

Global Arbitration Review

# UCIA

Universal Citation in International Arbitration

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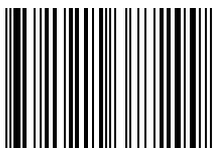
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# UCIA

## Universal Citation in International Arbitration



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## Editor's Preface

Welcome to Global Arbitration Review's *UCIA – Universal Citation in International Arbitration*. UCIA is intended to fill a long-standing void in our field: the lack of a definitive guide for legal citation in international arbitration. Historically, there has been wide-ranging inconsistency in how international arbitration lawyers, scholars, and students communicate important information about the evidence and authorities on which they rely. The situation is exacerbated because international arbitration is practised by lawyers who hail from different legal traditions – all with different systems of legal citation. This inconsistency has led to citation practices that are unclear, irregular, and unfamiliar, making life difficult for both the reader and the writer.

Lawyers have attempted to cope with this problem in different ways. Some have applied rules from domestic manuals on legal citation, such as *The Bluebook* and the *Oxford University Standard for the Citation of Legal Authorities* (OSCOLA). While these are excellent domestic manuals, they often do not reflect international arbitration practice (and are not intended to do so). Other lawyers – particularly practitioners and law firms who regularly practise in the field – have established their own rules on citation. And many arbitral institutions have done so as well. None of these efforts, however, has led to broader harmonisation.

The problem extends beyond international arbitration cases. Students studying international arbitration at law schools around the world are often asked to write briefs for their classes or for their moot competitions. Those of us who teach these students know all too well that they invariably ask: “Which citation format should I use?” The answer, regrettably, varies with who answers.

Despite this inconsistency, top practitioners in our field have started to follow a developing convention on style and citation. This developing trend is the product of a slow assimilation process: different practitioners and arbitrators bringing forward their own practices in case after case, learning alternative approaches from that process, and modifying their practices to fit expectations in future cases. Through this assimilation process, the beginnings of a convention on citation have slowly started to emerge. The rules in this manual reflect that developing convention.

UCIA is intended for use in all writings related to international arbitration – from memorials to awards, from scholarly articles to student briefs. Although drafted in English, UCIA can be applied in proceedings in other languages. To facilitate its use, we have attempted to draft UCIA in a simple and easy-to-understand manner, eschewing rules that are unnecessarily technical or nuanced. Woven throughout are examples, located in shaded boxes underneath the rules to which they relate, showing practical application of the rules. This common-sense approach is intended



to make UCIA more useful to practitioners from a wide range of backgrounds and legal cultures.

Tribunals that wish parties to follow UCIA can incorporate into their procedural orders the following clause:

The Parties shall follow the rules set forth in Global Arbitration Review's *UCIA – Universal Citation in International Arbitration* when citing to supporting materials, such as exhibits, witness statements, expert reports, and legal authorities.

UCIA is divided into seven chapters. Chapter 1, **General Notes**, covers general guidelines on citations, as well as citation rules for exhibits and authorities. Chapter 2, **Supporting Documentary Materials**, sets forth rules for citing contracts, witness statements, and correspondence. Chapter 3, **Arbitral Proceedings**, tackles citations to domestic laws on international arbitration, international arbitral rules, international arbitral awards, and hearing transcripts. Chapter 4, **Treaties and EU Law**, provides citation rules on international agreements and their *travaux préparatoires*. Chapter 5, **International Court Decisions**, covers citations to decisions from the International Court of Justice, the Court of Justice of the European Union, and the European Court of Human Rights. Chapter 6, **Domestic Legal Citations**, outlines rules for citations to domestic judicial decisions and legislation. Chapter 7, **Commentary**, provides citation rules for books and legal reviews commonly cited in international arbitration.

These seven chapters are followed by nine appendices. Appendices 1-7 are tables of abbreviations recommended for citations in international arbitration documents. Appendix 8 provides guidelines for filing documents in international arbitration proceedings. While these guidelines admittedly tread beyond the strict purpose of UCIA – which is to present a system of *citation* for evidence and authority – they closely relate to the citation rules. Members of the Advisory Board who work for arbitral institutions – and have seen their share of chaotic filings – were particularly supportive of these suggested guidelines to assist less experienced lawyers in the field. Appendix 9 is a “Quick Reference Guide”, which is a summary of the citation rules on which we expect users to most frequently rely.

Chapter 6, **Domestic Legal Citations**, merits further explanation. International arbitration practitioners routinely cite to court decisions and legislation from domestic jurisdictions that have their own systems of citation. Rather than proposing a uniform English-language format for all domestic legal citations, UCIA instead suggests that citations to domestic courts, laws, and other legal materials should follow the systems most commonly used in the jurisdiction of the cited source. To provide users with easy access to this information, we collected the principal citation rules from the domestic jurisdictions most commonly cited in international arbitration. The results are found in Chapter 6. We hope new jurisdictions will be added in future editions of this book and welcome corrections from users of UCIA for the jurisdictions covered in this edition.

This means that the specific domestic rules in Chapter 6 prevail over the general rules of UCIA to the contrary. One such example is when case names should include



an unpunctuated “v” or a punctuated “v”. Rule 1.10 states the general rule that a punctuated “v” should be used in case citations. Rule 6.1.4, however, states that citations to English court cases in international arbitrations will continue to use an unpunctuated “v”. Through rules like these, we have sought to codify the most widely-used general rules while recognising that some domestic citation practices are too ingrained to change.

Most importantly, the rules in UCIA are not sacrosanct. Thus:

*Users should feel free to depart from a rule when there is a good reason to do so – particularly when following a rule would create confusion or be inadequate to communicate the necessary information to the reader.*

While the aim of UCIA is to increase uniformity in international arbitration citations, we must not lose sight that international arbitration has flourished largely because of its acceptance of the many diverse legal cultures that bear on it and that different cases often require different approaches. For that reason, we have refrained from attempting to address every citation issue that may arise, leaving to drafters a degree of flexibility to determine the best approach for each particular case. Thus, for example, UCIA takes no position on whether quotations should always be italicised (which is seen more in civil law practice) or whether portions of quotations should be italicised only when adding emphasis (which is seen more in common law practice). In this way, we have left to the writer some flexibility, which we think is particularly appropriate in a system where so many divergent practices are brought to bear.

This book would not have been possible without the support and oversight of David Samuels, GAR’s publisher and Editor-in-Chief. I pitched the idea for this book to David over a dinner in London in September 2016, and his response was positive and enthusiastic. He immediately threw his support behind the project and was instrumental in helping to put together a world-class Advisory Board and in shepherding this project through to publication.

To ensure that UCIA reflects best practices from a truly international perspective, we have assembled an Advisory Board with members from 10 jurisdictions to oversee the project. The Advisory Board comprises arbitrators and practitioners who sit at the top of the international arbitration profession. They include the world’s leading representatives from the most widely-used international arbitral institutions, including (in alphabetical order) CIETAC, HKIAC, the ICC, ICSID, the LCIA, the PCA, the SCC, and SIAC.

Although the members of the Advisory Board have themselves used different approaches to citing evidence and authority in the past, they believe – as we hope users of UCIA will – that it was worth yielding minor differences in citation approach in the interest of reaching some degree of consistency. Again, thus:

*The key is not which citation rules are right or wrong; the key is to select a rational system of citation and to stick to it. To that end, the overarching principle on which UCIA is based is that citations should be as clear, simple, and consistent as possible, while avoiding extraneous information and punctuation.*



While the entire Advisory Board made invaluable contributions to this publication, we would like to express our gratitude to four members in particular: Martina Polasek, Miriam Harwood, Baiju Vasani, and Eduardo Silva Romero. These individuals volunteered to be part of a subcommittee to work on the early drafts of UCIA and helped to provide the foundation for the book. We also are indebted to Prof. Gabrielle Kaufmann-Kohler, whose detailed edits and comments were particularly helpful.

We are likewise grateful to the Assistant Editors, Alexis Martinez and Jonathan Allen, for their excellent work. Alexis, in addition to his editing, did a laudable job leading a core team from Squire Patton Boggs with the difficult task of researching and identifying the leading citation practices from different jurisdictions. That team was made up of Eugenia Brache (Santo Domingo), David Seidl (Prague), Tim Flamank (London), and Craig Gaver (Washington DC). Other lawyers also provided helpful comments to drafts of UCIA or suggestions about the citation practices from their jurisdictions, including Mark Stadnyk (New York), Will Sparks (Brussels), Rogier Schellaars (Amsterdam), Kristoffer Löf and Anna Alriksson (Stockholm), Eva Cibulkova (Bratislava), Neva Cirkveni (Zagreb), Aleksandra Dziki (London), Ana Gerdau de Borja (Paris), and Michael Waibel (Cambridge).

For his part, Jonathan did an extraordinary job of bringing this project to production. Those of us involved in editing the book have lost count of how many times we have scoured it to ensure that its rules and examples are consistent, that it covers everything it should, and that it does not cover what it shouldn't. No doubt we missed a few things (which we look forward to hearing about from users so we can fix it in the next edition). But the fact that we got so much right on the first try is due in large part to Jonathan and the excellent team at GAR, including the brilliant work of Adam Myers, Simon Busby, and Tessa Brummitt. The GAR team would like to note that UCIA has been devised to fit well with the styles of other practical guidance used by international arbitration professionals preparing documents for hearings. The styling of this manual is not consistent with other works published by GAR, which are styled with the reader more than the user in mind, and generally follow British publishing conventions.

We expect to issue new editions of UCIA every several years to keep pace with our diverse and rapidly-changing profession. To that end, we welcome feedback from users of UCIA on how it can be improved. In particular, contributions are welcome from practitioners from jurisdictions that are frequent users of international arbitration but whose jurisdictions are not covered in this edition. We encourage users to send any comments about the manual to the General Editor at: [ucia@globalarbitrationreview.com](mailto:ucia@globalarbitrationreview.com).

**Stephen Anway**

March 2018

New York



# 1 General Notes

## 1.1 Party names

- 1.1.1 Parties should be described as “Claimant(s)” or “Respondent(s)”, or their real names should be used. Generally, the parties’ real names are preferable, unless there are numerous claimants or respondents.
- 1.1.2 The designations “Plaintiff” or “Defendant” should be avoided. While appropriate in many domestic proceedings, they are rarely appropriate in international arbitration.
- 1.1.3 The parties to the instant arbitration proceeding should be described as the “Parties” with the first letter in upper case; other parties should be referred to as “parties” with the first letter in lower case.
- 1.1.4 The tribunal conducting the instant arbitration proceeding should be referred to as the “Tribunal” with the first letter in upper case; other tribunals should be referred to as “tribunal” with the first letter in lower case.

## 1.2 Exhibits and legal authorities

Exhibits should be cited in the following form:

- 1.2.1 Each party’s exhibits should be numbered consecutively with cardinal numbers following those previously submitted by that party, starting with its first submission in the proceeding. If the same exhibit or authority is referenced in a later submission, the number used in the prior submission should be reused.
- 1.2.2 The number for each exhibit introduced by the claimant should be preceded by “C-” or “CE-” for the claimant’s exhibits and “CLA-” or “CA-” for the claimant’s legal authorities. In the event that multiple claimants submit different exhibits or authorities, each claimant may be allocated a number, which can be added at the end of the relevant designation (*e.g.*, “C1-” or “C1E-” for the first claimant’s exhibits).

LNG Sales Contract dated 15 July 1995, **C-5**.

*Mobil Cerro Negro, Ltd. v. Petróleos de Venezuela, S.A. and PDVSA Cerro Negro, S.A.*, ICC Case No. 15416, Award, 23 December 2011, ¶ 35, **CLA-17**.

- 1.2.3 The number for each exhibit introduced by the respondent should be preceded by the letter “R-” or “RE-” for the respondent’s exhibits and “RLA-” or “RA-” for the respondent’s legal authorities. In the event that multiple respondents submit different exhibits or authorities, each respondent may be allocated a number, which can be added at



the end of the relevant designation (e.g., “R1-” or “R1E-” for the first respondent’s exhibits).

Letter from Phoenix Action Ltd. to ICSID dated 15 September 2004, **R-23**.

*Salini Costruttori S.p.A. and Italstrade S.p.A. v. Kingdom of Morocco*, ICSID Case No. ARB/00/4, Decision on Jurisdiction, 23 July 2001, ¶ 279, **RLA-4**.

- 1.2.4 To allow for easy identification, the numbers for exhibits and legal authorities should take either the first position in a citation (preceding the rest of the citation) or the last position (following the rest of the citation) and may be put in boldface type.

### 1.3 Content and placement of citations

- 1.3.1 Citations should be provided for quotations, paraphrasing of a source, or referring to ideas in a source. The most precise numbered unit used by the source should be used. For example, if the source uses both page numbers and paragraph numbers, paragraph numbers should be used.
- 1.3.2 Citations should appear in footnotes. Footnotes should be indicated in the body text with a superscript number, which should appear after the relevant punctuation at the end of the sentence to which it relates, unless it is clearer to include the superscript number directly after the word or phrase to which it relates.

The *Pac Rim* tribunal disagreed.<sup>24</sup>

<sup>24.</sup> *Pac Rim Cayman LLC v. Republic of El Salvador*, ICSID Case No. ARB/09/12, Decision on Jurisdiction, 1 June 2012, ¶ 4.66.

Dr. Aquitaine, who drafted the LNG Sales Contract, identifies two commercial justifications for the supply obligation.<sup>57</sup>

<sup>57.</sup> Eleonora Aquitaine Witness Statement dated 12 January 2015, ¶ 8.

- 1.3.3 Where more than one citation is provided in a single footnote, the citations should be separated by a semicolon.

Francisco Humphrey Witness Statement dated 4 December 2016, ¶ 7; Antonio Lorefice Witness Statement dated 1 January 2017, ¶ 14.

- 1.3.4 A full point (period) should be included after each citation, unless an additional citation immediately follows in the same footnote, in which case a semicolon should be used in-between the citations [**Rule 1.3.3**] and the last citation should be followed by a full point (period).



- 1.3.5 Pinpoint citations – which point the reader to one or more specific paragraphs, pages, or sections – should be used whenever possible.

*Pac Rim Cayman LLC v. Republic of El Salvador*, ICSID Case No. ARB/09/12, Decision on Jurisdiction, 1 June 2012, ¶ 4.66.

- 1.3.6 Paragraph references in citations should be identified by the abbreviation “¶” or “para.” in the case of a citation to a singular paragraph, and “¶¶” or “paras.” in the case of a citation to multiple paragraphs, followed by a space and the paragraph number(s) cited.

*African Holding Co. of America Inc. and Société Africaine de Construction au Congo S.A.R.L. v. Democratic Republic of the Congo*, ICSID Case No. ARB/05/21, Decision on Jurisdiction, 29 July 2008, ¶¶ 52-53.

- 1.3.7 Page pinpoint references in citations should be identified by the abbreviation “p.” in the case of a citation to a singular page, or “pp.” in the case of a citation to multiple pages, followed by a space and the page number(s) cited.

