

The ICSID Caseload— Statistics

Issue 2024 - 1



The ICSID Caseload – Statistics

(Issue 2024-1)

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 calendar year 2023 (CY2023). It is based on cases registered or administered by ICSID as of December 31, 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.

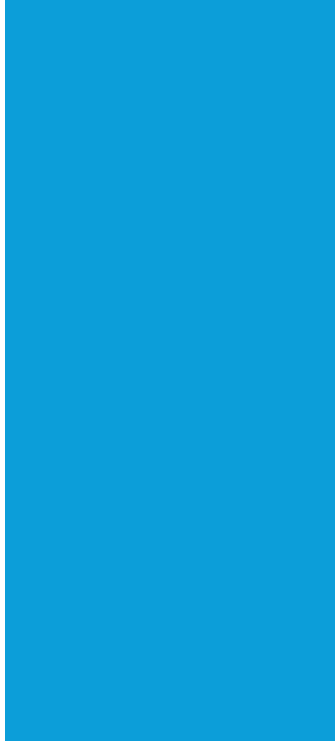
The *ICSID Caseload – Statistics* is published bi-annually. ICSID welcomes comments or suggestions on the report by email at ICSIDsecretariat@worldbank.org.

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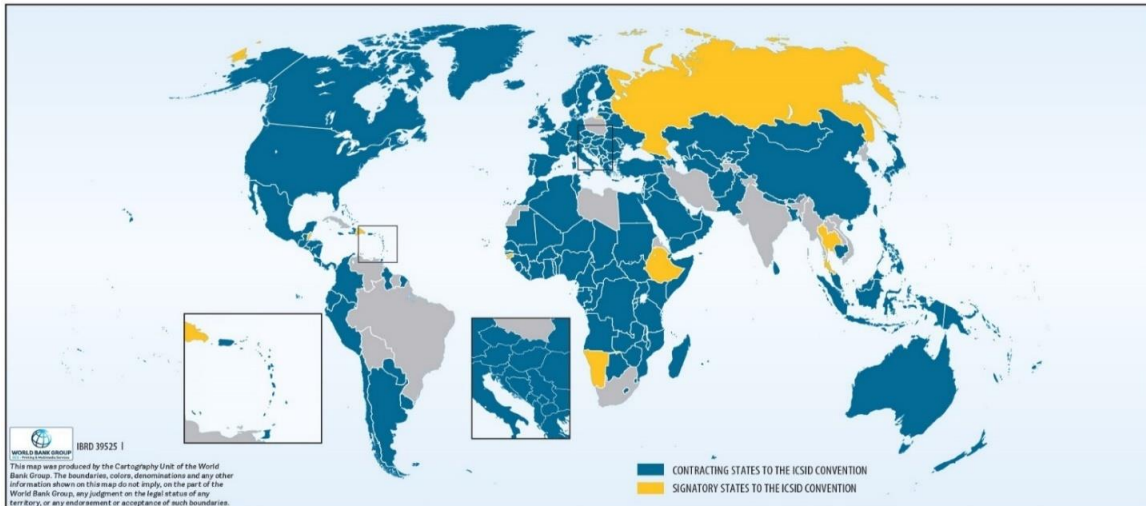
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1. ICSID Member States

As of December 31, 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 December 31, 2023, there were 967 arbitration and conciliation cases registered under the ICSID Convention and Additional Facility Rules.

Chart 1 shows the number of ICSID cases registered in CY2023. **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 CY2023

