



## NEW CHAIRMAN OF THE ADMINISTRATIVE COUNCIL



On July 1, 2007, Robert B. Zoellick became the 11th President of the World Bank Group. On the same date, pursuant to Article 4 of the ICSID Convention, Mr. Zoellick became *ex officio* the Chairman of the ICSID Administrative Council.

Prior to his appointment, Mr. Zoellick served as Vice Chairman, International of the Goldman Sachs Group, Managing Director, and Chairman of Goldman Sachs' Board of International Advisors from 2006–07.

In 2005–06, Mr. Zoellick served as the Deputy Secretary of the U.S. State Department. He was the Department's Chief Operating Officer and policy alternate for the Secretary of State, in addition to having lead policy responsibility in a number of areas.

From 2001 to January 2005, Mr. Zoellick served in the U.S. cabinet as the 13th U.S. Trade Representative. He forged an activist approach to free trade at the global, regional, and bilateral levels, while securing support for open markets with the U.S. Congress and a broad coalition of domestic constituencies. He worked with Ministers from nearly 150 economies to launch the Doha Development Agenda in the World

Trade Organization (WTO) in 2001 and then to complete the framework accord for opening markets in 2004. Mr. Zoellick was instrumental in completing the accession of China and Chinese Taipei to the WTO. He also completed or substantially advanced the accessions to the WTO of Cambodia, Saudi Arabia, Viet Nam, Russia, and others.

Mr. Zoellick enacted or completed FTAs with Jordan, Chile, Singapore, Morocco, Bahrain, the five countries of Central America and the Dominican Republic, and Australia, quintupling the number of countries with which the U.S. has FTAs. He also launched FTAs later completed with Peru, Colombia, and Panama, and enacted a Basic Trade Agreement with Viet Nam. Mr. Zoellick worked closely with the U.S. Congress to pass Trade Promotion Authority, as well as preferential trade arrangements with Africa, the Andean countries, Caribbean states, and all developing economies.

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## MEMBERSHIP MATTERS

Since the publication of the last issue of *News from ICSID*, Serbia signed the ICSID Convention and on the same day deposited its instrument of ratification. Serbia thus became the 144th ICSID Contracting State. On May 2, 2007, one ICSID Contracting State, the Republic of Bolivia, submitted a written notice of denunciation of the ICSID Convention. In accordance with Article 71 of the Convention, the denunciation will take effect six months after the receipt of the notice, *i.e.* on November 3, 2007.

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## DISPUTES BEFORE THE CENTRE

In the period January 1 – June 30, 2007, the Centre has registered 14 new cases, bringing the total number of cases registered with ICSID to 236. Eleven of the new proceedings are conducted under the ICSID Convention and three proceedings are administered under the ICSID Additional Facility Rules.

In nine of the new proceedings, the claimants relied for the host State's consent on ICSID provisions contained in bilateral investment treaties. Four proceedings were initiated on the basis of investment contracts with the host State. In one further proceeding, ICSID jurisdiction was asserted on the basis of the Energy Charter Treaty.

Eleven arbitration cases were concluded in the first half of 2007. Four proceedings were discontinued at the request of either one or both parties. Awards were rendered in seven further cases. Two of these awards declined ICSID jurisdiction and in one case, the tribunal concerned dismissed all claims on the merits. Three further awards upheld the claims in part. One award embodied an agreement by the parties to amicably settle the dispute.

Three proceedings in which the parties had sought the annulment of an award previously rendered were also concluded in the first half of 2007.

Since the publication of the last issue of *News from ICSID*, 13 first sessions and 15 hearings were held. In addition, tribunals were constituted or reconstituted in 12 of the cases pending before the Centre in the period January – June 2007. In addition, one *ad hoc* Committee was constituted in the first half of 2007.

Procedural developments in the disputes before the Centre during the period January 1 – June 30, 2007 are provided below. The latest developments in the caseload may be followed on the Centre's website at <http://www.worldbank.org/icsid>.

- **Compañía de Aguas del Aconquija S.A. and Vivendi Universal v. Argentine Republic (Case No. ARB/97/3) — Resubmission**

May 25, 2007

The Tribunal declares the proceeding closed in accordance with ICSID Arbitration Rule 38(1).

- **Víctor Pey Casado and President Allende Foundation v. Republic of Chile (Case No. ARB/98/2)**

January 15 – 16, 2007

The Tribunal holds a hearing in Paris on questions raised by the Tribunal.

- **Antoine Goetz and others v. Republic of Burundi (Case No. ARB/01/2)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

- **Enron Corporation and Ponderosa Assets, L.P. v. Argentine Republic (Case No. ARB/01/3)**

March 22, 2007

The Tribunal declares the proceeding closed in accordance with ICSID Arbitration Rule 38(1).

May 22, 2007

The Tribunal renders its award.

- **MTD Equity Sdn. Bhd. and MTD Chile S.A. v. Republic of Chile (Case No. ARB/01/7) — Annulment Proceeding**

March 21, 2007

The *ad hoc* Committee issues a decision on the application for annulment of the award.

- **CMS Gas Transmission Company v. Argentine Republic (Case No. ARB/01/8) — Annulment Proceeding**

January 22, 2007

The Respondent files a reply.

February 22, 2007

The Claimant files a rejoinder.

March 27 – 28, 2007

The *ad hoc* Committee holds a hearing in Paris.

