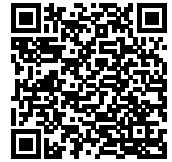


M34113: International Investment Law

[View Online](#)

1.

NAFTA Free Trade Commission. Notes of Interpretation of Certain Chapter 11 Provisions [Internet]. 31AD. Available from:
http://www.sice.oas.org/tpd/nafta/Commission/CH11understanding_e.asp

2.

International Law Commission. Draft Articles On Responsibility of States for Internationally Wrongful Acts [Internet]. 12AD. Available from:
<http://www.ilsa.org/jessup/jessup06/basicmats2/DASR.pdf>

3.

Convention on the Settlement of Investment Disputes between States and Nationals of Other States (1965), as amended, 575 UNTS 159, 4 ILM 524 (1966) [Internet]. Available from: https://icsid.worldbank.org/ICSID/StaticFiles/basicdoc/CRR_English-final.pdf

4.

ICSID Rules of Procedure for Arbitration Proceedings (Arbitration Rules) [Internet]. 10AD. Available from:
<https://icsid.worldbank.org/apps/ICSIDWEB/icsiddocs/Pages/ICSID-Convention-Arbitration-Rules.aspx>

5.

Rules Governing the Additional Facility for the Administration of Proceedings by the Secretariat of ICSID [Internet]. 10AD. Available from:
<http://sice.oas.org/dispute/comarb/icsid/icsid3.asp>

6.

UN Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention) [Internet]. New York; 10AD. Available from: <https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/new-york-convention-e.pdf>

7.

UNCITRAL Arbitration Rules (with new Article 1(4), as adopted in 2013) [Internet]. Available from: <http://www.uncitral.org/pdf/english/texts/arbitration/arb-rules-2013/UNCITRAL-Arbitration-Rules-2013-e.pdf>

8.

UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration [Internet]. Available from: <https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/rules-on-transparency-e.pdf>

9.

UN Convention on Transparency in Treaty-based Investor-State Arbitration (Mauritius Convention) [Internet]. 17AD. Available from: <https://uncitral.un.org/en/texts/arbitration/conventions/transparency>

10.

NAFTA Free Trade Commission. Statement on non-disputing party participation [Internet]. 7AD. Available from: <http://www.state.gov/documents/organization/38791.pdf>

11.

IBA Guidelines on Conflicts of Interest in International Arbitration [Internet]. 22AD. Available from: http://www.ibanet.org/ENews_Archive/IBA_July_2008_ENews_ArbitrationMultipleLang.aspx

12.

Shaw MN. International law. 8th ed. Cambridge: Cambridge University Press; 2017.

13.

Shaw MN. International law. 7th ed. Cambridge: Cambridge University Press; 2014.

14.

Thirlway H. The Sources of International Law. International law. 5th ed. Oxford: Oxford University Press; 2018. p. 91–117.

15.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

16.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from:
<http://www.myilibrary.com?id=263131>

17.

Lowenfeld AF. International economic law [Internet]. 2nd ed. Oxford: Oxford University Press; 2008. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=975432>

18.

Lowenfeld AF. International economic law [Internet]. 2nd ed. Oxford: Oxford University Press; 2008. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=975432>

19.

Asante, Samuel K. B. International Law and Foreign Investment: A Reappraisal. International and Comparative Law Quarterly [Internet]. 1988;37. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/incolq37&div=33&collection=journals&set_as_cursor=0&men_tab=srchresults

20.

Franck, Susan D. Foreign Direct Investment, Investment Treaty Arbitration, and the Rule of Law. Global Business & Development Law Journal [Internet]. 2006;19. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/tranl19&div=23&collection=journals&set_as_cursor=0&men_tab

21.

Convention on the Settlement of Investment Disputes between States and Nationals of Other States (1965), as amended, 575 UNTS 159, 4 ILM 524 (1966) [Internet]. Available from: https://icsid.worldbank.org/ICSID/StaticFiles/basicdoc/CRR_English-final.pdf

22.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

23.

Fedax NV v The Republic of Venezuela, Decision on Objections to Jurisdiction, 11 July 1997 (1997) ICSID Case No. ARB/96/3; (2002) 5 ICSID Reports 183 [Internet]. Available from: http://www.italaw.com/sites/default/files/case-documents/ita0315_0.pdf

24.

Salini Costruttori S.p.A. and Italstrade S.p.A. v Kingdom of Morocco, ICSID Case No. ARB/00/4, Decision on Jurisdiction, 23 July 2001, 42 I.L.M. 609 (2003) [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0738.pdf>

25.

Joy Mining Machinery Limited v The Arab Republic of Egypt, ICSID Case No. ARB/03/11, Award on Jurisdiction, 6 August 2004, 19 ICSID Review-FILJ (2004), 486 [Internet].

Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0441.pdf>

26.

Fakes v Republic of Turkey, Award of 14 July 2010, ICSID Case No. ARB/07/20 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0314.pdf>

27.

Československa Obchodní Banka (CSOB) AS v The Slovak Republic (1999), Decision on Objections to Jurisdiction, 24 May 1999, ICSID Case No. ARB/97/4, (2002) 5 ICSID Reports 330 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0144.pdf>

28.

Malaysian Historical Salvors SDN BHD v The Government of Malaysia, ICSID Case No. ARB/05/10), Award on Jurisdiction, 17 May 2007 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0496.pdf>

29.

Soufraki v United Arab Emirates, Award of 7 July 2004, ICSID Case No. ARB/02/7 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0799.pdf>

30.

Champion Trading v Egypt, Decision on Jurisdiction, 21 October 2003, ICSID Case No. ARB/02/9 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0147.pdf>

31.

Olguín v Republic of Paraguay, Award, 26 July 2001, ICSID Case No. ARB/98/5 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0587.pdf>

32.

Fakes v Republic of Turkey, Award, 14 July 2010, ICSID Case No., ARB/07/20 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0314.pdf>

33.

Stern B. Are There New Limits on Access to International Arbitration. ICSID Review [Internet]. 25(1). Available from: <http://icsidreview.oxfordjournals.org/content/25/1/26>

34.

Mortenson, J. The Meaning of Investment: ICSID's Travaux and the Domain of International Investment Law. Harvard International Law Journal [Internet]. 2010;51(1):257-318. Available from: <http://heinonline.org/HOL/Page?public=false&handle=hein.journals/hilj51&id=259>

35.

Stern B. The Contours of the Notion of Protected Investment. ICSID Review [Internet]. 2010;24(2). Available from: <http://icsidreview.oxfordjournals.org/content/24/2/534.full.pdf+html>

36.

Vargiu, Paolo. Beyond Hallmarks and Formal Requirements: A Jurisprudence Constante on the Notion of Investment in the ICSID Convention. Journal of World Investment & Trade [Internet]. 2009;10. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/jworldit10&div=45&collection=journals&set_as_cursor=0&men_tab

37.

Gaillard E. Identify or Define? Reflections on the Evolution of the Concept of Investment in ICSID Practice. International investment law for the 21st century: essays in honour of Christoph Schreuer [Internet]. Oxford: Oxford University Press; 2009. p. 403-416. Available from: <https://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199571345.001.0001/acprof-9780199571345>

38.

Muchlinski P. Multinational enterprises and the law. 2nd ed. Oxford: Oxford University Press; 2007.

39.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from: <http://www.myilibrary.com?id=263131>

40.

