

# The ICSID Caseload— Statistics

Issue 2023 - 2



**ICSID**

International Centre for  
Settlement of Investment Disputes  
WORLD BANK GROUP

# The ICSID Caseload – Statistics

## (Issue 2023-2)

This issue of the *ICSID Caseload – Statistics* updates the profile of the ICSID caseload, historically (since the registration of the first case in 1972) and for the fiscal year 2023 (FY2023). It is based on cases registered or administered by ICSID as of June 30, 2023.

This report contains data on:

- the cases registered under the ICSID Convention and the Additional Facility Rules;
- the cases administered by ICSID;
- the basis of consent invoked for ICSID jurisdiction;
- the geographic distribution of ICSID cases;
- the economic sectors involved in ICSID cases;
- the outcomes of ICSID arbitration and conciliation proceedings, including information on disputes decided by arbitral tribunals, data on discontinued ICSID arbitration proceedings, and outcomes to date in annulment proceedings under the ICSID Convention; and
- the nationalities, geographic origins and gender of arbitrators, conciliators and *ad hoc* committee members appointed in ICSID cases.

The *ICSID Caseload – Statistics* is published bi-annually. ICSID welcomes comments or suggestions on the report by email at [ICSIDsecretariat@worldbank.org](mailto:ICSIDsecretariat@worldbank.org).

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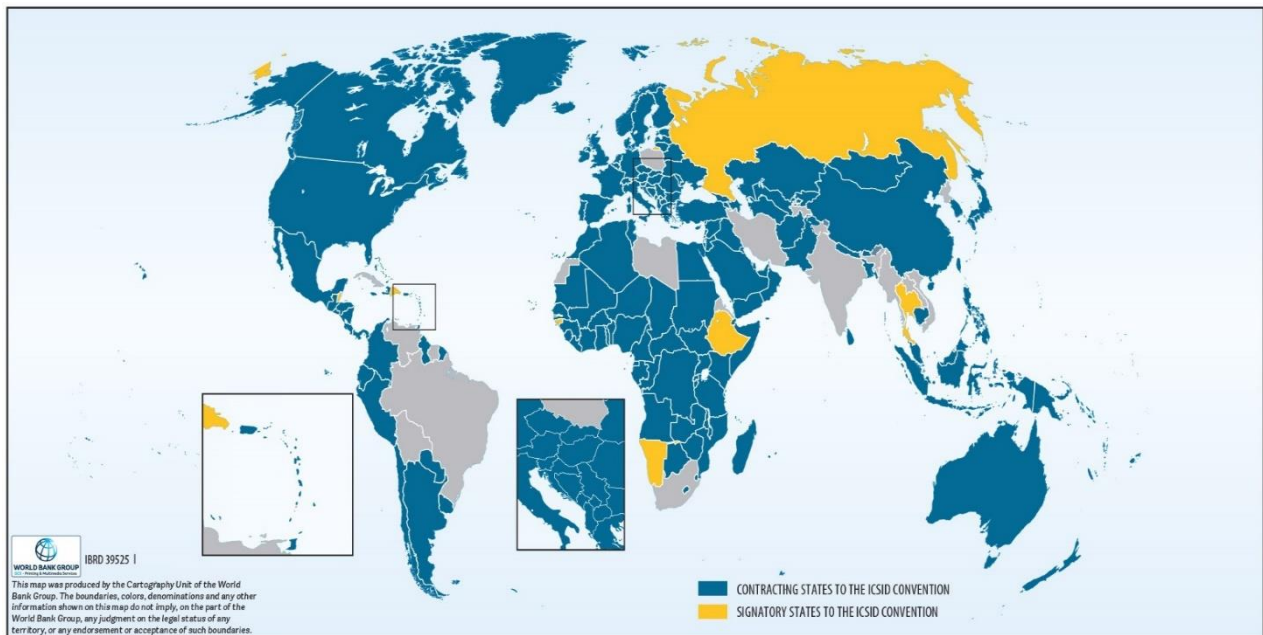
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## 1. ICSID Member States

As of June 30, 2023, there were 165 Signatory and Contracting States to the ICSID Convention. ICSID had 158 Contracting States (shown below in blue) and 7 Signatory States to the ICSID Convention (shown below in yellow).



A database of ICSID Member States, including the dates of signature, ratification and entry into force of the ICSID Convention is available at <https://icsid.worldbank.org/about/member-states/database-of-member-states>.

ICSID facilities and expert services are available to Member States and their nationals, who obtain access to investment dispute settlement under the ICSID Convention and the Additional Facility. ICSID services may also be available to non-Members, as described in section 3 below.

## 2. Cases Registered by ICSID

As of June 30, 2023, there were 933 arbitration and conciliation cases registered under the ICSID Convention and Additional Facility Rules.

**Chart 1** shows the number of ICSID cases registered in FY2023. **Chart 2** shows a breakdown of all ICSID cases registered by applicable rules. **Chart 3** shows the total number of ICSID cases registered by calendar year. Finally, **Chart 4** shows a breakdown of ICSID cases registered by calendar year and applicable rules.

For further details on registered cases, see the online database of ICSID cases at <https://icsid.worldbank.org/cases/case-database>.

