

Basic Documents On International Investment Protection (Documents In International Law)

A guide to documents online as of April 1994.

This book provides a comprehensive study of the standard of 'full protection and security' (FPS) in international investment law. Ever since the Germany-Pakistan BIT of 1959, almost every investment agreement has included an FPS clause. FPS claims refer to the most diverse factual settings, from terrorist attacks to measures concerning concession contracts. Still, the FPS standard has received far less scholarly attention than other obligations under international investment law. Filling that gap, this study examines the evolution of FPS from its medieval roots to the modern age, delimits the scope of FPS in customary international law, and analyzes the relationship between FPS and the concept of due diligence in the law of state responsibility. It additionally explores the interpretation and application of FPS clauses, drawing particular attention to the diverse wording used in investment treaties, the role ascribed to custom, and the interplay between FPS and other treaty-based standards. Besides delivering a detailed analysis of the FPS standard, this book also serves as a guide to the relevant sources, providing an overview of numerous legal instruments, examples of state practice, arbitral decisions, and related academic publications about the standard.

The topic of transparency in international investment arbitration is gaining increasing attention. This in-depth commentary analyses the UNCITRAL Rules on Transparency in Treaty-Based Investor-State Arbitration, one of the most recent and innovative developments in international law. Focusing on the application of these rules, contributors analyse the issue of transparency in investment law more broadly and provide in-depth guidance on how to apply the UNCITRAL transparency rules. Chapters encompass all treaty-based disputes between investors and state, examining the perspectives of disputing parties, third parties, non-disputing state parties and arbitral tribunals. The contributors each have a strong background in investment arbitration, in both professional practice and academia. This commentary will be of interest to all actors involved in investment arbitrations, especially practitioners, counsels, NGOs and scholars in the fields of international law, commercial arbitration and investor-state arbitration.

Government-controlled investors, including state-owned enterprises and sovereign wealth funds, have greatly expanded their international activities in recent years. This paper describes the existing policy landscape of international investments by government-controlled investors under both national and international frameworks. The paper first examines host countries' regulatory provisions dealing with inward investments by foreign government-controlled investors. The paper then documents international investment treaty practice in relation to government-controlled investors by examining, in particular, whether they are explicitly dealt with in investment treaties and, if so, how they are handled in the treaties. Finally, the paper presents other international agreements including the OECD instruments in relation to state ownership.

Basic Documents on International Investment Protection

The Fair and Equitable Treatment Standard in the International Law of Foreign

Where To Download Basic Documents On International Investment Protection (Documents In International Law)

Investment

Basic Texts

International Organization and Integration

Annotated Basic Documents and Descriptive Directory of International Organizations and Arrangements

Basic Documents on International Investment Protection

The concept of fair and equitable treatment, which has assumed prominence in investment relations between States, provides a yardstick by which relations between foreign direct investors and Governments of capital-importing countries may be assessed. In addition to discussing this issue, the publication also takes stock and analysis of: trends in the use of the standards; and models based on State practice. The publication also gives insight into the interaction of fair and equitable treatment standard with other issues and concepts that arise in investment practice.

International law of foreign investment is a field of public international law that has attracted considerable attention from practitioners, academics, and policy-makers in the last two decades. Its key characteristic is the extent of substantive and procedural decentralisation: while often sharing certain structural elements, both substantive obligations and mechanisms of international dispute settlement are mostly opposable only between the particular parties, even when expressed in multilateral form. This makes a clear and comprehensive overview of the topic particularly important. The second edition adopts a new structure that better reflects the concurrence of various reform proposals with the fairly stable stratum of instruments that inform the current practice. With this systemic dynamic in mind, the selected documents are divided into three parts: Past, Present, and Future. The Past sets out the legal background to modern investment protection law. The Present provides generalist international law materials (sources and responsibility), a selection of the more important instruments with substantive investment rules, and rules of international dispute settlement regarding investment protection. The Future (new for the second edition) lists a number of possible directions of future development, including a variety of approaches that maintain the traditional procedural kernel of investor-State arbitration as well as proposals for more significant change, with non-State actor involvement in dispute settlement either rejected or moulded into a judicial mechanism. This highly regarded book is aimed at teachers, students, practitioners, and policymakers in the area. It can be used both as a practitioners' handbook and as a classroom companion for courses on international dispute settlement and investment protection law.

