



NATION	NY <sup>1</sup>	ICSID <sup>2</sup>	MIGA <sup>3</sup>	IA	USBIT <sup>4</sup>	OPIC <sup>5</sup>
Congo (Democratic Republic of)		R	R		R	R
Cook Islands	R					R
Costa Rica	R	R	R	R		R
Côte d'Ivoire	R	R	R			R
Croatia <sup>7</sup>	R	R	R		R	R
Cuba	R					
Cyprus	R	R	R			R
Czech Republic	R	R	R*		R	R
Denmark <sup>9</sup>	R	R	R*			
Djibouti	R		R			R
Dominica	R		R			R
Dominican Republic	R	S	R	R		R
Ecuador	R		R	R	R	R
Egypt	R	R	R		R	R
El Salvador	R	R	R	R	S	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 <sup>10</sup>	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
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
Hungary	R	R	R			R
Iceland	R	R	R*			
India	R		R			R
Indonesia	R	R	R			R
Iran	R		R			
Iraq			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*			
Jordan	R	R	R		R	R
Kazakhstan	R	R	R		R	R
Kenya	R	R	R			R
Kiribati						R
Korea (North)						
Korea (Republic) (South)	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

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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 <sup>7</sup>	R	R	R			R
Madagascar	R	R	R			R
Malawi		R	R			R
Malaysia	R	R	R			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		R	R		R
Micronesia		R	R			R
Moldova	R	R	R		R	R
Monaco	R					
Mongolia	R	R	R		R	R
Montenegro	R		R			R
Morocco	R	R	R		R	R
Mozambique	R	R	R		R	R
Myanmar (Burma)						
Namibia		S	R			R
Nauru						
Nepal	R	R	R			R
Netherlands <sup>11</sup>	R	R	R*			
New Zealand <sup>12</sup>	R	R	A			
Nicaragua	R	R	R	R	S	R
Niger	R	R	S			R
Nigeria	R	R	R			R
Norway	R	R	R*			
Oman	R	R	R			R
Pakistan	R	R	R			R
Palau			R			R
Panama	R	R	R	R	R	R
Papua New Guinea		R	R			R
Paraguay	R	R	R	R		R
Peru	R	R	R	R		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		S	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					
Sao Tome and Principe		S	S			R
Saudi Arabia	R	R	R			

NATION	NY <sup>1</sup>	ICSID <sup>2</sup>	MIGA <sup>3</sup>	IA	USBIT <sup>4</sup>	OPIC <sup>5</sup>
Senegal	R	R	R		R	R
Serbia <sup>7</sup>	R	R	R			R
Seychelles		R	R			
Sierra Leone		R	R			R
Singapore	R	R	R			R
Slovakia	R	R	R		R	R
Slovenia <sup>7</sup>		R	R*			R
Solomon Islands		R	R			
Somalia		R				R
South Africa	R		R			R
Spain	R	R	R*			
Sri Lanka	R	R	R		R	R
Sudan		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
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 <sup>13</sup>	R	R	R*			
United States of America <sup>14</sup>	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 <sup>15</sup>						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 UN or ITA for definitive status. Under Art. I(3), 60 states have entered a "reciprocity reservation" (including 8 that will apply it to non-contracting states as well) and 37 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. (4) Chapter Eleven of the North American Free Trade Agreement (NAFTA) covers U.S. investment in Canada and Mexico. (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. (See also Notes 6, 9, 10, 11 and 12). (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. (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) NY and MIGA: includes Hong Kong Special Administrative Region. (See Note 12). (9) NY: includes Faeroe Islands and Greenland. (10) 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. (11) NY: includes Aruba and Netherlands Antilles. OPIC programs are available in Aruba and Netherlands Antilles. (12) ICSID: excludes Cook Islands, Niue and Tokelau. (13) NY: includes Bermuda, Cayman Islands, Gibraltar, Guernsey, and Isle of Man. 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. (14) NY: includes, inter alia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico and U.S. Virgin Islands. (15) West Bank and Gaza are not recognized as states by the United States.

#### SOURCES:

This issue was compiled by Editor Seem Maleh of the Institute for Transnational Arbitration, and Kathleen Amanda Zugsay (SMU intern) 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 2011, The Center for American and International Law (formerly The Southwestern Legal Foundation).