



Institute for
TRANSNATIONAL
ARBITRATION

The Institute for Transnational Arbitration
A Division of THE CENTER FOR AMERICAN AND INTERNATIONAL LAW

SCOREBOARD
OF ADHERENCE TO TRANSNATIONAL ARBITRATION TREATIES
(as of September 4, 2018)

ABBREVIATIONS

NY United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards (commonly, 1958 New York Convention)
ICSID Convention on the Settlement of Investment Disputes (1965)
MIGA Convention Establishing the Multilateral Investment Guarantee Agency (1985)
IA Inter-American Convention on International Commercial Arbitration (commonly, Panama Convention of 1975)
USBIT United States Bilateral Investment Treaty
USFTA United States Free Trade Agreement
OPIC Agreements supporting programs of the Overseas Private Investment Corp.

SYMBOLS

S Signed, but not ratified
R Ratified, acceded or succeeded
A Subscribed, but not signed, ratified or paid
(*) Capital-exporting country under MIGA
N/A Not applicable

CHANGES FROM PREVIOUS ISSUE

NY None.
ICSID None.
MIGA None.
IA None.
USBIT None.
USFTA None.
OPIC None.

| NATION | NY ¹ | ICSID ² | MIGA ³ | IA | USBIT | USFTA ⁴ | OPIC ⁵ |
|-------------------------------------|-----------------|--------------------|-------------------|----|-------|--------------------------------|-------------------|
| Afghanistan | R | R | R | | | | R |
| Albania | R | R | R | | R | | R |
| Algeria | R | R | R | | | | R |
| Andorra | R | | | | | | |
| Angola | R | | R | | | | R |
| Antigua and Barbuda | R | | R | | | | R |
| Argentina | R | R | R | R | R | | R |
| Armenia | R | R | R | | R | | R |
| Australia | R | R | R* | | | R/S ¹⁹ | |
| Austria | R | R | R* | | | | |
| Azerbaijan | R | R | R | | R | | R |
| Bahamas | R | R | R | | | | R |
| Bahrain | R | R | R | | R | | R |
| Bangladesh | R | R | R | | R | | R |
| Barbados | R | R | R | | | | R |
| Belarus | R | R | R | | S | | R |
| Belgium | R | R | R* | | | | |
| Belize | | S | R | | | | R |
| Benin | R | R | R | | | | R |
| Bhutan | | | R | | | | |
| Bolivia ⁶ | R | | R | R | R | | R |
| Bosnia and Herzegovina ⁷ | R | R | R | | | | R |
| Botswana | R | R | R | | | | R |
| Brazil | R | | R | R | | | R |
| Brunei Darussalam | R | R | | | | S ¹⁹ | |
| Bulgaria | R | R | R | | R | | R |
| Burkina Faso | R | R | R | | | | R |
| Burundi | R | R | R | | | | R |
| Cambodia | R | R | R | | | | R |
| Cameroon | R | R | R | | R | | R |
| Canada | R | R | R* | | | R ⁸ S ¹⁹ | |

