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**Operationalization of the Advisory Centre on  
International Investment Dispute Resolution****Budget and financing of the Advisory Centre – A sample****I. Introduction**

1. At the fifty-seventh session of the Commission, it was widely felt that there would be merit in establishing the Advisory Centre on International Investment Dispute Resolution (the “Advisory Centre” or the “Centre”) within the United Nations system. It was also widely felt that the establishment and operation of the Centre should not have any implications for the regular budget of the United Nations.<sup>1</sup>
2. This document sets out a sample budget for establishing and operating the Advisory Centre based on the Statute adopted in principle by the Commission (A/79/17, Annex III).
3. The sample budget consists of (a) initial installation costs required for the establishment of the Advisory Centre and (b) recurring operation costs on a yearly basis. It also includes budget figures for the installation and operation of a regional office.
4. The budget figures are largely based on a study that was conducted in 2020 by a group of experts to estimate the costs of establishing and operating an Advisory Centre, which would provide assistance to States in handling treaty-based investor-States disputes and to identify possible source of finance for its operation (the “Study”).<sup>2</sup> The Study, which was endorsed by the International Arbitration Institute and the International Law Institute, formed the basis of the sample figures in the note by the Secretariat (A/CN.9/WG.III/WP.212/Add.1). The budget figures also took into consideration the budget and fee structure of the Advisory Centre on WTO Law (ACWL)<sup>3</sup> and the International Centre for Settlement of Investment Disputes (ICSID).<sup>4</sup>
5. Nonetheless, the budget figures are only a sample estimate and subject to variations depending on how the Advisory Centre is structured and how it would operate. Its location and the working languages are elements that could have an impact on some of the costs. For ease of reference, the budget and cost figures of the United Nations were used in this document.<sup>5</sup>

**II. Sample budget for establishing and operating the Advisory Centre**

6. Article 3 of the Statute highlights that the operation of the Advisory Centre should be effective, affordable, accessible and financially sustainable. It also requires

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<sup>1</sup> See A/79/17, para. 118.

<sup>2</sup> Nicolas Angelet, Ndanga Kamau, Benjamin Remy, Karl P. Sauvant, Carlos Jose Valderrama, and Don Wallace, Note on the costs and financing of an Advisory Centre on International Investment Law available at [https://uncitral.un.org/sites/uncitral.un.org/files/aciiil\\_note\\_on\\_costs\\_financing\\_24\\_august\\_2020\\_final\\_updated.pdf](https://uncitral.un.org/sites/uncitral.un.org/files/aciiil_note_on_costs_financing_24_august_2020_final_updated.pdf).

<sup>3</sup> ACWL, Reports on Operations, available at <https://www.acwl.ch/basic-documents/>. The most recent 2022 report is available at <https://www.acwl.ch/wp-content/uploads/final-report-on-operations-2022-for-website.pdf>.

<sup>4</sup> ICSID Annual Reports, available at <https://icsid.worldbank.org/resources/publications/icsid-annual-report>. The ICSID schedule of fees is available at <https://icsid.worldbank.org/services/cost-of-proceedings/schedule-fees/2023>.

<sup>5</sup> This includes the 2023 UNOV/UNODC Standard Cost Manual and the 2023 Revised UNODC Standard Salary Cost Manual.

the Advisory Centre to be independent and free from undue external influence, including from its donors and that it should cooperate with international and regional organizations and coordinate, as appropriate, its activities to ensure the best use of its resources. The following sample budget was prepared based on those general principles.

## A. Installation costs

7. As shown below, the initial installation costs of the Advisory Centre are estimated to be USD 422,528. This does not take into account the costs relating to the premises of the Advisory Centre, which may be provided by the host government.