Dolzer R. The Notion of Investment in Recent Practice. Law in the service of human dignity: essays in honour of Florentino Feliciano. Cambridge: Cambridge University Press; 2005. p. 261–275.

41.

Yala F. The Notion of "Investment" in ICSID Case Law: A Drifting Jurisdictional Requirement? Some "Un-Conventional Thoughts" on Salini, SGS and Mihaly. Journal of International Arbitration [Internet]. 2005;(22):105–126. Available from: <http://www.kluwerarbitration.com.ezproxy.nottingham.ac.uk/CommonUI/document.aspx?id=ipn26225>

42.

Mendelson M. The Runaway Train: the Continuous Nationality Rule from the Panevezys-Saldutiskis Railway Case to Loewen. International investment law and arbitration: leading cases from the ICSID, NAFTA, bilateral treaties and customary international law. London: Cameron May; 2005. p. 97–149.

43.

Ben Hamid W. The Mihaly v. Sri Lanka Case: Some Thoughts relating to the status of pre-investment expenditures. International investment law and arbitration: leading cases from the ICSID, NAFTA, bilateral treaties and customary international law. London: Cameron May; 2005. p. 47–76.

44.

Agreement between the Government of the Sultanate of Oman and the Government of the

Republic of Austria for the Promotion and Reciprocal Protection of Investments, Muscat [Internet]. 1AD. Available from:
<http://investmentpolicyhub.unctad.org/Download/TreatyFile/210>

45.

Treaty between the Government of the United States of America and the government of [Country] Concerning the Encouragement and Reciprocal Protection of Investment (US Model BIT 2012) [Internet]. Available from:
<http://www.state.gov/documents/organization/188371.pdf>

46.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from:
<http://www.myilibrary.com?id=263131>

47.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

48.

Salacuse JW. The law of investment treaties [Internet]. Third edition. Oxford: Oxford University Press; 2021. Available from:
<https://opil-oup.com.nottingham.idm.oclc.org/display/10.1093/law/9780198850953.001.0001/law-9780198850953>

49.

Vandeveld KJ. Bilateral investment treaties: history, policy, and interpretation. New York: Oxford University Press; 2010.

50.

Salacuse, Jeswald W. Do BITs Really Work: An Evaluation of Bilateral Investment Treaties and Their Grand Bargain. Harvard International Law Journal [Internet]. 2005;46. Available from:

http://heinonline.org/HOL/Page?handle=hein.journals/hilj46&div=7&collection=journals&set_as_cursor=0&men_tab

51.

Bilateral Investment Treaties 1995-2006: Trends in Investment Rulemaking, UNCTAD/ITE/IIA/2006/5 [Internet]. New York and Geneva: United Nations; 2007. Available from: http://unctad.org/en/Docs/iteiia20065_en.pdf

52.

Sacerdoti G. Bilateral Treaties and Multilateral Instruments on Investment Protection. *Recueil des cours*. Paris: Hachette; 1997;269:298-338.

53.

Carr C. Bilateral Investment Treaties: Ecuador v Occidental. *Lloyd's Maritime and Commercial Law Quarterly* [Internet]. 2006;257-269. Available from: <https://nottingham.idm.oclc.org/login?url=https://www.i-law.com/ilaw/doc/view.htm?id=130495>

54.

Salacuse, Jeswald W. Do BITs Really Work: An Evaluation of Bilateral Investment Treaties and Their Grand Bargain. *Harvard International Law Journal* [Internet]. 2005;46. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/hilj46&div=7&collection=journals&set_as_cursor=0&men_tab

55.

Schlemmer EC. Bilateral Investment Treaties, Protection of Shareholders, and ICSID: CMS Gas Transmission Company v the Republic of Argentina. *South African yearbook of international law: Suid-Afrikaanse jaarboek vir volkereg*. Pretoria: VerLoren Van Themaat Centre for International Law, University of South Africa [etc.]; 2003;292-300.

56.

Schlemmer EC. Investor protection and forum selection in bilateral investment treaties. *South African yearbook of international law: Suid-Afrikaanse jaarboek vir volkereg*.

Pretoria: VerLoren Van Themaat Centre for International Law, University of South Africa [etc.]; 2001;26:174–180.

57.

Salacuse, Jeswald W. BIT by BIT: The Growth of Bilateral Investment Treaties and Their Impact on Foreign Investment in Developing Countries. *International Lawyer* [Internet]. 1990;24. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/intlyr24&div=53&collection=journals&set_as_cursor=0&men_tab=srchresults

58.

Schwebel S. The Reshaping of the International Law of Foreign Investment by Concordant Bilateral Investment Treaties. *Law in the service of human dignity: essays in honour of Florentino Feliciano* [Internet]. Cambridge: Cambridge University Press; 2005. p. 261–275. Available from: <https://doi.org/10.1017/CBO9780511494499>

59.

Dolzer R, Schreuer C. *Principles of international investment law* [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

60.

Muchlinski P. *Multinational enterprises and the law*. 2nd ed. Oxford: Oxford University Press; 2007.

61.

Asian Agricultural Products Ltd. (AAPL) v. Republic of Sri Lanka, 30 ILM (1991), ¶580-655, per dissenting opinion of the Arbitrator, Asante [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita1035.pdf>

62.

CMS Gas Transmission Co v Republic of Argentina (2005), ICSID Case No. ARB/01/8, (2005) 44 ILM 1205 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0184.pdf>

63.

Técnicas Medioambientales TECMED SA v Estados Unidos Mexicanos (2004), ICSID Case No. ARB(AF)/00/2, (2004) 43 ILM 133 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0854.pdf>

64.

Occidental Exploration and Production Company v Republic of Ecuador, LCIA Case No. UN3467, 1 July 2004, (United States/Ecuador BIT) [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0571.pdf>

65.

Case Summary [Internet]. Available from:
http://www.biicl.org/files/3914_2004_occidental_v_ecuador.pdf

66.

North American Free Trade Agreement (NAFTA) [Internet]. 1994. Available from:
<https://investmentpolicy.unctad.org/international-investment-agreements/treaty-files/2413/download>

67.

NAFTA. Statement on NAFTA Article 1105 and the Availability of Arbitration Documents [Internet]. 31AD. Available from:
<http://www.international.gc.ca/trade-agreements-accords-commerciaux/topics-domaines/dis-sp-diff/NAFTA-Interpr.aspx?lang=eng>

68.

Treaty between the Government of the United States of America and the government of [Country] Concerning the Encouragement and Reciprocal Protection of Investment (US Model BIT 2012) [Internet]. Available from:
<http://www.state.gov/documents/organization/188371.pdf>

69.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

70.

Fair and Equitable Treatment, UNCTAD Series on Issues in International Investment Agreements II [Internet]. Geneva: UNCTAD; 2012. Available from: http://unctad.org/en/docs/unctaddiaeia2011d5_en.pdf

71.

ADF Group v United States of America, ICSID Case No. ARB(AF)/00/1, Award, 9 January 2003, 18 ICSID Review-FILJ (2003) 195 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0009.pdf>

72.

Glamis Gold, Ltd. v United States, UNCITRAL/NAFTA, Award, 8 June 2009 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0378.pdf>

73.

Loewen Group, Inc. and Raymond L. Loewen v United States of America ICSID Case No. ARB(AF)/98/3, (2003), Award, 26 June 2003, (2003) 42 ILM 811 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0470.pdf>

74.