- **Repsol YPF Ecuador S.A. v. Empresa Estatal Petroleos del Ecuador (Petroecuador) (Case No. ARB/01/10) — Annulment Proceeding**

*January 8, 2007*  
The *ad hoc* Committee issues a decision on the application for annulment of the award.
- **Azurix Corp. v. Argentine Republic (Case No. ARB/01/12) — Annulment Proceeding**

*June 14, 2007*  
The *ad hoc* Committee is constituted. Its members are: Gavan Griffith (Australian), President; Bola Ajibola (Nigerian); and Michael Hwang (Singaporean).
- **LG&E Energy Corp., LG&E Capital Corp. and LG&E International Inc. v. Argentine Republic (Case No. ARB/02/1)**

*April 12, 2007*  
The Tribunal declares the proceeding closed in accordance with ICSID Arbitration Rule 38(1).
- **PSEG Global Inc., The North American Coal Corporation, and Konya Ilgin Elektrik Üretim ve Ticaret Limited Sirketi v. Republic of Turkey (Case No. ARB/02/5)**

*January 9, 2007*  
The Tribunal declares the proceeding closed in accordance with ICSID Arbitration Rule 38(1).

*January 19, 2007*  
The Tribunal renders its award.
- **SGS Société Générale de Surveillance S.A. v. Republic of the Philippines (Case No. ARB/02/6)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
- **Hussein Nuaman Soufraki v. United Arab Emirates (Case No. ARB/02/7) — Annulment Proceeding**

*March 20, 2007*  
The Claimant files a revised submission on costs.

*June 5, 2007*  
The *ad hoc* Committee issues a decision on the application for annulment of the award. The decision includes a separate opinion and a statement of dissent of one of the members of the *ad hoc* Committee.
- **Siemens A.G. v. Argentine Republic (Case No. ARB/02/8)**

*February 6, 2007*  
The Tribunal renders its award.
- **Ahmonseto, Inc. and others v. Arab Republic of Egypt (Case No. ARB/02/15)**

*April 5, 2007*  
The Tribunal declares the proceeding closed in accordance with ICSID Arbitration Rule 38(1).

*June 18, 2007*  
The Tribunal renders its award.
- **Sempra Energy International v. Argentine Republic (Case No. ARB/02/16)**

*March 19, 2007*  
The Respondent files a proposal for the disqualification of the three members of the Tribunal.

*March 22, 2007*  
The proceeding on the merits is suspended in accordance with ICSID Arbitration Rule 9(6).

*June 5, 2007*  
The proposal for the disqualification of the three members of the Tribunal is declined and the proceeding is resumed.
- **AES Corporation v. Argentine Republic (Case No. ARB/02/17)**

*June 14, 2007*  
The Tribunal further suspends the proceeding following the agreement of the parties.
- **Tokios Tokelès v. Ukraine (Case No. ARB/02/18)**

*June 27, 2007*  
The Tribunal declares the proceeding closed in accordance with ICSID Arbitration Rule 38(1).
- **Camuzzi International S.A. v. Argentine Republic (Case No. ARB/03/2)**

*June 21, 2007*  
The Tribunal suspends the proceeding following the agreement of the parties.
- **Empresas Lucchetti, S.A. and Lucchetti Peru, S.A. v. Republic of Peru (Case No. ARB/03/4) — Annulment Proceeding**

*February 20 – 21, 2007*  
The *ad hoc* Committee holds a hearing in Washington, D.C.

■ **Metalpar S.A. and Buen Aire S.A. v. Argentine Republic (Case No. ARB/03/5)**

*January 9, 2007*

The Claimants file a reply on the merits.

*April 5, 2007*

The Respondent files a rejoinder on the merits.

■ **M.C.I. Power Group, L.C. and New Turbine, Inc. v. Republic of Ecuador (Case No. ARB/03/6)**

*May 31, 2007*

The Tribunal declares the proceeding closed in accordance with ICSID Arbitration Rule 38(1).

■ **Camuzzi International S.A. v. Argentine Republic (Case No. ARB/03/7)**

*January 25, 2007*

The Tribunal issues an order taking note of the discontinuance of the proceeding pursuant to ICSID Arbitration Rule 43(1).

■ **Continental Casualty Company v. Argentine Republic (Case No. ARB/03/9)**

*January 20, 2007*

The Claimant files a post-hearing brief.

*January 27, 2007*

The Respondent files a post-hearing brief.

■ **Gas Natural SDG, S.A. v. Argentine Republic (Case No. ARB/03/10)**

*April 26, 2007*

The Tribunal further suspends the proceeding following the agreement of the parties.

■ **Pan American Energy LLC and BP Argentina Exploration Company v. Argentine Republic (Case No. ARB/03/13)**

*January 8, 2007*

The Respondent files a counter-memorial on the merits.

*May 8, 2007*

The Tribunal suspends the proceeding following the request of the parties.

■ **Mimingo LLC and others v. Democratic Republic of the Congo (Case No. ARB/03/14)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

■ **El Paso Energy International Company v. Argentine Republic (Case No. ARB/03/15)**

*March 12, 2007*

The Respondent files a rejoinder on the merits.

*June 4 – 13, 2007*

The Tribunal holds a hearing on the merits in Washington, D.C.

■ **Suez, Sociedad General de Aguas de Barcelona, S.A. and Interagua Servicios Integrales de Agua, S.A. v. Argentine Republic (Case No. ARB/03/17)**

*February 9, 2007*

The Respondent files a rejoinder on the merits.

*May 28 – June 11, 2007*

The Tribunal holds a hearing on the merits in Washington, D.C.

■ **Aguas Cordobesas, S.A., Suez, and Sociedad General de Aguas de Barcelona, S.A. v. Argentine Republic (Case No. ARB/03/18)**

*January 5, 2007*

The Respondent informs the Secretary-General that it does not object to the discontinuance.

*January 24, 2007*

The Tribunal issues an order taking note of the discontinuance of the proceeding pursuant to ICSID Arbitration Rule 44.

■ **Suez, Sociedad General de Aguas de Barcelona, S.A. and Vivendi Universal, S.A. v. Argentine Republic (Case No. ARB/03/19)**

*March 30, 2007*

The Claimants file a reply on the merits.

*April 4, 2007*

Five non-governmental organizations file an *amicus curiae* submission.

■ **Telefónica S.A. v. Argentine Republic (Case No. ARB/03/20)**

*June 13, 2007*

The Tribunal further suspends the proceeding following the agreement of the parties.