G. von Mehren, *The Arbitrator’s Role*, in M. Levy (ed.), *Gas Price Arbitrations* (2014), pp. 91-102.

- 1.3.8 Section references in citations should be identified by the abbreviation “§” or “s.” in the case of a citation to a singular section, and “§§” or “ss.” in the case of a citation to multiple sections, followed by a space and the section number(s) cited.

*Apotex Holdings Inc. and Apotex Inc. v. United States of America*, ICSID Case No. ARB(AF)/12/1, Award, 25 August 2014, § 7.10.

- 1.3.9 References to consecutive paragraphs, pages, or sections should be separated by a hyphen.

¶¶ 9-12.

- 1.3.10 References to several paragraphs, pages, or sections that are not consecutive should be separated by a comma.

¶¶ 9, 12.

- 1.3.11 Subsections of legislation should be identified after the main section, in separate parentheses, and without any spacing in between.

English Arbitration Act, s. 67(1)(a).



- 1.3.12 The first citation referring to a document should use its full-form citation. Subsequent citations should use its short-form citation.

- 
1. Eleonora Aquitaine Witness Statement dated 12 January 2015, ¶ 8.
  2. C. Schreuer, *Commentary on the ICSID Convention*, 12(1) Rev. – FILJ 365, p. 380, **RLA-5**.
  3. Aquitaine WS, ¶ 2.

- 1.3.13 Where a document is assigned an exhibit or legal authority number [Rule 1.2], that number should also be stated in the short-form citation of the document.

- 
1. D. Robinson, *Angela Merkel says EU should 'move forward' on free trade*, Financial Times, 3 February 2017, **C-32**.
  2. Eleonora Aquitaine Witness Statement dated 12 January 2015, ¶ 8.
  3. Robinson, *Angela Merkel says EU should 'move forward' on free trade*, ¶ 3, **C-32**.

Short-form citation rules can be found in the following rules:

Document	Short-form rule
Witness statements and expert reports	Rule 2.2.2
Newspaper articles	Rule 2.4.3
Internet material	Rule 2.5.4
Soft-law instruments	Rule 3.3.2
Arbitral decisions	Rule 3.4.7
Hearing transcripts	Rule 3.5.3
International agreements	Rule 4.1.5
European Commission decisions	Rule 4.2.2
Books	Rule 7.1.5
Legal reviews	Rule 7.2.4
Conference papers and presentations	Rule 7.3.3

- 1.3.14 Where citing to an exhibit or authority that is cited alone in the immediately preceding footnote, the italicised “*Ibid.*” or “*Id.*” should be used. “*Ibid.*” is used when citing to the same source and location, whereas “*Id.*” is used when citing to the same source but to a different location within the source. “*Id.*” therefore should be followed by relevant information not already provided in the immediately preceding footnote.

- 
1. English Arbitration Act, s. 67(1)(a).
  2. *Id.* s. 41.
  3. *Ibid.*



- 1.3.15 Explanations of authorities in a citation should be placed after the pinpoint but before the authority number, in parentheses, and in the form of a quote or a participle.

*EuroGas Inc. and Belmont Resources Inc. v. Slovak Republic*, ICSID Case No. ARB/14/14, Award, 18 August 2017, ¶ 476 (“[T]he Tribunal decides [that it] lacks jurisdiction over EuroGas.”), **RLA-34**.

*EuroGas Inc. and Belmont Resources Inc. v. Slovak Republic*, ICSID Case No. ARB/14/14, Award, 18 August 2017, ¶ 476 (holding that the tribunal lacked jurisdiction over claimants’ claims), **RLA-34**.

- 1.3.16 Citations should be made in the language of the arbitration. Official names of legislation, institutions, courts, or documents need not be translated. In an English-language submission, for example, a citation to a French-language decision might read as follows:

*Société Ouest Africaine des Bétons Industriels v. Republic of Senegal*, ICSID Case No. ARB/82/1, Award, 25 February 1988, 2 ICSID Rep. 164.

- 1.3.17 In a French-language submission, by contrast, the same citation would read as follows:

*Société Ouest Africaine des Bétons Industriels c. République du Sénégal*, Dossier CIRDI No. ARB/82/1, Sentence, 25 février 1988, 117 JDI 192.

- 1.3.18 Where the date in a citation forms part of the cited document’s title, it should not be translated. Where the publication date is not part of the cited document’s title, it should be translated to the language of the arbitration.

Decreet van 8 mei 2009 houdende algemene bepalingen betreffende het energiebeleid (aangehaald als het Energiedecreet), *BS*, 7 July 2009.

## 1.4 Signals

A signal is an introductory word or abbreviation that informs the reader of the intended use of the citation that follows. Signals should be italicised. The most common signals are as follows:

### 1.4.1 [No signal]

No signal should be used when the cited source directly states the proposition for which the citation is offered, is the source of a quotation, or is the source referenced in the text.

*English Arbitration Act*, s 67(1)(a).



## 1.4.2 See

“*See*” should be used when there is an inferential step between the proposition for which the citation is offered and the cited source. It is the most commonly misused signal, with many writers incorrectly using it to precede every citation. No signal is generally more appropriate.

*See* English Arbitration Act, s 67(1)(a).

1.4.3 *E.g.*,

“*E.g.*” – the abbreviation of the Latin expression “*exempli gratia*” – means “for example”. It can be combined with other signals, in which case the other signal should take the first position, followed by a comma, followed by a lower case “*e.g.*,” and then the cited source.

*See, e.g.*, English Arbitration Act, s 67(1)(a).

“*E.g.*” should be distinguished from “*i.e.*,” the abbreviation of the Latin expression “*id est*”, which means “that is”. The latter expression, while commonly used in text, generally should not be used in citations.

## 1.5 Cross-references

Cross-references to other citations in the same document should generally be avoided in favour of restating the citations, avoiding the need for the reader to flip back and forth to understand the sources being cited. Where used, “*supra*” in italics should be stated when citing to prior material, and “*infra*” in italics should be stated when citing to subsequent material.

*See supra* §§ II.A.2(a).

*See infra* ¶ 213 and fn. 844.

*See* cases cited *supra* fn. 138 and *infra* ¶ 167.

## 1.6 Quotations

1.6.1 Quoted material should be identified by quotation marks [Rule 1.6.2] or be set off from the rest of the text through an indented block quotation [Rule 1.6.3]. Any omissions or changes from the original should be indicated [Rule 1.6.7].

1.6.2 Quotations of 49 or fewer words should be enclosed by quotation marks, but should not otherwise be set off from the surrounding text.



- 1.6.3 Quotations of 50 or more words should be set off through an indented block quotation, with a line space above and below the quotation, indented equally left and right, without quotation marks. Quotation marks within a block quotation should appear as they do in the original material that is quoted (*i.e.*, as single or double quotation marks), unless the author indicates a change to the original.

The tribunal in *Venezuela Holdings* determined that indirect investments were covered by the BIT in question:

The definition of investment given in Article 1 is very broad. It includes “every kind of assets” and enumerates specific categories of investments as examples. One of those categories consists of “shares, bonds or other kinds of interests in companies and joint ventures”. The plain meaning of this provision is that shares or other kind of interests held by Dutch shareholders in a company or in a joint venture having made investment on Venezuelan territory are protected under Article 1. The BIT does not require that there be no interposed companies between the ultimate owner of the company or of the joint venture and the investment.<sup>57</sup>

- 1.6.4 Generally, punctuation that is part of the quotation should be placed inside the quotation marks; punctuation that is not part of the quotation should be placed outside.

The Gabonese Republic argued that participatory rights do not constitute contributions for the purposes of the definition of “investment”.

- 1.6.5 Quotation marks before and after italicised language should not be italicised, unless they are italicised in the original.
- 1.6.6 Internal (nested) quotations in non-block quotes should be identified using single quotation marks, but not where the entire quote is made up of a nested quote:

The tribunal concluded that “the witness was not ‘credible.’”

The tribunal concluded that the witness was not “credible”.

- 1.6.7 Emphasis, omissions, or substitutions within quotations should be treated as follows:
- (a) Where emphasis has been added to or omitted from a quotation, it should be so indicated with the text “emphasis added” or “emphasis omitted”, in parentheses after the citation but before the relevant exhibit or authority number.

“The essential principle contained in the actual notion of an illegal act – a principle which seems to be established by international practice and in particular by the decisions of arbitral tribunals – is that *reparation must, as*



*far as possible, wipe out all the consequences of the illegal act* and reestablish the situation which would, in all probability, have existed if that act had not been committed.”<sup>12</sup>

<sup>12</sup> *Case Concerning the Factory at Chorzów (Germany v. Poland)*, Decision on the Merits, 13 September 1928, PCIJ Rep. Series A. – No. 17, p. 47 (emphasis added), RLA-34.

- (b) Where emphasis appears in the original quotation, it should be so noted with the text “emphasis in original” in parentheses after the citation but before the relevant exhibit or authority number.

“GAMI may have had *subjective apprehensions* that Mexican judicial remedies would be insufficient. But this Tribunal can only act on the basis of *objective findings justified by evidence* that GAMI’s value as an enterprise had been destroyed or impaired.”<sup>5</sup>

<sup>5</sup> *Gami Investments, Inc. v. United Mexican States*, UNCITRAL, Award, 15 November 2004, ¶ 132 (emphasis in original), RLA-3.

- (c) Where a citation appears in the original quotation but is omitted, it should be so indicated with the text “citation omitted”, in parentheses after the citation but before the relevant exhibit or authority number.
- (d) Where a character within a quoted word has been omitted, it should be so noted with an opening square bracket followed immediately by a closing square bracket.

Under international law, reparation “must, as far as possible, wipe out [...] the consequence[] of the illegal act and reestablish the situation which would, in all probability, have existed if that act had not been committed.”

- (e) Where quoted words or characters have been substituted or added in a quote, the substitution or addition should be indicated by square brackets around the interpolated words or characters.

Under international law, the remedy should have “wipe[d] out all the consequences of the illegal act and [have] reestablish[ed] the situation which would, in all probability, have existed if that act had not been committed.”

- (f) Where an entire word or phrase in the middle of the quotation has been omitted, three unspaced ellipsis dots in square brackets should be used.

“The essential principle contained in the actual notion of an illegal act [...] is that reparation must, so far as possible, wipe out all the consequences of the illegal act and reestablish the situation which would, in all probability, have existed if that act had not been committed.”



- (g) Where entire words or phrases at the end of a sentence are omitted, three ellipsis dots in square brackets and a full point (period) should be used.

“The essential principle contained in the actual notion of an illegal act – a principle which seems to be established by international practice and in particular by the decisions of arbitral tribunals – is that reparation must, as far as possible, wipe out all the consequences of the illegal act [...].”

- (h) Where words or phrases at the beginning of a quotation are omitted, no ellipsis dots should be used.

Claimants are entitled to monetary damages that “wipe out all the consequences of the illegal act and reestablish the situation which would, in all probability, have existed if that act had not been committed.”

- (i) Where the quoted passage is only a phrase in the middle of a sentence, no ellipsis dots should be used before or after the quote.

Claimants are entitled to monetary damages that “wipe out all the consequences of the illegal act” and seek to reestablish the situation that would have existed but for respondent’s violation of the BIT.

- (j) Where upper-case characters in a quotation are changed to lower case, or where lower-case characters in a quotation are changed to upper case, the change should be signalled by square brackets around the changed character.

In *Chorzów*, the Permanent Court of International Justice held that “[t]he essential principle contained in the actual notion of an illegal act – a principle which seems to be established by international practice and in particular by the decisions of arbitral tribunals – is that reparation must, so far as possible, wipe out all the consequences of the illegal act and reestablish the situation which would, in all probability, have existed if that act had not been committed.”

“[R]eparation must, as far as possible, wipe out all the consequences of the illegal act and reestablish the situation which would, in all probability, have existed if that act had not been committed.”

- (k) Omissions of one or more complete sentences in the same paragraph should be indicated with three ellipsis dots in square brackets. If the quoted sentences also omit phrases, ellipsis should be included in accordance with the other rules in this section.

“Contracting States can even go as far as stipulating that a ‘pure’ one-off sales contract constitutes an investment [...]. [...] [T]he wording of the BIT does not permit the Arbitral Tribunal to infer such an intent in the present case.”



- (l) Omissions of one or more paragraphs in the same quotation generally should be avoided in favour of separate quotations. Where used, the omitted paragraph(s) should be indicated by three ellipsis dots centred on a separate line.

The *Romak* tribunal observed:

There is some debate as to whether, from a purely subjective perspective – and by analogy to the freedom of contract normally enjoyed by private parties – an investment will consist of whatever the contracting States have decided to label as such in the treaty they have concluded.

[...]

The Arbitral Tribunal therefore considers that the term “investments” under the BIT has an inherent meaning (irrespective of whether the investor resorts to ICSID or UNCITRAL arbitral proceedings) [...].

- (m) The same style treatment that is otherwise applied to the relevant part of the quotation (italics or non-italics, bold or non-bold) should also be applied to any alteration or inserted brackets around modified letters or words.

Under international law, the remedy should have “wipe[d] out all the consequences of the illegal act and [have] *reestablish[ed] the situation which would, in all probability, have existed if that act had not been committed.*”

- (n) Mistakes in original quotations should be indicated by “[*sic*]” – Latin for “thus” – after the error.

## 1.7 Numbers

- 1.7.1 Numbers zero to nine should be spelled out in words, unless the number is a decimal, a fraction, a percentage, or part of a list of numbers.
- 1.7.2 For numbers larger than nine, numerals should be used, except if the number begins the sentence.
- 1.7.3 Numbers starting from 1,000 upwards take a comma – not a full point (period) – every three decimal places. For decimals, the mark used to separate the whole number from the fraction should be a full point (period), not a comma. Exceptionally, if both parties are from jurisdictions that share a different symbol to separate groups of thousands or to separate whole numbers from fractions, that symbol may be used.
- 1.7.4 Percentage numbers should be immediately followed by the “%” symbol (no space before the “%” symbol), not the word “percent” or “per cent”.
- 1.7.5 Currency should be indicated using the relevant ISO 4217 currency code, such as “USD”, “EUR”, or “GBP”.



## 1.8 Dates

Dates should be stated using the following format without abbreviation or punctuation: day month year.

18 March 1965.

## 1.9 Abbreviations

Abbreviations listed in **Appendices 1 to 3** should be used in all citations, even in the first citation in which the word is used. Abbreviations listed in **Appendices 4 to 7** should not be used in the first citation in which the word is used, but should be used in all subsequent citations using that word.

### 1.10 Punctuation of abbreviations

A full point (period) should generally be placed at the end of an abbreviated word (*e.g.*, “Dr.”, “v.”). Note, however, there are exceptions to this rule, including **Rule 6.1.4(a)** and **Rule 6.1.8(a)** on English and Singapore domestic court decisions. Note also the guidance in this regard in the Editor’s Preface (**p. 3**).



