

THE ICSID CASELOAD – STATISTICS

The ICSID Caseload – Statistics

(Issue 2010-1)

This document is intended to provide a profile of the ICSID caseload, historically and for 2009. It is based on cases registered or administered by ICSID as of December 31, 2009. The analysis examines: (1) the number of cases registered under the ICSID Convention and Additional Facility Rules; (2) the number of other cases administered by ICSID; (3) the basis of consent to ICSID jurisdiction invoked in registered arbitration and conciliation cases; (4) the geographic distribution of ICSID cases by the State party to the dispute; (5) the economic sectors involved in ICSID disputes; (6) the outcomes in ICSID cases; and (7) the nationality and geographic origins of arbitrators, conciliators and *ad hoc* committee members appointed in ICSID cases.

The ICSID Secretariat will update this information on a bi-annual basis. Any comments or suggestions are welcome and should be addressed to the Secretariat by email to ICSIDsecretariat@worldbank.org.

TABLE OF CONTENTS¹

PART I – ALL CASES REGISTERED AND ADMINISTERED BY ICSID

1. Map of the ICSID Contracting States and Other Signatories to the ICSID Convention	6
2. Cases Registered by ICSID	7
Chart 1: Total Number of ICSID Cases Registered by Year	7
Chart 2: Number of Cases Registered by Year under the ICSID Convention and Additional Facility Rules	8
Chart 3: Type of Proceeding Registered under the ICSID Convention and Additional Facility Rules	8
3. Non-ICSID Cases Administered by the ICSID Secretariat	9
Chart 4: Number of Non-ICSID Cases Administered by the ICSID Secretariat over the Past Ten Fiscal Years ²	9
4. Basis of Consent Invoked to Establish ICSID Jurisdiction in Registered ICSID Cases	10
Chart 5: Basis of Consent Invoked to Establish ICSID Jurisdiction in Registered ICSID Cases	10
5. Geographic Distribution of All ICSID Cases by State Party Involved	11
Chart 6: Geographic Distribution of All ICSID Cases by State Party Involved	11
6. Distribution of All ICSID Cases by Economic Sector	12
Chart 7: Distribution of All ICSID Cases by Economic Sector	12
7. ICSID Proceedings – Outcomes	13
Chart 8: Arbitration Proceedings under the ICSID Convention and Additional Facility Rules – Outcomes	13
Chart 9: Arbitration Proceedings under the ICSID Convention and Additional Facility Rules – Awards	13
Chart 10: Conciliation Proceedings under the ICSID Convention – Outcomes	14
Chart 11: Conciliation Proceedings under the ICSID Convention – Commission Reports	14
8. Arbitrators, Conciliators and <i>ad hoc</i> Committee Members Appointed in ICSID Cases	15
Chart 12: Arbitrators, Conciliators and <i>ad hoc</i> Committee Members Appointed in ICSID Cases – Distribution of Appointments by Geographic Region	15
Chart 13: Arbitrators, Conciliators and <i>ad hoc</i> Committee Members Appointed in ICSID Cases – Distribution of Appointments by ICSID and by the Parties (or Party-appointed Arbitrators) by Geographic Region	16
Chart 14: Nationality of Arbitrators, Conciliators and <i>ad hoc</i> Committee Members Appointed in ICSID Cases	17

¹ The data is based on ICSID statistics as of December 31, 2009.

² The ICSID Fiscal Year covers the period July 1 to June 30.

PART II – CASES REGISTERED AND ADMINISTERED BY ICSID IN 2009

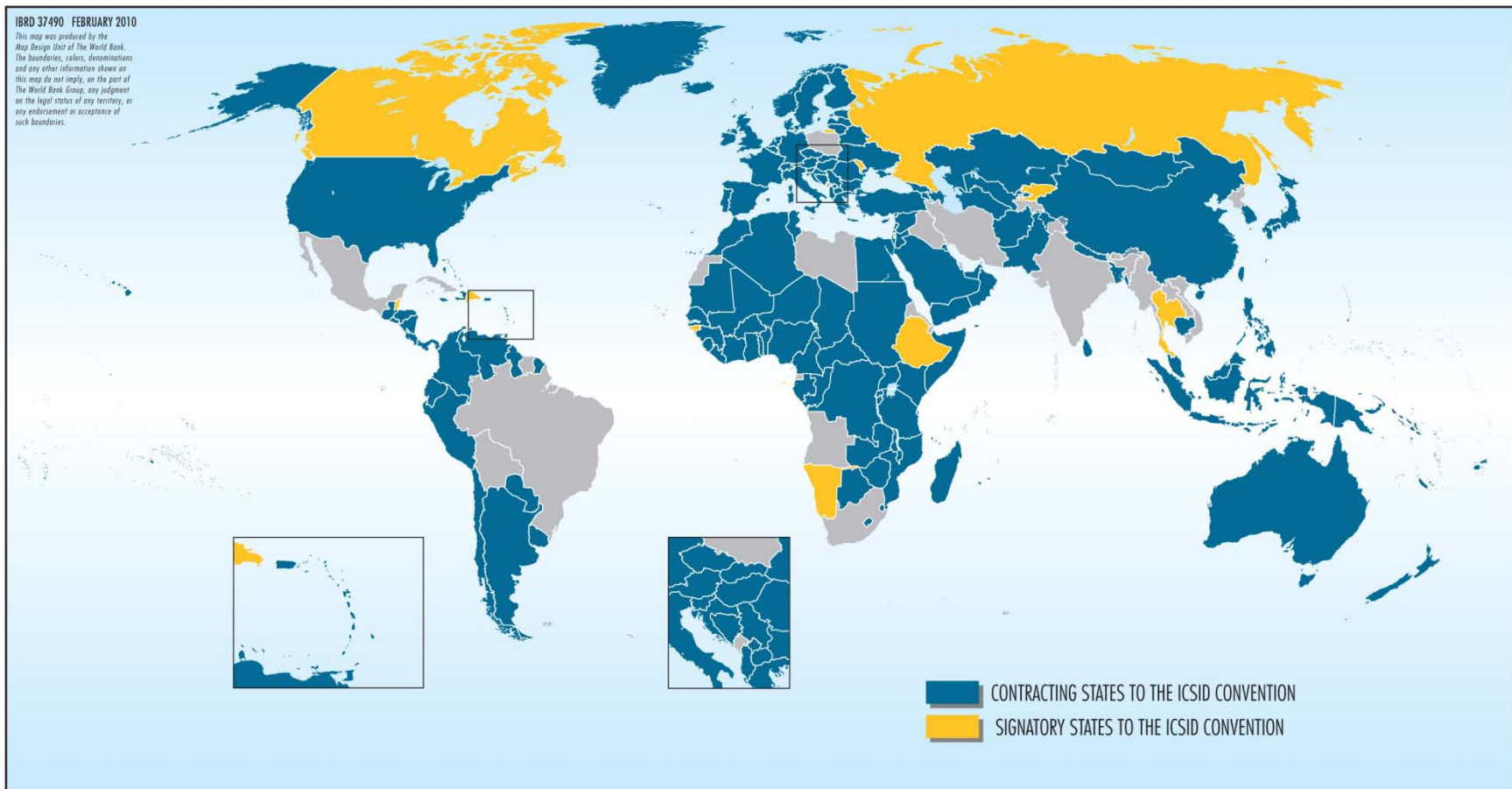
1. Cases Registered by ICSID in 2009	19
Chart 1: Number of Cases Registered under the ICSID Convention and Additional Facility Rules in 2009	19
2. Non-ICSID Cases Administered by the ICSID Secretariat in Fiscal Year 2009	19
Chart 2: Number of Non-ICSID Cases Administered by the ICSID Secretariat in Fiscal Year 2009 ³	19
3. Basis of Consent Invoked to Establish ICSID Jurisdiction in Cases Registered in 2009	20
Chart 3: Basis of Consent Invoked to Establish ICSID Jurisdiction in Cases Registered in 2009	20
4. Geographic Distribution of ICSID Cases Registered in 2009 by State Party Involved	21
Chart 4: Geographic Distribution of ICSID Cases Registered in 2009 by State Party Involved	21
5. Distribution of ICSID Cases Registered in 2009 by Economic Sector	22
Chart 5: Distribution of ICSID Cases Registered in 2009 by Economic Sector	22
6. ICSID Cases Concluded in 2009 – Outcomes	23
Chart 6: Arbitration Proceedings under the ICSID Convention and Additional Facility Rules concluded in 2009 – Outcomes	23
Chart 7: Arbitration Proceedings under the ICSID Convention and Additional Facility Rules concluded in 2009 – Awards	23
7. Arbitrators, Conciliators and <i>ad hoc</i> Committee Members Appointed in ICSID Cases in 2009	24
Chart 8: Arbitrators, Conciliators and <i>ad hoc</i> Committee Members Appointed in ICSID Cases in 2009 – Distribution of Appointments by Geographic Region	24
Chart 9: Arbitrators, Conciliators and <i>ad hoc</i> Committee Members Appointed in ICSID Cases in 2009 – Distribution of Appointments by ICSID and by the Parties (or Party-appointed Arbitrators) by Geographic Region	25
Chart 10: Nationality of Arbitrators, Conciliators and <i>ad hoc</i> Committee Members Appointed in ICSID Cases in 2009	26

³ The ICSID Fiscal Year covers the period July 1 to June 30.