■ **Enerdis, S.A. and others v. Argentine Republic (Case No. ARB/03/21)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

■ **Electricidad Argentina S.A. and EDF International S.A. v. Argentine Republic (Case No. ARB/03/22)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

■ **EDF International S.A., SAUR International S.A. and León Participaciones Argentinas S.A. v. Argentine Republic (Case No. ARB/03/23)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

■ **Plama Consortium Limited v. Republic of Bulgaria (Case No. ARB/03/24)**

*February 16, 2007*

The Tribunal holds a procedural meeting in Paris.

*February 21 – 28, 2007*

The Tribunal issues successive procedural orders concerning procedural matters and the Respondent's application for security for costs.

*April 3, 2007*

The Tribunal issues a procedural order concerning procedural matters.

*April 11, 2007*

The Claimant files a reply on the merits.

■ **Fraport AG Frankfurt Airport Services Worldwide v. Republic of the Philippines (Case No. ARB/03/25)**

*January 31, 2007*

The Respondent files an update concerning the ongoing local proceedings.

*March 14 – 15, 2007*

The Respondent produces further documents concerning the ongoing local proceedings following the request of the Tribunal.

*March 26, 2007*

The Claimant produces further documents concerning the ongoing local proceedings following the request of the Tribunal.

*June 13, 2007*

The Tribunal declares the proceeding closed in accordance with ICSID Arbitration Rule 38(1).

■ **Unisys Corporation v. Argentine Republic (Case No. ARB/03/27)**

*February 27, 2007*

The Tribunal further suspends the proceeding following the agreement of the parties.

■ **Duke Energy International Peru Investments No. 1 Ltd v. Republic of Peru (Case No. ARB/03/28)**

*March 30, 2007*

The Respondent files a rejoinder on the merits.

*May 8 – 16, 2007*

The Tribunal holds a hearing on the merits in Washington, D.C.

*June 29, 2007*

The parties file post-hearing briefs.

■ **Bayindir Insaat Turizm Ticaret Ve Sanayi A.S. v. Islamic Republic of Pakistan (Case No. ARB/03/29)**

*January 19, 2007*

The Tribunal issues a procedural order concerning the production of documents and procedural matters.

*February 21, 2007*

The Claimant files a reply on the merits.

*April 10 – 30, 2007*

The Tribunal issues successive procedural orders concerning the production of documents and procedural matters.

*May 24, 2007*

The Respondent files a rejoinder on the merits.

*June 20, 2007*

The Tribunal issues a procedural order concerning the suspension of the proceeding and the procedural calendar.

■ **Azurix Corp. v. Argentine Republic (Case No. ARB/03/30)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

■ **Corn Products International, Inc. v. United Mexican States (Case No. ARB(AF)/04/1)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

■ **Total S.A. v. Argentine Republic (Case No. ARB/04/1)**

*January 26, 2007*

The Respondent files a counter-memorial on the merits.

*May 18, 2007*

The Claimant files a reply on the merits.

- **Cemex Asia Holdings Ltd v. Republic of Indonesia (Case No. ARB/04/3)**

*February 23, 2007*  
The Tribunal renders its award embodying the parties' settlement agreement pursuant to ICSID Arbitration Rule 43(2).
  
- **SAUR International v. Argentine Republic (Case No. ARB/04/4)**

*April 4, 2007*  
The Tribunal further suspends the proceeding following the request of the parties.
  
- **Compagnie d'Exploitation du Chemin de Fer Transgabonais v. Gabonese Republic (Case No. ARB/04/5)**

*February 13, 2007*  
The Respondent files a rejoinder on the merits.

*February 26 – 28, 2007*  
The Tribunal holds a hearing on the merits in Paris.

*April 2 – 3, 2007*  
The Tribunal holds a session on closing arguments on the merits in Paris.
  
- **OKO Pankki Oyj and others v. Republic of Estonia (Case No. ARB/04/6)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
  
- **Sociedad Anónima Eduardo Vieira v. Republic of Chile (Case No. ARB/04/7)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
  
- **BP America Production Company and others v. Argentine Republic (Case No. ARB/04/8)**

*January 8, 2007*  
The Respondent files a counter-memorial on the merits.

*May 8, 2007*  
The Tribunal suspends the proceeding following the request of the parties.
  
- **CIT Group Inc. v. Argentine Republic (Case No. ARB/04/9)**

*April 2, 2007*  
The Tribunal issues a decision on jurisdiction.

*June 27, 2007*  
The Respondent files a request for production of documents.
  
- **Russell Resources International Limited and others v. Democratic Republic of the Congo (Case No. ARB/04/11)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
  
- **ABCI Investments N.V. v. Republic of Tunisia (Case No. ARB/04/12)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
  
- **Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt (Case No. ARB/04/13)**

*February 15, 2007*  
The Respondent files a counter-memorial on the merits.

*May 11, 2007*  
The Claimants file a reply on the merits.
  
- **Wintershall Aktiengesellschaft v. Argentine Republic (Case No. ARB/04/14)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
  
- **Mobil Exploration and Development Inc. Suc. Argentina and Mobil Argentina S.A. v. Argentine Republic (Case No. ARB/04/16)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
  
- **Gemplus, S.A., SLP, S.A. and Gemplus Industrial, S.A. de C.V. v. United Mexican States (Case No. ARB(AF)/04/3)**

*April 12, 2007*  
The Respondent files a rejoinder on the merits.
  
- **Talsud, S.A. v. United Mexican States (Case No. ARB(AF)/04/4)**

*April 12, 2007*  
The Respondent files a rejoinder on the merits.
  
- **Archer Daniels Midlands Company and Tate and Lyle Ingredients Americas, Inc. v. United Mexican States (Case No. ARB(AF)/04/5)**

*March 19 – 24, 2007*  
The Tribunal holds a hearing on the merits in Washington, D.C.

