



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 17 December 2019)

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)
IA	Inter-American Convention on International Commercial Arbitration (commonly, Panama Convention) (1975)
USBIT	United States Bilateral Investment Treaty
TIP	US Treaties with Investment Protection Provisions
ECT	Energy Charter Treaty (1998)
MC	United Nations Convention on Transparency in Treaty-based Investor-State Arbitration (commonly, Mauritius Convention) (2017)

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	Updated.
ICSID	Updated.
IA	None.
USBIT	Updated.
ECT	Introduced.
MC	Introduced.
TIP	Introduced.
OPIC	Removed.
MIGA	Removed.

NATION	NY ¹	ICSID ²	ECT ³	IA	USBIT	TIP ⁴	MC
Afghanistan	R	R	R			R	
Albania	R	R	R		R		
Algeria	R	R				S	
Andorra	R						
Angola	R					S	
Antigua and Barbuda	R					R ²³	
Argentina	R	R		R	R	R	
Armenia	R	R	R		R	S	
Australia	R	R	S			R / S ¹⁹	
Austria	R	R	R				
Azerbaijan	R	R	R		R		
Bahamas	R	R				R ²³	
Bahrain	R	R			R	R / S ²⁴	
Bangladesh	R	R			R		
Barbados	R	R				R ²³	
Belarus	R	R	S ²⁰		S		
Belgium	R	R	R				
Belize		S				R ²³	
Benin	R	R				S ²² / R ²⁹	
Bhutan	R						
Bolivia ⁶	R			R		S ³¹	
Bosnia and Herzegovina ⁷	R	R	R				
Botswana	R	R				R ²⁶	
Brazil	R			R		R	
Brunei Darussalam	R	R				R / R ²⁷ /S ¹⁹	
Bulgaria	R	R	R		R		
Burkina Faso	R	R				S ²² / R ²⁹	
Burundi	R	R				R ²⁵ / R ³⁰	
Cambodia	R	R				R / R ²⁷	
Cameroon	R	R			R		R
Canada	R	R				R ⁸ / S ¹⁹ /S ²¹	R

Cape Verde	R	R				S ²²	
Central African Republic	R	R					
Chad		R					
Chile	R	R		R		R / S ¹⁹	
China (People's Republic) ⁹	R	R					
Colombia	R	R		R		R / S ³¹	
Comoros	R	R				R ³⁰	
Congo		R			R		
Congo (Democratic Republic of)		R			R	R ³⁰	
Cook Islands	R						
Costa Rica	R	R		R		R ¹⁰	
Côte d'Ivoire	R	R				S ²² / R ²⁹	
Croatia ⁷	R	R	R		R		
Cuba	R						
Cyprus	R	R	R				
Czech Republic	R	R	R		R		
Denmark ¹¹	R	R	R				
Djibouti	R	S				R ³⁰	
Dominica	R					R ²³	
Dominican Republic	R	S		R		R ¹⁰	
Ecuador	R			R		S ³¹	
Egypt	R	R			R	R / R ³⁰	
El Salvador	R	R		R	S	R ¹⁰	
Equatorial Guinea							
Eritrea						R ³⁰	
Estonia	R	R	R		R		
Eswatini		R				R ²⁶ / R ³⁰	
Ethiopia		S				R ³⁰	
Fiji	R	R					
Finland	R	R	R				
France ¹²	R	R	R				
Gabon	R	R					
Gambia		R				S ²²	R
Georgia	R	R	R		R	R	
Germany	R	R	R				
Ghana	R	R				R / S ²²	
Greece	R	R	R				
Grenada		R			R	R ²³	
Guatemala	R	R		R		R ¹⁰	
Guinea	R	R				S ²²	
Guinea-Bissau		S				S ²² / R ²⁹	
Guyana	R	R				R ²³	
Haiti	R	R			S	R ²³	
Holy See (Vatican City)	R						
Honduras	R	R		R	R	R ¹⁰	
Hungary	R	R	R				
Iceland	R	R	R			S	
India	R						
Indonesia	R	R				R ²⁷	
Iran	R						
Iraq		R				S	
Ireland	R	R	R				
Israel	R	R				R	
Italy	R	R					
Jamaica	R	R			R	R ²³	
Japan	R	R	R			S ¹⁹	
Jordan	R	R	R		R	R	
Kazakhstan	R	R	R		R	R ²⁸	
Kenya	R	R				R ²⁵ / R ³⁰	