PART I

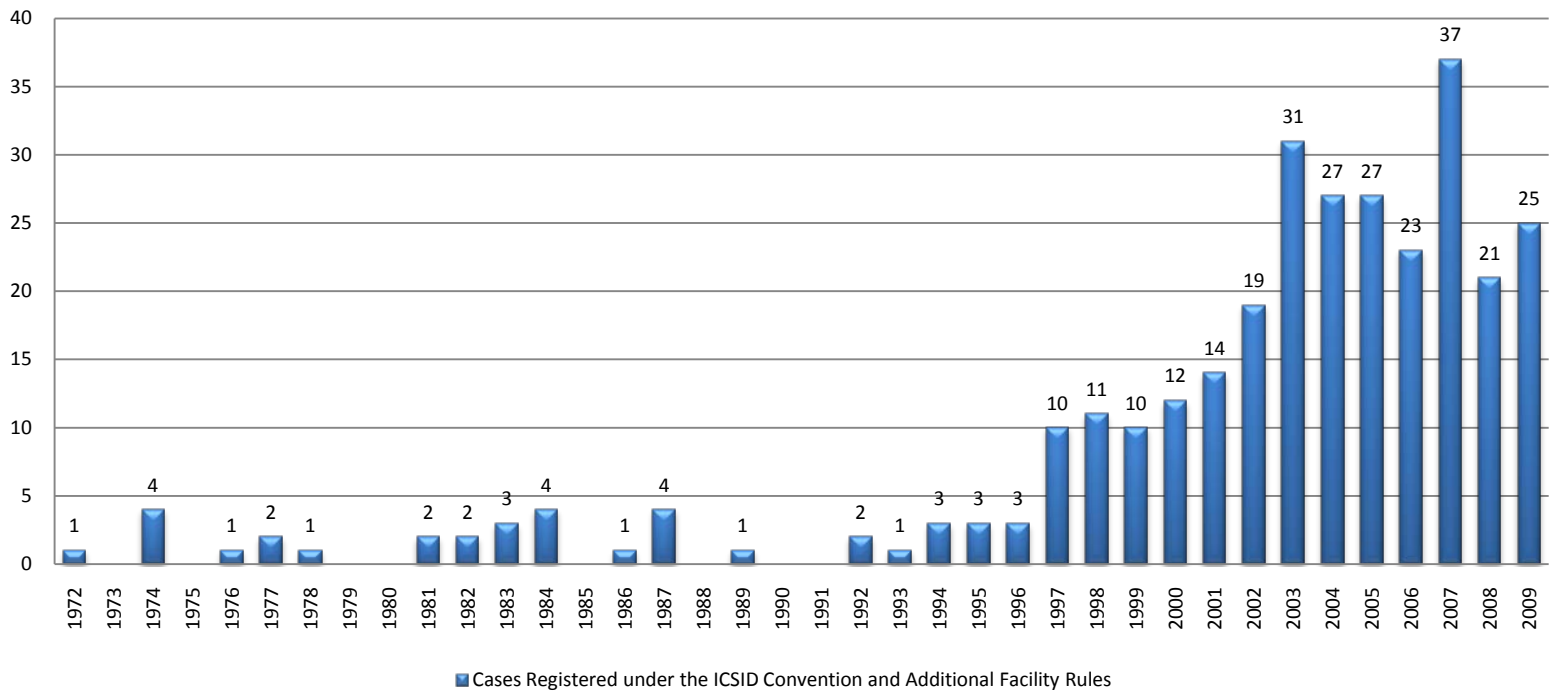
ALL CASES REGISTERED AND ADMINISTERED BY ICSID

1. Map of the ICSID Contracting States and Other Signatories to the ICSID Convention



2. Cases Registered by ICSID

Chart 1: Total Number of ICSID Cases Registered by Year:



As of December 31, 2009, ICSID had registered 305 cases under the ICSID Convention and Additional Facility Rules.

Chart 2: Number of Cases Registered by Year under the ICSID Convention and Additional Facility Rules:

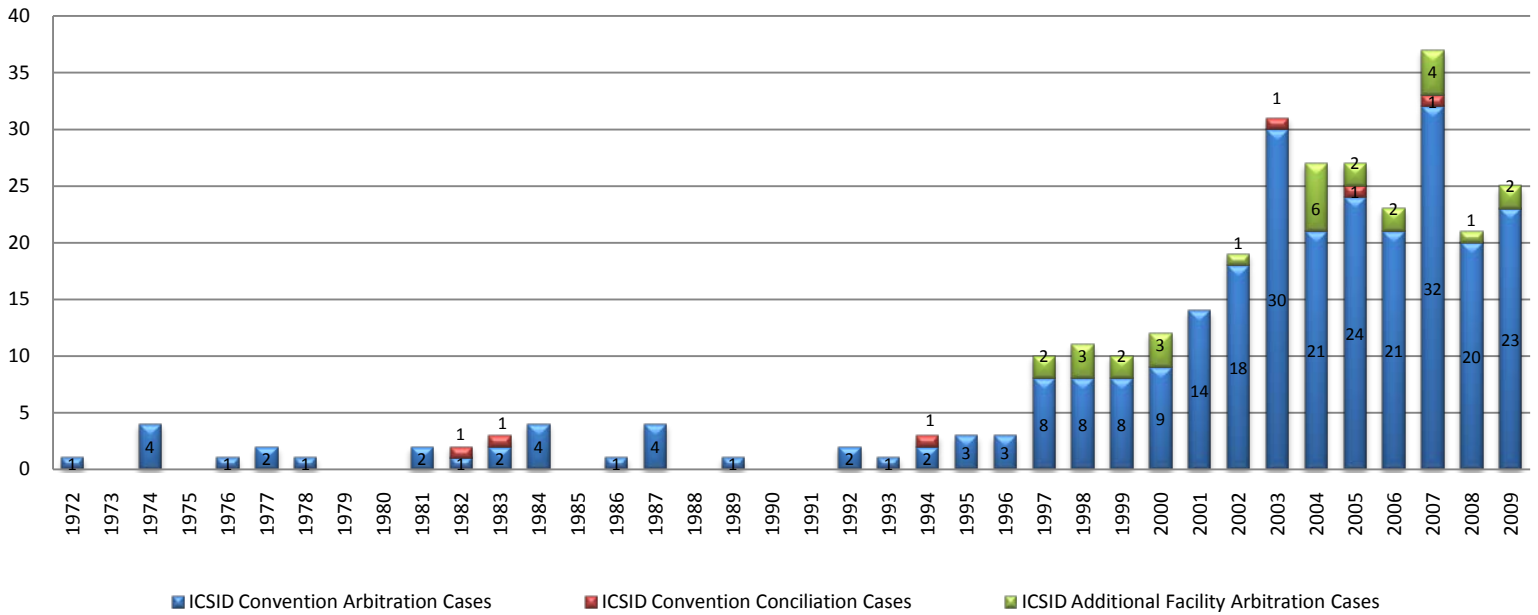
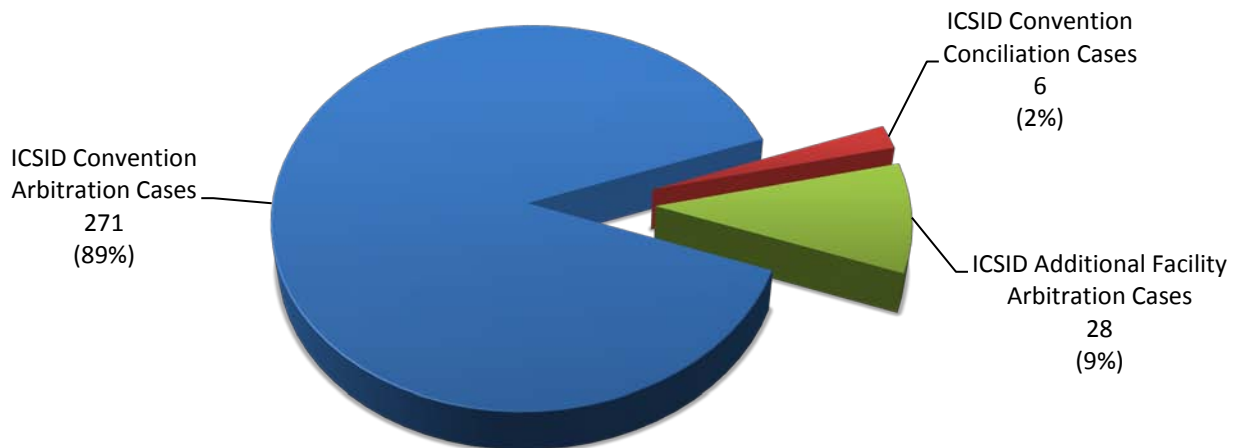
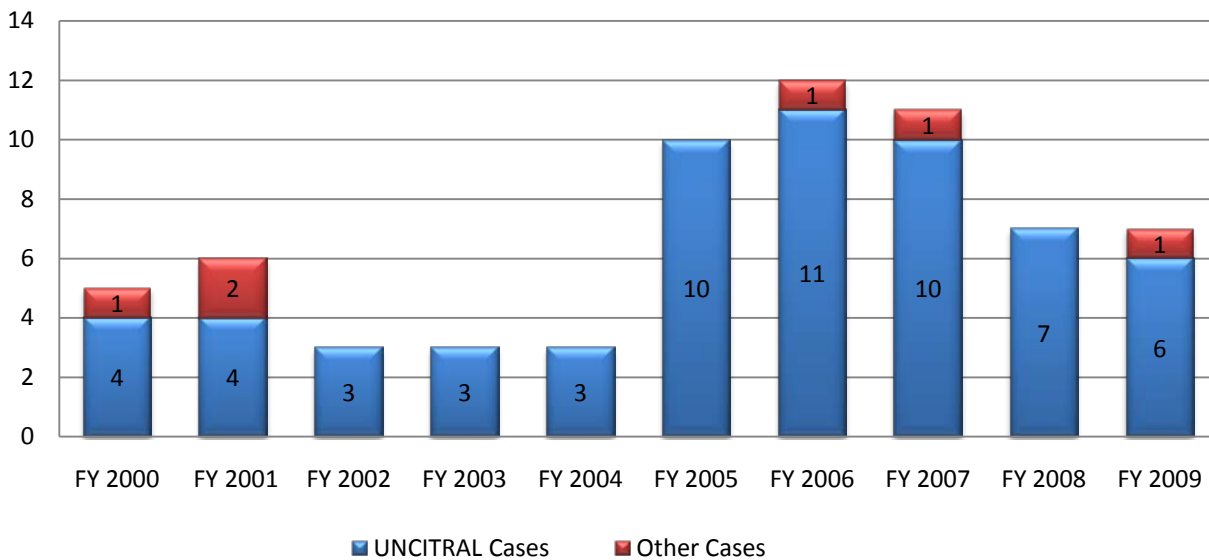


