Contents

Preface	v
List of Documents Arranged According to Subject Matter	ix
List of Documents in Chronological Order	XV
List of Documents in Alphabetical Order	xix
Abbreviations	xxiii
A. Introduction	1
B. Historical Background	13
C. International Investment Protection Rules	135
D. International Investment Protection Dispute Settlement	679
E. Other Documents	949
F. Appendix	987
Index	995
E. Other Documents F. Appendix Index	
nttp.	

http://www.pbookshop.com

List of Documents Arranged According to Subject Matter

[Document numbers can be found in the top outside corner of each page]

B. Historical Background

I. Drafts, Declarations and Resolutions

[Doc No]

Resolution of the Institute of International Law on the International Responsibility of States for Damage Done in Their Territory to the Person or Property of Foreigners	1
Harvard Draft Convention on the Responsibility of States for Damage Done in Their Territory to the Person or Property of Foreigners	2
Bases of Discussion Drawn up in 1929 by the Preparatory Committee of the Conference for the Codification of International Law (The Hague, 1930)	3
Text of Articles Adopted in First Reading by the Third Committee of the Conference for the Codification of International Law (The Hague, 1930)	4
International Law Commission's Model Rules on Arbitral Procedure	5
Abs-Shawcross Draft Convention on Investment Abroad	6
Harvard Draft Convention on the International Responsibility of States for Injuries to Aliens	7
Revised Draft on International Responsibility of the State for Injuries Caused in Its Territory to the Person or Property of Alien	8
UN General Assembly Resolution 1803 (XVII) Permanent Sovereignty over Natural Resources	9
OECD Draft Convention on the Protection of Foreign Property	10
OECD Draft Convention on the Protection of Foreign Property	11
UN General Assembly Resolution 3201 (S-VI) Declaration on the Establishment of a New International Economic Order	12
UN General Assembly Resolution 3281 (XXIX) Charter of Economic Rights and Duties of States	13
OECD Declaration on International Investment and Multinational Enterprises	14
World Bank Guidelines on the Treatment of Foreign Direct Investment	15
OECD Declaration on International Investment and Multinational Enterprises	16

II. Treaties

Treaty of Commerce and Navigation between the United Kingdom and Greece	17
Treaty of Commerce and Navigation between the United Kingdom and Greece,	18
and Accompanying Declaration	
Treaty of Friendship, Commerce and Navigation between the United States of	19
America and the Italian Republic	

Agreement Supplementing the Above-Mentioned Treaty [of Friendship, 20 Commerce and Navigation between the United States of America and the Italian Republic]

Treaty of Amity, Economic Relations, and Consular Rights between the United 21 States of America and Iran

Treaty of Friendship, Commerce and Navigation between the United States of 22 America and the Republic of Nicaragua

Treaty between the Federal Republic of Germany and Pakistan for the Promotion 23 and Protection of Investments

Agreement on Economic Cooperation between the Government of the Kingdom 24 of the Netherlands and the Government of the Republic of Indonesia

Agreement between the Kingdom of Belgium and the Republic of Indonesia on 25 the Encouragement and Reciprocal Protection of Investments

con

C. International Investment Protection Rules

I. General Issues

Vienna Convention on the Law of Treaties	26
International Law Commission's Articles on Responsibility of States for Internationally Wrongful Acts	27
International Law Commission's Articles on Diplomatic Protection	28
II. Multilateral Investment Protection Rules	
a. Energy Charter Treaty	
Energy Charter Treaty	29
b. NAFTA	
North American Free Trade Agreement	30
c. DR-CAFTA	
Dominican Republic-Central America-United States Free Trade Agreement	31
d. MERCOSUR	
Protocolo de Colonia Para la Promoción y Protección Recíproca de Inversiones en el MERCOSUR	32
	22

Protocolo Sobre Promoción y Protección de Inversiones Provenientes de Estados 33 no Partes del MERCOSUR

Protocol on Promotion and Protection of Investments Coming from Non-MERCOSUR State Parties

e. ASEAN

	35
ASEAN Framework Agreement on Services 3	~~
Protocol to Amend the Agreement among the Governments of Brunei Darussalam, the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Republic of Singapore, and the Kingdom of Thailand for the Promotion and Protection of Investments	36
Framework Agreement on the ASEAN Investment Area	37
Protocol to Amend the Framework Agreement on the ASEAN Investment Area	38
ASEAN Protocol on Enhanced Dispute Settlement Mechanism	39
ASEAN Comprehensive Investment Agreement 2	40
f. Other Regional Investment Protection Rules	
Unified Agreement for the Investment of Arab Capital in Arab States	41
Agreement for the Promotion, Protection and Guarantee of Investment among 4 Member States of the Organisation of the Islamic Conference	42
Investment Agreement in the COMESA Investment Area	43
g. World Bank	
Convention Establishing the Multilateral Investment Guarantee Agency	44
III. Bilateral Investment Protection Rules	
a. Model Investment Protection Treaties	
2004 Canada Model Treaty	45
2004 India Model Treaty	46
2004 Netherlands Model Treaty	47
2004 United States Model Treaty	48
2006 France Model Treaty 4	49
2007 Norway Model Treaty 5	50
2008 Germany Model Treaty 5	51
2008 UK Model Treaty 5	52

b. Investment Protection Treaties

Agreement between the Government of the United Kingdom of Great Britain 53 and Northern Ireland and the Government of the Arab Republic of Egypt for the Promotion and Protection of Investments

