

The Settlement Of Foreign Investment Disputes

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Asia's Changing International Investment Regime

Since the recent international crises, the role and significance of international financial institutions (IFI) have been challenged. Some have argued that global financial institutions are inadequate and inefficient in performing their missions, and may be replaced by modern institutions with inclusive governance and a goal-focused approach. *International Financial Institutions and Their Challenges* analyzes the claimed purposes of IFIs and their failures, and proposes solutions for the future. This comprehensive account is the first book of its kind to give readers an exhaustive overview of key IFI's from the International Monetary Fund to the Islamic Development Bank. By encouraging readers to think outside the box, Lessambo enhances the current and future debates on IFIs. The book brings readers to the real challenges of international finance, and appeals to scholars in economics, finance, international studies, government studies, law, and political science, as well as professionals in finance, development experts, and employees

at NGOs.

International Financial Institutions and Their Challenges

Aron Broches is a Dutch international lawyer and official. He was present at the Bretton Woods Monetary and Financial Conference in 1944 and he started work at the World Bank in 1946, where he stayed for over 30 years. While there he created the mechanisms for the settlement of disputes between States and foreign investors leading to the formation of the International Centre for Settlement of Investment Disputes (ICSID) in 1967.

Selected Essays

'This book [] goes beyond stating what the law is and focuses on controversies occurring within this area of the law an excellent introduction to this complex area of international law for newcomers to the subject' Kate Miles, Australian International Law Journal The updated edition of this acclaimed book offers a critical overview of the law of foreign investment, incorporating a thorough analysis of the principles and standards of treatment available to foreign investors in international law. It is authoritative and multi-layered, offering an analysis of the key issues and an insightful assessment of recent trends in the case law, from both

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developed and developing country perspectives. A major feature of the book is that it deals with the tension between the law of foreign investment and other competing principles of international law. In doing so, it proposes ways of achieving a balance between these principles and the need to protect the legitimate rights and expectations of foreign investors on the one hand, and the need not to restrict unduly the right of host governments to implement their public policy on the other, including the protection of the environment and human rights, and the promotion of social and economic justice within the host country. Many of the pioneering ideas that were advanced in the first edition of this book in 2008 have been taken up by governments and international organisations in their attempts to reform the investor-State dispute settlement mechanism and strike a balance between different competing principles in developing international investment law. Accordingly, this fourth edition captures the essence of the ongoing multiple reform processes -either planned or envisaged - currently underway.

Human Rights in International Investment Law and Arbitration

What was once a contested body of principles applied peripherally to the international settlement of expropriation disputes has been transformed and in its place now stands an important area of international disputes practice. International Investment Law and Arbitration offers a comprehensive introduction to the subject.

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Presenting the facts of daily legal practice and the largely unaltered aims of the subject alongside a broad selection of key awards and original materials, historical developments are discussed in the context of the changing directions in the arbitral jurisprudence and current treaty and arbitration reform debate. Key features: accessible and engaging commentary integrated throughout, end of chapter questions test reader understanding, further reading lists support and encourage exploration of the subject. Suitable for postgraduate law students studying modules on international investment arbitration, International Investment Law and Arbitration offers an indispensable introduction to the subject.

Integrating Sustainable Development in International Investment Law

This volume celebrates the first fifty years of the International Centre for Settlement of Investment Disputes (ICSID) by presenting the landmark cases that have been decided under its auspices. These cases have addressed every aspect of investment disputes: jurisdictional thresholds; the substantive obligations found in investment treaties, contracts, and legislation; questions of general international law; and a number of novel procedural issues. Each chapter, written by an expert on the chapter's particular focus, looks at an international investment law topic through the lens of one or more of these leading cases, analyzing what the case