Metalclad v The United States of Mexico, ICSID Case No. ARB(AF)/97/1, Award, 30 August 2000, 5 ICSID Reports 209, (2001) 40 ILM 36 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0510.pdf>

75.

Methanex Corporation v United States of America, UNCITRAL/NAFTA, Award, 3 August 2005, (2005) 44 ILM 1345 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0529.pdf>

76.

Mondev International Ltd v United States of America, Final Award ICSID Case No. ARB(AF)/99/2, 11 October 2002, (2003) 42 ILM, 85 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita1076.pdf>

77.

Pope & Talbot v Government of Canada, UNICTRAL/NAFTA Award on Merits, 10 April 2001, (2002) 41 ILM 1347 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0678.pdf>

78.

Waste Management Inc. v Mexico, ICSID Case No ARB(AF)/00/3, Final Award, 30 April 2004, (2004) 43 ILM 967 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0900.pdf>

79.

Alex Genin, Eastern Credit, Inc., and AS Baltoil v The Republic of Estonia [Genin v Estonia], ICSID Case No. ARB/99/2, Award of 25 June 2001, 17 ICSID Review – FLIJ (2002) [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0359.pdf>

80.

Azurix v Argentina, ICSID Case No. ARB/01/12, Award, 14 July 2006 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0061.pdf>

81.

Bayindir Insaat Turizm Ticaret Ve Sanayi AŞ v Islamic Republic of Pakistan [Bayinder v Pakistan], ICSID Case No. ARB/03/29, Decision on Jurisdiction, 14 November 2005 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0074.pdf>

82.

Biwater Gauff v Tanzania, ICSID Case No ARB/05/22, Award, 24 July 2008 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0095.pdf>

83.

CMS Gas Transmission v Argentina, ICSID Case No. ARB/01/8, Award, 12 May 2005 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0184.pdf>

84.

Desert Line Projects LLC v The Republic of Yemen, ICSID Case No. ARB/05/17. Award of 6 February 2008, (2009) 48 ILM 82 [Internet]. Available from:
http://www.italaw.com/sites/default/files/case-documents/ita0248_0.pdf

85.

Middle East Cement Shipping and Handling, Co. v Arab Republic of Egypt, Award, 12 April 2002, ICSID Case No. ARB/99/6 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0531.pdf>

86.

MTD Equity Sdn. Bhd. and MTD Chile S.A. (MTD) v Chile [MTD v Chile] Award, ICSID Case No. ARB/01/7, 25 May 2004, 12 ICSID Reports 6 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0544.pdf>

87.

Occidental Exploration and Production Company v Ecuador, LCIA/UNCITRAL, Final Award, 1 July 2004 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0571.pdf>

88.

Parkerings-Compagniet AS v Lithuania, ICSID Case No. ARB/05/8, ICSID Case No. ARB/05/8, Award, 11 September 2007 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0619.pdf>

89.

Rumeli Telekom A.S. and Telesim Mobil Telekomkaysan Hizmetleri A.S. v Kazakhstan [Rumeli v Kazakhstan] ICSID Case No. ARB/05/16, Award, 29 July 2008 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0728.pdf>

90.

Siemens v Argentina, ICSID Case No. ARB/02/8, Award 6 February 2007 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0790.pdf>

91.

Suez, Sociedad General de Aguas de Barcelona S.A., and InterAguas Servicios Integrales del Agua SA v The Argentine Republic, ICSID Case No. ARB/03/17, Decision on Liability, 30 July 2010 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0813.pdf>

92.

Técnicas Medioambientales Tecmed (TECMED) SA v Mexico, Award, 29 May 2003, ICSID Case No. ARB(AF)/00/2, (2004) 43 ILM 133 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0854.pdf>

93.

Bonnitcha J. Substantive protection under investment treaties: a legal and economic analysis [Internet]. Cambridge: Cambridge University Press; 2016. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1719625>

94.

Muchlinski P. 'Caveat Investor'? The Relevance of the Conduct of the Investor Under the Fair and Equitable Treatment Standard. International and Comparative Law Quarterly. 2006 Jul;55(03):527-558.

95.

Sornarajah M, British Institute of International and Comparative Law. The Fair and Equitable Treatment Standard: Whose Treatment? Whose Equity? In: Ortino F, editor. Investment treaty law: current issues II : nationality and investment treaty claims, fair and equitable treatment in investment treaty law. London: British Institute of International and

Comparative Law; 2007.

96.

Muchlinski P. Multinational enterprises and the law. 2nd ed. Oxford: Oxford University Press; 2007.

97.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from: <http://www.myilibrary.com?id=263131>

98.

Salacuse JW. The law of investment treaties [Internet]. Third edition. Oxford: Oxford University Press; 2021. Available from: <https://opil-oup.com.nottingham.idm.oclc.org/display/10.1093/law/9780198850953.001.0001/law-9780198850953>

99.

Vandeveld, Kenneth J. A Unified Theory of FET. New York University Journal of International Law and Politics [Internet]. 2010;43. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/nyuilp43&div=6&collection=journals&set_as_cursor=0&men_tab

100.

Yannaca-Small K. FET Standard: Recent Developments. Standards of investment protection. Oxford: Oxford University Press; 2008. p. 113-141.

101.

Schill S. Fair and Equitable Treatment Under Investment Treaties as an Embodiment of the Rule of Law (IILJ Working Paper 2006/6). 2006; Available from: <http://www.iilj.org/publications/2006-6Schill.asp>

102.

Fietta S. Expropriation and the "Fair and Equitable" Standard: The Developing Role of Investors' "Expectations" in International Investment Arbitration. *Journal of International Arbitration* [Internet]. 2006;23(5):375–399. Available from: <https://nottingham.idm.oclc.org/login?url=https://www.kluwerarbitration.com/CommonUI/document.aspx?id=ipn26890>

103.

Dolzer, Rudoff. Fair and Equitable Treatment: A Key Standard in Investment Treaties. *International Lawyer* [Internet]. 2005;39. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/intlyr39&div=12&collection=journals&set_as_cursor=0&men_tab

104.

Weiler T. Good Faith and Regulatory Transparency: The Story of *Metalclad v. Mexico*. *International investment law and arbitration: leading cases from the ICSID, NAFTA, bilateral treaties and customary international law*. London: Cameron May; 2005. p. 701–745.

105.

Wallace D. FET and Denial of Justice: *Loewen v US* and *Chattin v Mexico*. *International investment law and arbitration: leading cases from the ICSID, NAFTA, bilateral treaties and customary international law*. London: Cameron May; 2005. p. 669–700.

106.

Dumberry P. The Quest to Define 'Fair and Equitable Treatment' for Investors under International Law. *The Journal of World Investment & Trade*. 2002 Jan 1;3(4):657–691.

107.

North American Free Trade Agreement (NAFTA) [Internet]. 1994. Available from: <https://investmentpolicy.unctad.org/international-investment-agreements/treaty-files/2413/download>

108.

Treaty between the Government of the United States of America and the government of [Country] Concerning the Encouragement and Reciprocal Protection of Investment (US Model BIT 2012) [Internet]. Available from:
<http://www.state.gov/documents/organization/188371.pdf>

109.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

110.

Elettronica Sicola SpA (ELSI) (United States of America v Italy), [1989] ICJ Rep. 15 [Internet]. Available from: <http://www.icj-cij.org/docket/files/76/6707.pdf>

111.

