to reflect this in their proposal.

¹² See [A/CN.9/WG.III/WP.251](#), para. 41.

26. With regard to recurring operational costs outlined in the background document, it was suggested that additional components may need to be considered. These could include entitlement of staff members such as housing allowances, medical insurance and educational grants; subscription to online database and other resources; courier and postage services; common area costs; costs relating to the holding of the Governing Committee and Executive Committee meetings; financial audit costs; internships and secondees; security-related costs; as well as vehicles and related services. To account for such costs, it was widely felt that the anticipated budget should be increased by 15 per cent. Along the same lines and to cater for unforeseen contingencies, it was suggested that the budget cycle during the initial years of operation should be annual yet allowing any surplus to be carried on as reserves for the following year.

27. It was generally observed that the actual budget of the Centre and the composition of its secretariat would need to be adjusted depending on a number of variables, such as its structure, membership, as well as the location of the headquarters and regional offices. It was also stressed that decisions on the budget, its allocation, and staffing for different services be made by the Governing Committee, which would largely depend on the resources available. Therefore, it was observed that the scenarios and the sample budget figures should be illustrative purposes only, with the understanding that the actual budget would be prepared and adjusted according to actual circumstances.

28. In light of the above, it was agreed that the working assumption for future discussions would be an annual operational cost of USD 4.5 million for the initial years of operation of the Centre. Governments that had expressed an interest in hosting the Advisory Centre were invited to take this amount into account in their proposals.

V. Financing of the Advisory Centre

29. It was recalled that article 8 of the Statute outlined three funding streams for the Advisory Centre: (i) membership dues, (ii) fees for services; and (iii) voluntary contributions (i.e. donations). Noting that it was difficult to anticipate the amount of income to be generated from (ii) and (iii), discussions were based on the assumption that the membership dues should cover almost the entirety of the Centre's budget during the initial years of operation.

Membership dues

30. On how to calculate the membership dues of each Member, it was recalled that Annex IV of the Statute had assumed that Members in the different groupings would be paying a uniform fixed amount – one set amount per grouping. It was further recalled that at the first AC-OP meeting, an alternative was suggested whereby the budget would be distributed among the Members through a formula to be developed using the United Nations scale of assessments.¹³ In this regard, several formulas were presented to illustrate how the budget could be apportioned.

31. For the purposes of the operationalization process, it was widely felt that the membership dues should cover 100% of the Centre's budget, which could be revisited by the Governing Committee depending on other revenues generated by the Centre. It was said that while fees from services were expected to become a significant source of income once the Centre was operational, they were unlikely to generate substantial revenue in the initial years. Similarly, the volume of voluntary contributions remained uncertain.

32. It was widely felt that apportioning the budget based on the UN scale of assessments would provide a fair and predictable basis for determining the membership dues of States, particularly given that the Centre was to seek to become a related organization of the United Nations. Acknowledging that the UN scale of

¹³ See [A/CN.9/WG.III/WP.251](#), para. 25.

assessments was adjusted every three years, it was suggested that budget appropriation cycle of Centre should be aligned thereto.

33. On how to determine the membership dues of REIOs, two options were mentioned: (i) setting a fixed amount as was the practice in some international organizations, and (ii) calculating their dues based on the average scale of their member States. It was noted that the issue would require further consideration.

34. The Meeting proceeded to discuss the possibility of introducing minimum and maximum level of contributions to be set as a certain percentage of the budget. This was to ensure that the burden of the budget was shared among the Members in a balanced manner. It was said that this would avoid few Members bearing a disproportionately high share of the budget and the Centre being heavily reliable on their contributions.

35. There was general preference for introducing a maximum cap for all Members. While support was expressed for each Member not bearing more than 10% of the Centre budget, it was suggested that the cap could differ depending on the Member's level of development as well as its capacity to pay. In that context, the secretariat was requested to examine whether the United Nations scale of assessments can be used to categorize States into groups, each with a different maximum cap (for example, some with a 5% cap and others with a 3% cap). It was generally felt that the maximum cap for LDCs should be set at 1%, while it was expected that their actual contribution would be lower (see para. 37 below). It was further suggested that the maximum caps could be used to determine the entry into force of the Statute (see para. 43 below).