Items	Unit	Cost per unit	Subtotal	
<b>(a) ICT equipment</b>			<b>USD 103,185</b>	
Laptops, docking stations and monitors	25	USD 2,232	USD 55,800	
Office 365	25	USD 225	USD 5,625	
Fixed telephone	20	USD 308	USD 6,160	
Printers	5	USD 3,000	USD 15,000	
Mobile telephone	10	USD 1,060	USD 10,600	
Videoconferencing equipment	1	USD 10,000	USD 10,000	
<b>(b) Furniture</b>			<b>USD 114,343</b>	
Executive Office furniture set	1	USD 6,057	USD 6,057	
Standard Office furniture set	21	USD 2,266	USD 47,586	
Conference Room table	1	USD 12,000	USD 12,000	
Conference Room chairs	36	USD 450	USD 16,200	
Bookshelves and filing cabinets	10	USD 2,500	USD 25,000	
Coffee table and 4 chairs	1	USD 7,500	USD 7,500	
<b>(c) Materials and supplies</b>			<b>USD 75,000</b>	
Stationery and supplies	10	USD 2,500	USD 25,000	
Library books	100	USD 500	USD 50,000	
<b>(d) Services</b>			<b>USD 130,000</b>	
Multilingual website development	1	USD 50,000	USD 50,000	
Database development	1	USD 80,000	USD 80,000	
			<b>Total</b>	<b>USD 422,528</b>

Table 1. Installation costs

## B. Recurring operation costs

8. Article 5 of the Statute states that the Advisory Centre shall consist of a Governing Committee, an Executive Committee and a Secretariat headed by an Executive Director. It also foresees that the Governing Committee would meet at least once a year to carry out the functions (paragraph 4), which would likely be serviced by the Secretariat. The Executive Director, as the head of the Secretariat, is expected to manage the day-to-day operation of the Advisory Centre (paragraph 10).

9. The two pillars of the services to be rendered by the Advisory Centre are outlined in Article 6 (Technical assistance and capacity-building) and Article 7 (Legal advice and support with regard to international investment dispute proceedings) of the Statute. A more detailed list of services is provided for in paragraph 1 of the respective articles (for example, functioning as a forum for the exchange of information and sharing of best practices, functioning as a repository of information, providing a preliminary assessment of a case, supporting the preparation of statements, pleadings and evidence, representing Members in proceedings and others). The following budget figure assumes that all such services shall be rendered by the Advisory Centre, while allowing for phasing in some of the services or prioritizing services to certain Members depending on the resources available (see, for example, Articles 5(3)(i) and 7(3)).

### *Staff costs*

10. To provide the above-mentioned services, it is assumed that the Secretariat of the Advisory Centre would consist of 21 staff members, including the Executive Director. For example, the Secretariat could consist of three offices: (i) the executive office responsible for the overall management of the Advisory Centre, including budget, human resources and other administrative support (as well as the servicing of the Governing and Executive Committee); (ii) the programme coordination office responsible for managing technical assistance and capacity-building services, including the organization of forums and webinars; and (iii) the legal advisory office responsible for providing legal services and support with regard to international investment dispute settlement proceedings.<sup>6</sup> The staffing costs are estimated at USD 2,845,998.

<b><u>Executive Director (D2)</u></b>		
<b>Executive Office (5)</b>	<b>Programme Coordination Office (5)</b>	<b>Legal Advisory Office (10)</b>
<ul style="list-style-type: none"><li>• Executive Officer (P5)</li><li>• Administrative Officer (P3)</li><li>• Administrative Assistant (G5)</li><li>• Information Assistant (G5)</li><li>• Personal Assistant (G5)</li></ul>	<ul style="list-style-type: none"><li>• Programme Coordinator (P4)</li><li>• Legal Officer (P3)</li><li>• Project Manager (P3)</li><li>• 2 Programme Assistants (G5)</li></ul>	<ul style="list-style-type: none"><li>• 1 Senior Legal Officer (P5)</li><li>• 2 Legal Officers (P4)</li><li>• 2 Legal Officer (P3)</li><li>• 3 Associate Legal Officers (P2)</li><li>• 2 Legal Assistants (G5)</li></ul>

Table 2. Structure of the Secretariat

11. The Study estimated that a team of 15 lawyers and 3 administrative staff (including paralegals) could handle 4 to 6 mediation cases and 7 to 9 arbitration cases concurrently and provide assistance during cooling-off period.<sup>7</sup> Based on that analysis, it is estimated that the legal advisory office could provide support for 8 to 10 proceedings annually.