Asian Agricultural Products (AAPL) v Republic of Sri Lanka, ICSID Case No. ARB/87/3, Award, 27 June 1990, 30 ILM (1991) 577, 4 ICSID Reports 245 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita1034.pdf>

112.

American Machine Tools (AMT) v Republic of Zaire, ICSID Case No. ARB/93, Award, 21 February 1997, 36 ILM (1997) 1531 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0028.pdf>

113.

CME Czech Republic B.V. (The Netherlands) v Czech Republic, UNCITRAL, Partial Award, 13 September 2001, 9 ICSID Reports 121 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0178.pdf>

114.

Azurix v Argentina, ICSID Case No. ARB/01/12 Award, 14 July 2006 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0061.pdf>

115.

Siemens v Argentina, ICSID Case No. ARB/02/8, Award 6 February 2007 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0790.pdf>

116.

Biwater Gauff v Tanzania, ICSID Case No ARB/05/22, Award, 24 July 2008 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0095.pdf>

117.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from: <http://www.myilibrary.com?id=263131>

118.

Cordero Moss G. Full Protection and Security. Standards of investment protection. Oxford: Oxford University Press; 2008.

119.

Salacuse JW. The law of investment treaties [Internet]. Third edition. Oxford: Oxford University Press; 2021. Available from: <https://opil-ouplaw-com.nottingham.idm.oclc.org/display/10.1093/law/9780198850953.001.0001/law-9780198850953>

120.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

121.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

122.

ADF Group v United States of America (2003), ICSID Case No. ARB(AF)/00/1, Award, 9 January 2003, 19 ICSID Review-FILJ (2003) 195, 6 ICSID Reports 470 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0009.pdf>

123.

Bayindir Insaat Turizm Ticaret Ve Sanayi A Ş v Islamic Republic of Pakistan, ICSID Case No. ARB/03/29, Decision on Jurisdiction, 14 November 2005 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0074.pdf>

124.

Bayindir Insaat Turizm Ticaret Ve Sanayi A Ş v Islamic Republic of Pakistan, ICSID Case No. ARB/03/29, Award, 27 August 2009 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0075.pdf>

125.

Elettronica Sicola SpA (ELSI) (United States of America v Italy), [1989] ICJ Rep. 15 [Internet]. Available from: <http://www.icj-cij.org/docket/files/76/6707.pdf>

126.

Feldman v Mexico [also known as Karpa (Marvin Roy Feldman) (CEMSA) v United Mexican States], ICSID Case No. ARB (AF)/99/1, Award of 16 December 2002, (2003) 42 ILM 625 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0319.pdf>

127.

Metalclad v The United States of Mexico, ICSID Case No. ARB(AF)/97/1 (2003) 5 ICSID Reports 209 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0510.pdf>

128.

Methanex Corporation v United States of America (2005), NAFTA/UNCITRAL, Award, 3 August 2005 44 ILM (2005), 1345 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0529.pdf>

129.

MTD Equity Sdn. Bhd. and MTD Chile S.A.. (MTD) v Chile, Award, 25 May 2004, 12 ICSID Reports 6 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0544.pdf>

130.

Occidental Exploration and Production Company v Ecuador, Award, 1 July 2004, 12 ICSID Reports 59 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0571.pdf>

131.

Parkerings-Compagniet AS v Republic of Lithuania (Parkerings v Lithuania), ICSID Case No. ARB/05/8), Award, 11 September 2007 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0619.pdf>

132.

Pope & Talbot v Government of Canada, Award on Merits, 10 April 2001, 122 International Law Reports (2002), 352 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0678.pdf>

133.

Pope & Talbot v Government of Canada, Award on Damages, 31 May 2002, 41 ILM (2002), 1347 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0686.pdf>

134.

S D Myers Inc. v Government of Canada, NAFTA/UNCITRAL, First Partial Award, 13 November 200, 40 ILM (2001), 1408 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0747.pdf>

135.

Thunderbird v Mexico [also known as International Thunderbird Gaming Corporation v United Mexican States, NAFTA/UNCITRAL, Award, 26 January 2006 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0431.pdf>

136.

United Parcel Services (UPS) Ltd. v CanadaPost (2003) NAFTA Chapter 11, Decision on Jurisdiction, 22 November 2002 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0884.pdf>

137.

United Parcel Services (UPS) Ltd. v CanadaPost (2003) NAFTA Chapter 11, Award, 24 May 2007 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0885.pdf>

138.

Douglas Z. The MFN Clause in Investment Arbitration: Treaty Interpretation Off the Rails. *Journal of International Dispute Settlement*. 2011 Feb 1;2(1):97–113.

139.

Schill SW. Allocating Adjudicatory Authority: Most-Favoured-Nation Clauses as a Basis of Jurisdiction--A Reply to Zachary Douglas. *Journal of International Dispute Settlement*. 2011 Aug 1;2(2):353–371.

140.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from: <http://www.myilibrary.com?id=263131>

141.

Douglas Z. The MFN Clause in Investment Arbitration: Treaty Interpretation Off the Rails.

Journal of International Dispute Settlement. 2011 Feb 1;2(1):97–113.

142.

National Treatment, UNCTAD/ITE/IIT/11 (Vol. IV in UNCTAD Series on Issues in International Investment Agreements) [Internet]. 2000. Available from:
<http://unctad.org/en/pages/PublicationArchive.aspx?publicationid=340>

143.

Most-Favoured-Nation Treatment in International Investment Law, OECD/OCDE, Directorate for Financial and Enterprise Affairs, Working Papers on International Investment, No. 2004/2 [Internet]. Available from:
http://www.oecd.org/investment/investment-policy/WP-2004_2.pdf

144.

Weiler T. Saving Oscar Chin-Non-Discrimination in International Investment Law. International investment law and arbitration: leading cases from the ICSID, NAFTA, bilateral treaties and customary international law. London: Cameron May; 2005. p. 557–595.

145.

Schill, Stephan W. Multilateralizing Investment Treaties through Most-Favored-Nation Clauses. Berkeley Journal of International Law [Internet]. 2009;27. Available from:
http://heinonline.org/HOL/Page?handle=hein.journals/berkjintlw27&div=17&collection=journals&set_as_cursor=0&men_tab

146.

Agreement between the Government of the Sultanate of Oman and the Government of the Republic of Austria for the Promotion and Reciprocal Protection of Investments, Muscat [Internet]. 1AD. Available from:
<http://investmentpolicyhub.unctad.org/Download/TreatyFile/210>

147.

Treaty between the Government of the United States of America and the government of [Country] Concerning the Encouragement and Reciprocal Protection of Investment (US

Model BIT 2012) [Internet]. Available from:
<http://www.state.gov/documents/organization/188371.pdf>

148.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from:
<http://www.myilibrary.com?id=263131>

149.

Lowenfeld AF. International economic law [Internet]. 2nd ed. Oxford: Oxford University Press; 2008. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=975432>

150.

Lowenfeld AF. International economic law [Internet]. 2nd ed. Oxford: Oxford University Press; 2008. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=975432>

151.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

152.

Christie, G. C. What Constitutes a Taking of Property under International Law. British Year Book of International Law [Internet]. 1962;38. Available from:
http://heinonline.org/HOL/Page?handle=hein.journals/byrint38&div=9&collection=journals&set_as_cursor=1&men_tab

153.

