

Principles Of International Investment Law

Principles of International Trade and Investment Law Mitchell, Andrew D.

2021-09-21 This essential book discusses a wide range of important legal principles such as procedural fairness and reasonableness in the context of international trade and investment law. Using comparative methodology, the authors examine how those principles are reflected in treaties and how they are employed by adjudicators resolving disputes.

The Legal Protection of Foreign Investments Against Political Risk Thomas Nektarios Papanastasiou

2015-08-19 The Legal Protection of Foreign Investments Against Political Risk examines how political risks associated with foreign direct investment in the energy sector are managed or mitigated, and suggests new

ways to deal with the possibility of such risk. It applies its analysis—using case studies and international law, and examining actual contracts—to the specific context of foreign investment in five Asian countries' power infrastructure projects. "Legal protection of foreign investments against political risk has been a problem for a long time. Professor Papanastasiou's book brilliantly balances the legitimate regulatory power of host states with legitimate business interests of foreign investors by presenting a neatly designed multi-layered legal framework for political risk management. This is an important contribution to both the study of international investment law and the practice of foreign investment business transactions." — Junji Nakagawa, Professor of International Economic Law, Institute of Social

Science, University of Tokyo Author, International Harmonization of Economic Regulation (Oxford University Press, 2011) “This book is an impressive and important entry into the field of international investment law scholarship. While maintaining a focus on the important Japanese and Asian regions, it also provides a general and up-to-date coverage of relevant international investment law and political risk considerations faced by multinational corporations. It is impressively concise, yet thorough; it is practical, yet takes into account relevant and recent legal scholarship; it is well-written and organized. The ultimate goal is to help foreign investors and their advisors understand the current international investment law framework and climate to enable them to devise strategies to help their clients reduce political risk, and to protect their clients’ property rights and investments. This work should be of interest to in-house counsel and international law

practitioners, as well as to law students and scholars for its coverage of current international investment law standards, scholarship, and practices.” — N. Stephan Kinsella, Attorney, Houston, Texas Co-author, International Investment, Political Risk, and Dispute Resolution (OUP, 2005) “This study contributes insightfully to the literature on international economics and, in particular, on the laws protecting foreign investment. The book is unique in two ways. First, it analyzes and measures the impact of such multi-tier legal frameworks as FTAs, investment contracts, FDI regulations and insurance by combining legal interpretative tools and scoring techniques. Second, it adds a new narrative on how Japanese business can use law to secure investments from political risks in the energy sector of foreign countries.” — Shujiro Urata, Professor of International Economics, Graduate School of Asian Pacific Studies, Waseda University Co-editor, Economic Consequences of Globalization:

Evidence from East Asia (Routledge, 2012)
International Investment Law Surya P Subedi
2020-06-11 '...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.

International Investment Law in the Commonwealth Caribbean Jason Haynes
2026-03-26 This textbook provides the first

comprehensive pedagogical treatment of international investment law from a Caribbean perspective, addressing a critical gap in legal education resources. *International Investment Law in the Commonwealth Caribbean* employs rigorous doctrinal analysis that places Caribbean experiences at its centre, while also building readers' analytical capabilities for engaging with complex issues in international economic law. The book is unique in showing how investment law operates in small island developing state contexts, making abstract legal concepts accessible through analysis of Caribbean case law, while also developing critical thinking skills. Each chapter integrates traditional black-letter law instruction with critical analysis, drawing on *Third World Approaches to International Law (TWAIL)* and post-colonial theory, thereby preparing readers to evaluate competing perspectives on investor protection, state sovereignty, and developmental needs. Unlike existing investment law textbooks that

marginalize developing country experiences, this textbook examines Caribbean states' encounters with international investment arbitration. The book analyses landmark cases including *RSM Production v Grenada*, *Peter Allard v Barbados*, and *Michael Lee-Chin v Dominican Republic*, illustrating fundamental legal principles while exposing structural inequalities in contemporary investment governance. *International Investment Law in the Commonwealth Caribbean* will be essential reading for all students of Caribbean law and international economic law.