12. While staff costs are expected to take up most of the recurring costs of the Advisory Centre, the sample budget also foresees other expenses relating to the day-to-day operation of the Centre.

### *Office maintenance*

13. The costs for office maintenance including utilities are estimated to be USD 238,962. This does not include the rental cost for the office space nor security-related costs, which may be provided by the host government. The office maintenance estimate is based on the assumption that entire office space of the Advisory Centre would be approximately 424 m<sup>2</sup>, consisting of a conference room (50 m<sup>2</sup>), a reading room (50 m<sup>2</sup>), an office for the Executive Director (27 m<sup>2</sup>) and 22 standard offices (13.5 m<sup>2</sup> each). The annual maintenance cost per m<sup>2</sup> is USD 563.59.<sup>8</sup>

### *Services and supplies*

14. The costs for services and supplies account for conference and document resources required for meetings, translation of documents, ICT-related support, communication costs, stationeries and other supplies.

15. Based on information provided for holding an additional week of a Working Group session (see [A/CN.9/1063](#), paras. 12 and 13), the costs for holding the annual meeting of the Governing Committee would amount to conference resources of USD 160,000 and document resources of approximately USD 244,636. This assumes that

<sup>6</sup> The structure is for illustration purposes only and should not be understood to mean that the offices and the staff members would not be coordinating their work.

<sup>7</sup> See the Study, p. 13.

<sup>8</sup> *Supra* note 4, 2023 UNOV/UNODC Standard Cost Manual.

the meeting would last for one week (which could include the forum for exchange of information) with interpretation in six official UN languages, translation of 7 pre-session documents (total of 59,500 words) and 1 post-session document (total of 10,700 words).<sup>9</sup>

16. Translation service costs are estimated at USD 460,000, which is based on the assumption that 2,000 standard pages (total of 660,000 words) would need to be translated into another language. This takes into account that the fact that the preliminary assessment of the case, including underlying contracts and domestic legislation as well as documents and evidence submitted during the proceedings may require translation. It, however, does not take into account the need for interpretation during the proceedings or in other type of meetings nor bilingual proceedings.

17. It is foreseen that the Advisory Centre could engage consultants to obtain substantive support to its services, particularly in areas or regions where the Centre may lack expertise. Also foreseen is an allowance for 8 interns or secondees for a period of six months to assist their stay at the Centre.

18. ICT hardware (laptops, monitors, printers) support is expected to cost USD 87,500 and software licences (including annual subscription to digital resources) is estimated at USD 80,000. Communication costs are estimated at USD 50,000, which includes website hosting and maintenance. Stationery and supplies are expected to cost USD 25,000 with additional USD 20,000 allocated for paper-based books and journals. USD 20,000 is estimated for maintaining the repository/database.

19. Travel costs of staff members are estimated at USD 200,000, which would cover the travel expenses of staff members to conduct preliminary assessment of a case in a Member State, to attend hearings and other parts of proceedings in various locations and to deliver capacity building workshops in different member States.<sup>10</sup> An additional USD 100,000 is allocated to cover the travel costs of representatives of Members, for example, to attend meetings of the Advisory Centre or technical assistance workshops.

20. Lastly, a contingency reserve of 5% of the total expenditures is foreseen to address any unforeseen circumstances. All costs have been calculated on the basis of tax exemption.