Chart 1: New ICSID Cases Registered in FY2023

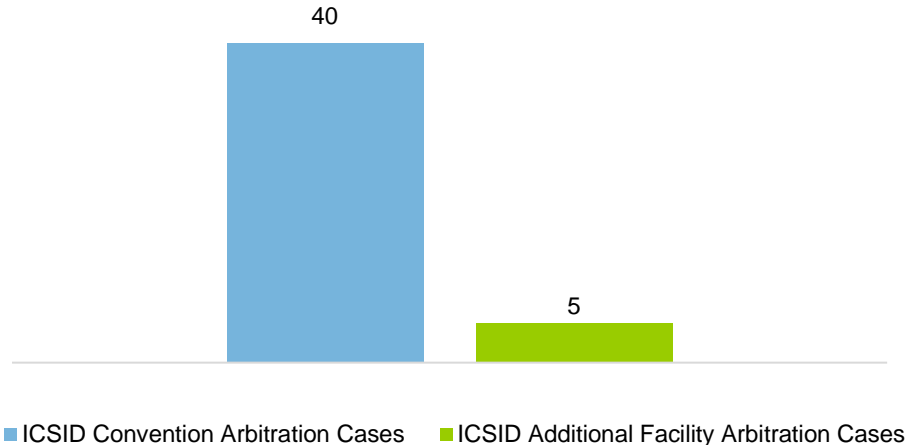


Chart 2: All ICSID Cases Registered by Applicable Rules

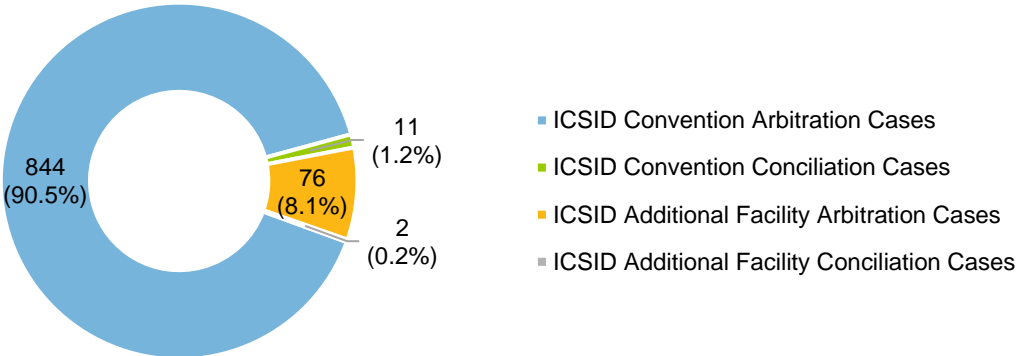


Chart 3: ICSID Cases Registered by Calendar Year

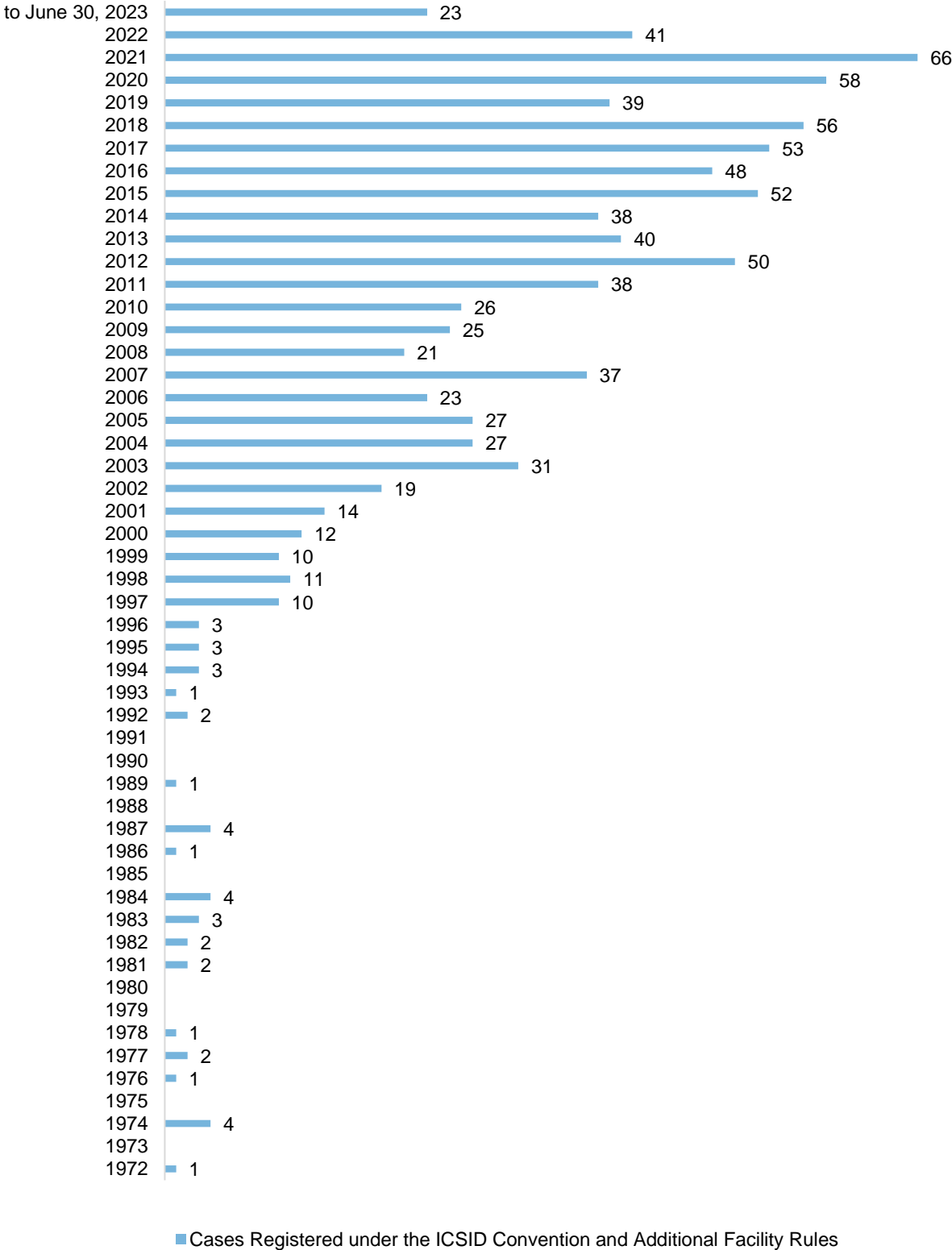
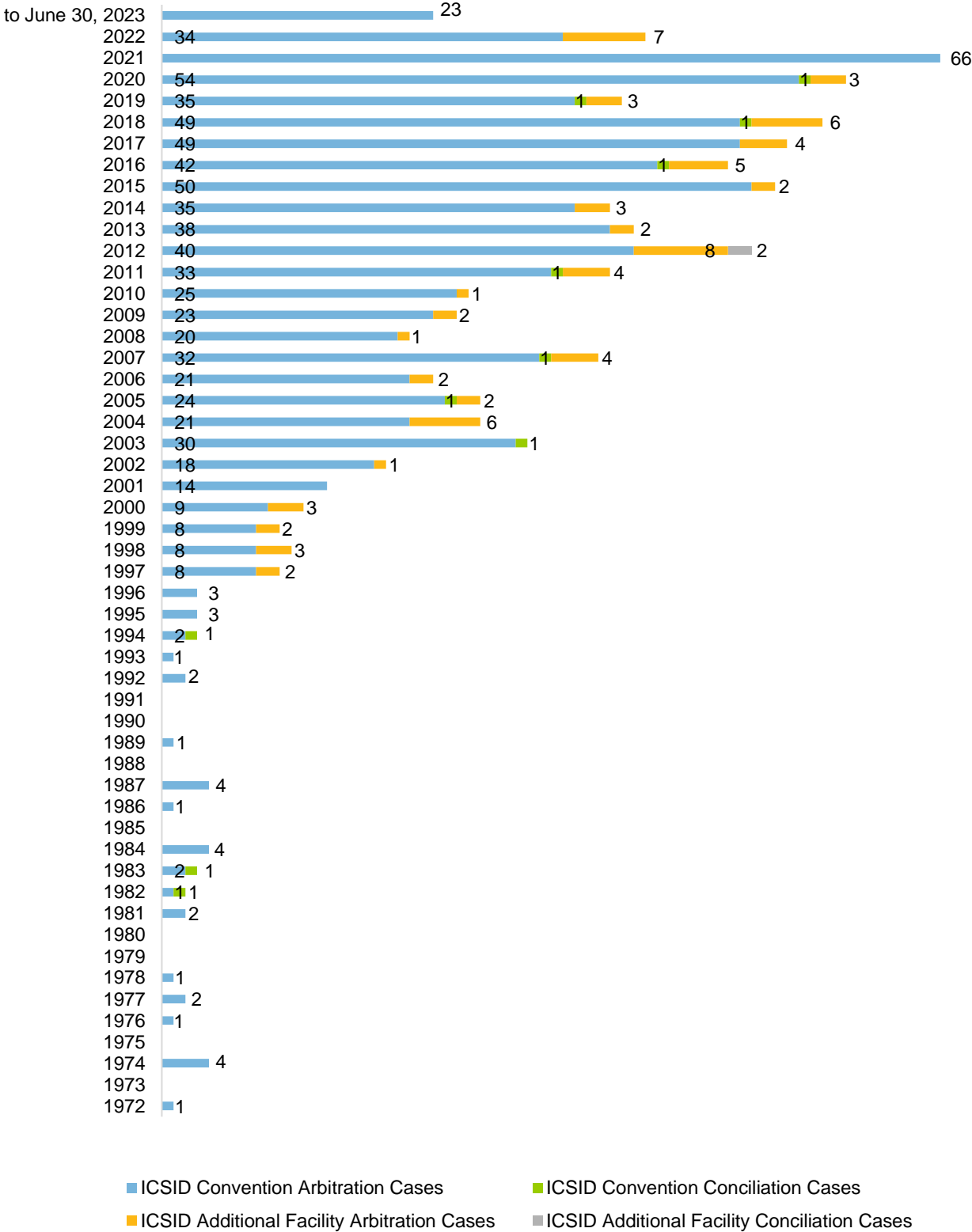


Chart 4: ICSID Cases Registered by Calendar Year and Applicable Rules



### 3. Cases Administered by ICSID

In addition to administering proceedings under the ICSID rules, the Centre is also available to administer proceedings conducted under other rules, such as the UNCITRAL Arbitration Rules and *ad hoc* investor-State and State-State cases.

The services provided in non-ICSID cases range from limited assistance with the organization of hearings and management of the case finances to full secretariat services in the administration of the case. The ICSID Secretary-General also serves as appointing authority and decides proposals for disqualification of arbitrators, upon request.

**Chart 5** shows the number of non-ICSID cases administered by the ICSID Secretariat in FY2023. **Chart 6** shows the distribution of UNCITRAL and other non-ICSID cases administered by the Centre over the past ten fiscal years. Finally, **Chart 7** concerns the total number of cases administered by the ICSID Secretariat, under ICSID and non-ICSID rules, over the past ten fiscal years.