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held, how it has been applied, and its overall significance to the development of international investment law. These topics include: - applicable law; - res judicata in investor-State arbitration; - notion of investment; - investor nationality; - consent to arbitration; - substantive standards of treatment; - consequences of corruption in investor-State arbitration; - State defenses - counter-claims; - assessment of damages and cost considerations; - ICSID Arbitration Rule 41(5) objections; - mass claims, consolidation and parallel proceedings; - provisional measures; - arbitrator challenges; - transparency and amicus curiae; and - annulment. Because the law of international investment continues to grow in importance in an ever globalizing world, this book is more than a fitting way to mark the past fifty years and to welcome the next fifty years of development. It will prove both educational for practitioners new to the field and informative for seasoned investment lawyers. Moreover, the book itself is a landmark that will be of great value to professionals, scholars and students interested in international investment law.

Arbitrating Foreign Investment Disputes

In *Reshaping the Investor-State Dispute Settlement System*, Jean E. Kalicki and Anna Joubin-Bret offer a broad compendium of practical suggestions for reform of the current system of resolving international investment treaty disputes through arbitration.

Investor-State Dispute Settlement and National Courts

Contemporary and Emerging Issues on the Law of Damages and Valuation in International Investment Arbitration, edited by Christina L. Beharry, examines a broad range of damages topics, building on basic principles and surveying current developments to identify trends in the jurisprudence.

Reconceptualizing International Investment Law from the Global South

International investment law is a complex and dynamic field. Yet, the implications of its history are under explored. Kate Miles examines the historical evolution of international investment law, assessing its origins in the commercial and political expansionism of dominant states during the seventeenth to early twentieth centuries and the continued resonance of those origins within modern foreign investment protection law. In particular, the exploration of the activities of the Dutch East India Company, Grotius' treatises, and pre-World War II international investment disputes provides insight into current controversies surrounding the interplay of public and private interests, the systemic design of investor-state arbitration, the substantive focus of principles, and the treatment of environmental issues within international investment law. In adopting such an approach, this book

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provides a fresh conceptual framework through which contemporary issues can be examined and creates new understandings of those controversies.

International Investment Law and Competition Law

The current international investment law system is insufficiently compatible with sustainable development. To better address sustainable development concerns associated with transnational investment activities, international investment agreements should be made more compatible with sustainable development. Integrating Sustainable Development in International Investment Law presents an important systematic study of the issue of sustainable development in the international investment law system, using conceptual, normative and governance perspectives to explore the challenges and possible solutions for making international investment law more compatible with sustainable development. Chi suggests that to effectively address the sustainable development concerns associated with transnational investment activities, the international investment agreements system should be reformed. Such reform should feature redesigning the provisions of the agreements, improving the structure of international investment agreements, strengthening the function of soft law, engaging non-state actors and enhancing the dispute settlement mechanism. The book is primarily aimed at national and international treaty and policy-makers, lawyers and scholars. It is also suitable for graduate students studying international law and policy-

making.

International Investment Treaties and Arbitration Across Asia

The Legal Protection of Foreign Investment

There is a growing interplay between international investment law, arbitration and human rights. This book offers a systematic analysis of this interaction, exploring the role of principles of justice in investment law, comparing investment arbitration with other courts, and examining case studies on human rights.

Reshaping the Investor-State Dispute Settlement System

This Commentary gives a detailed description of the meaning and application of the ICSID Convention.

Building International Investment Law

Investment treaty arbitration (sometimes called investor-state dispute settlement or ISDS) has become a flashpoint in the backlash against globalization, with costs

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becoming an area of core scrutiny. Yet "conventional wisdom" about costs is not necessarily wise. To separate fact from fiction, this book tests claims about investment arbitration and fiscal costs against data so that policy reforms can be informed by scientific evidence. The exercise is critical, as investment treaties grant international arbitrators the power to order states-both rich and poor-to pay potentially millions of dollars to foreign investors when states violate the international law commitments made in the treaties. Meanwhile, the cost to access and defend the arbitration can also climb to millions of dollars. This book uses insights drawn from cognitive psychology and hard data to explore the reality of investment treaty arbitration, identify core demographics and basic information on outcomes, and drill down on the costs of parties' counsel and arbitral tribunals. It offers a nuanced analysis of how and when cost-shifting occurs, parses tribunals' rationalization (or lack thereof) of cost assessments, and models the variables most likely to predict costs, using data to point the way towards evidence-based normative reform. With an intelligent interdisciplinary approach that speaks to ongoing reform at entities like the World Bank's ICSID and UNCITRAL, this book provides the most up-to-date study of investment treaty dispute settlement, offering new insights that will shape the direction of investment treaty and arbitration reform more broadly.