Items	Unit	Cost per unit	Sub-Total	
<b>(a) Rent</b>				
Rental of premises	1	TBD	----	
<b>(b) Office maintenance (including utilities)</b>			<b>USD 238,962</b>	
Executive Director Office	1	USD 563.59 per m <sup>2</sup>	USD 15,217	
Standard Offices	22		USD 167,386	
Conference room	1		USD 28,180	
Reading room	1		USD 28,180	
<b>(c) Staff costs<sup>11</sup></b>			<b>USD 2,845, 998</b>	
Executive Director (D2 level)	1	USD 238,700	USD 238,700	
Professional staff (P5 level, senior)	2	USD 201,900	USD 403,800	

<sup>9</sup> Based on figures provided by document management services in Vienna. Cost of translation of one English Standard Page (ESP, which consists of 330 words) into one other language is set at 230 USD.

<sup>10</sup> Estimates based on travels from Vienna. The costs would largely vary depending on the location of the Advisory Centre. It can also be assumed that travel costs incurred for attendance in proceedings may be borne by the Member.

<sup>11</sup> Based on 2023 Revised UNODC Standard Salary Cost Manual. For the posts funded by the regular budget, the figure for “continuing” staff cost in 2023 was used; except for G-staff which is based on the scales for Vienna that apply to all duty stations in Austria. The UN System Chief Executives Board for Coordination (CEB) has assigned the United Nations Secretariat the responsibility for conducting the surveys and promulgating the scales. The survey schedule is available at [https://onehr.un.org/salary-survey/#/survey\\_schedule](https://onehr.un.org/salary-survey/#/survey_schedule).

Professional staff (P4 level)	3	USD 178,700	USD 536,100	
Professional staff (P3 level)	5	USD 152,900	USD 764,500	
Professional staff (P2 level, junior)	3	USD 126,400	USD 379,200	
General service staff (G5 level)	7	USD 74,814	USD 526,698	
<b>(d) Services and supplies</b>			<b>USD 1,253,136</b>	
Conference resources – 1 week session	1	USD 160,000	USD 160,000	
Document resources – 1 week session	1	USD 244,636	USD 244,636	
Translation	2,000 pages	USD 230	USD 460,000	
Consultancy (research)	7	USD 8,000	USD 56,000	
Stipend to interns/secondees (allowance)	8	USD 6,250	USD 50,000	
ICT hardware support	35	USD 2,500	USD 87,500	
Software licenses/digital subscriptions	1	USD 80,000	USD 80,000	
Communication costs (website hosting and maintenance)	1	USD 50,000	USD 50,000	
Books and journals (paper-based)	40	USD 500	USD 20,000	
Stationery and supplies	10	USD 2,500	USD 25,000	
Database development	1	USD 20,000	USD 20,000	
<b>(e) Travel</b>			<b>USD 300,000</b>	
Travel of staff members			USD 200,000	
Travel of Member representatives	20	USD 5,000	USD 100,000	
<b>(f) Contingency reserve (5%)</b>			<b>USD 231,905</b>	
			<b>Total</b>	<b>USD 4,870,001</b>

Table 3. Recurring operation costs

### C. Regional office (installation and operation)

21. The Advisory Centre should generally be accessible to its beneficiaries, which could be further ensured through regional presence (Article 9(3)). However, establishing a regional office of the Advisory Centre would also have resource implications and the cost-effectiveness of such an office should be carefully analysed.

22. The following provides an estimate of establishing and operating a regional office with the assumption that five of the 21 staff members of the Secretariat identified in paragraph 10 above would be deployed to the regional office. In other words, the budget below assumes that there will be no additional staff costs arising from the operation of a regional office. Based on these assumptions, it is estimated that the costs of establishing a regional office would amount to USD 148,653 with recurring operating cost of USD 328,175. This is also based on the assumption that the host government would provide the premises free of charge.