- **Duke Energy Electroquil Partners and Electroquil S.A. v. Republic of Ecuador (Case No. ARB/04/19)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
- **Vannessa Ventures Ltd. v. Bolivarian Republic of Venezuela (Case No. ARB(AF)/04/6)**

*May 7, 2007*  
The Centre notifies the parties of a vacancy on the Tribunal following the resignation of two arbitrators and of the suspension of the proceeding pursuant to ICSID Arbitration Rule 10(2).
- **RGA Reinsurance Company v. Argentine Republic (Case No. ARB/04/20)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
- **DaimlerChrysler Services AG v. Argentine Republic (Case No. ARB/05/1)**

*January 27, 2007*  
The Tribunal holds its first session in Paris.
- **Compañía General de Electricidad S.A. and CGE Argentina S.A. v. Argentine Republic (Case No. ARB/05/2)**

*April 24, 2007*  
The Respondent files a request for discontinuance of the proceeding with regard to the withdrawn claims.

*May 31, 2007*  
The Claimants file a memorial on the merits.

*June 12, 2007*  
The Tribunal issues a procedural order pursuant to ICSID Arbitration Rule 43(1) concerning the discontinuance of the claims related to the Claimants' investments in the Province of San Juan.
- **LESI, S.p.A. and Astaldi, S.p.A. v. People's Democratic Republic of Algeria (Case No. ARB/05/3)**

*February 28, 2007*  
The Claimants file a reply on the merits.

*June 29, 2007*  
The Respondent files a rejoinder on the merits.
- **I&I Beheer B.V. v. Bolivarian Republic of Venezuela (Case No. ARB/05/4)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
- **TSA Spectrum de Argentina, S.A. v. Argentine Republic (Case No. ARB/05/5)**

*January 29, 2007*  
The Claimant files a memorial on the merits.

*May 18, 2007*  
The Respondent files a memorial on jurisdiction.
- **Bernardus Henricus Funnekotter and others v. Republic of Zimbabwe (Case No. ARB/05/6)**

*March 16, 2007*  
The Claimants file a memorial on jurisdiction and the merits.
- **Saipem S.p.A. v. People's Republic of Bangladesh (Case No. ARB/05/7)**

*March 21, 2007*  
The Tribunal issues a decision on jurisdiction and a recommendation on provisional measures.

*June 1, 2007*  
The Tribunal issues a procedural order concerning procedural matters.

*June 25, 2007*  
The parties file simultaneous requests for production of documents.
- **Parkerings-Compagniet AS v. Republic of Lithuania (Case No. ARB/05/8)**

*May 25, 2007*  
The Tribunal declares the proceeding closed in accordance with ICSID Arbitration Rule 38(1).
- **Empresa Eléctrica del Ecuador, Inc. (EMELEC) v. Republic of Ecuador (Case No. ARB/05/9)**

*April 2, 2007*  
The Respondent files objections to jurisdiction.

*April 23, 2007*  
The Tribunal issues a procedural order concerning procedural matters.
- **Malaysian Historical Salvors, SDN, BHD v. Malaysia (Case No. ARB/05/10)**

*March 22, 2007*  
The parties file additional post-hearing briefs.

*May 17, 2007*  
The Tribunal renders its award.

■ **Asset Recovery Trust S.A. v. Argentine Republic (Case No. ARB/05/11)**

*March 2, 2007*

The Tribunal holds its first session in Buenos Aires.

■ **Bayview Irrigation District and others v. United Mexican States (Case No. ARB(AF)/05/1)**

*June 19, 2007*

The Tribunal renders its award.

■ **Noble Energy Inc. and Machala Power Cía. Ltd. v. Republic of Ecuador and Consejo Nacional de Electricidad (Case No. ARB/05/12)**

*January 2, 2007*

The Respondents file a reply on jurisdiction.

*February 2, 2007*

The Claimants file a rejoinder on jurisdiction.

*February 26, 2007*

The Tribunal holds a hearing on jurisdiction in Washington, D.C.

■ **EDF (Services) Limited v. Romania (Case No. ARB/05/13)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

■ **RSM Production Corporation v. Grenada (Case No. ARB/05/14)**

*February 22 – May 14, 2007*

The Tribunal issues successive procedural orders concerning provisional measures, bifurcation of the proceeding, the procedural calendar and a U.S. court proceeding.

*March 5, 2007*

The Claimant files a reply on the merits.

*May 9 – 14, 2007*

The Tribunal issues further procedural orders concerning provisional measures, bifurcation of the proceeding, production of documents and an application for security for costs.

*May 25, 2007*

The Respondent files a rejoinder on the merits.

*June 18 – 22, 2007*

The Tribunal holds a hearing on the merits in London.

■ **Waguih Elie George Siag and Clorinda Vecci v. Arab Republic of Egypt (Case No. ARB/05/15)**

*April 11, 2007*

The Tribunal issues a decision on jurisdiction. Attached to the decision is the partial dissenting opinion of one of the arbitrators.

■ **Cargill, Incorporated v. United Mexican States (Case No. ARB(AF)/05/2)**

*January 25, 2007*

The Tribunal issues a procedural order concerning the procedural calendar.

*May 2, 2007*

The Respondent files a counter-memorial on the merits.

■ **Rumeli Telekom A.S. and Telsim Mobil Telekomunikasyon Hizmetleri A.S. v. Republic of Kazakhstan (Case No. ARB/05/16)**

*February 27, 2007*

The Claimants file a reply on the merits.

*May 23, 2007*

The Respondent files a rejoinder on the merits.

■ **Desert Line Projects LLC v. Republic of Yemen (Case No. ARB/05/17)**

*January 15, 2007*

The Respondent files a counter-memorial on the merits.

*March 19, 2007*

The Claimant files a reply on the merits.

*May 14, 2007*

The Respondent files a rejoinder on the merits.

*June 5 – 6, 2007*

The Tribunal holds a hearing on the merits in Paris.