## 2 Supporting Documentary Materials

### 2.1 Contracts

2.1.1 Citations to contracts should state:

- (a) the name or title of the agreement or, if none is indicated, “Contract”;
- (b) the date of the agreement; and
- (c) if appropriate, the pinpoint citation.

LNG Sales Contract dated 15 July 1995, Art. 17.1.

- (d) To avoid confusion, citations may identify the parties to the agreement immediately after its title.

Purchase and Sale Agreement between Capital Investments, Inc. and Geosystems Ltd. dated 15 July 1995, Art. 3.

### 2.2 Witness and expert evidence

2.2.1 The first citation to a witness statement or an expert report should state:

- (a) the full name of the witness or expert;
- (b) “Witness Statement” or “Expert Report”;
- (c) the date the witness or expert signed the statement or report; and
- (d) if appropriate, the pinpoint citation.

Eleonora Aquitaine Witness Statement dated 12 January 2015, ¶ 8.

Emilio Humphrey Expert Report dated 10 November 2003, ¶ 57.

2.2.2 The short-form citation of a witness statement or expert report, to be used after the first full citation, should include the family name of the witness or expert followed by the abbreviations “WS” or “ER”.

Aquitaine WS, ¶ 8.

Humphrey ER, ¶ 57.

2.2.3 Where additional statements from the same witness or expert are filed in the same proceeding, the witness statements or expert reports should be



identified sequentially, with its sequence number appearing immediately after the name of the witness or expert.

Eleonora Aquitaine **First** Witness Statement dated 12 January 2015, ¶ 5;  
Eleonora Aquitaine **Second** Witness Statement dated 26 June 2015, ¶¶ 6-7.

Aquitaine **First** WS, ¶ 5; Aquitaine **Second** WS, ¶¶ 6-7.

## 2.3 Correspondence and personal communications

2.3.1 Citations to communications should state:

- (a) the type of communication;
- (b) the first initial(s) and the family name(s) of the sender(s);
- (c) the first initial(s) and the family name(s) of the recipient(s);
- (d) the date of the communication; and
- (e) if appropriate, the pinpoint citation.

Email from E. Aquitaine to F. Louis dated 18 September 1995.

Letter from F. Louis to E. Henry dated 18 May 1951, p. 7.

2.3.2 Where there are more than two senders or more than two recipients, only the first sender or the first recipient, as the case may be, should be stated, followed by “et al.”

## 2.4 Newspaper articles

2.4.1 The first citation to a newspaper article should state:

- (a) the first initial(s) and family name(s) of the author(s);
- (b) the title of the article italicised, capitalised in accordance with the capitalisation in the article;
- (c) the publication in roman type;
- (d) the publication date; and
- (e) if appropriate, the pinpoint citation.

D. Robinson, *Angela Merkel says EU should ‘move forward’ on free trade*, *Financial Times*, 3 February 2017.

2.4.2 Where there are more than two authors, only the first author should be stated, followed by “et al.”



- 2.4.3 Short-form citation of a newspaper article, to be used after the first full citation, should state the family name of the author and, if appropriate, the pinpoint citation. Where citing multiple articles by the same author or articles by authors with the same family name, state the family name, the title of the article in italics, and, if appropriate, the pinpoint citation.

*Robinson, Angela Merkel says EU should 'move forward' on free trade, ¶ 3.*

## 2.5 Internet material

- 2.5.1 The first citation to material only available on the Internet should state:
- the first initial(s) and family name(s) of the author(s) or, if there is no author, the institution that published the material;
  - the title of the document in italics, capitalised in accordance with the capitalisation in the document;
  - the date the document was published;
  - the hyperlinked website address;
  - the date on which the material was last accessed in parentheses; and
  - if appropriate, the pinpoint citation.

*UNCTAD, Investor-State Dispute Settlement: Review of Developments in 2016, May 2017, [http://unctad.org/en/PublicationsLibrary/diaepcb2017d1\\_en.pdf](http://unctad.org/en/PublicationsLibrary/diaepcb2017d1_en.pdf) (last accessed 21 September 2017), p. 5.*

- 2.5.2 Where there are more than two authors, only the first author should be stated, followed by “et al.”
- 2.5.3 Citations to well-known legal sources that are available (but not originally or solely published) on the Internet – such as domestic laws on international arbitration, international arbitral rules, international arbitral awards, international agreements, legislation, and court decisions – do not require inclusion of the website address or the date last accessed.
- 2.5.4 The short-form citation of internet material, to be used after the first full citation, should include the title of the document and, if appropriate, the pinpoint citation.

*Investor-State Dispute Settlement: Review of Developments in 2016, p. 5.*



## 3 Arbitral Proceedings

### 3.1 International arbitration laws

3.1.1 Citations to domestic international arbitration laws should state:

- (a) the commonly-used title of the arbitration law; and
- (b) if appropriate, the pinpoint citation.

3.1.2 Representative citations are as follows:

Jurisdiction	Citation format
England & Wales	English Arbitration Act, s. [X].
France	French Civil Procedure Code, Art. [X].
Hong Kong	Hong Kong Arbitration Ordinance Cap 609, s. [X].
Sweden	Swedish Arbitration Act, § [X].
Switzerland	Swiss PILA, Art. [X].
US (Federal)	US Arbitration Act, § [X].

### 3.2 International arbitration rules

3.2.1 Citations to international arbitration rules should state:

- (a) the year the rules were promulgated if a new version has been recently published or if an older version of the rules is still commonly used;
- (b) the institution that promulgated the rules, in abbreviated form **[Appendix 2]**;
- (c) the commonly-used title of the rules; and
- (d) if appropriate, the pinpoint citation.

3.2.2 Representative citations are as follows:

Arbitration rules	Citation format
China International Economic and Trade Arbitration Commission Arbitration Rules	CIETAC Arbitration Rules, Art. [X].
Hong Kong International Arbitration Centre Administered Arbitration Rules	HKIAC Arbitration Rules, Art. [X].
International Centre for Dispute Resolution International Arbitration Rules	ICDR Arbitration Rules, Art. [X].
2017 International Chamber of Commerce Rules of Arbitration	2017 ICC Arbitration Rules, Art. [X].
International Centre for Settlement of Investment Disputes Rules of Procedure for Arbitration Proceedings	ICSID Arbitration Rules, R. [X].



Arbitration rules	Citation format
International Centre for Settlement of Investment Disputes Arbitration (Additional Facility) Rules	ICSID AF Arbitration Rules, Art. [X].
Arbitration Rules of the London Court of International Arbitration	LCIA Arbitration Rules, Art. [X].
Permanent Court of Arbitration Arbitration Rules	PCA Arbitration Rules, Art. [X].
Arbitration Rules of the Arbitration Institute of the Stockholm Chamber of Commerce	SCC Arbitration Rules, Art. [X].
Arbitration Rules of the Singapore International Arbitration Centre	SIAC Arbitration Rules, R. [X].
2010 United Nations Commission on International Trade Law Arbitration Rules	2010 UNCITRAL Arbitration Rules, Art. [X].

### 3.3 International arbitration soft-law instruments

3.3.1 The first citation to a soft-law instrument should state:

- (a) the year the instrument was promulgated if a new version has been recently published or an older version of the instrument is still commonly used;
- (b) the institution or body responsible for the instrument;
- (c) the title of the instrument; and
- (d) if appropriate, the pinpoint citation.

3.3.2 Short-form citations of international arbitration soft-law instruments should be used after the first full citation. Representative citations are as follows:

Full citation	Short form citation
IBA Guidelines on Conflicts of Interest in Intl. Arbitration, General Standard [X].	IBA Conflict Guidelines, General Standard [X].
IBA Guidelines on Party Representation in Intl. Arbitration, Guidelines [X].	IBA Party Representation Guidelines, Guideline [X].
IBA Rules on the Taking of Evidence in Intl. Arbitration, Art. [X].	IBA Evidence Rules, Art. [X].
Intl. Law Commission's Arts. on the Responsibility of States for Internationally Wrongful Acts, Art. [X].	ILC Arts. on State Responsibility, Art. [X].
2016 UNCITRAL Notes on Organizing Arbitral Proceedings, ¶ [X].	2016 UNCITRAL Notes on Organizing Arbitral Proceedings, ¶ [X].
UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration, Art. [X].	UNCITRAL Rules on Transparency, Art. [X].
2016 UNIDROIT (Intl. Institute for the Unification of Private Law) Principles of Intl. Comm. Contracts, Art. [X].	2016 UNIDROIT Principles, Art. [X].



## 3.4 International arbitration decisions

3.4.1 The first citation to an arbitral decision should state:

- (a) in italics, the full names of the claimant(s) and the respondent(s), omitting where possible the definite article “The” that precedes a party’s name;
- (b) an italicised “v.” between the named claimant(s) and respondent(s);
- (c) the administrating arbitral institution or, if none, the applicable arbitral rules;
- (d) the case number, if available;
- (e) the nature of the decision, such as “Award”, “Decision on Jurisdiction”, “Decision on Annulment”, etc.;
- (f) the date that the decision was dispatched to the parties (if the date of dispatch is not available, the date on which the arbitrators signed the decision; if the arbitrators signed on different dates, the latest date of signature);
- (g) optionally,<sup>1</sup> the publication where the arbitral decision can be found [Appendix 3];
- (h) if appropriate, the pinpoint citation; and
- (i) if citing an arbitral award in a written submission to be filed with a tribunal or an arbitral institution, the relevant legal authority number [Rules 1.2.2 and 1.2.3].

*Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt*, ICSID Case No. ARB/04/13, Award, 6 November 2008, ¶ 279, RLA-5.

3.4.2 Where there are more than two claimants or more than two respondents, only the first claimant or the first respondent should be stated, followed by an italicized “*et al.*”

3.4.3 Where arbitral decisions are published in extract or abstract form only, the word “extract” or “abstract” in parentheses should appear immediately after the description of the decision.

ICC Case No. 3755, Award (*extract*), 1988, 1(2) ICC Bull. 25.

LCIA Case No. 9147, Decision on Challenge (*abstract*), 27 January 2000, 27(3) Arb. Intl. 334.

<sup>1</sup> Generally, where a copy of the authority is provided to the reader – such as when a party submits a memorial to a tribunal and attaches the legal authority – the publication where the award can be located is not needed in the citation (since the reader has already been provided a copy of the authority). Where, however, a copy of the authority is not provided to the reader – such as when an author writes a book or law review article – the publication where the award can be located can provide helpful information.



- 3.4.4 Where the real party names are not available, anonymised party information should be provided, if available.

*Sales Representative (Iraq) v. Manufacturer (France)*, ICC Case No. 16684, Award (extracts), 2012, 41 Y.B. Com. Arb. 52, ¶ 128.

- 3.4.5 Dissenting opinions should be cited in a manner similar to arbitral decisions, stating the nature of the decision as “Dissenting Opinion of” followed by the first initial and family name of the dissenting arbitrator.

*EuroGas Inc. and Belmont Resources Inc. v. Slovak Republic*, ICSID Case No. ARB/14/14, *Dissenting Opinion of E. Gaillard*, 18 August 2017, ¶ 1.

- 3.4.6 Citations to subsequent history should include the first decision, the procedural history in italics, and the subsequent decision without the information already provided in the citation of the first decision.

*Occidental Petroleum Corporation and Occidental Exploration and Production Company v. Republic of Ecuador*, ICSID Case No. ARB/06/11, Award, 5 October 2012, **CLA-32**, *partly annulled*, Decision on Annulment, 2 November 2015, **RLA-45**.

*Atlantic LNG Company of Trinidad and Tobago v. Gas Natural Aproveisionamientos, SDG, S.A.*, UNCITRAL, Award, 17 January 2008, **CLA-53**, *recognised and enforced*, *Gas Natural Aproveisionamientos, S.D.G., S.A. v. Atlantic LNG Co. of Trinidad & Tobago*, No. 08-cv-1109 (DLC), 2008 U.S. Dist. LEXIS 69632 (S.D.N.Y. 16 Sept. 2008), **CLA-54**.

- 3.4.7 Short-form citation to an arbitral award, to be used after the first full citation, should state either the first party’s abbreviated name only, or the first claimant’s and the first respondent’s abbreviated names, and, if appropriate, the pinpoint citation. When a state is a party to an arbitration, the full official name of the state, including, for example “The Republic of”, “The Democratic Republic of”, “The People’s Republic of”, or similar phrases – should be shortened [Appendix 7]. Where two or more awards, decisions, or orders from the same arbitral proceedings are cited, the short-form citation should state the type of the document (award, order, etc.) immediately before the pinpoint citation. Examples of representative citations are as follows:



Institution	Full citation	Short form
Ad hoc arbitration	<i>Norwegian Agent v. Belgian Shipowner</i> , ad hoc, Award (extracts), 23 July 1981, 8 Y.B. Com. Arb. 89, p. 93.	<i>Norwegian Agent</i> , p. 93.
American Arbitration Association	<i>Philip Morris Int'l Finance Corporation v. Overseas Private Investment Corporation</i> , AAA Case No. 16 199 00214 85P, Award, 3 December 1987, 27 ILM 487, ¶ 7.	<i>Philip Morris</i> , ¶ 7.
Cairo Regional Centre for International Commercial Arbitration	<i>State entity (Egypt) v. Seller</i> , CRCICA, Award (extracts), 21 December 1995, 22 Y.B. Com. Arb. 13, pp. 32-33.	<i>State entity (Egypt)</i> , pp. 32-33.
China International Economic and Trade Arbitration Commission	<i>CEEG (Shanghai) Solar Science &amp; Technology Co., Ltd. v. LUMOS LLC</i> , CIETAC, Arbitral Award, 13 June 2014, § II(I).	<i>CEEG (Shanghai)</i> , § II(I).
German Institution of Arbitration	DIS Case No. SV-B-652/06, Decision on Correction, 18 January 2008, 34 Y.B. Com. Arb. 27, p. 31.	DIS Case No. SV-B-652/06, p. 31.
Grain and Feed Trade Association	<i>Romak S.A. v. FTC 'Uzdon'</i> , GAFTA Case No. 12173, Award, 22 August 1997, § 5:1.	<i>Romak</i> , § 5:1.
International Arbitration Chamber of Paris	<i>Buyer (Germany) v. Seller (France)</i> , CAP Case No. 3150, Award (extracts), 2011, 39 Y.B. Com. Arb. 65, ¶¶ 21-22.	<i>Buyer (Germany)</i> , ¶¶ 21-22.
International Centre for Dispute Resolution	<i>Abu Dhabi Investment Authority v. Citigroup Inc.</i> , ICDR Case No. 50 2013 000782, Final Award, 12 December 2016, ¶ 250.	<i>Abu Dhabi Investment Authority</i> , ¶ 250.
International Centre for Settlement of Investment Disputes (including Additional Facility Rules cases)	<i>CMS Gas Transmission Company v. Argentine Republic</i> , ICSID Case No. ARB/01/8, Decision on Jurisdiction, 17 July 2003, ¶¶ 127-130.	<i>CMS</i> , ¶¶ 127-130.
International Chamber of Commerce	<i>Mobil Cerro Negro, Ltd. v. Petróleos de Venezuela, S.A. and PDVSA Cerro Negro, S.A.</i> , ICC Case No. 15416/JRF/CA, Final Award, 23 December 2011, ¶ 35.	<i>Mobil Cerro Negro</i> , ¶ 35.
Iran-US Claims Tribunal	<i>Parviz Sadigh Bavanati v. Government of the Islamic Republic of Iran</i> , IUSCT Case No. 296 (564-296-2), Award (extracts), 17 May 1995, 21 Y.B. Com. Arb. 317, p. 320.	<i>Bavanati</i> , p. 320.
London Court of International Arbitration	<i>Belize Telemedia Ltd. v. Attorney General of Belize (on behalf of the Government of Belize)</i> , LCIA Case No. 81079, Award, 18 March 2009, ¶ 1.	<i>Belize Telemedia</i> , ¶ 1.
London Maritime Arbitrators Association	<i>Nantong Mingde Heavy Duty Industry Stock Co., Ltd and Alpha Bank AE v. Crescendo Maritime Co. and Bank of Communications Qingdao Branch</i> , LMAA, First Final Award, 31 December 2014, p. 4.	<i>Nantong Mingde</i> , p. 4.
Milan Chamber of Arbitration	<i>Pharmaceutical Company A and Pharmaceutical Company B v. Pharmaceutical Company C</i> , CAM, Award (extracts), 2 February 1996, 22 Y.B. Com. Arb. 191, pp. 191-196.	<i>Pharmaceutical Co. A</i> , pp. 191-196.
Permanent Court of Arbitration	<i>Barbados v. Republic of Trinidad and Tobago</i> , PCA Case No. 2004.02, UNCLOS, Award, 11 April 2006, 27 Rep. of Intl. Arb. Awards 147, pp. 246-247.	<i>Barbados</i> , pp. 246-247.



