

I C S I D

# 1995 ANNUAL REPORT



International Centre for  
Settlement of Investment Disputes

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International Centre for Settlement of  
Investment Disputes

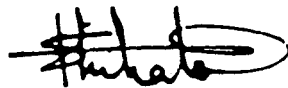
September 1, 1995

Dear Mr. Chairman:

Pursuant to Administrative and Financial Regulation 5(4), I hereby submit to the Administrative Council for its approval the Annual Report on the Operation of the International Centre for Settlement of Investment Disputes required by Article 6(1)(g) of the Convention on the Settlement of Investment Disputes between States and Nationals of Other States. This Annual Report covers the fiscal year July 1, 1994 to June 30, 1995.

The Report includes the audited financial statements of the Centre, presented pursuant to Administrative and Financial Regulation 19.

Sincerely yours,



Ibrahim F.I. Shihata  
Secretary-General

Mr. James D. Wolfensohn  
Chairman  
Administrative Council  
International Centre for Settlement of Investment Disputes

## Introduction by the Secretary-General

During fiscal year 1995, membership in ICSID continued to grow, particularly among Latin American countries. Argentina, Bolivia, Nicaragua and Venezuela were among the countries that joined ICSID during the year. Spain and Mozambique also became ICSID members in the fiscal year. In the course of fiscal year 1995, another three countries—Algeria, Oman and St. Kitts & Nevis—began the process of joining the Centre by signing the ICSID Convention. Altogether, there were at the close of the fiscal year 119 member countries of ICSID and a further 15 that had taken the first step towards membership by signing the Convention.

There was also continued growth in clauses providing for ICSID conciliation and arbitration, particularly in investment laws and treaties. During the year, there were concluded some further 20 bilateral investment treaties with clauses providing for the settlement by ICSID arbitration of disputes arising out of investments covered by the treaties. These brought to approximately 350 the number of bilateral investment treaties with clauses of this kind. Also in fiscal year 1995, the Energy Charter Treaty was concluded among forty-one countries and the European Communities. It became, after the North American Free Trade Agreement and the Colonia Investment Protocol of Mercosur, the third multilateral agreement with investment dispute-settlement clauses referring to ICSID.

The proliferation of such clauses was reflected in the caseload of the Centre. During the year, there were four arbitration cases and one conciliation case before the Centre. Each

of the arbitration cases was brought under the dispute-settlement clause of an investment law or a bilateral investment treaty.

The Centre also continued to enjoy success in its research, publishing and advisory activities. ICSID counsel co-authored a new book on *Bilateral Investment Treaties* published under the auspices of the Centre. The Secretariat also prepared research papers on the admission of foreign investments and on applicable substantive law in ICSID arbitration. Presentations based on these and other staff papers were made by the Secretariat at five conferences during the year. Three new releases were compiled for the Centre's collections of *Investment Laws of the World* and *Investment Treaties*. In addition, the staff edited two new issues of the *ICSID Review—Foreign Investment Law Journal*. The staff continued likewise to perform their useful advisory role. As in past years, they responded to requests by governments of both developing and developed countries for advice on draft arbitration and investment laws and on draft investment treaties.

In short, the Centre registered a strong performance in 1995, continuing amply to justify the extent to which it has come to be relied upon by governments and foreign investors for the settlement of differences between them.

**Ibrahim F.I. Shihata**  
**Secretary-General**

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## Membership

In the past fiscal year, the Convention was signed by Algeria, Mozambique, Oman and St. Kitts & Nevis. Instruments of ratification were deposited by Argentina, Bolivia, Nicaragua, Mozambique, Spain and Venezuela. At June 30, 1995, there were 134 signatory States of the Convention; of these, 119 had also ratified the Convention. A complete list of Contracting States and Other Signatories of the Convention as of June 30, 1995 appears in Annex 1.

## Disputes before the Centre

During the year, there were five cases before the Centre. Developments in these cases are summarized below.

- (1) *American Manufacturing & Trading, Inc. v. Republic of Zaire (Case ARB/93/1)*

July 19, 1994—The Respondent files its Rejoinder.

December 5–6, 1994—The Tribunal holds hearings in Paris and issues a procedural order.

February 12–13, 1995—The Tribunal meets in Paris.

June 20–21, 1995—The Tribunal meets in Paris.

- (2) *Philippe Gruslin v. Government of Malaysia (Case ARB/94/1)*

July 8, 1994—The Sole Arbitrator holds his first session with the parties in Bangkok.

October 31, 1994—The Respondent files its Memorial on the objection to jurisdiction.