Items	Unit	Cost per unit	Subtotal	
<b>(a) ICT equipment</b>			<b>USD 38,125</b>	
Laptops, docking stations and monitors	5	USD 2,232	USD 11,160	
Office 365	5	USD 225	USD 1,125	
Fixed telephone	5	USD 308	USD 1,540	
Printers	3	USD 3,000	USD 9,000	
Mobile telephone	5	USD 1,060	USD 5,300	
Videoconferencing equipment	1	USD 10,000	USD 10,000	
<b>(b) Furniture</b>			<b>USD 55,528</b>	
Standard Office furniture set	8	USD 2,266	USD 18,128	
Conference Room table	1	USD 12,000	USD 12,000	
Conference Room chairs	12	USD 450	USD 5,400	
Bookshelves and filing cabinets	5	USD 2,500	USD 12,500	
Coffee table and 4 chairs	1	USD 7,500	USD 7,500	

<b>(c) Materials and supplies</b>			<b>USD 35,000</b>	
Stationery and supplies	10	USD 2,500	USD 25,000	
Library books	20	USD 500	USD 10,000	
<b>(d) Services</b>			<b>USD 20,000</b>	
Website development	1	USD 20,000	USD 20,000	
			<b>Total</b>	<b>USD 148,653</b>

Table 4. Installation costs of a regional office

Items	Unit	Cost per unit	Sub-Total	
<b>(a) Rent</b>				
Rental of premises	1	TBD	----	
<b>(b) Office maintenance (including utilities)</b>			<b>USD 89,047</b>	
Standard Offices	8	USD 563.59 per m <sup>2</sup>	USD 167,386	
Conference room	1		USD 28,180	
<b>(c) Services and supplies</b>			<b>USD 223,500</b>	
Translation	500 pages	USD 230	USD 115,000	
Consultancy (research)	2	USD 8,000	USD 16,000	
Stipend to interns/secondees (allowance)	3	USD 10,000	USD 30,000	
ICT hardware support	10	USD 2,500	USD 25,000	
Software licenses/digital subscriptions	1	USD 20,000	USD 20,000	
Communication costs (website hosting and maintenance)	1	USD 10,000	USD 10,000	
Stationery and supplies	3	USD 2,500	USD 7,500	
<b>(d) Contingency reserve (5%)</b>			<b>USD 15,627</b>	
			<b>Total</b>	<b>USD 328,175</b>

Table 5. Recurring costs of a regional office

#### D. Summary

23. Based on the above, it is estimated that an initial funding of USD 5.3 million would be required for the establishment (USD 422,528) and the operation of the Advisory Centre for the first year (USD 4,870,001). Afterwards, the annual budget of the Centre would be USD 4.87 million. If one regional office is to be established with the installation cost of USD 148,653, the total annual budget of the Advisory Centre is estimated to be USD 5.19 million.

### III. Scale of contributions and schedule of fees based on the sample budget

24. Article 8 of the Statute provides that the budget of the Advisory Centre would be funded mainly by (i) contributions of Members, (ii) fees charged for services and (iii) voluntary contributions. The amount of contribution to be made by each potential Member is to be set out in Annex IV of the Statute, which is subject to possible adjustments by the Governing Committee.

25. The following sets forth possible figures to be included in Annexes IV based on the sample budget figure of the Advisory Centre provided for in chapter II. As mentioned above (paras. 7 and 22), this document assumes that the host governments would bear the installation costs to establish the headquarters and the regional offices of the Advisory Centre and provide its premises free of charge.

26. The contributions of Members and fees charged by the Advisory Centre would be the main source of funding to cover the annual operation costs of USD 4.87 million.

Voluntary contributions have not been taken into account as it is difficult to estimate the amount of such voluntary contributions.

#### A. Contribution from Members

	Minimum annual contribution	Minimum one-time contribution
Members listed in Annex I	USD 50,000	USD 250,000
Members listed in Annex II	USD 250,000	USD 1,250,000
Members listed in Annex III	USD 500,000	USD 2,500,000

Table 6. Scale of contributions (Annex IV)

27. Annex IV foresees that Members listed in Annex I would be required to make an annual contribution of USD 50,000; Members listed in Annex II, USD 250,000 and Members listed in Annex III, USD 500,000.

