

I C S I D

2000 ANNUAL REPORT



International Centre for
Settlement of Investment Disputes

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International Centre for Settlement of
Investment Disputes

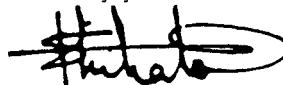
July 25, 2000

Dear Mr. Chairman,

Pursuant to Administrative and Financial Regulation 5(4), I am pleased to 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, 1999 to June 30, 2000.

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

Sincerely yours,



Ibrahim FI. Shihata
Secretary-General

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

Introduction by the Secretary-General

During the year, Bulgaria and the Dominican Republic took the first step towards becoming ICSID members by signing the ICSID Convention. Ukraine completed the process by ratifying the Convention. That ratification has increased the number of ICSID members to 132.

The caseload witnessed extraordinary growth. Twelve arbitration cases were registered during the year, a new record for the Centre. Altogether, 38 arbitration cases were pending before ICSID in fiscal year 2000, seven governed by the Additional Facility Rules and the rest by the ICSID Convention. The growth in the caseload reflects the proliferation of investment laws and treaties with provisions setting forth advance general consents on the part of the States concerned to submit covered investment disputes to ICSID arbitration. Some two thirds of the cases pending in fiscal year 2000 were submitted to ICSID under such provisions. Most of these cases were brought under the provisions of bilateral investment treaties and six were brought to the Centre under the Investment Chapter of the 1992 North American Free Trade Agreement (NAFTA).

Awards were rendered in five cases during the year. Two of these were awards made in NAFTA Investment Chapter cases; in one of them, the tribunal declined jurisdiction over the dispute while the second award dismissed the claims on their merits. At the request of the parties concerned, a further award embodied a settlement agreement of the parties. In the course of the year, settlement agreements were reached in three other cases.

As Secretary-General of ICSID, I was asked, as the designated appointing authority, to appoint arbitrators in two cases initiated under the Arbitration Rules of the U.N. Commission on International Trade Law (UNCITRAL). One of these is a NAFTA Investment Chapter case. The other is a case initiated under a bilateral investment treaty. The UNCITRAL Arbitration Rules give the appointing authority the responsibility of also deciding on challenges by parties of arbitrators for lack of impartiality or independence. I decided two such challenges during the year.

Another highlight of the fiscal year was ICSID's administration of the proceedings in the *Southern Bluefin Tuna Case*, an arbitration instituted pursuant to Article 28 of the U.N. Convention on the Law of the Sea. The dispute in that case, which concerns the conservation of southern bluefin tuna, is between Australia and New Zealand on the one hand and Japan on the other. The Centre undertook the administration of the proceeding at the request of the parties and of the arbitral tribunal. Hearings on Japan's objections to jurisdiction were held before the arbitral tribunal at the seat of ICSID in Washington, D.C. from May 7 to May 11, 2000. The case is the first inter-State proceeding that ICSID has administered.

ICSID publications issued during the year included two issues of the *ICSID Review—Foreign Investment Law Journal*. They contained articles on the experience of ICSID since its inception, on investment and arbitration laws of Ethiopia, Peru and Turkey, on reforming business-related laws in Africa and on the new Timor Gap agreement. Two new releases for

the Centre's collection of *Investment Laws of the World* were published and another release for the collection of *Investment Treaties* was issued. With these additions, the collections comprise the texts of the basic investment laws of 129 countries and the texts of 745 bilateral investment treaties.

The staff continued to be active in responding to requests from governments, investors and other World Bank Group units for information and advice on foreign investment law and arbitration law. ICSID staff also gave presentations on the work of the Centre at ten international conferences and training events.

This is the last annual report of the Centre that I have had the pleasure of introducing. I will shortly be retiring, after nearly 17 years as Secretary-General of ICSID. I am particularly glad to have served ICSID in a period of tremendous expansion of its activities. During this period, membership in the Centre grew by 60 percent. Some 1,000 bilateral investment treaties containing ICSID clauses were concluded. Four multilateral treaties with similar clauses were signed. There was a dramatic, sixfold, increase in ICSID's caseload. Decisions rendered in ICSID cases made substantial contributions to international arbitration and international investment law. ICSID staff participated in the elaboration of the 1985 Convention Establishing the Multilateral Investment Guarantee Agency; assisted with the work on the 1992 World Bank Guidelines on the Treat-

ment of Foreign Direct Investment; and helped with the formulation of the investor-to-State dispute-settlement provisions of the NAFTA. The staff also participated in the work of the expert group convened by the Organisation for Economic Cooperation and Development to draw up the dispute-settlement provisions of the Multilateral Agreement on Investment. Providing advice on foreign investment law and arbitration became a regular part of the work of ICSID. The Centre's information activities in these fields were strengthened with the launching of the *ICSID Review—Foreign Investment Law Journal*.

On leaving ICSID, I wish to thank its member countries for their support of the Centre. The dedicated staff of ICSID and, in particular Antonio R. Parra, the Deputy Secretary-General, deserve much credit for the Centre's varied and impressive achievements to date. I am confident that many more such achievements lie ahead for ICSID under the leadership of my successor, Ko-Yung Tung.

Ibrahim F.I. Shihata
Secretary-General

Membership

In the past fiscal year, the Convention was signed by Bulgaria and the Dominican Republic. The Convention was ratified by Ukraine. At June 30, 2000, there were 149 signatory States of the Convention; of these, 132 had also ratified the Convention. A complete list of Contracting States and Other Signatories of the Convention as of June 30, 2000 appears in Annex 1.

Disputes before the Centre

During the year, there were 38 cases before the Centre. Developments in these cases are summarized below.

- (1) *American Manufacturing & Trading, Inc. v. Democratic Republic of the Congo (Case ARB/93/1)*—Revision Proceeding

February 9, 2000—Following a settlement agreed by the parties, the Respondent requests the discontinuance of the proceeding.

April 18, 2000—The Tribunal is reconstituted. Its members are: Sompong Sucharitkul (Thai), President; Daoud Khairallah (Lebanese), appointed following the death of Heribert Golsong (German); and Kéba Mbaye (Senegalese).

May 2, 2000—The Tribunal takes note that the Claimant is deemed to have acquiesced in the discontinuance of the proceeding requested by the Respondent.

- (2) *Compañía del Desarrollo de Santa Elena S.A. v. Government of Costa Rica (Case ARB/96/1)*

July 12, 1999—The parties file their post-hearing memorials.

February 17, 2000—The Tribunal renders its award.

April 7, 2000—The Secretary-General registers a request for rectification of the award.

June 8, 2000—The Tribunal renders its rectification of the award.