November 21, 1994—The Claimant files observations on the Respondent's objection to jurisdiction.

December 11, 1994—The Sole Arbitrator joins the objection to jurisdiction to the merits of the dispute.

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March 15, 1995—The Respondent files its Counter-Memorial on the objection to jurisdiction.

June 13–15, 1995—The Sole Arbitrator meets with the parties in Bangkok.

- (3) *SEDITEX Engineering Beratungsgesellschaft für die Textilindustrie m.b.H. v. Government of Madagascar (Case CONC/94/1)*

September 23, 1994—The Conciliation Commission is constituted. Its members are: Mr. André Faurès (Belgian), President, appointed by agreement of the parties; Professor Dominique Carreau (French), appointed by SEDITEX; and Judge Raymond Ranjeva (Madagascan), appointed by Madagascar.

November 8, 1994—The Conciliation Commission holds its first session with the parties in Paris.

January 17, 1995—SEDITEX files its Memorial.

March 27, 1995—The Republic of Madagascar files its Counter-Memorial.

June 2, 1995—SEDITEX files its Reply.

- (4) *Tradex Hellas S.A. v. Republic of Albania (Case ARB/94/2)*

December 8, 1994—The Secretary-General registers a request for the institution of arbitration proceedings.

- (5) *Leaf Tobacco A. Michaelides S.A. and Greek Albanian Leaf Tobacco & Co. S.A. v. Republic of Albania (Case ARB/95/1)*

April 27, 1995—The Secretary-General registers a request for the institution of arbitration proceedings.

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# Panels of Conciliators and of Arbitrators

Pursuant to Article 3 of the Convention, the Centre maintains a Panel of Conciliators and a Panel of Arbitrators. Each Contracting State may designate to each Panel up to four persons, and the Chairman of the Administrative Council may designate up to ten persons to each Panel.

In the course of the fiscal year, designations to the Panels have been made as follows:

## Chairman's List

*Panels of Conciliators and of Arbitrators*—Designation effective as of March 29, 1995:

Prof. Francisco Orrego Vicuña (to serve the remainder of Judge José Maria Ruda's term).

## Australia

*Panel of Conciliators*—Designations effective as of April 7, 1995:

The Hon. Andrew Rogers and the Hon. Sir Laurence Street.

*Panel of Arbitrators*—Designations effective as of April 7, 1995:

Dr. Maureen Brunt, the Hon. Robert Ellicott, Dr. Gavan Griffith and Prof. Michael Pryles.

## Bangladesh

*Panel of Conciliators*—Designations effective as of August 12, 1994:

Barrister Md. Aminul Hoque, Mr. A. Hafiz Choudhury, Mr. Chowdhury Tanbir Ahmed Siddiky and Mr. Ata Uddin Khan.

*Panel of Arbitrators*—Designations effective as of August 12, 1994:

Mr. Justice Maksum-ul Hakim (re-appointment), Dr. Kamal Hossain, Mr. Syed Ishtiaq Ahmed and Mr. Mainul Hosein.

## Germany

*Panel of Conciliators*—Designations effective as of November 23, 1994:

Dr. Ernst-Günther Bröder, Dr. Liesel Quambusch and Dr. Ulf Siebel (re-appointments); Mr. Martin Krämer (to serve the remainder of Dr. Klaus Kuttner's term).

*Panel of Arbitrators*—Designations effective as of March 7, 1995:

Prof. Günther Jaenicke and Dr. Ottoarndt Glossner (re-appointments); Prof. Dr. Rolf Herber and Prof. Dr. Karl-Heinz Böckstiegel.

## Luxembourg

*Panels of Conciliators and of Arbitrators*—Designations effective as of October 18, 1994:

Dr. jur. Ernest Arendt, Mr. Alex Bonn, Mr. Jean Dupong and Mr. Fernand Zurn (re-appointments).

## Mongolia

*Panel of Conciliators*—Designations effective as of February 24, 1995:

Mr. Bataagiin Batjargal, Mrs. Davaadorjiin Haliun and Mr. Tsendjavyn Suhbaatar.

*Panel of Arbitrators*—Designations effective as of February 24, 1995:

Mr. Damdindorjiin Hurts and Mr. Gonchigiin Seseer.

## New Zealand

*Panel of Arbitrators*—Designations effective as of December 5, 1994: Sir Kenneth Keith and Mr. David A.R. Williams.

## **Publications and Advisory Activities**

### **The Netherlands**

*Panel of Arbitrators*—Designation effective as of April 18, 1995: Prof. P.J. Slot.