Making Foreign Investment Safe

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The law of foreign investment is at a crossroads. In the wake of an unprecedented global financial crisis and a sharp surge of investment arbitration cases, states around the world are reflecting on the pros and cons of the current liberal investment regime and exploring new ways ahead. This book brings together leading investment lawyers from more than 20 main jurisdictions of the world to tackle the challenge of producing a first comparative study of foreign investment law. Based on the General and National Reports presented at the 'Protection of Foreign Investment' Session at the 18th International Congress of the International Academy of Comparative Law (Washington DC, July 2010), the book is a unique resource for investment lawyers. Part I of the book presents a comparative overview of key aspects of foreign investment protection in the world today, including admission, investment contracts, treatment standards, tax regime and incentives, performance requirement, property and expropriation, monetary transfer and dispute settlement. Part II presents in-depth and detailed accounts of the investment laws of more than 20 jurisdictions, including Argentina, Australia, Canada, China, Croatia, Czech Republic, Ethiopia, France, Germany, Greece, Italy, Japan, South Korea, Macau, Peru, Portugal, Russia, Singapore, Slovenia, Turkey, the UK and the USA. The book will be an invaluable guide to legal and business communities with an interest in the law and practice of foreign investment in the world in general and in these jurisdictions in particular.

International Investment Law

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Today, investor-state arbitration embodies the worst fears of those concerned about runaway globalization - a far cry from its framers' intentions. Why did governments create a special legal system in which foreign investors can bring cases directly against states? This book takes readers through the key decisions that created investor-state arbitration, drawing on internal documents from several governments and extensive interviews to illustrate the politics behind this new legal system. The corporations and law firms that dominate investor-state arbitration today were not present at its creation. In fact, there was almost no lobbying from investors. Nor did powerful states have a strong preference for it. Nor was it created because there was evidence that it facilitates investment - there was no such evidence. International officials with peacebuilding and development aims drove the rise of investor-state arbitration. This book puts forward a new historical institutionalist explanation to illuminate how the actions of these officials kicked off a process of gradual institutional development. While these officials anticipated many developments, including an enormous caseload from investment treaties, over time this institutional framework they created has been put to new purposes by different actors. Institutions do not determine the purposes to which they may be put, and this book's analysis illustrates how unintended consequences emerge and why institutions persist regardless.

Bilateral Investment Treaties 1995-2006

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The law of foreign investment is at a crossroads. In the wake of an unprecedented global financial crisis and a sharp surge of investment arbitration cases, states around the world are reflecting on the pros and cons of the current liberal investment regime and exploring new ways ahead. This book brings together leading investment lawyers from more than 20 main jurisdictions of the world to tackle the challenge of producing a first comparative study of foreign investment law. Based on the General and National Reports presented at the 'Protection of Foreign Investment' Session at the 18th International Congress of the International Academy of Comparative Law (Washington DC, July 2010), the book is a unique resource for investment lawyers. Part I of the book presents a comparative overview of key aspects of foreign investment protection in the world today, including admission, investment contracts, treatment standards, tax regime and incentives, performance requirement, property and expropriation, monetary transfer and dispute settlement. Part II presents in-depth and detailed accounts of the investment laws of more than 20 jurisdictions, including Argentina, Australia, Canada, China, Croatia, Czech Republic, Ethiopia, France, Germany, Greece, Italy, Japan, South Korea, Macau, Peru, Portugal, Russia, Singapore, Slovenia, Turkey, the UK and the USA. The book will be an invaluable guide to legal and business communities with an interest in the law and practice of foreign investment in the world in general and in these jurisdictions in particular.