- (3) *Misima Mines Pty. Ltd. v. Independent State of Papua New Guinea (Case ARB/96/2)*

September 14, 1999—The Sole Arbitrator meets with the parties in Sydney.

June 14, 2000—The Claimant requests a suspension of the proceeding until August 30, 2000.

- (4) *Metalclad Corporation v. United Mexican States (Case ARB(AF)/97/1)*

July 6, 1999—The Tribunal holds a meeting with the parties on the marshaling of evidence in Washington, D.C.

July 28, 1999—Canada files a submission under NAFTA Article 1128.

August 30 to September 9, 1999—The Tribunal holds a hearing in Washington, D.C.

November 9, 1999—The parties file their post-hearing submissions. The United States of America files a submission under NAFTA Article 1128.

- (5) *Robert Azinian and others v. United Mexican States (Case ARB(AF)/97/2)*

July 16, 1999—The parties file their post-hearing submissions.

November 1, 1999—The Tribunal renders its award.

- (6) *Société d'Investigation de Recherche et d'Exploitation Minière (SIREXM) v. Burkina Faso (Case ARB/97/1)*

October 15, 1999—The proceeding is declared closed.

November 22, 1999—The parties submit their statements on costs.

January 19, 2000—The Tribunal renders its award.

- (7) *Compañía de Aguas del Aconquija S.A. and Compagnie Générale des Eaux v. Argentine Republic (Case ARB/97/3)*

June 23, 1999—The parties file a joint appendix of authorities.

July 29, 1999—Pursuant to the Tribunal's Order of April 27, 1999, the Claimants file an additional witness statement.

August 11-13, 1999—The Tribunal holds a hearing in Washington, D.C.

August 25, 1999—The Tribunal issues a post-hearing order.

September 30, 1999—The parties file their post-hearing memorials.

October 12, 1999—The parties file their post-hearing rejoinders.

- (8) *Ceskoslovenska obchodni banka, a.s. v. Slovak Republic (Case ARB/97/4)*

November 15, 1999—The Claimant files its memorial on the merits.

December 21, 1999—The Claimant files a request for provisional measures.

December 23, 1999—The Respondent files a further and partial objection to jurisdiction.

January 19, 2000—The Respondent files its observations on the request for provisional measures.

February 1, 2000—The Claimant files its reply on the observations on the request for provisional measures.

February 7, 2000—The Claimant files its observations on the further and partial objection to jurisdiction.

February 10, 2000—The Respondent files its rejoinder on the request for provisional measures.

March 1, 2000—The Tribunal issues an order on the Claimant's request for provisional measures.

March 7, 2000—The Respondent files its reply on the observations on the further and partial objection to jurisdiction.

March 21, 2000—The Claimant files its rejoinder on the further and partial objection to jurisdiction.

- (9) *Lanco International, Inc. v. Argentine Republic (Case ARB/97/6)*

October 10, 1999—At the parties' request, the Tribunal postpones holding a hearing on the merits.

May 1, 2000—The Tribunal conducts a visit of the place connected with the dispute, with the parties.

May 2-3, 2000—The Tribunal holds a hearing on the merits in Buenos Aires.

June 15, 2000—The Respondent files documentation at the request of the Tribunal.

June 16, 2000—The parties file their post-hearing submissions.

June 19, 2000—The Claimant requests the discontinuance of the proceeding under Arbitration Rule 44.

- (10) *Emilio Agustín Maffezini v. Kingdom of Spain (Case ARB/97/7)*

August 9, 1999—The Tribunal holds a hearing on jurisdiction in Washington, D.C.

October 28, 1999—The Tribunal issues an order on the Respondent's request for provisional measures.

January 25, 2000—The Tribunal renders its decision on jurisdiction.

March 21, 2000—The Claimant files its reply on the merits.

May 3, 2000—The Respondent submits its rejoinder on the merits.

- (11) *Compagnie Française pour le Développement des Fibres Textiles v. Republic of Côte d'Ivoire (Case ARB/97/8)*

September 15, 1999—The Respondent files its statement on costs.

October 14, 1999—The Claimant files its reply to the Respondent's statement on costs.

February 24, 2000—The proceeding is declared closed.

April 4, 2000—The Tribunal renders its award.

- (12) *Joseph C. Lemire v. Ukraine (Case ARB(AF)/98/1)*

September 24, 1999—The Tribunal issues a decision joining the objections to jurisdiction to the merits.

March 2, 2000—The Tribunal grants the Claimant's request for a suspension of the proceeding until June 1, 2000.

April 6, 2000—The Parties file with the Tribunal the terms of their agreement to settle the dispute.

- (13) *Houston Industries Energy, Inc. and others v. Argentine Republic (Case ARB/98/1)*

July 9, 1999—The Claimants file their memorial on jurisdiction and the merits.

November 5, 1999—The Respondent files its counter-memorial on jurisdiction and the merits.

December 10, 1999—The Claimants file their reply on jurisdiction and the merits.

February 1, 2000—The Respondent files its rejoinder on jurisdiction and the merits.

February 4, 2000—The Claimants file a request for provisional measures.

February 16, 2000—The Respondent files its observations on the Claimants' request for provisional measures.

April 16, 2000—The Claimants file a request for the discontinuance of the proceeding.

May 19, 2000—The Respondent files its objections to the Claimants' request for discontinuance of the proceeding.

June 16, 2000—The Tribunal takes note of the Respondent's objections to the discontinuance of the proceeding and informs the parties that the proceeding shall continue.

- (14) *Victor Pey Casado and another v Republic of Chile (Case ARB/98/2)*

September 13, 1999—The Respondent files a request for provisional measures.

October 6, 1999—The Claimants file their counter-memorial on jurisdiction.

January 3, 2000—The Respondent files its reply on jurisdiction.

February 10, 2000—The Claimants file their rejoinder on jurisdiction.

May 3-5, 2000—The Tribunal holds a hearing on jurisdiction in Washington, D.C.

- (15) *International Trust Company of Liberia v. Republic of Liberia (Case ARB/98/3)*

July 9, 1999—The Centre provides the parties with a final statement of the direct costs of the proceeding.

- (16) *Wena Hotels Limited v. Arab Republic of Egypt (Case ARB/98/4)*

July 29, 1999—The Claimant files its memorial on the merits.

September 6, 1999—The Respondent files its counter-memorial on the merits.

September 27, 1999—The Claimant files its reply on the merits.

October 18, 1999—The Respondent files its rejoinder on the merits.