| NATION | NY ¹ | ICSID ² | MIGA ³ | IA | USBIT | USFTA ⁴ | OPIC ⁵ |
|--|-----------------|--------------------|-------------------|----|-------|--------------------|-------------------|
| Cape Verde | R | R | R | | | | R |
| Central African Republic | R | R | R | | | | R |
| Chad | | R | R | | | | R |
| Chile | R | R | R | R | | R/S ⁹ | R |
| China (People's Republic) ⁹ | R | R | R | | | | |
| Colombia | R | R | R | R | | R | R |
| Comoros | R | R | R | | | | R |
| Congo | | R | R | | R | | R |
| Congo (Democratic Republic of) | | R | R | | R | | R |
| Cook Islands | R | | | | | | R |
| Costa Rica | R | R | R | R | | R ¹⁰ | R |
| Côte d'Ivoire | R | R | R | | | | R |
| Croatia ⁷ | R | R | R | | R | | R |
| Cuba | R | | | | | | |
| Cyprus | R | R | R | | | | R |
| Czech Republic | R | R | R* | | R | | R |
| Denmark ¹¹ | R | R | R* | | | | |
| Djibouti | R | | R | | | | R |
| Dominica | R | | R | | | | R |
| Dominican Republic | R | S | R | R | | R ¹⁰ | R |
| Ecuador | R | | R | R | R | | R |
| Egypt | R | R | R | | R | | R |
| El Salvador | R | R | R | R | S | R ¹⁰ | R |
| Equatorial Guinea | | | R | | | | R |
| Eritrea | | | R | | | | R |
| Estonia | R | R | R | | R | | R |
| Ethiopia | | S | R | | | | R |
| Fiji | R | R | R | | | | R |
| Finland | R | R | R* | | | | |
| France ¹² | R | R | R* | | | | |
| Gabon | R | R | R | | | | R |
| Gambia | | R | R | | | | R |
| Georgia | R | R | R | | R | | R |
| Germany | R | R | R* | | | | |
| Ghana | R | R | R | | | | R |
| Greece | R | R | R* | | | | R |
| Grenada | | R | R | | R | | R |
| Guatemala | R | R | R | R | | R ¹⁰ | R |
| Guinea | R | R | R | | | | R |
| Guinea-Bissau | | S | R | | | | R |
| Guyana | | R | R | | | | R |
| Haiti | R | R | R | | S | | R |
| Holy See (Vatican City) | R | | | | | | |
| Honduras | R | R | R | R | R | R ¹⁰ | R |
| Hungary | R | R | R | | | | R |
| Iceland | R | R | R* | | | | |
| India | R | | R | | | | R |
| Indonesia | R | R | R | | | | R |
| Iran | R | | R | | | | |
| Iraq | R | | R | | | | R |
| Ireland | R | R | R* | | | | R |
| Israel | R | R | R | | | | R |
| Italy | R | R | R* | | | | |
| Jamaica | R | R | R | | R | | R |
| Japan | R | R | R* | | | S ¹⁰ | |
| Jordan | R | R | R | | R | | R |
| Kazakhstan | R | R | R | | R | | R |
| Kenya | R | R | R | | | | R |
| Kiribati | | | | | | | R |
| Korea (North) | | | | | | | |

| NATION | NY ¹ | ICSID ² | MIGA ³ | IA | USBIT | USFTA ⁴ | OPIC ⁵ |
|---|-----------------|--------------------|-------------------|----|-------|----------------------------------|-------------------|
| Korea (Republic) (South) | R | R | R | | | R | R |
| Kosovo | | R | R | | | | R |
| Kuwait | R | R | R | | | | R |
| Kyrgyzstan | R | S | R | | R | | R |
| Lao People's Democratic Republic | R | | R | | | | R |
| Latvia | R | R | R | | R | | R |
| Lebanon | R | R | R | | | | R |
| Lesotho | R | R | R | | | | R |
| Liberia | R | R | R | | | | R |
| Libyan Arab Jamahiriya | | | R | | | | |
| Liechtenstein | R | | | | | | |
| Lithuania | R | R | R | | R | | R |
| Luxembourg | R | R | R* | | | | |
| Macedonia, Former Yugoslav Republic of ⁷ | R | R | R | | | | R |
| Madagascar | R | R | R | | | | R |
| Malawi | | R | R | | | | R |
| Malaysia | R | R | R | | | S ¹⁹ | R |
| Maldives | | | R | | | | R |
| Mali | R | R | R | | | | R |
| Malta | R | R | R | | | | R |
| Marshall Islands | R | | | | | | R |
| Mauritania | R | R | R | | | | R |
| Mauritius | R | R | R | | | | R |
| Mexico | R | S | R | R | | R ² /S ¹⁹ | R |
| Micronesia | | R | R | | | | R |
| Moldova | R | R | R | | R | | R |
| Monaco | R | | | | | | |
| Mongolia | R | R | R | | R | | R |
| Montenegro | R | S | R | | | | R |
| Morocco | R | R | R | | R | R | R |
| Mozambique | R | R | R | | R | | R |
| Myanmar (Burma) | R | | R | | | | R |
| Namibia | | S | R | | | | R |
| Nauru | R | S | | | | | |
| Nepal | R | R | R | | | | R |
| Netherlands ¹² | R | R | R* | | | | |
| New Zealand ¹⁴ | R | R | R | | | S ¹⁹ | |
| Nicaragua | R | R | R | R | S | R ¹⁰ | R |
| Niger | R | R | R | | | | R |
| Nigeria | R | R | R | | | | R |
| Norway | R | R | R* | | | | |
| Oman | R | R | R | | | R | R |
| Pakistan | R | R | R | | | | R |
| Palau | | | R | | | | R |
| Panama | R | R | R | R | R | R | R |
| Papua New Guinea | | R | R | | | | R |
| Paraguay | R | R | R | R | | | R |
| Peru | R | R | R | R | | R ¹⁹ /S ¹⁹ | R |
| Philippines | R | R | R | | | | R |
| Poland | R | | R | | R | | R |
| Portugal | R | R | R* | | | | R |
| Qatar | R | R | R | | | | |
| Romania | R | R | R | | R | | R |
| Russian Federation | R | S | R | | S | | R |
| Rwanda | A | R | R | | R | | R |
| Saint Kitts and Nevis | | R | R | | | | R |
| Saint Lucia | | R | R | | | | R |
| St. Vincent and the Grenadines | R | R | R | | | | R |
| Samoa | | R | R | | | | R |
| San Marino | R | S | | | | | |

