

# Shifting Paradigms In International Investment Law More Balanced Less Isolated Increasingly Diversified

*The International Law on Foreign Investment* **China and International Investment Law** **International Investment Law and the Right to Regulate** *An Introduction to International Investment Law* *Principles of International Investment Law* *Integrating Sustainable Development in International Investment Law* *International Investment Law and Arbitration* **International Investment Law The Foundations of International Investment Law** **International Investment Law** *Investment Law within International Law* *International Investment Law Rules and Practices of International Investment Law and Arbitration* *The Law of Investment Treaties* *International Investment Law and the Right to Regulate* *Public Actors in International Investment Law* *International Investment Law and History* **Asian Perspectives on International Investment Law** *General Interests of Host States in International Investment Law* *International Investment Law: Understanding Concepts and Tracking Innovations* *A Companion Volume to International Investment Perspectives* *Foreign Investment and Dispute Resolution Law and Practice in Asia* *China, the EU and International Investment Law* *Handbook of International Investment Law and Policy* *The Multilateralization of International Investment Law* **Community Interests Across International Law** *International Investment Law and Policy in Africa* **International Investment Law and Competition Law** *International Investment Law and Development* **Attribution in International Investment Law** **International Investment Law and Globalization** **Building International Investment Law** *International Investment Law* **Foreign Investment, International Law and Common Concerns** *Public Health in International Investment Law and Arbitration* **The Origins of International Investment Law** *Private International Law and Global Governance* **International Investment Law and Gender Equality** *China, the EU and International Investment Law* *Human Rights in International Investment Law and Arbitration* **Reconceptualizing International Investment Law from the Global South**

This is likewise one of the factors by obtaining the soft documents of this **Shifting Paradigms In International Investment Law More Balanced Less Isolated Increasingly Diversified** by online. You might not require more time to spend to go to the ebook foundation as with ease as search for them. In some cases, you likewise accomplish not discover the pronouncement **Shifting Paradigms In International Investment Law More Balanced Less Isolated Increasingly Diversified** that you are looking for. It will definitely squander the time.

However below, subsequent to you visit this web page, it will be appropriately totally easy to acquire as capably as download guide **Shifting Paradigms In International Investment Law More Balanced Less Isolated Increasingly Diversified**

It will not recognize many period as we notify before. You can attain it even if behave something else at home and even in your workplace. hence easy! So, are you question? Just exercise just what we have the funds for under as competently as evaluation **Shifting Paradigms In International Investment Law More Balanced Less Isolated Increasingly Diversified** what you taking into consideration to read!

[China, the EU and International Investment Law](#) Jan 15 2021 This book provides an original and critical analysis of the most contentious subjects being negotiated in the China-EU Comprehensive Agreement on Investment (CAI). It focuses on the pathway of reforming investor-state dispute settlement (ISDS) from both Chinese and European perspectives in the context of the China-EU CAI and beyond. The book is divided into three parts. Part I examines key and controversial issues of the China-EU CAI negotiations, including market access, sustainable development and human rights, as well as comparing distinct features between the China-EU CAI and the China-US BIT. Part II concentrates on the institutional reform of investor-state arbitration with an extensive analysis of the EU's approach to replacing the private nature of investment arbitration with the public nature of an investment court. Part III addresses the core substantive and procedural issues concerning ISDS, such as the role of domestic courts in investment dispute settlement, the status of state-owned enterprises (SOEs) as investors, transparency and the protection of victims in investment dispute resolution. This book will be of interest to scholars and practitioners in the field of international investment and trade law, particularly investment dispute settlement. [International Investment Law](#) Mar 29 2022 Increasing and intensified cross-border economic exchange such as trade and investment is an important feature of globalization. In the past, a distinction could be made between capital importing and exporting countries, or host and home countries for foreign direct investment (FDI). Due to globalization, FDI is presently made by and in

