

OXFORD

PRINCIPLES OF INTERNATIONAL INVESTMENT LAW

SECOND EDITION

RUDOLF DOLZER AND
CHRISTOPH SCHREUER

Rudolf Dolzer And Christoph Schreuer Principles Of

Karl P Sauvant



Rudolf Dolzer And Christoph Schreuer Principles Of:

Principles of International Investment Law Rudolf Dolzer, Christoph Schreuer, 2008-02-28 This book outlines the principles behind the international law of foreign investment The main focus is on the law governed by bilateral and multilateral investment treaties The book traces the purpose context and evolution of the clauses and provisions characteristic of contemporary investment treaties and analyses the case law interpreting the issues raised by standard clauses Particular consideration is given to broad treaty rules whose understanding in practice has mainly been shaped by their interpretation and application by international tribunals In addition the book introduces the dispute settlement mechanisms for enforcing investment law outlining the operation of State vs State and Investor vs State arbitration Combining a systematic analytical study of the texts and principles underlying investment law with a jurisprudential analysis of the case law arising in international tribunals this book offers an ideal introduction to the principles of international investment law and arbitration for students or practitioners new to the field

African perspectives in international investment law Yenkong Ngangjoh Hodu, Makane Moïse Mbengue, 2020-12-15 The tremendous growth in foreign direct investment FDI in Africa comes at a time when the field of international investment law and arbitration is witnessing a renewal The investment has led to big business for law firms in the area of investment arbitration and the last decade has witnessed an increased number of investment treaties proliferating investment disputes the rise of mega regional trade agreements and the negotiation of mega regional infrastructure projects Yet while the argument in support of investment treaties as instruments to attract foreign direct investment is highly contested many African countries are no doubt becoming more aware of the need to reshape the international investment architecture This volume explores trends in FDI on the African continent the benefits and challenges that FDI presents for African States and Africa's participation in the international investment law regime Featuring contributions from leading African international lawyers arbitrators jurists academics and litigation experts this landmark volume is the first of its kind to explore African perspectives in international investment law Hodu and Mbengue bring together non mainstream approaches to the debate on the nexus between foreign investment and development addressing key conceptual issues that will define contemporary international investment law for decades to come With insights and critical comments on the challenges of Africa's foreign investment climate and international investment law this timely collection is essential reading for academics students and practitioners alike

Protection of Foreign Investments in an Intra-EU Context Moskvan, Dominik, 2022-02-04 The Achmea judgment revolutionised intra EU investment protection by declaring intra EU bilateral investment treaties intra EU BITs incompatible with EU law This incisive book investigates whether intra EU foreign investments benefit from this alteration which discontinued the parallel applicability of intra EU BITs and EU law in the EU internal market In addition to comparative legal analysis from an investor perspective Dominik Moskvan puts forward a proposal for a creation of a permanent intra EU

foreign investment court to ensure a balanced economic development of the EU internal market Balancing the Protection of Foreign Investors and States Responses in the Post-Pandemic World Yulia Levashova, Pascale Accaoui Lorfing, 2022-05-11

The COVID 19 pandemic has brought the debate on reform of the international investment agreement regime to the fore with renewed force. In this important and timely book, top professionals in the field collectively offer an in-depth investigation of the measures that States have taken or failed to take to deal with the pandemic's consequences and whether these actions or inactions can be construed as investment arbitration risks. In an extensive overview of the impact of COVID 19 on States and investors, including perspectives from UNCTAD, the European Union, the United States, Russia, India, South Korea, and the African Union, this comprehensive guide on State defences and investor protection mechanisms tackles such aspects of the debate as the following: as affected by the pandemic, treatment of investors in times of pandemic and in the post-pandemic world; sufficient contribution to the economic development of the host State; disparities in bargaining power and use of pandemic power to accord preferential treatment. The final part of the book is dedicated to analysing case studies from around the world in the context of the pandemic and investor-State disputes. Understanding the way public health emergencies can shape international investment law is key to building a sustainable, stable investment environment. As the first detailed study of the post-pandemic development of investment law, this matchless collection takes a giant step toward reconciling the interests of foreign investors and sovereign States at various stages of economic development. With practical recommendations for both States and investors, it will be of immeasurable assistance to practitioners, policymakers, and academics in anticipating and dealing not only with COVID-related measures but also with similar future contingencies.

