

Special Features and Services of ICSID

Established in 1966 by the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (the ICSID Convention), ICSID is the only global institution dedicated to international investment dispute settlement.

Through its specialized rules of procedure, world-class facilities, and expert legal and administrative support, ICSID provides unparalleled dispute resolution services to States and investors. Since the first case was registered with ICSID in 1972, the majority of all known international investment disputes have been administered by ICSID.

SPECIAL FEATURES

ICSID is a unique facility that offers a number of advantages to parties.

CHOICE OF RULES

ICSID's rules of procedure—which can only be used at ICSID—carefully balance the interests of investors and host States. ICSID is also the only institution that administers cases under all of the major sets of rules offered for investment arbitration and conciliation (i.e. the ICSID Convention and Rules, ICSID Additional Facility Rules, UNCITRAL Arbitration Rules and ad hoc procedures).

A SELF-CONTAINED SYSTEM

ICSID proceedings are delocalized from domestic procedures and local courts do not intervene in the ICSID process. Participants in cases governed by the ICSID Convention also enjoy immunity from legal process in the conduct of the proceedings.

EFFECTIVE ENFORCEMENT MECHANISM

The ICSID Convention has a specialized and simplified enforcement mechanism, which saves significant time and money, and ensures predictability. An award rendered under the ICSID Convention is enforceable as if it were a final judgment of the courts in every ICSID Member State. Awards rendered under other rules are enforceable under the 1958 Convention on the Recognition and Enforcement of Foreign Arbitral Awards, known as the New York Convention, which envisages a review/set aside process in local courts.

CASE ADMINISTRATION

ICSID provides comprehensive administrative services to parties with the most affordable and transparent fee structure.

HIGHLY EXPERIENCED CASE TEAMS

ICSID has 70 staff specialized in investment dispute settlement from over 28 States. Many staff are fluent in two or all three of the Centre's official languages—English, French and Spanish—and are also proficient in many other languages.

LOGISTICAL SUPPORT

ICSID provides the Tribunal and parties with superior logistical support for the organization of hearings, sessions, telephone and video conferences and meeting rooms. ICSID also has a wide network of experienced court reporters, translators, interpreters and other service providers and makes the appropriate arrangements, taking into account the specific requirements of each case after consulting the parties and the Tribunal.

FINANCIAL MANAGEMENT

ICSID's dedicated Financial Team manages the finances of cases. Funds are held in an interest-bearing escrow account managed securely and at no cost by the World Bank Treasury.

GLOBAL HEARING FACILITIES

ICSID offers state-of-the-art hearing and meeting facilities at no rental charge for ICSID administered cases. Dedicated hearing facilities in Washington, D.C., and Paris offer first-class technology and full-time technical support. In addition, ICSID hearings can take place anywhere in the world through the network of 138 World Bank offices. ICSID has also developed partnerships with numerous arbitration institutions (23 to date) to complement its ability to offer hearings facilities around the world.

INFORMATION TECHNOLOGY AND ARCHIVING

ICSID hosts a webpage for each case on its website and posts real-time listings of procedural steps, and relevant case materials. A full-time archivist ensures ICSID case files are accurately maintained and, upon completion, are stored in the archives of the Centre so that a full copy remains available for future reference of the parties

OTHER SERVICES

In addition to case administration services and facilities, ICSID provides a wide-range of services in relation to investment disputes and international investment law.

APPOINTING AUTHORITY

Parties in international investment agreements or disputing parties in investment proceedings may designate the Secretary-General as an authority to appoint arbitrators, conciliators and mediators; or decide a proposal to disqualify an arbitrator in proceedings not conducted under the ICSID Convention or the ICSID Additional Facility Rules.

CONSOLIDATING AUTHORITY

Parties in international investment agreements or disputing parties in investment proceedings may designate the Secretary-General to act as a Consolidating Authority for the consolidation of claims.

ALTERNATIVE DISPUTE RESOLUTION MECHANISMS

In addition to the arbitration and conciliation procedures provided by the ICSID Convention and Rules, disputing parties may select other alternative dispute resolution (ADR) mechanisms, such as early neutral evaluation, facilitated negotiation and mediation. The services offered by ICSID in ADR proceedings are at the discretion of the parties, and may range from limited assistance with the organization of mediation sessions and management of the proceeding finances to full secretariat services in the administration of the case concerned.

REGISTRY FOR INVESTMENT TREATIES AND FREE TRADE AGREEMENTS

ICSID is available to act as an administrative registry or Secretariat for investment treaties and free trade agreements. For example, ICSID has been selected as the Secretariat for the investment dispute resolution mechanism under the Comprehensive Economic and Trade Agreement between Canada and the European Union, as well as the European Union Free Trade Agreements with Singapore, Vietnam and Mexico.

TECHNICAL ASSISTANCE

ICSID has an established track record as a provider of technical assistance in investment law matters, reflecting its established expertise and involvement in this field. ICSID provides specialized training for practitioners, lawyers, arbitrators, students, State officials and the wider public. Complementary to its technical assistance is ICSID's extensive publications program.

Arbitration Services under UNCITRAL and other Non-ICSID Procedural Rules

ICSID provides a variety of services to parties and Tribunals in cases governed by the United Nations Commission on International Trade Law's Arbitration Rules (UNCITRAL Arbitration Rules) and other non-ICSID investor-State arbitration rules. These range from full-service secretariat support to more limited assistance with the organization of hearings and management of case finances.