**Chart 5: Non-ICSID Cases Administered by the ICSID Secretariat in FY2023**

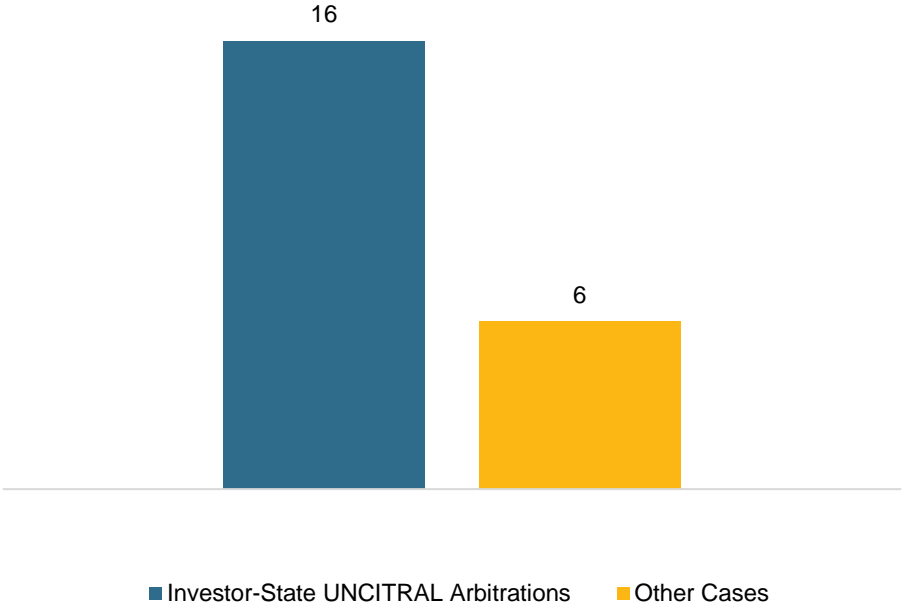




Chart 6: Non-ICSID Cases Administered over the Past Ten Fiscal Years

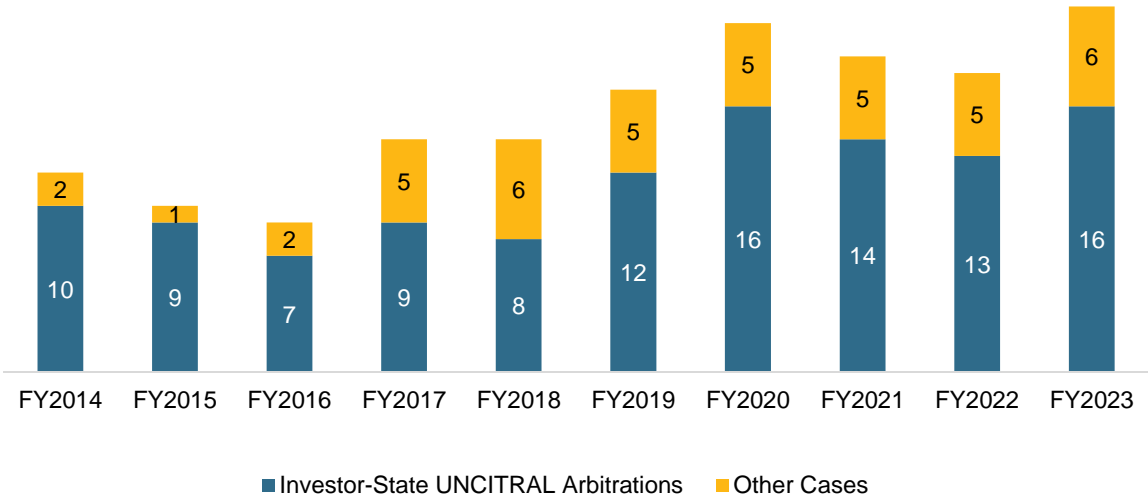
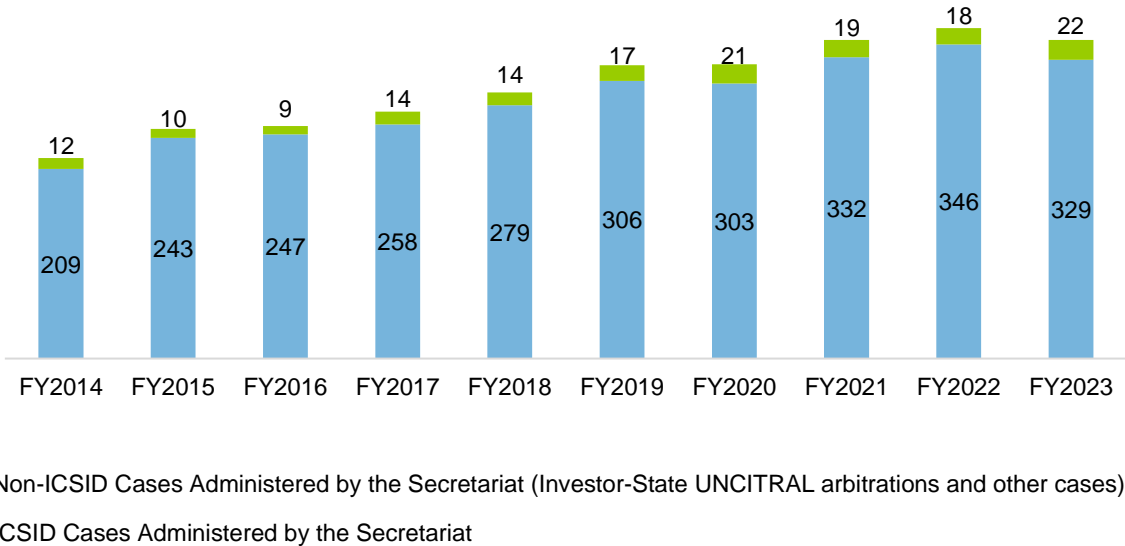


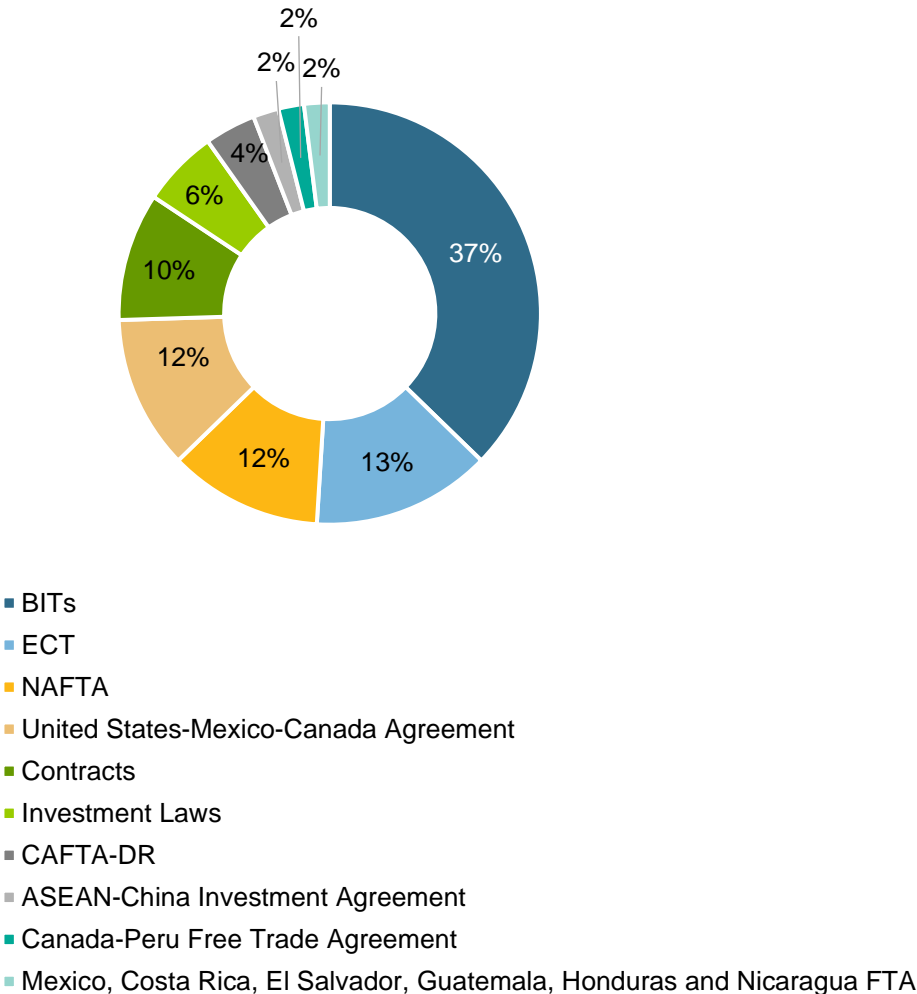
Chart 7: ICSID and Non-ICSID Cases Administered over the Past Ten Fiscal Years



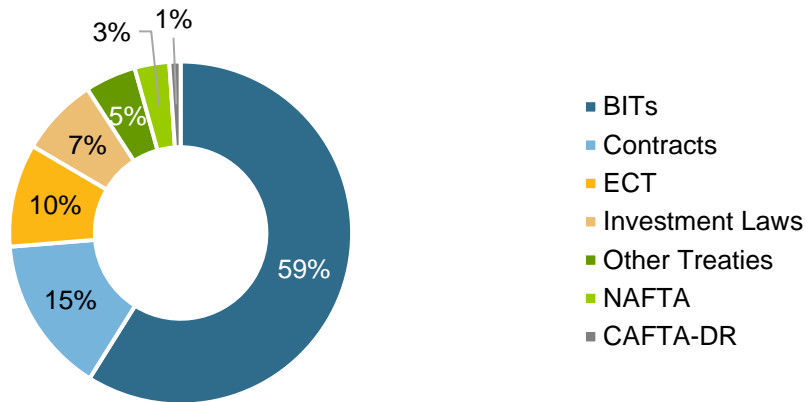
4. Basis of Consent Invoked to Establish ICSID Jurisdiction

Chart 8 shows the bases of consent invoked to establish ICSID jurisdiction in cases registered under the ICSID Convention and the Additional Facility Rules in FY2023. Chart 9 provides the same information with respect to all ICSID cases.

Chart 8: Basis of Consent Invoked in ICSID Cases Registered in FY2023



**Chart 9: Basis of Consent Invoked in All ICSID Cases Registered**



The categories above correspond to bilateral investment treaties (BITs), investment contracts between investors and host-States, the Energy Charter Treaty (ECT), investment laws of host-States, the North American Free Trade Agreement (NAFTA), and the Dominican Republic-U.S.-Central America Free Trade Agreement (CAFTA-DR).

The “Other Treaties” category includes a variety of bilateral and multilateral agreements with an ICSID dispute settlement provision.

For a complete list of instruments invoked as basis of consent to establish jurisdiction in ICSID cases, visit our website at <https://icsid.worldbank.org/cases/case-database>.

## 5. Geographic Distribution of ICSID Cases

**Chart 10** below shows the geographic distribution,<sup>1</sup> by State Party involved, of cases registered under the ICSID Convention and the Additional Facility Rules in FY2023. **Chart 11** provides further details concerning the State Parties involved in ICSID Cases registered in FY2023. Finally, **Chart 12** shows the geographic distribution, by State Party involved, of all ICSID Cases registered.

<sup>1</sup> The classification of the geographic regions is based on the World Bank’s regional system, available at <https://www.worldbank.org/en/where-we-work>, and also includes World Bank donor countries.