Arbitration Costs

Research Handbook on Foreign Direct Investment

This open access book examines the multiple intersections between national and international courts in the field of investment protection, and suggests possible modes for regulating future jurisdictional interactions between domestic courts and international tribunals. The current system of foreign investment protection consists of more than 3,000 international investment agreements (IIAs), most of which provide for investment arbitration as the forum for the resolution of disputes between foreign investors and host States. However, national courts also have jurisdiction over certain matters involving cross-border investments. International investment tribunals and national courts thus interact in a number of ways, which range from harmonious co-existence to reinforcing complementation, reciprocal supervision and, occasionally, competition and discord. The book maps this complex relationship between dispute settlement bodies in the current investment treaty context and assesses the potential role of domestic courts in future treaty frameworks that could emerge from the States current efforts to reform the system. The book concludes that, in certain areas of interaction between domestic courts and international investment tribunals, the "division of labor" between the two bodies is not always optimal, producing inefficiencies that burden the system as a whole. In these areas, there is a need for improvement by introducing a more

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fruitful allocation of tasks between domestic and international courts and tribunals - whatever form(s) the international mechanism for the settlement of investment disputes may take. Given its scope, the book contributes not only to legal analysis, but also to the policy reflections that are needed for ongoing efforts to reform investor-State dispute settlement.

The Settlement of International Investment Disputes

The ICSID Convention

The 1980s & 90s brought new protections to foreign investors in risky countries. Yet, the assurances failed to meet investors needs & imposed sometimes inordinate costs on poor countries. This text contains case histories which suggest reforms for international arbitration & official investment insurance.

Handbook of International Investment Law and Policy

This book considers foreign investment flows in major Asian economies. It critically assesses the patterns and issues involved in the substantive law and policy environment which impact on investment flows, as well as the related dispute

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resolution law and practice. The book combines insights from international law and comparative study and is attentive to the socio-economic contexts and competing theories of the role of law in Asia. Contributions come from both academics with considerable practical expertise and legal practitioners with strong academic backgrounds. The chapters analyze the law and practice of investment treaties and FDI regimes in Asia looking specifically at developments in Japan, India, China, Indonesia, Malaysia, Korea and Vietnam. The book explores the impact of the Asian Financial Crisis in the late 1990s and the Global Financial Crisis a decade later, examining actual trends and policy debates relating to FDI and capital flows in Asia before and after those upheavals. *Foreign Investment and Dispute Resolution: Law and Practice in Asia* is a valuable resource for practitioners, academics and students of International and Comparative Law, Business and Finance Law, Business, Finance and Asian Studies.

The International Law on Foreign Investment

This book is a thought-provoking and authoritative text on this fast moving field of international law.

ICSID

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Until now, the resolution of international commercial and investment disputes has been dominated almost exclusively by international arbitration. But that is changing. Whilst they may be complementary mechanisms, international mediation and conciliation are now coming to the fore. Mediation rules that were in disuse gather momentum, and dispute settlement centres are introducing new mediation rules. The European Union is encouraging international mediation in both the commercial and investment spheres. The 2019 Singapore Mediation Convention of the United Nations Commission on International Trade Law (UNCITRAL) is aiming to ensure enforcement of international commercial settlement agreements resulting from mediation. The first investor-State disputes are mediated under the International Bar Association (IBA) rules. The International Centre for Settlement of Investment Disputes (ICSID)'s conciliation mechanism is resorted to more often than in the past. The International Chamber of Commerce (ICC) has recently administered its first mediation case based on a bilateral investment treaty, and a new training market on mediation is flourishing. Mediation in Commercial and Investment Disputes brings together a line-up of outstanding, highly-qualified experts from academia, mediation and arbitration institutions, and international legal practice, to address this highly topical, complex subject from a variety of angles.