Institution	Full citation	Short form
Singapore International Arbitration Centre	<i>UMW Offshore Drilling Sdn Bhd v. Frontier Oil Corporation</i> , SIAC Case No. ARB071/15/ACU, Award, p. 1.	<i>UMW Offshore Drilling</i> , p. 1.
Stockholm Chamber of Commerce	<i>Exclusive Distributor (EU country) v. Manufacturer GmbH (EU country)</i> , SCC Case No. 73/2011, Award (extracts), 38 Y.B. Com. Arb. 228, p. 21.	<i>Exclusive Distributor (EU country)</i> , p. 21.
United Nations Commission on International Trade Law	<i>Banque Arabe et Internationale d'Investissement (France) v. Inter-Arab Investment Guarantee Corporation</i> , UNCITRAL, Award (extracts), 17 November 1994, 21 Y.B. Com. Arb. 13, p. 34.	<i>Banque Arabe et Internationale d'Investissement (France)</i> , p. 34.
United Nations Convention on the Law of the Sea	<i>Republic of the Philippines v. People's Republic of China</i> , PCA Case No. 2013-19, UNCLOS, Award, 12 July 2016, ¶ 1203.	<i>Philippines</i> , ¶ 1203.
World Intellectual Property Organization	<i>Brisbane City Council v. Warren Bolton Consulting Pty Ltd.</i> , WIPO Case No. D2001-0047, Award (extracts), 7 May 2001, 28 Y.B. Com. Arb. 169, p. 176.	<i>Brisbane City Council</i> , p. 176.

### 3.5 Hearing transcripts

3.5.1 The first citation to a hearing transcript should state:

- (a) “Transcript” (and, if there are transcripts in different languages, the language in parentheses);
- (b) the nature and/or date of the hearing;
- (c) the day of the hearing, if the hearing lasted more than one day;
- (d) the page(s) of the cited reference;
- (e) the line(s) of the cited reference; and
- (f) the last name of the witness or expert being cited, if any, in parentheses.

*Transcript, First Session, p. 143, lines 5-7.*

*Transcript, Jurisdictional Hearing, Day 2, p. 34, lines 14-16 (Aquitaine).*

*Transcript, Merits Hearing, Day 5, p. 14, line 20 – p. 15, line 12 (Louis).*

3.5.2 Alternatively, the page number and the line number can be stated together, separated by a colon.

*Transcript, Merits Hearing, Day 5, 14:20 – 15:12 (Louis).*



- 3.5.3 Short-form transcript references, to be used after the first citation, should use the abbreviation “Tr.” for “Transcript” and omit the nature of the hearing, unless transcripts to other hearings are cited in the same submission.

Tr., Day 2, p. 2, lines 14-16 (Aquitaine).

- 3.5.4 If there are transcripts in different languages, the language should be abbreviated (following ISO 639-2 Code (bibliographic)) in caps after “Transcript” or “Tr.” in parentheses.

Tr. (ENG), Day 1, p. 14, lines 2-7.



## 4 Treaties and EU Law

### 4.1 Treaties

4.1.1 The first citation to a treaty should state:

- (a) the title of the treaty;
- (b) if applicable, the signature date (in the case of signatures on different dates, the date of the first signature<sup>2</sup>); and
- (c) if appropriate, the pinpoint citation.

Agreement Between the Government of the Federal Republic of Ethiopia and the Government of the Republic of France for the Reciprocal Promotion and Protection of Investments, signed 25 June 2003, Art. 3.

4.1.2 Parties should be omitted from a citation to a multilateral treaty.

North American Free Trade Agreement, signed 17 December 1992, Ch. 11.

4.1.3 If relevant to the point being made, the adoption date, the date the treaty was opened for signature, and/or the date of entry into force can be included. If the first signature date is the date that the treaty was opened for signature, the signature date should not be included.

Convention Relating to the Status of Refugees, signed 28 July 1951, adopted 28 July 1951, entered into force 22 April 1954.

Vienna Convention on the Law of Treaties, opened for signature 23 May 1969, entered into force 27 January 1980.

Energy Charter Treaty, opened for signature 17 December 1994, entered into force 16 April 1998.

Dominican Republic–Central America Free Trade Agreement, opened for signature 5 August 2004, entered into force 1 March 2006.

Paris Agreement, opened for signature 22 April 2016, entered into force 5 October 2016.

4.1.4 Citation to model treaties should state the name of the model treaty and the year it was issued in parentheses.

US Model Bilateral Investment Treaty (2012).

<sup>2</sup> If a multilateral treaty was extended subsequently to an additional country or countries, that fact can be addressed with a separate citation to the relevant document(s).



- 4.1.5 Short-form citation to bilateral or multilateral international agreements, to be used after the first full citation, should state the names of the contracting states in abbreviated form [Appendix 7], separated by a hyphen, the type of agreement in abbreviated form [Appendix 4], and, if appropriate, the pinpoint citation. Short-form citation to a multilateral international agreement, to be used after the first full citation, should follow the same rule except that it need not state the names of the contracting states.

Argentina-Germany BIT, Art. 1.1.

Canada-Peru FTA, Art. 101.

VCLT, Art. 31.

ECT, Art. 13(1).

- 4.1.6 Citation to *travaux préparatoires* or draft treaties should state the title of the document, the body or contracting states that issued it (if not apparent from the title), its date, and, if appropriate, the pinpoint.

Report of the Executive Directors on the Convention on the Settlement of Investment Disputes between States and Nationals of Other States, 18 March 1965.

## 4.2 EU instruments

- 4.2.1 Citations to an EU source – such as treaties, regulations, directives, and decisions – should state:

- (a) the title of the document;
- (b) the year of publication of the Official Journal of the European Union (“OJ”) in square brackets;
- (c) the abbreviation “OJ”;
- (d) the OJ series, using “L” for the “legislation” series, “C” for the “information and notices” series, and “S” for the “invitations to tender” series;
- (e) the OJ issue number and the number of the page on which the document starts separated by “/”; and
- (f) if appropriate, the pinpoint.

Consolidated Version of the Treaty on the Functioning of the European Union [2012] OJ C326/47, Art. 267.

Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use [2001] OJ L311/67, Art. 2.



- 4.2.2 Citations to European Commission decisions may alternatively use a shortened title after the document number, followed by the date and the citation to the OJ.

Commission Decision 2001/837/EC, *Der Grüne Punkt Duales System Deutschland AG*, 17 September 2001, OJ L319/1, ¶ 108.

- 4.2.3 Citations to EU instruments should be made in the language of the arbitration [**Rules 1.3.16 and 1.3.17**] and should be adapted accordingly (*e.g.*, “UE” rather than “EU” if the language of the arbitration is French).



## 5 International Court Decisions

### 5.1 International Court of Justice

5.1.1 Citations to ICJ decisions should include:

- (a) the italicised names of the parties (with the name of the claimant(s) and of the respondent(s) separated by an italicised “v.”) or a substantive name of the case if officially recognised by the ICJ and used in its publications (e.g., “*Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*”);
- (b) the nature of the decision, such as “Judgment”, “Advisory Opinion”, “Order”, etc.;
- (c) the date;
- (d) reference to the ICJ’s “Reports of Judgments, Advisory Opinions and Orders” (abbreviated “ICJ Rep.”), stating the year of the volume, the issue number in parentheses, and the abbreviation “ICJ Rep.”; and
- (e) if appropriate, the pinpoint.

*Application of the Interim Accord of 13 September 1995 (the former Yugoslav Republic of Macedonia v. Greece)*, Judgment, 5 December 2011, 2011(2) ICJ Rep. 644, p. 690.

5.1.2 For decisions from the Permanent Court of International Justice (PCIJ), the predecessor to the ICJ, the abbreviation “PCIJ Rep.” should be used, followed by the series and decision number.

*Case Concerning the Factory at Chorzów (Germany v. Poland)*, Decision on the Merits, 13 September 1928, PCIJ Rep. Series A. – No. 17, p. 47.

5.1.3 Short-form citation to an ICJ or PCIJ decision, to be used after the first full citation, can be made using a well-known title for that decision.

*Chorzów*, p. 47.

### 5.2 Court of Justice of the European Union

5.2.1 The Court of Justice of the European Union is the judicial authority of the EU, which comprises two courts: the Court of Justice (the upper court) and the General Court<sup>3</sup> (the lower court). “CJEU” should be used to refer to the Court of Justice of the European Union (as an institution).

<sup>3</sup> The lower court was established in 1989 and until 2009 was known as the Court of First Instance (“CFI”).



Since 2009,<sup>4</sup> “CJEU” has also been used to refer to the Court of Justice (the upper court). Nevertheless, “ECJ” can be used, where appropriate, to refer to the Court of Justice (the upper court) to distinguish it from the General Court. “GC” should be used to refer to the General Court.

### 5.2.2 Citations to European Union cases should state:

- (a) the type of decision;
- (b) the full date of the decision;
- (c) the case name in italics;
- (d) the case number, which for cases after 1989 is preceded by “C-” for ECJ cases or “T-” for GC (or CFI) cases; and
- (e) The European Case Law Identifier (“ECLI”) in the following form: “EU”, followed by the code of the originating court (“C” for decisions delivered by the upper court or “T” for decisions delivered by the lower court), the year of the decision, and the sequential number allocated by the CJEU, each separated by a colon.

Judgment of 1 June 1999, *Eco Swiss China Time Ltd v. Benetton International NV*, Case C-126/97, EU:C:1999:269, ¶ 37.

Judgment of 3 May 2002, *Jégo-Quéré v. Commission*, Case T-177/01, EU:T:2002:112, ¶ 24.

Judgment of 7 February 1985, *Procureur de la République v. Association de Défense des Brûleurs d’Huiles Usagées (ADBHU)*, Case 240/83, EU:C:1985:59, ¶ 31.

### 5.2.3 Citations to the opinion of an Advocate General should be identified in the same format, including “Opinion of Advocate General [family name]” at the beginning of the reference in place of the type of decision.

Opinion of Advocate General Jacobs of 27 October 2005, *Lindorfer v. Council*, Case C-227/04 P, EU:C:2005:656, ¶¶ 38-50.

## 5.3 European Court of Human Rights

### 5.3.1 Citations to European Court of Human Rights decisions should include:

- (a) the case name in italics;
- (b) the application number (preceded by a lower case punctuated “no.” and a space);
- (c) the pinpoint paragraph number (for judgments);

<sup>4</sup> When the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community [2007] OJ C306/1 entered into force.



- (d) the abbreviation of the European Court of Human Rights (“ECtHR”);
  - (e) the year; and
  - (f) the volume number for judgments and decisions published before 2008 (*e.g.*, ECtHR 2007-II). From 2008 onwards, there is no volume number (*e.g.*, ECtHR 2008, ECtHR 2009, etc.).
- 5.3.2 In the absence of any indication to the contrary, the cited text is a judgment on the merits delivered by a Chamber of the Court. If the text is any other form of judgment or decision, this is indicated in brackets after the name of the case, such as “(dec.)” for a decision on admissibility, or, as appropriate, “(preliminary objections)”, “(just satisfaction)”, “(revision)”, “(interpretation)”, “(striking out)”, or “(friendly settlement)”.
- 5.3.3 “GC” is added after the case name if the judgment or decision was given by the Grand Chamber of the Court.

*Depalle v. France* [GC], no. 34044/02, ¶ 68, ECtHR 2010.



## 6 Domestic Legal Citations

### 6.1 Domestic courts

Citations to domestic courts should follow the citation systems most commonly used in the jurisdiction of the decisions cited. Rules of citation for domestic courts commonly cited in international arbitration are *non-exhaustively* summarised below. For jurisdictions not listed or where doubt otherwise exists, reference should be made to the jurisdiction's citation guides. Where the specific rules in Chapter 6.1 conflict with the more general rules found elsewhere in UCIA – for example “no” or “n<sup>o</sup>” rather than “No.”– the rules in Chapter 6.1 prevail.

#### 6.1.1 Austria

- (a) Citations to Austrian court decisions should state the abbreviated court name [**Appendix 6**], the date, the docket number, and, if appropriate, the pinpoint.

OGH 21.12.2016, 16 Ok 11/16b. 56.

- (b) Some cases are known by a specific name, in which case that name should be placed between the docket number and, if appropriate, the pinpoint in between dashes. The case name is displayed in roman type.

OGH 14.5.1963, 8 Ob 75/63 – *Bananen* – Arb 7747.

#### 6.1.2 Belgium

- (a) Citations to Belgian court decisions should state the abbreviated title of the relevant court [**Appendix 6**], the number of the chamber (if any), the location (if not a national court), the date, and the publication details in the following format: abbreviated publication title in italics, the year of publication, the issue number (if any), and the page number. The names of the parties are almost never indicated, except for decisions of the Council of State (Conseil d'Etat/Raad van State).

Cass (1ère ch.), 6 September 1990, *Pas.*, 1991, I, p. 14.

Liège (20e ch.), 13 May 2004, *J.T.*, 2004, p. 913.

- (b) Decisions of the Council of State do not refer to a publication and need only be identified by the decision number. Council of State decisions should include the name of the applicant.

C.E. (6e ch.), 12 July 1993, S.P.R.L. Fedala, n°43.795.



