

14 July 2014

Dear Sir/Madam,

I appeared before JSCOT this morning on the subject of the Korea-Australia FTA. I would like to provide the Committee with some follow-up information:

1. Mr Thomson asked for statistics on the outcome of ISDS cases (i.e. how often do states win/lose). As of April 2014, UNCTAD reported that there were 568 known ISDS cases brought under treaties (the lack of transparency in ISDS means there could be many more cases that we don't know about). 274 cases have been concluded and of these, approximately 43% were decided in favour of the State and 31% in favour of the investor while approximately 26% of cases were settled. The link to the full UNCTAD report is here: http://unctad.org/en/PublicationsLibrary/webdiaepcb2014d3_en.pdf

2. Mr Whish-Wilson asked what the current status of negotiations on investment in the TTIP are. I have checked and the discussions of the text of the TTIP on Investment are apparently suspended pending the outcome of the EU public consultation: http://trade.ec.europa.eu/doclib/docs/2014/july/tradoc_152666.pdf

More information on the public consultation can be found here:
http://trade.ec.europa.eu/consultations/index.cfm?consul_id=179

The call for submissions has just closed - I believe that some of the submissions will be published online in due course.

I would like to thank the Committee again for the opportunity to speak and I am happy to field any further questions that the members of the Committee may have.

Kind regards,
Kyla

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