28. In lieu of the annual contribution, it may be possible for Members to make a one-time contribution equivalent to five years of annual contribution. This is to address the difficulties faced by some States in making yearly contributions. However, it would be necessary to set forth the rights and obligations of those States after the fifth year. Such one-time contributions (as well as the annual contributions) could be made to an endowment/trust fund, the interests of which could support the operations of the Advisory Centre.<sup>12</sup>

29. The following set forth possible membership scenarios if the annual operation costs of USD 4.87 million were to be met entirely by annual contributions.

Annex I	Annex II	Annex III	Total number of Members required
17	10	3	30
19	14	1	34
35	13	None	48

Table 7. Membership scenarios

#### B. Fees for services

30. It was generally acknowledged that the Advisory Centre should charge for its services to cover its budget, which would ensure financial sustainability.

<sup>12</sup> Article 6(2) of the Agreement establishing the ACWL provides that: “Each Member that has accepted this Agreement shall promptly pay a one-time contribution to the Centre’s endowment fund and/or annual contributions during the first five years of operation of the Centre in accordance with the scale of contributions set out in Annexes I and II to this Agreement. Each Member that has acceded to this Agreement shall make contributions in accordance with the provisions of its instrument of accession.” ACWL created an Endowment Fund for receiving the contributions of both developed and developing country members. Annex I of the Agreement provides that the minimum contribution of developed country members to: (i) the endowment fund is USD 1 million and/or (ii) the annual budget for the first five years is USD 1.25 million (available at [https://www.acwl.ch/wp-content/uploads/agreement\\_estab\\_acwl\\_annex\\_i.pdf](https://www.acwl.ch/wp-content/uploads/agreement_estab_acwl_annex_i.pdf)). Annex II of the Agreement classifies developing countries and economies in transition into three groups based on their share of world trade and per capita income. The minimum contribution to the Endowment Fund for countries in Group A is set at USD 300,000, for Group B, USD 100,000 and for Group C, USD, 50,000 (available at [https://www.acwl.ch/wp-content/uploads/agreement\\_estab\\_acwl\\_annex\\_ii.pdf](https://www.acwl.ch/wp-content/uploads/agreement_estab_acwl_annex_ii.pdf)). LDCs are not required to contribute to the Endowment Fund in order to be entitled to the ACWL’s services.



**Article 6 services (Technical assistance and capacity-building)**

Members listed in Annex I	Free of charge
Members listed in Annex II	Free of charge
Members listed in Annex III	Free of charge
Non-Members	Fee to be determined by the Executive Director
Other persons or entities	Fee to be determined by the Executive Director

**Article 7 services (Legal advice and support with regard to international investment dispute proceedings)**

Members listed in Annex I	Retainer fee of USD 5,000 + USD 250 per hour
Members listed in Annex II	Retainer fee of USD 5,000 + USD 400 per hour
Members listed in Annex III	Retainer fee of USD 5,000 + USD 550 per hour
Non-Members	Same as Members listed in Annex III unless determined otherwise by the Executive Director

Table 8. Schedule of fees for services rendered by the Advisory Centre

*Article 6 services*

31. It is assumed that services falling under “technical assistance and capacity-building” would be provided free of charge to the Members of the Advisory Centre.

32. Article 6(3) and (4) foresees the possible request for participation in Advisory Centre’s activities by non-Members<sup>13</sup>. Considering that the type of services could vary to a large extent (for example, participation in a webinar, access to the repository of resources, or the holding of a one-week in-person workshop), it is assumed that the Executive Director would determine the fees to be charged on a cost recovery basis based on the regulations adopted by the Governing Committee and at a rate higher than that of Members. However, the fees to be charged to non-Members could be lower than those charged to other persons or entities.