Introduction to Cyprus Law Dennis Campbell 2000

Natural Resource Investment and Africa's Development Francis N. Botchway 2011 This well-researched book covers a wide spectrum of important issues that are central to investment in natural resources and ultimately, economic development of Africa. Francis Botchway and the expert contributors analyze the relationships

between good governance and resource management, as well as the existing commercial and financial agreements. The environmental implication of resource exploitation and the international dimensions of the industry are also explored in this insightful study. Each comprehensive and concise contribution highlights the importance of transparency and equity in investment and management of natural resources. Natural Resource Investment and Africa's Development is essential material for scholars and students of development, environmental law, international economic law and dispute resolution, as well as any international investor in natural resources.

International Investment Law and the Right to Regulate Lone Wandahl Mouyal 2016-03-10
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.

International Investment Law in Context

August Reinisch 2008 In the last decade, international investment law has developed into one of the core areas of international law. The reason for this development is twofold. The number of cases has increased rapidly. The International Centre for Settlement of Investment Disputes has over a hundred pending

cases and there are more before ad hoc tribunals, mostly operating under the United Nations' Commission on International Trade Law Rules. In addition, investment law has addressed a number of novel issues while also coming up with some innovative solutions. This book brings together the papers delivered at the Young Scholars Conference in International Economic Law, which was held at the University of Vienna Law School in June 2007. Under the general topic of "Current Issues and Developments in International Investment Law," the speakers addressed core issues like the definition of investment, legitimate expectations of investors, and the meaning and importance of references to domestic law included in many Bilateral Investment Treaties. Also discussed were topics like the role of investment law in the context of the European Union and its relation to cultural matters, human rights, and other non-investment issues. As international investment law is becoming more and more significant, a

book such as this, dedicated to the latest developments in the field, will be of utmost importance to anyone interested in this area of law.

International Investment Law. The Sources of Rights and Obligations

Tarcisio Gazzini
2012-08-22 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.

Legal Protection of Foreign Direct Investment. A Critical Assessment with Focus on South Africa and Zimbabwe

Talkmore Chidede 2016-09 This study undertakes a critical assessment of the legal protection of foreign direct investments (FDI) in South Africa and Zimbabwe by determining their compliance with the international minimum standards, norms and/or best practices on the legal protection of FDI by host states. Firstly, the

study argues that foreign investment is much needed in South Africa and Zimbabwe to improve economic growth and development, to create jobs, and to increase their competitiveness. However, these benefits are not accrued automatically but rather host states need to create an enabling environment to receive such benefits. Thus, host states need to put an investment scheme into operation to guarantee the legal protection of foreign investments. South Africa and Zimbabwe have at large crafted and implemented investment laws and related policies which tend to be hostile towards foreign investments. Therefore, similar investment laws and related policies in both jurisdictions are analysed. This study will also offer recommendations for a legal investment which is not only flexible, friendly, and favourable to foreign investment in South Africa and Zimbabwe but also advances their local economic policies.

[Principles of International Investment Law](#)

Rudolf Dolzer 2022-01-13 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. It 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 Investor-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, scholars, and practitioners alike.

[Principles of International Investment Law](#)

Rudolf Dolzer 2008 Introducing the fundamentals of international investment law and dispute settlement for students or practitioners new to the field, this work 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.

[UCLA Journal of International Law and Foreign Affairs](#) 2016

The Foundations of International

Investment Law Zachary Douglas 2014-05-01

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 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.

Principles of International Investment Law
Valeriy Lisitsa 2014 In his monograph the author attempts to identify and disclose the principles of contemporary international investment law, which are based on the provisions of multilateral and bilateral treaties and other sources of international and national law. In particular, the

conditions and procedure for expropriation are specified. It is proved to use one general term "expropriation" in the legislation of the Russian Federation, which includes diverse forms of forced taking of foreign property and entails not only the formal termination of ownership of a foreign investor, but also the impossibility of exercising property rights of the owner. In order to create uniformity in the interpretation and application of law on expropriation by state courts and international commercial arbitrations it is proposed to provide the exhaustive list of actions of a host state, which are not recognized as expropriation, as well as to limit in some cases the amount of compensation for damage to a foreign investor due to necessity of maintenance of balance of interests of the foreign investor and the host state. Two different types of legal means to ensure the stability of legal conditions for investment activity are analyzed. They are the guarantee against unfavorable changes in legislation