Full Protection and Security in International Investment Law Sebastián Mantilla Blanco, 2019-10-24. 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. Arbitration's Age of Enlightenment? Cavinder Bull, Loretta Malintoppi, Constantine Partasides, 2023-09-12. Directly presenting the considered views of a broad cross-section of the international arbitration

community this timely collection of essays addresses the criticism of the arbitral process that has been voiced in recent years interpreting the challenge as an invitation to enlightenment The volume records the entire proceedings of the twenty fifth Congress of the International Council for Commercial Arbitration ICCA held in Edinburgh in September 2022 Topics range from the impact of artificial intelligence to the role of international arbitration in restraining resort to unilateralism protectionism and nationalism The contributors tackle such contentious issues as the following time and cost gender and cultural diversity confidentiality vs transparency investor State dispute settlement procedures the proposed establishment of a permanent international investment court system how cross fertilisation across different disciplines may impact international arbitration determining whether a document request seeks documents that are relevant and material to the outcome of a dispute whether we would be better off if investment arbitration were to disappear and implications for international arbitration of the Russian invasion of Ukraine There is consideration of global issues that are likely to give rise to disputes in the future including climate change environmental protection access to depleting water resources energy and mining transition and human rights initiatives Several contributions focus on developments in specific countries China India and regions Africa the Middle East Arbitrators corporate counsel and policymakers will appreciate this opportunity to engage with current thinking on key issues in international commercial and investment arbitration especially given the diversity of thought presented by authors from all over the world

China and International Commercial Dispute Resolution Qiao Liu, Wenhua Shan, 2015-10-20 China and International Commercial Dispute Resolution presents important contributions from eminent legal scholars from Europe the United States Australia South America and China in a variety of areas of international commercial law with relevance to China The authors provide expert analyses from a number of perspectives doctrinal comparative empirical economic and legal on an array of issues private and public involved in or arising from international commercial dispute resolution in China

The Law of Transnational Business Transactions Ved P. Nanda, Ralph B. Lake, 2003

Yearbook on International Investment Law & Policy 2008-2009 Karl P. Sauvant, 2009-07-02 Today international investment law consists of a network of multifaceted multilayered international treaties that in one way or another involve virtually every country of the world The evolution of this network continues raising a host of issues regarding international investment law and policy especially in the area of international investment disputes This Yearbook monitors current developments in international investment law and policy focusing in Part One on trends in foreign direct investment FDI international investment agreements and investment disputes with a special look at developments in the oil and gas sector Part Two then looks at central issues in the contemporary discussions on international investment law and policy With contributions by leading experts in the field this title provides timely authoritative information on FDI that can be used by a wide audience including practitioners academics researchers and policy makers

Investment Treaty Arbitration and International Law Todd Weiler, 2009 [UCLA Journal of International Law and](#)

Foreign Affairs ,2016 *Denver Journal of International Law and Policy* ,2014 Michigan Journal of International Law ,2012 **The Italian Yearbook of International Law, Volume 17 (2007)** Luigi Ferrari Bravo,Francesco Francioni,Natalino Ronzitti,Giorgio Sacerdoti,Benedetto Conforti,Riccardo Pavoni,2008-11 The Italian Yearbook of International Law aims at making accessible to the English speaking public the Italian contribution to the practice and literature of international law Volume XVII 2007 is organised in three main sections The first contains doctrinal contributions on the timely issue of the individual right of access to justice and focuses on the Inter American human rights system on remedies against acts of international organisations and UN Security Council s targeted sanctions and on the participation of amici curiae in investor State arbitrations This section includes also shorter notes on current developments in the field of private military contractors and foreign direct investment in the recovery of cultural heritage as well as surveys of the practice of ICJ ITLOS international criminal tribunals WTO ICSID and the ECtHR The second section covers the Italian practice in the areas of i judicial decisions ii diplomatic and parliamentary practice iii treaty practice and iv national legislation The third section contains a systematic bibliographical index of Italian literature in the field of international law and reviews of recent books The volume ends with an analytical index for ready consultation that includes the main judicial cases and legal instruments cited throughout the Yearbook *Guide to International Legal Research* ,2009 *The Practical Guide to Canadian Legal Research* Nancy McCormack,John Papadopoulos,Catherine Anne Cotter,2010 *Arizona Journal of International and Comparative Law* ,2014 **Bilateral Investment Treaties** Kenneth J. Vandevelde,2010 Bilateral Investment Treaties History Policy and Interpretation organizes summarizes and comments upon the arbitral awards interpreting and applying BIT provisions Policymakers and practitioners will find a thorough introduction to the operation of the BITs including the principal arguments and case authorities on both sides of the major issues in international investment law The book is intended to be a single volume reference covering every important development in the 50 years of BIT programs worldwide from 1959 until 2009 Author Kenneth Vandevelde argues that the primary purpose of the BITs is to promote the application of the rule of law to foreign investment while a secondary purpose is to create a liberal investment regime He further argues that BITs are based on six core principles reasonableness security nondiscrimination access transparency and due process The book explains each of these principles and analyzes the major BIT provisions based on them Vandevelde addresses the host of complex questions that BITs engender Do bilateral investment treaties attract foreign investment or otherwise contribute to economic development Do BITs limit host state regulatory discretion too much Why should countries continue to conclude BITs What is meant by BIT guarantees of fair and equitable treatment and full protection and security What is the scope of the BIT provision for most favored nation treatment The book s expert analysis of these questions makes it useful to policy makers in the area of international economic relations attorneys representing multinational companies and anyone interested in the process of economic globalization **Alberta Law Review** ,2013

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