Higgins R. The Taking of Property by the State: Recent Developments in International Law. Recueil des cours. Paris: Hachette; 1982;176:259–392.

154.

Taking of Property, UNCTAD Series on issues in international investment agreements, UNCTAD/ITE/IIT/15 [Internet]. New York and Geneva: UNCTAD; 2000. Available from: <http://unctad.org/en/docs/psiteiitd15.en.pdf>

155.

OECD. "Indirect Expropriation" and the "Right to Regulate" in International Investment Law, OECD/OCDE Directorate for Financial and Enterprise Affairs, Working Papers on International Investment, Number 2004/4 [Internet]. 2004. Available from: http://www.oecd-ilibrary.org/finance-and-investment/indirect-expropriation-and-the-right-to-regulate-in-international-investment-law_780155872321

156.

Aldrich, George H. What Constitutes a Compensable Taking of Property--The Decisions of the Iran-United States Claims Tribunal. American Journal of International Law [Internet]. 1994;88. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/ajil88&div=44&collection=journals&set_as_cursor=0&men_tab

157.

Reisman WM, Sloane RD. Indirect Expropriation and Its Valuation in the Bit Generation. British Yearbook of International Law. 2004 Jan 1;74(1):115-150.

158.

Waelde T, Kolo A. Environmental Regulation, Investment Protection and Regulatory Taking in International Law. International and Comparative Law Quarterly [Internet]. 2001;50. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/incolq50&div=58&collection=journals&set_as_cursor=0&men_tab=srchresults

159.

Schreuer C. Investment Treaty Arbitration and Jurisdiction over Contract Claims – the Vivendi I Case Considered. International investment law and arbitration: leading cases from the ICSID, NAFTA, bilateral treaties and customary international law. London: Cameron May; 2005. p. 281-323.

160.

Faruque A. Validity and Efficacy of Stabilisation Clauses: Legal Protection vs. Functional Value. *Journal of International Arbitration* [Internet]. 2006;23(4):317–336. Available from: <https://nottingham.idm.oclc.org/login?url=https://www.kluwerarbitration.com/CommonUI/document.aspx?id=ipn26690>

161.

Alvarez-Jiménez A. The Methanex Final Award: An Analysis from the Perspectives of Environmental Regulatory Authorities and Foreign Investors. 2006;23(5):427–434. Available from: <https://nottingham.idm.oclc.org/login?url=https://www.kluwerarbitration.com/CommonUI/document.aspx?id=ipn26892>

162.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from: <http://www.myilibrary.com?id=263131>

163.

Lowenfeld AF. International economic law [Internet]. 2nd ed. Oxford: Oxford University Press; 2008. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=975432>

164.

Lowenfeld AF. International economic law [Internet]. 2nd ed. Oxford: Oxford University Press; 2008. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=975432>

165.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

166.

Brower CN, Wrong J. General Valuation Principles: The Case of Santa Elena. *International investment law and arbitration: leading cases from the ICSID, NAFTA, bilateral treaties and customary international law*. London: Cameron May; 2005. p. 281–323.

167.

Mouri A. The international law of expropriation as reflected in the work of the Iran-U.S. claims tribunal. Dordrecht: M. Nijhoff; 1994.

168.

Thomas Waelde. *Compensation, Damages and Valuation*. The Oxford handbook of international investment law. Oxford: Oxford University Press; 2008. p. 1049–1124.

169.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from: <http://www.myilibrary.com?id=263131>

170.

Muchlinski P. *Multinational enterprises and the law*. 2nd ed. Oxford: Oxford University Press; 2007.

171.

Perezcano, Hugo. Damages in Investment Arbitration: Are the Standards Different from Commercial Arbitration - The Need for Consistency. *Journal of World Investment & Trade* [Internet]. 2005;6. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/jworldit6&div=8&collection=journals&set_as_cursor=0&men_tab

172.

Jagusich, Stephen. Compensation for the Breach of Relative Standards of Treaty Protection. *Journal of World Investment & Trade* [Internet]. 2009;10. Available from: <http://heinonline.org/HOL/Page?handle=hein.journals/jworldit10&div=32&collection=journ>

als&set_as_cursor=0&men_tab

173.

Case Concerning the Factory at Chorzów (Germany v Poland), (1927), PCIJ, Ser. A., No. 9 [Internet]. Available from:
http://www.icj-cij.org/pcij/serie_A/A_09/28_Usine_de_Chorzow_Competence_Arret.pdf

174.

Case Concerning the Factory at Chorzów (Germany v Poland), (1927), PCIJ, Ser. A., No. 17, (Judgement on the Merits) (1928) [Internet]. Available from:
http://www.icj-cij.org/pcij/serie_A/A_17/54_Usine_de_Chorzow_Fond_Arret.pdf

175.

Compañía del Desarrollo de Santa Elena SA v The Republic of Costa Rica (2000), ICSID Case No. ARB/96/1, 17 February 2000, 15 ICSID Review: FILJ (2000) [Internet]. Available from:
https://icsid.worldbank.org/ICSID/FrontServlet?requestType=CasesRH&actionVal=showDoc&docId=DC539_En&caseId=C152

176.

Antoine Goetz and others v Republic of Burundi (1999), ICSID Case No. ARB/95/3, 10 February 1999 (French text only), (2000)15 ICSID Review-FILJ 457 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0380.pdf>

177.

Azurix Corp. v Argentine Republic, ICSID Case No. ARB/01/12, Award of 14 July 2006 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0061.pdf>

178.

CMS Gas Transmission Co v Republic of Argentina (2003) ICSID Case No. ARB/01/8, Award of 12 May 2005, 44 ILM (2005) 1205 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0184.pdf>

179.

Feldman v Mexico, ICSID Case No. Arb(AF)/99/1, Award of 16 December 2002 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0319.pdf>

180.

Generation Ukraine Inc. v Ukraine, Award, ICSID Case No. ARB/00/9, 16 September 2003, 44 ILM (2005) 404 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0358.pdf>

181.

Methanex Corporation v United States of America (2005), UNCITRAL/NAFTA, Award, 3 August 2005 44 ILM (2005) 1345 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0529.pdf>

182.

Middle East Cement Shipping and Handling, Co, v Arab Republic of Egypt (2002), ICSID Case No. ARB/99/6, 12 April 2002, 7 ICSID Reports 178 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0531.pdf>

183.

Saluka Investments B.V. v Czech Republic, Partial Award, 17 March 2006 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0740.pdf>

184.

S D Myers Inc. v Government of Canada, UNICTRAL/NAFTA, First Partial Award, 13 November 2000, 40 ILM (2001) 1408 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0747.pdf>

185.

Siemens A.G. v Argentine Republic, ICSID Case No. ARB/02/8), Award of the Tribunal, 6 February 2007 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0790.pdf>

186.

Técnicas Medioambientales Tecmed (TECMED) S.A. v Mexico, Award, 29 May 2003, 43 ILM (2004) 133 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0854.pdf>

187.

Telenor Mobile Communications A.S. (Telenor) v Hungary, ICSID Case No. ARB/04/15, Award, 13 September 2006, (2006) 21 ICSID Review- FILJ 603 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0858.pdf>

188.

Asian Agricultural Products (AAPL) v Republic of Sri Lanka, ICSID Case No. ARB/87/3, Award, 27 June 1990, 30 ILM (1991) 577, 4 ICSID Reports 245 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita1034.pdf>

189.