This book analyses the adequacy of Mongolia's legal system for foreign investment protection by conducting a multi-level assessment of international investment treaties, domestic legislation of the host State, and investor-State contracts from an international comparative perspective. The investigation distinguishes between three legal

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dimensions, each of which offers both substantive legal guarantees for the protection of investments in the host State and provisions for the settlement of investment disputes by arbitration. In the first dimension of Public International Law (PIL), Mongolia is bound by international investment treaties, which offer investors an international law setting. In the second dimension, a special domestic investment law defines the domestic framework for the establishment, promotion and protection of investments, but also for the conclusion of investor-State contracts. These contracts in turn open a third legal dimension, which represents a cross-section through the PIL and domestic-law dimensions of investment protection. Following the development of a multi-level system with legal dimensions that are not isolated but rather interrelated and mutually reinforcing, the book examines whether Mongolia's international investment treaties and domestic investment law reflect globally shared international and domestic standards of treatment and protection of foreign investments. Lastly, the author inquires whether the domestic laws applicable to investor-State contracts in Mongolia allow investors and the Mongolian Government to agree on protective terms according to the (not uncontroversial) standards of international contract practice.

International Investment Law: Understanding Concepts and Tracking Innovations A Companion Volume to International Investment Perspectives

Nicaragua Business Law Handbook Volume 1 Strategic Information and Basic Laws

Basic Documents

The Policy Landscape for International Investment by Government-controlled Investors

International Economic Law

A Compilation of Basic Documents

Historiographical approaches in international investment law scholarship are becoming ever more important. This insightful book combines perspectives from a range of expert international law scholars who explore ways in which using a broad variety of methods in historical research can lead to a better understanding of international investment law.

International investment law is one of the fastest growing areas of international law. It has led to the signing of thousands of agreements, mostly in the form of investment contracts and bilateral investment treaties. Also, in the last two decades, there has been an exponential growth in the number of disputes being resolved by investment arbitration tribunals. Yet the legal principles at the basis of international investment law and arbitration remain in a state of flux. Perhaps the best illustration of this phenomenon is the wide disagreement among investment tribunals on some of the core concepts underpinning the regime, such as investment, property, regulatory powers, scope of jurisdiction, applicable law, or the interactions with other areas of international law. The purpose of this book is to revisit these conceptual foundations in order to shed light on the practice of international investment law. It is an attempt to bridge the growing gap between the theory and the practice of this thriving area of international law. The first part of the book focuses on the 'infrastructure' of the investment regime or, more specifically, on the structural arrangements that have been developed to manage foreign investment transactions and the potential disputes arising from them. The second part of the book identifies the common conceptual bases of an array of

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seemingly unconnected practical problems in order to clarify the main stakes and offer balanced solutions. The third part addresses the main sources of 'regime stress' as well as the main legal mechanisms available to manage such challenges to the operation of the regime. Overall, the book offers a thorough investigation of the conflicting theoretical positions underlying international investment law, testing their worth by reference to concrete issues that have arisen in the jurisprudence. It demonstrates that many of the most important practical questions arising in practice can be addressed by a carefully dosed resort to theory.

Offers the most comprehensive, detailed and up-to-date analysis of international investment law and arbitration compared to its competitors.

"International law of foreign investment is a field of public international law that has attracted considerable attention from practitioners, academics, and policy-makers in the last two decades. Its key characteristic is the extent of substantive and procedural decentralisation: while often sharing certain structural elements, both substantive obligations and mechanisms of international dispute settlement are mostly opposable only between the particular parties, even when expressed in multilateral form. This makes a clear and comprehensive overview of the topic particularly important. The second edition adopts a new structure that better reflects the concurrence of various reform proposals with the fairly stable stratum of instruments that inform the current practice. With this systemic dynamic in mind, the selected documents are divided into three parts: Past, Present, and Future. The Past sets out the legal background to modern investment protection law. The Present provides generalist international law materials (sources and responsibility), a selection of the more important instruments with substantive investment rules, and rules of international dispute settlement regarding investment protection. The Future (new for the second edition) lists a number of possible directions of future development, including a variety of approaches that maintain the traditional procedural kernel of investor-State arbitration as well as proposals for more significant change, with non-State actor involvement in dispute settlement either rejected or moulded into a judicial mechanism. This highly regarded book is aimed at teachers, students, practitioners, and policymakers in the area. It can be used both as a practitioners' handbook and as a classroom companion for courses on international dispute settlement and investment protection law."--

Quick Reference to Lexis and Westlaw Citations

Transparency in International Investment Arbitration

Documents in International Economic Law

Investors' International Law

Emerging Powers in the International Economic Order

A Guide to the UNCITRAL Rules on Transparency in Treaty-Based Investor-State Arbitration

This book is the first book-length analysis of investor accountability under general and customary international law, international human rights law, international environmental law, international humanitarian law, as well as international investment law.

