

Principles of International Investment Law

Rudolf Dolzer, Professor, University of Bonn, Germany and

Christoph Schreuer, Professor of International Law, University of Vienna, Austria

I. Background and Introduction

1. The Object and Purpose of International Investment Law
2. The History of International Investment Treaties
3. The Evolving Context of Investment Rules - The Sources of International Investment Law
4. Model Treaties
5. Interpreting Investment Treaties

II. Investors and Investments Covered by International Agreements

6. Nationals and Companies
7. The Concept of Investment
8. Application of International Agreements in Time

III. Investment Contracts

9. Investment Contracts

IV. Admission and Establishment

10. Admission and Establishment

V. Principles of Protection - Substantive Standards

11. Fair and Equitable Treatment
13. Full Protection and Security
14. Protection from Expropriation
14. Protecting Contractual Rights: The Umbrella Clause
15. Access to Courts, Denial of Justice, Fair Procedure
16. Armed Conflict and Emergencies
17. Preserving Existing Rights
18. Protection Against Arbitrary Treatment and Discrimination
19. National Treatment
20. Most Favoured Nation Treatment
21. Transfer of Payments, Convertibility, Exchange Rights

VI. Questions of State Responsibility

22. Attribution: Provinces, Municipalities
23. The Role of State Entities

VII. Political Risk Insurance

24. MIGA
25. National Insurance Programmes
26. Private Investment Insurance

VIII. Settling Investment Disputes

27. State v. State Disputes
28. Investor v. State Disputes

Annexes

Five Model Treaties: US, UK, France, Germany, China

ICSID Convention

NAFTA Ch. XI

ECT