Kiribati							
Korea (Republic) (South)	R	R				R	
Kosovo		R					
Kuwait	R	R				S / S ²⁴	
Kyrgyzstan	R	S	R		R	R ²⁸	
Lao People's Democratic Republic	R					R / R ²⁷	
Latvia	R	R	R		R		
Lebanon	R	R				S	
Lesotho	R	R				R ²⁶	
Liberia	R	R				R/S ²²	
Libyan Arab Jamahiriya						S / R ³⁰	
Liechtenstein	R		R				
Lithuania	R	R	R		R		
Luxembourg	R	R	R				
Madagascar	R	R				R ³⁰	
Malawi		R				R ³⁰	
Malaysia	R	R				R / R ²⁷ / S ¹⁹	
Maldives	R					R	
Mali	R	R				S ²² / R ²⁹	
Malta	R	R	R				
Marshall Islands	R						
Mauritania	R	R					
Mauritius	R	R				R / R ³⁰	R
Mexico	R	R		R		R ⁸ /S ¹⁹ /S ²¹	
Micronesia		R					
Moldova	R	R	R		R		
Monaco	R						
Mongolia	R	R	R		R	R	
Montenegro	R	R	R				
Morocco	R	R			R	R	
Mozambique	R	R			R	R	
Myanmar (Burma)	R					S / R ²⁷	
Namibia		S				R ²⁶	
Nauru		R					
Nepal	R	R					
Netherlands ¹³	R	R	R				
New Zealand ¹⁴	R	R				R / S ¹⁹	
Nicaragua	R	R		R	S	R ¹⁰	
Niger	R	R				S ²² / R ²⁹	
Nigeria	R	R				R	
North Macedonia ⁷	R	R	R				
Norway	R	R	S				
Oman	R	R				R / S ²⁴	
Pakistan	R	R					
Palau							
Panama	R	R		R	R	R	
Papua New Guinea	R	R					
Paraguay	R	R		R		S	
Peru	R	R		R		R / R ¹⁸ /S ¹⁹ / S ³¹	
Philippines	R	R					
Poland	R		R		R	R ²⁷	
Portugal	R	R	R				
Qatar	R	R				S / S ²⁴	
Romania	R	R	R		R		
Russian Federation	R	S	S		S		
Rwanda	R	R			R	R / R ²⁵	
Saint Kitts and Nevis		R				R ²³	
Saint Lucia		R				R ²³	
St. Vincent and the Grenadines	R	R				R ²³	