both developed and developing countries. Differences in political, economic and legal systems and culture are no longer obstacles for FDI, and to varying degrees the economic development of almost all countries is closely linked with the inflow of FDI. This book conducts critical assessments of aspects of current international law on FDI, focusing on cases decided by the tribunals of the International Centre for Settlement of Investment Disputes (ICSID) and other tribunals as well as decisions of annulment ad hoc committees of the ICSID. In examining such cases, Guiguo Wang takes into account the Chinese culture and China's practice in the related areas. The book explores topics including: the development and trend of international investment law; unilateral, bilateral and multilateral mechanisms for encouraging and protecting FDIs; determination of qualified investors and investments and consent as conditions for protection; relative and absolute standards of treatment; determination of expropriation in practice; assessment of compensation for expropriation; difficulties in enforcing investment arbitral awards; and alternatives for improving the existing system. The book will be of great use and interest to scholars, practitioners and students of international investment law and international economic law, Asian law, and Chinese studies. *International Investment Law and Policy in Africa* Sep 10 2020 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 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. *Investment Law within International Law* Dec 26 2021 Developments within various sub-fields of international law influence international investment law, but changes in investment law also have an impact on the evolution of other fields within international law. Through contributions from leading scholars and practitioners, this book analyses specific links between investment law and other sub-fields of international law such as the law on armed conflict, human rights, sustainable development, trade, development and EU law. In particular, this book scrutinises how concepts, principles and rules developed in the context of such sub-fields could inform the

content of investment law. Solutions aimed at resolving problems in other settings may provide instructive examples for addressing current problems in the field of investment law, and vice versa. The underlying question is whether key sub-fields of public international law, notably international investment law, are open to cross-fertilisation, or, whether they are evolving further into self-contained regimes.

**International Investment Law** Jan 27 2022 This comprehensive book provides a complete overview of the international legal system of foreign investment protection, synthesising material from treaties, general international law, contracts and case law to demonstrate a coherent system of investment protection. Through this systematic approach, the book considers all aspects of the discipline, providing a thorough and accessible analysis.

**International Investment Law and Competition Law** Aug 10 2020 This EYIEL special issue examines the interaction between international investment 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.

**The Foundations of International Investment Law** Feb 25 2022 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.

**Attribution in International Investment Law** Jun 07 2020 About this book: Attribution in International Investment Law is the first in-depth book on attribution in international investment law analysing the treatment of attribution in applicable legal instruments and investment arbitration jurisprudence worldwide. The term 'attribution' refers to the means by which it is ascertained whether the State is involved in a dispute governed by international law. The notion of attribution is primarily used to determine if the State is responsible for the wrongful conduct of persons or entities with links to the State. In the context of international investment law, the exponentially growing arbitration jurisprudence arising from international investment agreements, especially bilateral investment treaties, reflects the extent and risk of attribution determined in investment relationships that often involve State

enterprises. This book provides an extensive review of the application of special or customary rules of attribution for the purposes of State responsibility in investor-State disputes. What's in this book: The analysis responds to such questions as the following: When is a conduct attributable to the State for the purposes of its responsibility under international investment law? What legal instruments govern the question of attribution under international investment law? In what circumstances is the State the proper party to a contract entered into by a State-owned enterprise with an investor protected by an investment treaty? How can State policymakers minimise their international legal responsibility within the existing framework of attribution in international investment law? How can investors maximise their protection within the existing framework of attribution in international investment law? Also covered are the procedural treatment of attribution by investment tribunals, explication of such broad-brush wordings as 'elements of governmental authority' and 'under the direction or control' and the impact of the rise of State-owned enterprises as investors. Ongoing and future trends in the jurisprudence are also taken into account facilitating the understanding of the diversity of State organisation and the variety of ways in which State enterprises interact with foreign investors or act as foreign investors. How this will help you: A one-stop reference on the question of attribution in international investment law, the analysis extracts identifiable commonalities among instruments and rulings, turning them into useful practice tools. This book will prove to be an invaluable instrumental reference tool for practitioners advising States or investors in investment disputes. Providing practical guidance as to the circumstances in which an act or omission is attributable to a State in international investment law, this book will be welcomed by arbitrators, in-house counsel for companies doing transnational business and international arbitration centres, and by academics in international arbitration.