Case Concerning the Factory at Chorzów (Germany v Poland), (1927), PCIJ, Ser. A., No. 9 [Internet]. Available from:
http://www.icj-cij.org/pcij/serie_A/A_09/28_Usine_de_Chorzow_Competence_Arret.pdf

190.

Case Concerning the Factory at Chorzów (Germany v Poland), (1927), PCIJ, Ser. A., No. 17, (Judgement on the Merits) (1928) [Internet]. Available from:
http://www.icj-cij.org/pcij/serie_A/A_17/54_Usine_de_Chorzow_Fond_Arret.pdf

191.

CME Czech Republic B.V. (The Netherlands) v Czech Republic, UNCITRAL, Partial Award, 13 September 2001, 9 ICSID Reports 121 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0178.pdf>

192.

CME v Czech Republic, Final Award, 14 March 2003, 9 ICSID Reports 264 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0180.pdf>

193.

Compañía del Desarrollo de Santa Elena SA v The Republic of Costa Rica (2000), ICSID Case No. ARB/96/1, 17 February 2000, 15 ICSID Review: FILJ (2000) [Internet]. Available from: https://icsid.worldbank.org/ICSID/FrontServlet?requestType=CasesRH&actionVal=showDoc&docId=DC539_En&caseId=C152

194.

Enron Corporation and Ponderosa Assets, L.P. v Argentine Republic, ICSID Case No. ARB/01/3, Decision on Jurisdiction, 14 January 2004 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0290.pdf>

195.

Feldman v Mexico, ICSID Case No. Arb(AF)/99/1, Award of 16 December 2002 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0319.pdf>

196.

Metalclad v The United States of Mexico, ICSID Case No. ARB(AF)/97/1, Award, 30 August 2000, 5 ICSID Reports 212 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0510.pdf>

197.

MTD Equity Sdn. Bhd. and MTD Chile S.A.. (MTD) v Chile, Award, 25 May 2004, 12 ICSID Reports 6 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0544.pdf>

198.

Técnicas Medioambientales Tecmed (TECMED) S.A. v Mexico, Award, 29 May 2003, 43 ILM (2004) 133 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0854.pdf>

199.

Responsibility of States for Internationally Wrongful Acts, 2001, text adopted by the International Law Commission at its 53rd Session, 2001, reproduced as an annex to General Assembly Resolution 56/83 of 12 December 2001 (ILC Draft Articles on State Responsibility) [Internet]. Available from:
http://legal.un.org/ilc/texts/instruments/english/commentaries/9_6_2001.pdf

200.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

201.

Hobér K. State Responsibility and Attribution. The Oxford handbook of international investment law. Oxford: Oxford University Press; 2008. p. 549–583.

202.

Compañía de Aguas del Aconquija, S.A. and Vivendi International v Argentina (Vivendi v Argentina), Award, 21 November 2000 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0206.pdf>

203.

Compañía de Aguas del Aconquija, S.A. and Vivendi International v Argentina (Vivendi v Argentina) Decision on Annulment, 3 July 2002, (2002) 41 ILM 1135 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0210.pdf>

204.

Emilio Agustín Maffezini v The Kingdom of Spain, ICSID Case No. ARB/97/7, Decision on Objections to Jurisdiction, 25 January 2000, 5 ICSID Reports or (2001) 40 ILM 1129 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0479.pdf>

205.

Salini Costruttori SpA and Italstrade SpA v Kingdom of Morocco, ICSID Case No. ARB/00/4, Decision on Jurisdiction, 16 July 2001, (2003) 42 ILM 609 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0738.pdf>

206.

Wena Hotels v Egypt, ICSID Case No. ARB/98/4, Award, 8 December 2000, (2002) 41 ILM 896 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0902.pdf>

207.

Overseas Private Investment Corporation (OPIC), created by the Foreign Assistance Act of 1969, Pub L. no 91-175. 83 Stat [Internet]. Available from: <https://www.opic.gov/>

208.

Convention Establishing the Inter-Arab Investment Guarantee Corporation (IAIGC) [Internet]. Kuwait; Available from: <http://www.iaigc.net/UserFiles/file/en/EngConven.pdf>

209.

Articles of Agreement of the Islamic Corporation for the Insurance of Investment and Export Credit (ICIEC) [Internet]. 19AD. Available from: http://www.isdb.org/irj/go/km/docs/documents/IDBDevelopments/Internet/English/IDB/CM/About%20IDB/Articles%20of%20Agreement/ICIEC_Articles-of-Agreement.pdf

210.

Convention Establishing the Multilateral Investment Guarantee Agency, 1508 U.N.T.S. 99 [Internet]. Seoul; 11AD. Available from: <https://www.miga.org/who-we-are/miga-convention>

211.

OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones [Internet]. Paris: OECD; 2006. Available from: <http://www.oecd.org/daf/inv/corporateresponsibility/36885821.pdf>

212.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

213.

Ziegler AR, Gratton LP. Investment Insurance. The Oxford handbook of international investment law. Oxford: Oxford University Press; 2008. p. 524–548.

214.

Shihata IFI. MIGA and foreign investment: origins, operations, policies, and basic documents of the Multilateral Investment Guarantee Agency. Dordrecht: M. Nijhoff; 1988.

215.

Ibrahim F I. Arab Investment Guarantee Corporation – A Regional Investment Insurance Project. Journal of world trade law. Geneva, Switzerland: Jacques Werner; 1972;6.

216.

Perry, Maura B. A Model for Efficient Foreign Aid: The Case for the Political Risk Insurance Activities of the Overseas Private Investment Corporation. Virginia Journal of International Law [Internet]. 1995;36. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/vajint36&div=23&collection=journals&set_as_cursor=0&men_tab=srchresults

217.

Agreement between the Government of the Sultanate of Oman and the Government of the Republic of Austria for the Promotion and Reciprocal Protection of Investments, Muscat [Internet]. 1AD. Available from: <http://investmentpolicyhub.unctad.org/Download/TreatyFile/210>

218.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford:

Oxford University Press; 2012. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

219.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from:
<http://www.myilibrary.com?id=263131>

220.

Muchlinski P. Multinational enterprises and the law. 2nd ed. Oxford: Oxford University Press; 2007.

221.

Footer, Mary E. BITs and Pieces: Social and Environmental Protection in the Regulation of Foreign Investment. Michigan State Journal of International Law [Internet]. 2009;18. Available from:
http://heinonline.org/HOL/Page?handle=hein.journals/mistjintl18&div=6&collection=journals&set_as_cursor=0&men_tab=srchresults

222.

Laborde G. The Case for Host State Claims in Investment Arbitration. Journal of International Dispute Settlement. 2010;1(1):97-122.

223.

Tokios Tokelės v Ukraine, ICSID Case No. ARB/02/18, Decision on Jurisdiction, 29 April 2004, (2005) 20 ICSID Review-FILJ 205 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0863.pdf>

224.

Inceysa Vallisoletana S.L. v El Salvador, ICSID Case No. ARB/03/26, Award, 2 August 2006 [Internet]. Available from:
http://www.italaw.com/sites/default/files/case-documents/ita0424_0.pdf

225.

World Duty Free v Republic of Kenya, ICSID Case No. ARB/00/7, Award, 4 October 2006, paras. 138-157 [Internet]. Available from:
<http://heinonline.org/HOL/Page?public=false&handle=hein.journals/intlm46&page=337&collection=journals>

226.

