

ICSID CASELOAD STATISTICS – 2012

Introduction

The primary purpose of ICSID (the International Centre for the Settlement of Investment Disputes, an international institution established under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States) is to provide facilities for conciliation and arbitration of international investment disputes. ICSID does not conciliate or arbitrate disputes itself, but instead provides the institutional and procedural framework for independent arbitral tribunals to resolve the dispute.

Although ICSID is a member of the World Bank Group and receives its funding from the World Bank, it was established as an autonomous institution. ICSID currently has over one hundred and forty member States, and is considered by many to be the leading international arbitration institution devoted to investor-State dispute settlement.

ICSID: 2012 Caseload Statistics

ICSID has released its latest bi-annual summary of its caseload statistics. For historic ICSID caseload statistics, please see our **previous alert**.

Of particular interest in the 2012 statistics was the high number of cases accepted by ICSID – a total of 50, which was a significant increase on the previous year's total of 38 new cases, and the highest number recorded in any one year. The significant increase was due in large part to the 9 cases lodged against Venezuela, fuelled, no doubt, by its renunciation and withdrawal from ICSID which took effect from 25 July 2012.

The overwhelming majority of cases accepted by ICSID in 2012 are based on bilateral investment treaties. Once again, the source of greatest disputes is the oil, gas and mining sector.

Current statistics

New cases

50 new cases were accepted by ICSID in 2012. Of those new cases:

- 67% are based on bilateral investment treaties for jurisdiction (63% of total ICSID cases);

- 24% of cases concern South American state parties (30% of total cases) and 26% concern Eastern Europe/Central Asia state parties (23% of total cases);
- 28% of cases are in the oil, gas and mining sector (25% of total cases).

Concluded cases

Of the cases resolved in 2012:

- 68% of cases led to an award, with 32% of cases being discontinued;
- 74% of awards were delivered on the merits of the case, with 26% declining jurisdiction

Identity of arbitrators

- 68% of arbitrators in ICSID cases are from North America and Western Europe
- The top 3 nationalities for ICSID arbitrator appointments are US (160); French (128); and British (123).

(Statistics taken from The ICSID Caseload – Statistics (Issue 2013-1) available at <http://icsid.worldbank.org/>)

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