### 6.1.3 Brazil

- (a) Citations to Brazilian court decisions should state the jurisdiction (in all capital letters) followed by a full point (period), the tribunal followed by a full point, the type and number of the court proceeding followed by a full point, the parties' capacity in the proceeding (*e.g.*, apelante/apelado(a), agravante/agravado(a)) and name, each followed by a full point, the rapporteur followed by a full point, the city where the decision was rendered and the date of the decision followed by a full point, and the publication information (with legal review name in bold). The date of the publication information comes after the pinpoint for citations to a legal review, but before the pinpoint for citations to a book.

BRASIL. Supremo Tribunal Federal. Agravo de Instrumento no 52.181-GB. Agravante: União Federal. Agravado: Espólio de Renault Lage e outros. Relator: Ministro Bilac Pinto. Brasília, DF, 14 de novembro de 1973. **Revista Trimestral de Jurisprudência**, Brasília, v. 68, p. 382-397, maio 1973.

- (b) Common Brazilian court abbreviations are given in **Appendix 6**.

### 6.1.4 England & Wales

- (a) Citations to England & Wales court decisions should state the names of the parties, italicised and separated by an unpunctuated “v”, followed by the neutral<sup>5</sup> citation and, if referred to, the law report citation [**Appendix 3**].
- (b) England & Wales neutral citations are composed of the year in square brackets, the court abbreviation, and the case number.

[2011] UKSC 50.

- (c) England & Wales neutral citations of judgments in the High Court should indicate the relevant court division after the case number, in parentheses.

[2016] EWHC 2585 (Comm).

- (d) Where a case does not have a neutral citation, the law report citation should be provided, followed by an abbreviation signifying the court in parentheses [**Appendix 6**].

*Page v Smith* [1996] AC 155 (HL).

<sup>5</sup> A neutral citation system is “neutral” because it cites sources independently of published reports, allowing the reader to identify a case without reference to a printed reporter. With the increase of electronic publishing, the UK introduced a neutral citation system in 2001.



- (e) A citation to a law report should be placed after a neutral citation, stating the year in square brackets, the volume number (if applicable), the report abbreviation, and the first page of the case. If the case is published in more than one reporter, the citation should cite to only one reporter, the first applicable in the following order: the Law Reports (“AC”, “QB”, “Ch”, “Fam”, or “P”), the Weekly Law Reports (“WLR”), the All England Law Reports (“All ER”), and any specialist law report, such as the Lloyd’s Law Reports or the Family Law Reports **[Appendix 3]**.

[2015] AC 1619.

[2016] 1 All ER 1.

- (f) Neutral citations and citations from a law report should be separated by a comma.

*Rainy Sky SA v Kookmin Bank* [2011] UKSC 50, [2012] 1 All ER 1137.

- (g) Where a law report is independently numbered so that the year of publication is not needed to find a volume, the year of the judgment should be stated in parentheses after the names of the parties and before the citation.

*Barrett v Enfield LBC* (1999) 49 BMLR 1 (HL).

- (h) When pinpointing a paragraph within a judgment, provide the paragraph number after the citation (without any comma separating it) in square brackets. If referring to multiple non-sequential paragraphs or to a continuous series of paragraphs, the paragraph numbers should have their own square brackets separated by a comma or hyphen as appropriate.

*Rainy Sky SA v Kookmin Bank* [2011] UKSC 50, [2012] 1 All ER 1137 [21]-[23].

- (i) Where a citation ends with the identification of the court in parentheses, paragraph numbers should be provided without square brackets.

*Beattie v E & F Beattie Ltd* [1938] Ch 708 (CA) 702, 723.



### 6.1.5 France

Citations to French court decisions should state the names of the parties in italics, the abbreviated court name [**Appendix 6**] (with the location after the court name for regional courts), the chamber (if any), the date, and, if appropriate, the pinpoint.

*Société Ryanair et autre v. Syndicat Mixte des Aéroports de Charente (SMAC)*, Civ. 1ère, 8 July 2015, 2015(3) Rev. Arb. 966, p. 967.

Civ. 1ère, 14 December 1983, Bull. civ. I, No. 295, para. 8.

*Société Chematur AB c. République de Bulgarie*, C.A. Paris, 19 mai 2015, 2015(3) Rev. Arb. 952, p. 955.

### 6.1.6 Hong Kong

- (a) Citations to Hong Kong court decisions should state the names of the parties, italicised and separated by an unpunctuated “*v*”, followed by a citation specific to the relevant law report. If there is more than one party, this should be denoted by adding “*and others*” or “*and another*” after the first claimant or defendant (as appropriate).
- (b) Hong Kong law reports will usually include the citation format in the preliminary pages of each volume. If the date is not part of the citation, the year may be inserted before the citation (but after the party names) in parentheses.
- (c) In general, Hong Kong law reports are cited by stating the year in square brackets or parentheses, the volume number, the report abbreviation [**Appendix 3**], and the page number or case number. Note that “*v*” is unpunctuated.

*Ho Chee Sing James v Secretary for Justice* [2008] 1 HKCLR 141.

*Sea Powerful II Special Maritime Enterprises (ENE) v Bank of China Ltd* [2016] HKCA 205.

*HK SAR v Chow Nok Hang* [2013] 16 HKCFAR 837.



## 6.1.7 Netherlands

- (a) Citations to Dutch court decisions should state the abbreviated name of the court, the location of the court (unless the court is unique), any specification of court (*e.g.*, specific hearing location) in brackets, the date of the decision, and any European Case Law Identifier (“ECLI”) number.

Court of Appeal Amsterdam (Enterprise Chamber) 8 December 2006, ECLI:NL:GHAMS:2006:AZ4007.

- (b) Additional information should be added after the ECLI number:

Supreme Court 23 September 1994, ECLI:NL:HR:1994:ZC1454, *para. 35*.

Supreme Court 23 September 1994, ECLI:NL:HR:1994:ZC1454, *NJ 1996/461*.

Supreme Court 23 September 1994, ECLI:NL:HR:1994:ZC1454, *NJ 1996/461*, with commentary *W.M. Kleijn*.

Supreme Court 23 September 1994, ECLI:NL:HR:1994:ZC1454 (*Kas-Associatie/Drying*).

- (c) Where the judgment does not have an ECLI number but is only published in a journal, the name of the journal should be included in italics [**Appendix 3**].

Court of Appeal Amsterdam 10 December 1987, *NJCM-Bulletin* 1989.

- (d) Where the judgment is not published and does not have an ECLI number, the citation should include the case number.

Court of Appeal Amsterdam 8 December 1995, *95/345*.

## 6.1.8 Singapore

- (a) Citations to Singaporean court decisions should state the names of the parties, italicised and separated by an unpunctuated “*v*”, followed by a citation specific to the relevant law report. Phrases such as “*and others*” or “*(a firm)*” are generally omitted. Where the case is numbered, state the cardinal number of the case, preceded by “*No*” with no full point (period) (*e.g.*, “*No 2*”).

- (b) In general, Singaporean law reports are cited by stating the year in square brackets, the volume number (if applicable), the report abbreviation, and the page number.

[2001] 1 SLR 222.



- (c) When pinpointing a paragraph within a judgment, provide the paragraph number after the citation (without any comma separating it) in square brackets. If referring to multiple non-sequential paragraphs or to a continuous series of paragraphs, the paragraph numbers should have their own square brackets separated by a comma or hyphen as appropriate.

[2004] 1 SLR 23 at [3]-[4].

- (d) Generally, where a Singaporean case has been reported, the citation of the report should be used. If the case has not been reported, the following neutral citation system should be used: the year in square brackets, the court abbreviation [Appendix 6], and the case number.

[2007] SGHC 17.

[2003] SGCA 49.

- (e) When citing to English, UK or Privy Council cases, if a case is reported but does not have a neutral citation, an abbreviation indicating the court should be inserted after the citation in parentheses. “HC” should be used for the High Court, “CA” for the Court of Appeal, “HL” for the House of Lords, “UKSC” for the Supreme Court of the United Kingdom, “DC” for the District Court, and “PC” for the Privy Council.

[2005] 1 SLR 435 (CA).

- (f) Court abbreviations need not be included if a neutral citation is being used.

#### 6.1.9 Spain

- (a) Citations to Spanish courts should state the court, the location of the court (unless there is only one such court in Spain), the date, the publication information, and the decision number. An “S” for “Sentencia” or “Decision” is commonly included before the court abbreviation.

Supreme Court (Civil Chamber), 15 February 2017. ROJ: STS 362/2017.

- (b) Alternatively, citations to Spanish court decisions should state the name of the court, the date, the database (*e.g.*, “A” for Aranzadi), and the decision number.



## 6.1.10 Sweden

- (a) Citations to Swedish court decisions should state the abbreviated court name [**Appendix 6**] and should state the law report in abbreviated form [**Appendix 3**], the year, and, if appropriate, the pinpoint. Page numbers may be introduced either by the letter “p.” or by a colon.

NJA 2000 p. 538.

SvJT 1936: 27.

- (b) Citations to Swedish court decisions may also use a longer citation format, stating the names of the parties in italics, the name of the court, the date of the decision, the abbreviated title of the report [**Appendix 3**], and, if appropriate, the pinpoint.

*C. G. Ohlssons v. C. Bergström and J. S. L. Lindberg*, decision by the Supreme Court on 18 October 1911, NJA 1911 p. 499.

*Kenneth O v. Motor Union Assuransfirma AB*, decision by the Supreme Court on 23 June 1993 in case no Ö 2317-91, NJA 1993 p. 308.

## 6.1.11 Switzerland

- (a) Citations to Swiss federal court decisions should state the abbreviated court [**Appendix 6**], the official publication volume number, an upper-case numeral indicating the relevant section of the official publication [**Appendix 3**], and the first page of the decision.

ATF 134 III 565.

- (b) Decisions or extracts of decisions that are not published in the official court reporter are cited by their standard case number, followed by the date.

4A\_210/2008 of 29 October 2008.

- (c) Citations to Swiss cantonal court decisions should state the court, the date of the decision, the official publication, and the first page of the decision.

Decision of the High Court of the Canton of Zurich, 9 November 1977, ZR 1978, 4.



### 6.1.12 United States

- (a) Comprehensive citation guidance can be found in *The Bluebook*, which provides a uniform system of citation in the US.
- (b) Citations to US court decisions should state the name of the parties, italicised and separated by a punctuated “v.”, the publication volume number, the publication abbreviation, the first page of the case, the pinpoint if appropriate, and the year of decision in parentheses.

*AT&T Mobility v. Concepcion*, 563 U.S. 333, 345 (2011).

## 6.2 Domestic legislation

Citations to domestic legislation should follow the citation systems most commonly used in the applicable jurisdiction. Domestic legislation commonly cited in international arbitration is summarised *non-exhaustively* below. For jurisdictions not listed or where doubt otherwise exists, reference should be made to the applicable jurisdiction’s citation guides. Where a domestic guide specifies a rule – for example, a shortened title to be used in citations to the statute – this rule should be used. Where the specific rules in Chapter 6.2 conflict with the more general rules found elsewhere in UCIA, the rules in Chapter 6.2 prevail – except for rules on citations to domestic international arbitration laws in **Rule 3.1**.

### 6.2.1 Austria

- (a) Citation to the Austrian constitution and legal codes should state the relevant subdivision (“Art.”, “Abs.”, etc.) and the relevant abbreviation [**Appendix 5**].

Art. 7 Abs. 1 B-VG.

§ 879 Abs. 2, 1 ABGB.

- (b) Citations to Austrian laws and regulations should state the relevant subdivision and an abbreviation of the regulation’s name.

§ 35 Abs. 1 GSV.

- (c) Citations to a local state constitution should state the abbreviation “L-VG” (for Landes-Verfassungsgesetz) and indicate the name of the state.

### 6.2.2 Belgium

- (a) Citations to the Belgian constitution should use the abbreviation “Const.”/“Gw.”, the abbreviation “art.”, and the article number.

Belgian Const., art. 33.



- (b) Citations to Belgian legislation should state the type of document – *e.g.*, a Special Law (“L. spéc.”/“Bijz. Wet”), an ordinary law (“Loi”/“Wet”), an ordinance of the Brussels Region (“Ord.”/“Ord. Br.”), a law of the Walloon and Flemish regions (“Décret”/“Decreet”), or a royal decree (“A.R.”/“K.B.”) – the date, the abbreviation of the Belgian Official Gazette (Moniteur belge (“M.B.”)/Belgisch Staatsblad (“B.S.”)), and the date of publication in the Belgian Official Gazette.

L. spéc. de réformes institutionnelles du 8 août 1980, M.B., 15 August 1980.

Decreet van 8 mei 2009 houdende algemene bepalingen betreffende het energiebeleid (aangehaald als het Energiedecreet), BS, 7 July 2009.

- (c) Citations to Belgian legal codes should state the code’s abbreviation [**Appendix 5**], the abbreviation “art.”, and, if appropriate, the pinpoint.

C.jud., art. 633.

### 6.2.3 Brazil

- (a) Citations to the Brazilian constitution should state the jurisdiction, the word “Constituição” (or, *e.g.*, “Constitution” if the arbitration is conducted in English or French), the year of enactment in parentheses, the title of the section referenced, the date and the publication information (with legal publication in bold). In the publication information, the date comes last and is preceded by the pinpoint.

BRASIL. Constituição (1988). Emenda constitucional no 9, de 9 de novembro de 1995. **Lex**: legislação federal e marginália, São Paulo, v. 59, p. 1966, out./dez. 1995.

- (b) Citations to Brazilian legislation should state the jurisdiction in caps, the type of legislation, the law number, the date, and the publication information (with legal publication in bold).

BRASIL. Lei no 4.131, de 3 de setembro de 1962. Disciplina a aplicação do capital estrangeiro e as remessas de valores para o exterior e dá outras providências. **Diário Oficial [da] República Federativa do Brasil**, Poder Executivo, Brasília, DF, 27 set. 1962. Seção 1, p. 10073.

- (c) The same rule applies to legal codes [**Appendix 5**].

BRASIL. **Código de processo civil**. 40. ed. São Paulo: Revista dos Tribunais, 2010.



## 6.2.4 England &amp; Wales

- (a) Citations to England & Wales statutes should state the short title of the instrument and the year, without any separating comma.

English Insolvency Rules 1986.

- (b) Citations to England & Wales statutory instruments should include the short title and the year, the abbreviation “SI”, and the statutory instrument number. This number should consist of the year and the serial number, separated by a forward slash.

Marshall Scholarships Order 2017, SI 2017/1109.

## 6.2.5 France

- (a) Citations to the French constitution should use the abbreviation “Const.”, the abbreviation “Art.”, and the article number.

French Const. Art. 16.

- (b) Citations to French legislation should state the type (*e.g.*, “L. const.”, “Loi”, “Ord.”, “Décret”), the number and reference number (the year the law was enacted followed by the serial number), the date, and the publication (usually the French official journal, abbreviated “J.O.”).

Décret No. 2011-48, 13 January 2011, J.O., 14 January 2011, 777.

Loi n° 2016-274, 7 March 2016.