International investment law is currently facing growing criticisms for its failure to address corruption, abuse, environmental damage, and other forms of investor misconduct. Reform initiatives range from the rejection of international law as a governing regime for investors, to the dramatic overhaul of investment treaties that supposedly enable investor overprotection, to the creation of a multilateral international instrument that would enable the litigation of claims against errant businesses before an international tribunal. Whether these initiatives succeed in disciplining investors remains to be seen. What these initiatives undeniably show however, is that change is warranted to counteract this lopsided investors' international law. Each chapter in the book addresses a different and underexplored dimension of investor accountability,

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thus offering a novel and consolidated study of international law. The book will be of immense assistance to legal practitioners, academics and policy makers involved in the design, drafting, application and reform of various international instruments addressing investor accountability.

A comprehensive source of information on four key issues: the definition of investor and investment; the interpretation of umbrella clauses in investment agreements; coverage of environmental, labour and anti-corruption issues; and the interaction between investment and services chapters in RTAs.

This text analyses the conventional and customary framework of the fair and equitable treatment clauses commonly found in bilateral investment treaties (BITs) and charts how these clauses have become norms of customary international law.

Presents four studies on international investment law: one on transparency, one on the fair and equitable treatment standard, one on indirect expropriation and the right to regulate, and one on most favoured nation treatment.

Bringing Theory into Practice

International Legal Basis of Foreign Investment in Russia

Miga and Foreign Investment

ICSID Basic Documents

Basic Documents of International Economic Law Online

Bringing Theory Into Practice

This collection of documents brings together a large number of primary sources on the peaceful settlement of disputes in a usable and affordable format. The documents included reflect the diverse techniques of international dispute settlement, as recognised in Articles 2(3) and 33 of the UN Charter, such as negotiation, mediation, arbitration and adjudication. The book comprises the most relevant multilateral treaties establishing dispute settlement regimes, as well as examples of special agreements, compromissory clauses, optional clause declarations and relevant resolutions of international organisations. It covers both diplomatic and adjudicative methods of dispute settlement and follows a basic division between general dispute settlement mechanisms, and sectoral regimes in fields such as human rights, WTO law, investment, law of the sea, environmental law and arms control. The book is the first widely-available collection of key documents on dispute settlement. It is aimed at teachers, students and practitioners of international law and related disciplines.

Chapters.

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 and protection standards.

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.

Private International Law and Global Governance

International Investment Law and the Environment

The Multilateralization of International Investment Law

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International Economic Transactions

Rules and Practices of International Investment Law and Arbitration

The OECD Declaration and Decisions on International Investment and Multinational Enterprises

Traditional studies on actors in international investment law have tended to concentrate on arbitrators, claimant investors and respondent states. Yet this focus on the "principal" players in investment dispute settlement has allowed a number of other seminal actors to be neglected. This book seeks to redress this imbalance by turning the spotlight on the latter. From the investor's home state to domestic courts, from sub-national governments to international organisations, and from political risk insurance agencies to legal defence teams in national ministries, the book critically reviews these overlooked public actors in international investment law.

This book is essential reading for academics of international investment law and related matters, with useful research material for both practitioners and policy-makers.

Moreover, the innovative approach of this book makes it appropriate for adoption i Bringing together conceptual theories of international investment law with the practical application of the law in treaty arbitration, this book investigates the key controversies in the field. It provides a detailed examination of how a different theoretical approach would have led to a different outcome in a number of important arbitral awards.

The post-war liberal economic order seems to be crumbling, placing the world at an inflection point. China has emerged as a major force, and other emerging economies seek to play a role in shaping world trade and investment law. Might they band together to mount a wholesale challenge to current rules and institutions? *Emerging Powers in the International Economic Order* argues that resistance from the Global South and the creation of China-led alternative spaces will have some impact, but no robust alternative vision will emerge. Significant legal innovations from the South depart from the mainstream neoliberal model, but these countries are driven by pragmatism and strategic self-interest and not a common ideological orientation, nor do they intend to fully dismantle the current ordering. In this book, Sonia E. Rolland and David M. Trubek predict a more pluralistic world, which is neither the continued hegemony of neoliberalism nor a full blown alternative to it.