**China and International Investment Law** Oct 04 2022 The first volume in the Silk Road Studies in International Economic Law Series, China and International Investment Law: Twenty Years of ICSID Membership examines cutting-edge issues of international investment law and arbitration in interaction with China, the second largest economy of the world. *International Investment Law and Development* Jul 09 2020 Foreign investment is meant to contribute to the host country's development, and yet international investment law has often been seen as an obstacle to (sustainable) development. So are investment and development friends or foes? Combining critical reflection

*Foreign Investment and Dispute Resolution Law and Practice in Asia* Feb 13 2021 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 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.

*Handbook of International Investment Law and Policy* Dec 14 2020 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 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.

*General Interests of Host States in International Investment Law* Apr 17 2021 Analyses bilateral treaties and regional agreements on foreign investments, focussing

particularly on measures taken in the context of economic crises.

Public Health in International Investment Law and Arbitration Jan 03 2020 As a wide variety of state regulations allegedly aimed at protecting public health may interfere with foreign investments, a tension exists between the public health policies of the host state and investment treaty provisions. Under most investment treaties, States have waived their sovereign immunity, and have agreed to give arbitrators a comprehensive jurisdiction over what are essentially regulatory disputes. Some scholars and practitioners have expressed concern regarding the magnitude of decision-making power allocated to investment treaty tribunals. This book contributes to the current understanding of international investment law and arbitration, addressing the fundamental question of whether public health has and/or should have any relevance in contemporary international investment law and policy.

Private International Law and Global Governance Oct 31 2019 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.

International Investment Law: Understanding Concepts and Tracking Innovations A

Companion Volume to International Investment Perspectives Mar 17 2021 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.

Integrating Sustainable Development in International Investment Law May 31 2022 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.

China, the EU and International Investment Law Aug 29 2019 This book provides an original and critical analysis of the most contentious subjects being negotiated in the China-EU Comprehensive Agreement on Investment (CAI). It focuses on the pathway of reforming investor-state dispute settlement (ISDS) from both Chinese and European perspectives in the context of the China-EU CAI and beyond. The book is divided into three parts. Part I examines key and controversial issues of the China-EU CAI negotiations, including market access, sustainable development and human rights, as well as comparing distinct features between the China-EU CAI and the China-US BIT. Part II concentrates on the institutional reform of investor-state arbitration with an extensive analysis of the EU's approach to replacing the private nature of investment arbitration with the public nature of an investment court. Part III addresses the core substantive and procedural issues concerning ISDS, such as the role of domestic courts in investment dispute settlement, the status of state-owned enterprises (SOEs) as investors, transparency and the protection of victims in investment dispute resolution. This book will be of interest to scholars and practitioners in the field of international investment and trade law, particularly investment dispute settlement.

*International Investment Law and Arbitration*

Apr 29 2022 A new edition connecting extracts from arbitral decisions, treaties and scholarly works with concise, up-to-date and reliable commentary.

The Multilateralization of International Investment Law Nov 12 2020 The book argues that international investment law is a structured body of law based on uniform principles of investment protection.

*Principles of International Investment Law* Jul 01 2022 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 History* Jun 19 2021 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* Mar 05 2020 '...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 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.

**Foreign Investment, International Law and Common Concerns** Feb 02 2020 Increasingly, transnational corporations, developed countries and private actors are broadening the boundaries of their investments into new territories, in search of a higher return on capital. This growth in direct foreign

investment involves serious concerns for both the investor and host state. Various exponents of international civil society and non-governmental organisations persuasively claim that such growth in foreign investments constitutes potential and serious hazards both to the environment and the fundamental rights and freedoms of local populations. This book explores from an international law perspective the complex relationship between foreign investments and common concerns, i.e. values that do not coincide, or do not necessarily coincide, with the interests of the investor and of the host state. It pays particular attention to the role of the main international development banks in reconciling the needs of foreign investors with the protection of common concerns, such as the environment, human rights and labour rights. Among its collection of essays, the volume asks how much "regulatory space" investment law leaves; whether international investment law is an effective means of balancing contrasting interests, and whether investment arbitration currently constitutes a mechanism of global governance. In collecting the outlooks of various experts in human rights, environmental and international economic law, this book breaks new ground in exploring how attention to its legal aspects may help in navigating the relationship between foreign investment and common concerns. In doing so, the book provides valuable insights into the substantive issues and institutional aspects of international investment law.