International Investment Law. The Sources of Rights and

Obligations

In recent years many Latin American countries have liberalized their trade and investment regimes, opening their markets to free international trade. At the same time, regional economic integration has boomed. This book is the first systematic analysis in any language of these globally significant developments, and the first comprehensive legal study of dispute settlement relating to foreign direct investment and trade in the region. Undertaken by an expert in the field, this study describes the current institutional framework of Latin American trade and investment law as well as specialized legal issues in the region's various economic blocs. Among the many issues and topics raised the following may be mentioned: • questions of compliance and procedure in the context of today's international investment regime; • formalized dispute settlement mechanisms; • alternative dispute resolution channels, including dispute prevention practices; • legitimacy and transparency of the various dispute settlement mechanisms; • inclusion of social clauses in trade and investment agreements; and • avoidance of investment treaty liability. In order to offer a most accurate view of the effectiveness of the protection granted to foreign investors, special attention is given to relevant case law – completely covering the period 1985–2015 – as well as arbitral precedents before international bodies and in jurisdictions across the region. The book concludes with a critical examination of the future prospects of international economic law dispute settlement in the Americas, pinpointing current trends and

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unveiling future possible avenues for change. As an in-depth explication of how the rules and principles of international economic law are applied in Latin America, this book has no peers. For practitioners drafting business agreements with Latin American companies, or needing to ensure availability of appropriate remedies, this book's detailed insight into international litigation in the region, including case law illustrating the main topics, will prove to be of immeasurable value. Professionals in the arbitral community worldwide, as well as governments, dedicated research centres and officials in international organizations will welcome this book's model for comparative integration studies, systematic guidance on procedure and case law of domestic and international courts and arbitral tribunals, and extensive treatment of dispute settlement mechanisms in trade and investment agreements.

The International Law on Foreign Investment

This book studies the international investment law regime in Africa and provides a comprehensive analysis of the current treaty practices in Africa from global, regional and domestic perspectives. It develops a public interest regulation theory to highlight the role of investment regulation in sustainable development and the protection of human rights. In doing so, the book identifies seven factors that should be considered by arbitrators in resolving international investment disputes that affect the public interest. It considers how corporations can be held

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accountable through investment treaties in the absence of a global treaty on business and human rights while protecting the rights of investors and their investments. Furthermore, the book explores the current objectives and features of investor-state dispute settlement (ISDS) as well as the deficiencies and its intersection with the rule of law. It identifies alternatives for ISDS and the extent to which these alternatives address the objectives of attracting investment, depoliticise investment disputes, promote the rule of law and offer remedies to investors. These solutions are offered in relation to the protection of human rights, the promotion of sustainable development and the right of states to introduce domestic public interest regulation. Finally, the book takes a prospective stance and discusses future trends for dispute settlement and investment rulemaking in Africa.

International Investment Protection and Arbitration

Foreign Investment in the Energy Sector: Balancing Private and Public Interests, a comprehensive collection of essays from experts and practitioners, offers an important new resource to the field.

Foreign Investment Disputes

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The Oxford Handbooks series is a major new initiative in academic publishing. Each volume offers an authoritative and state-of-the-art survey of current thinking and research in a particular subject area. Specially commissioned essays from leading international figures in the discipline give critical examinations of the progress and direction of debates. Oxford Handbooks provide scholars and graduate students with compelling new perspectives upon a wide range of subjects in the humanities and social sciences. The Oxford Handbook of International Investment Law aims to provide the first truly exhaustive account of the current state and future development of this important and topical field of international law. The Handbook is divided into three main parts. Part One deals with fundamental conceptual issues, Part Two deals with the main substantive areas of law, and Part Three deals with the major procedural issues arising out of the settlement of international investment disputes. The book has a policy-oriented introduction, setting the more technical chapters that follow in their policy environment within which contemporary norms for international foreign investment law are evolving. The Handbook concludes with a chapter written by the editors to highlight the major conclusions of the collection, to identify trends in the existing law, and to look forward to the future development of this field.