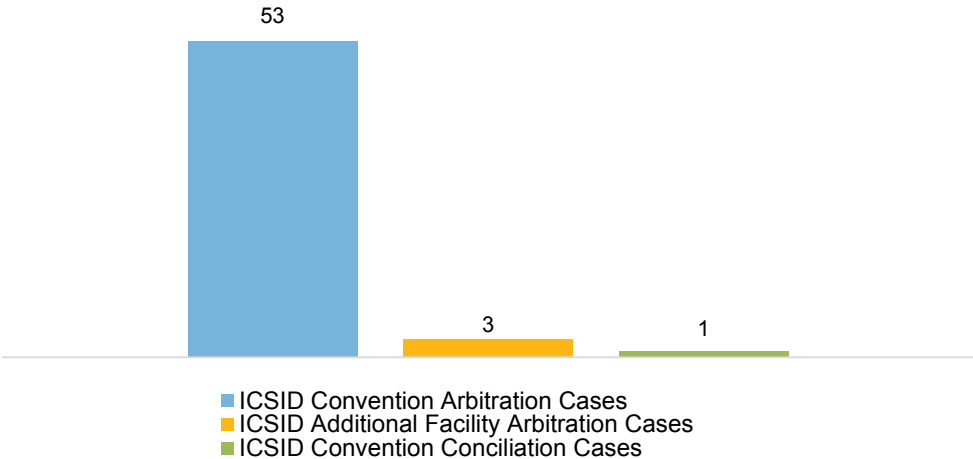


Chart 2: All ICSID Cases Registered by Applicable Rules

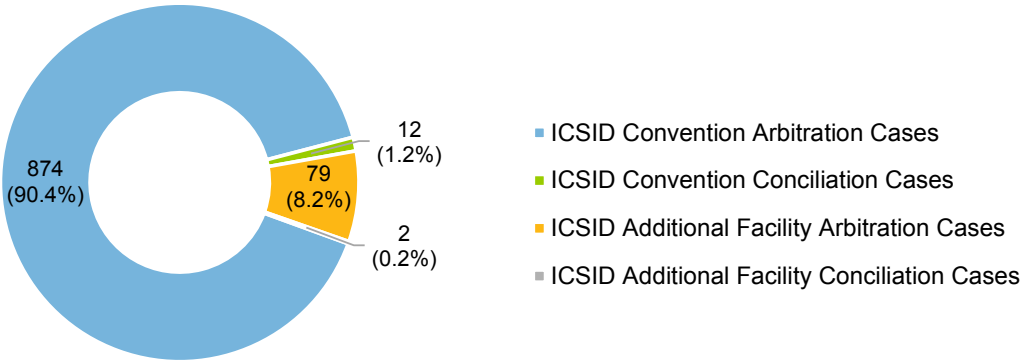


Chart 3: ICSID Cases Registered by Calendar Year

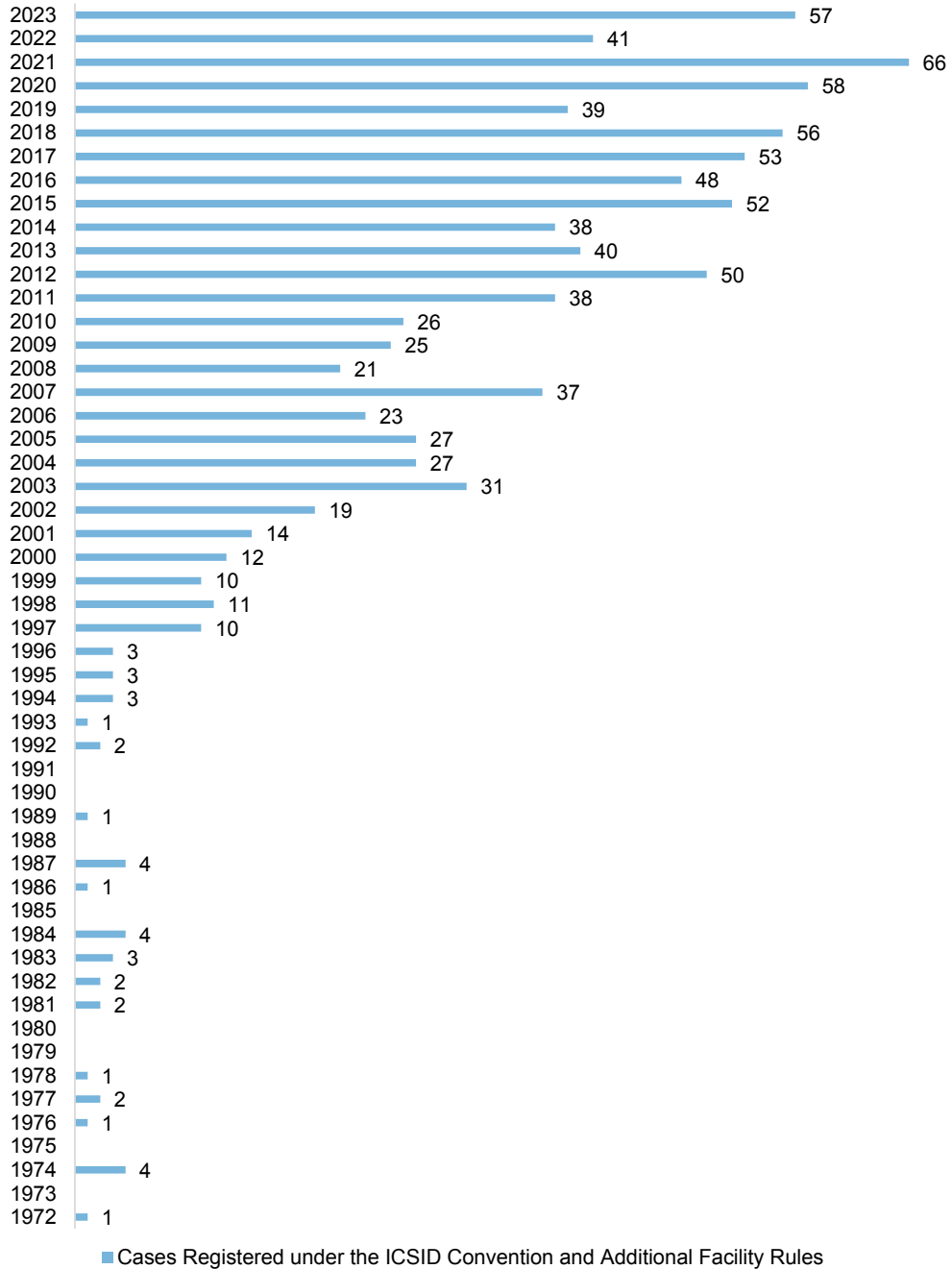
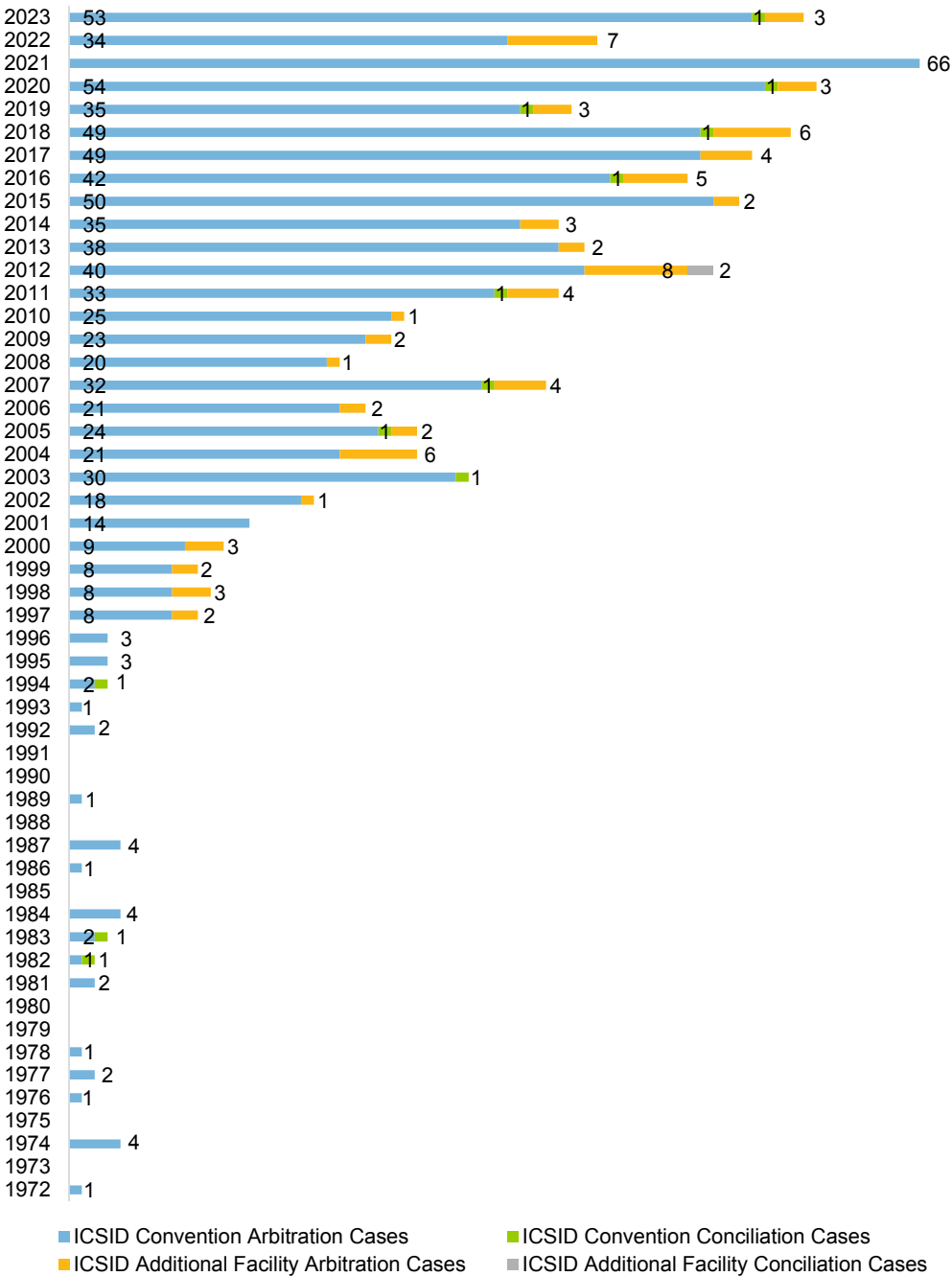


Chart 4: ICSID Cases Registered by Calendar Year and Applicable Rules



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 CY2023. **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 CY2023