December 9, 1999—The Tribunal is reconstituted. Its members are: Monroe Leigh (U.S.), President; Ibrahim Fadlallah (Lebanese); and Don Wallace, Jr. (U.S.), appointed following the resignation of Michael F. Hoellering (U.S.).

April 25-29, 2000—The Tribunal holds a hearing on the merits in Paris.

May 30, 2000—The parties file their post-hearing submissions.

- (17) *Eudoro A. Olguín v. Republic of Paraguay (Case ARB/98/5)*

August 2, 1999—The Respondent files its objections to jurisdiction.

September 10, 1999—The Claimant files its counter-memorial on jurisdiction.

December 21, 1999—The Respondent files its reply on jurisdiction.

February 2, 2000—The Claimant files its rejoinder on jurisdiction.

- (18) *Compagnie Minière Internationale Or S.A. v. Republic of Peru (Case ARB/98/6)*

June 7, 2000—The Tribunal is constituted. Its members are: Ian Brownlie (British), President; Henri C. Alvarez (Mexican); and Keith Highet (U.S.).

- (19) *Banro American Resources, Inc. and Société Aurifère du Kivu et du Maniema S.A.R.L. v. Democratic Republic of the Congo (Case ARB/98/7)*

July 23, 1999—The Tribunal renders its decision on the Claimants' request for provisional measures.

September 23, 1999—The Claimants file their observations on the objections to jurisdiction.

November 5, 1999—The Claimants file their answers to the Tribunal's questions raised at the first session.

February 29, 2000—The Tribunal meets in Paris for deliberations on the objections to jurisdiction.

- (20) *Waste Management, Inc. v. United Mexican States (Case ARB(AF)/98/2)*

July 16, 1999—The Tribunal holds its first session with the parties in The Hague.

September 29, 1999—The Claimant files its memorial on the merits and jurisdiction.

November 5, 1999—The Respondent files its counter-memorial on jurisdiction.

November 9, 1999—The Claimant files its observations on the Respondent's counter-memorial on jurisdiction.

November 16, 1999—The Respondent files its response to the Claimant's observations to its counter-memorial on jurisdiction.

January 31, 2000—The Tribunal holds a hearing on jurisdiction in Washington, D.C.

June 2, 2000—The Tribunal renders its award.

- (21) *The Loewen Group, Inc. and Raymond L. Loewen v. United States of America (Case ARB(AF)/98/3)*

May 18, 1999—The Tribunal holds its first session with the parties in Washington, D.C.

October 18, 1999—The Claimants file their memorials on the merits.

February 18, 2000—The Respondent files its objections to jurisdiction.

May 26, 2000—The Claimants file their counter-memorial on the objections to jurisdiction.

- (22) *Tanzania Electric Supply Company Limited v. Independent Power Tanzania Limited (Case ARB/98/8)*

July 12, 1999—The Claimant files its reply to the Respondent's observations on the Claimant's request for provisional measures.

August 27, 1999—The Claimant files its observations on the Respondent's request for provisional measures.

September 15, 1999—The Respondent files its reply to the Claimant's observations on the Respondent's request for provisional measures.

October 18-19, 1999—The Tribunal holds a hearing on parties' requests for provisional measures.

November 19, 1999—The Tribunal issues its decision on the Respondent's request for provisional measures.

January 26, 2000—The Claimant files its submissions on preliminary issues and its memorial on the merits.

January 26, 2000—The Respondent files its submissions on preliminary matters.

March 13-16, 2000—The Tribunal meets with the parties in London.

April 20, 2000—The parties file their post-hearing briefs on preliminary issues.

April 20, 2000—The Respondent files its counter-memorial on the merits.

May 22, 2000—The Tribunal issues its decision on preliminary issues.

May 26, 2000—The Claimant files its reply on the merits.

June 29, 2000—The Respondent files its rejoinder on the merits.

- (23) *Mobil Argentina S.A. v. Argentine Republic (Case ARB/99/1)*

July 2, 1999—The Claimant requests the discontinuance of the proceeding in accordance with Arbitration Rule 44.

July 21, 1999—The Secretary-General issues an order taking note of the discontinuance of the proceeding.

- (24) *Alex Genin and others v. Republic of Estonia (Case ARB/99/2)*

September 21, 1999—The Tribunal is constituted. Its members are: L. Yves Fortier (Canadian), President; Meir Heth (Israeli); and Albert Jan van den Berg (Netherlands).

October 12, 1999—The Tribunal holds its first session in Zurich. The Respondent raises objections to jurisdiction.

November 12, 1999—The Respondent files its memorial on objections to jurisdiction.

December 14, 1999—The Claimants file their counter-memorial on jurisdiction.

January 8, 2000—The Tribunal holds a hearing on jurisdiction in London. The Tribunal decides to join the Respondent's objection to jurisdiction to the merits of the dispute.

March 23, 2000—The Claimants file their memorial on the merits.

June 19, 2000—The Respondent files its counter-memorial on the merits.

(25) *Philippe Gruslin v. Malaysia (Case ARB/99/3)*

August 9, 1999—The Tribunal holds its first session with the parties in Washington, D.C.

November 17, 1999—The Respondent files its memorial on the objections to jurisdiction.

December 27, 1999—The Claimant files his counter-memorial on the objections to jurisdiction.

March 9, 2000—The Respondent files its reply on the objections to jurisdiction.

March 29, 2000—The Claimant files his rejoinder on the objections to jurisdiction.

(26) *Marvin Roy Feldman Karpa v. United Mexican States (Case ARB(AF)/99/1)*

January 18, 2000—The Tribunal is constituted. Its members are: Konstantinos D. Kerameus (Greek), President; Jorge Covarrubias Bravo (Mexican); and David A. Gantz (U.S.).

March 10, 2000—The Tribunal holds its first session with the parties in Washington, D.C.

April 3, 2000—The Tribunal issues a procedural order concerning the place of arbitration.

May 3, 2000—The Tribunal issues a procedural order concerning a request for provisional measures and the schedule of the proceeding.

(27) *Empresa Nacional de Electricidad S.A. v. Argentine Republic (Case No. ARB/99/4)*

July 12, 1999—The Secretary-General registers a request for the institution of arbitration proceedings.

December 13, 1999—The Tribunal is constituted. Its members are: Rodrigo Oreamuno (Costa Rican), President; Enrique Elías (Peruvian); and Hector Gros Espiell (Uruguyan).

February 10, 2000—The Tribunal holds its first session in Washington, D.C. The parties request a suspension of the proceedings until May 10, 2000.

May 9, 2000—The parties request a new suspension of the proceedings until August 10, 2000.