### **United States**

*Panel of Conciliators*—Designations effective as of March 9, 1995: Mr. Antonio J. Colorado, Mr. Frederick Frank, Ms. D. Holly Hammonds and Mr. O. Jerome Green.

*Panel of Arbitrators*—Designations effective as of March 9, 1995: Ms. Carolyn B. Lamm, Mr. Roberts B. Owen, Mr. Lawrence B. Low and Mr. David Michael Ifshin (designation effective as of May 9, 1995).

### **News from ICSID**

This newsletter provides information on activities of the Centre and on disputes pending before ICSID, as well as articles on topics of current interest. During the fiscal year, two issues of *News from ICSID* were published: Vol. 11, No. 2 (Summer 1994) and Vol. 12, No. 1 (Winter 1995). These issues included a biographical essay on ICSID and a paper on the new initiative for the elaboration of a multilateral agreement on investment under the auspices of the Organisation for Economic Co-operation and Development.

### **ICSID Review—Foreign Investment Law Journal**

Appearing twice yearly, the *ICSID Review* publishes materials on domestic and international law relating to foreign investments. The eighteenth (Fall 1994) and nineteenth (Spring 1995) issues of the *Review* were completed during the year. The Fall 1994 issue featured a paper on the effects of insolvency and foreign exchange restrictions on exchange contracts, a study on applicable substantive law in ICSID arbitrations and a description of the legal framework for commercial arbitration and conciliation in Nigeria. The Spring 1995 issue included an article on the status of the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards and a study of Mexico's current foreign investment regime.

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## **Investment Laws of the World**

Two new releases (95-1 and 95-3) of the ten-volume *Investment Laws of the World* collection were issued. They contain the texts of the basic investment legislation of Albania, Algeria, Angola, Armenia, Cambodia, Eritrea, Ghana, Laos, Marshall Islands, Mexico, Mozambique, St. Lucia, Sao Tomé E Príncipe, Slovenia, Ukraine, Uzbekistan and Venezuela.

Thirty-two new bilateral investment treaties were published in the course of the year in ICSID's collection of *Investment Treaties* (Release 95-2). This release comprised agreements entered into by some 39 countries during the years 1989 to 1994.

## **Other Publication Activities**

A book on *Bilateral Investment Treaties* (BITs), by Rudolf Dolzer and Margrete Stevens, was published under the auspices of the Centre in the course of the year. The book examines the standard provisions in modern BITs as these relate to admission, treatment, expropriation and the settlement of disputes. The book also shows how the extensive network of BITs is contributing to an emerging international acceptance of common standards for the treatment of foreign investment.

## **Advisory Activities**

As in past years, the staff of the Secretariat continued to provide advice on arbitration and investment law. Such advisory activities included reviewing and commenting on draft arbitration and investment laws and treaties, at the request of governments and in collaboration with other World Bank Group staff working to help governments to attract greater levels of foreign investment. During FY95, ICSID Secretariat staff provided such advice in respect of three arbitration laws, four investment laws and two investment treaties.

## Conferences

Conferences in which the Secretariat participated included the eleventh joint ICSID/American Arbitration Association/International Chamber of Commerce Court of Arbitration colloquium on international arbitration. This colloquium was held in San Francisco on October 17, 1994. Participants examined the topics of conciliation and mediation and arbitration and intellectual property. At the colloquium, ICSID Counsel presented a paper on ICSID conciliation.

The staff also participated in the Seventh Singapore Conference on International Business Law, held on August 31–September 2, 1994. At this conference, the Legal Adviser delivered a paper on the admission of foreign investments. He also presented a paper on sources of information on ICSID at the International Association of Law Librarians' Course on International Commercial Arbitration held at The Hague on September 26–28, 1994. At the Eleventh Arbitration Congress of the International Council on Commercial Arbitration in Vienna on November 3–6, 1994, the Secretary-General delivered a paper on applicable law in ICSID arbitration. In addition, the Legal Adviser made a presentation on the 1992 World Bank Guidelines on the Treatment of Foreign Investment at a Workshop on Foreign Direct Investment held by the Organisation for Economic Co-operation and Development in Wellington on April 6–7, 1995.

## Twenty-Eighth Annual Meeting of the Administrative Council

The Twenty-Eighth Annual Meeting of the Administrative Council took place on October 4–6, 1994, in Madrid on the occasion of the Annual Meeting of the Board of Governors of the World Bank.