Treaty between the United States of America and the Republic of Zaire Concerning	54
the Reciprocal Encouragement and Protection of Investment Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Argentina for the Promotion and Protection of Investments	55
Treaty between the Federal Republic of Germany and the Argentine Republic on the Encouragement and Reciprocal Protection of Investments	56
Agreement on Encouragement and Reciprocal Protection of Investments between the Kingdom of the Netherlands and the Czech and Slovak Federal Republic	57
Agreement between the Government of the French Republic and the Government of the Republic of Argentina on the Reciprocal Promotion and Protection of Investments	58
Agreement between the Argentine Republic and the Kingdom of Spain on the Reciprocal Promotion and Protection of Investments	59
Agreement on Encouragement and Reciprocal Protection of Investments between the Republic of Venezuela and the Kingdom of the Netherlands	60
Treaty between the United States of America and the Republic of Argentina Concerning the Encouragement and Reciprocal Protection of Investment	61
Treaty between the United States of America and the Republic of Kazakhstan Concerning the Reciprocal Encouragement and Projection of Investment	62
Treaty between the Government of the United States of America and the Government of Romania Concerning the Reciprocal Encouragement and Protection of Investment	63
Treaty between the United States of America and the Republic of Ecuador Concerning the Encouragement and Reciprocal Protection of Investment	64
Treaty between the United States of America and Ukraine Concerning the Encouragement and Reciprocal Protection of Investment	65
D. International Investment Protection Dispute Settlement	
I. International Centre for the Settlement of Investment Disputes	
Convention on the Settlement of Investment Disputes between States and Nationals of Other States	66
Report of the Executive Directors of the International Bank for the Reconstruction and Development on the Convention on Settlement of Investment Disputes between States and Nationals of Other States	67
Administrative and Financial Regulations	68
Rules of Procedure for the Institution of Conciliation and Arbitration Proceedings (Institution Rules)	69
Rules of Procedure for Conciliation Proceedings (Conciliation Rules)	70
Rules of Procedure for Arbitration Proceedings (Arbitration Rules)	71

II. Additional Facility of the International Centre for the Settlement of Investment Disputes

Rules Governing the Additional Facility for the Administration of Proceedings by	72
the Secretariat of the International Centre for Settlement of Investment Disputes	
(Additional Facility Rules)	
Schedule A – Fact-Finding (Additional Facility) Rules	73
Schedule B - Conciliation (Additional Facility) Rules	74
Schedule C – Arbitration (Additional Facility) Rules	75
Schedule A – Fact-Finding (Additional Facility) Rules Schedule B – Conciliation (Additional Facility) Rules	74

III. UNCITRAL

Convention on the Descentition and Enforcement of Earsian Arbitral Arrenda	7(
Convention on the Recognition and Enforcement of Foreign Arbitral Awards	76
UN General Assembly Resolution 31/98 Arbitration Rules of the United Nations Commission on International Trade Law	77
UN General Assembly Resolution 40/72 Model Law on International Commercial Arbitration of the United Nations Commission on International Trade Law	78
UNCITRAL Notes on Organizing Arbitral Proceedings	79
UN General Assembly Resolution 61/33 Revised articles of the Model Law on International Commercial Arbitration of the United Nations Commission on International Trade Law, and the recommendation regarding the interpretation of article II, paragraph 2, and article VII, paragraph 1, of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done at New York, 10 June 1958	80
UN General Assembly Resolution 65/22 UNCITRAL Arbitration Rules as revised in 2010 IV. Permanent Court of Arbitration	81
Permanent Court of Arbitration Optional Rules for Arbitrating Disputes between Two Parties of Which Orty One is a State	82
Permanent Court of Arbitration Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or Environment	83
V. Other Institutions	
1998 International Chamber of Commerce Rules of Arbitration	84
2012 International Chamber of Commerce Rules of Arbitration	85

2012 International Chamber of Commerce Rules of Arbitration	85
London Court of International Arbitration Arbitration Rules	86
	00
Arbitration Rules of the Arbitration Institute of the Stockholm Chamber of Commerce	87

E. Other Documents

Inter-American Convention on International Commercial Arbitration	88
UN General Assembly Resolution 59/38 United Nations Convention on Jurisdictional Immunities of States and Their Property	89
International Bar Association Guidelines on Conflicts of Interest in International Arbitration	90
International Bar Association Rules on the Taking of Evidence in International Arbitration	91

http://www.pbookshop.com