Chart 10: Distribution of ICSID Cases Registered in FY2023, by State Party Involved

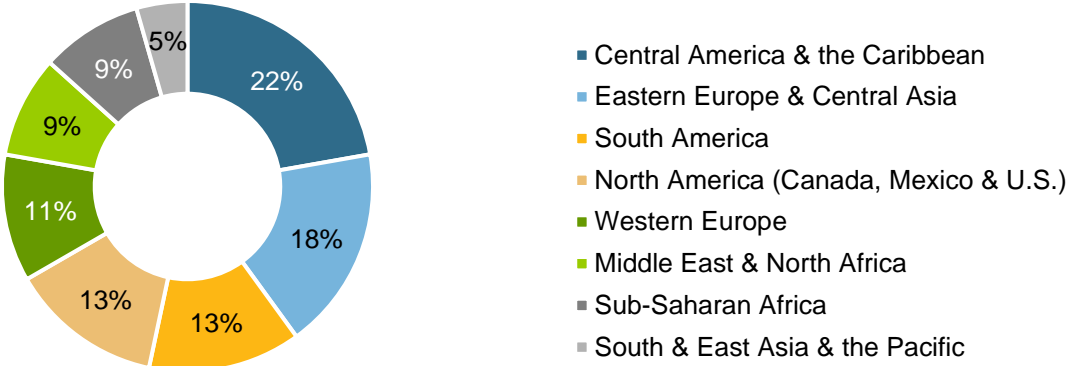


Chart 11: ICSID Cases Registered in FY2023, by State Party Involved – Further Details

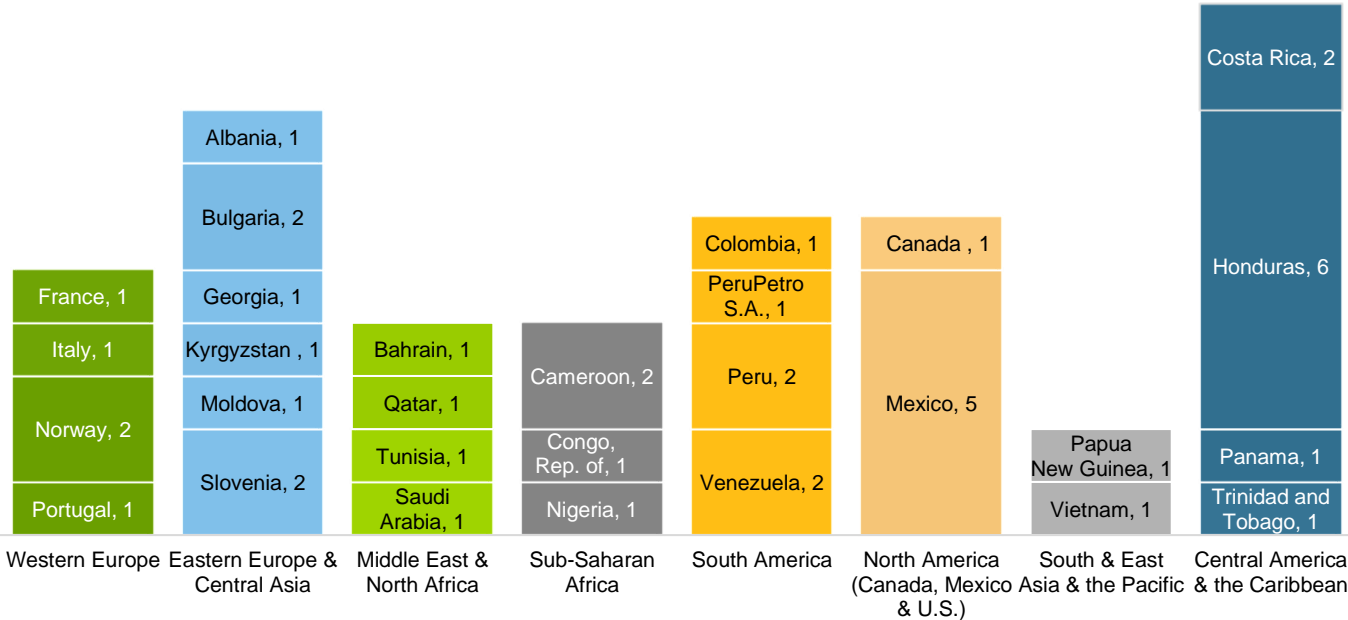
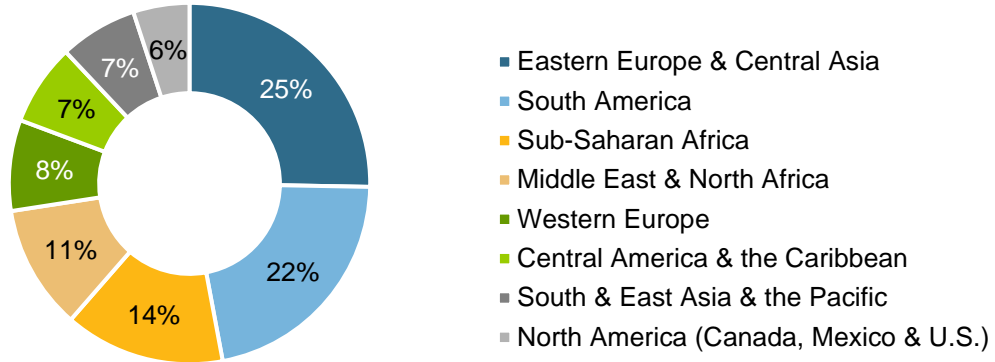


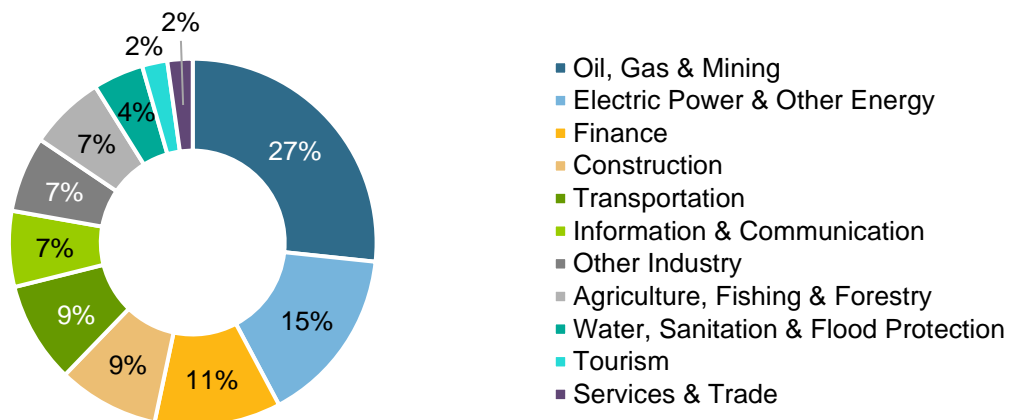
Chart 12: Distribution of All ICSID Cases Registered, by State Party Involved



## 6. Economic Sectors Involved in ICSID Cases

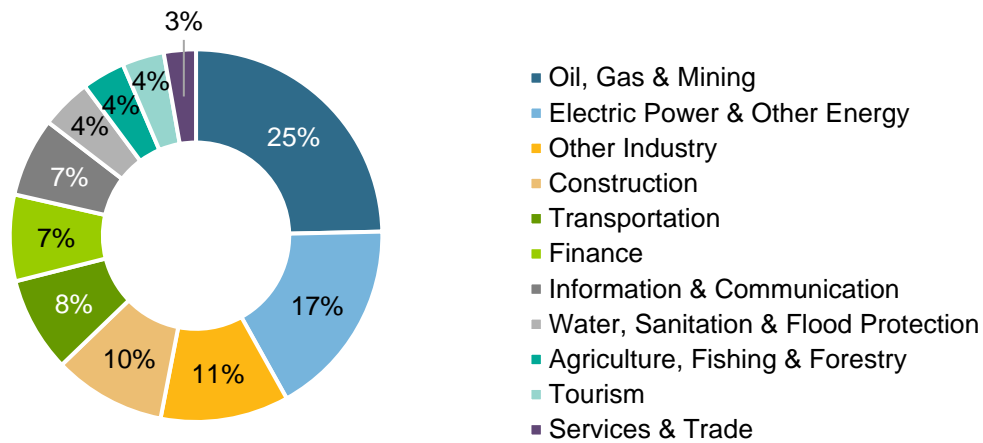
Chart 13 shows the distribution, by economic sector,<sup>2</sup> of cases registered under the ICSID Convention and the Additional Facility Rules in FY2023. Chart 14 provides the same information with respect to all registered ICSID cases.

Chart 13: Distribution of ICSID Cases Registered in FY2023, by Economic Sector



<sup>2</sup> The economic sector classification is based on the World Bank's sector codes, available at <https://projects.worldbank.org/en/projects-operations/project-sector>.

**Chart 14:** Distribution of All ICSID Cases Registered, by Economic Sector



## 7. ICSID Arbitration Proceedings – Outcomes

**Chart 15** shows the distribution of disputes decided by tribunals and those settled or otherwise discontinued in arbitration proceedings under the ICSID Convention and the Additional Facility Rules (“ICSID Arbitrations”) which concluded in FY2023. **Chart 16** provides the same information with respect to all concluded ICSID Arbitrations.

**Chart 17** provides a breakdown of ICSID Arbitrations concluded in FY2023 in which the disputes were decided by tribunals, while **Chart 18** provides the same information with respect to all concluded ICSID Arbitrations.

Finally, **Chart 19** contains a breakdown of ICSID Arbitrations concluded in FY2023 in which the disputes were settled or the proceeding was otherwise discontinued, while **Chart 20** shows the same breakdown with respect to all concluded ICSID Arbitrations.