- (28) *Alimenta S.A. v. Republic of The Gambia*
(Case No. ARB/99/5)

July 12, 1999—The Secretary-General registers a request for the institution of arbitration proceedings.

December 17, 1999—The Tribunal is constituted. Its members are: Charles N. Brower (U.S.), President; Samuel K.B. Asante (Ghanaian); and Kenneth S. Rokison (British).

February 24, 2000—The Tribunal holds its first session with the parties in London.

May 1, 2000—The Claimant files its memorial on the merits.

June 21, 2000—The Tribunal grants an extension of time to the Respondent for the filing of its counter-memorial on the merits.

- (29) *Mondev International Ltd. v. United States of America* (Case No. ARB(AF)/99/2)

September 20, 1999—The Secretary-General registers a request for the institution of arbitration proceedings.

January 12, 2000—The Tribunal is constituted. Its members are: Ninian Stephen (Australian), President; James Crawford (Australian); and Stephen M. Schwebel (U.S.).

April 20, 2000—The Tribunal holds its first session with the parties in Washington, D.C.

May 12, 2000—The Respondent files its submission on confidentiality, place of arbitration and bifurcation.

June 2, 2000—The Claimant files its submission on confidentiality, place of arbitration and bifurcation.

- (30) *Middle East Cement Shipping and Handling Co. S.A. v. Arab Republic of Egypt*
(Case No. ARB/99/6)

November 19, 1999—The Secretary-General registers a request for the institution of arbitration proceedings.

January 28, 2000—The Tribunal is constituted. Its members are: Karl-Heinz Böckstiegel (German), President; Piero Bernardini (Italian); and Don Wallace, Jr. (U.S.).

February 24, 2000—The Tribunal holds its first session in Washington, D.C.

March 25, 2000—The Respondent files its memorial on the objections to jurisdiction.

April 26, 2000—The Claimant files its counter-memorial on the objections to jurisdiction.

May 14, 2000—The Respondent files its reply on the objections to jurisdiction.

May 30, 2000—The Claimant files its rejoinder on the objections to jurisdiction.

- (31) *Patrick Mitchell v. Democratic Republic of the Congo (Case No. ARB/99/7)*

December 10, 1999—The Secretary-General registers a request for the institution of arbitration proceedings.

- (32) *Astaldi S.p.A. & Columbus Latinoamericana de Construcciones S.A. v. República de Honduras (Case No. ARB/99/8)*

December 8, 1999—The Secretary-General registers a request for the institution of arbitration proceedings.

January 18, 2000—The Tribunal is constituted. Its members are: Roberto Andino (Honduran), President; German Flores (Honduran); and Carlos Roberto Castillo (Honduran).

February 3, 2000—The Tribunal holds its first session with the parties in Tegucigalpa.

February 9, 2000—The Claimants file their memorial.

February 28, 2000—The Respondent submits a communication on the merits and raising objections to jurisdiction.

March 13, 2000—The Claimants file observations on the objections to jurisdiction.

April 19, 2000—The Tribunal joins the objections to jurisdiction to the merits of the dispute.

April 27, 2000—The Claimants file their reply.

May 15, 2000—The Tribunal grants a grace period for the filing of the rejoinder.

- (33) *Zhinvali Development Ltd. v. Republic of Georgia (Case No. ARB/00/1)*

January 7, 2000—The Secretary-General registers a request for the institution of arbitration proceedings.

June 5, 2000—The Tribunal is constituted. Its members are: Davis Robinson (U.S.), President; Andrew Jacovides (Cypriot); and Seymour Rubin (U.S.).

- (34) *Mihaly International Corporation v. Democratic Socialist Republic of Sri Lanka (Case No. ARB/00/2)*

January 11, 2000—The Secretary-General registers a request for the institution of arbitration proceedings.

June 9, 2000—The Tribunal is constituted. Its members are: Sompong Sucharitkul (Thai), President; Andrew Rogers (Australian); and David Suratgar (British).

- (35) *GRAD Associates, P.A. v. Bolivarian Republic of Venezuela* (Case No. ARB/00/3)

March 1, 2000—The Secretary-General registers a request for the institution of arbitration proceedings.

- (36) *Salini Costruttori S.p.A. and Italstrade S.p.A. v. Kingdom of Morocco* (Case No. ARB/00/4)

June 13, 2000—The Secretary-General registers a request for the institution of arbitration proceedings.

- (37) *Autopista Concesionada de Venezuela, C.A. v. Bolivarian Republic of Venezuela* (Case No. ARB/00/5)

June 23, 2000—The Secretary-General registers a request for the institution of arbitration proceedings.

- (38) *Consortium R.F.C.C. v. Kingdom of Morocco* (Case No. ARB/00/6)

June 28, 2000—The Secretary-General registers a request for the institution of arbitration proceedings.

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, 33 designations were made to the Panels. These are listed below. With these designations, the Panels comprise 453 names.

CAMEROON

Panel of Conciliators—Designations effective May 17, 2000: Henri Njoh Manga, Ubald Mendouga, José Ngouah Mouri and Elie Victor Essomba Tsongui.

Panel of Arbitrators—Designations effective May 17, 2000: Justine Ngounou, Lucy Ayuck Nkogho, Roger-Gabriel Nlep and Ahmadou Oumarou.

CHILE

Panels of Conciliators and Arbitrators—Designation effective as of October 21, 1999: Carlos Eugenio Jorquiera Malschafsky.

COLOMBIA

Panel of Conciliators—Designations effective February 16, 2000: Luis Ignacio Betancur Correa, Ligia Helena Borrero Restrepo, Gustavo Tobón Londoño and Luis Fernando Uribe Restrepo.

Panel of Arbitrators—Designations effective February 16, 2000: Carlos Gustavo Arrieta Padilla, Barry H. Garfinkel, Enrique Gómez-Pinzón and Sara Ordóñez Noriega.

CROATIA

Panel of Conciliators—Designations effective July 22, 1999: Pave Devic, Milivoj Goldstajn, Ivo Grbin and Milijan Sesar.

Panel of Arbitrators—Designations effective July 22, 1999: Jaksa Barbic, Kresmimir Sajko, Namad Sepic and Branko Vukmir.

DENMARK

Panels of Conciliators and of Arbitrators—Designations effective January 28, 2000: Jorgen Grønberg, Peer Lorenzen (re-appointment); Per Magid (re-appointment) and Sven Ziegler.

TANZANIA

Panel of Arbitrators—Designations effective August 27, 1999: Elisifa Kinasha, M.J.A. Lukwaro, Verdiana Nkwabi Macha, and K.M.I.M. Msita.