Fraport AG Frankfurt Airport Services Worldwide v. The Republic of the Philippines, ICSID Case No. ARB/03/25, Award, 16 August 2007 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0340.pdf>

227.

Methanex Corporation v United States of America (2005), UNCITRAL/NAFTA, Award, 3 August 2005 44 ILM (2005) 1345 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0529.pdf>

228.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

229.

Sacerdoti G. Arbitration of Investment Disputes under UNCITRAL Rules and the Choice of Applicable Law. Law in the service of human dignity: essays in honour of Florentino Feliciano. Cambridge: Cambridge University Press; 2005. p. 276–298.

230.

Convention on the Settlement of Investment Disputes between States and Nationals of Other States (1965), as amended, 575 UNTS 159, 4 ILM 524 (1966) [Internet]. Available from: https://icsid.worldbank.org/ICSID/StaticFiles/basicdoc/CRR_English-final.pdf

231.

ICSID Rules of Procedure for Arbitration Proceedings (Arbitration Rules) [Internet]. 10AD.

Available from:

<https://icsid.worldbank.org/apps/ICSIDWEB/icsiddocs/Pages/ICSID-Convention-Arbitration-Rules.aspx>

232.

Rules Governing the Additional Facility for the Administration of Proceedings by the Secretariat of ICSID [Internet]. 10AD. Available from: <http://sice.oas.org/dispute/comarb/icsid/icsid3.asp>

233.

United Nations Commission on International Trade Law (UNCITRAL) Arbitration Rules as revised in 2013 [Internet]. Available from: <http://www.uncitral.org/pdf/english/texts/arbitration/arb-rules/arb-rules.pdf>

234.

Blackaby N, Partasides C, Hunter M, Redfern A. Redfern and Hunter on International Arbitration [Internet]. 6th ed. Oxford: Oxford University Press; 2015. Available from: <https://nottingham.idm.oclc.org/login?url=https://www.kluwerarbitration.com/document/KL-I-KA-Redfern-06-006#a0189>

235.

Collier JG, Lowe AV. The settlement of disputes in international law: institutions and procedures. Oxford: Oxford University Press; 1999.

236.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from: <http://www.myilibrary.com?id=263131>

237.

Cremades BM, Cairnes DJA. The Brave New World of Global Arbitration. The Journal of World Investment & Trade. 2002 Jan 1;3(2):vii-209.

238.

Delaume GR. Consent to ICSID Arbitration. The changing world of international law in the twenty-first century: a tribute to the late Kenneth R Simmonds. The Hague: Kluwer; 1998. p. 155-178.

239.

Roberts, Anthea. Divergence between Investment and Commercial Arbitration. ASIL Proceedings [Internet]. 2012;106. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/asilp106&div=91&collection=journals&set_as_cursor=0&men_tab=srchresults

240.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

241.

SGS Société Générale de Surveillance SA v Islamic Republic of Pakistan (ICSID Case No. ARB/01/13), Decision on Jurisdiction, 6 August 2003 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0779.pdf>

242.

SGS Société Générale de Surveillance SA v Republic of the Philippines (ICSID Case No. ARB/02/6), Decision on Jurisdiction, 29 January 2004 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0782.pdf>

243.

SGS Société Générale de Surveillance SA v Republic of Paraguay (ICSID Case No. ARB/07/29), Decision on Jurisdiction, 12 February 2010 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/italaw1526.pdf>

244.

Paparinskis M. MFN Clauses and International Dispute Settlement: Moving beyond

Maffezini and Plama? ICSID Review. 2011 Sep 1;26(2):14–58.

245.

Sinclair AC. The origins of the umbrella clause in the international law of investment protection. 2004.

246.

Wong, Jarrod. Umbrella Clauses in Bilateral Investment Treaties: Of Breaches of Contract, Treat Violations, and the Divide between Developing and Developed Countries in Foreign Investment Disputes. *George Mason Law Review* [Internet]. 2006;14. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/gmlr14&div=10&collection=journals&set_as_cursor=0&men_tab=srchresults

247.

Yannaca-Small K. Interpretation of the Umbrella Clause in Investment Agreements, OECD/OCDE Directorate for Financial and Enterprise Affairs, Working Papers on International Investment, Number 2006/3 [Internet]. Available from: <http://www.oecd-ilibrary.org/docserver/download/5l9hkssg1xxt.pdf?expires=1439565908&id=id&accname=guest&checksum=13117F01915B052B89921E4F1F0B76A9>

248.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford: Oxford University Press; 2012. Available from: <https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

249.

Emilio Augustin Maffezini v Kingdom of Spain (ICSID Case No. ARB/97/7), Decision on Jurisdiction, 25 January 2000 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0479.pdf>

250.

Siemens AG v Argentine Republic (ICSID Case No. ARB/02/8), Decision on Jurisdiction, 3 August 2004 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0788.pdf>

251.

Plama Consortium Limited v Republic of Bulgaria (ICSID Case No. ARB/03/24), Decision on Jurisdiction, 8 February 2005 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0669.pdf>

252.

HOCHTIEF AG v Argentine Republic (ICSID Case No. ARB/07/31), Decision on Jurisdiction, 24 October 2011 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0405.pdf>

253.

Convention on the Settlement of Investment Disputes between States and Nationals of Other States (1965), as amended, 575 UNTS 159, 4 ILM 524 (1966) [Internet]. Available from: https://icsid.worldbank.org/ICSID/StaticFiles/basicdoc/CRR_English-final.pdf

254.

Rules Governing the Additional Facility for the Administration of Proceedings by the Secretariat of ICSID [Internet]. 10AD. Available from:
<http://sice.oas.org/dispute/comarb/icsid/icsid3.asp>

255.

ICSID Rules of Procedure for Arbitration Proceedings (Arbitration Rules) [Internet]. 10AD. Available from:
<https://icsid.worldbank.org/apps/ICSIDWEB/icsiddocs/Pages/ICSID-Convention-Arbitration-Rules.aspx>

256.

United Nations Commission on International Trade Law (UNCITRAL) Arbitration Rules as revised in 2013 [Internet]. Available from:
<http://www.uncitral.org/pdf/english/texts/arbitration/arb-rules/arb-rules.pdf>

257.

UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration [Internet]. Available from: <https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/rules-on-transparency-e.pdf>

258.

UN Convention on Transparency in Treaty-based Investor-State Arbitration [Internet]. Available from: <http://www.uncitral.org/pdf/english/texts/arbitration/transparency-convention/Transparency-Convention-e.pdf>

259.

NAFTA Free Trade Commission. Statement on non-disputing party participation [Internet]. 7AD. Available from: <http://www.state.gov/documents/organization/38791.pdf>

260.

IBA Guidelines on Conflicts of Interest in International Arbitration [Internet]. 22AD. Available from: http://www.ibanet.org/ENews_Archive/IBA_July_2008_ENews_ArbitrationMultipleLang.aspx

261.

Van Harten G. Investment treaty arbitration and public law [Internet]. Oxford: Oxford University Press; 2007. Available from: <https://academic.oup.com/book/doi/10.1093/acprof:oso/9780199552146.001.0001>

262.

Van Harten G. Chapter 7, The businessman's court. Investment treaty arbitration and public law [Internet]. Oxford: Oxford University Press; 2007. p. 152–184. Available from: <https://contentstore.cla.co.uk/secure/link?id=e4b596d2-ec1d-e611-80bd-0cc47a6bddeb>

263.