Chart 15: ICSID Arbitrations Concluded in FY2023 – Outcomes

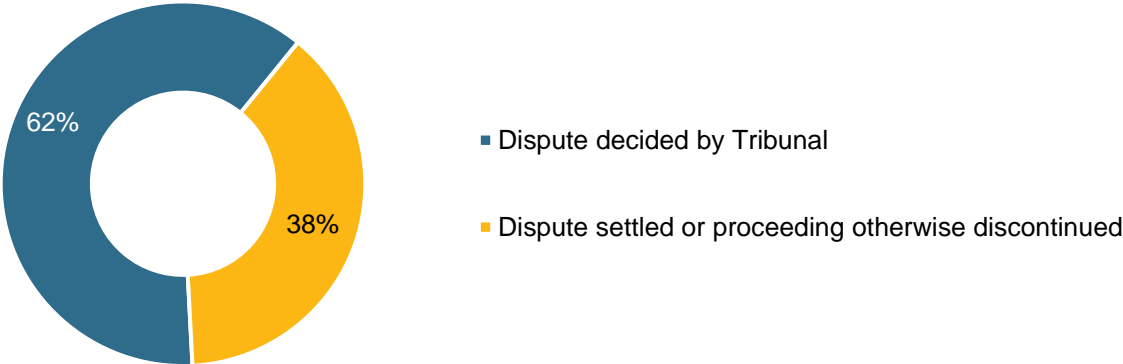


Chart 16: All Concluded ICSID Arbitrations – Outcomes

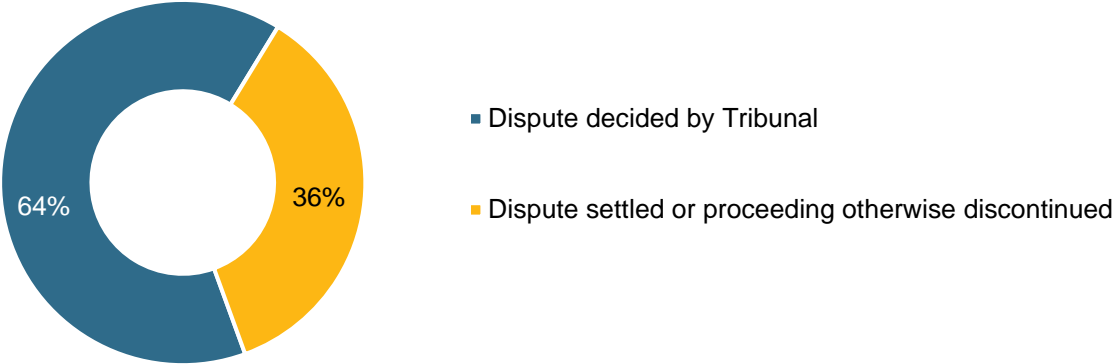


Chart 17: ICSID Arbitrations Concluded in FY2023 – Disputes decided by tribunals

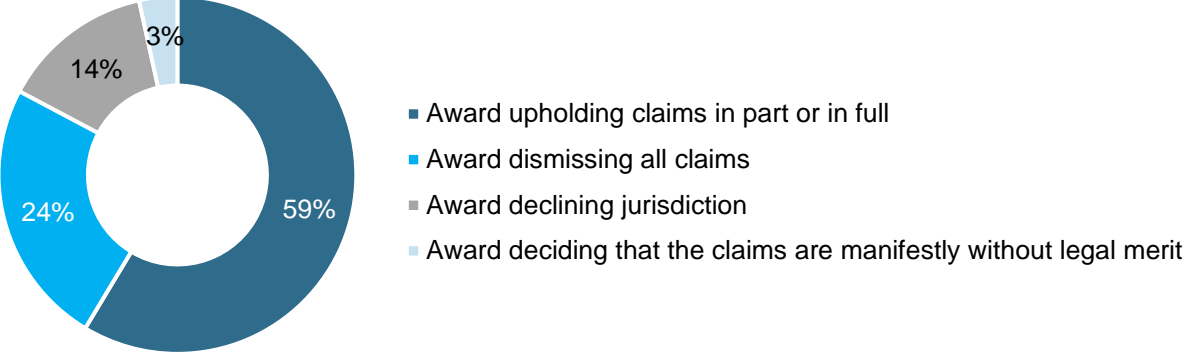


Chart 18: All Concluded ICSID Arbitrations – Disputes decided by tribunals

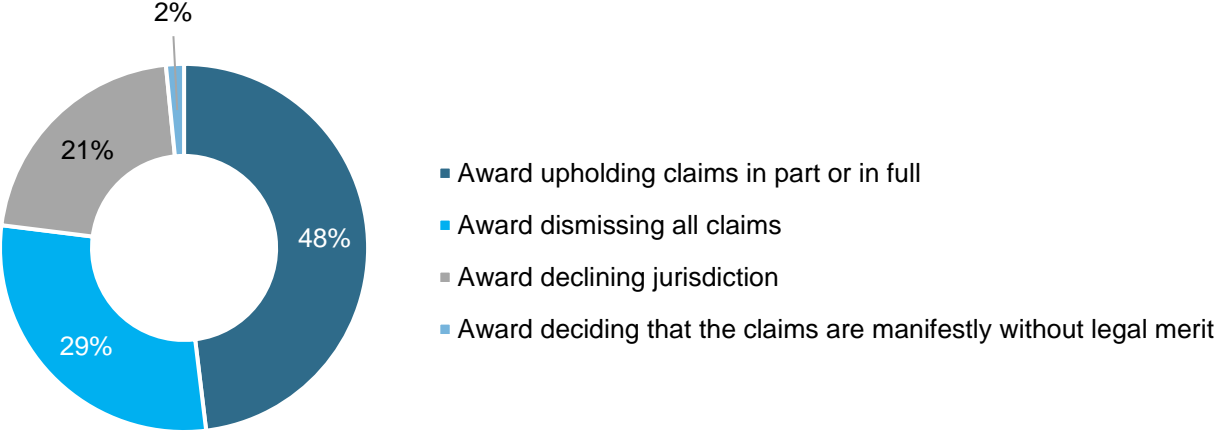




Chart 19: ICSID Arbitrations Concluded in FY2023 – Settled or Otherwise Discontinued

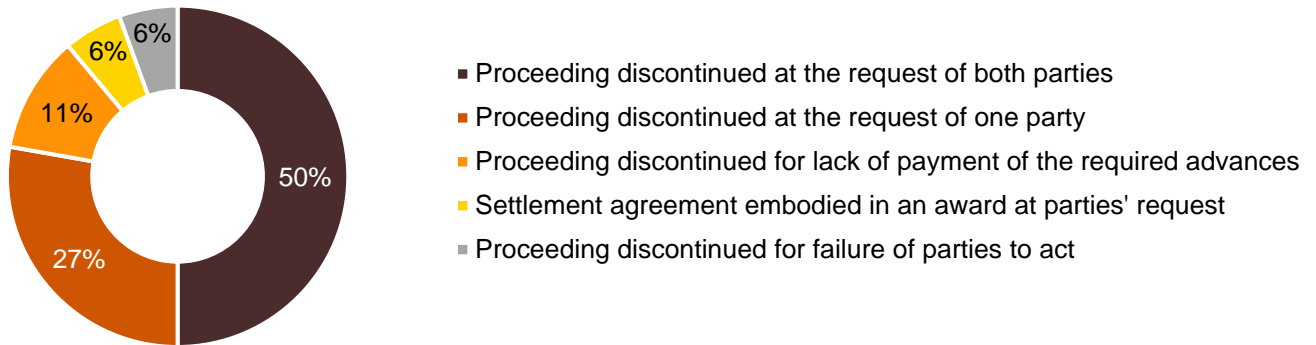
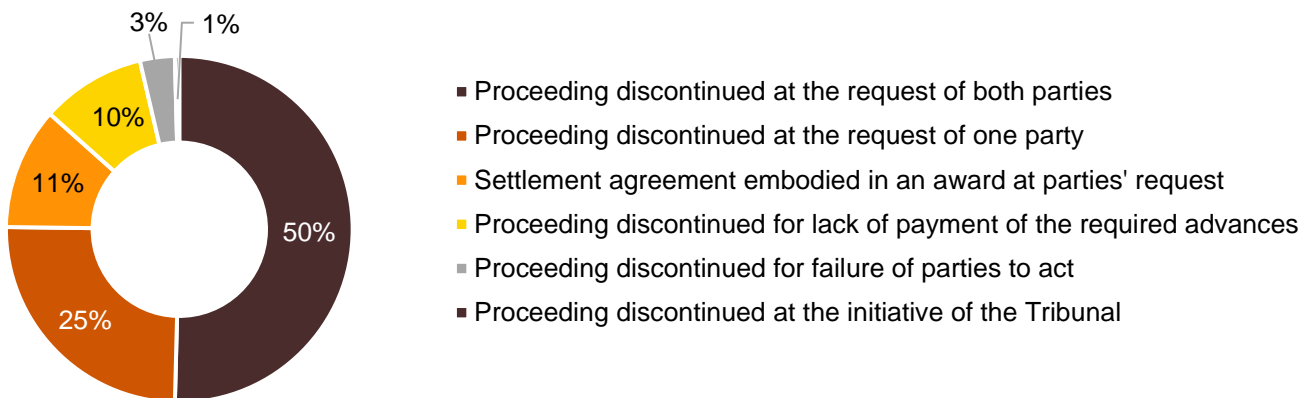


Chart 20: All Concluded ICSID Arbitrations – Settled or Otherwise Discontinued



The above categories correspond to the following ICSID Convention Arbitration Rules (AR) and ICSID Arbitration Additional Facility Rules (AFR):

- (1) Proceeding discontinued at the request of both parties: AR 43(1) (2006), AR 55(1) (2022), AFR 49(1) (2006), and AFR 65(1) (2022).
- (2) Proceeding discontinued at the request of one party: AR 44 (2006), AR 56 (2022), AFR 50 (2006), and AFR 66 (2022).
- (3) Proceeding discontinued for lack of payment of the required advances: ICSID Administrative & Financial Regulation 14(3)(d) (2006) and ICSID Administrative & Financial Regulation 8(2)(c) (2022).
- (4) Settlement agreement embodied in an award at parties' request: AR 43(2) (2006), AR 55(2)(a) (2022), AFR 49(2) (2006), and AFR 65(2)(b) (2022).
- (5) Proceeding discontinued for failure of parties to act: AR 45 (2006), AR 57 (2022), AFR 51 (2006), and AFR 67 (2022).
- (6) Proceeding discontinued at the initiative of the tribunal: Article 44 of the ICSID Convention.