36. It was also suggested that the maximum cap(s) should be adjusted depending on the evolving membership. Another suggestion was that the total sum of Members contributing a maximum cap of 10% should not account for more than a certain percentage of the total budget. It was agreed that these issues would need further consideration and the PCA was requested to share its experience in determining the annual contribution of its Member States bases on a scale of unites developed by the Universal Postal Union.

37. On whether each Member should be required to contribute at least a certain percentage of the budget (for example, 1%), doubts were expressed as this may increase the burden of LDCs. Means to ensure equitable access for LDCs were further considered, which included reduced membership dues or exemptions and subsidies from trust funds.

38. Different means of paying membership dues were further considered. While it was considered that annual payment should be the default method of payment (including the possibility to pay in instalments), it was suggested that multi-year and one-time lump sum contributions should also be encouraged, as they could generate capital upfront, provide for long-term planning and ease the administrative burden of the Centre. On the basis that the UN scale of assessments was adjusted every three years, it was suggested that payments of three years of membership dues could be sought. A practical challenge identified during the discussion was that the membership dues would change over the years (for example, due to change in membership). It was suggested issues arising therefrom would need to be addressed in the regulations of the Centre. Similarly, means to calculate the appropriate amount of a one-time contribution (taking into account any interest that would arise) or the duration of such a contribution (for example, by deducting the annual membership dues until the amount is exhausted) could be provided in the regulations. The secretariat was requested to examine how such payment methods could be reflected in Annex IV.

Fees for services

39. It was noted that services to be provided under article 6 of the Statute would be free of charge for all Members, while the participation of non-Members and other persons or entities could be subject to fees set by the Executive Director. It was further expected that a retainer fee and hourly rates could apply to article 7 services, though specific rates and fee structures would be detailed in the regulations adopted by the

Governing Committee. Illustrative examples were provided to demonstrate potential revenue to be generated.

Voluntary contributions

40. It was noted that voluntary contributions could play an important role in ensuring financial stability, and that the Advisory Centre should actively seek such contributions, including from the host State(s) as well as a wide range of stakeholder. It was further noted that the Centre should remain open to various forms of donations, yet without any undue influence on its operation. It was noted that voluntary contributions could be earmarked for specific purposes, such as reducing membership dues or service fees for LDCs. A concern was raised about possible limitations on donations in case the United Nations served as the interim secretariat, as the financial rules and regulations of the UN would apply. The possibility of the interim secretariat establishing a trust fund to collect voluntary contributions to cover its own costs as well as for the operation of the Centre in the future and transferring that account to the Centre at a later stage was also mentioned.

VI. Thresholds for entry into force

41. It was recalled that article 13 of the Statute sets two conditions for the Statute to enter into force: (a) a specified number of instruments of ratification or accession, and (b) a minimum amount of contributions anticipated from Members. Noting that the composition of the membership of the Advisory Centre and its budget (which would determine the amount of contribution of Members) is undetermined at this stage, the notional budget of USD 4.5 million was used as a basis of the discussions (see para. 28 above).

42. As to the specified number of Members, preference was expressed for requiring at least twenty instruments of ratification or accession, largely based on the experience of ACWL. It was also suggested that membership for entry into force should reflect a balance among beneficiaries (in particular LDCs) and donors by requiring a certain number of instruments from each category of Members. It was said that this would encourage donor States to consider becoming a Member as a means to support LDCs and developing countries, even if they might not have priority in access to the Centre's representation services. However, concerns were raised that LDCs, in particular, may be hesitant to ratify or accede to the Statute, if the services of the Centre were not immediately available or if their expected financial contributions were too high. In that context, it was said that requiring a minimum number of beneficiaries for the entry into force of the Statute may unduly delay the establishment of the Centre, which would ultimately be at the detriment of the anticipated beneficiaries. It was suggested that the number of instruments required of beneficiaries for the entry into force should take these considerations into account.