*Human Rights in International Investment Law and Arbitration* Jul 29 2019 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.

*Public Actors in International Investment Law* Jul 21 2021 This open access book focuses on public actors with a role in the settlement of investment disputes. 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.

**The Origins of International Investment Law** Dec 02 2019 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 provides a fresh conceptual framework through which contemporary issues can be examined and creates new understandings of those controversies.

**Community Interests Across International Law** Oct 12 2020 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.

**International Investment Law and Globalization** May 07 2020 In a context of neoliberal globalization, have the processes of elaboration and implementation of foreign investors' responsibilities by intergovernmental organizations reached the realm of legality? Using an analytical framework and a methodology that combines international law with international relations, this book provides a twofold answer to this question. First, it demonstrates that the normative integration of foreign investors' responsibilities in international investment law is fragmented and consistent with the interests of the most powerful actors. Second, while using the interactional theory of international law to assess the normative character of several international instruments elaborated and implemented by intergovernmental organizations, it highlights the sense of obligation that each instrument generates. The analysis demonstrates that such a codification process is marked by relations of power and has resulted in several social norms, with relatively few legal norms.

*An Introduction to International Investment Law* Aug 02 2022 A clear and accessible introduction to one of the fastest growing and most highly debated spheres of international law.

*International Investment Law and the Right to Regulate* Aug 22 2021 The book considers the ways in which the international investment law regime intersects with the human rights regime, and the potential for clashes between the two legal orders. Within the human rights regime states may be obligated to regulate, including a duty to adopt regulation aiming at improving social standards and conditions of living for their population. Yet, states are

increasingly confronted with the consequences of such regulation in investment disputes, where investors seek to challenge regulatory interferences for example in expropriation claims. Regulatory measures may for instance interfere with the investment by imposing conditions on investors or negatively affecting the value of the investment. As a consequence, investors increasingly seek to challenge regulatory measures in international investment arbitration on the basis of a bilateral investment treaty. This book sets out the nature and the scope of the right to regulate in current international investment law. The book examines bilateral investment treaties and ICSID arbitrations looking at the indicative parameters that are granted weight in practice in expropriation claims delimiting compensable from non-compensable regulation. The book places the potential clash between the right to regulate and international investment law within a theoretical framework which describes the stability-flexibility dilemma currently inherent within international law. Lone Wandahl Mouyal goes on to set out methods which could be employed by both BIT-negotiators and adjudicators of investment disputes, allowing states to exercise their right to regulate while at the same time providing investors with legal certainty. The book serves as a valuable tool, an added perspective, for academics as well as for practitioners dealing with aspects of international investment law. *The International Law on Foreign Investment* Nov 05 2022 This book is a thought-provoking and authoritative text on this fast moving field of international law.

**International Investment Law and Gender Equality** Sep 30 2019 This book analyses the impact that stabilization clauses have on the development of human rights and gender laws in resource rich nations. Given the fact that stabilization clauses freeze the law for as long as the contract subsists there has been debate on the negative impact stabilization clauses have on the progressive development of human rights in the host State. Firstly, the book examines the mechanisms investors utilise in protecting themselves from host State prerogatives. It then explores the theoretical basis on which stabilization clauses are applied and upheld by arbitral tribunals, and assesses how they can be drafted in a way that protects human rights, particularly in relation to gender discrimination, without forcing the resource rich nations to lose momentum in attracting foreign direct investment. Using Zambia and the Gender Equity and Equality Act of 2015 as a case study, the book explores the compatibility of the legislation with the stabilization clauses contained in the country's Development Agreements. The book will be of interest to practitioners, scholars and students of international investment law, human rights law and contract law.