### 8. ICSID Conciliation Proceedings – Outcomes

Chart 21 below shows the outcomes of all conciliation proceedings concluded under the ICSID Convention and the Additional Facility Rules (“ICSID Conciliations”). Chart 22 shows a breakdown of the type of commission reports issued in all concluded ICSID Conciliations.

Chart 21: All ICSID Conciliations – Outcomes

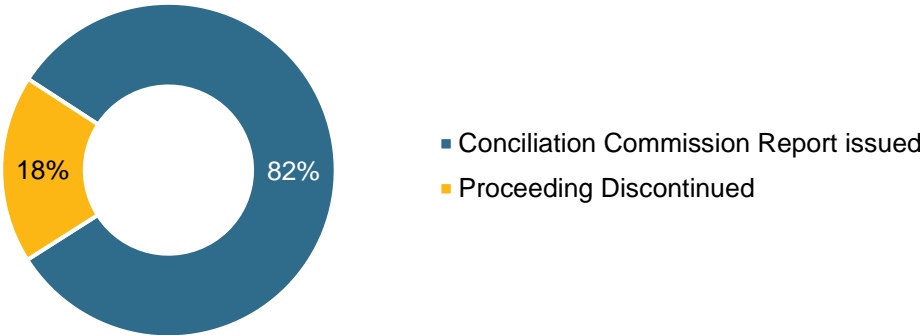
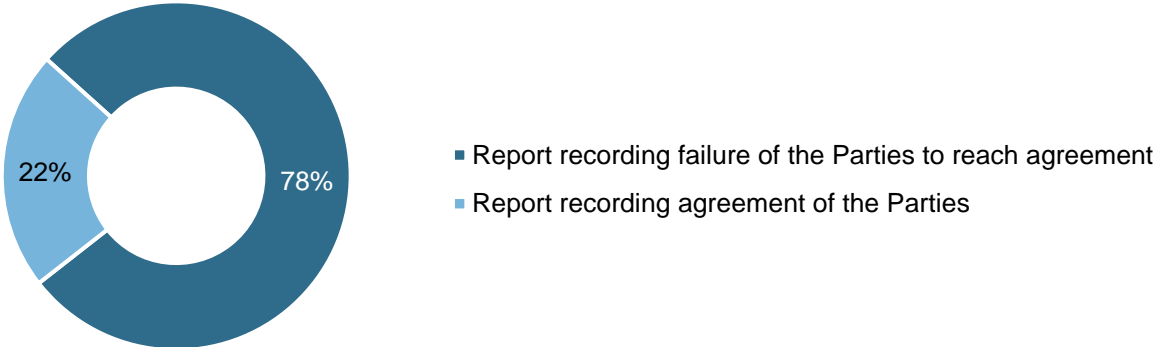


Chart 22: All ICSID Conciliations – Commission Reports



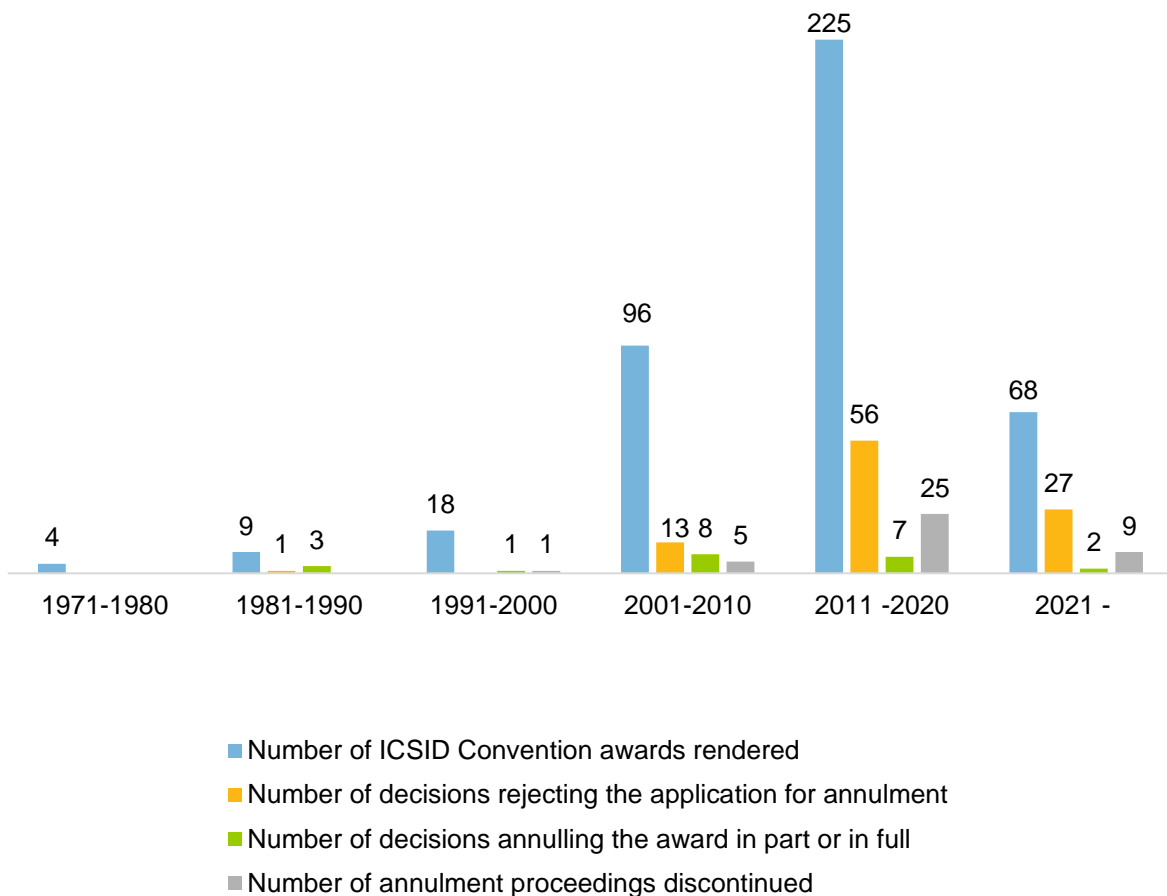
## 9. ICSID Annulment Proceedings – Outcomes

Annulment is an exceptional recourse provided in Article 52 of the ICSID Convention to safeguard against the violation of fundamental legal principles relating to the arbitral process conducted under the ICSID Convention.

The chart below shows the distribution of awards rendered under the ICSID Convention and the outcomes of ICSID annulment proceedings, by decade.

Since the first ICSID case was registered in 1972 until the end of FY2023, 420 awards were rendered under the ICSID Convention, 97 decisions of *ad hoc* committees rejected applications for annulment, 21 decisions of *ad hoc* committees annulled the award (15 in part and 6 in full), and 40 annulment proceedings were discontinued.

**Chart 23: Awards Rendered and Outcomes in Annulment Proceedings under the ICSID Convention, by Decade**



10.Appointments made to ICSID Cases

Charts 24 through 33 below provide statistical information concerning the appointments of arbitrators, conciliators and *ad hoc* committee members to cases registered under the ICSID Convention and Additional Facility Rules (“Appointments”).

The term “Appointments by ICSID” encompasses appointments made by the ICSID Secretary-General or the Chair of the Administrative Council (based on agreement of the parties or the applicable default provisions). “Appointments by the Parties” refers to appointments made by claimants, respondents, parties jointly, as well as appointments made by party-appointed arbitrators or conciliators.