■ **Ioannis Kardossopoulos v. Georgia (Case No. ARB/05/18)**

*January 5, 2007*

The Claimant files a rejoinder on jurisdiction.

*January 15 – 16, 2007*

The Tribunal holds a hearing on jurisdiction in London.

■ **Helnan International Hotels A/S v. Arab Republic of Egypt (Case No. ARB/05/19)**

*January 9, 2007*

The Tribunal issues a procedural order concerning the production of documents.

*January 31, 2007*

The Claimant files a memorial on the merits.



June 11, 2007

The Respondent files a further objection to jurisdiction and a counter-memorial on the merits.

June 21, 2007

The Claimant files observations on the Respondent's further objection to jurisdiction.

June 28, 2007

The Tribunal joins the Respondent's further objection to jurisdiction to the merits and fixes a calendar for the filing of written pleadings on jurisdiction and the merits.

■ **Ioan Micula, Viorel Micula and others v. Romania (Case No. ARB/05/20)**

March 13, 2007

The Claimants file a memorial on the merits.

■ **African Holding Company of America, Inc. and Société Africaine de Construction au Congo S.A.R.L. v. Democratic Republic of the Congo (Case No. ARB/05/21)**

January 17 – 23, 2007

The Tribunal issues successive procedural orders concerning procedural matters and the production of documents.

January 26, 2007

The Claimants file a counter-memorial on jurisdiction.

February 16, 2007

The Respondent files a reply on jurisdiction.

February 23, 2007

The Centre notifies the parties of a vacancy on the Tribunal following the resignation of one of the arbitrators and of the suspension of the proceeding pursuant to ICSID Arbitration Rule 10(2).

April 17, 2007

The Tribunal is reconstituted. Its members are: Francisco Orrego Vicuña (Chilean), President; Otto L.O. de Witt Wijnen (Dutch); and Dominique Grisay (Belgian). The proceeding is resumed pursuant to ICSID Arbitration Rule 12.

■ **Biwater Gauff (Tanzania) Limited v. United Republic of Tanzania (Case No. ARB/05/22)**

January 12, 2007

The Claimant files observations on the petition for *amicus curiae* participation.

January 26, 2007

The Claimant files a reply on the merits.

February 2, 2007

The Tribunal issues a procedural order concerning the petition for *amicus curiae* participation.

March 23, 2007

The Respondent files a rejoinder on the merits.

March 26, 2007

Five non-governmental organizations file an *amicus curiae* submission.

April 16 – 21, 2007

The Tribunal holds a hearing on evidence at The Hague.

April 25, 2007

The Tribunal issues a procedural order concerning the procedural calendar.

■ **Ares International S.r.l. and MetalGeo S.r.l. v. Georgia (Case No. ARB/05/23)**

February 14, 2007

The Respondent files a counter-memorial on the merits.

April 20, 2007

The Claimants file a reply on the merits.

May 28, 2007

The Claimants file a memorial on quantum.

June 20, 2007

The Respondent files a rejoinder on the merits.

June 25, 2007

The Respondent files a counter-memorial on quantum.

■ **Hrvatska Elektroprivreda d.d. v. Republic of Slovenia (Case No. ARB/05/24)**

February 15, 2007

The Tribunal issues a decision joining jurisdiction to the merits.

March 22, 2007

The Tribunal issues a procedural order concerning the procedural calendar.

June 7, 2007

The Tribunal issues a procedural order concerning production of documents.

June 21, 2007

The Tribunal issues a further procedural order concerning the procedural calendar.

■ **Spyridon Roussalis v. Romania (Case No. ARB/06/1)**

March 14, 2007

The Tribunal is constituted. Its members are: Robert Briner (Swiss), President; Andrea Giardina (Italian); and W. Michael Reisman (U.S.).

May 4, 2007

The Tribunal holds its first session in Paris.

■ **Quimica e Industrial del Borax Ltda. and others v. Republic of Bolivia (Case No. ARB/06/2)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

■ **The Rompetrol Group N.V. v. Romania (Case No. ARB/06/3)**

*February 28, 2007*

The Tribunal holds its first session in Paris.

*April 30, 2007*

The Claimant files a reply to the Respondent's preliminary objections.

■ **Vestey Group Ltd v. Bolivarian Republic of Venezuela (Case No. ARB/06/4)**

*March 20, 2007*

The Claimant files a further request for the suspension of the proceeding.

■ **Phoenix Action Ltd v. Czech Republic (Case No. ARB/06/5)**

*January 8, 2007*

The Tribunal is constituted. Its members are: Brigitte Stern (French), President; Andreas Bucher (Swiss); and Juan Fernández-Armesto (Spanish).

*February 23, 2007*

The Tribunal holds its first session in Paris.

*April 6, 2007*

The Tribunal issues a decision on provisional measures.

*May 25, 2007*

The Claimant files a memorial on the merits.

■ **Rail World LLC and others v. Republic of Estonia (Case No. ARB/06/6)**

*January 10, 2007*

The parties file a request for the discontinuance of the proceeding pursuant to ICSID Arbitration Rule 43(1).

*February 5, 2007*

The Tribunal issues an order taking note of the discontinuance of the proceeding pursuant to ICSID Arbitration Rule 43(1).

■ **Togo Electricité v. Republic of Togo (Case No. ARB/06/7)**

*March 16 – 28, 2007*

The parties file observations on provisional measures and the extension of the arbitration clause.

*April 13, 2007*

The Tribunal issues an order concerning provisional measures and the extension of the arbitration clause.

*April 18 – June 29, 2007*

The parties file observations concerning the implementation of the Tribunal's order of April 13, 2007.

■ **Sistem Muhendislik Insaat Sanayi ve Ticaret A.S. v. Kyrgyz Republic (Case No. ARB(AF)/06/1)**

*January 17, 2007*

The Claimant files a memorial on jurisdiction.

*May 10, 2007*

The Respondent files a counter-memorial on jurisdiction.