*Article 7 services*

33. It is assumed that services falling under “legal advice and support with regard to international investment dispute proceedings” would be provided based on a non-refundable retainer fee of USD 5,000 and additional fees to be charged on an hourly rate. The retainer fee would cover the initial costs relating to the assessment of the case and would also deter non-meritorious requests for assistance.<sup>14</sup> The hourly rate is higher than the fees charged by the ACWL,<sup>15</sup> which takes into account the rather complex nature of investment disputes as well as the market rate for such services. It also takes into account the hourly fees received by ICSID tribunal members.<sup>16</sup> While

<sup>13</sup> A “non-Member” refers to a State or a regional economic integration organization that is not a Party to the Statute.

<sup>14</sup> In comparison, the fee for lodging requests for institution of conciliation or arbitration proceedings under the ICSID Convention or the ICSID Additional Facility Rules or for applying for an annulment of an arbitral award is USD 25,000. An administrative charge of USD 52,000 is levied by the Centre upon the registration of a request for arbitration, conciliation or post-award proceeding and annually thereafter. See ICSID Schedule of Fees (2023), paras. 1 and 4.

<sup>15</sup> For support in WTO dispute settlement proceedings, ACWL charges either by hours or by case. For the latter, estimates are offered for each phase. An hourly basic rate is set at USD 250, with discounts provided to LDCs (90%) and by categories. Available at [https://www.acwl.ch/wp-content/uploads/agreement\\_estab\\_acwl\\_annex\\_iv.pdf](https://www.acwl.ch/wp-content/uploads/agreement_estab_acwl_annex_iv.pdf).

<sup>16</sup> Members of Commissions, Tribunals, ad hoc Committees, Fact-Finding Committees and mediators in ICSID proceedings receive a fee of USD 500 for each hour of work performed in connection with the proceeding, including each hour spent participating in hearings, sessions and meetings. Members also received an hourly fee of USD 250 when travelling for hearings, sessions



the aim of the Centre is to assist least developed and developing countries, it also assumed that the fees to be charged would be a significant source of the Centre's budget to ensure sustainability of its operation.

34. Article 7(4) foresees a situation where a non-Member requests the services listed in article 7, the procedure for which is to be detailed in a regulation adopted by the Governing Committee. The decision whether such services would be available to the requesting non-Member falls within the authority of the Governing Committee. However, it is assumed that the fees charged to that non-Member (regardless of the category they belong to) would be the same as or higher than those charged to Members listed in Annex III. Discretion is given to the Executive Director to adjust the fees based on the individual circumstances.

35. The fee structure outlined above with regard to Article 7-types services is just one example. It may be possible to charge different fees for the different types of services listed in article 7(1). Another possibility is to charge different fees based on the phase or stage of each case, including a flat-rate fee for some of the services (for example, assistance in the appointment of a mediator or an arbitrator, or of external counsel, see article 7(1)(b) and (e)). Depending on whether the Advisory Centre would provide services with regard to post-award remedies, a separate fee schedule could be envisaged for such a phase.

36. The following provides sample figures of fees to be charged to a Member when receiving the services mentioned in Article 7 and of potential income that could be generated by the Advisory Centre. This is based on the assumption that each staff member of the legal advisory office would put in approximately 1,500 billable hours per year (188 of the 260 workdays in a year) distributed over 3 cases, with the Advisory Centre handling 8 to 10 cases per year. It also presumes that the Advisory Centre is fully operational.

37. *Sample fees to be charged to a Member in Annex I* – Assuming that a three-member team provides the legal advisory services, the total amount of annual fees would be approximately USD 375,000 (3 persons x 500 hours x USD 250). Considering that the amount may still be burdensome to certain States, it may be necessary to consider introducing a cap (either yearly or by case) on the amount to be charged.

38. *Income-generated from services* - If a fully staffed legal advisory office (8 staff members) were to bill 1,500 hours per year with regard to proceedings involving Members in Annex I, the income generated from fees would amount to USD 3 million, which would constitute approximately 62% of the estimated budget.

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or meetings and are entitled to a per diem of USD 900 when overnight lodging is required. See ICSID Memorandum on the Fees and Expenses (2022) available at <https://icsid.worldbank.org/services/cost-of-proceedings/memorandum-fees-expenses/2022>.