At the meeting, the Council considered a report by the Secretary-General on recent developments in ICSID and approved the Centre's 1994 Annual Report and its Budget for fiscal year 1995. The Resolutions adopted at the Meeting are set forth in Annex 2.

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## Finance

The Financial Statements of ICSID for the fiscal year 1995 are set forth in Annex 3.

The administrative expenditures of ICSID were, again, entirely covered by the World Bank pursuant to the Memorandum of Administrative Arrangements concluded between the World Bank and ICSID in February 1967, and by income from the sale of publications.

It was therefore not necessary to assess any excess expenditures on Contracting States pursuant to Article 17 of the Convention.

ICSID expenditures relating to pending arbitration proceedings are borne by the parties in accordance with ICSID's Administrative and Financial Regulations.

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## **Annexes**

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## Annex 1

### Contracting States and Other Signatories of the Convention

(As of June 30, 1995)

The 134 States listed below have signed the Convention on the Settlement of Investment Disputes between States and Nationals of Other States on the dates indicated. The names of the 119 States that have deposited instruments of ratification are in bold face, and the dates of such deposit and of the attainment of the status of Contracting State by the entry into force of the Convention for each of them are also indicated.

State	Signature	Deposit of Ratification	Entry into Force of Convention
<b>Afghanistan</b>	Sep. 30, 1966	June 25, 1968	July 25, 1968
<b>Albania</b>	Oct. 15, 1991	Oct. 15, 1991	Nov. 14, 1991
Algeria	Apr. 17, 1995		
<b>Argentina</b>	May 21, 1991	Oct. 19, 1994	Nov. 18, 1994
<b>Armenia</b>	Sep. 16, 1992	Sep. 16, 1992	Oct. 16, 1992
<b>Australia</b>	Mar. 24, 1975	May 2, 1991	June 1, 1991
<b>Austria</b>	May 17, 1966	May 25, 1971	June 24, 1971
<b>Azerbaijan</b>	Sep. 18, 1992	Sep. 18, 1992	Oct. 18, 1992
<b>Bangladesh</b>	Nov. 20, 1979	Mar. 27, 1980	Apr. 26, 1980
<b>Barbados</b>	May 13, 1981	Nov. 1, 1983	Dec. 1, 1983
<b>Belarus</b>	July 10, 1992	July 10, 1992	Aug. 9, 1992
<b>Belgium</b>	Dec. 15, 1965	Aug. 27, 1970	Sep. 26, 1970
Belize	Dec. 19, 1986		
<b>Benin</b>	Sep. 10, 1965	Sep. 6, 1966	Oct. 14, 1966
<b>Bolivia</b>	May 3, 1991	June 23, 1995	July 23, 1995
<b>Botswana</b>	Jan. 15, 1970	Jan. 15, 1970	Feb. 14, 1970
<b>Burkina Faso</b>	Sep. 16, 1965	Aug. 29, 1966	Oct. 14, 1966
<b>Burundi</b>	Feb. 17, 1967	Nov. 5, 1969	Dec. 5, 1969
Cambodia	Nov. 5, 1993		
<b>Cameroon</b>	Sep. 23, 1965	Jan. 3, 1967	Feb. 2, 1967
<b>Central African Republic</b>	Aug. 26, 1965	Feb. 23, 1966	Oct. 14, 1966
<b>Chad</b>	May 12, 1966	Aug. 29, 1966	Oct. 14, 1966
<b>Chile</b>	Jan. 25, 1991	Sep. 24, 1991	Oct. 24, 1991
<b>China</b>	Feb. 9, 1990	Jan. 7, 1993	Feb. 6, 1993
Colombia	May 18, 1993		
<b>Comoros</b>	Sep. 26, 1978	Nov. 7, 1978	Dec. 7, 1978
<b>Congo</b>	Dec. 27, 1965	June 23, 1966	Oct. 14, 1966
<b>Costa Rica</b>	Sep. 29, 1981	Apr. 27, 1993	May 27, 1993
<b>Côte d'Ivoire</b>	June 30, 1965	Feb. 16, 1966	Oct. 14, 1966
<b>Cyprus</b>	Mar. 9, 1966	Nov. 25, 1966	Dec. 25, 1966
<b>Czech Republic</b>	Mar. 23, 1993	Mar. 23, 1993	Apr. 22, 1993
<b>Denmark</b>	Oct. 11, 1965	Apr. 24, 1968	May 24, 1968
<b>Ecuador</b>	Jan. 15, 1986	Jan. 15, 1986	Feb. 14, 1986
<b>Egypt, Arab Republic of</b>	Feb. 11, 1972	May 3, 1972	June 2, 1972
<b>El Salvador</b>	June 9, 1982	Mar. 6, 1984	Apr. 5, 1984
<b>Estonia</b>	June 23, 1992	June 23, 1992	July 23, 1992
Ethiopia	Sep. 21, 1965		
<b>Fiji</b>	July 1, 1977	Aug. 11, 1977	Sep. 10, 1977
<b>Finland</b>	July 14, 1967	Jan. 9, 1969	Feb. 8, 1969
<b>France</b>	Dec. 22, 1965	Aug. 21, 1967	Sep. 20, 1967
<b>Gabon</b>	Sep. 21, 1965	Apr. 4, 1966	Oct. 14, 1966
<b>Gambia, The</b>	Oct. 1, 1974	Dec. 27, 1974	Jan. 26, 1975
<b>Georgia</b>	Aug. 7, 1992	Aug. 7, 1992	Sep. 6, 1992
<b>Germany</b>	Jan. 27, 1966	Apr. 18, 1969	May 18, 1969
<b>Ghana</b>	Nov. 26, 1965	Jul. 13, 1966	Oct. 14, 1966
<b>Greece</b>	Mar. 16, 1966	Apr. 21, 1969	May 21, 1969
<b>Grenada</b>	May 24, 1991	May 24, 1991	June 23, 1991
<b>Guinea</b>	Aug. 27, 1968	Nov. 4, 1968	Dec. 4, 1968
Guinea-Bissau	Sep. 4, 1991		
<b>Guyana</b>	July 3, 1969	July 11, 1969	Aug. 10, 1969
Haiti	Jan. 30, 1985		