Chart 24: Distribution of Appointments Made in FY2023, by Geographic Region

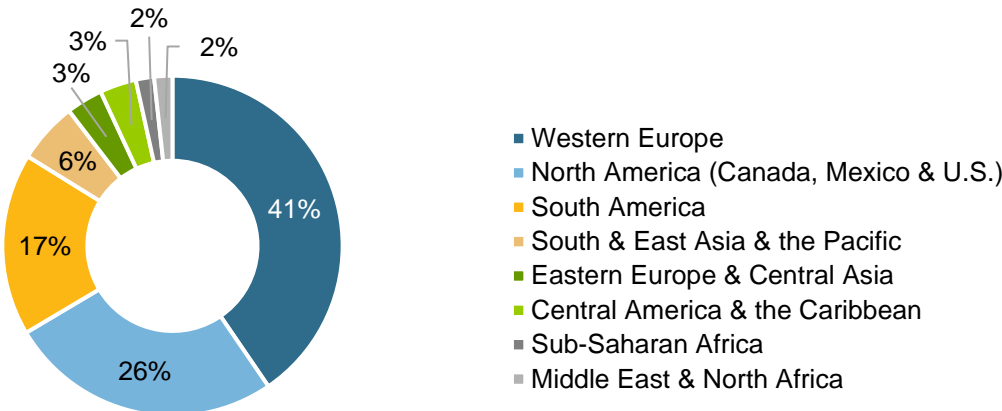


Chart 25: Distribution of All Appointments, by Geographic Region

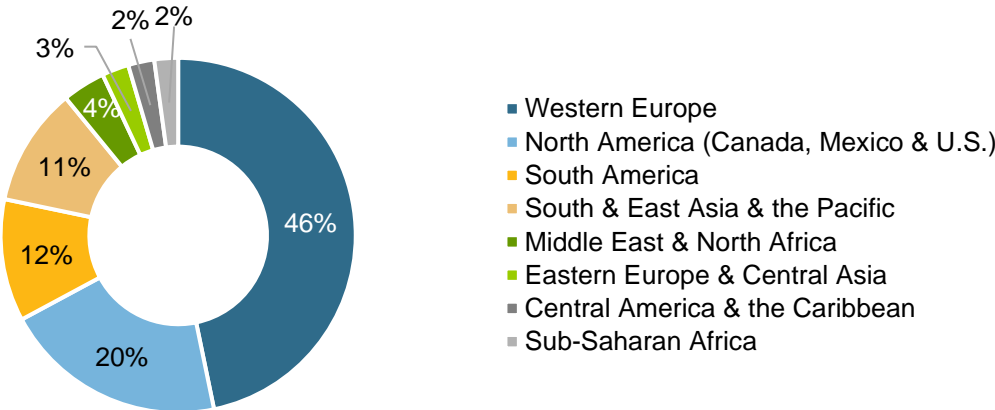


Chart 26: Appointments Made in FY2023 by ICSID and by the Parties, by Geographic Region

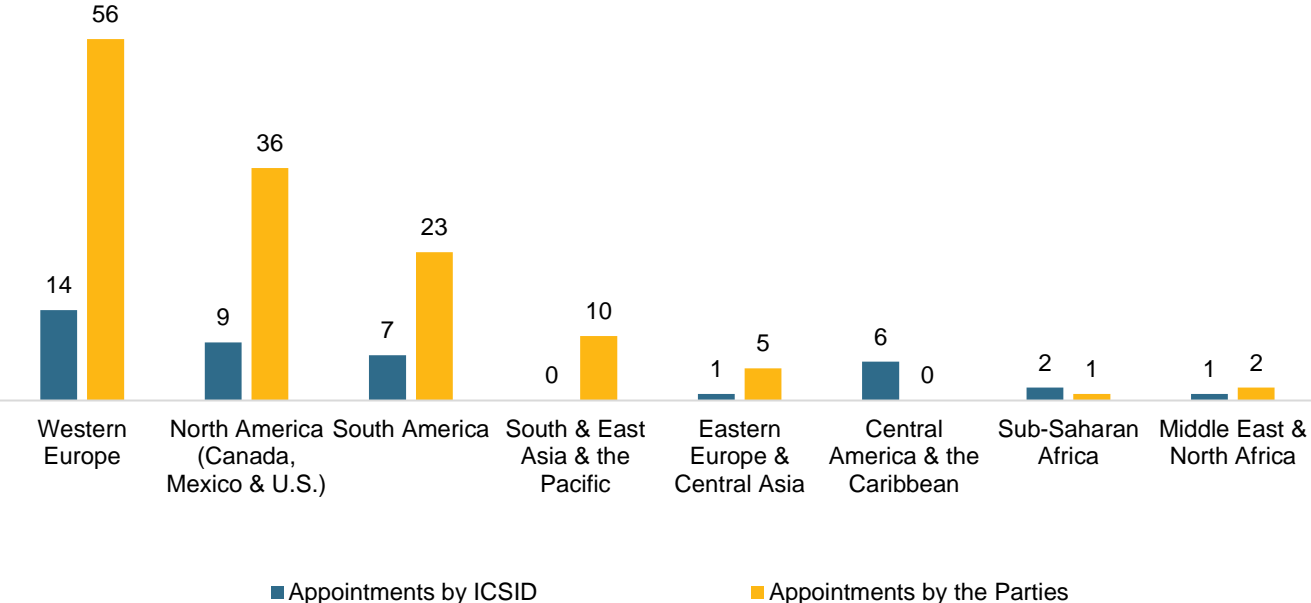


Chart 27: All Appointments Made by ICSID and by the Parties, by Geographic Region

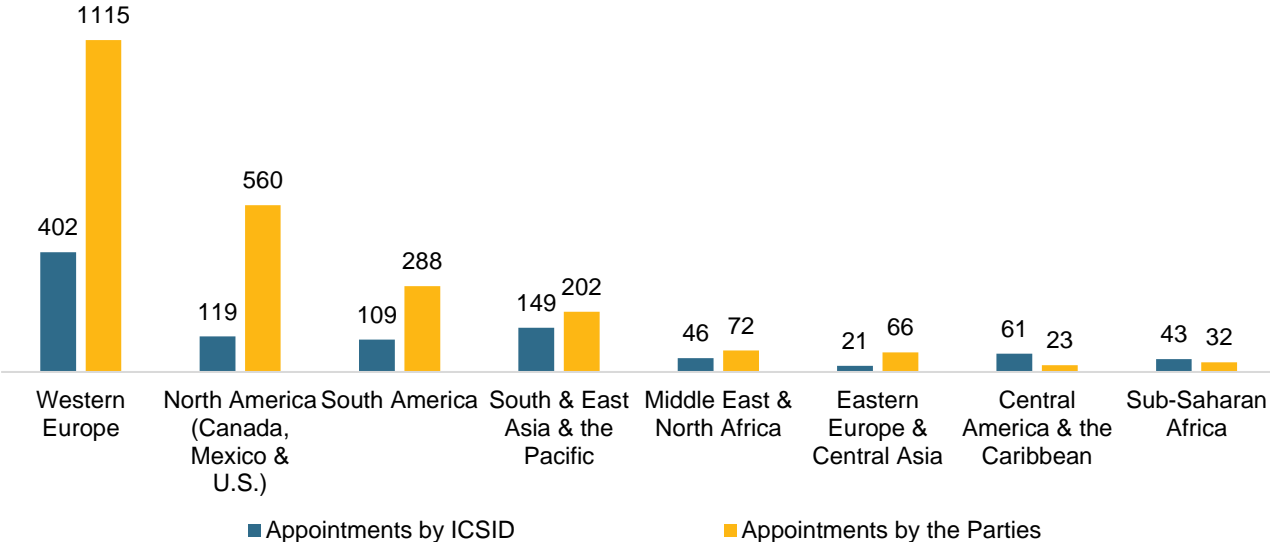


Chart 28: Nationalities of Individuals Appointed in ICSID Cases in FY2023, by Number of Appointments

Nationality(ies)	As of June 30, 2023	Nationality(ies)	As of June 30, 2023
United States of America	19	Canada / Ecuador	1
France	15	Canada / France / Lebanon	1
Canada	13	Canada / Italy	1
United Kingdom	12	Canada / United Kingdom	1
Argentina	10	Colombia	1
Mexico	10	Congo, Rep. / France	1
Australia	7	Costa Rica	1
Germany	7	Egypt	1
Switzerland	7	France / Mauritius / United Kingdom	1
Bulgaria	5	France / Panama	1
Chile	4	France / Sweden	1
Spain	4	Germany / Ireland	1
Argentina / Spain	3	Greece / United States of America	1
Bahamas	3	Guatemala	1
Finland	3	Iran / United Kingdom	1
Netherlands	3	Ireland / United States of America	1
Portugal	3	Kenya	1
Argentina / Brazil	2	Korea, Rep. of	1
Argentina / Portugal	2	Latvia	1
Austria	2	New Zealand	1
Brazil / Switzerland	2	Nigeria / United Kingdom	1
Colombia / Ecuador	2	Pakistan	1
Germany / Mexico	2	Peru	1
Ireland	2	Saint Kitts and Nevis / Venezuela	1
Italy / United Kingdom	2	Spain / United Kingdom	1
Argentina / United States of America	1	Sweden	1
Bahrain / France / Sweden	1		
Belgium	1		

In FY2023, individuals of 43 nationalities were represented amongst the appointments made to ICSID cases. Nine percent of appointments involved individuals appointed for the first time to an ICSID case. Thirteen percent of first-time appointees in FY2023 were women and 38% involved nationals of low- or middle-income economies.