Dolzer R, Schreuer C. Principles of international investment law [Internet]. 2nd ed. Oxford:

Oxford University Press; 2012. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=1120174>

264.

Commission proposes new Investment Court System for TTIP and other EU trade and investment negotiations - Trade - European Commission [Internet]. Available from:
<http://trade.ec.europa.eu/doclib/press/index.cfm?id=1364>

265.

Methanex Corporation v United States of America, NAFTA/UNCITRAL, Decision of the Tribunal on Petitions from Third Persons to intervene as 'Amici Curiae', 15 January 2001 [Internet]. Available from:
http://www.italaw.com/sites/default/files/case-documents/ita0517_0.pdf

266.

Aguas del Tunari S.A. v Republic of Bolivia (ICSID Case No. ARB/02/3), Decision on Jurisdiction, 21 October 2005 [Internet]. Available from:
http://www.italaw.com/sites/default/files/case-documents/ita0020_0.pdf

267.

Aguas Argentinas S.A., Suez, Sociedad General de Aguas de Barcelona S.A., and Vivendi Universal S.A. v The Argentine Republic (ICSID Case No. ARB/03/19), Order in response to a Petition for Transparency and Participation as Amicus Curiae, 19 May 2005 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0815.pdf>

268.

Glamis Gold, Ltd. v United States, UNCITRAL/NAFTA, Award, 8 June 2009 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0378.pdf>

269.

Biwater Gauff (Tanzania) Ltd. v United Republic of Tanzania (ICSID Case No. ARB/05/22), Procedural Order No 3, 29 September 2006 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0089.pdf>

270.

Biwater Gauff (Tanzania) Ltd. v United Republic of Tanzania (ICSID Case No. ARB/05/22), Procedural Order No 5, 2 February 2007 [Internet]. Available from: http://www.italaw.com/sites/default/files/case-documents/ita0091_0.pdf

271.

UNCITRAL Transparency Rules applied for the first time in investor-State arbitration | Herbert Smith Freehills [Internet]. Available from: <http://hsfnotes.com/publicinternationallaw/2015/10/26/uncitral-transparency-rules-applied-for-the-first-time-in-investor-state-arbitration/>

272.

Footer, Mary E. BITs and Pieces: Social and Environmental Protection in the Regulation of Foreign Investment. Michigan State Journal of International Law [Internet]. 2009;18. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/mistjintl18&div=6&collection=journals&set_as_cursor=0&men_tab=srchresults

273.

Ishikawa, Tomoko. Third Party Participation in Investment Treaty Arbitration. International and Comparative Law Quarterly [Internet]. 2010. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/incolq59&div=21&collection=journals&set_as_cursor=0&men_tab=srchresults

274.

United Parcel Service of America Inc. v Government of Canada, NAFTA/UNCITRAL, Decision of the Tribunal on Petitions for Intervention and Participation as Amici Curiae, 17 October 2001 [Internet]. Available from: <http://www.italaw.com/sites/default/files/case-documents/ita0883.pdf>

275.

United Parcel Service of America Inc. v Government of Canada, NAFTA/UNCITRAL, Further Order on Amicus Submissions, 1 August 2003 [Internet]. Available from: <http://www.international.gc.ca/trade-agreements-accords-commerciaux/assets/pdfs/disp-di>

ff/ups-52.pdf

276.

Aguas Provinciales de Santa Fe S.A., Suez, Sociedad General de Aguas de Barcelona S.A., and InterAguas Servicios Integrales del Agua S.A. v The Argentine Republic (ICSID Case No. ARB/03/17), Order in response to a Petition for Participation as Amicus Curiae, 17 March 2006 [Internet]. Available from:
<http://www.italaw.com/sites/default/files/case-documents/ita0803.pdf>

277.

NAFTA Free Trade Commission. Statement on notices of intent to submit a claim to arbitration [Internet]. 7AD. Available from:
http://www.sice.oas.org/TPD/NAFTA/Commission/Noticeintent_e.pdf

278.

NAFTA Free Trade Commission. Notes of Interpretation of Certain Chapter 11 Provisions [Internet]. 31AD. Available from:
http://www.sice.oas.org/tpd/nafta/Commission/CH11understanding_e.asp

279.

Treaty between the Government of the United States of America and the government of [Country] Concerning the Encouragement and Reciprocal Protection of Investment (US Model BIT 2012) [Internet]. Available from:
<http://www.state.gov/documents/organization/188371.pdf>

280.

Suez, Sociedad General de Aguas de Barcelona S.A., and Vivendi Universal S.A. v The Argentine Republic (ICSID Case No. ARB/03/19), Suez, Sociedad General de Aguas de Barcelona S.A., and InterAguas Servicios Integrales del Agua S.A. v The Argentine Republic (ICSID Case No. ARB/03/17) and AWG Group Ltd v The Argentine Republic, Decision on a Second Proposal for the Disqualification of a Member of the Arbitral Tribunal, 12 May 2008 [Internet]. Available from: <http://www.italaw.com/documents/Suez-VivendiChallenge2.pdf>

281.

Materials on the IBA website [Internet]. Available from:
http://www.ibanet.org/Publications/publications_IBA_guides_and_free_materials.aspx

282.

Sornarajah M, MyiLibrary. The international law on foreign investment [Internet]. 4th ed. Cambridge: Cambridge University Press; 2017. Available from:
<http://www.myilibrary.com?id=263131>

283.

Lowenfeld AF. International economic law [Internet]. 2nd ed. Oxford: Oxford University Press; 2008. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=975432>

284.

Lowenfeld AF. International economic law [Internet]. 2nd ed. Oxford: Oxford University Press; 2008. Available from:
<https://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=975432>

285.

Muchlinski P. Multinational enterprises and the law. 2nd ed. Oxford: Oxford University Press; 2007.

286.

Marboe, Irmgard. Compensation and Damages in International Law - The Limits of Fair Market Value. Journal of World Investment & Trade [Internet]. 2006;7. Available from:
http://heinonline.org/HOL/Page?handle=hein.journals/jworldit7&div=42&collection=journals&set_as_cursor=0&men_tab=srchresults

287.

Blackaby N, Partasides C, Hunter M, Redfern A. Redfern and Hunter on International Arbitration [Internet]. 6th ed. Oxford: Oxford University Press; 2015. Available from:
<https://nottingham.idm.oclc.org/login?url=https://www.kluwerarbitration.com/document/KL-I-KA-Redfern-06-006#a0189>

288.

Malintoppi L. Provisional Measures in Recent ICSID Proceedings: What Parties Request and What Tribunals Order. *International investment law for the 21st century: essays in honour of Christoph Schreuer*. Oxford: Oxford University Press; 2009. p. 157–184.

289.

Blessing M. State Arbitrations: Predictably Unpredictable Solutions? *Journal of International Arbitration* [Internet]. 2005;22(6):435–486. Available from: <https://nottingham.idm.oclc.org/login?url=https://www.kluwerarbitration.com/CommonUI/document.aspx?id=ipn26350>

290.

Söderlund C. Lis Pendens, Res Judicata and the Issue of Parallel Judicial Proceedings. 2005;22(4):301–322. Available from: <https://nottingham.idm.oclc.org/login?url=https://www.kluwerarbitration.com/CommonUI/document.aspx?id=ipn26277>