("grandfather's" clause) and amendments to a contract due to the changes in legislation (the stabilization clause), which have a different legal nature. It is shown that the "grandfather's" clause is based on the action of legal acts during the time, whereas the stabilization clause is related to a contract. As a result the scope of the "grandfather's" clause is broader and includes not only contractual (civil), but also public-law relationships. According to the examination of norms of international and national investment law a set of legal proposals for the improvement of the legal regulation of investment activity is made.

International Energy Investment Law Peter D. Cameron 2010 Long term contracts have been used in the international petroleum industry since its earliest days. However, they have been prone to unilateral revision by host governments in countries where the petroleum reserves are located. In the 1970s a wave of nationalisations and contract renegotiations led

to a number of much cited arbitral awards and significant changes in contracting practice in the international petroleum industry. Recently, it has become clear that a new wave of unilateral state action is taking place in the international petroleum industry, most evidently in Latin America and Russia. These developments increase the tempo of a long-term process in which the exposure of largely privately owned Western energy companies to unilateral state action has been increasing. The book asks: how have legal processes and instruments developed to mitigate that growing exposure, and why have they had so little success? This monograph examines and assesses the variety of legal instruments from international and commercial law that have been designed to promote stability in long-term contracts in the international energy industry (including dedicated contract provisions, bilateral investment treaties and multilateral treaty instruments). It covers both energy production and networks involving large-

scale fixed infrastructure. It pays particular attention to their practical impact through an analysis of their enforcement by arbitration tribunals and bodies, such as the ICSID, the ICC and the LCIA. The book also examines the growing challenges presented by environmental and 'social' risk to the stability of long-term agreements. The book's approach is both analytical and historical, locating legal instruments and enforcement awards in their context, discussing their origins and purpose.

An Introduction to International Investment Law

David Collins 2016-10-06 This insightful and accessible introduction provides students and practitioners with a comprehensive overview of the increasingly important discipline of international investment law. Focusing primarily on the legal principles contained in the growing body of international investment agreements, this book covers the core concepts of the discipline with attention given to their relation to each other and to the manner in

which they have been developed through arbitration case law. The context of each legal principle is explored along with a consideration of some of the major debates and emerging criticisms. Avoiding extensive case extracts, this book adopts an engaging and succinct narrative style which allows readers to advance their understanding of the topic while examining the legal principles with academic rigour and discerning commentary.

Principles of International Investment Law

Rudolf Dolzer 2012 Introducing the fundamentals of international investment law and dispute settlement for students or practitioners new to the field, this work 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.

Principles of International Investment Law Justin

Felbinger 2025-08-25 International Investment Law is a complex and evolving field of law that

governs foreign direct investment (FDI) and protects the rights of investors across international borders. It is primarily structured around bilateral investment treaties (BITs), multilateral agreements, and various international arbitration mechanisms, such as those provided by the International Centre for Settlement of Investment Disputes (ICSID). The primary goal of international investment law is to create a stable, predictable, and secure environment for investors, fostering cross-border economic activities. It aims to balance the interests of investors and host states, ensuring that investments are protected from unjust expropriation, unfair treatment, and discrimination, while allowing host states to regulate in the public interest, such as in matters of health, environment, and public welfare. Key principles include national treatment, most-favored-nation treatment, fair and equitable treatment, and full protection and security. Dispute resolution is a critical

component, often handled through arbitration rather than domestic courts, providing an impartial forum for resolving conflicts between investors and states. This book attempts to understand the critical aspects that fall under the discipline of international investment law and how such aspects have practical applications. It is compiled in such a manner, that it will provide in-depth knowledge about the theory and practice of international investment law. This textbook will serve as a reference to a broad spectrum of readers.

International Investment Law Arnaud de Nanteuil 2020-02-28 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.

Principles Of International Investment Law

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