

I C S I D

# **1994 ANNUAL REPORT**



International Centre for  
Settlement of Investment Disputes

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International Centre for Settlement of  
Investment Disputes

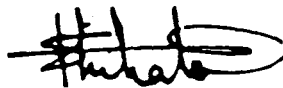
September 1, 1994

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, 1993 to June 30, 1994.

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

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Shihata', with a large, sweeping horizontal stroke underneath.

Ibrahim F.I. Shihata  
Secretary-General

Mr. Lewis T. Preston  
Chairman  
Administrative Council  
International Centre for Settlement of Investment Disputes

## Introduction by the Secretary-General

During the year under review, seven countries signed the ICSID Convention, bringing the number of signatory States to 130. In addition, four countries ratified the Convention thereby increasing the Centre's membership to 113. At no point since the early years that followed the entry into force of the Convention in 1966 has growth in the Centre's membership equalled that of the past five years. Countries that have become ICSID Contracting States in recent years represent diverse regions of the world, as evidenced by the ratifications over the past year of Peru, Slovakia, Slovenia and Zimbabwe.

The broad international confidence in the Centre's dispute settlement facilities is apparent not only from the steady increase in the number of Contracting States but also from member States' readiness to incorporate references to ICSID arbitration in national investment legislation and in bilateral and multilateral investment treaties. As of the end of this fiscal year, some 30 national investment laws and over 300 bilateral investment treaties now refer in one form or another to the Centre's dispute settlement facilities.

Developments among the cases submitted to ICSID included the rendition of two awards in which the respective tribunals declined jurisdiction over the dispute. This marked the first time that ICSID cases have come to a conclusion on the basis of jurisdictional objections being upheld by a tribunal. As mentioned elsewhere in this Annual Report, two new requests, one for arbitration and one for conciliation, were registered during the year.

During the year under review, as in previous years, many requests were received for information specifically on ICSID and for assistance in the drafting of ICSID clauses. In this connection, French and Spanish versions of *ICSID Model Clauses* were published during the year. Other publications issued during fiscal 1994 included a revised and updated version of *ICSID Cases*. The Centre also continued its highly successful program of foreign investment law publications with two further issues of the *ICSID Review* and four new releases in ICSID's collections of *Investment Laws of the World* and *Investment Treaties*. Those releases added to the collections the basic investment laws of 21 countries and over 50 new bilateral investment treaties.

In addition to the publications activities, the staff undertook advisory work on draft legislation in the areas of arbitration and investment. In this connection, it may be recalled that the Centre had assisted in the preparation of the World Bank Group Report on the Legal Framework for the Treatment of Foreign Investment which resulted in the issuance by the Development Committee in September 1992 of a set of Guidelines on the Treatment of Foreign Direct Investment. During the year, the Centre responded to many requests for information on the Guidelines and contributed to several conferences with papers on the evolution of the Guidelines. The staff also took part in a number of arbitration conferences, including the tenth colloquium on international arbitration, co-sponsored with the ICC International Court

of Arbitration and the American Arbitration Association.

The record outlined above testifies to the useful role that ICSID is playing in improving the international investment climate. The Centre's success in maintaining this record should ensure that the confidence placed in ICSID's dispute settlement facilities will be well served in the years to come.

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

## Membership

In the past fiscal year, the Convention was signed by Cambodia, Nicaragua, Slovenia, the Slovak Republic, Spain, Uzbekistan and Venezuela. Instruments of ratification were deposited by Peru, the Slovak Republic, Slovenia and Zimbabwe. At June 30, 1994, there were 130 signatory States of the Convention; of these, 113 had also ratified the Convention. A complete list of Contracting States and Other Signatories of the Convention as of June 30, 1994 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) *Vacuum Salt Products Limited v. Government of the Republic of Ghana (Case ARB/92/1)*

November 6–12, 1993—The Tribunal meets in The Hague.

January 31–February 2, 1994—The Tribunal meets in The Hague.

February 16, 1994—The Tribunal's Award, declining jurisdiction over the dispute, is rendered.

- (2) *Scimitar Exploration Limited v. People's Republic of Bangladesh and Bangladesh Oil, Gas and Mineral Corporation (Case ARB/92/2)*

September 17, 1993—The Tribunal issues a procedural order.

November 15–16, 1993—The Tribunal holds hearings in London.

May 4, 1994—The Tribunal's Award, declining jurisdiction over the dispute, is rendered.

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

October 1, 1993—The Tribunal holds its first session in Washington, D.C.

## Panels of Conciliators and of Arbitrators

December 9, 1993—The Claimant files a Memorial.

May 30, 1994—The Respondent files a Counter-Memorial

June 17, 1994—The Claimant files a Reply.

- (4) *Philippe Gruslin v. Government of Malaysia*  
(Case No. ARB/94/1)

January 13, 1994—The Secretary-General registers a request for the institution of arbitration proceedings.

May 31, 1994—The Tribunal, consisting of Professor Sompong Sucharitkul as Sole Arbitrator, is constituted.