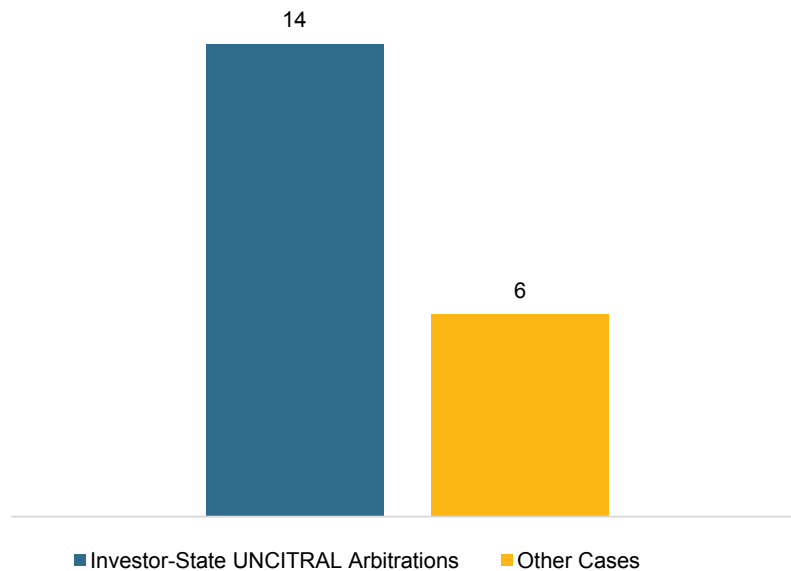


Chart 6: Non-ICSID Cases Administered over the Past Ten Fiscal Years

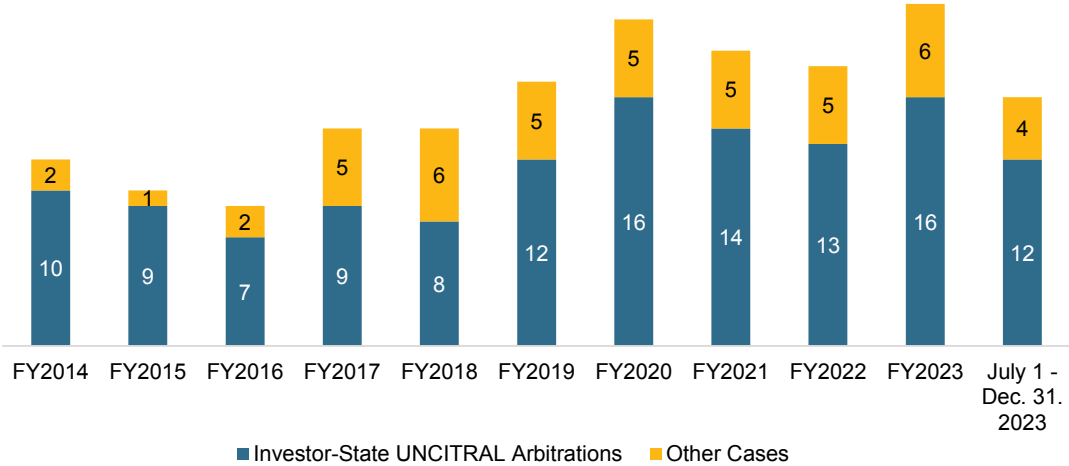
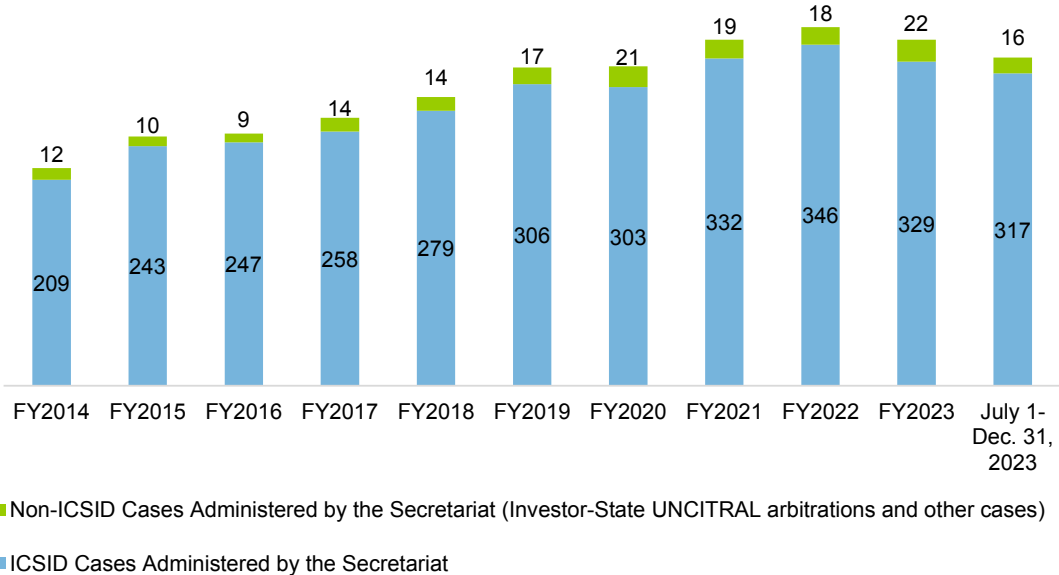


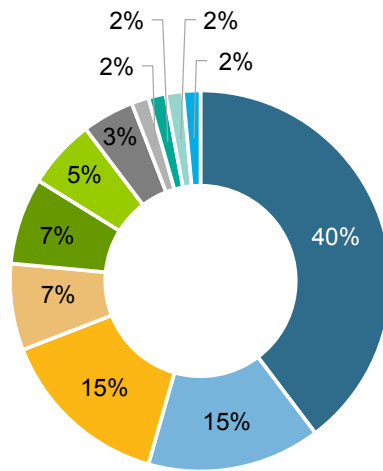
Chart 7: ICSID and Non-ICSID Cases Administered over the Past Ten Fiscal Years



4. Basis of Consent Invoked to Establish ICSID Jurisdiction

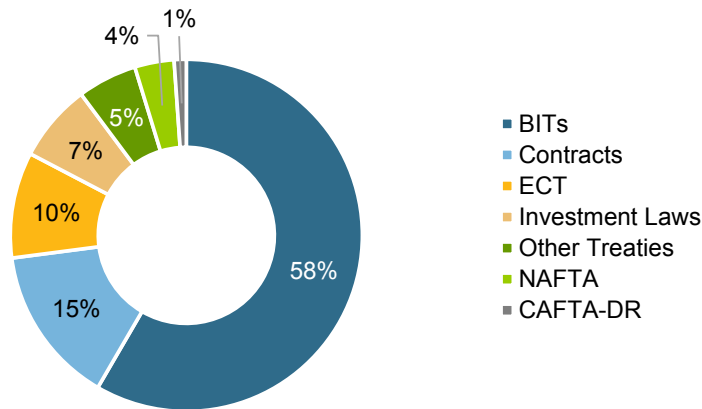
Chart 8 shows the bases of consent invoked to establish ICSID jurisdiction in cases registered under the ICSID Convention and the Additional Facility Rules in CY2023. Chart 9 provides the same information with respect to all ICSID cases.

Chart 8: Basis of Consent Invoked in ICSID Cases Registered in CY2023



- BITs
- NAFTA
- United States-Mexico-Canada Agreement
- ECT
- Contracts
- Investment Laws
- CAFTA-DR
- Mexico-Peru Free Trade Agreement
- Mexico, Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua FTA
- Comprehensive and Progressive Agreement for Trans-Pacific Partnership
- Central America-Panama Free Trade Agreement

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.

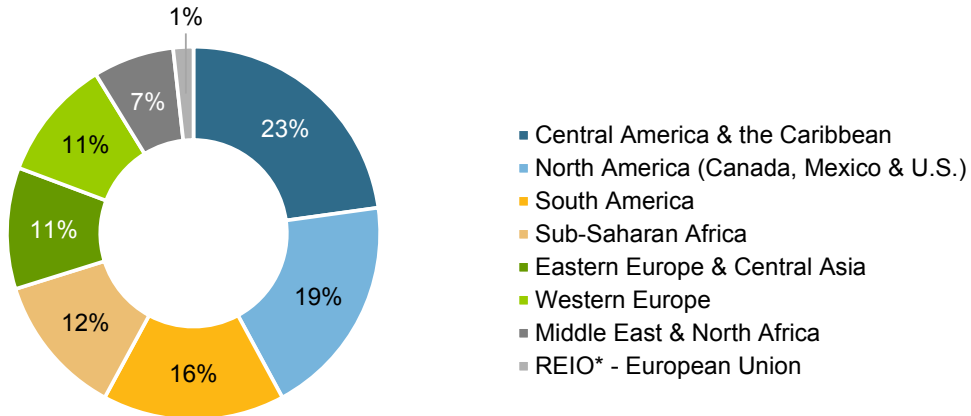
For a complete list of instruments invoked as basis of consent to establish jurisdiction in ICSID cases, visit our website at <https://icsid.worldbank.org/cases/case-database>.

5. Geographic Distribution of ICSID Cases

Chart 10 below shows the geographic distribution,¹ by State Party involved, of cases registered under the ICSID Convention and the Additional Facility Rules in CY2023. Chart 11 provides further details concerning the State Parties involved in ICSID Cases registered in CY2023. Finally, Chart 12 shows the geographic distribution, by State Party involved, of all ICSID Cases registered.

¹ 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 CY2023, by State Party or Regional Economic Integration Organization (REIO) Involved



* A REIO may be a party to proceedings under the 2022 ICSID Additional Facility Rules and Regulations or under the 2022 ICSID Mediation Rules and Regulations.