| NATION | NY ¹ | ICSID ² | MIGA ³ | IA | USBIT | USFTA ⁴ | OPIC ⁵ |
|--|-----------------|--------------------|-------------------|----|-------|--------------------|-------------------|
| Sao Tome and Principe | R | S | S | | | | R |
| Saudi Arabia | R | R | R | | | | |
| Senegal | R | R | R | | R | | R |
| Serbia ⁷ | R | R | R | | | | R |
| Seychelles | | R | R | | | | R |
| Sierra Leone | | R | R | | | | R |
| Singapore | R | R | R | | | R | R |
| Slovakia | R | R | R | | R | | R |
| Slovenia ⁷ | | R | R* | | | | R |
| Solomon Islands | | R | R | | | | |
| Somalia | | R | | | | | R |
| South Africa | R | | R | | | | R |
| South Sudan | | | R | | | | R |
| Spain | R | R | R* | | | | |
| Sri Lanka | R | R | R | | R | | R |
| Sudan | R | R | R | | | | |
| Suriname | | | R | | | | R |
| Swaziland | | R | R | | | | R |
| Sweden | R | R | R* | | | | |
| Switzerland | R | R | R* | | | | |
| Syrian Arab Republic | R | R | R | | | | |
| Taiwan | | | | | | | R |
| Tajikistan | R | | R | | | | R |
| Tanzania | R | R | R | | | | R |
| Thailand | R | S | R | | | | R |
| Timor Leste | | R | R | | | | R |
| Togo | | R | R | | | | R |
| Tonga | | R | | | | | R |
| Trinidad and Tobago | R | R | R | | R | | R |
| Tunisia | R | R | R | | R | | R |
| Turkey | R | R | R | | R | | R |
| Turkmenistan | | R | R | | | | R |
| Tuvalu | | | | | | | |
| Uganda | R | R | R | | | | R |
| Ukraine | R | R | R | | R | | R |
| United Arab Emirates | R | R | R | | | | |
| United Kingdom ¹⁵ | R | R | R* | | | | |
| United States of America ¹⁶ | R | R | R* | R | N/A | N/A | |
| Uruguay | R | R | R | R | R | | R |
| Uzbekistan | R | R | R | | S | | R |
| Vanuatu | | | R | | | | |
| Venezuela | R | | R | R | | | R |
| Vietnam | R | | R | | | | R |
| West Bank and Gaza ¹⁷ | | | | | | | R |
| Yemen | | R | R | | | | R |
| Zambia | R | R | R | | | | R |
| Zimbabwe | R | R | R | | | | R |