*May 17, 2007*

The Claimant files a reply on jurisdiction.

*May 23, 2007*

The Respondent files a rejoinder on jurisdiction.

*May 31 – June 1, 2007*

The Tribunal holds a hearing on jurisdiction in Paris.

■ **Libananco Holdings Co. Limited v. Republic of Turkey (Case No. ARB/06/8)**

*February 12, 2007*

The Tribunal holds its first session in New York.

■ **Branimir Mensik v. Slovak Republic (Case No. ARB/06/9)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

■ **Chevron Block Twelve and Chevron Blocks Thirteen and Fourteen v. People's Republic of Bangladesh (Case No. ARB/06/10)**

*April 14, 2007*

The Tribunal holds its first session at The Hague and issues a procedural order concerning the Claimants' application for provisional measures.

*May 7, 2007*

The Tribunal issues a procedural order concerning the Respondent's request to modify and revoke the Tribunal's procedural order of April 14, 2007.

*May 23, 2007*

The Respondent files a memorial on jurisdiction.

*June 22, 2007*

The Claimants file a counter-memorial on jurisdiction.

■ **Occidental Petroleum Corporation and Occidental Exploration and Production Company v. Republic of Ecuador (Case No. ARB/06/11)**

*February 6, 2007*

The Tribunal is constituted. Its members are: L. Yves Fortier (Canadian), President; Brigitte Stern (French); and David A.R. Williams (New Zealand).

*May 2 – 3, 2007*

The Tribunal holds its first session and a hearing on the application for provisional measures in Washington, D.C.

■ **Scancem International ANS v. Republic of Congo (Case No. ARB/06/12)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

■ **Aguaytia Energy, LLC v. Republic of Peru (Case No. ARB/06/13)**

*March 27, 2007*

The Tribunal is constituted. Its members are: Robert Briner (Swiss), President; J. William Rowley (Canadian); and Claus von Wobeser (Mexican).

*May 18, 2007*

The Tribunal holds its first session in Washington, D.C.

■ **Shell Brands International AG and Shell Nicaragua S.A. v. Republic of Nicaragua (Case No. ARB/06/14)**

*January 10, 2007*

The Respondent files a rejoinder on the Claimants' application for provisional measures.

*February 20, 2007*

The Claimants request the discontinuance of the proceeding pursuant to ICSID Arbitration Rule 44.

*March 6, 2007*

The Respondent informs the Secretary-General that it does not object to the discontinuance.

*March 12, 2007*

The Secretary-General issues an order taking note of the discontinuance of the proceeding pursuant to ICSID Arbitration Rule 44.

■ **Azpetrol International Holdings B.V., Azpetrol Group B.V. and Azpetrol Oil Services Group B.V. v. Republic of Azerbaijan (Case No. ARB/06/15)**

*January 18, 2007*

The Tribunal is constituted. Its members are: Arthur Watts (British), President; Charles N. Brower (U.S.); and Christopher J. Greenwood (British).

*April 2, 2007*

The Tribunal holds its first session in London.

*April 16, 2007*

The Tribunal issues a procedural order concerning the procedural calendar.

■ **Barmek Holding A.S. v. Republic of Azerbaijan (Case No. ARB/06/16)**

*February 7, 2007*

The Tribunal is constituted. Its members are: Vaughan Lowe (British), President; Peter W. Galbraith (U.S.); and Brigitte Stern (French).

*April 2, 2007*

The Claimant files an application for provisional measures.

*April 23, 2007*

The Respondent files observations on the application for provisional measures.

*May 1, 2007*

The Claimant files a reply on the application for provisional measures.

*May 7, 2007*

The Respondent files a rejoinder on the application for provisional measures.

*May 18, 2007*

The Tribunal holds its first session in London.

■ **Técnicas Reunidas, S.A. and Eurocontrol, S.A. v. Republic of Ecuador (Case No. ARB/06/17)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.

■ **Cementownia "Nowa Huta" S.A. v. Republic of Turkey (Case No. ARB(AF)/06/2)**

*May 11, 2007*

The Tribunal is constituted. Its members are: Pierre Tercier (Swiss), President; Marc Lalonde (Canadian); and J. Christopher Thomas (Canadian).

■ **Joseph C. Lemire v. Ukraine (Case No. ARB/06/18)**

*June 14, 2007*

The Tribunal is constituted. Its members are: Juan Fernández-Armesto (Spanish), President; Jan Paulsson (French); and Jürgen Voss (German).

- **Nations Energy, Inc. and others v. Republic of Panama (Case No. ARB/06/19)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
  
- **Newmont USA Limited and Newmont (Uzbekistan) Limited v. Republic of Uzbekistan (Case No. ARB/06/20)**

*February 7, 2007*  
The Tribunal is constituted. Its members are: V.V. Veeder (British), President; Christopher Greenwood (British); and Marc Lalonde (Canadian).

*May 26, 2007*  
The Tribunal holds its first session in Paris.

*June 21, 2007*  
The Respondent files a memorial on jurisdiction.
  
- **City Oriente Limited v. Republic of Ecuador and Empresa Estatal Petróleos del Ecuador (Petroecuador) (Case No. ARB/06/21)**

There have been no new developments to report in this case since the last issue of *News from ICSID*.
  
- **Piero Foresti, Laura De Carli and others v. Republic of South Africa (Case No. ARB(AF)/07/1)**

*January 8, 2007*  
The Secretary-General registers a request for the institution of arbitration proceedings.
  
- **Fondel Metal Participations B.V. v. Republic of Azerbaijan (Case No. ARB/07/1)**

*January 9, 2007*  
The Secretary-General registers a request for the institution of arbitration proceedings.

*May 31, 2007*  
The Tribunal is constituted. Its members are: David A.R. Williams (New Zealand), President; J. William Rowley (Canadian); and Stephen M. Schwebel (U.S.).
  
- **RSM Production Corporation v. Central African Republic (Case No. ARB/07/2)**

*January 18, 2007*  
The Secretary-General registers a request for the institution of arbitration proceedings.
  