**Reconceptualizing International Investment Law from the Global South** Jun 27 2019 This book shows how the reform in investment regulation contributes to a broader attempt to transform the international economic order.

**International Investment Law and the Right to Regulate** Sep 03 2022 The book considers the ways in which the international investment law regime intersects with the

human rights regime, and the potential for clashes between the two legal orders. Within the human rights regime states may be obligated to regulate, including a duty to adopt regulation aiming at improving social standards and conditions of living for their population. Yet, states are increasingly confronted with the consequences of such regulation in investment disputes, where investors seek to challenge regulatory interferences for example in expropriation claims. Regulatory measures may for instance interfere with the investment by imposing conditions on investors or negatively affecting the value of the investment. As a consequence, investors increasingly seek to challenge regulatory measures in international investment arbitration on the basis of a bilateral investment treaty. This book sets out the nature and the scope of the right to regulate in current international investment law. The book examines bilateral investment treaties and ICSID arbitrations looking at the indicative parameters that are granted weight in practice in expropriation claims delimiting compensable from non-compensable regulation. The book places the potential clash between the right to regulate and international investment law within a theoretical framework which describes the stability-flexibility dilemma currently inherent within international law.

Lone Wandahl Mouyal goes on to set out methods which could be employed by both BIT-negotiators and adjudicators of investment disputes, allowing states to exercise their right to regulate while at the same time providing investors with legal certainty. The book serves as a valuable tool, an added perspective, for academics as well as for practitioners dealing with aspects of international investment law.

**Asian Perspectives on International Investment Law** May 19 2021 With changes to the international investment law landscape and Asian countries now actively developing their network of bilateral investment treaties (BITs) and free trade agreements (FTAs), this volume studies issues relating to Asian perspectives on international investment law and forecasts the future of Asian contribution to its science and practice. The book discusses the major factors that have been driving Asian countries to new directions in international investment rule-making and dispute settlement. It also looks at whether Asian countries are crafting a new model of international investment law to reflect

their specific socio-cultural values. Finally, the book examines whether there are any 'Asian' styles of international investment rule-making and dispute settlement, or if individual Asian countries are seeking specific national 'models' based on economic structure and geopolitical interests. This unique collection is exceptionally useful to students, scholars and practitioners of international investment law, international trade law and public international law.

**Rules and Practices of International Investment Law and Arbitration** Oct 24 2021 Offers the most comprehensive, detailed and up-to-date analysis of international investment law and arbitration compared to its competitors.

**Building International Investment Law** Apr 05 2020 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 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.

**International Investment Law** Nov 24 2021 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 Law of Investment Treaties** Sep 22 2021 The rapid growth in investment treaties has led to a burgeoning number of international arbitration decisions that have applied and interpreted treaty provisions in disputes between investors and states concerning their respective rights. This flurry of treaties and arbitral decisions has seen the creation of a new branch of international law- the law of investment claims. In this revised edition, Jeswald Salacuse examines the law of international investment treaties, specifically in relation to its origins, structure, content, and effect, as well as their impact on international investors and investments, and the governments that are parties to them.

Investment treaty law is a rapidly evolving field and since publication of the first edition, the law of international investment treaties has both experienced considerable growth and generated extensive controversy. 2011 saw the highest number of new treaty-based arbitration filed under international investment agreements to date, and in July 2014, the Yukos Universal Limited (Isle of Man) v The Russian Federation culminated with awards of over US\$50 billion; a historic record for any arbitration. Controversy in this field has primarily revolved around the investor-state dispute settlement process, which as thus far involved at least 98 states as respondents. Salacuse captures these developments in this updated edition, examining not only the significant growth in treaties, but the trends that have followed, and their effect on the content and evolution of the law of investment treaties. Specific topics include conditions for the entry of foreign investment and general standards of treatment of foreign investments; monetary transfers; operational conditions; protection against expropriation; dispossession and compensation for losses; dispute settlement, including negotiation, arbitration, and conciliation; and judicial proceedings.