Samoa		R					
San Marino	R	R					
Sao Tome and Principe	R	R					
Saudi Arabia	R	R				R / S ²⁴	
Senegal	R	R		R		S ²² / R ²⁹	
Serbia ⁷	R	R					
Seychelles	R	R				R ³⁰	
Sierra Leone		R				S ²²	
Singapore	R	R				R / R ²⁷	
Slovakia	R	R	R		R		
Slovenia ⁷	R	R	R				
Solomon Islands		R					
Somalia		R				R ³⁰	
South Africa	R					R / R ²⁶	
South Sudan		R				R ²⁵	
Spain	R	R	R				
Sri Lanka	R	R			R	R	
Sudan	R	R				R ³⁰	
Suriname						R ²³	
Sweden	R	R	R				
Switzerland	R	R	R			R	R
Syrian Arab Republic	R	R					
Taiwan							
Tajikistan	R		R			R ²⁸	
Tanzania	R	R				R ²⁵	
Thailand	R	S				R / R ²⁷	
Timor Leste		R					
Togo		R				S ²² / R ²⁹	
Tonga		R					
Trinidad and Tobago	R	R			R	R ²³	
Tunisia	R	R			R	R ³⁰	
Turkey	R	R	R		R	S	
Turkmenistan		R	R			R ²⁸	
Tuvalu							
Uganda	R	R				R ²⁵ / R ³⁰	
Ukraine	R	R	R		R	S	
United Arab Emirates	R	R				S / S ²⁴	
United Kingdom ¹⁵	R	R	R				
United States of America ¹⁶	R	R		R	N/A	N/A	
Uruguay	R	R		R	R	R	
Uzbekistan	R	R	R		S	R ²⁸	
Vanuatu							
Venezuela	R			R			
Vietnam	R					R / S ¹⁹ / R ²⁷	
West Bank and Gaza ¹⁷	R						
Yemen		R	R			R	
Zambia	R	R				R ³⁰	
Zimbabwe	R	R				R ³⁰	

Notes: (1) Extends to metropolitan and overseas constituent territorial subdivisions but not to overseas dependent territories. Consult UNCITRAL for definitive status, as well as for the reservations to the Convention. (2) Extends to metropolitan and overseas constituent territorial subdivisions and to overseas dependent territories unless specifically excluded. (3) 1991 European Energy Charter was signed by the US. European Union and EURATOM have ratified the ECT. (4) Treaties signed or ratified by the US with provisions on investments. (5) See also 2014 UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration. (6) ICSID Convention entered into force for Bolivia on July 23, 1995. On May 2, 2007, Bolivia denounced the ICSID Convention, with effect 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. The Former Yugoslav Republic of Macedonia changed its name to the Republic of North Macedonia on 12 February 2019. (8) Included in the North American Free Trade Agreement among the United States, Canada and Mexico. (9) NY: 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. (13) NY: includes Aruba and Netherlands Antilles. (14) ICSID Convention: excludes Cook Islands, Niue and Tokelau. (15) NY: includes Bermuda, Cayman Islands, Gibraltar, Guernsey, Isle of Man, and British Virgin Islands. ICSID Convention: excludes British Indian Ocean Territory,

Pitcairn Islands, British Antarctic Territory and Sovereign Base Areas of Cyprus. ICSID Convention: continues to include Hong Kong Special Administrative Region. (16) NY: includes, inter alia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico and US 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. (20) The State has signed the ECT and it applies it provisionally, under Art. 45 of the ECT. (21) USMCA signed on November 30, 2018. (22) Economic Community of West African States (ECOWAS) – US Trade and Investment Framework Agreement ("TIFA") signed on August 5, 2014. (23) Caribbean Community (CARICOM) – US TIFA, in force on May 28, 2013. (24) Gulf Cooperation Council – US Framework Agreement signed on September 25, 2012. (25) East African Community – US TIFA, entered into force on July 16, 2008. (26) Southern African Customs Union – US TIFA, entered into force on July 16, 2008. (27) Association of South-East Asian Nations (ASEAN) – US TIFA, entered into force on August 25, 2006. (28) Central Asia – US TIFA, entered into force on June 1, 2004. (29) West African Economic and Monetary Union (WAEMU) – US TIFA, entered into force on April 24, 2002. (30) Common Market for Eastern and Southern Africa (COMESA) – US TIFA, entered into force on October 29, 2001. (31) Andean Community (ANCOM) – US Trade and Investment Council signed on October 30, 1998. SOURCES:

This issue was compiled by Co-Editors Crina Baltag and Monique Sasson of The Institute for Transnational Arbitration based on the following sources: United Nations; ICSID; UNCITRAL; Organization of American States; Energy Charter Secretariat; UNCTAD and the Office of the United States Trade Representative. The Scoreboard is designed to be a convenient reference and it 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 2019, The Center for American and International Law.