- (c) Citations to French legal codes should state “Art.”, the article number, and the code’s abbreviation [**Appendix 5**].

Art. 1570 NCP.

## 6.2.6 Hong Kong

- (a) Citations to the Hong Kong Basic Law should state “Basic Law”, the abbreviation “Art.”, and the article number.

Basic Law Art 158.



- (b) Citations to Hong Kong ordinances should state the full name of the instrument and the chapter number, expressed in the form “Cap”. The chapter number can be in parentheses or not.

Competition Ordinance Cap 619.

Competition Ordinance (Cap 619).

- (c) Citations to a Hong Kong ordinance as originally passed should state the name of the instrument followed by the number and year of the ordinance in parentheses.

Competition Ordinance (No 177 of 2005).

### 6.2.7 Netherlands

- (a) Citation to the Dutch constitution should state the article, the paragraph, and the term “Grondwet”.

Artikel 2, tweede lid, van de Grondwet.

- (b) Citation to Dutch legislation should, the first time a document is cited, state the article, the paragraph cited, and the name of the statute written in full.

Article 1065, paragraph 5, of the Dutch Code of Civil Procedure.

- (c) Short-form citation, to be used after the first full citation, should state the article, the paragraph in parenthesis (if one is cited), and the abbreviated name of the statute [**Appendix 5**].

Article 1065 DCCP.

Article 1065 (5) DCCP.

- (d) When referring to an article in the Civil Code in short form, the number of the Book should be placed before the number of the article, separated by a colon.

Article 6:162 DCC.



## 6.2.8 Singapore

- (a) Citations to Singaporean legislation should state the full name of the statute, the year of the statute, the chapter number (expressed as “Cap” followed by the number), the edition year in parentheses, and the pinpoint.

Casino Control Act (Cap 33A, 2007 Rev Ed), s 4.

- (b) If the legislation has not been assigned a chapter number, citation to Singapore legislation should state the full name and year of the statute, the act number, the year in parentheses, and the pinpoint.

Contracts (Rights of Third Parties) Act 2001 (Act 39 of 2001), s 9.

- (c) References to UK statutes should state the full name and year of the statute, the chapter number (expressed “c” followed by the number in parentheses), and the abbreviation “(UK)”.

State Immunity Act 1978 (c 33) (UK).

- (d) Citation to subsidiary legislation should be cited in a similar way, stating the chapter number or, if none has been assigned, the number of the instrument, followed by the year. When referring to sub-provisions in Singaporean legislation, any alphabetical sub-provisions should be italicised (e.g., “Arbitration Act (Cap 10, 2002 Rev Ed), s 48(a)(ii)”).

## 6.2.9 Spain

- (a) Citations to Spanish legislation should state the type (e.g., Organic Law, Royal Decree), the number and year of the law, the date, the name of the law, and the relevant publication (usually the official gazette “Boletín Oficial del Estado” (“BOE”), Aranzadi (“A”), the “Repertorio Cronológico de Legislación” (“RCL”), or the “Repertorio de Jurisprudencia” (“RJ”)).

Ley 60/2003, de 23 de diciembre, de Arbitraje, BOE No. 309, de 26 diciembre 2003, pp. 4609-4610.

- (b) Citations to Spanish legal codes should state “Art.”, the article referenced, and the code abbreviation [Appendix 5].

Art. 100 C.C.

- (c) Citations to the Spanish constitution should state the abbreviation “Art.”, the article referenced, and the abbreviation “C.E.”

Art. 9 C.E.



- (d) In short-form, laws (“ley ordinaria”) are abbreviated “L”, organic laws (“ley orgánica”) “LO”, royal decrees (“real decreto”) “RD-Ley”, royal legislative decrees (“real decreto legislativo”) “RDL”, and ministerial orders (“orden ministerial”) “OM” [Appendix 5].

#### 6.2.10 Sweden

- (a) Citations to one of the four Swedish fundamental laws, which together form the constitution, should state the relevant abbreviation and the abbreviation of the Swedish Code of Statutes (Svensk Författningssamling, “SFS”) [Appendix 5].
- (b) Citations to Swedish legislation should refer to the type of legislation (e.g., law, decree, or ordinance), the year, the unique number in that year’s SFS in parentheses (year:number), and the title of the legislation.

Lag (1977:265) om statligt personskadeskydd.

Förordning (2017:154) med instruktion för Skatteverket.

Kungörelse (1973:105) om länsbeteckningar.

- (c) If the title of the law is included in the type of legislation, there is no title of the law after parentheses.

Budgetlag (2011:203).

Luffartslag (2010:500).

- (d) Citations to official publications should state the type of publication, the reference number, the title (optional), and the relevant page.

Govt. official report (SOU) 1993:40, 234 (SOU 1993:40 Fri- och rättighetsfrågor - Regeringsformen, 234).

Govt. bill 2016/17:17, 47 (prop 2016/17:17 Genomförande av det omarbetade asylprocedurdirektivet, 47).

- (e) Citations to legal codes should state an abbreviation of the code’s name [Appendix 5], the number of the chapter, and the number of the relevant section(s).

RB 12: 1-24.

HB 18: 5.



## 6.2.11 Switzerland

- (a) Citations to the Swiss constitution should state the subdivision referenced followed by the abbreviation “Cst.” (French), “BV” German, or “Cost.” (Italian).

Art. 62 Cst.

- (b) Citations to Swiss legislation should state the form of the act (*e.g.*, federal law, ordinance), the date, the complete title, and the official abbreviation [**Appendix 5**], and reference number in brackets.

Loi fédérale du 18 décembre 1987 sur le droit international privé (LDIP; RS 291).

- (c) Citations to Swiss legal codes should cite the provision and the abbreviation for the legal code [**Appendix 5**].

Art. 18 CO.

## 6.2.12 United States

- (a) Comprehensive citation guidance can be found in *The Bluebook*, which provides a uniform system of citation in the US.
- (b) Citations to entire US statutes should state the official name of the act, the relevant title number of the US Code, the abbreviation “U.S.C.”, the section symbol, the pinpoint, and the date of the code edition.

US Arbitration Act, 9 U.S.C. §§ 1-14 (1982).

- (c) Citations to individual provisions of the U.S.C. should state the title number, the abbreviation “U.S.C.”, the section symbol, the pinpoint, and the year of the code edition.

28 U.S.C. § 1291 (2006).

- (d) Citations to the US constitution should start with the abbreviation “U.S. Const.”, followed by the abbreviation “art.” or “amend.”, the article or amendment number, the section symbol, and the number of the section cited.

U.S. Const. art. 3, § 1.

U.S. Const. amend. XIV, § 2.



# 7 Commentary

## 7.1 Books

7.1.1 The first citation to a book should include:

- (a) the first initial(s) and family name(s) of the author(s);
- (b) the title of the book in italics, capitalised in accordance with the capitalisation in the book;
- (c) in parentheses, the edition number (unless there is only one edition) and the year of publication; and
- (d) if appropriate, the pinpoint citation.

J. Fry et al., *The Secretariat's Guide to ICC Arbitration* (2012), ¶ 3-98.

B. Berger and F. Kellerhals, *International and Domestic Arbitration in Switzerland* (3rd ed., 2015), p. 691.

P.-M. Dupuy, *Droit International Public* (9th ed., 2008), ¶ 532.

7.1.2 When citing to a book with an editor(s), the abbreviations “(ed.)” or “(eds.)” should be added after the name of the editor(s).

G. von Mehren, *The Arbitrator's Role*, in M. Levy (ed.), *Gas Price Arbitrations* (2014), pp. 91-102.

7.1.3 Where there are more than two authors, only the first author should be stated, followed by “et al.”

M. Kinnear et al. (eds.), *Building International Investment Law: The First 50 Years of ICSID* (2015).

7.1.4 Chapters within an edited book should be cited with the addition of the word “in” between the chapter citation and the book citation.

G. von Mehren, *The Arbitrator's Role*, in M. Levy (ed.), *Gas Price Arbitrations* (2014), pp. 91-102.

7.1.5 Short-form citation of a book, to be used after the first full citation, should include the family name of the author(s) and the pinpoint citation. If citing multiple works by the same author or by authors sharing the same family name, indicate the title of the work in italics.

Dupuy, ¶ 532.

Dupuy, *Droit International Public*, ¶ 532.



## 7.2 Legal reviews

7.2.1 The first citation to a legal review article should include:

- (a) the first initial(s) and family name(s) of the author(s);
- (b) the title of the article in italics, capitalised in accordance with the capitalisation in the review;
- (c) the volume number (if the volume number is not available, use the year of publication);
- (d) the issue number in parentheses;
- (e) the name of the publication abbreviated [**Appendix 3**];
- (f) the page number of the first page on which the document cited starts; and
- (g) if appropriate, the pinpoint.

*B. Audit, Une année de jurisprudence arbitrale en France (2007-2008), 19(2) ICC Bull. 13.*

*Summary Records of the Fifty-First Session, 1999(1) ILC Y.B. 1.*

7.2.2 Although citations to legal reviews include a citation to the first page of the document cited using the page number only (see **Rule 7.2.1**), if a pinpoint page reference follows, the abbreviation “p.” or “pp.” (as appropriate) should precede the pinpoint.

*C. Schreuer, Commentary on the ICSID Convention, 12(1) Rev. – FILJ 365, p. 380.*

7.2.3 Where there are more than two authors, only the first author should be stated, followed by “et al.”

7.2.4 Short-form citation of an article, to be used after the first full citation, should include the family name of the author(s) and the pinpoint citation.

*Audit, p. 13.*

## 7.3 Conference papers and presentations

7.3.1 The first citation to a conference paper or presentation should state:

- (a) the first initial(s) and family name(s) of the author(s);
- (b) the title of the conference paper or presentation in italics, capitalised in accordance with the capitalisation in the paper or presentation;
- (c) the title of the conference;
- (d) the date of the paper or presentation; and
- (e) if appropriate, the pinpoint citation.

*S. Adell, Improving Investment Treaty Arbitration, Prague Investment Treaty Conference, 31 October 2013, Slide 12.*



- 7.3.2 Where there are more than two authors, only the first author should be stated, followed by “et al.”
- 7.3.3 Short-form citation of a conference paper or presentation, to be used after the first full citation, should include the family name(s) of the author(s) with the pinpoint citation.

Adell, Slide 12.



# Appendix 1

## Common Abbreviations

Abbreviations listed in Appendix 1 should be used in all citations, even in the first citation in which the word is used.

Word	Abbreviation
Association	Assoc.
Amendment	Amend.
Article	Art.
Articles	Arts.
Bulletin	Bull.
Circuit	Cir.
Chapter	Ch.
Commercial	Comm.
Constitution	Const.
Corporation	Corp.
Edition	edn.
Editor	ed.
Editors	eds.
Footnote	fn.
Footnotes	fns.
International	Intl.
Limited	Ltd.
Number	No.
Numbers	Nos.
Page	p.
Pages	pp.
Paragraph	¶ or para.
Paragraphs	¶¶ or paras.
Part	pt.
Parts	pts.
Regulation	Reg.
Regulations	Regs.
Report(s)	Rep(s).
Review	Rev.
Rule	R.
Rules	Rs.
Schedule	Sch.
Schedules	Schs.
Section	§ or s.
Sections	§§ or ss.
Versus	v.
Volume(s)	Vol(s).
Yearbook	Y.B.



# Appendix 2

## Abbreviations of Arbitral Institutions and Related Organisations

Abbreviations listed in Appendix 2 should be used in all citations, even in the first citation in which the word is used.

Organisation	Abbreviation
American Arbitration Association	AAA
Cairo Regional Centre for International Commercial Arbitration	CRCICA
Milan Chamber of Arbitration	CAM
Chambre Arbitrale Internationale de Paris	CAP
China International Economic and Trade Arbitration Commission	CIETAC
Dubai International Arbitration Centre	DIAC
Hong Kong International Arbitration Centre	HKIAC
Dubai International Financial Centre	DIFC
German Institution of Arbitration	DIS
Grain and Feed Trade Association	GAFTA
International Chamber of Commerce	ICC
International Council for Commercial Arbitration	ICCA
International Centre for Dispute Resolution	ICDR
International Bar Association	IBA
The International Centre for Settlement of Investment Disputes	ICSID
International Tribunal for the Law of the Sea	ITLOS
Kuala Lumpur Regional Centre for Arbitration*	KLRC
London Court of International Arbitration	LCIA
Netherlands Arbitration Institute	NAI
Organization for the Harmonization of Business Law in Africa	OHADA
Permanent Court of Arbitration	PCA
Singapore International Arbitration Centre	SIAC
Stockholm Chamber of Commerce	SCC
Swiss Chambers' Arbitration Institution	SCAI
United Nations Conference on Trade and Development	UNCTAD
United Nations Commission on International Trade Law	UNCITRAL
Vienna International Arbitration Centre	VIAC
World Intellectual Property Organization	WIPO

\* Name change to Asia International Arbitration Centre (AIAC) became effective in February 2018



# Appendix 3

## Abbreviations of Publications

Abbreviations listed in Appendix 3 should be used in all citations, even in the first citation in which the word is used.

Publication	Abbreviation
All England Law Reports	All ER
American Journal of International Law	AJIL
American Review of International Arbitration	ARIA
Annuaire de l'Institut de Droit International	Annuaire
Appeal Cases	AC
Arbitration International	Arb. Intl.
ASA Bulletin	ASA Bull.
Asian International Arbitration Journal	AIAJ
Bahrain Chamber of Dispute Resolution International Arbitration Review	BCDR Intl. Arb. Rev.
Boletín Oficial del Estado	BOE
British Institute of International and Comparative Law	BIICL
British Yearbook of International Law	BYBIL
Bulletin civil de la Cour de cassation	Bull. civ.
Butterworths' Medico-Legal Reports	BMLR
Cahiers de l'Arbitrage; the Paris Journal of International Arbitration	Cahiers de l'Arb.
Europarättslig Tidskrift	ERT
European Court Reports	ECR
European International Arbitration Review	EIAR
UCIA – Universal Citation in International Arbitration	UCIA
Hong Kong Cases	HKC
Hong Kong Chinese Law Reports & Translations	HKCLRT
Hong Kong Court of Final Appeal Reports	HKCFAR
Hong Kong Law Reports & Digest	HKLRD
ICCA Yearbook Commercial Arbitration	Y.B. Com. Arb.
ICSID Reports of Cases Decided	ICSID Rep.
ICSID Review – Foreign Investment Law Journal	ICSID Rev. – FILJ
ICSID, History of the ICSID Convention: Documents Concerning the Origin and the Formulation of the ICSID Convention (ICSID Publication 1968)	History of the ICSID Convention, Vol. [X]
Indian Journal of Arbitration Law	Indian J. of Arb. Law
International & Comparative Law Quarterly	ICLQ



Publication	Abbreviation
International Arbitration Law Review	Intl. Arb. Law Rev.
International Chamber of Commerce Dispute Resolution Bulletin	ICC Bull.
International Court of Justice Reports	ICJ Rep.
International Journal of Arab Arbitration	Intl. J. of Arab Arb.
International Legal Materials	ILM
Journal du Droit International	JDI
Journal of International Arbitration	J. of Intl. Arb.
Journal Officiel	J.O.
Juridisk Tidskrift	JT
Lloyd's Maritime Law Newsletter	LMLN
Mealey's International Arbitration Report	Mealey's Intl. Arb. Rep.
Nytt Juridiskt Arkiv	NJA
Official Journal of the European Union	OJ
Oxford University Press	OUP
Permanent Court of International Justice Reports	PCIJ Rep.
Rättsfall från Hovrätterna	RH
Recueil des Cours de l'Académie de Droit International	Recueil des Cours
Regeringsrättens Årsbok	RA or HFD
Repertorio Cronológico de Legislación	RCL
Repertorio de Jurisprudencia	RJ
Reports of International Arbitral Awards	Rep. of Intl. Arb. Awards
Reports of Judgments and Decisions of the European Court of Human Rights	ECtHR
Revista Brasileira de Arbitragem	Rev. Brasileira de Arb.
Revue de l'Arbitrage	Rev. Arb.
Revue suisse de procédure civile	RSPC
Rivista dell'arbitrato	Riv. arbitrato
SchiedsvZ – Zeitschrift für Schiedsverfahren	SchiedsvZ
Singapore Law Reports	SLR
Tijdschrift voor Arbitrage	TvA
Transnational Dispute Management	TDM
United States Reports	US Rep.
Weekly Law Reports	WLR
Yearbook of the International Law Commission	ILC Y.B.