Chart 11: ICSID Cases Registered in CY2023, by State Party or Regional Economic Integration Organization Involved – Further Details

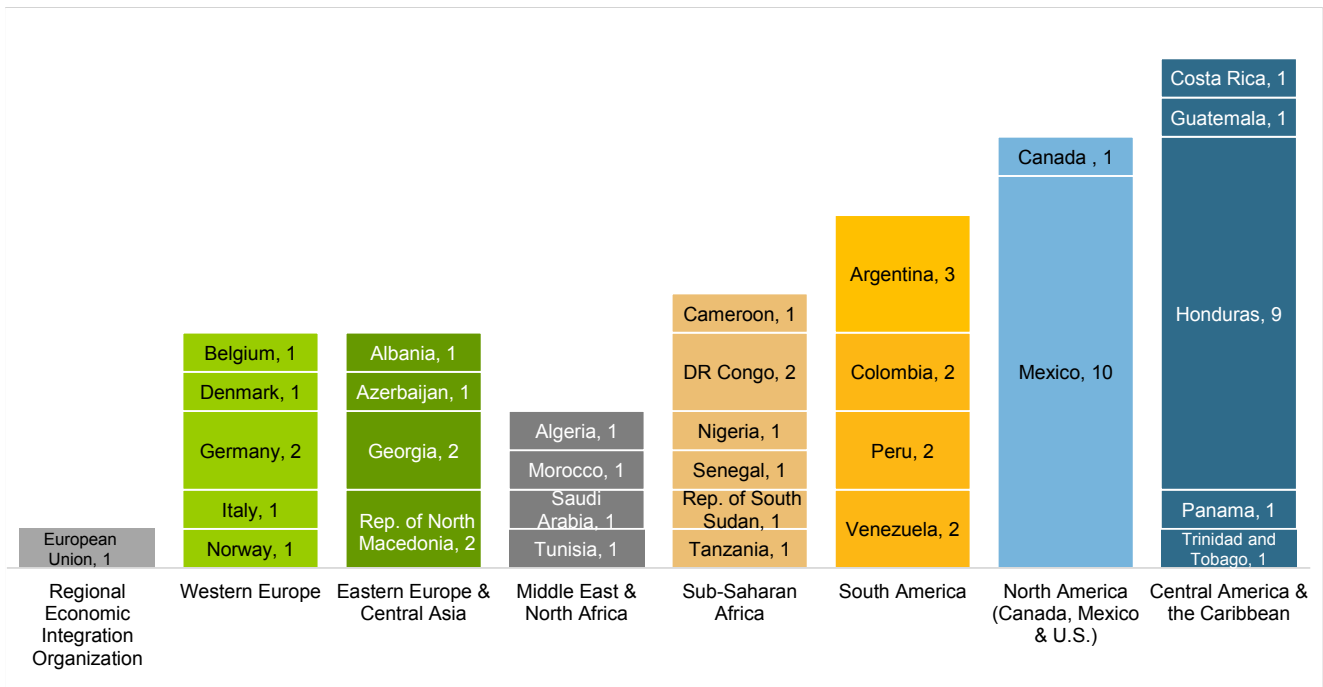
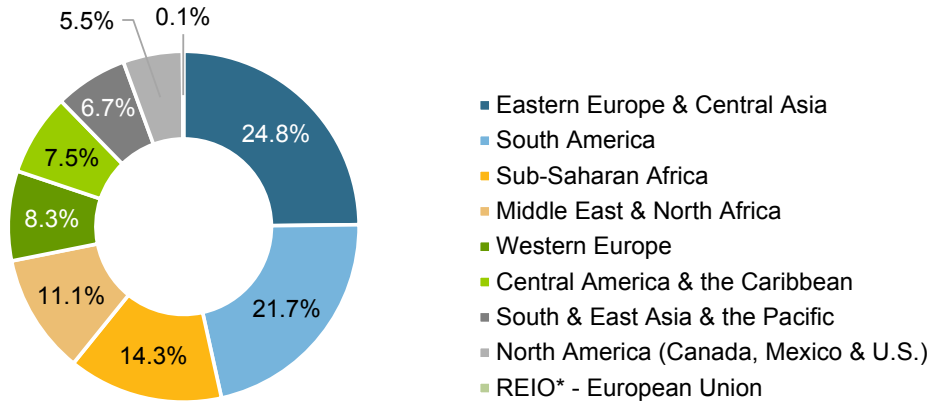


Chart 12: Distribution of All ICSID Cases Registered, by State Party or Regional Economic Integration Organization (REIO) Involved

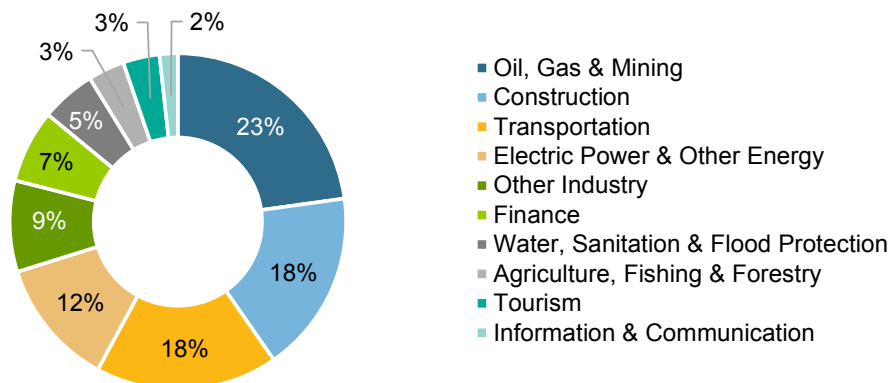


* A REIO may be a party to a proceeding under the 2022 ICSID Additional Facility Rules and Regulations or under the 2022 ICSID Mediation Rules and Regulations.

6. Economic Sectors Involved in ICSID Cases

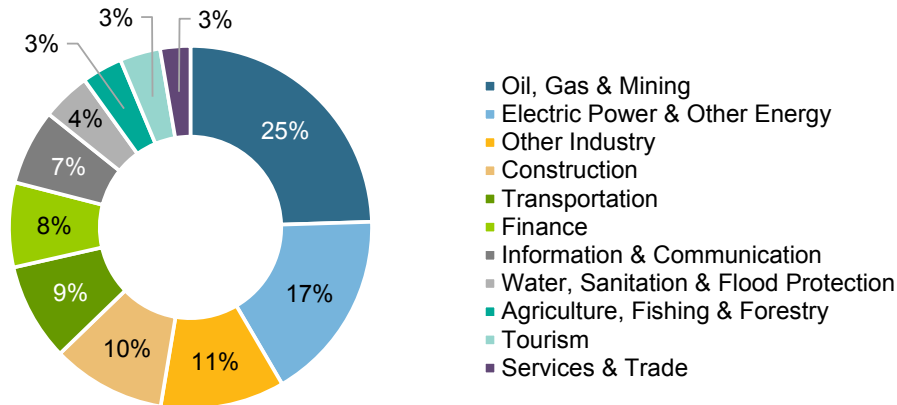
Chart 13 shows the distribution, by economic sector,² of cases registered under the ICSID Convention and the Additional Facility Rules in CY2023. Chart 14 provides the same information with respect to all registered ICSID cases.

Chart 13: Distribution of ICSID Cases Registered in CY2023, by Economic Sector



² 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 CY2023. Chart 16 provides the same information with respect to all concluded ICSID Arbitrations.

