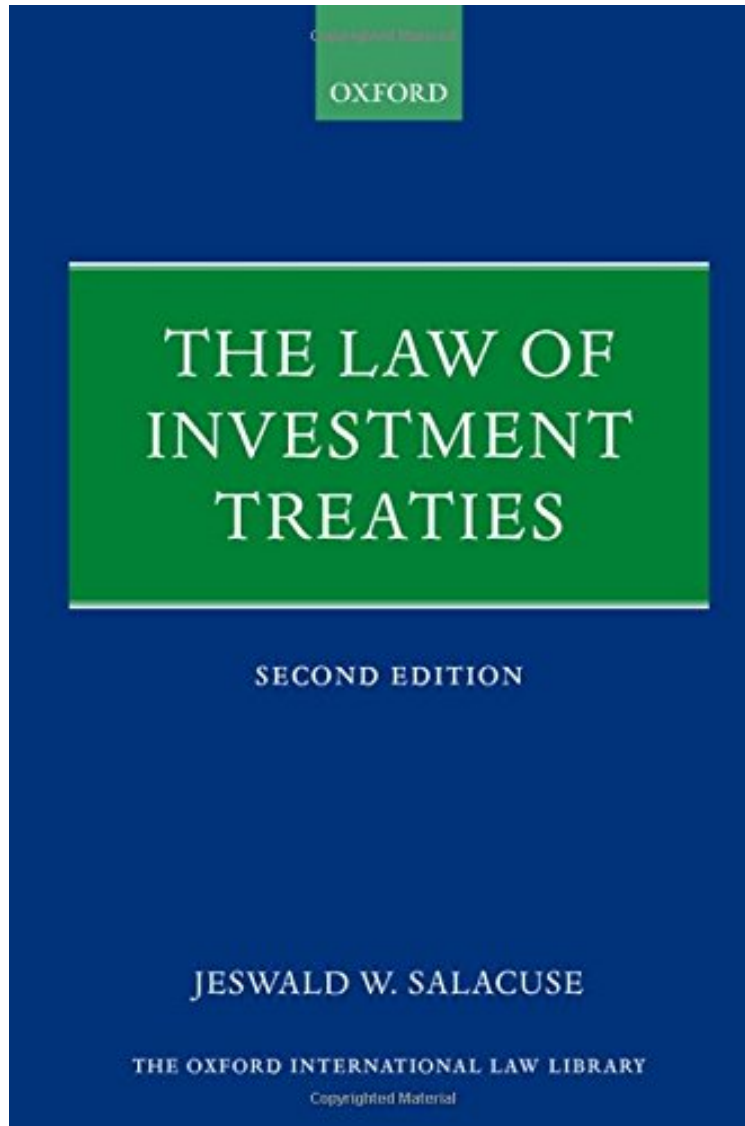


(Download) The Law of Investment Treaties (Oxford International Law Library)

The Law of Investment Treaties (Oxford International Law Library)

Jeswald W. Salacuse

*DOC | *audiobook | ebooks | Download PDF | ePub*



DOWNLOAD



READ ONLINE

#962215 in Books 2015-07-28Original language:EnglishPDF # 1 6.40 x 1.10 x 9.30l, .0 #File Name: 019870397X528 pages | File size: 28.Mb

Jeswald W. Salacuse : The Law of Investment Treaties (Oxford International Law Library) before purchasing it in order to gage whether or not it would be worth my time, and all praised The Law of Investment Treaties (Oxford International Law Library):

0 of 0 people found the following review helpful. A fast expanding areaBy Phillip Taylor MBEFOR INTERNATIONAL LAWYERS SPECIALISING INA NEW BRANCH OF INTERNATIONAL LAWAn

appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers. Now here's a relatively new and fast expanding area of the law and here's a book that will be of special interest to international lawyers, particularly those who deal with investment treaties, or are contemplating doing so. As a result of the relatively recent increase in such treaties and arbitral decisions, the law of investment treaties has come to be recognized as a new branch of international law. The author, Jeswald A. Salacuse, Professor of Law at Tufts University in Massachusetts and Diplomacy at Tufts University -- mentions that approximately 3,300 investment treaties have been created since the end of World War II, with new agreements emerging almost monthly from diplomatic negotiations -- clearly a phenomenon resulting from increasing globalization and the consequent globalization of business. Published by the Oxford University Press as part of the Oxford International Law Library, the new second edition of this highly regarded work examines every conceivable aspect of investment treaties. Fundamentally, however, the investment treaty does two things. First, it grants special protective rights to foreign investors. Secondly, it allows investors to enforce those rights, usually by international arbitration. The main motivation behind the investment treaty is that investors and their home countries wish to protect themselves from political risk. The author also makes the point that the applicable investment law is founded on treaties. This means that the distinct features of the investment treaty differentiate it from the customary international law of investment. Investment treaties have been transformative in that, as is discussed in this book, they have emerged as the fundamental tool by which two countries will create a treaty which sets down rules governing investments by their respective nationals in each other's countries. NAFTA, the North American Free Trade Agreement is an example. In the words of the author, the book aims to examine investment treaties of all varieties in a comprehensive and integrated fashion. It therefore embarks on a close examination and analysis of the law of international investment treaties, specifically in relation to their origins, structure, content, and effect, as well as their impact on international investors and investments, and on governments that are parties to them. The numerous topics examined range from general standards of treatment of foreign investments, to monetary transfers; protection against expropriation; dispossession and compensation for losses; the various forms of dispute settlement -- and of course, much more, including a new chapter on the consequences of treaty violations and the determination of damages in investor-state disputes. With its extensive footnoting, detailed table of contents, index, tables of cases and conventions, treaties and agreements, this book excels as a valuable source of reference for researchers, academics, government officials, arbitrators and diplomats, as well as international lawyers. In fact, anyone even remotely involved in this area of law should acquire a copy. The publication date is cited as at 2015.

The rapid growth in investment treaties has led to a burgeoning number of international arbitration decisions that have applied and interpreted treaty provisions in disputes between investors and states concerning their respective rights. This flurry of treaties and arbitral decisions has seen the creation of a new branch of international law- the law of investment claims. In this revised edition, Jeswald Salacuse examines the law of international investment treaties, specifically in relation to its origins, structure, content, and effect, as well as their impact on international investors and investments, and the governments that are parties to them. Investment treaty law is a rapidly evolving field and since publication of the first edition, the law of international investment treaties has both experienced considerable growth and generated extensive controversy. 2011 saw the highest number of new treaty-based arbitration filed under international investment agreements to date, and in July 2014, the Yukos Universal Limited (Isle of Man) v The Russian Federation culminated with awards of over US\$50 billion; a historic record for any arbitration. Controversy in this field has primarily revolved around the investor-state dispute settlement process, which as thus far involved at least 98 states as respondents. Salacuse captures these developments in this updated edition, examining not only the significant growth in treaties, but the trends that have followed, and their effect on the content and evolution of the law of investment treaties. Specific topics include conditions for the entry of foreign investment and general standards of treatment of foreign investments; monetary transfers; operational conditions; protection against expropriation; dispossession and compensation for losses; dispute settlement, including negotiation, arbitration, and conciliation; and judicial proceedings.

"Professor Salacuse's seminal 2010 work is now available in a revised second edition, which will likely be as valuable to government officials, practitioners, business executives, bankers and academics as was the first edition. The Law of Investment Treaties is an important reference work on the subject for any academic or professional whose work requires an understanding of international investment agreements and their interpretation." David A. Gantz, International Trade Law and Regulation About the Author Jeswald W. Salacuse, Henry J. Braker Professor of Law, The Fletcher School, Tufts University