Community Interests Across International Law

Origins, Operations, Policies and Basic Documents of the Multilateral Investment Guarantee Agency

Fair and Equitable Treatment

Full Protection and Security in International Investment Law

The Protection of Foreign Investments in Mongolia

A Companion Volume to International Investment Perspectives

Nicaragua Business Law Handbook - Strategic Information and Basic Laws

The book argues that international investment law is a structured body of law based on uniform principles of investment protection.

Litigating International Investment Disputes: A Practitioner's Guide

serves as a comprehensive and straightforward resource for those who are new to international investment arbitration, as well as for seasoned practitioners.

Contemporary debates about the changing nature of law engage theories of legal pluralism, political economy, social systems, international relations (or regime theory), global constitutionalism, and public international law. Such debates reveal a variety of emerging responses to distributional issues which arise beyond the Western welfare state and new conceptions of private transnational authority. However, private international law tends to stand aloof, claiming process-based neutrality or the apolitical nature of private law technique and refusing to recognize frontiers beyond than those of the nation-state. As a result, the discipline is paradoxically ill-equipped to deal with the most significant cross-border legal difficulties - from immigration to private financial regulation - which might have been expected to fall within its remit. Contributing little to the governance of transnational non-state power, it is largely complicit in its unhampered expansion. This is all the more a paradox given that the new thinking from other fields which seek to fill the void - theories of legal pluralism, peer networks, transnational substantive rules, privatized dispute resolution, and regime collision - have long been part of the daily fare of the conflict of laws. The crucial issue now is whether private international law can, or indeed should, survive as a discipline. This volume lays the foundations for a critical approach to private international law in the global era. While the governance of global issues such as health, climate, and finance clearly implicates the law, and particularly international law, its private law dimension is generally invisible. This book develops the idea that the liberal divide between public and private international law has enabled the unregulated expansion of transnational private power in these various fields. It explores the potential of private international law to reassert a significant governance function in respect of new forms of authority beyond the state. To do so, it must shed a number of assumptions entrenched in the culture of the nation-state, but this will permit the discipline to expand its potential to confront major issues in global governance.

Human Rights in International Investment Law and Arbitration
International Investment Law. The Sources of Rights and Obligations
International Investment Law: A Changing Landscape A Companion
Volume to International Investment Perspectives
The Settlement of International Disputes
Litigating International Investment Disputes
The Foundations of International Investment Law

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International economic law is one of the crucial branches of international law, and of major importance both practically and conceptually. This document collection brings together all of the most important treaties, regulations, and other documents in this area. It presents the key documents of contemporary international economic law in one single volume, so to provide students as well as practitioners with an accessible reference guide. The book will feature a brief introduction, providing readers with a 'roadmap' through what is perceived by many as the maze of international economic law. The collection brings together documents relating to the three main pillars of international economic law, namely world trade law, international monetary law, and international investment law. These are preceded by texts of a more general character, notably issued by the United Nations and clarifying the parameters of international economic relations. This broad focus enables readers to view international economic law in its breadth and to avoid the pitfalls of a 'compartmentalised' approach, which exclusively focuses on, for example, WTO law or investment law without appreciating their interrelation. By bringing together key texts of all three branches, the book should be invaluable to students taking general courses of international economic law as well as more specialised courses such as WTO law or 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 key

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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.

This book explores the extent to which contemporary international law expects states to take into account the interests of others - namely third states or their citizens - when they form and implement their policies, negotiate agreements, and generally conduct their relations with other states. It systematically considers the various manifestations of what has been described as 'community interests' in many areas regulated by international law and observes how the law has evolved from a legal system based on more or less specific consent and aimed at promoting particular interests of states, to one that is more generally oriented towards collectively protecting common interests and values. Through essays by experts in the field, this book explores topics such as the sources of international law and the institutional aspects of developing the law and covers a range of areas within the law.

A collection of legal instruments for the protection of foreign investment, comprising 22 bilateral investment treaties concluded by Russia (or the former USSR), the principal multilateral agreements to which Russia is a

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party, and Russia's model draft bilateral investment protection agreement.

Cooperation, Competition and Transformation

Handbook of International Investment Law and Policy

A Practitioner's Guide

U.S.-China Commercial Relations

Collection of Regulatory Acts and Documents

Public Actors in International Investment Law