Notes: (1) Extends to metropolitan and overseas constituent territorial subdivisions but not to overseas dependent territories. Consult UNCITRAL for definitive status. Under Art. I(3), 74 States have entered a "reciprocity reservation". With regard to awards made in the territory of non-contracting States, 9 States have entered a "reciprocal treatment" reservation, and 46 States have entered a "commercial reservation". (2) Extends to metropolitan and overseas constituent territorial subdivisions and to overseas dependent territories unless specifically excluded. (3) Extends to metropolitan and overseas constituent territorial subdivisions and to overseas dependent territories. www.miga.org/whowere/index.cfm?stid=1789 (4) The free trade agreements listed are those signed by the U.S. with a chapter on investments. They are bilateral unless indicated otherwise. (5) Countries where OPIC programs are generally available will be listed as ratified. At times, statutory and policy constraints, such as Congressionally required certifications on labor practices, may limit the availability of OPIC programs in various countries. Under agreements with certain countries, the host government may be required to approve OPIC assistance for a project. www.opic.gov/doing-business-us/OPIC-policies/where-we-operate (6) The Government of the Republic of Bolivia signed the ICSID Convention on May 3, 1991 and deposited its instrument of ratification on June 23, 1995. The Convention entered into force for Bolivia on July 23, 1995. On May 2, 2007, the depositary received a written notice of Bolivia's denunciation of the Convention. In accordance with Article 71 of the Convention, the denunciation took effect six months after the receipt of Bolivia's notice, i.e., on November 3, 2007. The Government of Bolivia delivered notice to the United States on June 10, 2011, that it was terminating the "Treaty Between the Government of the United States of America and the Government of the Republic of Bolivia Concerning the Encouragement and Reciprocal Protection of Investment." As of June 10, 2012 (the date of termination), the treaty ceases to have effect, except that it continues to apply for another 10 years to covered investments existing at the time of termination. (7) As of 4 February 2003, The Federal Republic of Yugoslavia has changed its name to "Serbia and Montenegro." Montenegro declared itself independent from Serbia on June 3, 2006. Bosnia & Herzegovina, Croatia, the Former

Yugoslav Republic of Macedonia, and Slovenia are separated successor states to parts of the former Yugoslavia and have succeeded to the NY, MIGA, ratified by the former Yugoslavia, is considered by MIGA as ratified by Serbia & Montenegro and by the aforementioned four separated successor states. OPIC programs are available in the four separated states. (8) Included in the North American Free Trade Agreement among the United States, Canada and Mexico. (9) NY and MIGA: includes Hong Kong Special Administrative Region. (10) Included in the Dominican Republic - Central America - United States Free Trade Agreement. (11) NY: includes Faeroe Islands and Greenland. (12) NY: includes, inter alia, French Guiana, French Polynesia, Guadeloupe, Martinique, Mayotte, New Caledonia, Réunion, and St. Pierre and Miquelon. OPIC programs available in French Guiana. (13) NY: includes Aruba and Netherlands Antilles. OPIC programs are available in Aruba and Netherlands Antilles. (14) ICSID: excludes Cook Islands, Niue and Tokelau. (15) NY: includes Bermuda, Cayman Islands, Gibraltar, Guernsey, Isle of Man, and British Virgin Islands. ICSID: excludes British Indian Ocean Territory, Pitcairn Islands, British Antarctic Territory and Sovereign Base Areas of Cyprus. ICSID: continues to include Hong Kong Special Administrative Region. OPIC programs available in Northern Ireland, Anguilla and Turks and Caicos. (16) NY: includes, inter alia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico and U.S. Virgin Islands. (17) West Bank and Gaza are not recognized as states by the United States. (18) United States - Peru Trade Promotion Agreement. (19) Trans-Pacific Partnership signed on February 4, 2016.

SOURCES:

This issue was compiled by Co-Editors Elina Mereminskaya and Monique Sasson of The Institute for Transnational Arbitration based on the following sources: United Nations; ICSID; MIGA; Organization of American States; OPIC; and the Office of the United States Trade Representative. The Scoreboard is designed to be a convenient reference, but is not intended to be relied on as legal advice. Please consult the sources directly to confirm the status of any particular ratifications, reservations, changes, special conditions or new developments. Copyright 2014, The Center for American and International Law.