- **Government of the Province of East Kalimantan v. PT Kaltim Prima Coal and others (Case No. ARB/07/3)**

*January 18, 2007*  
The Secretary-General registers a request for the institution of arbitration proceedings.

*April 12, 2007*  
The Tribunal is constituted. Its members are: Gabrielle Kaufmann-Kohler (Swiss), President; Albert Jan van den Berg (Dutch); and Michael Hwang (Singaporean).

*June 13, 2007*  
The Tribunal holds its first session in London.
  
- **Eni Dación B.V. v. Bolivarian Republic of Venezuela (Case No. ARB/07/4)**

*February 6, 2007*  
The Secretary-General registers a request for the institution of arbitration proceedings.
  
- **Giovanna a Beccara and others v. Argentine Republic (Case No. ARB/07/5)**

*February 7, 2007*  
The Secretary-General registers a request for the institution of arbitration proceedings.
  
- **Tza Yap Shum v. Republic of Peru (Case No. ARB/07/6)**

*February 12, 2007*  
The Secretary-General registers a request for the institution of arbitration proceedings.
  
- **Global Gold Mining LLC v. Republic of Armenia (Case No. ARB/07/7)**

*February 20, 2007*  
The Secretary-General registers a request for the institution of arbitration proceedings.
  
- **Europe Cement Investment and Trade S.A. v. Republic of Turkey (Case No. ARB(AF)/07/2)**

*March 6, 2007*  
The Secretary-General registers a request for the institution of arbitration proceedings.
  
- **Alasdair Ross Anderson and others v. Republic of Costa Rica (Case No. ARB(AF)/07/3)**

*March 27, 2007*  
The Secretary-General registers a request for the institution of arbitration proceedings.

■ **Giovanni Alemanni and others v. Argentine Republic (Case No. ARB/07/8)**

*March 27, 2007*

The Secretary-General registers a request for the institution of arbitration proceedings.

■ **Bureau Veritas, Inspection, Valuation, Assessment and Control, BIVAC B.V. v. Republic of Paraguay (Case No. ARB/07/9)**

*April 11, 2007*

The Secretary-General registers a request for the institution of arbitration proceedings.

■ **Meerapfel Söhne AG v. Central African Republic (Case No. ARB/07/10)**

*April 25, 2007*

The Secretary-General registers a request for the institution of arbitration proceedings.

■ **ALAS International Baustoffproduktions AG v. Bosnia and Herzegovina (Case No. ARB/07/11)**

*May 9, 2007*

The Secretary-General registers a request for the institution of arbitration proceedings.

## NEW CHAIRMAN OF THE ADMINISTRATIVE COUNCIL

(continued from page 1)

From 1993 to 1997, Mr. Zoellick served as an Executive Vice President of Fannie Mae, the large housing finance corporation, where he supervised the affordable housing business, as well as offices dealing with legal, regulatory, government and industry relations, and international services.

From 1985 to 1993, Mr. Zoellick served with Secretary James A. Baker, III at the Treasury Department (from Deputy Assistant Secretary for Financial Institutions Policy to Counselor to the Secretary); State Department (Undersecretary of State for Economic and Agricultural Affairs as well as Counselor of the Department with Undersecretary rank); and briefly Deputy Chief of Staff at the White House and Assistant to the President. Mr. Zoellick was the lead U.S. official in the "Two-plus-Four" process of German unification in 1989–90. He was the "Sherpa" to the President for the preparation of the Economic Summits in 1991–92.

Mr. Zoellick graduated Phi Beta Kappa from Swarthmore College in 1975. He earned a J.D. magna cum laude from the Harvard Law School and a MPP from the Kennedy School of Government in 1981. He lived in Hong Kong on a fellowship in 1980.

Mr. Zoellick received a number of awards, including: the Knight Commanders Cross from Germany for his work on unification; the Alexander Hamilton and Distinguished Service Awards, the highest honors of the Departments of Treasury and State, respectively; the Department of Defense Medal for Distinguished Public Service; and a Doctorate of Humane Letters from St. Joseph's College in Rensselaer, Indiana.

Mr. Zoellick has also served on many non-profit boards, among them the Council on Foreign Relations, the European Institute, the American Council on Germany, the American Institute of Contemporary German Studies, the German Marshall Fund of the U.S., the National Bureau of Asian Research, the Overseas Development Council, and the Advisory Councils of the World Wildlife Fund and the Institute of International Economics.

Mr. Zoellick grew up in Naperville, Illinois. ■

## PANELS OF CONCILIATORS AND OF ARBITRATORS

Pursuant to the ICSID Convention, the Centre maintains a Panel of Conciliators and a Panel of Arbitrators. In accordance with Article 13 of the Convention, each Contracting State may designate up to four persons to each Panel. Up to ten persons may be designated to each Panel by the Chairman of the Administrative Council. All designees serve for a renewable period of six years.

During the period January – June 2007, the governments of Belgium, Finland, the Republic of Korea, Samoa, and Spain made designations to the ICSID Panels. The names of the recently nominated appointees are set forth below. A complete list of members of the ICSID Panels of Conciliators and of Arbitrators is provided on the ICSID website at <http://www.worldbank.org/icsid>.