Publications and Advisory Activities

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. 16, No. 2 (Fall 1999) and Vol. 17, No. 1 (Spring 2000). The Fall issue contained an article on the extent to which arbitrators can be proactive in ICSID proceedings. The Spring 2000 issue contained articles on confidentiality in arbitration and on ICSID and bilateral investment treaties.

ICSID Review—Foreign Investment Law Journal

Appearing twice yearly, the *ICSID Review* publishes materials on domestic and international law relating to foreign investments. The twenty-seventh (Fall 1999) and twenty-eighth (Spring 2000) issues of the *ICSID Review* were completed during the year. The Fall 1999 issue featured articles by Ibrahim F.I. Shihata and Antonio R. Parra on the experience of ICSID, by Michael P. Porter on the Ethiopian investment law, by Reynaldo Pastor Bebin on the legislative framework for arbitration in Peru, and by Ali Yesilirmak on the jurisdiction of ICSID over Turkish concession contracts. Other materials included the seventh installment of a commentary on the ICSID Convention by Christoph Schreuer and the text of the first ICSID award on the merits rendered by a tribunal established under the Investment Chapter of the NAFTA.

The Spring 2000 issue featured articles by W. Paatii Ofosu-Amaah on reforming business-related laws in Africa and by William T. Onorato and Mark J. Valencia on the new Timor Gap agreement. Other contributions to the issue included the eighth and last installment of a commentary on the ICSID Convention by Christoph Schreuer. The issue also includes the texts of the award and the decision on rectification rendered in one ICSID case and the award and the dissenting opinion rendered in another ICSID case.

Investment Laws of the World

During the year, the Centre issued two releases (99-2 and 00-1) of its ten-volume collection of *Investment Laws of the World*. These releases contained texts of basic investment legislation of Angola, Colombia, Ethiopia, Guatemala, Peru, Portugal, Saudi Arabia, Tanzania, Turkey and Venezuela.

Investment Treaties

In the course of the year, a new release (99-2) of the Centre's seven-volume collection of *Investment Treaties* was published. This release comprised texts of 20 bilateral investment treaties entered into by 29 countries in the period of 1987-1998. The collection now contains 745 bilateral investment treaties concluded by over 140 countries.

Advisory Activities

The Secretariat continued to provide advice on arbitration and investment law. Such advisory activities included reviewing and commenting on draft investment and arbitration laws and draft arbitration provisions of investment contracts, at the request of governments and foreign investors. During the year, ICSID Secretariat staff provided such advice in respect of six draft investment laws, three draft arbitration laws and the draft arbitration provisions of five major investment contracts.

Conferences

During the year, the Centre co-sponsored, with the American Arbitration Association and the International Court of Arbitration of the International Chamber of Commerce (ICC), the sixteenth in their series of annual colloquia on international arbitration. At the sixteenth colloquium, there were presentations and discussion periods on four topics: How Proactive Arbitrators Really Are in Conducting Arbitral Proceedings; the Setting in Motion of an Arbitration Under the Three Different Systems; the Enforcement of Interim Measures of Protection; and Confidentiality Revisited. Hosted by the AAA, the colloquium was held in New York City on October 29, 1999. ICSID staff contributed presentations on each of these topics.

In the fiscal year, the staff of the Secretariat contributed presentations at nine other events. These were a conference on Public Services Concessions and the Promotion and Protection of Foreign Investment sponsored by the Consejo Argentino para las Relaciones

Internacionales held in Buenos Aires on July 1-2, 1999; a meeting of the International Arbitration Club held in London on July 15, 1999; a seminar sponsored by the International Bar Association in Barcelona on September 27-28, 1999; the first meeting of the International Dispute Resolution Committee of the District of Columbia Bar held on December 9, 1999; a meeting of the American Arbitration Association Corporate Counsel Committee held in New York City on January 14, 2000; a colloquium on the Settlement of Disputes in International Trade, Investment and Intellectual Property hosted by the U.N. Conference on Trade and Development held in Geneva on January 21, 2000; the American Bar Association's Section of International Law and Practice Spring meeting of April 13, 2000 held in Washington, D.C.; the American Society of International Law 2000 Annual Meeting, held in Washington, D.C. on April 6, 2000; and a symposium on Energy and International Law, held on April 17-18, 2000 at the University of Texas at Austin School of Law.

Thirty-third Annual Meeting of the Administrative Council

The Thirty-third Annual Meeting of the Administrative Council took place on September 30, 1999, in Washington, D.C., 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, approved the Centre's 1999 Annual Report and its Budget for fiscal year 2000 and elected Antonio R. Parra Deputy Secretary-General of the Centre. The Resolutions adopted at the Meeting are set forth in Annex 2.

Finance

The Financial Statements of ICSID for fiscal year 2000 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.

Annexes

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Annex 1

Contracting States and Other Signatories of the Convention

(as of June 30, 2000)

