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**Evolution in Investment Treaty Law and Arbitration** Chester Brown, Kate Miles, 2011-11-17 International investment law is in a state of evolution. With the advent of investor-State arbitration in the latter part of the twentieth century - and its exponential growth over the last decade - new levels of complexity, uncertainty and substantive expansion are emerging. States continue to enter into investment treaties and the number of investor-State arbitration claims continues to rise. At the same time, the various participants in investment treaty arbitration are faced with increasingly difficult issues concerning the fundamental character of the investment treaty regime, the role of the actors in international investment law, the new significance of procedure in the settlement of disputes and the emergence of cross-cutting issues. Bringing together established scholars and practitioners, as well as members of a new generation of international investment lawyers, this volume examines these developments and provides a balanced assessment of the challenges being faced in the field.

Public Policy Exception Under The New York Convention Anton G. Maurer, 2013-06-01 The Public Policy Exception under the New York Convention: History, Interpretation, and Application describes in detail the drafting history of the public policy exception of Art. V (2) (b) of the New York Convention in order to determine the purpose the signatory states wanted to achieve with this clause. The book also explains how this clause is applied by the courts in many economically relevant states, and especially in Brazil, Russia, India, and China. In September 2012, the Indian Supreme Court, in a case entitled Bharat Aluminium Co. v. Kaiser Aluminium Technical Service, Inc., announced a long expected decision practically reversing the judgments of Bhatia International and Venture Global and holding that Indian Courts are not permitted to set aside foreign arbitral awards. In this Revised Edition, the author explains and explores the reasoning of the Indian Supreme Court in this landmark decision and discusses the practical implications and consequences. Public Policy Exception under the New York Convention: History, Interpretation, and Application is of importance for all internationally active companies as well as for lawyers and courts. The book aids lawyers and companies in drafting arbitration clauses and in enforcing foreign arbitral awards. Often, judgments will not be enforced abroad; this is especially true with respect to an enforcement of foreign judgments in the BRIC countries. Therefore, internationally active companies and their advisors need guidance if and where foreign arbitral awards in their favor will be enforced abroad.

Petroleum Industry in the United Arab Emirates ,1983

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Finances in International Arbitration Sherlin Tung, Fabricio Fortese, Crina Baltag, 2019-11-26 Finances in International Arbitration Liber Amicorum Patricia Shaughnessy Edited by Sherlin Tung, Fabricio Fortese & Crina Baltag Costs of arbitration has always been a main concern in international arbitration. It is a topic most often discussed and analyzed. In spite of the recent developments in thirdparty funding regulations as well as other mechanisms made available to users of arbitration to reduce costs, the topic remains a key focus for users of arbitration. As the founder of the world's leading international commercial arbitration Master's programme, Dr Patricia Shaughnessy is a huge advocate of communicating recent and important developments in international arbitration and has written and spoken extensively on such matters. Over twenty-five renowned practitioners and academics worldwide, who have been influenced by Dr Shaughnessy, explore this much-debated topic on the occasion of her 65th birthday. The contributions in this dedication to Dr Shaughnessy's legacy look at issues such as the following: costs arising out of Third-Party Funding; costs of court proceedings versus arbitration proceedings; fee arrangements with legal counsel; costs of commercial versus investment arbitration; how to deal with in-house costs in international arbitration; impact of tribunal secretaries in international arbitration; cost sanctions in international arbitration; damages in international arbitration. The analysis and views offered by leading scholars and practitioners on current day issues arising out of costs of arbitration will offer readers a unique perspective on various aspects of the finances involved in arbitration. This book will provide insightful thoughts and practical quidance for academics and practitioners in the field of international arbitration.

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Foreign Investment and Dispute Resolution Law and Practice in Asia Vivienne Bath, Luke Nottage, 2012-03-12 This book considers foreign investment flows in major Asian economies. It critically assesses the patterns and issues involved in the substantive law and policy environment which impact on investment flows, as well as the related dispute resolution law and practice. The book combines insights from international law and comparative study and is attentive to the socio-economic contexts and competing theories of the role of law in Asia. Contributions come from both academics with considerable practical expertise and legal practitioners with strong academic backgrounds. The chapters analyze the law and practice of investment treaties and FDI regimes in Asia looking specifically at developments in Japan, India, China, Indonesia, Malaysia, Korea and Vietnam. The book explores the impact of the Asian Financial Crisis in the late 1990s and the Global Financial Crisis a decade later, examining actual trends and policy debates relating to FDI and capital flows in Asia before and after those upheavals. Foreign Investment and Dispute Resolution: Law and Practice in Asia is a valuable resource for practitioners, academics and students of International and Comparative Law, Business and Finance Law, Business, Finance and Asian Studies.

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