State	Signature	Deposit of Ratification	Entry into Force of Convention
<b>Honduras</b>	May 28, 1986	Feb. 14, 1989	Mar. 16, 1989
<b>Hungary</b>	Oct. 1, 1986	Feb. 4, 1987	Mar. 6, 1987
<b>Iceland</b>	July 25, 1966	July 25, 1966	Oct. 14, 1966
<b>Indonesia</b>	Feb. 16, 1968	Sep. 28, 1968	Oct. 28, 1968
<b>Ireland</b>	Aug. 30, 1966	Apr. 7, 1981	May 7, 1981
<b>Israel</b>	June 16, 1980	June 22, 1983	July 22, 1983
<b>Italy</b>	Nov. 18, 1965	Mar. 29, 1971	Apr. 28, 1971
<b>Jamaica</b>	June 23, 1965	Sep. 9, 1966	Oct. 14, 1966
<b>Japan</b>	Sep. 23, 1965	Aug. 17, 1967	Sep. 16, 1967
<b>Jordan</b>	July 14, 1972	Oct. 30, 1972	Nov. 29, 1972
Kazakhstan	July 23, 1992		
<b>Kenya</b>	May 24, 1966	Jan. 3, 1967	Feb. 2, 1967
<b>Korea, Republic of</b>	Apr. 18, 1966	Feb. 21, 1967	Mar. 23, 1967
<b>Kuwait</b>	Feb. 9, 1978	Feb. 2, 1979	Mar. 4, 1979
<b>Lesotho</b>	Sep. 19, 1968	July 8, 1969	Aug. 7, 1969
<b>Liberia</b>	Sep. 3, 1965	June 16, 1970	July 16, 1970
<b>Lithuania</b>	July 6, 1992	July 6, 1992	Aug. 5, 1992
<b>Luxembourg</b>	Sep. 28, 1965	July 30, 1970	Aug. 29, 1970
<b>Madagascar</b>	June 1, 1966	Sep. 6, 1966	Oct. 14, 1966
<b>Malawi</b>	June 9, 1966	Aug. 23, 1966	Oct. 14, 1966
<b>Malaysia</b>	Oct. 22, 1965	Aug. 8, 1966	Oct. 14, 1966
<b>Mali</b>	Apr. 9, 1976	Jan. 3, 1978	Feb. 2, 1978
<b>Mauritania</b>	July 30, 1965	Jan. 11, 1966	Oct. 14, 1966
<b>Mauritius</b>	June 2, 1969	June 2, 1969	July 2, 1969
<b>Micronesia</b>	June 24, 1993	June 24, 1993	July 24, 1993
Moldova	Aug. 12, 1992		
<b>Mongolia</b>	June 14, 1991	June 14, 1991	July 14, 1991
<b>Morocco</b>	Oct. 11, 1965	May 11, 1967	June 10, 1967
<b>Mozambique</b>	Apr. 4, 1995	June 7, 1995	July 7, 1995
<b>Nepal</b>	Sep. 28, 1965	Jan. 7, 1969	Feb. 6, 1969
<b>Netherlands</b>	May 25, 1966	Sep. 14, 1966	Oct. 14, 1966
<b>New Zealand</b>	Sep. 2, 1970	Apr. 2, 1980	May 2, 1980
<b>Nicaragua</b>	Feb. 4, 1994	Mar. 20, 1995	Apr. 19, 1995
<b>Niger</b>	Aug. 23, 1965	Nov. 14, 1966	Dec. 14, 1966
<b>Nigeria</b>	July 13, 1965	Aug. 23, 1965	Oct. 14, 1966
<b>Norway</b>	June 24, 1966	Aug. 16, 1967	Sep. 15, 1967
Oman	May 5, 1995		
<b>Pakistan</b>	July 6, 1965	Sep. 15, 1966	Oct. 15, 1966
<b>Papua New Guinea</b>	Oct. 20, 1978	Oct. 20, 1978	Nov. 19, 1978
<b>Paraguay</b>	July 27, 1981	Jan. 7, 1983	Feb. 6, 1983
<b>Peru</b>	Sep. 4, 1991	Aug. 9, 1993	Sep. 8, 1993
<b>Philippines</b>	Sep. 26, 1978	Nov. 17, 1978	Dec. 17, 1978
<b>Portugal</b>	Aug. 4, 1983	July 2, 1984	Aug. 1, 1984
<b>Romania</b>	Sep. 6, 1974	Sep. 12, 1975	Oct. 12, 1975
Russian Federation	June 16, 1992		
<b>Rwanda</b>	Apr. 21, 1978	Oct. 15, 1979	Nov. 14, 1979
<b>Saudi Arabia</b>	Sep. 28, 1979	May 8, 1980	June 7, 1980
<b>Senegal</b>	Sep. 26, 1966	Apr. 21, 1967	May 21, 1967
<b>Seychelles</b>	Feb. 16, 1978	Mar. 20, 1978	Apr. 19, 1978
<b>Sierra Leone</b>	Sep. 27, 1965	Aug. 2, 1966	Oct. 14, 1966
<b>Singapore</b>	Feb. 2, 1968	Oct. 14, 1968	Nov. 13, 1968
<b>Slovak Republic</b>	Sep. 27, 1993	May 27, 1994	June 26, 1994
<b>Slovenia</b>	Mar. 7, 1994	Mar. 7, 1994	Apr. 6, 1994
<b>Solomon Islands</b>	Nov. 12, 1979	Sep. 8, 1981	Oct. 8, 1981
<b>Somalia</b>	Sep. 27, 1965	Feb. 29, 1968	Mar. 30, 1968
<b>Spain</b>	Mar. 21, 1994	Aug. 18, 1994	Sept. 17, 1994
<b>Sri Lanka</b>	Aug. 30, 1967	Oct. 12, 1967	Nov. 11, 1967
St. Kitts & Nevis	Oct. 14, 1994		
<b>St. Lucia</b>	June 4, 1984	June 4, 1984	July 4, 1984
<b>Sudan</b>	Mar. 15, 1967	Apr. 9, 1973	May 9, 1973
<b>Swaziland</b>	Nov. 3, 1970	June 14, 1971	July 14, 1971
<b>Sweden</b>	Sep. 25, 1965	Dec. 29, 1966	Jan. 28, 1967