Chart 17 provides a breakdown of ICSID Arbitrations concluded in CY2023 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 CY2023 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 CY2023 – Outcomes

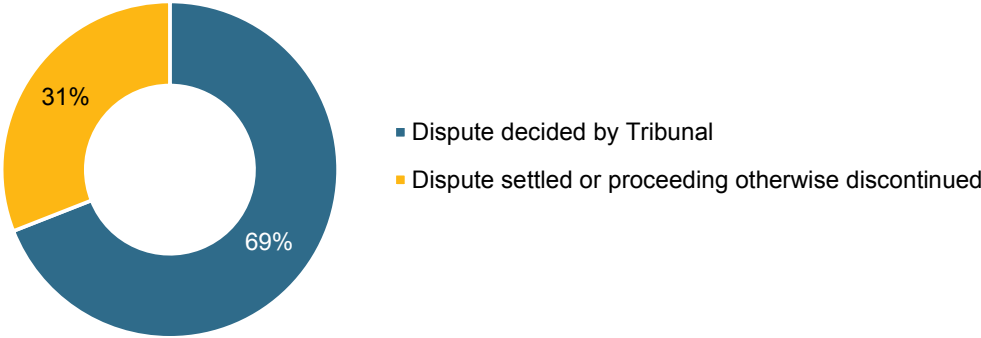


Chart 16: All Concluded ICSID Arbitrations – Outcomes

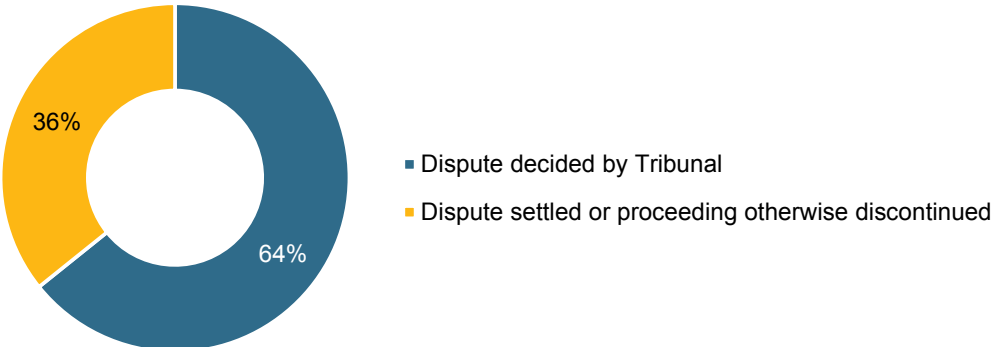


Chart 17: ICSID Arbitrations Concluded in CY2023 – Disputes decided by tribunals

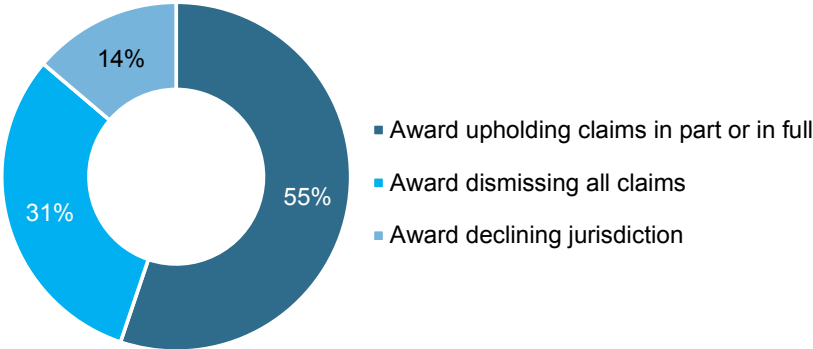


Chart 18: All Concluded ICSID Arbitrations – Disputes decided by tribunals

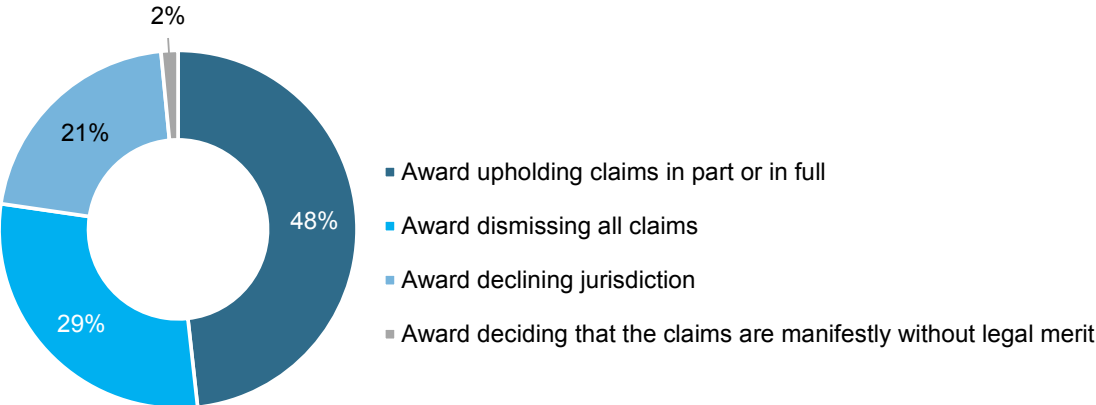


Chart 19: ICSID Arbitrations Concluded in CY2023 – Settled or Otherwise Discontinued

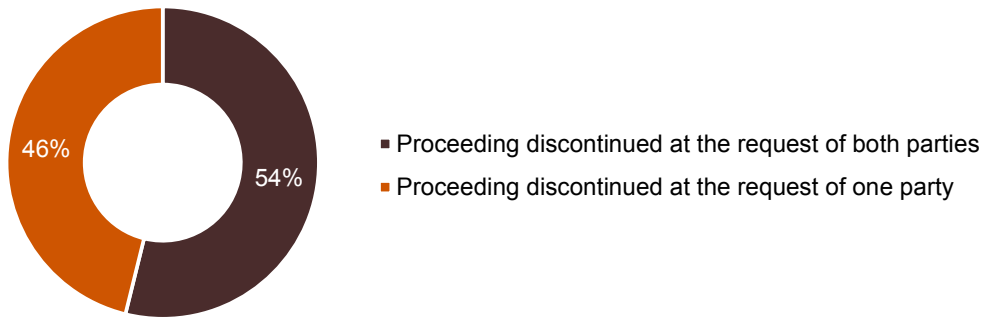
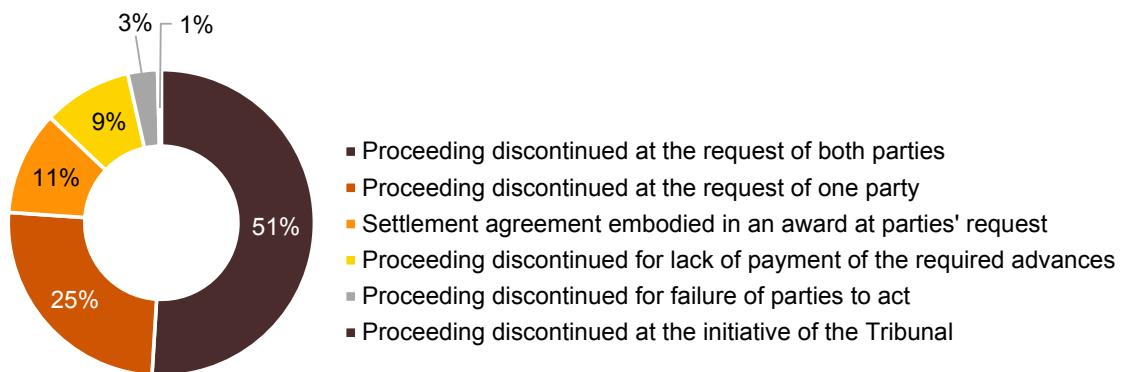