43. As to the minimum amount of contribution, it was viewed that a formula would need to be developed based on the assumption that the entire annual budget of the Centre would be apportioned among its Members (see para. 30 above). While it was suggested that commitments of voluntary contributions could be taken into account for the entry into force of the Statute, it was generally felt that such contributions would not provide a reliable basis for the Centre's sustainable operation and could lead to financial uncertainties (see para. 31 above). It was suggested that a formula be developed using a maximum percentage of the annual budget that each Member was expected to contribute (see paras. 30 and 35 above).

44. The secretariat was requested to further examine the issues, based on the practice of existing organizations. For example, it was questioned how the commitment by a Member of a one-time or multi-year payment could be encouraged and also possibly taken into account for the purposes of the entry into force. It was also questioned whether the depositary of the Statute would be in a position to verify the entry into force of the Statute under such conditions and in that regard, the possible role of the interim secretariat.

VII. Classification of the Members of the Advisory Centre

45. Discussions took place on the classification of Members of the Advisory Centre, which would determine the priority to be given to Members in accessing services as well as applicable fees. It was noted that the classification was also relevant for the governance structure and the thresholds for the entry into force of the Statute (see paras. 41-44 above). It was generally felt that the classification of the Members should not impact their membership dues, as the budget would be apportioned among the Members using a different formula (see para. 43 above).¹⁴

46. It was widely felt that one category of Members should correspond to the official list of LDCs as it would align with article 2(2) of the Statute.¹⁵

47. However, views diverged on how to categorize other Members. In that context, reference was made to the historical classification of the United Nations (which distinguished developing and developed countries) as well as other classifications by the United Nations, such as Landlocked Developing Countries (LLDCs) and Small Island Developing States (SIDS). Reference was also made to the classification by the United Nations Conference on Trade and Development (UNCTAD), which distinguished developing economies based on GNI per capita (high-level income, middle-income and low-income). It was, however, noted that UNCTAD had discontinued such classification as of March 2025.¹⁶

48. Yet another view was that none of the existing classifications fully reflected the objectives of the Advisory Centre and it was suggested that a bespoke list be prepared for the purposes of the Centre's operation. A suggestion to use the United Nations scale of assessments as a basis for classifying Members did not receive support.

49. Discussions evolved around whether to retain three or more categories of Members or to classify them simply into two groups (LDCs and others). It was pointed out that, in light of the number of cases brought against LDCs (twenty-six cases in the recent five years) and the priority rule in article 7(3) of the Statute (which provided first-come first-serve rule for Members in the same category), the instances of competing requests by Members were likely to be limited. It was also suggested that since the rules on priority were to be set forth in regulations adopted by the Governing Committee (article 7(3)), the classification of non-LDC Members could be left to the Governing Committee. It was said that an indicative list could be prepared as part of the operationalization process for further adjustments by the Governing Committee and for application by the Executive Director. However, it was also emphasized that article 2 of the Statute which explicitly referred to LDCs and "developing countries" should be the guiding principle for classifying the Members. The importance of ensuring predictability and transparency in determining the priority to be given was also highlighted.

50. Discussions further focused on the composition of the Executive Committee, for which each category of Members were expected to nominate a fixed number of members (article 5(5) of the Statute). It was suggested that the rationale behind classifying Members for the purpose of determining priority of services (see para. 49 above) need not necessarily apply to classification for the purposes of constituting the Executive Committee which could be based on, for example, geographical representation, level of contribution to the budget or economic development of Members.

51. A number of other issues were discussed, including: (i) whether the Statute would contain a list of potential State Members in the Annexes or an indicative list of those States would be prepared, with the list being adopted by the Governing Committee; (ii) whether Members will be included in the Annexes at the time they ratify or accede to the Statute and if so, how the list would be managed and updated;

¹⁴ See also A/CN.9/WG.III/WP.251, para. 24.

¹⁵ See also A/CN.9/WG.III/WP.251, para. 30.

¹⁶ UNCTAD/STAT/CLASSIF/2025/1, Classification Update, available at: https://unctadstat.unctad.org/EN/Classifications/ClassificationsNewsletter_March2025_US_EN.pdf.

(iii) the extent to which Members would be allowed to self-assess their classification; (iv) classification of REIOs; and (v) fee structure for the different category of Members.

