BIBLIOGRAPHY
International Centre for Settlement of Investment Disputes

ICSID

Bibliography

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INTRODUCTION

The International Centre for Settlement of Investment Disputes (ICSID or the Centre) is a public international organization created under a treaty, the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States (the ICSID Convention or the Convention). The Convention was formulated by the Executive Directors of the World Bank and submitted by them on March 18, 1965 to member States of the Bank for signature and ratification. As of June 15, 1989, the Convention, which entered into force on October 14, 1966, had been signed by 98 States. Of these, 91 had become Contracting States by depositing instruments of ratification, including Switzerland which, although not a member of the World Bank, was invited to sign the Convention under Article 67 thereof on February 2, 1967.

In accordance with the provisions of the Convention, ICSID provides facilities for the conciliation and arbitration of investment disputes between Contracting States and nationals of other Contracting States. The Centre's objective in making such facilities available is to promote an atmosphere of mutual confidence between States and foreign investors conducive to increasing the flow of private international investment.

ICSID does not itself engage in such conciliation or arbitration. This is the task of conciliators and arbitrators appointed by the parties or as otherwise provided for in the Convention. The Centre assists in the initiation and conduct of conciliation and arbitration proceedings, performing a range of administrative functions in this respect.

Recourse to conciliation and arbitration under the ICSID Convention is entirely voluntary. No Contracting State or national of such a State is obliged to resort to such conciliation or arbitration without having consented to do so. However, once the parties have consented, they are bound to carry out their undertaking and, in the case of arbitration, to abide by the award. Moreover, all Contracting States, whether or not parties to the dispute, are required to recognize awards rendered pursuant to the Convention as binding and to enforce the pecuniary obligations imposed thereby. Such awards are not subject to any appeal or to any other remedy except those which, like the remedy of annulment, are provided for in the Convention itself.

Besides providing facilities for conciliation and arbitration under the ICSID Convention, the Centre has since 1978 had an Additional Facility allowing it to administer certain proceedings between States and nationals of other States which fall outside the scope of the Convention, notably conciliation and arbitration proceedings where one of the parties is not a Contracting State or a national of such a State. To further its objective of encouraging greater investment flows, ICSID also undertakes research and publication activities in the area of foreign investment law.

There is a substantial number of publications relating to ICSID. In addition to texts of the Convention in 18 different languages and the various publications of the
Centre itself, there are numerous other articles and books dealing with ICSID and the ICSID Convention. Decisions rendered in certain ICSID proceedings, as well as several national court decisions relating to ICSID, have also been widely published.

The present bibliography is intended as a guide to such materials. The bibliography is divided into three parts:

I. Texts of the ICSID Convention and Publications of the Centre  
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I. TEXTS OF THE ICSID CONVENTION AND PUBLICATIONS OF THE CENTRE

A. Texts of the ICSID Convention

The ICSID Convention is done in English, French and Spanish, all three texts being equally authentic. These three texts, together with the accompanying Report of the World Bank's Executive Directors on the Convention, are available from the Centre in separate English, French and Spanish editions of Doc. ICSID/2.


The English text has also been published at 60 AJIL 892 (1966) and at 4 ILM 532 (1965).

The French text has also been published at 22 Annuaire Suisse de Droit International 221 (1965) and at 93 Journal du Droit International 50 (1966).

Translations of the ICSID Convention may be found in the following:

Chinese: Document available from the Centre.
Dutch: 140 Belgisch Staatsblad 9550 (No. 185, September 24, 1970).
        Staatsblad van het Koninkrijk der Nederlanden 44 (No. 152, 1966).
German: 99 Bundesgesetzblatt für die Republik Österreich 1853 (No. 357, September 10, 1971).
Greek: Episemos ephemeris tes Kypriakes Demokratias (No. 532, October 27, 1966).

Japanese: Document available from the Centre.

Korean: Collection of Agreements of International Financial Institutions 183 (Bank of Korea publication, 1968).


Turkish: Document available from the Centre.

B. Publications of the Centre

Publications of the Centre other than those mentioned in Part I(A) above include the following which, unless otherwise indicated, are available in English, French and Spanish:

- List of Contracting States and Other Signatories of the Convention, Doc. ICSID/3 (May 1989).

- ICSID Regulations and Rules, Doc. ICSID/4/Rev. 1 (May 1975). (This brochure contains the Regulations and Rules in effect from January 1, 1968 to September 26, 1984. The Regulations and Rules in effect from September 26, 1984 are reproduced in the brochure entitled ICSID Basic Documents referred to in Part I (A) above.)


- Contracting States and Measures Taken by Them for the Purpose of the Convention, Doc. ICSID/8 (June 1989).

- Members of the Panels of Conciliators and of Arbitrators, Doc. ICSID/10 (May 1989).


- ICSID Annual Report (1966/67–).

Books published by the Centre include a 4-volume History of the Convention (1968–1970). Volume 1 contains a review of the formulation of the ICSID Convention and an Article-by-Article analysis of the successive drafts of the Convention (in parallel English, French and Spanish texts). Documents concerning the origin and formulation of the ICSID Convention are presented in English, French and Spanish in volumes 2, 3 and 4 respectively.

The Centre’s publications on foreign investment law include a 10-volume looseleaf collection of Investment Laws of the World and a 3-volume looseleaf collection of Investment Treaties. The former collection was introduced in 1973, while the latter was first published in 1983. Both are periodically updated. At present, they together contain the texts of the basic investment legislation of some 80 countries and 255 bilateral investment treaties. The collections may be purchased from Oceana Publications, Inc., 75 Main Street, Dobbs Ferry, N.Y. 10522, U.S.A.

In addition, the Centre has since 1986 published a semi-annual law journal, ICSID Review—Foreign Investment Law Journal, which is intended to meet the need for a specialized periodical reporting on developments relating to the legal aspects of foreign investment. The Review, which features articles, comments, cases, documents and book reviews, is available on a subscription basis from Journals Publishing Division, Johns Hopkins University Press, 701 W. 40th Street, Suite 275, Baltimore, Maryland 21211, U.S.A.

Finally, the Centre has since 1984 distributed free of charge a semi-annual newsletter, News from ICSID, which includes information on current activities of the ICSID Secretariat and on disputes pending before the Centre.
II. ARTICLES AND BOOKS


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III. DECISIONS

Decisions rendered in a number of ICSID proceedings have been published by ICSID (when the Centre has received the consent of the parties for such publication) and/or by sources other than ICSID. The following are the cases where decisions, or extracts from decisions, have been published. In some cases, there have been national court decisions relating to ICSID, and these are also indicated.

*AGIP SpA v. Government of the People’s Republic of the Congo (ICSID Case No. ARB/77/1)*


*S.A.R.L. Benvenuti & Bonfant v. Government of the People’s Republic of the Congo (ICSID Case No. ARB/77/2)*


*Amco Asia Corp., Pan American Development, Ltd. and P.T. Amco Indonesia v. Republic of Indonesia (ICSID Case No. ARB/81/1)*


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Atlantic Triton Co. Ltd. v. People’s Revolutionary Republic of Guinea (ICSID Case No. ARB/84/1)


**Maritime International Nominees Establishment v. Government of the Republic of Guinea (ICSID Case No. ARB/84/4)**


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ICSID

SEAT:
1818 H Street, N.W.
Washington, D.C. 20433, U.S.A.

Telephone: (202) 477–1234
Cable Address: ICSID