Chart 20: All Concluded ICSID Arbitrations – Settled or Otherwise Discontinued



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

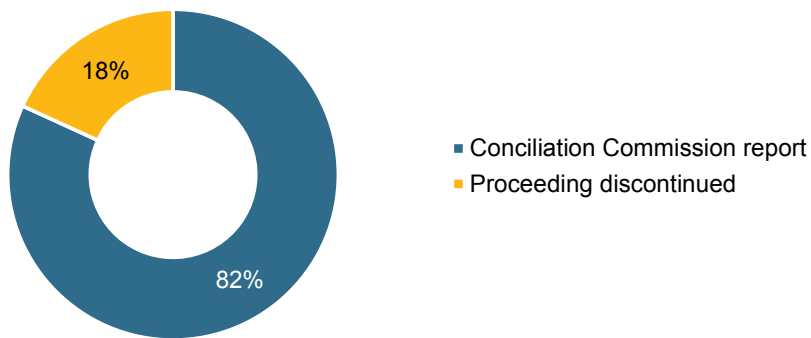
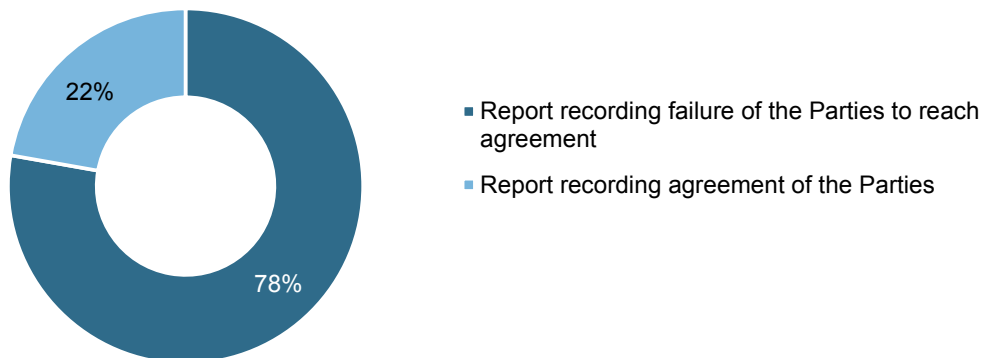


Chart 22: All ICSID Conciliations – Commission Reports



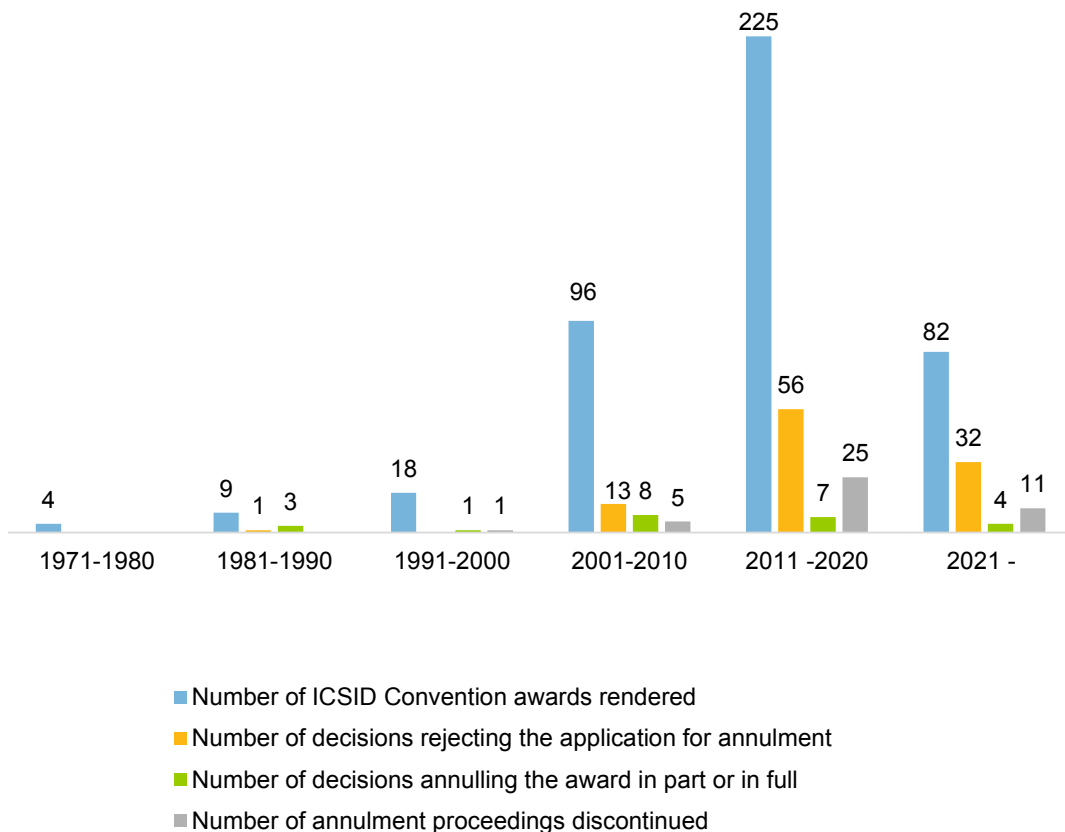
9. ICSID Annulment Proceedings – Outcomes

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 CY2023, 434 awards were rendered under the ICSID Convention, 102 decisions of *ad hoc* committees rejected applications for annulment, 23 decisions of *ad hoc* committees annulled the award (16 in part and 7 in full), and 42 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 CY2023, by Geographic Region

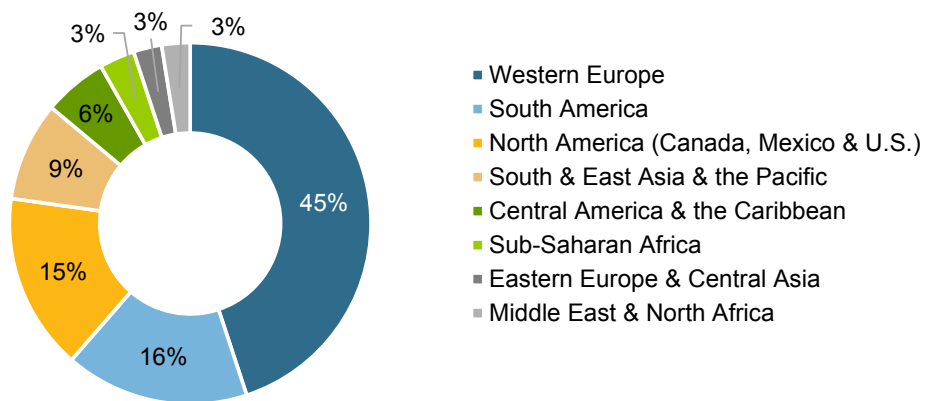


Chart 25: Distribution of All Appointments, by Geographic Region

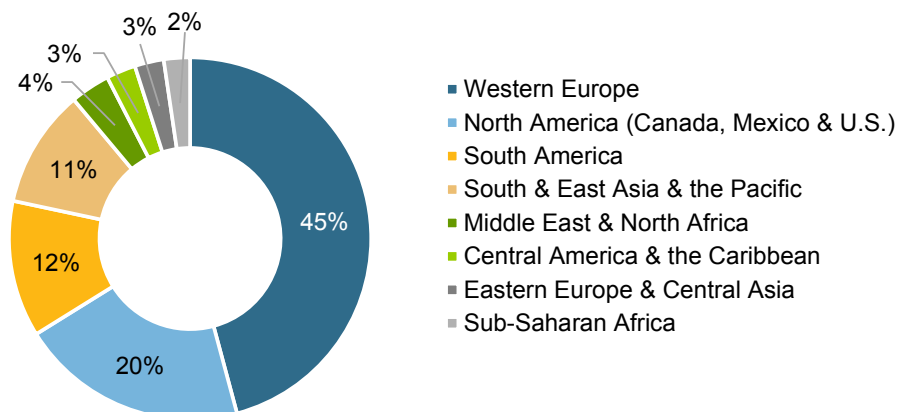


Chart 26: Appointments Made in CY2023 by ICSID and by the Parties, by Geographic Region