SERVICES IN DETAIL

Parties and Tribunals may select from all or some of the following services offered by the ICSID Secretariat.

CASE MANAGEMENT TEAMS

ICSID Legal Counsel is available to serve as the Secretary to the Tribunal, offering a wide range of support and expertise. The Secretary is joined by paralegals and legal assistants who assist the parties and the Tribunal throughout the process.

LOGISTICAL SUPPORT

ICSID provides comprehensive support for the organization of hearings, sessions, telephone and video conferences and meeting rooms to the Tribunal and the parties. ICSID also has access to a wide network of experienced court reporters, translators, interpreters and other service providers.

FINANCIAL MANAGEMENT

ICSID is available to manage the finances in cases under non-ICSID procedural rules. The Parties' advances are held in an interest-bearing account, and ICSID handles all payments to arbitrators and service providers. Detailed interim financial statements can be provided to the parties at any time. At the conclusion of the case, interest accrued is returned to the parties in the proportion in which they contributed the funds.

HEARING FACILITIES

ICSID has a full-service hearing centre in Washington, D.C. with three large hearing rooms and eight breakout and deliberation rooms. Parties that request ICSID's full case administration may also use the World Bank Group's conference center in Paris, France, or any of the Bank's offices in 138 countries.

APPOINTING AUTHORITY

The Secretary-General of ICSID may be requested to act as the appointing authority in cases under non-ICSID procedural rules. As the Appointing Authority, the Secretary-General will assist the parties with the appointment of arbitrators and in deciding challenges to arbitrators.

FEE STRUCTURE

As a not-for-profit institution, ICSID is able to provide the most cost-effective and transparent fee structure to users.

FULL-SERVICE CASE ADMINISTRATION

ICSID charges a flat annual fee of US\$42,000 for its full administrative service, which includes all of the services described above.

APPOINTING AUTHORITY

For cases that are not administered by ICSID, a fee of US\$10,000 is charged per requested appointment or determination of a challenge.

FACILITIES

ICSID's hearing facility in Washington, D.C. is available to parties in non-ICSID investor-State cases at competitive daily rates. ICSID can also organize access to top-tier court reporters, interpreters, and translators.

ICSID Hearing Facilities

ICSID offers a first-class hearing centre at its offices in Washington, D.C., and has a global network of facilities through the World Bank Group and with other dispute settlement institutions. The result is that parties to ICSID proceedings have access to secure and modern options no matter where they choose to hold their hearings.

ICSID's hearing facilities are included at no extra charge in cases administered by ICSID. They are also available in non-ICSID cases upon request.

Washington, D.C.

Located in the heart of Washington, D.C., ICSID's hearing centre is specifically designed with dispute settlement hearings in mind. The centre has three dedicated hearing rooms, six breakout rooms for parties, and two deliberation rooms for tribunals.

Features include:

- State-of-the-art video conferencing, projection, interpretation, recording, sound, and webcasting equipment
- Large plasma-screen monitors and individual monitors for arbitrators and parties
- Multi-language live streaming for public hearings
- Dedicated professionals to manage all technical aspects of each hearing
- Sound-proof interpretation booths with multi-language capacity (up to 7 languages at a time)
- Reception, common areas and library
- On-site catering and a wide-range of dining options in the vicinity



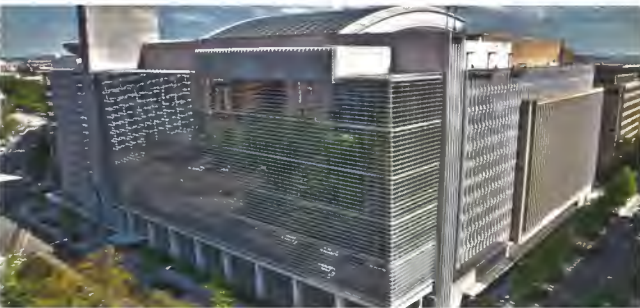
Paris, France

Parties may also elect to use the facilities at the World Bank Conference Center in Paris, France. Featuring three hearing rooms, the Paris facility can accommodate hearings of any size and technical complexity.



World Bank Group Offices

ICSID is also able to organize hearings at the World Bank Group's offices in 138 countries, all of which benefit from high levels of efficiency, security and IT support.



Cooperation Agreements

ICSID enters into cooperation agreements with dispute settlement institutions that provide for the possibility of holding ICSID hearings at their facilities.



Current Cooperation Agreements

- Australian Commercial Disputes Centre
- Australian Centre for International Commercial Arbitration
- British Virgin Islands International Arbitration Centre
- Cairo Regional Centre for International Commercial Arbitration
- Casablanca International Mediation and Arbitration Centre
- Center for Arbitration and Conciliation of the Bogota Chamber of Commerce
- China International Economic and Trade Arbitration Commission
- Court of Arbitration of the Official Chamber of Commerce, Industry and Services of Madrid
- Dublin Dispute Resolution Centre
- German Institution of Arbitration (Köln)
- Gulf Cooperation Council Commercial Arbitration Centre
- Hong Kong International Arbitration Centre
- International Centre for Dispute Resolution (New York)
- International Chamber of Commerce (Paris)
- Kigali International Arbitration Centre
- Kuala Lumpur Regional Centre for Arbitration
- Maxwell Chambers (Singapore)
- Permanent Court of Arbitration (The Hague)
- Qatar International Court and Dispute Resolution Centre
- Regional Centre for International Commercial Arbitration (Lagos)
- Seoul International Dispute Resolution Center
- Shenzhen Court of International Arbitration