52. After discussion, the secretariat was requested to prepare two set of lists for further consideration. One list would contain LDCs in one category with all other Members in another category. Another list would contain LDCs in the first category, LLDCs, SIDS as well as low-income and middle-income developing countries in the former UNCTAD Data Hub in the second category (excluding LDCs contained in the first category), and the remaining Members in the third category. The secretariat was further requested to consider ways of classifying Members solely for the purposes of the governance structure of the Centre, which could be based on the two set of lists mentioned above or based on other criteria (for instance, regional groups and levels of contribution).

VIII. Recommendations to the Commission

53. At the end of the Meeting, the Commission was invited to consider taking the following decisions relating to the operationalization of the Advisory Centre at its fifty-eighth session.

54. First, the Commission may wish to make a final call for Governments to express their interest to host the headquarters or a regional office of the Advisory Centre and to submit a detailed proposal (including financial commitments) by a date in mid-October 2025, when the Sixth Committee of the General Assembly was expected to consider the report of the Commission. Such proposals should be submitted to the UNCITRAL secretariat, which could be made available on the UNCITRAL webpage in the language received.

55. Second, the Commission may wish to invite the above-mentioned Governments to make an oral presentation at the third AC-OP meeting scheduled to take place in Paris from 1 to 3 December 2025. Such presentations should be broadcasted online and recorded for future reference.

56. Third, the Commission may wish to consider expressing its desire that the Advisory Centre should aim to become a related organization of the United Nations and request that work be undertaken by the interim secretariat of the Advisory Centre on the terms of a possible relationship agreement based on existing agreements concluded between the United Nations and related organizations.

57. Fourth, the Commission may wish to confirm that it would take a holistic approach when determining the location of the Advisory Centre, taking into account the following factors: (i) support from the host State/Government; (ii) stable environment; (iii) accessibility and affordability; (iv) geographic distribution; (v) attractiveness to a qualified workforce; and (vi) cooperation and coordination.

58. Fifth, the Commission may wish to request its secretariat to seek possible means for it to function as the interim secretariat of the Advisory Centre once the Statute is finalized and adopted by the General Assembly. This should be sought without any budget implications on the United Nations and not to the detriment of the provision of services to the Commission as a whole (see paras. 14-15 above).

59. Sixth, the Commission may wish to reiterate its request to the secretariat to continue to provide support for the informal operationalization process, including the preparation of background documents and the provision of partial travel support to participants from developing countries, subject to available resources. The secretariat may also be asked to continue to consult with Governments that had expressed an interest in hosting additional AC-OP meetings.

60. Seventh, the Commission may wish to consider adopting a work plan or a road map to finalize the Statute at its fifty-ninth session in 2026 with an aim to present it to the General Assembly for its adoption in the second half of 2026. The resolution of the General Assembly adopting the Statute could address how the Statute would interact with the multilateral instrument on ISDS reforms and also contain recommendations to the Governing Committee of the Advisory Centre. The Statute

could then be open for signature in 2027. To meet this timeline, the Commission may wish to encourage that discussions on the remaining issues (as outlined in the following paragraph) are concluded to the extent possible at the third AC-OP meeting in Paris (1-3 December 2025) and reported back to the Commission in 2026.

61. Lastly, the Commission may wish to reaffirm that the basis of the preparatory work on the operationalization of the Advisory Centre should continue to be the Statute as adopted in principle and that future AC-OP meetings would address issues such as: (a) ways to establish the Advisory Centre as a related organization of the United Nations; (b) privileges and immunities of the Advisory Centre and its staff members; (c) the location of the headquarters and regional offices; (d) the anticipated budget estimated to be USD 4.5 million and means to ensure sustainable operations; (e) means to determine the amount of contributions by Members based on the scale of assessments of the United Nations and methods of payment; (f) classification of Members and different options; (g) thresholds of membership and contributions for the entry into force of the Statute; (h) anticipated mandate and functions of the interim secretariat (for example, the preparation of the host country agreement and the relationship agreement with the United Nations, the creation of a trust fund, the preparation of decisions, rules and regulations to be adopted by the Governing Committee); and (i) any other issues to be identified by the Commission.