



Regional: Promotion of International Arbitration Reform for Better Investment Climate in the South Pacific

Project Name	Promotion of International Arbitration Reform for Better Investment Climate in the South Pacific																
Project Number	50114-001																
Country / Economy	Regional																
Project Status	Closed																
Project Type / Modality of Assistance	Technical Assistance																
Source of Funding / Amount	<table border="1"><tr><td>TA 9227-REG: Promotion of International Arbitration Reform for Better Investment Climate in the South Pacific</td><td></td></tr><tr><td>Technical Assistance Special Fund</td><td>US\$ 500,000.00</td></tr><tr><td>TA 9227-REG: Promotion of International Arbitration Reform for Better Investment Climate in the South Pacific (Supplementary)</td><td></td></tr><tr><td>Technical Assistance Special Fund</td><td>US\$ 150,000.00</td></tr><tr><td>TA 9227-REG: Promotion of International Arbitration Reform for Better Investment Climate in the South Pacific (2nd Supplementary)</td><td></td></tr><tr><td>Regional Cooperation and Integration Fund</td><td>US\$ 500,000.00</td></tr><tr><td>TA 9227-REG: Promotion of International Arbitration Reform for Better Investment Climate in the South Pacific (Supplementary)</td><td></td></tr><tr><td>Technical Assistance Special Fund</td><td>US\$ 500,000.00</td></tr></table>	TA 9227-REG: Promotion of International Arbitration Reform for Better Investment Climate in the South Pacific		Technical Assistance Special Fund	US\$ 500,000.00	TA 9227-REG: Promotion of International Arbitration Reform for Better Investment Climate in the South Pacific (Supplementary)		Technical Assistance Special Fund	US\$ 150,000.00	TA 9227-REG: Promotion of International Arbitration Reform for Better Investment Climate in the South Pacific (2nd Supplementary)		Regional Cooperation and Integration Fund	US\$ 500,000.00	TA 9227-REG: Promotion of International Arbitration Reform for Better Investment Climate in the South Pacific (Supplementary)		Technical Assistance Special Fund	US\$ 500,000.00
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Strategic Agendas	Inclusive economic growth Regional integration																
Drivers of Change	Gender Equity and Mainstreaming Governance and capacity development Knowledge solutions Private sector development																
Sector / Subsector	Public sector management / Law and judiciary																
Gender	Some gender elements																
Description	The proposed TA aims to catalyze the establishment of one single and effective commercial dispute resolution regime through international arbitration reform to boost international investor confidence in the Pacific DMCs. The TA has 3 main components: (i) assisting selected Pacific DMCs in acceding to the NY Convention; (ii) drafting new or updated arbitration laws to recognize the international arbitration agreements and implement the NY Convention; and (iii) strengthening capacity for international arbitration reforms through regional awareness building and dissemination workshops and training of arbitrators and judges on international commercial arbitration and recognition and enforcement proceedings under the NY Convention.																
Project Rationale and Linkage to Country/Regional Strategy	The TA is tightly and synergistically aligned with ADB's highest priorities including those articulated in ADB's Strategy 2020 and the Midterm Review of Strategy 2020 which reemphasized the importance of private sector development and regional cooperation and integration. The TA sits within the mandate and objective of ADB to attend to needs of less developed countries to provide assistance that will contribute to the economic growth of a region as a whole and to promote regional cooperation. This is particularly so because international arbitration is a gateway to regional and international investor confidence. The TA is also aligned with the regional development goals to strengthen legal framework to support economic development in the Pacific DMCs. Furthermore, the governments of the Pacific DMCs have set out private sector development as an important development agenda and calls for reforms to develop the private sectors and remove barriers to development. In addition, the TA will build upon the assessments and recommendations made under the Pacific Private Sector Development Initiative (PSDI), a regional technical assistance facility co-financed by ADB, the Government of Australia and the New Zealand Government which recommends the updating of the relevant legal framework to allow for recognition and enforcement of foreign arbitral awards as part of business law reforms in the Pacific DMCs.																
Impact	Increased foreign investor confidence leading to greater economic development potential in the Pacific DMCs																
Project Outcome																	
Description of Outcome	An effective international commercial dispute resolution and enforcement regime established in the selected Pacific DMCs																
Progress Toward Outcome																	
Implementation Progress																	
Description of Project Outputs	(i) Deposit by selected Pacific DMCs of a binding instrument for accession to the NY Convention. (ii) Final drafts of new or updated arbitration law to implement the NY Convention and reflect modern international arbitration standards in selected Pacific DMCs (iii) Strengthened capacity for international arbitration reforms through regional awareness building and dissemination workshops and tailored trainings of arbitrators, lawyers and judges in international commercial arbitration and recognition and enforcement proceedings under the NY Convention.																
Status of Implementation Progress (Outputs, Activities, and Issues)																	
Geographical Location	Regional																
Summary of Environmental and Social Aspects																	

Environmental Aspects

Involuntary Resettlement

Indigenous Peoples

Stakeholder Communication, Participation, and Consultation

During Project Design

During Project Implementation

Business Opportunities

Consulting Services International Consultants
- Commercial Arbitration Experts (2; 6 persons months each; intermittent)
National Consultants
- National Legal Experts in participating Pacific developing member countries (1 person month each; intermittent)
- Project Coordinator (3 person months; intermittent)

Procurement Not applicable.

Responsible ADB Officer Pak, Christina U.
Responsible ADB Department Office of the General Counsel
Responsible ADB Division Office of the General Counsel
Executing Agencies Asian Development Bank

Timetable

Concept Clearance 30 Mar 2016
Fact Finding 09 May 2016 to 26 May 2016
MRM -
Approval 08 Nov 2016
Last Review Mission -
Last PDS Update 05 Apr 2016

TAÂ 9227-REG

Milestones

Approval	Signing Date	Effectivity Date	Closing		
			Original	Revised	Actual
08 Nov 2016	-	08 Nov 2016	31 Dec 2019	30 Jun 2021	01 Sep 2021

Financing Plan/TA Utilization						Cumulative Disbursements		
ADB	Cofinancing	Counterpart				Total	Date	Amount
		Gov	Beneficiaries	Project Sponsor	Others			
1,650,000.00	0.00	0.00	0.00	0.00	0.00	1,650,000.00	17 Jun 2022	1,455,626.91

Project Page <https://www.adb.org/projects/50114-001/main>
Request for Information <http://www.adb.org/forms/request-information-form?subject=50114-001>
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