# Appendix 4

## Abbreviations of Commonly Cited Treaties and Treaty Provisions

Abbreviations listed in Appendix 4 should *not* be used in the first citation in which the word is used, but should be used in all subsequent citations using that word.

Treaty	Abbreviation
Bilateral Investment Treaty	BIT
Dominican Republic–Central America–United States–Free Trade Agreement	CAFTA-DR
Convention on the Recognition and Enforcement of Foreign Arbitral Awards	New York Convention
Convention on the Settlement of Investment Disputes between States and Nationals of Other States	ICSID Convention
Energy Charter Treaty	ECT
European Convention on Human Rights	ECHR
Economic Partnership Agreement	EPA
Fair and Equitable Treatment	FET
Free Trade Agreement	FTA
Investor-State Dispute Settlement	ISDS
Most Favoured Nation	MFN
Multilateral Investment Treaty	MIT
Mutual Legal Assistance Treaty	MLAT
North American Free Trade Agreement	NAFTA
Trans-Pacific Partnership	TPP
United Nations Convention on Contracts for the International Sale of Goods	CISG
United Nations Convention on the Law of the Sea	UNCLOS
Vienna Convention on the Law of Treaties	VCLT



# Appendix 5

## Abbreviations of Codes and Constitutions

Abbreviations listed in Appendix 5 should *not* be used in the first citation in which the word is used, but should be used in all subsequent citations using that word.

Code or constitution	Abbreviation
<b>Austria</b>	
Allgemeines bürgerliches Gesetzbuch (civil code)	ABGB
Allgemeines Verwaltungsverfahrensgesetz (administrative code)	AVG
Bundes-Verfassungsgesetz (constitution)	B-VG
Handelsgesetzbuch (commercial code)	HGB
Landes-Verfassungsgesetz (state constitution)	L-VG
Strafprozeßordnung (criminal procedure code)	StPO
Zivilprozessordnung (civil procedure code)	ZPO
<b>Belgium</b>	
Code civil/Burgerlijk Wetboek (civil code)	C. civ. (French) or B.W. (Dutch)
Code de droit économique/Wetboek van economisch recht (economic law code)	CDE (French) or WER (Dutch)
Code des sociétés/Wetboek van vennootschappen (company code)	C. soc. (French) or W. Venn. (Dutch)
Code d'instruction criminelle/Wetboek van strafvordering (criminal instruction code)	C.i.cr. (French) or Sv. (Dutch)
Code judiciaire/Gerechtelijk Wetboek (judicial code)	C. jud. (French) or G.W. (Dutch)
Code pénal/Strafwetboek (criminal code)	C. pén (French) or Sw. (Dutch)
<b>Brazil</b>	
Código Civil (civil code)	Cod. Civ.
Código Comercial (commercial code)	Cod. Com.
Código de Processo Civil (civil procedure code)	Cod. Pro.
Código Penal (criminal code)	Cod. Pen.
Código de Processo Penal (criminal procedure code)	Cod. Pro. Pen.
<b>France</b>	
Code civil (civil code)	C. Civ.
Code de commerce (commercial code)	C. Com.
Code de procédure pénale (criminal procedure code)	CPP
Code du travail (labour code)	C. Trav.
Code pénal (criminal code)	C. Pén.
Nouveau Code de procédure civile (civil procedure code)	NCPC



Code or constitution	Abbreviation
<b>Netherlands</b>	
Algemene wet bestuursrecht (general administrative law act)	GALA (English) or Awb (Dutch)
Burgerlijk Wetboek (civil code)	DCC (English) or BW (Dutch)
Grondwet (constitution)	Gw. (Dutch and English)
Wetboek van Burgerlijke Rechtsvordering (civil procedure code)	DCCP (English) or Rv (Dutch)
Wetboek van Strafrecht (criminal code)	CC (English) or Sr (Dutch)
Wetboek van Strafvordering (criminal procedure code)	CP (English) or Sv (Dutch)
<b>Spain</b>	
Código Civil (civil code)	C.C.
Código de Comercio (commercial court)	C.Com.
Código Penal (criminal code)	C.P.
Constitución Española (constitution)	C.E.
Ley de Enjuiciamiento Criminal (criminal procedure law)	LECr
<b>Sweden</b>	
Aktiebolagslagen (companies act)	ABL
Brottsbalken (criminal code)	BrB
Handelsbalk (commercial code)	HB
Rättegångsbalken (judicial procedure code)	RB
Regeringsformen (basic law on fundamental rights)	(SF) SFS
Successionsordningen (basic law on succession)	(SO) SFS
Tryckfrihetsförordningen (basic law on freedom of press)	(TF) SFS
Yttrandefrihetsgrundlagen (basic law on freedom of media)	(YGL) SFS
<b>Switzerland</b>	
Code civil suisse/Schweizerisches Zivilgesetzbuch/Codice civile svizzero (civil code)	CC (French and Italian) or ZGB (German)
Code de procédure civile/Zivilprozessordnung/Codice di diritto processuale civile (civil procedure code)	CPC (French and Italian) or ZPO (German)
Code de procédure pénale/Strafprozessordnung/Codice di procedura penale (criminal procedure code)	CPP (French and Italian) or StPO (German)
Code des obligations/Obligationenrecht/Diritto delle obbligazioni (code of obligations)	CO (French and Italian) or OR (German)
Code pénal suisse/Strafgesetzbuch/Codice penale svizzero (criminal code)	CP (French and Italian) or StGB (German)
Constitution fédérale de la Confédération suisse/Bundesverfassung der Schweizerischen Eidgenossenschaft/Costituzione federale della Confederazione Svizzera (constitution)	Cst. (French) or BV (German) or Cost. (Italian)
Loi fédérale du 18 décembre 1987 sur le droit international privé/Bundesgesetz vom 18. Dezember 1987 über das Internationale Privatrecht/Legge federale del 18 dicembre 1987 sul diritto internazionale privato (private international law act)	LDIP (French and Italian) or IPRG (German)
<b>United States</b>	
United States Code	U.S.C.
United States Constitution	U.S. Const.



# Appendix 6

## Abbreviations of Courts

Abbreviations listed in Appendix 6 should *not* be used in the first citation in which the word is used, but should be used in all subsequent citations using that word.

Court	Abbreviation
<b>Austria</b>	
Bezirksgericht (first instance civil and criminal district court)	BG [jurisdiction]
Landesgericht (regional civil and criminal court of appeal)	LG [jurisdiction]
Oberlandesgericht (court of appeal)	OLG [jurisdiction]
Oberster Gerichtshof (civil and criminal supreme court)	OGH
Verfassungsgerichtshof (constitutional court)	VfGH
Verwaltungsgerichtshof (administrative and tax supreme court)	VwGH
<b>Belgium</b>	
Conseil d'Etat/Raad van State (administrative supreme court)	C.E. (French) or RvS (Dutch)
Cour constitutionnelle/Grondwettelijk Hof (constitutional court, post-7 May 2007)	C.C. (French) or GwH (Dutch)
Cour d'appel/Hof van Beroep (civil and commercial regional court of appeal)	Name of city where court located
Cour d'arbitrage/Arbitragehof (constitutional court, pre-7 May 2007)	C.A. (French) or Arbitragehof (Dutch)
Cour d'assises/Hof van assisen (criminal court)	Cour ass. (French) or Assisen (Dutch)
Cour de cassation/Hof van Cassatie (civil and criminal supreme court)	Cass.
Cour du travail/Arbeidshof (labour court)	Cour trav. (French) or Arbh. (Dutch)
Tribunal de commerce/Rechtbank van koophandel (commerce tribunal)	Comm. (French) or Kh. (Dutch)
Tribunal de première instance/Rechtbank van eerste aanleg (civil tribunal of first instance)	Civ. (French) or Rb. (Dutch)
Tribunal du travail/Arbeidsrechtbank (labour tribunal)	Trib. trav. (French) or Arbrb. (Dutch)
<b>Brazil</b>	
Superior Tribunal de Justiça (superior court of justice)	STJ
Supremo Tribunal Federal (federal supreme court)	STF
Tribunal de Justiça (state court of appeal)	TJ
Tribunal Regional Federal (regional federal courts)	TRF
Tribunal Superior do Trabalho (superior labour court)	TST
Tribunal Superior Eleitoral (superior electoral court)	TSE



Court	Abbreviation
<b>England &amp; Wales</b>	
Chancery	Ch
Commercial Court	Com Ct
Court of Appeal	CA
Chancery Division	Ch
Queen's Bench Division	QB
<b>Council of Europe/European Union</b>	
Court of Justice of the European Union (EU judicial authority)	CJEU
Court of Justice (EU upper tribunal)	ECJ or CJEU
European Court of Human Rights	ECTHR
General Court (EU lower tribunal)	GC
<b>France</b>	
Chambre commerciale de la Cour de cassation (commercial chamber of the supreme court)	Com.
Chambre criminelle de la Cour de cassation (criminal chamber of the supreme court)	Crim.
Chambre des requêtes de la Cour de cassation (filtering chamber of the supreme court – dissolved in 1947)	Req.
Chambre sociale de la Cour de cassation (labour chamber of the supreme court)	Soc.
Conseil constitutionnel (constitutional court)	C.C.
Conseil d'Etat (administrative supreme court)	C.E.
Cour d'appel (court of appeal)	C.A.
Deuxième chambre civile de la Cour de cassation (second civil chamber of the supreme court)	Civ. 2ème
Première chambre civile de la Cour de cassation (first civil chamber of the supreme court)	Civ. 1ère
Tribunal administratif (first instance administrative court)	Trib. Admin.
Tribunal de grande instance (civil court of first instance)	T.G.I.
Tribunal des conflits (court that decides whether a case is a civil or administrative matter)	Trib. Conflits
Troisième chambre civile de la Cour de cassation (third civil chamber of the supreme court)	Civ. 3ème
<b>Hong Kong</b>	
Court of Appeal	HKCA
Court of Final Appeal	HKCFA
Court of First Instance	HKCFI
District Court	HKDC
Privy Council	PC



Court	Abbreviation
<b>Netherlands</b>	
Afdeling rechtspraak van de Raad van State (administrative supreme court)	Adf. Rechtspr.
Centrale Raad van Beroep (administrative court of appeal)	CRvB
College van Beroep voor het bedrijfsleven (public trade court of appeal)	CBB
Gerechtshof (court of appeal)	Hof
Hoge Raad (civil and criminal supreme court)	HR
Raad van State (council of state)	Raad van State
Tariefcommissie (tax court)	Tar. Comm.
<b>Singapore</b>	
Constitutional Tribunal	SGCT
Court of Appeal	SGCA
District Court	SGDC
High Court	SGHC
Citation for Privy Council	SGPC
Supreme Court	SGSC
<b>Spain</b>	
Audiencia Nacional (national court, which operates both as a first instance and a court of appeal, depending on the matter)	AN
Audiencia Provincial (provincial court)	AP
Juzgado de lo Contencioso Administrativo (administrative court)	JCA
Juzgado de lo Mercantil (commercial court)	JM
Juzgado de Primera Instancia (first instance court)	JPI
Tribunal Constitucional (constitutional court)	TC
Tribunal Superior de Justicia (autonomous community court)	TSJ
Tribunal Supremo (supreme court)	TS
<b>Sweden</b>	
Arbetsdomstolen (labour court)	AD
Högsta domstolen (supreme court)	HD
Hovrätten (court of appeal)	HovR
Regeringsrätten (supreme administrative court)	RR (Sweden), or RegR
<b>Switzerland</b>	
Tribunal administratif fédéral/Bundesverwaltungsgericht/Tribunale amministrativo federale (federal administrative court)	ATAF (French), BVGE (German), or DTAF (Italian)
Tribunal fédéral/Bundesgericht/Tribunale federale (supreme court)	ATF (French), BGE (German), or DTF (Italian)
Tribunal pénal fédéral/Bundesstrafgericht/Tribunale penale federale (federal criminal court)	TPF (French and Italian), or BstGer (German)



Court	Abbreviation
<b>United Kingdom</b>	
House of Lords	HL
Supreme Court of the United Kingdom	UKSC
<b>United States</b>	
US Circuit Court	Cir.
US District of Columbia Circuit	D.C. Cir.
US Federal District Court	DC
United States Supreme Court	U.S.S.Ct.
<b>International</b>	
International Court of Justice	ICJ
Permanent Court of International Justice	PCIJ



# Appendix 7

## Short Forms of Countries

Abbreviations listed in Appendix 7 should *not* be used in the first citation in which the word is used, but should be used in all subsequent citations using that word.