The 149 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 132 States that have deposited their instruments of ratification are in bold, 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
Afghanistan	Sep. 30, 1966	June 25, 1968	July 25, 1968
Albania	Oct. 15, 1991	Oct. 15, 1991	Nov. 14, 1991
Algeria	Apr. 17, 1995	Feb. 21, 1996	Mar. 22, 1996
Argentina	May 21, 1991	Oct. 19, 1994	Nov. 18, 1994
Armenia	Sep. 16, 1992	Sep. 16, 1992	Oct. 16, 1992
Australia	Mar. 24, 1975	May 2, 1991	June 1, 1991
Austria	May 17, 1966	May 25, 1971	June 24, 1971
Azerbaijan	Sep. 18, 1992	Sep. 18, 1992	Oct. 18, 1992
Bahamas	Oct. 19, 1995	Oct. 19, 1995	Nov. 18, 1995
Bahrain	Sep. 22, 1995	Feb. 14, 1996	Mar. 15, 1996
Bangladesh	Nov. 20, 1979	Mar. 27, 1980	Apr. 26, 1980
Barbados	May 13, 1981	Nov. 1, 1983	Dec. 1, 1983
Belarus	July 10, 1992	July 10, 1992	Aug. 9, 1992
Belgium	Dec. 15, 1965	Aug. 27, 1970	Sep. 26, 1970
Belize	Dec. 19, 1986		
Benin	Sep. 10, 1965	Sep. 6, 1966	Oct. 14, 1966
Bolivia	May 3, 1991	June 23, 1995	July 23, 1995
Bosnia and Herzegovina	Apr. 25, 1997	May 14, 1997	June 13, 1997
Botswana	Jan. 15, 1970	Jan. 15, 1970	Feb. 14, 1970
Bulgaria	Mar. 21, 2000		
Burkina Faso	Sep. 16, 1965	Aug. 29, 1966	Oct. 14, 1966
Burundi	Feb. 17, 1967	Nov. 5, 1969	Dec. 5, 1969
Cambodia	Nov. 5, 1993		
Cameroon	Sep. 23, 1965	Jan. 3, 1967	Feb. 2, 1967
Central African Republic	Aug. 26, 1965	Feb. 23, 1966	Oct. 14, 1966
Chad	May 12, 1966	Aug. 29, 1966	Oct. 14, 1966
Chile	Jan. 25, 1991	Sep. 24, 1991	Oct. 24, 1991
China	Feb. 9, 1990	Jan. 7, 1993	Feb. 6, 1993
Colombia	May 18, 1993	July 15, 1997	Aug. 14, 1997
Comoros	Sep. 26, 1978	Nov. 7, 1978	Dec. 7, 1978
Congo	Dec. 27, 1965	June 23, 1966	Oct. 14, 1966
Congo, Democratic Republic of	Oct. 29, 1968	Apr. 29, 1970	May 29, 1970
Costa Rica	Sep. 29, 1981	Apr. 27, 1993	May 27, 1993
Côte d'Ivoire	June 30, 1965	Feb. 16, 1966	Oct. 14, 1966
Croatia	June 16, 1997	Sep. 22, 1998	Oct. 22, 1998
Cyprus	Mar. 9, 1966	Nov. 25, 1966	Dec. 25, 1966
Czech Republic	Mar. 23, 1993	Mar. 23, 1993	Apr. 22, 1993
Denmark	Oct. 11, 1965	Apr. 24, 1968	May 24, 1968
Dominican Republic	Mar. 20, 2000		
Ecuador	Jan. 15, 1986	Jan. 15, 1986	Feb. 14, 1986
Egypt, Arab Rep. of	Feb. 11, 1972	May 3, 1972	June 2, 1972
El Salvador	June 9, 1982	Mar. 6, 1984	Apr. 5, 1984
Estonia	June 23, 1992	June 23, 1992	Jul. 23, 1992
Ethiopia	Sep. 21, 1965		
Fiji	July 1, 1977	Aug. 11, 1977	Sep. 10, 1977
Finland	July 14, 1967	Jan. 9, 1969	Feb. 8, 1969
France	Dec. 22, 1965	Aug. 21, 1967	Sep. 20, 1967
Gabon	Sep. 21, 1965	Apr. 4, 1966	Oct. 14, 1966
Gambia, The	Oct. 1, 1974	Dec. 27, 1974	Jan. 26, 1975
Georgia	Aug. 7, 1992	Aug. 7, 1992	Sep. 6, 1992
Germany	Jan. 27, 1966	Apr. 18, 1969	May 18, 1969

State	Signature	Deposit of Ratification	Entry into Force of Convention
Ghana	Nov. 26, 1965	July 13, 1966	Oct. 14, 1966
Greece	Mar. 16, 1966	Apr. 21, 1969	May 21, 1969
Grenada	May 24, 1991	May 24, 1991	June 23, 1991
Guatemala	Nov. 9, 1995		
Guinea	Aug. 27, 1968	Nov. 4, 1968	Dec. 4, 1968
Guinea-Bissau	Sep. 4, 1991		
Guyana	July 3, 1969	July 11, 1969	Aug. 10, 1969
Haiti	Jan. 30, 1985		
Honduras	May 28, 1986	Feb. 14, 1989	Mar. 16, 1989
Hungary	Oct. 1, 1986	Feb. 4, 1987	Mar. 6, 1987
Iceland	July 25, 1966	July 25, 1966	Oct. 14, 1966
Indonesia	Feb. 16, 1968	Sep. 28, 1968	Oct. 28, 1968
Ireland	Aug. 30, 1966	Apr. 7, 198	May 7, 1981
Israel	June 16, 1980	June 22, 1983	July 22, 1983
Italy	Nov. 18, 1965	Mar. 29, 1971	Apr. 28, 1971
Jamaica	June 23, 1965	Sep. 9, 1966	Oct. 14, 1966
Japan	Sep. 23, 1965	Aug. 17, 1967	Sep. 16, 1967
Jordan	July 14, 1972	Oct. 30, 1972	Nov. 29, 1972
Kazakhstan	July 23, 1992		
Kenya	May 24, 1966	Jan. 3, 1967	Feb. 2, 1967
Kyrgyz, Rep. of	June 9, 1995		
Korea, Rep. of	Apr. 18, 1966	Feb. 21, 1967	Mar. 23, 1967
Kuwait	Feb. 9, 1978	Feb. 2, 1979	Mar. 4, 1979
Latvia	Aug. 8, 1997	Aug. 8, 1997	Sep. 7, 1997
Lesotho	Sep. 19, 1968	July 8, 1969	Aug. 7, 1969
Liberia	Sep. 3, 1965	June 16, 1970	July 16, 1970
Lithuania	July 6, 1992	July 6, 1992	Aug. 5, 1992
Luxembourg	Sep. 28, 1965	July 30, 1970	Aug. 29, 1970
Macedonia, former Yugoslav Rep. of	Sep. 16, 1998	Oct. 27, 1998	Nov. 26, 1998
Madagascar	June 1, 1966	Sep. 6, 1966	Oct. 14, 1966
Malawi	June 9, 1966	Aug. 23, 1966	Oct. 14, 1966
Malaysia	Oct. 22, 1965	Aug. 8, 1966	Oct. 14, 1966
Mali	Apr. 9, 1976	Jan. 3, 1978	Feb. 2, 1978
Mauritania	July 30, 1965	Jan. 11, 1966	Oct. 14, 1966
Mauritius	June 2, 1969	June 2, 1969	July 2, 1969
Micronesia	June 24, 1993	June 24, 1993	July 24, 1993
Moldova	Aug. 12, 1992		
Mongolia	June 14, 1991	June 14, 1991	July 14, 1991
Morocco	Oct. 11, 1965	May 11, 1967	June 10, 1967
Mozambique	Apr. 4, 1995	June 7, 1995	July 7, 1995
Namibia	Oct. 26, 1998		
Nepal	Sep. 28, 1965	Jan. 7, 1969	Feb. 6, 1969
Netherlands	May 25, 1966	Sep. 14, 1966	Oct. 14, 1966
New Zealand	Sep. 2, 1970	Apr. 2, 1980	May 2, 1980
Nicaragua	Feb. 4, 1994	Mar. 20, 1995	Apr. 19, 1995
Niger	Aug. 23, 1965	Nov. 14, 1966	Dec. 14, 1966
Nigeria	July 13, 1965	Aug. 23, 1965	Oct. 14, 1966
Norway	June 24, 1966	Aug. 16, 1967	Sep. 15, 1967
Oman	May 5, 1995	July 24, 1995	Aug. 23, 1995
Pakistan	July 6, 1965	Sep. 15, 1966	Oct. 15, 1966
Panama	Nov. 22, 1995	Apr. 8, 1996	May 6, 1996
Papua New Guinea	Oct. 20, 1978	Oct. 20, 1978	Nov. 19, 1978
Paraguay	July 27, 1981	Jan. 7, 1983	Feb. 6, 1983
Peru	Sep. 4, 1991	Aug. 9, 1993	Sep. 8, 1993
Philippines	Sep. 26, 1978	Nov. 17, 1978	Dec. 17, 1978
Portugal	Aug. 4, 1983	July 2, 1984	Aug. 1, 1984
Romania	Sep. 6, 1974	Sep. 12, 1975	Oct. 12, 1975
Russian Federation	June 16, 1992		

