

# WHO IS IN? WHO IS OUT? HOW THE UNCITRAL TRANSPARENCY RULES CAN INFLUENCE THE UPCOMING AMENDMENTS OF THE ICSID ARBITRATION RULES

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## ABSTRACT

*The International Center for Settlement of Investment Disputes (hereinafter “ICSID”) has started its fourth amendment of its Arbitration Rules since 2016. The issue of transparency has been highlighted as a delicate issue in ICSID ongoing current amendment. It is also listed in the topics that have been identified for potential amendment. This article analyses how the issues of access to hearings and confidentiality over information arising from arbitration is treated under the current framework. A comparison is made against the Transparency Rules. The analysis is also made against the comments received from the public whose views are analysed as a possible direction the amendment may take.*

**KEYWORDS:** *ICSID amendment, ICSID public comments, The Transparency Rules, access to hearing, confidentiality over arbitration information*

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