The Origins of International Investment Law

This indispensable handbook is the classic legal resource, gathering together the

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most important cases and commentary on the increasingly significant subject of foreign investment disputes. It fills the need for a compilation of the basic source material into a well-organised and up-to-date volume covering the full scope of the subject.

The Rise of Investor-State Arbitration

Drawing on State practice, arbitral awards and national decisions, this book provides a systematic study of the sources of rights and obligations in the field of transnational investment, and their coordination and interaction.

The Legal Protection of Foreign Investment

Increasing international investment, the proliferation of international investment agreements, domestic legislation, and investor-State contracts have contributed to the development of a new field of international law that defines obligations between host states and foreign investors with investor-State dispute settlement. This involves not only vast sums, but also a panoply of rights, duties, and shifting objectives at the juncture of national and international law and policy. This engaging Research Handbook provides an authoritative account of these diverse investment law issues.

Mediation in International Commercial and Investment Disputes

This book is a thought-provoking and authoritative text on this fast moving field of international law.

Principles of International Investment Law

The Handbook of International Investment Law and Policy is a one-stop reference source. This Handbook covers the main conceptual questions in a logical, scholarly yet easy to comprehend manner. It is based on a truly global vision insisting particularly on Global South related issues and developments. In this respect, the Handbook of International Investment Law and Policy provides an excellent modern treatment of international investment law which is one of the fastest growing areas of international economic law. Professor Julien Chaisse, Professor Leïla Choukroune, and Professor Sufian Jusoh are the editors-in-chief of the Handbook of International Investment Law and Policy, a 1,500-page reference book, which is anticipated becoming one of the most influenced reference books in the international economic law areas. This Handbook is a highly comprehensive set of four volumes of original materials designed to cover all facets of international investment law and policy. The chapters, written by world-leading experts, explore

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key ideas and debates in relation to: international investment substantive law (Volume I), Investor-state dispute settlement (Volume II); interaction between international investment law and other fields of international law (Volume III); and, the new trends and challenges for international investment law (Volume IV). The Handbook will feature more than 80 contributions from leading experts (academics, lawyers, government officials), including Vivienne Bath, M. Sornarajah, Mélida Hodgson, Rahul Donde, Roberto Echandi, Andrew Mitchell, Ernst-Ulrich Petersmann, Christina L. Beharry, Krista Nadakavukaren Schefer, Leon Trakman, Prabhash Ranjan, Emmanuel Jacomy, Mariel Dimsey, Stavros Brekoulakis, Romesh Weeramantry, Nathalie Bernasconi-Osterwalder, David Collins, Damilola S. Olawuyi, Katia Fach Gomez, Jaemin Lee, Alejandro Carballo-Leyda, Patrick W. Pearsall, Mark Feldman, Surya Deva, Luke Nottage, Rafael Leal-Arcas, James Nedumpara, Rodrigo Polanco, etc. This Handbook will be an essential reference tool for students and scholars of international economic law. Policy makers and researchers alike will find the Handbook of International Investment Law and Policy useful for years to come.

The Oxford Handbook of International Investment Law

Cross-border direct investment constitutes a substantial sector of the international financial market and is also an important vehicle for the transfer of technology and the modernisation of national economies. In recent years, international arbitration

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has gained a prominent role as a means of settlement of foreign investment disputes. The number and size of investment disputes under arbitration have risen significantly due to the growing number of bilateral investment treaties and increased use of arbitration under multilateral investment treaties. Arbitrating such disputes requires specialised skills and arbitrators with international experience. This new title, featuring contributions from leading experts in the field, deals with the procedural and substantive legal aspects of arbitrating foreign investment disputes. The chapters cover the basic framework of investment protection, the key notions of investment protection and examples and crucial aspects of arbitrating foreign investment disputes. For those involved with international investment arbitration, including practising lawyers, anyone doing business abroad and academics *Arbitrating Foreign Investment Disputes: Procedural and Substantive Legal Aspects* will provide high level analysis and accurate legal updates and assessments from around the world.