State	Signature	Deposit of Ratification	Entry into Force of Convention
Rwanda	Apr. 21, 1978	Oct. 15, 1979	Nov. 14, 1979
Samoa	Feb. 3, 1978	Apr. 25, 1978	May 25, 1978
Sao Tome & Principe	Oct. 1, 1999		
Saudi Arabia	Sep. 28, 1979	May 8, 1980	June 7, 1980
Senegal	Sep. 26, 1966	Apr. 21, 1967	May 21, 1967
Seychelles	Feb. 16, 1978	Mar. 20, 1978	Apr. 19, 1978
Sierra Leone	Sep. 27, 1965	Aug. 2, 1966	Oct. 14, 1966
Singapore	Feb. 2, 1968	Oct. 14, 1968	Nov. 13, 1968
Slovak Republic	Sep. 27, 1993	May 27, 1994	June 26, 1994
Slovenia	Mar. 7, 1994	Mar. 7, 1994	Apr. 6, 1994
Solomon Islands	Nov. 12, 1979	Sep. 8, 1981	Oct. 8, 1981
Somalia	Sep. 27, 1965	Feb. 29, 1968	Mar. 30, 1968
Spain	Mar. 21, 1994	Aug. 18, 1994	Sept. 17, 1994
Sri Lanka	Aug. 30, 1967	Oct. 12, 1967	Nov. 11, 1967
St. Kitts & Nevis	Oct. 14, 1994	Aug. 4, 1995	Sep. 3, 1995
St. Lucia	June 4, 1984	June 4, 1984	July 4, 1984
Sudan	Mar. 15, 1967	Apr. 9, 1973	May 9, 1973
Swaziland	Nov. 3, 1970	June 14, 1971	July 14, 1971
Sweden	Sep. 25, 1965	Dec. 29, 1966	Jan. 28, 1967
Switzerland	Sep. 22, 1967	May 15, 1968	June 14, 1968
Tanzania	Jan. 10, 1992	May 18, 1992	June 17, 1992
Thailand	Dec. 6, 1985		
Togo	Jan. 24, 1966	Aug. 11, 1967	Sep. 10, 1967
Tonga	May 1, 1989	Mar. 21, 1990	Apr. 20, 1990
Trinidad and Tobago	Oct. 5, 1966	Jan. 3, 1967	Feb. 2, 1967
Tunisia	May 5, 1965	June 22, 1966	Oct. 14, 1966
Turkey	June 24, 1987	Mar. 3, 1989	Apr. 2, 1989
Turkmenistan	Sep. 26, 1992	Sep. 26, 1992	Oct. 26, 1992
Uganda	June 7, 1966	June 7, 1966	Oct. 14, 1966
Ukraine	Apr. 3, 1998	June 7, 2000	July 7, 2000
United Arab Emirates	Dec. 23, 1981	Dec. 23, 1981	Jan. 22, 1982
United Kingdom			
of Great Britain and			
Northern Ireland	May 26, 1965	Dec. 19, 1966	Jan. 18, 1967
United States of America	Aug. 27, 1965	June 10, 1966	Oct. 14, 1966
Uruguay	May 28, 1992		
Uzbekistan	Mar. 17, 1994	July 26, 1995	Aug. 25, 1995
Venezuela	Aug. 18, 1993	May 2, 1995	June 1, 1995
Yemen, Republic of	Oct. 28, 1997		
[Yugoslavia, Socialist			
Federal Republic of	Mar. 21, 1967	Mar. 21, 1967	Apr. 20, 1967]
Zambia	June 17, 1970	June 17, 1970	July 17, 1970
Zimbabwe	Mar. 25, 1991	May 20, 1994	June 19, 1994

Annex 2**Resolutions of the Administrative Council**

The following resolutions were adopted by the Administrative Council at its Thirty-third Annual Meeting on September 30, 1999.

AC(33)/RES/90 - Approval of the Annual Report

The Administrative Council

RESOLVES

To approve the 1999 Annual Report on the Operation of the Centre as set forth in the attachment to Document AC/99/3.

AC(33)/RES/91 - Adoption of Budget for Fiscal Year 2000

The Administrative Council

RESOLVES

To adopt, for the period July 1, 1999 to June 30, 2000, set forth in paragraph 2 of Document AC/99/2.

AC(33)/RES/92 - Election of a Deputy Secretary-General

The Administrative Council

RESOLVES

To elect Mr. Antonio R. Parra to the post of Deputy Secretary-General for a full term of six years, that is, until the close of the 2005 Annual Meeting of the Administrative Council of the Centre.

Annex 3

Report and Financial Statements

Expressed in United States dollars

Statement of Financial Position

	<i>June 30, 2000</i>	<i>June 30, 1999</i>
ASSETS		
Cash and cash equivalents	\$1,861,085	\$1,223,684
Total assets	<u>\$1,861,085</u>	<u>\$1,223,684</u>
LIABILITIES AND NET ASSETS		
Funds available for arbitration proceedings:		
Advances from parties to arbitration proceedings	\$1,572,812	\$ 968,482
Unpaid expenses related to arbitration proceedings	154,933	180,934
Investment income due to parties to arbitration proceedings	133,340	74,268
Total liabilities	<u>\$1,861,085</u>	<u>\$1,223,684</u>
Total net assets	-	-
Total liabilities and net assets	<u>\$1,861,085</u>	<u>\$1,223,684</u>