Chart 3: Type of Proceeding Registered under the ICSID Convention and Additional Facility Rules:



3. Non-ICSID Cases Administered by the ICSID Secretariat

Chart 4: Number of Non-ICSID Cases Administered by the ICSID Secretariat over the Past Ten Fiscal Years:

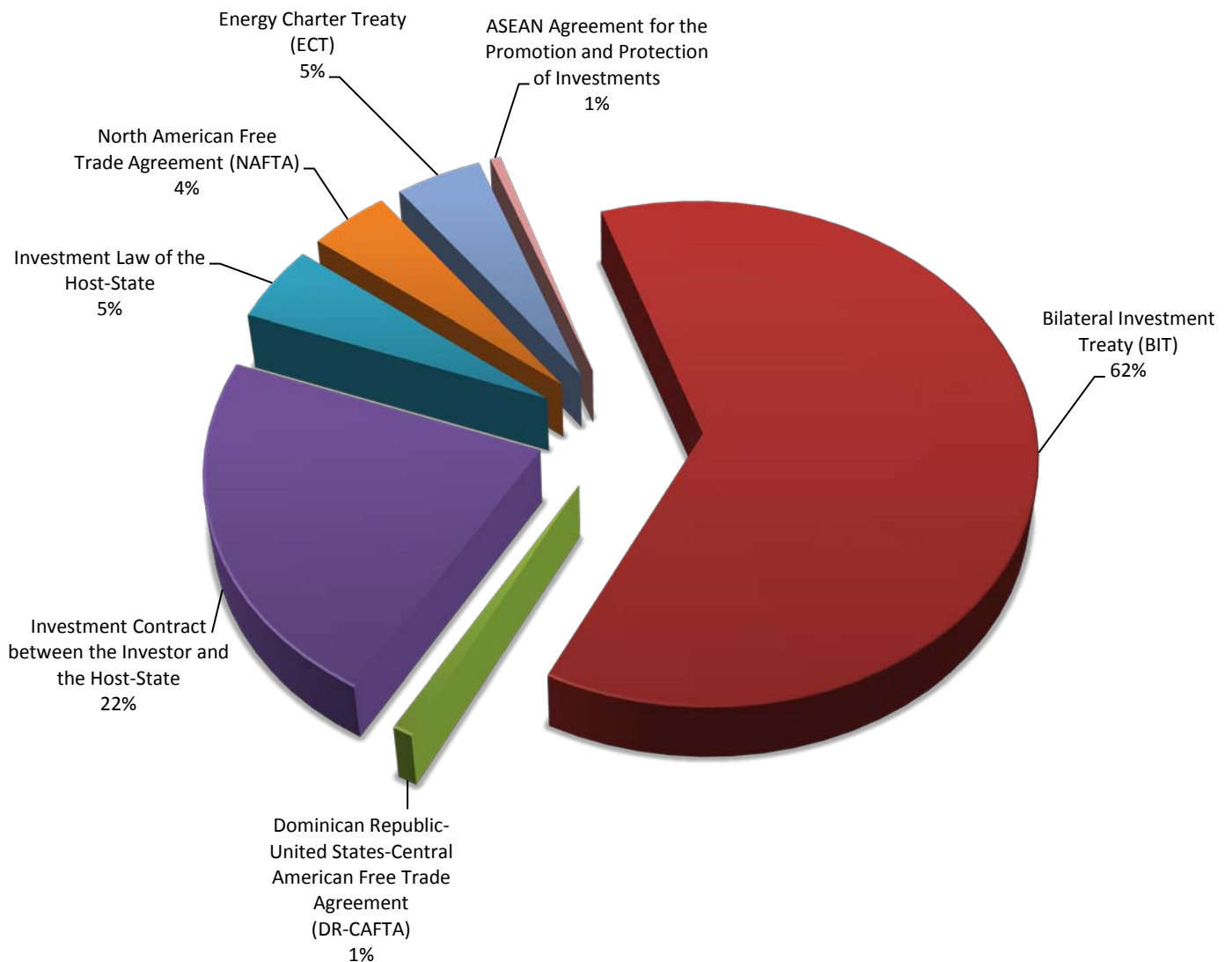


The ICSID Secretariat provides various levels of administrative support for non-ICSID dispute settlement in State-State or investor-State proceedings. The Centre also frequently acts as an appointing authority for arbitrator appointments, and decides proposals for disqualification of an arbitrator in proceedings conducted under the UNCITRAL arbitration rules.

Among the cases the Centre administered in the past decade are the *Southern Bluefin Tuna* case (Australia and New Zealand v. Japan), an expert determination proceeding under the Indus Waters Treaty of 1960, and an arbitration under the Softwood Lumber Agreement of 2006 (United States v. Canada).

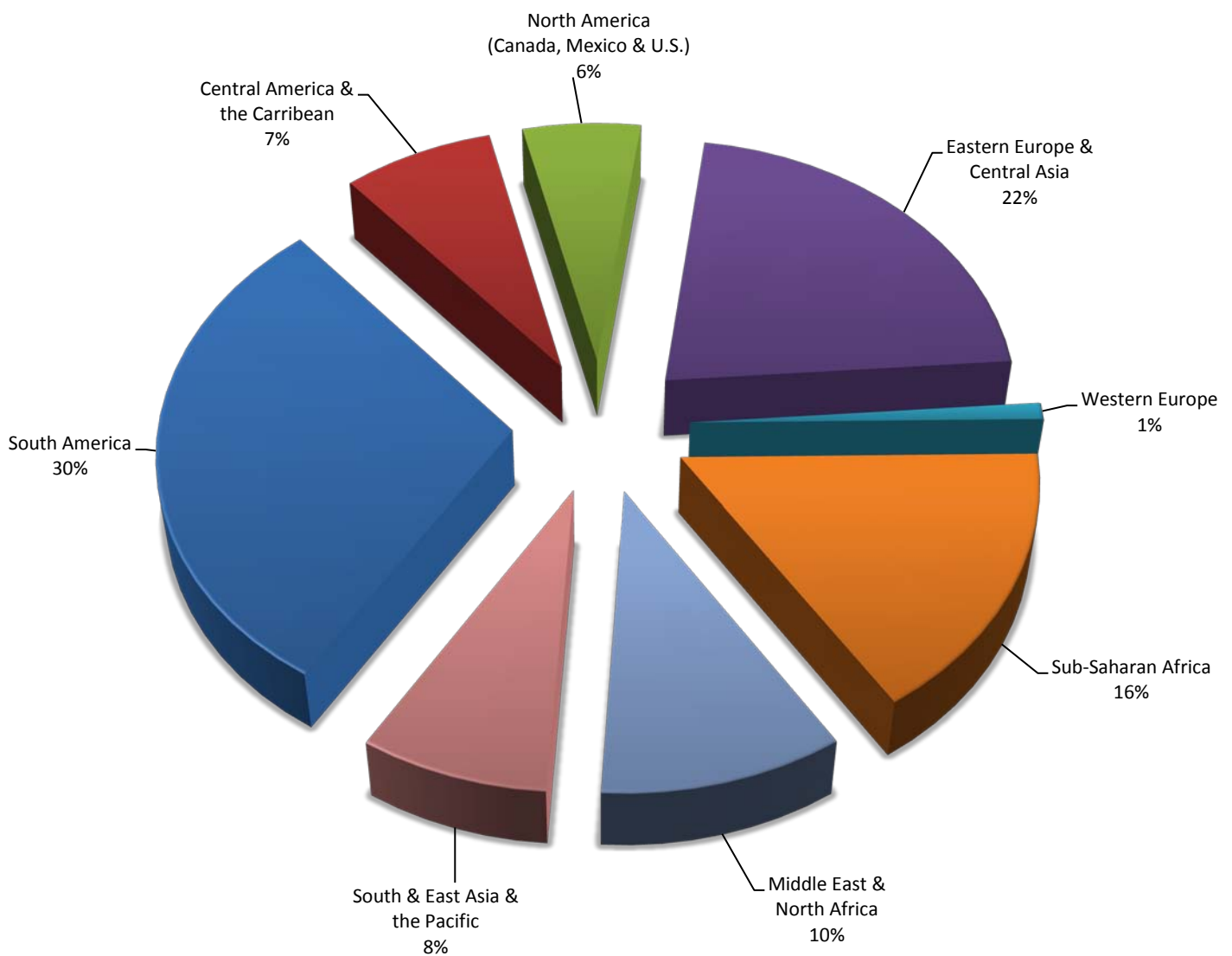
4. Basis of Consent Invoked to Establish ICSID Jurisdiction in Registered ICSID Cases