State	Signature	Deposit of Ratification	Entry into Force of Convention
<b>Switzerland</b>	Sep. 22 1967	May 15 1968	June 14 1968
<b>Tanzania</b>	Jan. 10 1992	May 18 1992	June 17 1992
<b>Thailand</b>	Dec. 6 1985		
<b>Togo</b>	Jan. 24 1966	Aug. 11 1967	Sep. 10 1967
<b>Tonga</b>	May 1 1989	Mar. 21 1990	Apr. 20 1990
<b>Trinidad and Tobago</b>	Oct. 5 1966	Jan. 3 1967	Feb. 2 1967
<b>Tunisia</b>	May 5 1965	June 22 1966	Oct. 14 1966
<b>Turkey</b>	June 24 1987	Mar. 3 1989	Apr. 2 1989
<b>Turkmenistan</b>	Sep. 26 1992	Sep. 26 1992	Oct. 26 1992
<b>Uganda</b>	June 7 1966	June 7 1966	Oct. 14 1966
<b>United Arab Emirates</b>	Dec. 23 1981	Dec. 23 1981	Jan. 22 1982
<b>United Kingdom of Great Britain and Northern Ireland</b>	May 26 1965	Dec. 19 1966	Jan. 18 1967
<b>United States of America</b>	Aug. 27 1965	June 10 1966	Oct. 14 1966
Uruguay	May 28 1992		
Uzbekistan	Mar. 17 1994		
<b>Venezuela</b>	Aug. 18 1993	May 2 1995	June 1 1995
<b>Western Samoa</b>	Feb. 3 1978	Apr. 25 1978	May 25 1978
<b>Yugoslavia, Socialist Federal Republic of</b>	Mar. 21 1967	Mar. 21 1967	Apr. 20 1967
<b>Zaire</b>	Oct. 29 1968	Apr. 29 1970	May 29 1970
<b>Zambia</b>	June 17 1970	June 17 1970	July 17 1970
<b>Zimbabwe</b>	Mar. 25 1991	May 20 1994	June 19 1994