Chart 29: Nationalities of Appointees to All ICSID Cases Registered, by Number of Appointments

Nationality(ies)	As of June 30, 2023	Nationality(ies)	As of June 30, 2023
United States of America	321	Bangladesh	13
France	313	Malaysia	13
United Kingdom	277	Morocco	13
Canada	178	Australia / Ireland	12
Switzerland	160	Portugal	12
Spain	148	Argentina / United States of America	11
Germany	123	Austria / Germany	11
Australia	121	Bahamas	11
Argentina	104	Greece	11
Mexico	96	Nigeria	11
Italy	81	Nigeria / United Kingdom	11
Belgium	79	Philippines	11
Chile	75	Switzerland / United States of America	10
Netherlands	65	Uruguay	10
New Zealand	60	Colombia / France	9
Bulgaria	59	Denmark	9
Colombia	55	Germany / Mexico	9
Costa Rica	41	Italy / United Kingdom	9
Egypt	41	Venezuela	9
Singapore	39	Ireland / United States of America	8
Sweden	35	Somalia	8
Austria	33	United Kingdom / United States of America	8
France / Sweden	32	Argentina / Portugal	7
Argentina / Spain	26	Ecuador	7
Finland	26	France / United States of America	7
France / United Kingdom	26	Senegal	7
Canada / New Zealand	25	Thailand	7
Brazil	20	New Zealand / United Kingdom	6
Pakistan	20	Canada / Lebanon	6
Brazil / Switzerland	19	India	6
Canada / United Kingdom	18	Ireland / Switzerland	6
Guatemala	18	Paraguay	6
Korea, Rep.of	18	Peru / Switzerland	6
China	15	Guyana	5
France / Iran	15	Ireland	5
France / Switzerland	15	Algeria	4
France / Lebanon	14	Barbados	4
Germany / Ireland	14	Canada / Italy	4
Peru	14	Chile / Lebanon	4
Slovak Republic	14		

Nationality(ies)	As of June 30, 2023
Cyprus	4
Iran, Islamic Rep. of	4
Argentina / Brazil	3
Burundi	3
Cameroon	3
Czechia	3
France / Mauritius / United Kingdom	3
Honduras	3
Israel	3
Jamaica	3
Japan	3
Jordan	3
Latvia	3
Serbia	3
South Africa	3
Togo	3
Benin	2
Botswana	2
Canada / Ecuador	2
Canada / United States of America	2
Chile / El Salvador / Italy	2
Chile / United States of America	2
Colombia / Ecuador	2
France / Mauritius	2
France / Syria	2
Gabon	2
Germany / United Kingdom	2
Ghana	2
Iran / United Kingdom	2
Kenya	2
Lebanon	2
Madagascar	2
Malawi	2
Malta / South Africa	2
New Zealand / United States of America	2
Pakistan / United Kingdom	2

Nationality(ies)	As of June 30, 2023
Saint Kitts and Nevis / Venezuela	2
Spain / United Kingdom	2
Algeria / France	1
Australia / Germany	1
Bahrain / France / Sweden	1
Belgium / United Kingdom	1
Belgium / United States of America	1
Bulgaria / United States of America	1
Cabo Verde	1
Canada / France / Lebanon	1
Canada / Switzerland	1
Central African Republic	1
Congo, Rep. / France	1
Croatia	1
Czechoslovakia	1
Dominica	1
Dominican Republic	1
Ecuador / France / Lebanon	1
Egypt / United States of America	1
El Salvador	1
France / New Zealand	1
France / Panama	1
France / Uruguay	1
Ghana / United Kingdom	1
Greece / United States of America	1
Israel / Switzerland	1
Luxembourg	1
Mexico / United States of America	1
Norway	1
Pakistan / United States of America	1
Romania	1
Slovenia	1
Sri Lanka	1
Sudan	1
Türkiye	1
Uganda / United Kingdom	1
Zambia	1



Chart 30: Appointments Made in FY2023, by Gender

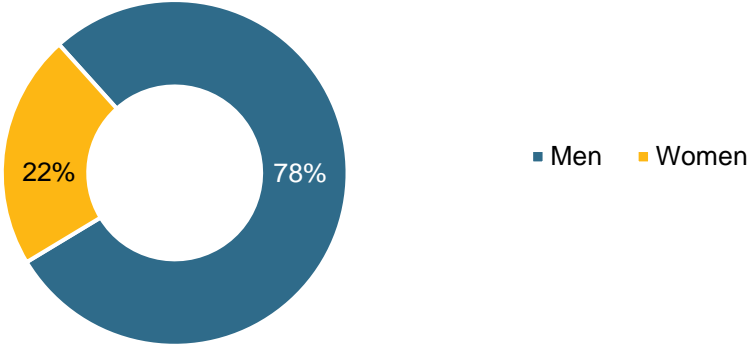


Chart 31: Appointments Made in All ICSID Cases, by Gender

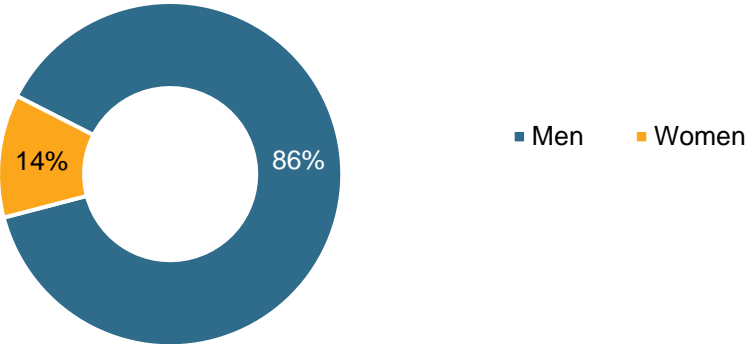


Chart 32: Appointments Made in FY2023 by ICSID and by the Parties, by Gender

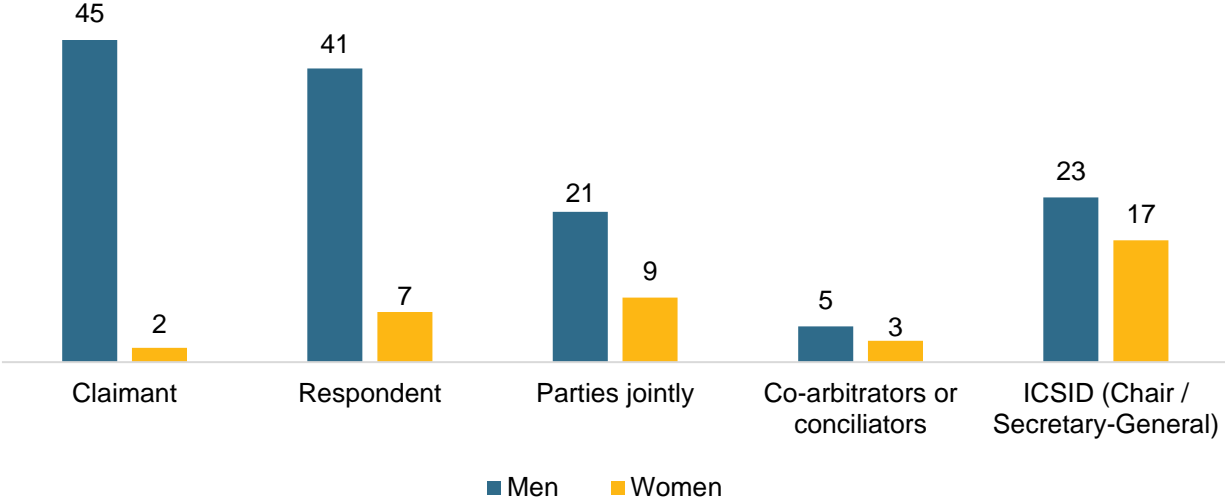
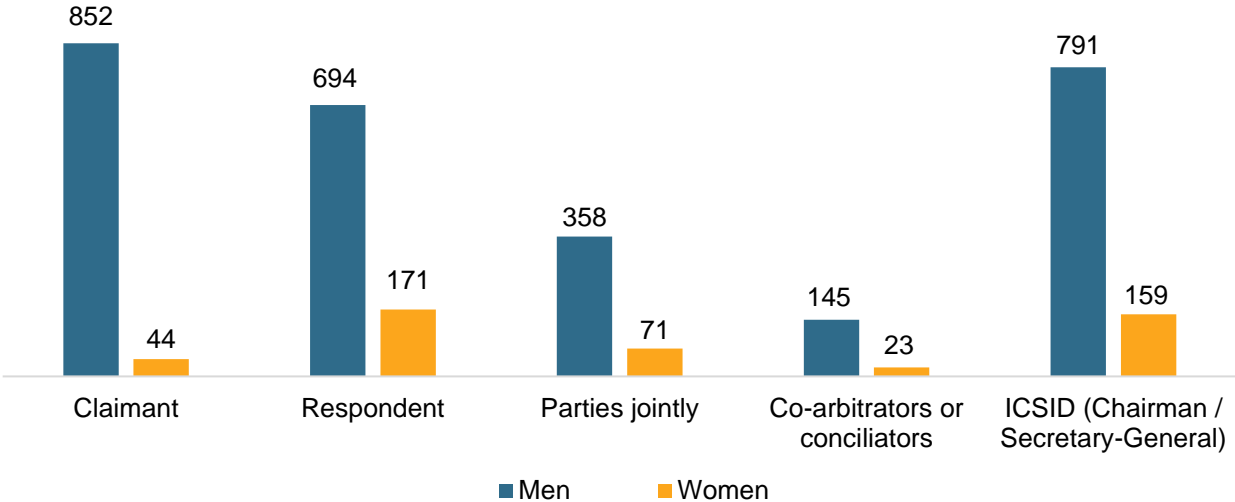



Chart 33: Appointments Made in All ICSID Cases by ICSID and by the Parties, by Gender





ICSID is the world's leading institution devoted to international investment dispute settlement. It has extensive experience in this field, having administered the majority of all international investment cases. States have agreed on ICSID as a forum for investor-State dispute settlement in most international investment treaties and in numerous investment laws and contracts.

ICSID was established in 1966 by the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (the ICSID Convention). The ICSID Convention is a multilateral treaty formulated by the Executive Directors of the World Bank to further the Bank's objective of promoting international investment. ICSID is an independent, depoliticized and effective dispute-settlement institution. Its availability to investors and States helps to promote international investment by providing confidence in the dispute resolution process. It is also available for State-State disputes under investment treaties and free trade agreements, and as an administrative registry.

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