### Belgium

#### Panel of Conciliators

Designations effective February 9, 2007:

Jean-Paul Servais, Nicolas Angelet and Johan Erauw

#### Panel of Arbitrators

Designations effective February 9, 2007:

Guy Keutgen (serving out the remainder of André Faurès' term, *i.e.* through February 10, 2010) and Eddy Wymeersch (re-appointment)

### Finland

#### Panel of Conciliators

Designations effective February 8, 2007:

Antti Heikinheimo and Carita Wallgren

#### Panel of Arbitrators

Designations effective February 8, 2007:

Veijo Heiskanen, Gustav Möller, Antero Palaja and Leif Sévon

### Republic of Korea

#### Panel of Arbitrators

Designation effective February 27, 2007:

Youngjin Jung

### Samoa

#### Panels of Conciliators and of Arbitrators

Designation effective February 12, 2007:

Tuiloma Neroni Slade

### Spain

#### Panels of Conciliators and of Arbitrators

Designation effective April 27, 2007:

Andrés Rigo Sureda

## PUBLICATIONS

In the first half of 2007, the Centre issued two new releases for its loose-leaf collection of *Investment Treaties*. The releases featured the texts of 40 bilateral investment treaties concluded by some 42 countries. The number of treaties included in the collection now stands at 1,140. The Centre also issued a new release for its ten-volume loose-leaf collection *Investment Laws of the World*, which now comprises basic investment legislation of 133 countries from all major regions of the world. The releases contained new or revised investment legislation passed by Botswana, Kenya, the Republic of Korea, Tonga, Vanuatu, and Vietnam.

*Investment Laws of the World* (ten loose-leaf volumes) and *Investment Treaties* (nine loose-leaf volumes) are available from Oxford University Press, Order Department, 2001 Evans Road, Cary, NC 27513; U.S.A.; Ph: 800 624 0153; Fax: 919-677-8877; Email: [library.sales@oup.com](mailto:library.sales@oup.com); at US\$2,090 for both sets, US\$1,095 for the ten *Investment Laws of the World* volumes only and US\$995 for the nine *Investment Treaties* volumes only.

In addition, another issue of the *ICSID Review—Foreign Investment Law Journal* was sent to print during the period January – July 2007. This issue featured articles on parallel litigation and foreign investment dispute settlement; the 2006 amendments to the ICSID Rules and Regulations; and a review comment on denial of justice in international law. The Decision on Jurisdiction issued in *El Paso Energy International Company v. Argentine Republic* (ICSID Case No. ARB/03/15) and the award rendered in *Telenor Mobile Communications A.S. v. Republic of Hungary* (ICSID Case No. ARB/04/15) were also reproduced in the issue.

The *ICSID Review—FIJ* is available on a subscription basis, at US\$78 per year for those with a mailing address in an OECD country and US\$39 for others, plus postal charges, from Journals Publishing Division, The Johns Hopkins University Press, 2715 North Charles Street, Baltimore, Maryland 21218-4363, U.S.A.; Ph: 410-516-6987; Fax: 410-516-6968; Email: [jrnlcirc@press.jhu.edu](mailto:jrnlcirc@press.jhu.edu). ■

# INVESTMENT PROTECTION AND THE ENERGY CHARTER TREATY — CONFERENCE

On May 18, 2007, the Centre organized with the Energy Charter Secretariat (ECS) and the Arbitration Institute at the Stockholm Chamber of Commerce (SCC), a conference on investment protection and the Energy Charter Treaty. The event was hosted by ICSID at the seat of the Centre in Washington, D.C.

At the outset, the heads of the three institutions, Ana Palacio, Secretary-General of ICSID, André Mernier, Secretary General of the ECS and Ulf Franke, Secretary General of the Arbitration Institute of the SCC welcomed the over 150 participants.

Anne Houtman, Director in charge of General Affairs, Directorate-General for Energy and Transport of the European Commission in Brussels gave a general introduction. Craig Bamberger, Chairman of the Legal Committee for the Negotiation of the Energy Charter Treaty, then described the impact of the negotiation process on the treaty's contents and reviewed the origins of specific provisions related to investment protection and investment disputes.

The following session, moderated by Antonio R. Parra, Secretary General of the International Council for Commercial Arbitration, focused on investment dispute resolution under the Energy Charter Treaty. Juliet Blanch of McDermott Will & Emery, London, discussed access to the dispute resolution mechanisms under Article 26 of the treaty, while W. Michael Reisman, Professor at the Yale Law School, examined the treaty's provisional application and other temporal issues. Stephen Jagusch of Allen & Overy LLP, London, described a member State's right to deny under certain circumstances the advantages of Part III of the Energy Charter Treaty to a legal entity or an investment.

The next Panel, moderated by Stephen M. Schwebel, former President of the International Court of Justice, examined three selected standards of treatment accorded to foreign investments under the Energy Charter Treaty and commented on existing case law. Christoph

H. Schreuer, Professor at the University of Vienna, School of Law, explored the fair-and-equitable-treatment standard, Paul D. Friedland of White & Case, LLP, New York, examined the provisions on most-favored-nation treatment and William W. Park, Professor at the Boston University School of Law, described the investment protection and taxation measures available under the Energy Charter Treaty.

During the subsequent luncheon, an expert panel moderated by Audley Sheppard of Clifford Chance, London, and composed of Thomas W. Wälde, Professor at the University of Dundee, Emmanuel Gaillard of Shearman & Sterling LLP, Paris, and Dana Contratto of Crowell & Moring LLP, Washington, D.C., took questions and observations from the audience and debated issues relating to the Energy Charter Treaty with conference participants.

The interplay of the Energy Charter Treaty with other treaties was the topic of the first afternoon session, which was moderated by Esa Paasivirta, First Counsellor, Legal Affairs, Delegation of the European Commission to the United Nations, New York. Kaj Hobér of Mannheimer & Swartling Advokatbyrå, Stockholm, discussed the role of the Energy Charter Treaty in the context of the European Union and Russia, whereas Andrea J. Menaker, Chief of the NAFTA Arbitration Division at the U.S. Department of State, Washington, D.C., compared the Energy Charter Treaty with other investment treaties, particularly the NAFTA.

In the final session, Graham Coop, General Counsel of the ECS, Brussels, reviewed past and potential future developments in the Energy Charter process, including the actual and potential application of the Energy Charter Treaty to current and recent energy-related disputes and other energy industry developments.

Following the panel sessions, the concluding remarks were delivered by Nassib Ziadé, who was appointed on that day as new Chief Counsel of ICSID. ■

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