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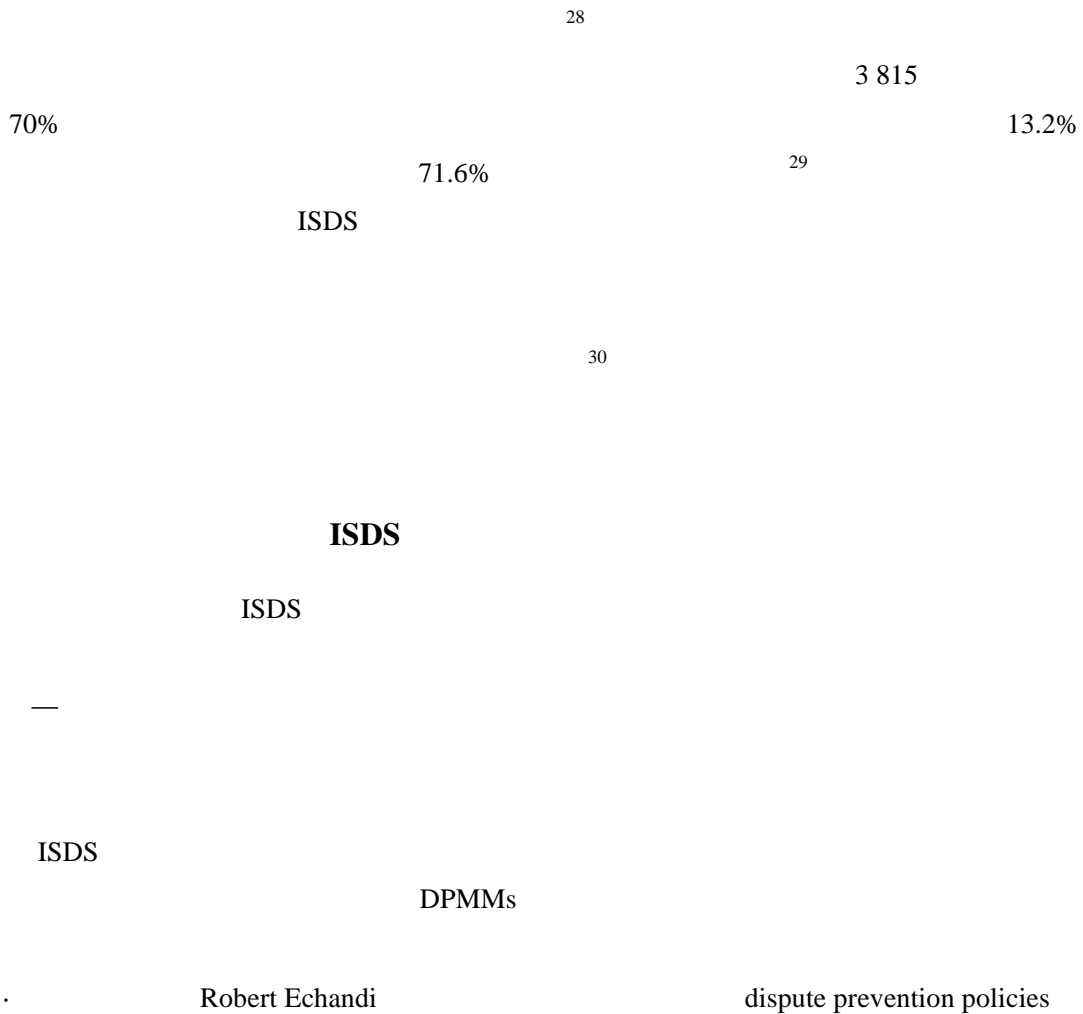
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A Dispute Prevention-Oriented ISDS Reform and China's Proposal

LIU Zijing

Abstract: The ISDS reform can be divided into two categories based on intervention timing

approach might be the future exit. It emphasizes Dispute Prevention and Management Mechanisms (DPMMs), which prioritize early action, preemptive measures, and de-escalation of investment disputes. The dispute prevention-oriented approach is increasingly attracting States attentions. This trend is also evidenced by the recent blooming of foreign investment complaints mechanism in China. In response, this article argues that the ISDS reform could take a dispute prevention as its new orientation and incorporate DPMMs in its reform tool kits. The cooling-off period clause, the ombudsman and the complaint mechanism provide specific institutional supplies for the reform, which can also be incorporated in China's proposal for the ISDS reform.

Keywords: ISDS Reform; Dispute Prevention; Dispute Resolution; Foreign Investment Complaints; International Investment Treaty Arbitration