Chart 5: Basis of Consent Invoked to Establish ICSID Jurisdiction in Registered ICSID Cases:



5. Geographic Distribution of All ICSID Cases by State Party Involved

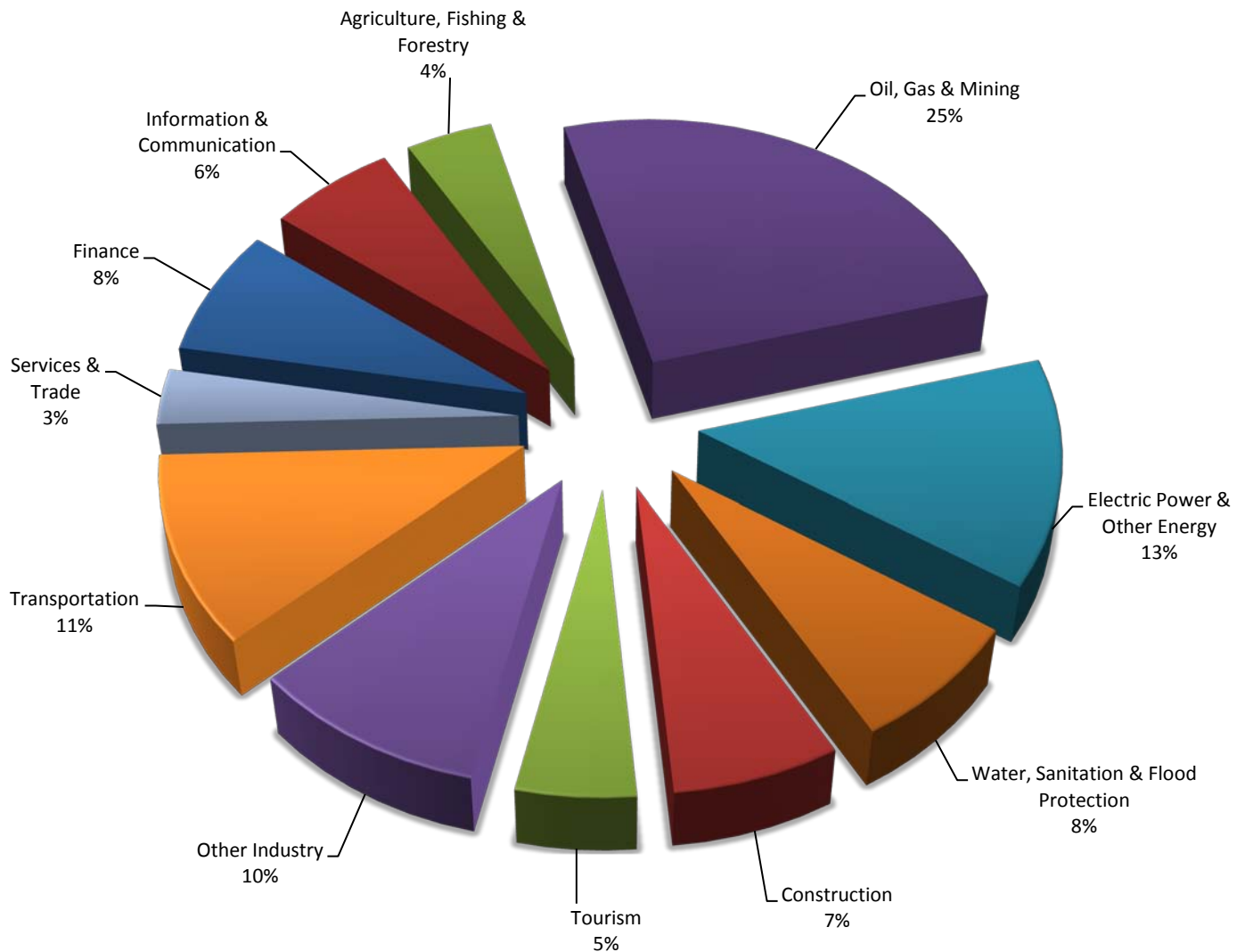
Chart 6: Geographic Distribution of All ICSID Cases by State Party Involved*:



* The classification of the geographic regions above is based on the World Bank's regional system, available at <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/0,,pagePK:180619~theSitePK:136917,00.html>, and also includes World Bank donor countries.

6. Distribution of All ICSID Cases by Economic Sector

Chart 7: Distribution of All ICSID Cases by Economic Sector*:



* This sector classification is based on the World Bank's sector codes, which are available at <http://siteresources.worldbank.org/PROJECTS/Resources/SectorCodesLists.pdf>.

7. ICSID Proceedings – Outcomes

Chart 8: Arbitration Proceedings under the ICSID Convention and Additional Facility Rules – Outcomes:

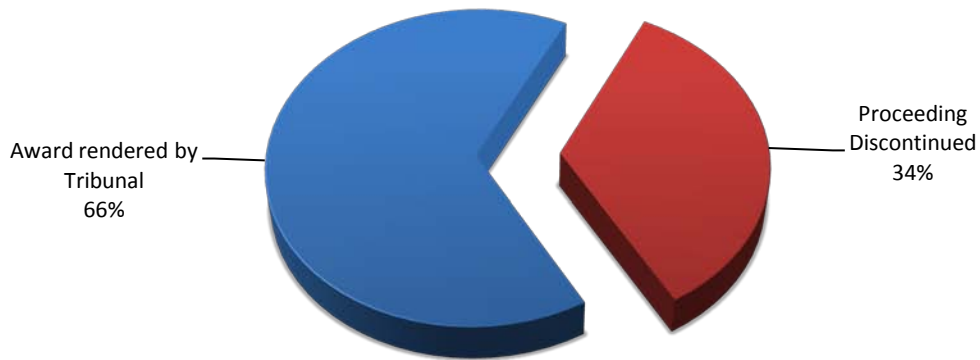


Chart 9: Arbitration Proceedings under the ICSID Convention and Additional Facility Rules – Awards:



Chart 10: Conciliation Proceedings under the ICSID Convention – Outcomes:

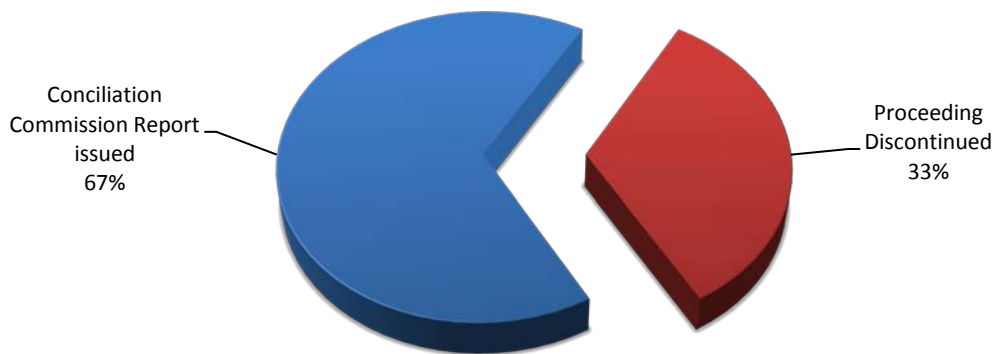
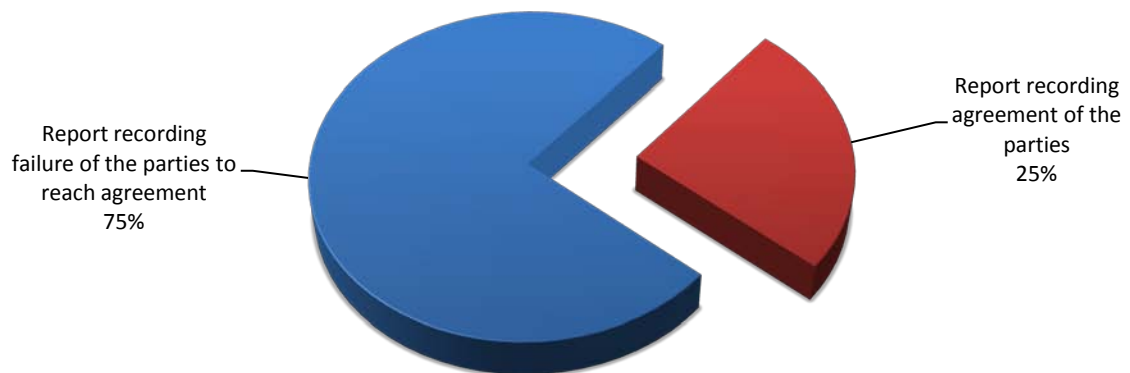
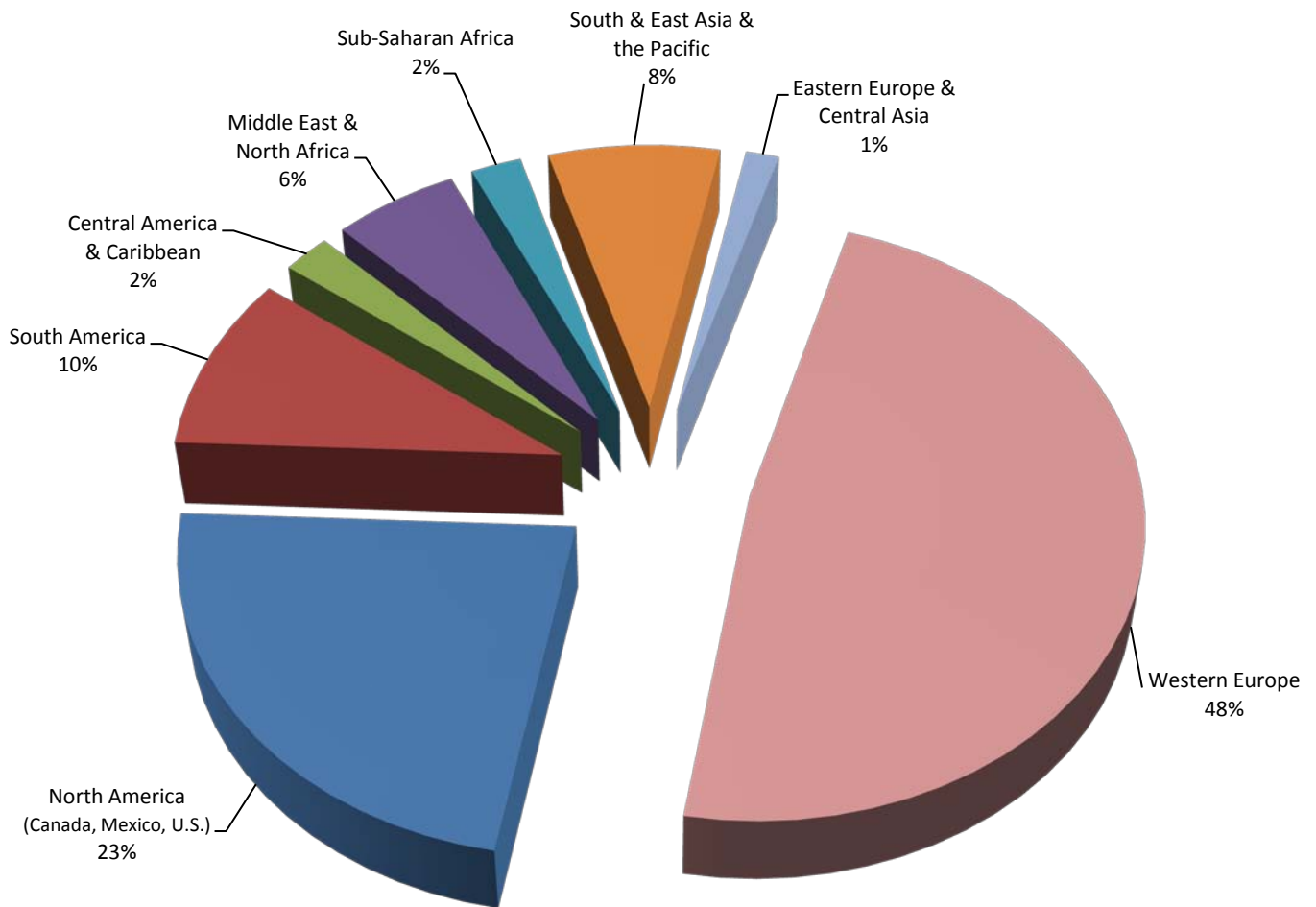


Chart 11: Conciliation Proceedings under the ICSID Convention – Commission Reports:



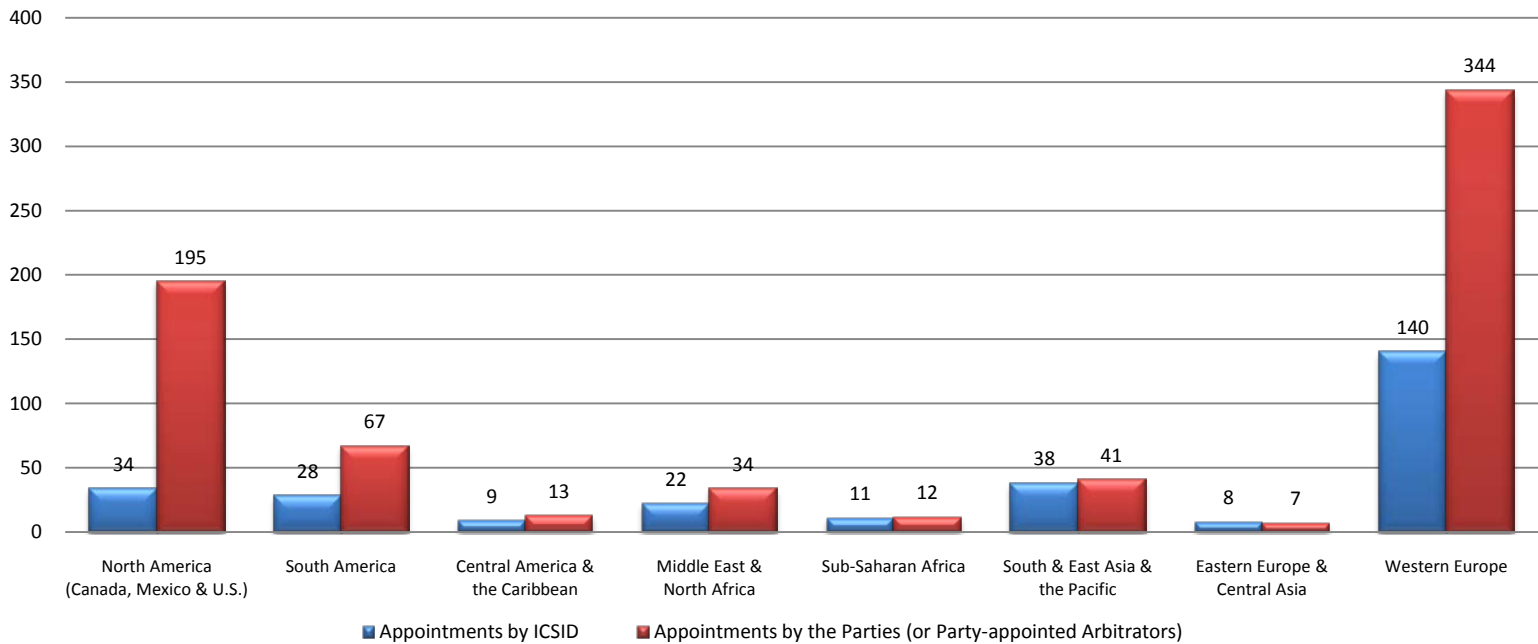
8. Arbitrators, Conciliators and *ad hoc* Committee Members Appointed in ICSID Cases

Chart 12: Arbitrators, Conciliators and *ad hoc* Committee Members Appointed in ICSID Cases – Distribution of Appointments by Geographic Region*:



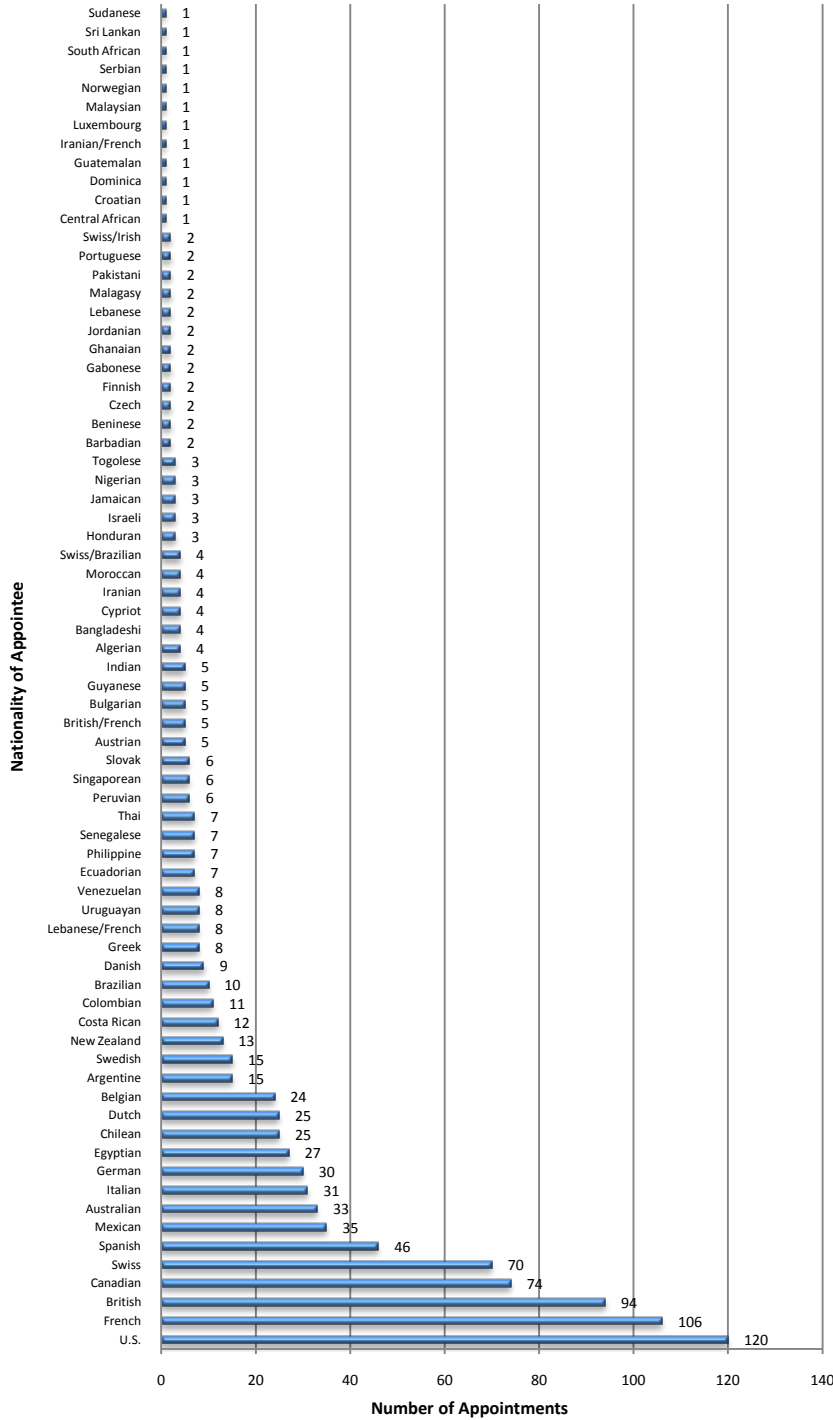
* The classification of the geographic regions above is based on the World Bank's regional system, available at <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/0,,pagePK:180619~theSitePK:136917,00.html>, and also includes World Bank donor countries.