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**Annex 2****Resolutions of the Administrative Council**

The following resolutions were adopted by the Administrative Council at its Twenty-Eighth Annual Meeting on October 6, 1994:

**AC(28)/RES/79—Approval of the Annual Report**

The Administrative Council  
RESOLVES

To approve the 1994 Annual Report on the Operation of the Centre as set forth in the attachment to Document AC/94/3.

**AC(28)/RES/80—Adoption of Budget for Fiscal Year 1995**

The Administrative Council  
RESOLVES

To adopt, for the period July 1, 1994 to June 30, 1995, the budget set forth in paragraph 2 of Document AC/94/2.

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## Annex 3

**Report and Financial Statements**

Expressed in United States dollars

**Statement of Changes in Cash and Investments for ICSID Proceedings**

	<i>For the year ended June 30</i>	
	<i>1995</i>	<i>1994</i>
Cash and investments at beginning of fiscal year	\$ 48,003	\$ 216,639
Advances to Centre from parties to arbitration proceedings	162,000	166,000
Investment income earned	5,926	3,277
Disbursements by Centre for fees and expenses for arbitration proceedings	(98,907)	(204,076)
Advances and related investment income refunded to parties upon completion of arbitration proceedings	(2,245)	(100,737)
Decrease in payable to International Bank for Reconstruction and Development	—	(33,100)
Cash and investments at end of fiscal year	<u>\$ 114,777</u>	<u>48,003</u>

**Statement of Composition of Cash and Investments for ICSID Proceedings**

	<i>June 30, 1995</i>	<i>June 30, 1994</i>
Advances from parties to arbitration proceedings	\$ 102,675	\$ 39,582
Investment income due to parties to arbitration proceedings	12,102	8,421
Cash and investments	<u>\$ 114,777</u>	<u>\$ 48,003</u>

The accompanying note is an integral part of these financial statements.

**Annex 3** (continued)**Note to Financial Statements**

June 30, 1995 and June 30, 1994

The accompanying statements have been prepared in accordance with generally accepted accounting principles in the United States and with International Accounting Standards and in accordance with the Memorandum of Administrative Arrangements (the Memorandum) between the International Centre for Settlement of Investment Disputes (the Centre) and the International Bank for Reconstruction and Development (the Bank) which became effective as of October 14, 1966. The Memorandum provides that, except to the extent that the Centre may be reimbursed by the parties to proceedings for fees and expenses of members of Conciliation Commissions, Arbitral Tribunals or ad hoc Committees, the Bank shall provide the following facilities and services to the Centre:

- (1) the services of staff members and consultants; and
- (2) other administrative services and facilities, such as travel, communications, office accommodations, furniture, equipment, supplies and printing.

The value of services provided by the Bank, less sale of publications and registration fees by the Centre, is shown below:

	<i>For the year ended June 30</i>	
	<i>1995</i>	<i>1994</i>
Staff services (including benefits) . . . . .	\$ 541,862	\$ 588,415
Administrative services and facilities:		
Travel . . . . .	24,217	11,158
Contractual services . . . . .	113,620	78,496
Office accommodations . . . . .	66,255	—
Other . . . . .	35,236	27,846
Less: Sale of publications and registration fees . . . . .	23,000	16,000
Total . . . . .	<u>\$ 758,190</u>	<u>\$ 689,915</u>

The financial statements do not reflect the value of these services.

**Annex 3** (continued)

These expenditures represent only the amounts identified by the Bank as being directly related to the Centre; accordingly, these expenditures do not include any indirect or overhead costs of the Bank. In the Bank's fiscal year 1995, the Bank introduced charges at the unit level for office accommodations; accordingly, office accommodations appear for the first time as an identified expense.