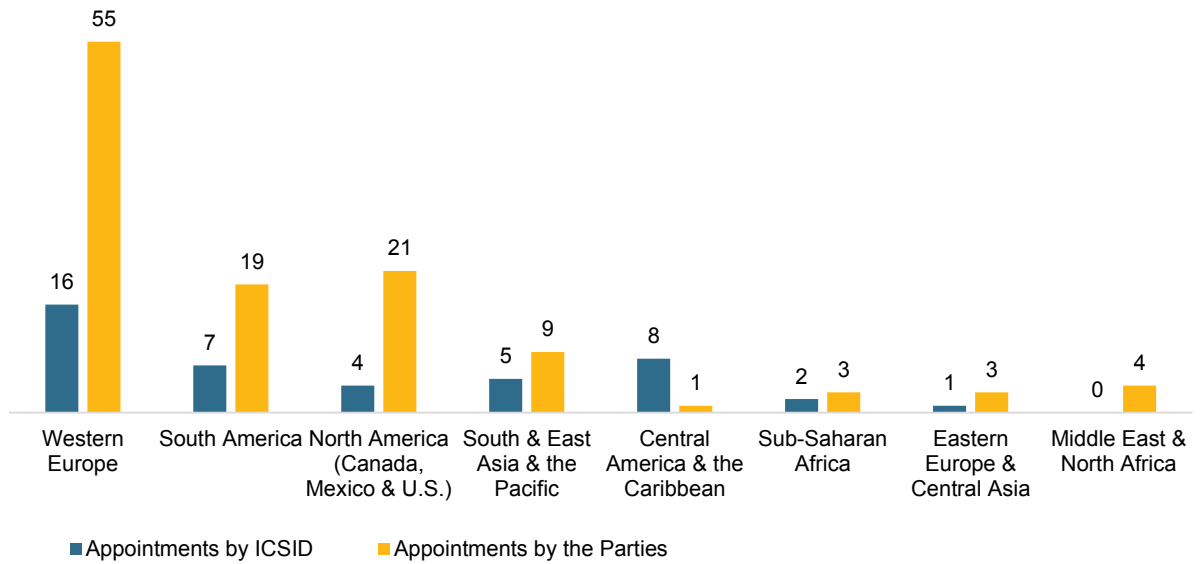


Chart 27: All Appointments Made by ICSID and by the Parties, by Geographic Region

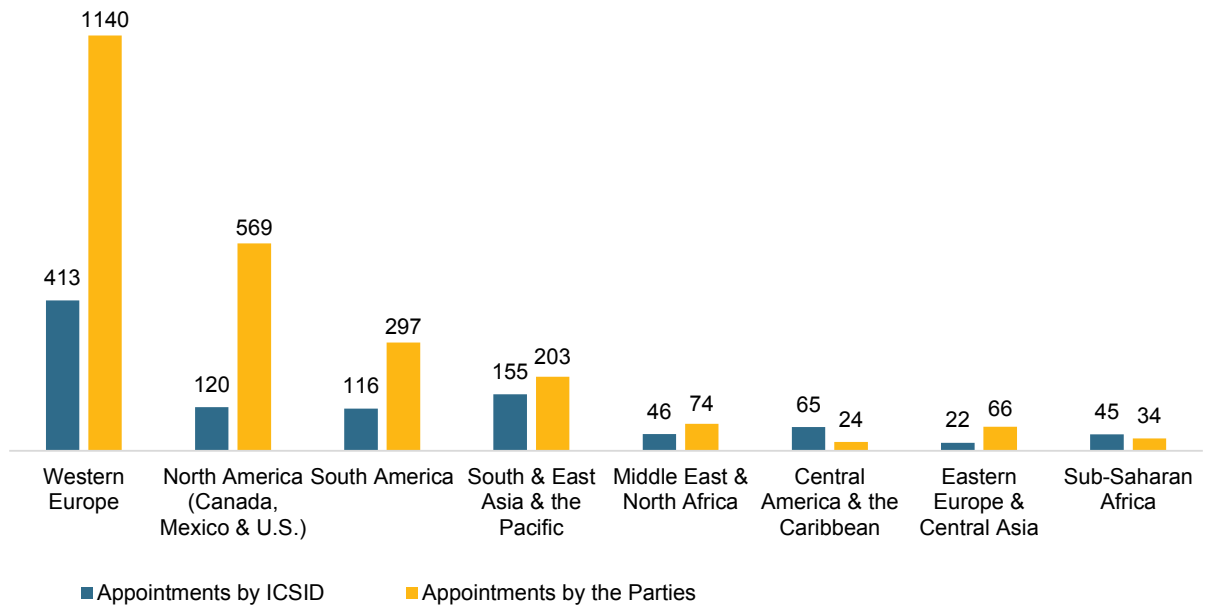


Chart 28: Nationalities of Individuals Appointed in ICSID Cases in CY2023, by Number of Appointments

Nationality(ies)	As of December 31, 2023	Nationality(ies)	As of December 31, 2023
United States of America	13	Australia / Ireland	1
France	11	Australia / Switzerland	1
Argentina	8	Brazil	1
Switzerland	8	Brazil / Switzerland	1
Germany	7	Canada / Ecuador	1
Italy	7	Canada / France / Lebanon	1
Spain	7	Canada / Italy	1
United Kingdom	7	Canada / New Zealand	1
Australia	6	Chile / El Salvador / Italy	1
Canada	5	Chilean / Lebanese	1
Bahamas	4	Colombia / Ecuador	1
Belgium	4	Congo, Rep. / France	1
Mexico	4	Cyprus / United Kingdom	1
Bulgaria	3	Egypt	1
Colombia	3	Egypt / France	1
Costa Rica	3	France / Mauritius / United Kingdom	1
Ireland	3	Germany / Ireland	1
Argentina / Brazil	2	Greece / United States of America	1
Argentina / Spain	2	Ireland / United States of America	1
Bahrain / France / Sweden	2	Japan	1
Chile	2	Latvia	1
Finland	2	New Zealand	1
France / Panama	2	Nigeria	1
Germany / Mexico	2	Pakistan	1
Italy / United Kingdom	2	Peru	1
Kenya	2	Portugal	1
Korea, Rep. of	2	Saint Kitts and Nevis / Venezuela	1
Netherlands	2	Singapore	1
Peru / Switzerland	2	Spain / United Kingdom	1
Argentina / Brazil	1		
Argentina / Italy	1		

In CY2023, individuals of 44 nationalities were represented amongst the appointments made to ICSID cases. Ten percent of appointments involved individuals appointed for the first time to an ICSID case. Thirty-one percent of first-time appointees in CY2023 were women and 50% 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 December 31, 2023	Nationality(ies)	As of December 31, 2023
United States of America	326	France / Switzerland	15
France	317	Peru	15
United Kingdom	279	France / Lebanon	14
Canada	181	Germany / Ireland	14
Switzerland	165	Slovak Republic	14
Spain	151	Australia / Ireland	13
Germany	127	Bahamas	13
Australia	121	Bangladesh	13
Argentina	109	Malaysia	13
Mexico	97	Morocco	13
Italy	88	Nigeria	12
Belgium	82	Portugal	12
Chile	75	Argentina / United States of America	11
Netherlands	66	Austria / Germany	11
New Zealand	61	Greece	11
Bulgaria	59	Nigeria / United Kingdom	11
Colombia	57	Philippines	11
Costa Rica	43	Italy / United Kingdom	10
Egypt	41	Switzerland / United States of America	10
Singapore	41	Uruguay	10
Sweden	37	Colombia / France	9
Austria	33	Denmark	9
France / Sweden	32	Germany / Mexico	9
Argentina / Spain	27	Venezuela	9
Canada / New Zealand	26	Ireland / United States of America	8
Finland	26	Peru / Switzerland	8
France / United Kingdom	26	Somalia	8
Brazil	21	United Kingdom / United States of America	8
Pakistan	20	Argentina / Portugal	7
Brazil / Switzerland	19	Ecuador	7
Korea, Rep.of	19	France / United States of America	7
Canada / United Kingdom	18	Ireland	7
Guatemala	18	Senegal	7
China	15	Thailand	7
France / Iran	15	Canada / Lebanon	6

