
STATEMENT

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Friends: We have heard a lot today about rapid changes in *investment treaty* policy. The system is both expanding – with major new treaties and ongoing negotiations – and contracting, with some governments ending treaties perceived as outdated.

What we know for sure is that properly designed investment treaties play a constructive role in achieving a range of policy goals. But not all of the over 3000 treaties concluded in the past five decades are designed to meet **current** needs.

As governments work to improve their investment treaties in our new environment, **evidence-based and inclusive dialogue is more important than ever**. A better understanding of existing approaches – and of the challenges and opportunities of addressing them – is crucial. It can help ensure that current reforms produce rules that are fair and efficient, and that contribute to achieving the SDGs.

For these reasons, the OECD hosts dialogues to address investment treaty policy issues and challenges that policy makers face around the globe.

Today, for example, OECD governments, with input from stakeholders, are addressing three core issues to ensure that treaties help achieve the SDGs.

- First, we are examining the benefits and costs of investment treaties. Governments are looking at the goals of these treaties -- and the evidence on how they are being achieved.
- Second, we are analysing how governments balance investor protection and the right to regulate. Reducing unnecessary risk for investors while ensuring that governments have adequate space to regulate economic activity are vital to achieving the SDGs.
- Third, building on the groundbreaking start in 2011, OECD governments are debating how disputes between investors and states can be resolved. At our annual investment treaty conference this past March, governments and stakeholders had many opportunities to exchange views on dispute settlement, including on the EU's investment court proposal.

At the OECD, our role is informed by a detailed mapping exercise of over 2200 investment treaties. A database of our findings provides unique insights on treaty provisions, their development and evolution. We are pleased to see that UNCTAD too is engaged in a mapping exercise and has recently released findings for a range of treaties. The OECD complements that effort to inform policy analysis. So, we are pleased to have this opportunity to participate in this UNCTAD meeting.

In all these ways, we have focussed on governments as policy makers, as treaty drafters, as treaty interpreters and as litigants. At the same time, we ensure that key stakeholders, including investors, have opportunities to dialogue and share their input on broader societal interests.

For example, the OECD uses its investment policy analysis – and its broad expertise across a full range of government regulatory policies – to contribute to the recently launched G20 discussions on trade and investment.

As treaty policy makers and senior negotiators from over 55 governments meet at the OECD twice a year and consult regularly with stakeholders, they have developed a strong sense of community and a shared sense of responsibility for the global *investment policy* and *investment treaty* system. We welcome the participation of our colleagues from UNCTAD, ICSID and other international organisations in this dialogue. The OECD will continue to welcome them and governments that wish to take part in these open, frank and constructive conversations. Thank you.