Contemporary and Emerging Issues on the Law of Damages and Valuation in International Investment Arbitration

"The secretariat of the United Nations Conference on Trade and Development (UNCTAD) is implementing a programme on international investment arrangements. It monitors the trends in IIAs and analyzes the emerging issues and

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development implications. It seeks to help developing countries participate as effectively as possible in international investment rulemaking. This paper is part of the programme's research and policy analysis on international investment policies for development. The main objective of this paper is to update UNCTAD's 1998 study entitled Bilateral Investment Treaties in the Mid-1990s and to identify trends in the normative developments of each of the elements typically addressed in BITs since this last stocktaking in 1998. The study traces and explains the new issues that have emerged in recent BITs and also sets out the implications of those developments for developing countries."--Pref.

Foreign Investment and Dispute Resolution Law and Practice in Asia

This book provides an ideal introduction to the fundamentals of international investment law and dispute settlement for students or practitioners. It combines a systematic analytical study of the texts and principles underlying investment law with a jurisprudential analysis of the case law arising in international tribunals.

International Investment Law and Arbitration

This EYIEL special issue examines the interaction between international investment

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law and competition law. Although issues related to both international investment law and competition law arise regularly in international legal practice and are examined together, scholarly analysis largely treats them as parallel universes. As a result their actual and potential overlap has yet to be sufficiently explored. In this light, *International Investment Law and Competition Law* discusses a variety of topics at the intersection of investment and competition, including the interaction between competition-related provisions and investment protection standards in free trade agreements; investors' anti-competitive behaviour and illegal investments; state aid schemes and foreign investors' legitimate expectations; EU member States' compliance with investment awards as (illegal) state aid under EU law; State-owned enterprises and competitive neutrality; and interactions between public procurement, investment and competition law.

International Investment Law and Policy in Africa

This book shows how the reform in investment regulation contributes to a broader attempt to transform the international economic order.

The Settlement of Foreign Investment Disputes

Foreign Investment in the Energy Sector

International Investment Treaties and Arbitration Across Asia examines whether and how the Asian region has or may become a significant 'rule maker' in contemporary international investment law and dispute resolution, focusing on the 'ASEAN+6' economies.

Trade Agreements, Investment Protection and Dispute Settlement in Latin America

This book focuses on the Asia-Pacific region, delineating the evolving dynamics of foreign investment in the region. It examines the relationship between efforts to increase foreign direct investment (FDI) and efforts to improve governance and inclusive growth and development. Against a background of rapidly developing international investment law, it emphasises the need to strike a balance between these domestic and international legal frameworks, seeking to promote both foreign investment and the laws and policies necessary to regulate investments and investor conduct. Foreign investments play a pivotal role in most countries' political economies, and in order to encourage cross-border capital flows, countries have taken various steps, such as revising their domestic legal frameworks, liberalising rules on inward and outward investment, and creating special regimes

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that provide incentives and protections for foreign investment. Alongside the developments in domestic laws, countries have also taken bilateral and multilateral action, including entering into trade and/or investment agreements. Further, the book explores regional investment trends, highlights specific features of Asia-Pacific investment laws and treaties, and analyses policy implications. It addresses four overarching themes: the trends (how Asia-Pacific's agreements compare with recent global trends in the evolving rules on foreign investment); what China is doing; current investment arbitration practice in Asia; and the importance of regionalising investment law in the Asia-Pacific region. In addition, it identifies and discusses the research and policy gaps that should be filled in order to promote more sustainable and responsible investment. The book offers a valuable resource not only for academics and students, but also for trade and investment officials, policy-makers, diplomats, economists, lawyers, think tanks, and business leaders interested in the governance and regulation of foreign investment, economic policy reforms, and the development of new types of investment agreements.

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