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Nationality(ies)	As of December 31, 2023	Nationality(ies)	As of December 31, 2023
India	6	Malawi	2
Ireland / Switzerland	6	Malta / South Africa	2
New Zealand / United Kingdom	6	New Zealand / United States of America	2
Paraguay	6	Pakistan / United Kingdom	2
Chile / Lebanon	5	Spain / United Kingdom	2
Guyana	5	Algeria / France	1
Algeria	4	Argentina / Italy	1
Barbados	4	Australia / Germany	1
Canada / Italy	4	Australia / Switzerland	1
Cyprus	4	Belgium / United Kingdom	1
France / Mauritius / United Kingdom	4	Belgium / United States of America	1
Iran, Islamic Rep. of	4	Bulgaria / United States of America	1
Japan	4	Cabo Verde	1
Kenya	4	Canada / France / Lebanon	1
Latvia	4	Canada / Switzerland	1
Argentina / Brazil	3	Central African Republic	1
Burundi	3	Congo, Rep. / France	1
Cameroon	3	Croatia	1
Canada / Ecuador	3	Cyprus / United Kingdom	1
Chile / El Salvador / Italy	3	Czechoslovakia	1
Czechia	3	Dominica	1
Honduras	3	Dominican Republic	1
Israel	3	Ecuador / France / Lebanon	1
Jamaica	3	Egypt / France	1
Jordan	3	Egypt / United States of America	1
Saint Kitts and Nevis / Venezuela	3	El Salvador	1
Serbia	3	France / New Zealand	1
South Africa	3	France / Uruguay	1
Togo	3	Ghana / United Kingdom	1
Bahrain / France / Sweden	2	Greece / United States of America	1
Benin	2	Israel / Switzerland	1
Botswana	2	Luxembourg	1
Canada / United States of America	2	Mexico / United States of America	1
Chile / United States of America	2	Norway	1
Colombia / Ecuador	2	Pakistan / United States of America	1
France / Mauritius	2	Romania	1
France / Panama	2	Slovenia	1
France / Syria	2	Sri Lanka	1
Gabon	2	Sudan	1
Germany / United Kingdom	2	Türkiye	1
Ghana	2	Uganda / United Kingdom	1
Iran / United Kingdom	2	Zambia	1
Lebanon	2		
Madagascar	2		

Chart 30: Appointments Made in CY2023, by Gender

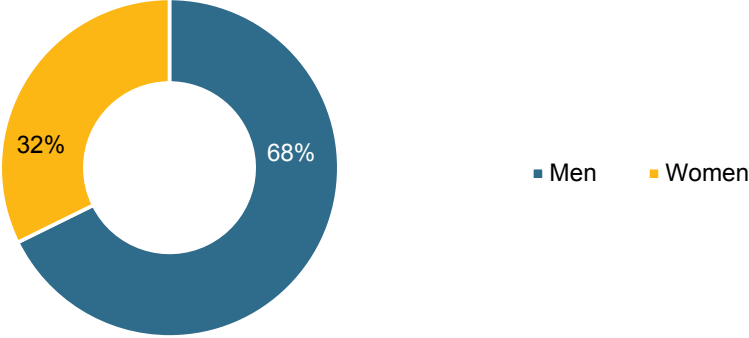


Chart 31: Appointments Made in All ICSID Cases, by Gender

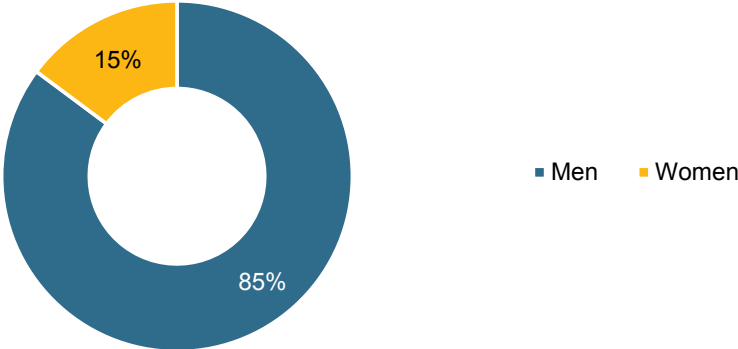


Chart 32: Appointments Made in CY2023 by ICSID and by the Parties, by Gender

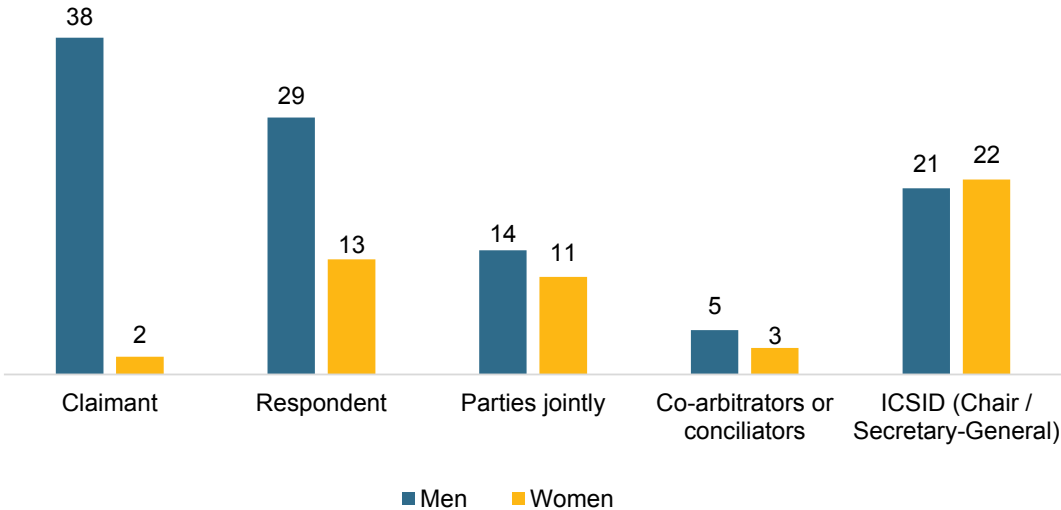
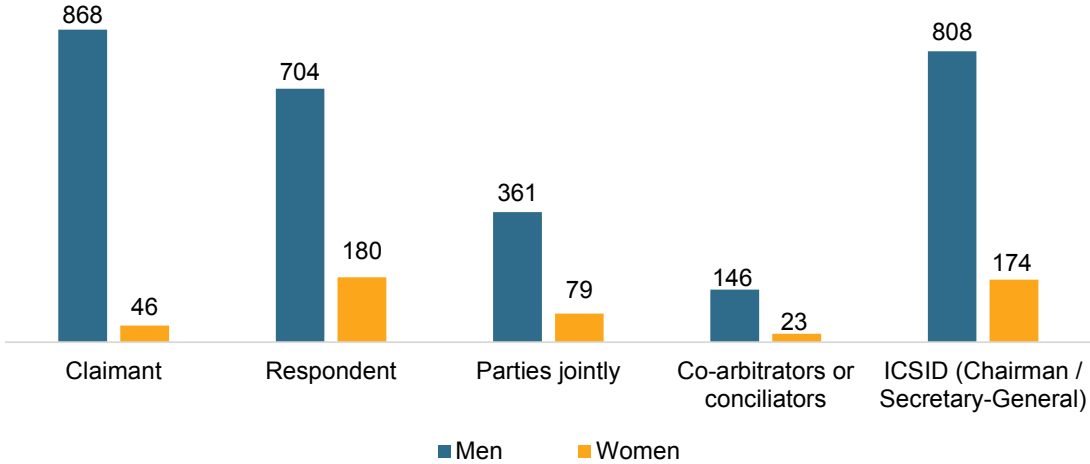


Chart 33: Appointments Made in All ICSID Cases by ICSID and by the Parties, by Gender





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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