Statement of Activities

	<i>For the year ended June 30</i>	
	<i>2000</i>	<i>1999</i>
Support and revenue:		
In-kind contributions (Notes 2 and 3)	\$ 1,354,249	\$1,095,937
Sale of publications and registration fees	33,789	47,419
Revenues from parties to arbitration proceedings (Note 2)	<u>2,272,362</u>	<u>1,220,380</u>
Total support and revenue	<u>3,660,400</u>	<u>2,363,736</u>
Expenses:		
Value of services provided by the Bank (Notes 2 and 3)	1,388,038	1,143,356
Expenses related to arbitration proceedings	<u>2,272,362</u>	<u>1,220,380</u>
Total expenses	<u>\$3,660,400</u>	<u>2,363,736</u>
Change in net assets	<u>\$ -</u>	<u>\$ -</u>

Statement of Cash Flows

	<i>For the year ended June 30</i>	
	<i>2000</i>	<i>1999</i>
Cash flows from operating activities:		
Change in net assets	\$ -	\$ -
Increase in advances from parties to arbitration proceedings	604,330	363,735
Increase (decrease) in unpaid expenses related to arbitration proceedings	(26,001)	180,934
Increase in investment income due to parties to arbitration proceedings	59,072	39,606
Net cash provided by operating activities	<u>637,401</u>	<u>584,275</u>
Cash and cash equivalents at beginning of fiscal year	<u>\$1,223,684</u>	<u>\$ 639,409</u>
Cash and cash equivalents at end of fiscal year	<u>\$1,861,085</u>	<u>\$1,223,684</u>

The accompanying notes are an integral part of these financial statements.

(continued)

Annex 3 (continued)

Notes to Financial Statements

June 30, 2000 and June 30, 1999

Note 1 – Organization

The International Centre for Settlement of Investment Disputes (the Centre) was established on October 14, 1966 to provide facilities for the conciliation and arbitration of investment disputes between States and nationals of other States. On February 13, 1967, the International Bank for Reconstruction and Development (the Bank) and the Centre entered into Administrative Arrangements which were effective as of the date of the establishment of the Centre. The Memorandum of Administrative Arrangements (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 facilities and services to the Centre, as described in Notes 2 and 3.

Note 2 – Summary of Significant Accounting Policies

Basis of Accounting and Financial Statement Presentation: The financial statements have been prepared in accordance with generally accepted accounting principles in the United States and with International Accounting Standards. Such financial statements are presented in accordance with Statement of Financial Accounting Standard No. 117, "*Financial Statements of Not-For-Profit-Organizations*" (SFAS No. 117). SFAS No. 117 requires that net assets are classified in accordance with donor restrictions; however, there are no net assets as of June 30, 2000 and 1999.

Use of Estimates: The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of the revenues and expenses during the reporting period. Actual results could differ from these estimates.

Cash Equivalents: The Centre considers all highly liquid debt investments purchased with an original maturity of three months or less to be cash equivalents.

Value of services provided by the Bank and in-kind contributions: In accordance with Statement of Financial Accounting Standard No. 116, "*Accounting for Contributions Received and Contributions Made*", the value of services provided by the Bank is determined by the estimated fair value of these services and is recorded by the Centre as in-kind contributions and also as expenses of the Centre.

Annex 3 (continued)

The Bank provides support services and facilities to the Centre including the following:

- (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.

Revenue recognition from arbitration proceedings: The Centre does not have resources of its own. The Centre's direct expenses attributable to arbitration proceedings are borne by the parties in accordance with the Centre's Administrative and Financial Regulations (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 anticipated expenses. Accordingly, the Centre recognizes revenues from these exchange transactions during the period of and to the extent of expenses incurred related to arbitration proceedings. If, after the completion of an arbitration proceeding, it is determined that there is a cash surplus, such surplus shall be refunded to the parties in proportion to the amounts advanced by each party to the Centre.

Note 3 – Value of Services Provided by the Bank and In-Kind Contributions

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

	<i>For the year ended June 30</i>	
	<i>2000</i>	<i>1999</i>
Staff services (including benefits)	\$ 953,133	\$ 736,220
Administrative services and facilities:		
Travel	58,271	25,564
Contractual services	88,437	202,179
Office accommodations	107,505	103,241
Other	<u>180,692</u>	<u>76,152</u>
Total recorded value of services provided by the Bank	1,388,038	1,143,356
Less: Sale of publications and registration fees	<u>33,789</u>	<u>47,419</u>
Total in-kind contributions	<u>\$1,354,249</u>	<u>\$1,095,937</u>

Revenue earned by the Centre from the sale of publications and registration fees is remitted to the Bank as partial reimbursement for the services provided by the Bank. Such amounts are netted against in-kind contributions in the accompanying statement of activities.

Annex 3 (continued)**Independent Auditor's Report**

To International Centre for Settlement
of Investment Disputes

We have audited the accompanying statements of financial position of the International Centre for Settlement of Investment Disputes (the Centre) as of June 30, 2000 and 1999, and the related statements of activities and cash flows for the years then ended. These financial statements are the responsibility of the management of the International Bank for Reconstruction and Development (IBRD) and of the Centre. Our responsibility is to express an opinion on the financial statements based on our audits.

We conducted our audits in accordance with generally accepted auditing standards in the United States of America and with the International Standards on Auditing. Those standards 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. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, such financial statements present fairly, in all material respects, the financial position of the International Centre for Settlement of Investment Disputes as of June 30, 2000 and 1999, and the change in its net assets and cash flows for the years then ended in conformity with generally accepted accounting principles in the United States of America and with International Accounting Standards.

Deloitte Touche Tohmatsu (International Firm)

Washington, D.C.
July 30, 2000

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.1 (February 1, 1993) (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.4 (April 15, 1997) (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)

Bilateral Investment Treaties 1959-1996: Chronological Country Data and Bibliography, Doc. ICSID/17 (May 30, 1997) (English)

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

News from ICSID (semi-annual) (English)

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)

Annex 4 (continued)

Investment Laws of the World (ten looseleaf volumes) and *Investment Treaties* (seven looseleaf volumes) (available from Oceana Publications, Inc., 75 Main Street, Dobbs Ferry, N.Y. 10522, U.S.A. at US\$1,500 for both sets of volumes, US\$950 for the ten *Investment Laws of the World* volumes only and US\$550 for the seven *Investment Treaties* volumes only)

ICSID Review—Foreign Investment Law Journal (semi-annual) (available on a subscription basis, at US\$68 per year for those with a mailing address in an OECD country and US\$35 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.)

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

ICSID's website: www.worldbank.org/icsid

Most of the above publications are now also available on ICSID's website. The website also includes ICSID Cases, which is no longer available in hardcopy due to the need for frequent updating.

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