Chart 13: Arbitrators, Conciliators and *ad hoc* Committee Members Appointed in ICSID Cases – Distribution of Appointments by ICSID and by the Parties (or Party-appointed Arbitrators) by Geographic Region*:



* The geographical classification is based on the World Bank's regions as set forth at <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/0,,pagePK:180619~theSitePK:136917,00.html>, and also includes World Bank donor countries. Chart updated in August 2010.

Chart 14: Nationality of Arbitrators, Conciliators and *ad hoc* Committee Members Appointed in ICSID Cases *:



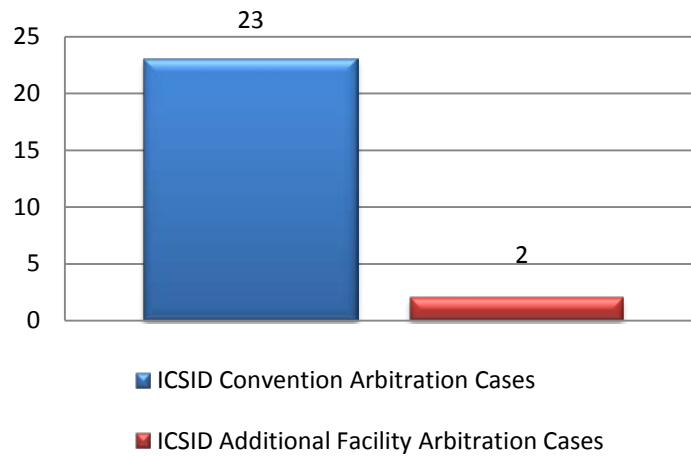
*Chart updated in August 2010.

PART II

CASES REGISTERED AND ADMINISTERED BY ICSID IN 2009

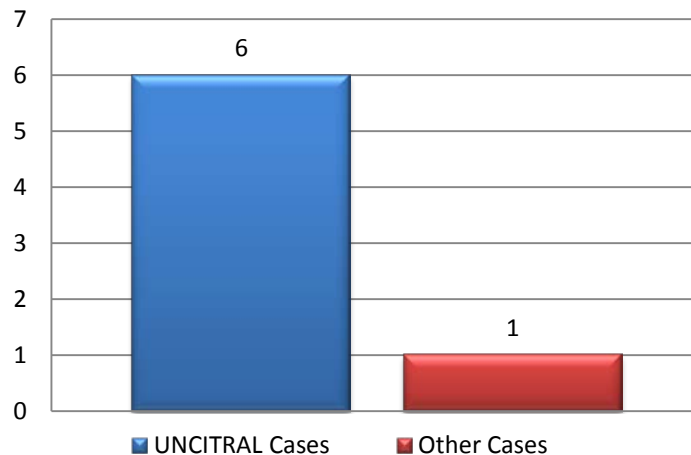
1. Cases Registered by ICSID in 2009

Chart 1: Number of Cases Registered under the ICSID Convention and Additional Facility Rules in 2009:



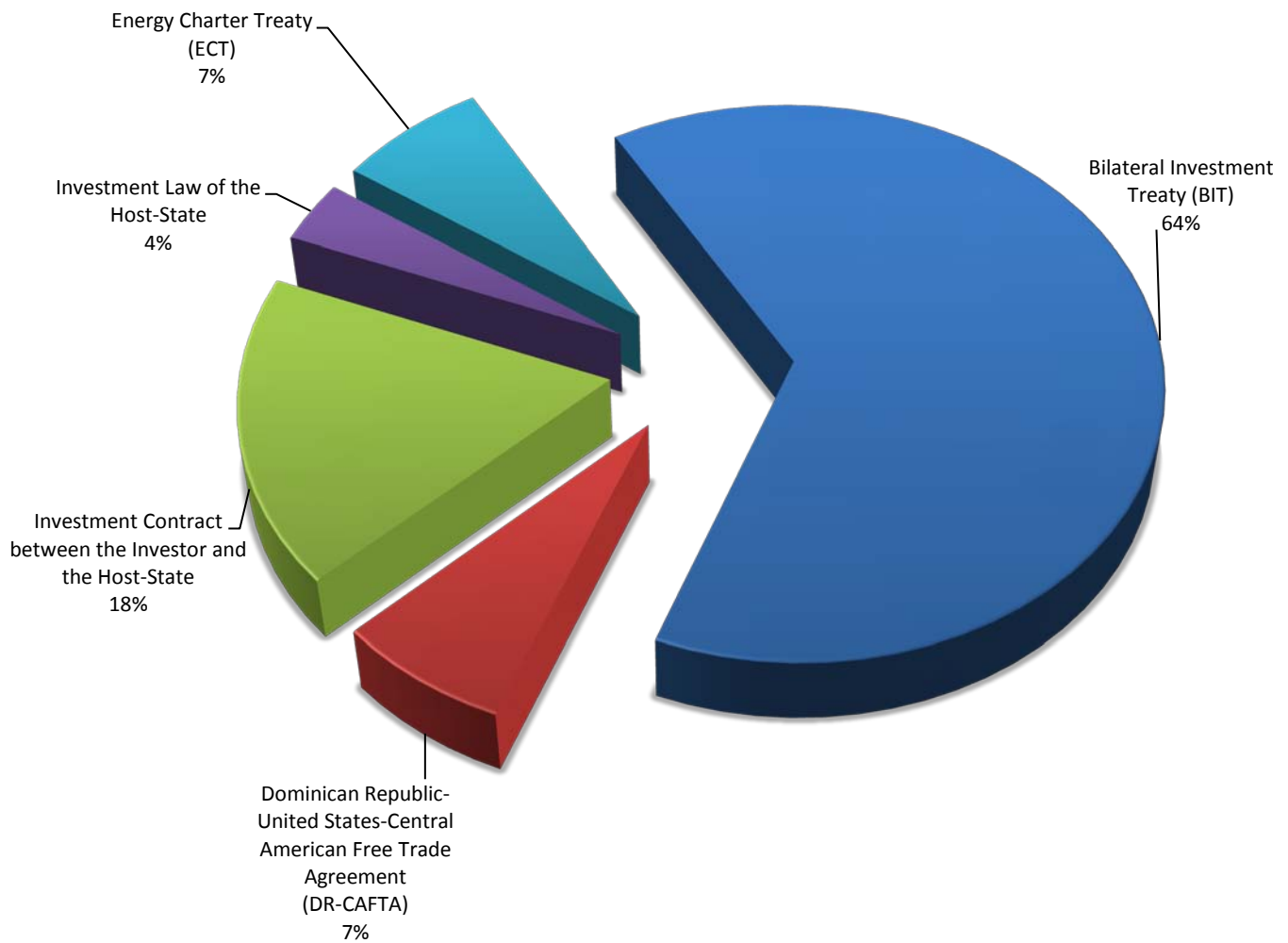
2. Non-ICSID Cases Administered by the ICSID Secretariat in Fiscal Year 2009

Chart 2: Number of Non-ICSID Cases Administered by the ICSID Secretariat in Fiscal Year 2009:



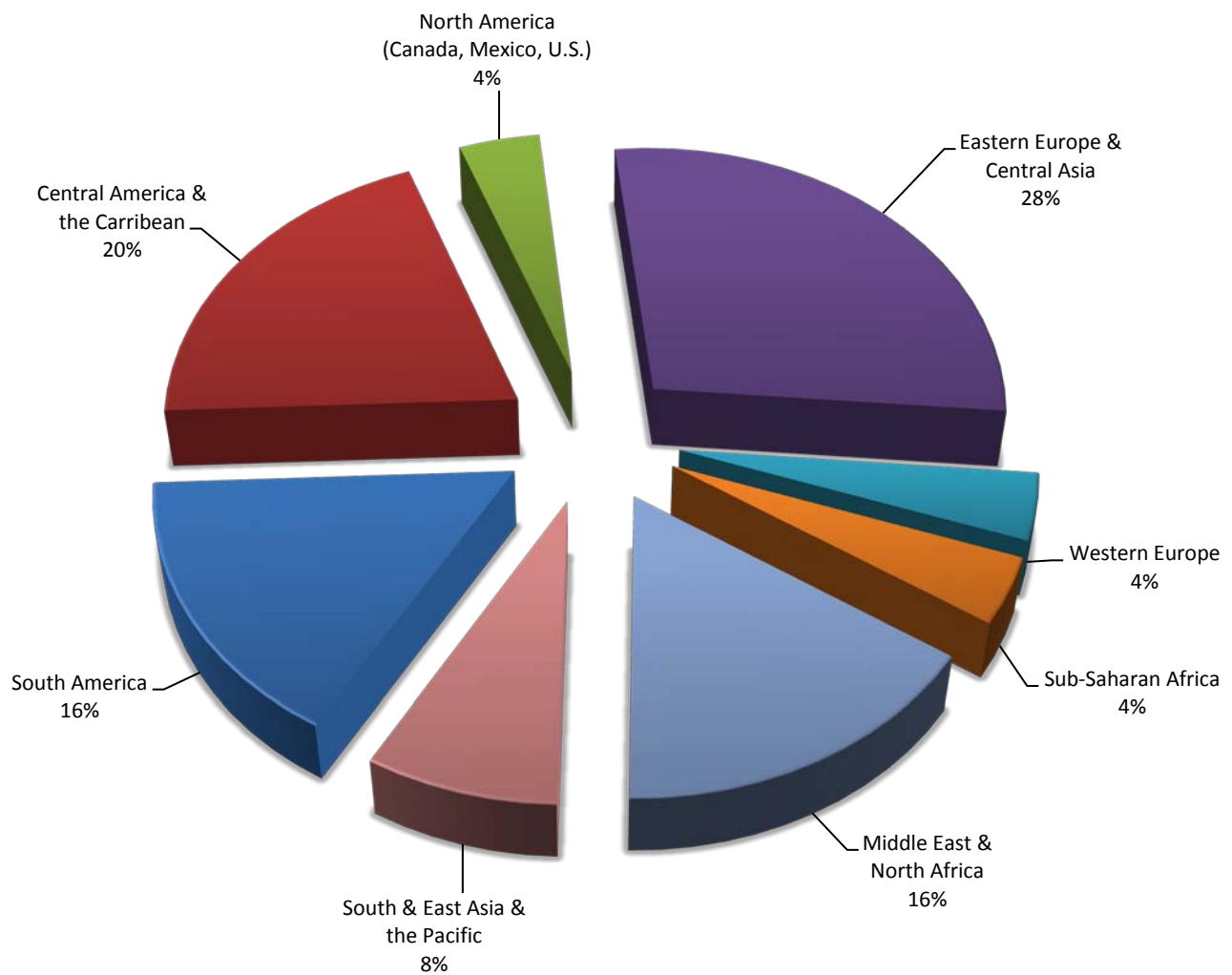
3. Basis of Consent Invoked to Establish ICSID Jurisdiction in Cases Registered in 2009

Chart 3: Basis of Consent Invoked to Establish ICSID Jurisdiction in Cases Registered in 2009:



4. Geographic Distribution of ICSID Cases Registered in 2009 by State Party Involved

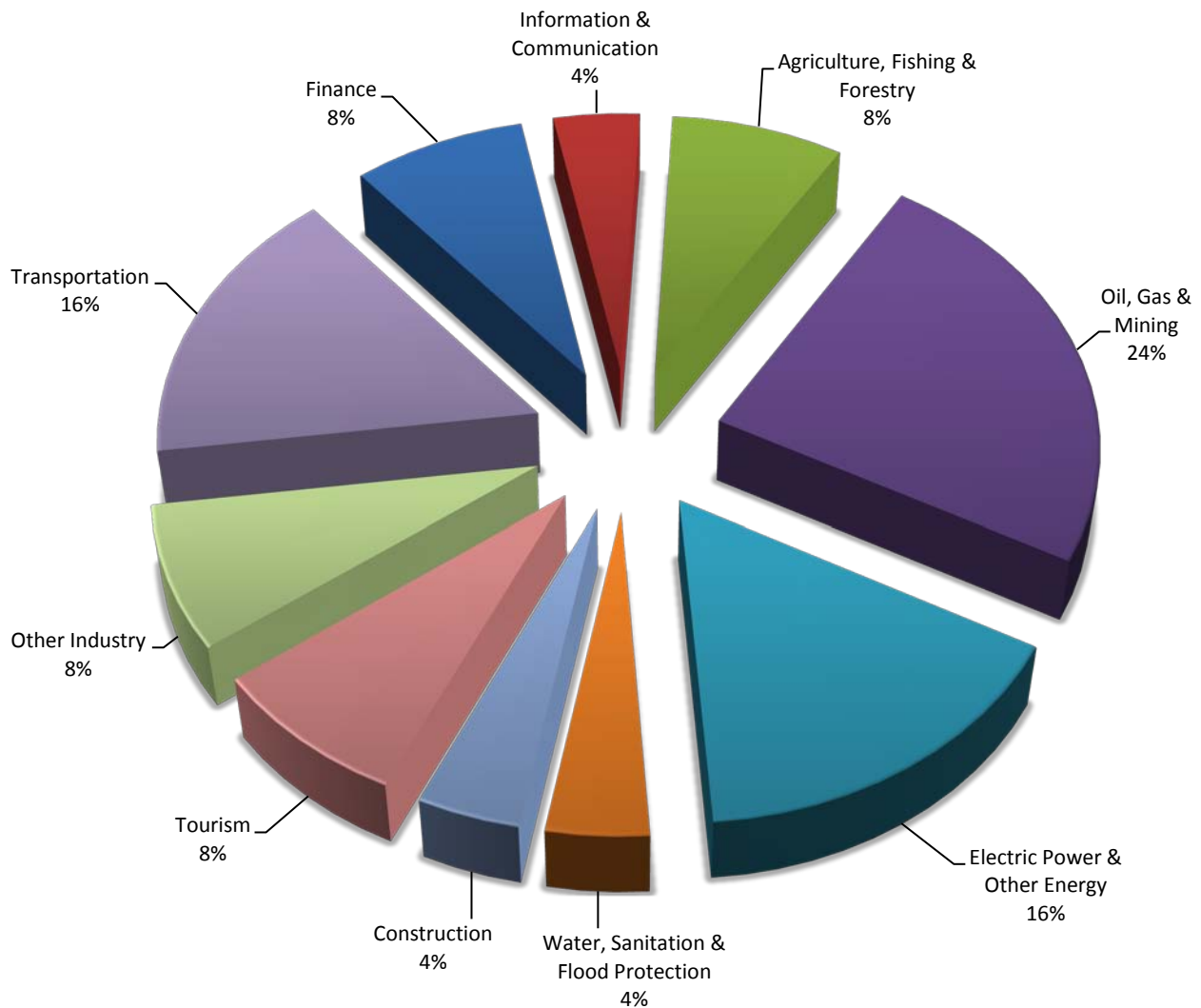
Chart 4: Geographic Distribution of ICSID Cases Registered in 2009 by State Party Involved*:



* The classification of the geographic regions above is based on the World Bank's regional system, available at <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/0,,pagePK:180619~theSitePK:136917,00.html>, and also includes World Bank donor countries.

5. Distribution of ICSID Cases Registered in 2009 by Economic Sector

Chart 5: Distribution of ICSID Cases Registered in 2009 by Economic Sector*:



* The sector classification is based on the World Bank's sector codes, which are available at <http://siteresources.worldbank.org/PROJECTS/Resources/SectorCodesLists.pdf>.

6. ICSID Cases Concluded in 2009 – Outcomes

Chart 6: Arbitration Proceedings under the ICSID Convention and Additional Facility Rules concluded in 2009 – Outcomes:

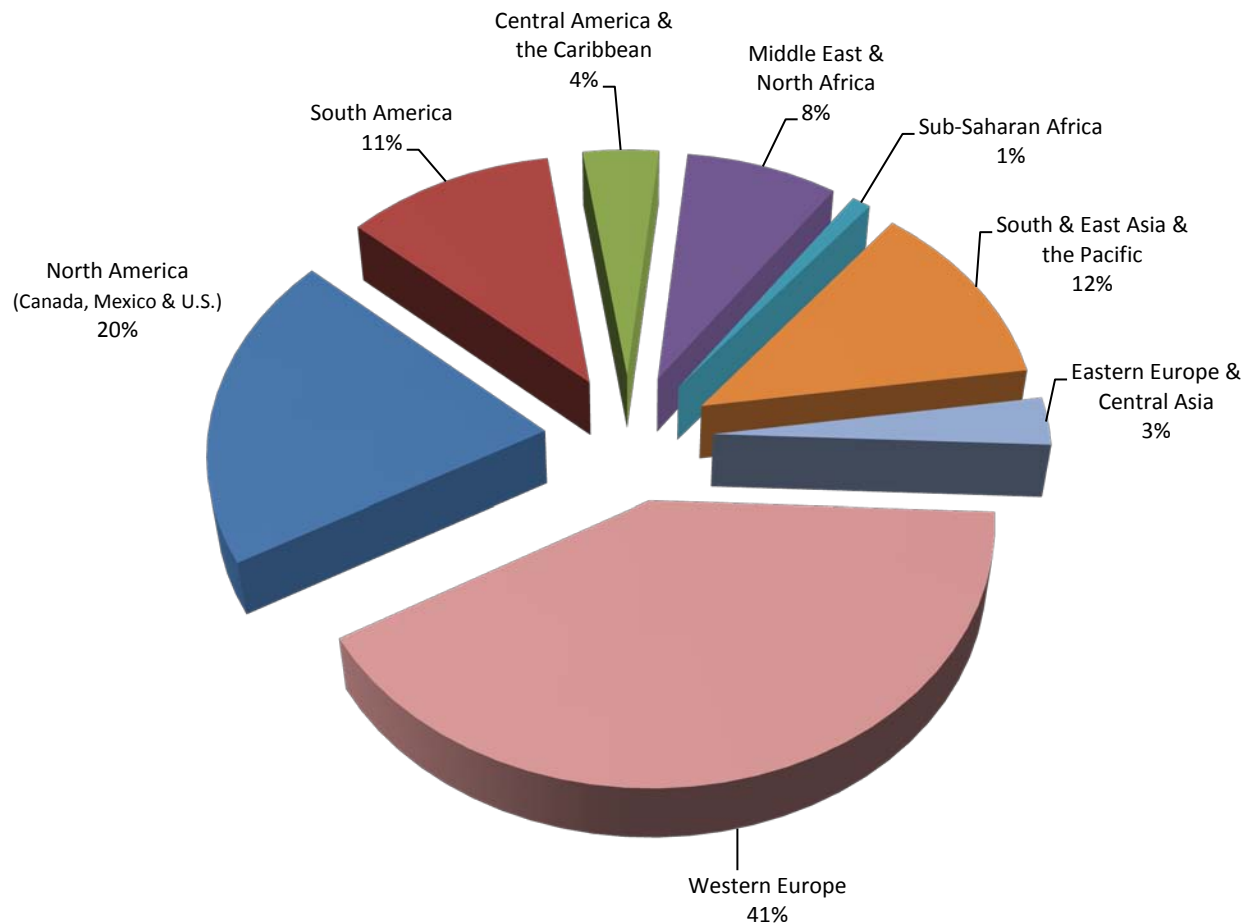


Chart 7: Arbitration Proceedings under the ICSID Convention and Additional Facility Rules concluded in 2009 – Awards:



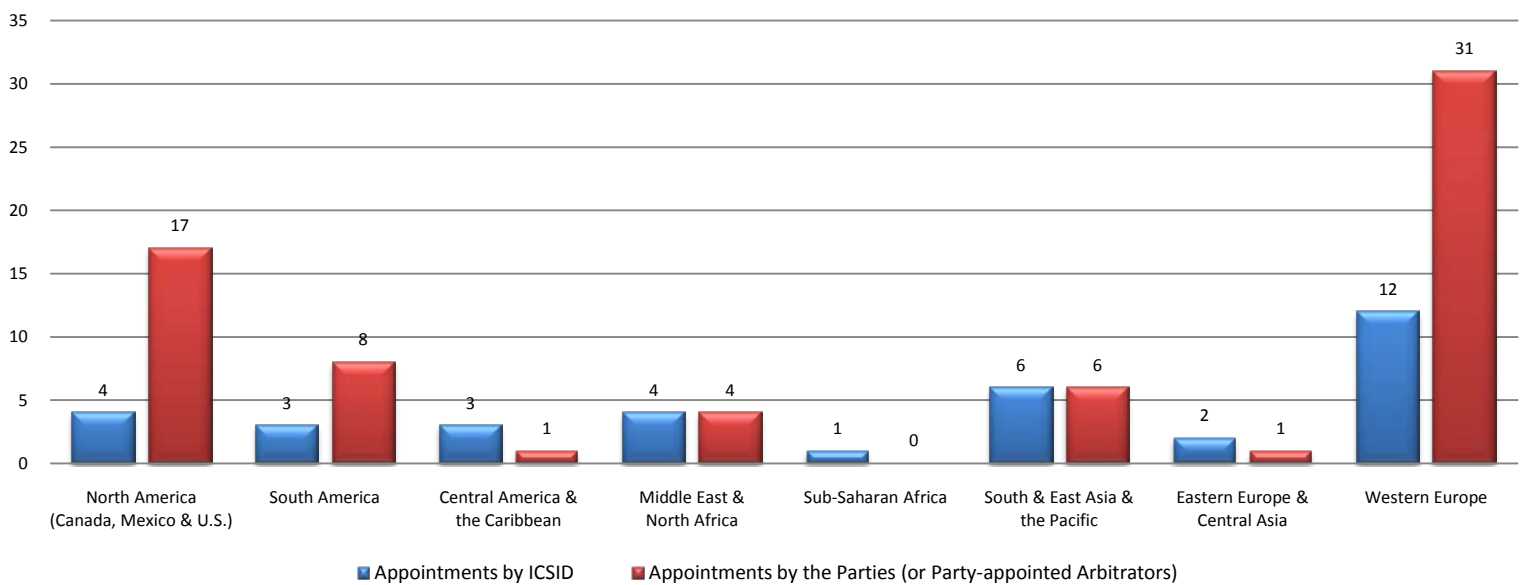
7. Arbitrators, Conciliators and *ad hoc* Committee Members Appointed in ICSID Cases in 2009

Chart 8: Arbitrators, Conciliators and *ad hoc* Committee Members Appointed in ICSID Cases in 2009 – Distribution of Appointments by Geographic Region*:



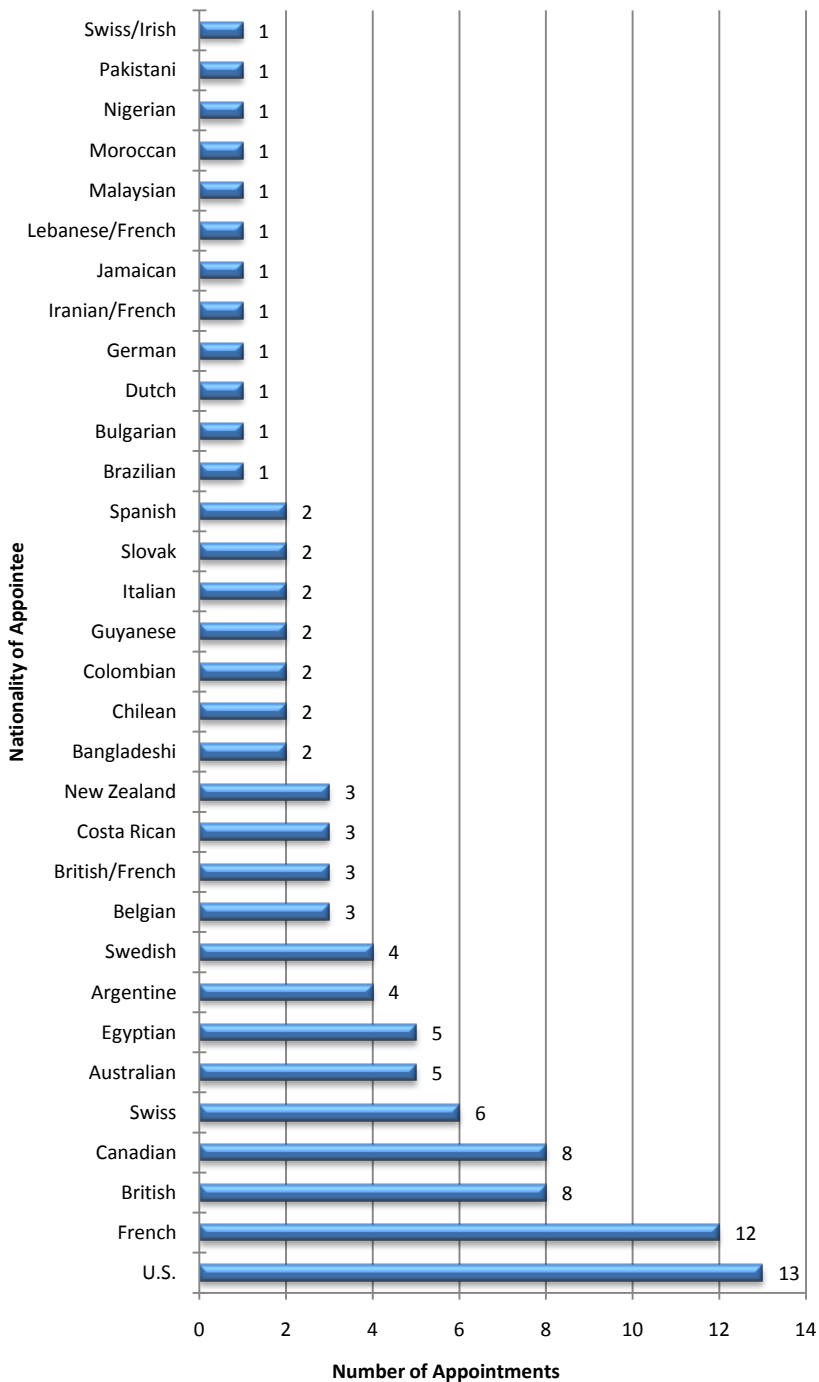
* The classification of the geographic regions above is based on the World Bank's regional system, available at <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/0,,pagePK:180619~theSitePK:136917,00.html>, and also includes World Bank donor countries. Chart updated in August 2010.

Chart 9: Arbitrators, Conciliators and *ad hoc* Committee Members Appointed in ICSID Cases in 2009 – Distribution of Appointments by ICSID and by the Parties (or Party-appointed Arbitrators) by Geographic Region*:



* The classification of the geographic regions above is based on the World Bank's regional system, available at <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/0,,pagePK:180619~theSitePK:136917,00.html>, and also includes World Bank donor countries. Chart updated in August 2010.

Chart 10: Nationality of Arbitrators, Conciliators and *ad hoc* Committee Members Appointed in ICSID Cases in 2009*:



* Chart updated in August 2010.