- (5) *SEDITEX v. Government of Madagascar*  
(Case No. CONC/94/1)

June 13, 1994—The Secretary-General registers a request for the institution of conciliation proceedings.

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* - designations effective as of April 27, 1994: Prof. Ian Brownlie, Mr. Monroe Leigh, Judge Kéba Mbaye, Prof. Sompong Sucharitkul (re-appointments), Judge Mohammed Bedjaoui and Judge José Maria Ruda.

### ITALY

*Panels of Conciliators and of Arbitrators* - designations effective as of March 16, 1994: Mr. Piero Bernardini, Professor Andrea Giardina, Professor Giorgio Sacerdoti (re-appointments) and Professor Luigi Ferrari Bravo.

### JAPAN

*Panel of Conciliators* - Designations effective as of December 23, 1993:

Mr. Toru Nakagawa (re-appointment), Mr. Minoru Masuda, Mr. Michiya Matsukawa and Mr. Shinroku Morahashi.

*Panel of Arbitrators* - Designations effective as of December 23, 1993:

Mr. Ichiro Kato (re-appointment), Mr. Yusuke Kashiwagi, Mr. Katsuhiro Utada and Mr. Yaeji Watanabe.

## Publications

### PAKISTAN

*Panel of Conciliators* - Designations effective as of October 5, 1993:

Mr. Mohammad Yaqub Ali Khan, Mr. Mohammad Afzal Cheema, Mr. Aftab Farrukh (re-appointments) and Mr. Justice Khalik-ur-Rehman Khan.

*Panel of Arbitrators* Designations effective as of October 5, 1993:

Mr. Justice Irshad Hasan Khan, Mr. Mazhar-ul Haq, Mr. Wassim Sajjad and Mr. Syed Sharifuddin Pirzada (reappointments).

A complete list of members of the Panels is contained in Document ICSID/10.

### 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. 10, No. 2 (Summer 1993) and Vol. 11, No.1 (Winter 1994). These issues included articles on the draft European Energy Charter Treaty and the North American Free Trade Agreement.

### ICSID Review—Foreign Investment Law Journal

Appearing twice yearly, the *ICSID Review* publishes materials on domestic and international law relating to foreign investments. The sixteenth (Fall 1993) and seventeenth (Spring 1994) issues of the *Review* were completed during the year. The Fall 1993 issue featured articles on the Southern Pacific Properties v. Arab Republic of Egypt case, as well as the award rendered in that case. The issue also included an analysis of the 1988 Angolan investment law. The Spring 1994 issue included articles on the president of an arbitral tribunal and the question of arbitrability.

### Investment Laws of the World

Two new releases of the ten-volume *Investment Laws of the World* collection were issued in March and June 1994 (Releases 94-1 and 94-4). They contain the texts of the basic investment legislation of Albania, Azerbaijan, Belarus, China, the Czech Republic, Estonia, Georgia,



## Conferences

Hungary, Kazakhstan, the Kyrgyz Republic, Latvia, Lithuania, Macedonia, Mongolia, Moldova, Romania, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.

Over fifty new bilateral investment treaties have been published in the course of the year in ICSID's collection of *Investment Treaties* (Releases 94-2 and 94-3). These releases comprise agreements entered into by 48 countries during the years 1984 and 1992-93. The expansion of the Centre's treaty collection during the fiscal year has resulted in the issuance of a sixth volume of the collection.

## Other Publication Activities

During the year the French and Spanish versions of the Centre's booklet of *ICSID Model Clauses* were issued. In addition to proposed texts for submission to conciliation and arbitration under the ICSID Convention, the booklet contains the Centre's first model clauses for use in conjunction with the ICSID Additional Facility Rules and an example of a clause referring to the Secretary-General as appointing authority of ad hoc arbitrators.

A new edition of *ICSID Cases* was also issued during the year. The *ICSID Cases* brochure provides summary data on each of the cases registered by ICSID up to March 31, 1994 (e.g. dates of the commencement of proceedings, information on their outcomes, and names and nationalities of tribunal members). Finally, a book commissioned by the Centre, on *Bilateral Investment Treaties*, was completed during the year and will be published during fiscal 1995.

On September 6, 1993, the Secretary-General made a presentation on the Guidelines on the Treatment of Foreign Direct Investment at a conference organized by the University of Dundee, Scotland. At the Annual Meeting of the U.K. Oil Lawyer's Group of the International Bar Association, held in London on October 7, 1993 the Secretary-General presented a paper on the relevance of ICSID and the World Bank Group Guidelines in connection with the settlement of disputes under oil and gas exploration and development agreements. The Centre also participated in a seminar on "Legal Issues of Foreign Investment" on October 11-12, 1993 in Beijing. At the seminar, which was organized by the Ministry of Foreign Trade and Economic Cooperation in cooperation with the International Development Law Institute (IDLI), the Legal Adviser, ICSID made a presentation on MIGA and on the Guidelines on the Treatment of Foreign Direct Investment.