Country	Short form
Islamic Republic of Afghanistan	Afghanistan
The Republic of Albania	Albania
People's Democratic Republic of Algeria	Algeria
Principality of Andorra	Andorra
Republic of Angola	Angola
Antigua and Barbuda	Antigua and Barbuda
Argentine Republic	Argentina
Republic of Armenia	Armenia
Commonwealth of Australia	Australia
Republic of Austria	Austria
Republic of Azerbaijan	Azerbaijan
Commonwealth of The Bahamas	Bahamas
Kingdom of Bahrain	Bahrain
People's Republic of Bangladesh	Bangladesh
Barbados	Barbados
Republic of Belarus	Belarus
Kingdom of Belgium	Belgium
Belize	Belize
Republic of Benin	Benin
Kingdom of Bhutan	Bhutan
Plurinational State of Bolivia	Bolivia
Bosnia and Herzegovina	Bosnia and Herzegovina
Republic of Botswana	Botswana
Federative Republic of Brazil	Brazil
Brunei Darussalam	Brunei
Republic of Bulgaria	Bulgaria
Burkina Faso	Burkina
Republic of Burundi	Burundi
Kingdom of Cambodia	Cambodia
Republic of Cameroon	Cameroon
Canada	Canada
Republic of Cabo Verde	Cabo Verde



Country	Short form
Republic of Chad	Chad
Republic of Chile	Chile
People's Republic of China	China
Republic of Colombia	Colombia
Union of the Comoros	Comoros
Democratic Republic of the Congo	D.R. Congo
Republic of the Congo	Congo
Cook Islands	Cook Islands
Republic of Costa Rica	Costa Rica
Republic of Croatia	Croatia
Republic of Cuba	Cuba
Republic of Cyprus	Cyprus
Czech Republic	Czech Republic
Kingdom of Denmark	Denmark
Republic of Djibouti	Djibouti
Dominican Republic	Dominican Republic
Democratic Republic of Timor Leste	East Timor
Republic of Ecuador	Ecuador
Arab Republic of Egypt	Egypt
Republic of El Salvador	El Salvador
Republic of Equatorial Guinea	Equatorial Guinea
State of Eritrea	Eritrea
Republic of Estonia	Estonia
Federal Democratic Republic of Ethiopia	Ethiopia
Republic of Fiji	Fiji
Republic of Finland	Finland
French Republic	France
Gabonese Republic	Gabon
Islamic Republic of the Gambia	Gambia
Georgia	Georgia
Federal Republic of Germany	Germany
Republic of Ghana	Ghana
Hellenic Republic	Greece
Grenada	Grenada
Republic of Guatemala	Guatemala
Republic of Guinea	Guinea
Republic of Guinea-Bissau	Guinea-Bissau
Co-operative Republic of Guyana	Guyana
Republic of Haiti	Haiti
Republic of Honduras	Honduras
Hungary	Hungary



Country	Short form
Iceland	Iceland
Republic of India	India
Republic of Indonesia	Indonesia
Islamic Republic of Iran	Iran
Republic of Iraq	Iraq
Ireland	Ireland
State of Israel	Israel
Italian Republic	Italy
Republic of Côte d'Ivoire	Ivory Coast
Jamaica	Jamaica
Japan	Japan
Hashemite Kingdom of Jordan	Jordan
Republic of Kazakhstan	Kazakhstan
Republic of Kenya	Kenya
Republic of Kiribati	Kiribati
Democratic People's Republic of Korea	North Korea
Republic of Korea	South Korea
Republic of Kosovo	Kosovo
State of Kuwait	Kuwait
Kyrgyz Republic	Kyrgyzstan
Lao People's Democratic Republic	Laos
Republic of Latvia	Latvia
Lebanese Republic	Lebanon
Kingdom of Lesotho	Lesotho
Republic of Liberia	Liberia
State of Libya	Libya
Principality of Liechtenstein	Liechtenstein
Republic of Lithuania	Lithuania
Grand Duchy of Luxembourg	Luxembourg
Republic of Macedonia	Macedonia
Republic of Madagascar	Madagascar
Republic of Malawi	Malawi
Malaysia	Malaysia
Republic of Maldives	Maldives
Republic of Mali	Mali
Republic of Malta	Malta
Republic of the Marshall Islands	Marshall Islands
Islamic Republic of Mauritania	Mauritania
Republic of Mauritius	Mauritius
United Mexican States	Mexico
Federated States of Micronesia	Micronesia



Country	Short form
Republic of Moldova	Moldova
Principality of Monaco	Monaco
Mongolia	Mongolia
Montenegro	Montenegro
Kingdom of Morocco	Morocco
Republic of Mozambique	Mozambique
Republic of the Union of Myanmar	Myanmar
Republic of Namibia	Namibia
Republic of Nauru	Nauru
Federal Democratic Republic of Nepal	Nepal
Kingdom of the Netherlands	Netherlands
New Zealand	New Zealand
Republic of Nicaragua	Nicaragua
Republic of Niger	Niger
Federal Republic of Nigeria	Nigeria
Kingdom of Norway	Norway
Sultanate of Oman	Oman
Islamic Republic of Pakistan	Pakistan
Republic of Palau	Palau
State of Palestine	Palestine
Republic of Panama	Panama
Independent State of Papua New Guinea	Papua New Guinea
Republic of Paraguay	Paraguay
Republic of Peru	Peru
Republic of the Philippines	Philippines
Republic of Poland	Poland
Portuguese Republic	Portugal
State of Qatar	Qatar
Romania	Romania
Russian Federation	Russia
Republic of Rwanda	Rwanda
Federation of Saint Christopher and Nevis	St. Kitts and Nevis
Saint Lucia	St. Lucia
Saint Vincent and the Grenadines	St. Vincent and the Grenadines
Independent State of Samoa	Samoa
Republic of San Marino	San Marino
Democratic Republic of São Tomé and Príncipe	São Tomé and Príncipe
Kingdom of Saudi Arabia	Saudi Arabia
Republic of Senegal	Senegal
Republic of Serbia	Serbia
Republic of Seychelles	Seychelles



Country	Short form
Republic of Sierra Leone	Sierra Leone
Republic of Singapore	Singapore
Slovak Republic	Slovakia
Republic of Slovenia	Slovenia
Solomon Islands	Solomon Islands
Federal Republic of Somalia	Somalia
Republic of South Africa	South Africa
Republic of South Sudan	South Sudan
Kingdom of Spain	Spain
Democratic Socialist Republic of Sri Lanka	Sri Lanka
Republic of the Sudan	Sudan
Republic of Suriname	Suriname
Kingdom of Swaziland	Swaziland
Kingdom of Sweden	Sweden
Swiss Confederation	Switzerland
Syrian Arab Republic	Syria
Republic of Tajikistan	Tajikistan
United Republic of Tanzania	Tanzania
Kingdom of Thailand	Thailand
Togolese Republic	Togo
Kingdom of Tonga	Tonga
Republic of Trinidad and Tobago	Trinidad and Tobago
Republic of Tunisia	Tunisia
Republic of Turkey	Turkey
Turkmenistan	Turkmenistan
Tuvalu	Tuvalu
Republic of Uganda	Uganda
Ukraine	Ukraine
United Arab Emirates	UAE
United States of America	US
United Kingdom of Great Britain and Northern Ireland	UK
Oriental Republic of Uruguay	Uruguay
Republic of Uzbekistan	Uzbekistan
Republic of Vanuatu	Vanuatu
Vatican City State	Vatican City
Bolivarian Republic of Venezuela	Venezuela
Socialist Republic of Vietnam	Vietnam
Republic of Yemen	Yemen
Republic of Zambia	Zambia
Republic of Zimbabwe	Zimbabwe



# Appendix 8

## Suggested Filing Guidelines

- (a) Exhibits and authorities should be submitted in PDF searchable format, with the exhibit or authority file name starting with “C-001” or “R-001”, or “CLA-001” or “RLA-001”, as appropriate, such that all exhibits and authorities will automatically arrange themselves sequentially in a given folder.
- (b) Each exhibit or authority should be preceded by a cover page with the number and the description of the exhibit or authority, or should have the exhibit or authority number printed on the upper right corner of the first page of the exhibit or authority. If submitted in hard copy, each exhibit should have a divider with the exhibit identification number on the tab.
- (c) All exhibits should be paginated. Pagination simplifies citations to particular pages, especially where the document might have several different possible page numberings (*e.g.*, a PDF whose page numbering does not start on page 1 of the PDF proper).
- (d) An index of exhibits and an index of authorities should be submitted with submissions that introduce exhibits and authorities into the record.
- (e) If the same exhibit or authority is referenced in a later submission, the same identification number used in the prior submission should be used to identify the exhibit or authority and the exhibit or authority need not be resubmitted.
- (f) If an exhibit or authority is modified (such as when additional pages are added to an already-exhibited extract of a book or a translation is modified), the modified document should be filed as a new exhibit or authority.
- (g) Translated documents should be submitted with the original in a single PDF, with the original document first, then a page stating “Unofficial Translation” or “Certified Translation”, as the case may be, and then the translated document. The original document and the translated document should have the same exhibit or authority number.



# Appendix 9

## Quick Reference Guide

Material	Example	UCIA Rule
<b>General Notes (Chapter 1)</b>		
Exhibit	Letter from Phoenix Action Ltd. to ICSID dated 15 September 2004, <b>R-23</b> .	Rule 1.2
Legal authority	<i>Mobil Cerro Negro, Ltd. v. Petróleos de Venezuela, S.A. and PDVSA Cerro Negro, S.A.</i> , ICC Case No. 15416, Award, 23 December 2011, ¶ 35, <b>CLA-17</b> .	Rule 1.2
<b>Supporting Documentary Materials (Chapter 2)</b>		
Contract	LNG Sales Contract dated 15 July 1995, Art. 17.1.	Rule 2.1
Witness statement	Eleonora Aquitaine Witness Statement dated 12 January 2015, ¶ 8.	Rule 2.2
Expert report	Emilio Humphrey Second Expert Report dated 10 November 2003, ¶ 57.	Rule 2.2
Correspondence	Email from E. Aquitaine to F. Louis dated 18 September 1995, p. 2.	Rule 2.3
Newspaper article	D. Robinson, <i>Angela Merkel says EU should 'move forward' on free trade</i> , Financial Times, 3 February 2017, p. 1.	Rule 2.4
Internet material	UNCTAD, <i>Investor-State Dispute Settlement: Review of Developments in 2016</i> , May 2017, <a href="http://unctad.org/en/PublicationsLibrary/diaepcb2017d1_en.pdf">http://unctad.org/en/PublicationsLibrary/diaepcb2017d1_en.pdf</a> (last accessed 21 September 2017), p. 5.	Rule 2.5
<b>Arbitral Proceedings (Chapter 3)</b>		
International arbitration rules	2017 ICC Arbitration Rules, Art. 3.	Rule 3.2
International arbitration decision	<i>Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt</i> , ICSID Case No. ARB/04/13, Award, 6 November 2008, ¶ 279.	Rule 3.4
Hearing transcript	Transcript, Procedural Hearing, Day 1, p. 14, line 20 – p. 15, line 12.	Rule 3.5
<b>Treaties and EU Law (Chapter 4)</b>		
Treaty (general)	Agreement Between the Government of the Federal Republic of Ethiopia and the Government of the Republic of France for the Reciprocal Promotion and Protection of Investments, signed 25 June 2003, Art. 3.	Rule 4.1
Treaty (EU)	Consolidated Version of the Treaty on the Functioning of the European Union [2012] OJ C326/47, Art. 267.	Rule 4.2
EU legislation	Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use [2001] OJ L311/67, Art. 2.	Rule 4.2



Material	Example	UCIA Rule
<b>International Court Decisions (Chapter 5)</b>		
ICJ	<i>Application of the Interim Accord of 13 September 1995 (the former Yugoslav Republic of Macedonia v. Greece)</i> , Judgment, 5 December 2011, 2011(2) ICJ Rep. 644, p. 690.	Rule 5.1
PCIJ	<i>Case Concerning the Factory at Chorzów (Germany v. Poland)</i> , Decision on the Merits, 13 September 1928, PCIJ Rep. Series A. – No. 17, p. 47.	Rule 5.1
EU	Judgment of 1 June 1999, <i>Eco Swiss China Time Ltd v. Benetton International NV</i> , Case C-126/97, EU:C:1999:269, ¶ 37.	Rule 5.2
ECHR	<i>Depalle v. France</i> [GC], no. 34044/02, ¶ 68, ECtHR 2010.	Rule 5.3
<b>Commentary (Chapter 7)</b>		
Book	B. Berger and F. Kellerhals, <i>International and Domestic Arbitration in Switzerland</i> (3rd ed., 2015), p. 691.	Rule 7.1
Book chapter	G. von Mehren, <i>The Arbitrator's Role</i> , in M. Levy (ed.), <i>Gas Price Arbitrations</i> (2014), pp. 91-102.	Rule 7.1
Legal reviews	B. Audit, <i>Une année de jurisprudence arbitrale en France (2007-2008)</i> , 19(2) ICC Bull., p. 13.	Rule 7.2







Material	Example of full citation
Exhibit	Letter from Phoenix Action Ltd. to ICSID dated 15 September 2004, <b>R-23</b> . LNG Sales Contract dated 15 July 1995, <b>C-5</b> .
Legal authority	<i>Mobil Cerro Negro, Ltd. v. Petróleos de Venezuela, S.A. and PDVSA Cerro Negro, S.A.</i> , ICC Case No. 15416, Award, 23 December 2011, ¶ 35, <b>CLA-17</b> . <i>Salini Costruttori S.p.A. and Italstrade S.p.A. v. Kingdom of Morocco</i> , ICSID Case No. ARB/00/4, Decision on Jurisdiction, 23 July 2001, ¶ 279, <b>RLA-4</b> .
Contract	LNG Sales Contract dated 15 July 1995, Art. 17.1. Purchase and Sale Agreement between Capital Investments, Inc. and Geosystems Ltd. dated 15 July 1995, Art. 3.
Witness statement/ Expert report	Eleonora Aquitaine Witness Statement dated 12 January 2015, ¶ 8. Emilio Humphrey Expert Report dated 10 November 2003, ¶ 57.
Correspondence	Email from E. Aquitaine to F. Louis dated 18 September 1995, p. 2. Letter from F. Louis to E. Henry dated 18 May 1951, p. 7.
Internet material	UNCTAD, <i>Investor-State Dispute Settlement: Review of Developments in 2016</i> , May 2017, <a href="http://unctad.org/en/PublicationsLibrary/diaepcb2017d1_en.pdf">http://unctad.org/en/PublicationsLibrary/diaepcb2017d1_en.pdf</a> (last accessed 21 September 2017), p. 5.
International arbitration rules	ICC Arbitration Rules, Art. 3. ICSID AF Arbitration Rules, Art. 1.
International arbitration award	<i>Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt</i> , ICSID Case No. ARB/04/13, Award, 6 November 2008, ¶ 279. ICC Case No. 3755, Award (extract), 1988, 1(2) ICC Bull. 25. <i>Gami Investments, Inc. v. United Mexican States</i> , UNCITRAL Award, 15 November 2004, ¶ 132.
Hearing transcript	Transcript, Procedural Hearing, Day 1, p. 14, line 20 – p. 15, line 12. Transcript, Jurisdictional Hearing, Day 2, p. 34, lines 14–16 (Aquitaine).
Treaty (general)	Agreement Between the Government of Ethiopia and the Government of the Republic of France for the Reciprocal Promotion and Protection of Investments, signed 25 June 2003, Art. 3. Energy Charter Treaty, opened for signature 17 December 1994, Art. 13(1).
Book	B. Berger and F. Kellerhals, <i>International and Domestic Arbitration in Switzerland</i> (3rd ed., 2015), p. 691.
Legal reviews	B. Audit, <i>Une année de jurisprudence arbitrale en France (2007-2008)</i> , 19(2) ICC Bull., p. 13.