The Centre does not have resources of its own. The Centre's expenses which are attributable to arbitration proceedings are borne by the parties in accordance with the Centre's Administrative and Financial Regulations. In accordance with these Regulations, the Secretary-General calls on the parties to make advance deposits with the Centre from time to time to defray these expenses.

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**Annex 3** (continued)**Report of Independent Accountants**

1301 K Street, N.W.  
Washington, D.C. 20005

July 28, 1995

To International Centre for Settlement  
of Investment Disputes

In our opinion, the accompanying statement of changes in cash and investments for ICSID proceedings and the related statement of composition of cash and investments for ICSID proceedings present fairly, in all material respects, the changes in cash and investments of the International Centre for Settlement of Investment Disputes for the years ended June 30, 1995 and June 30, 1994, and the composition of cash and investments at June 30, 1995 and 1994, in conformity with generally accepted accounting principles in the United States and with International Accounting Standards, and in accordance with the Administrative Arrangements between the International Bank for Reconstruction and Development (the Bank) and the International Centre for Settlement of Investment Disputes (the Centre). These financial statements are the responsibility of the Bank and the Centre's management; our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits of these statements in accordance with generally accepted auditing standards, including International Standards on Auditing, which require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for the opinion expressed above.

*Price Waterhouse  
(International Firm)*

Price Waterhouse  
(International Firm)  
Washington, D.C.

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**Annex 4****Publications of ICSID****(Publications available from the Centre free of charge unless otherwise indicated)**

Convention on the Settlement of Investment Disputes between States and Nationals of Other States, and Accompanying Report of the Executive Directors of the International Bank for Reconstruction and Development, Doc. ICSID/2 (English, French and Spanish)

List of Contracting States and Other Signatories of the Convention, Doc. ICSID/3 (periodic updates) (English, French and Spanish)

ICSID Regulations and Rules, Doc. ICSID/4/Rev. 1 (May 1975) (contains the texts of the Centre's Regulations and Rules in effect from January 1, 1968 to September 26, 1984) (English, French and Spanish)

ICSID Model Clauses, Doc. ICSID/5/Rev. 2 (February 1, 1993) (English, French, Spanish)

Contracting States and Measures Taken by Them for the Purpose of the Convention, Doc. ICSID/8 (periodic updates) (English, French and Spanish)

Members of the Panels of Conciliators and of Arbitrators, Doc. ICSID/10 (periodic updates) (English)

ICSID Additional Facility for the Administration of Conciliation, Arbitration and Fact-Finding Proceedings, Doc. ICSID/11 (June 1979) (English, French and Spanish)

ICSID Bibliography, Doc. ICSID/13/Rev. 3 (July 15, 1994) (English)

ICSID Basic Documents, Doc. ICSID/15 (January 1985) (contains the texts of the Centre's Regulations and Rules in effect from September 26, 1984 and the text of the ICSID Convention) (English, French and Spanish)

ICSID Cases, Doc. ICSID/16/Rev. 4 (July 31, 1995) (English)

ICSID Annual Report (1967- ) (English, French and Spanish)

News from ICSID (semi-annual) (English)

Arbitration under the ICSID Convention by Aron Broches (October 1991) (English)

Towards A Greater Depoliticization of Investment Disputes: The Roles of ICSID and MIGA by Ibrahim F.I. Shihata (January 1992) (English and Spanish)

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**Annex 4** (continued)

Documents Concerning the Origin and Formulation of the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (1967) (English, French and Spanish) (available from the Centre at US\$40)

Investment Laws of the World (ten looseleaf volumes) and Investment Treaties (six looseleaf volumes) (available from Oceana Publications, Inc., 75 Main Street, Dobbs Ferry, N.Y. 10522, U.S.A. at US\$1,200 for both sets of volumes, US\$950 for the ten Investments Laws of the World volumes only and US\$595 for the six Investment Treaties volumes only)

ICSID Review—Foreign Investment Law Journal (semi-annual) (available on a subscription basis, at US\$50 per year for those with a mailing address in an OECD country and US\$25 for others, plus postal charges, from Journals Publishing Division, The Johns Hopkins University Press, 2715 North Charles Street, Baltimore, Maryland 21218-4319, U.S.A.)

Bilateral Investment Treaties by Rudolf Dolzer and Margrete Stevens (Martinus Nijhoff Publishers, 1995) (US\$124).

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