Later that month, the Centre participated in the tenth in a series of colloquia on international arbitration sponsored by ICSID, the American Arbitration Association and the International Court of Arbitration of the International Chamber of Commerce. Hosted by the American Arbitration Association on October 25, 1993 in Coral Gables, Florida, the colloquium examined issues of arbitrability and of the enforcement of arbitration clauses. The colloquium was attended by about 200 participants from the legal profession and the business community.

On December 11, 1993, the Legal Adviser, ICSID presented a paper in Mexico City on the NAFTA Investment Chapter and other international investment instruments to Mexican members of the NAFTA dispute settlement panels.

## **Twenty-Seventh Annual Meeting of the Administrative Council**

ICSID Counsel participated in the 88th Annual Meeting of the American Society of International Law held in Washington, D.C. on April 6-9, 1994 as well as in a symposium on ICSID arbitration organized by the Southwestern Legal Foundation, on June 23, 1994 in Dallas, Texas.

The Twenty-Seventh Annual Meeting of the Administrative Council took place on September 30, 1993, 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 and approved the Centre's 1993 Annual Report and its Budget for fiscal year 1994. The Resolutions adopted at the Meeting are set forth in Annex 2.

## Finance

The Financial Statements of ICSID for the fiscal year 1994 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 I****Contracting States and Other Signatories of the Convention**

(As of June 30, 1994)

The 130 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 113 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
Argentina	May 21, 1991		
<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
Bolivia	May 3, 1991		
<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		
<b>Honduras</b>	May 28, 1986	Feb. 14, 1989	Mar. 16, 1989

State	Signature	Deposit of Ratification	Entry into Force of Convention
<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>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
Nicaragua	Feb. 4, 1994		
<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
<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	Jun. 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>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>Slovak Republic</b>	Sep. 27, 1993	May 27, 1994	June 26, 1994
<b>Somalia</b>	Sep. 27, 1965	Feb. 29, 1968	Mar. 30, 1968
Spain	Mar. 21, 1994		
<b>Sri Lanka</b>	Aug. 30, 1967	Oct. 12, 1967	Nov. 11, 1967
<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
<b>Switzerland</b>	Sep. 22, 1967	May 15, 1968	June 14, 1968
<b>Tanzania</b>	Jan. 10, 1992	May 18, 1992	June 17, 1992
Thailand	Dec. 6, 1985		

State	Signature	Deposit of Ratification	Entry into Force of Convention
<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		
Venezuela	Aug. 18, 1993		
<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

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

The following resolutions were adopted by the Administrative Council at its Twenty-Seventh Annual Meeting on September 30, 1993:

**AC(27)/RES/77 - Approval of the Annual Report**

The Administrative Council  
RESOLVES

To approve the 1993 Annual Report on the Operation of the Centre as set forth in the attachment to Document AC/93/3.

**AC(27)/RES/78 - Adoption of Budget for Fiscal Year 1994**

The Administrative Council  
RESOLVES

To adopt, for the period July 1, 1993 to June 30, 1994 the budget set forth in paragraph 2 of Document AC/93/2.



**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>1994</i>	<i>1993</i>
Cash and investments at beginning of fiscal year .....	\$ 216,639	\$ 283,133
Advances to Centre from parties to arbitration proceedings .....	166,000	298,000
Investment income earned .....	3,277	7,930
Disbursements by Centre for fees and expenses for arbitration proceedings .....	(204,076)	(366,328)
Advances and related investment income refunded to parties upon completion of arbitration proceedings .....	(100,737)	—
Decrease in payable to International Bank for Reconstruction and Development .....	(33,100)	(6,096)
Cash and investments at end of fiscal year .....	<u>\$ 48,003</u>	<u>\$ 216,639</u>

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

	<i>June 30, 1994</i>	<i>June 30, 1993</i>
Advances from parties to arbitration proceedings .....	\$ 39,582	\$ 91,402
Payable to International Bank for Reconstruction and Development .....	—	33,100
Investment income due to parties to arbitration proceedings .....	8,421	92,137
Cash and investments .....	<u>\$ 48,003</u>	<u>\$ 216,639</u>

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

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

June 30, 1994 and June 30, 1993

The Memorandum of Administrative Arrangements between the Centre and the International Bank for Reconstruction and Development (the Bank) which became effective as of October 14, 1966, 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 reimbursements by the Centre from its sale of publications and registration fees are shown below:

	<i>For the years ended June 30</i>	
	<i>1994</i>	<i>1993</i>
Staff personal services (including benefits) .....	\$ 588,415	\$ 570,654
Travel .....	11,158	7,350
Contractual services .....	78,496	77,771
Administrative services and facilities .....	27,846	30,705
Less: Reimbursement by Centre from sale of		
publications and registration fees .....	16,000	15,582
Total .....	<u>\$ 688,915</u>	<u>\$ 670,898</u>

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.

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. These expenses are recorded on the cash basis of accounting.

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

1801 K Street, N.W.  
Washington, D.C. 20006

July 28, 1994

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, 1994 and June 30, 1993, and the composition of cash and investments at June 30, 1994 and 1993, 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 and the International Centre for Settlement of Investment Disputes. 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.

## **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. 2 (March 1, 1992) (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. 3 (March 31, 1994) (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)

**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.)

**ICSID**

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