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Procedural Aspects and Implications  
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## **Investment Treaty Arbitration as Public International Law**

Investment treaty arbitration is fast becoming one of the most common methods of dispute settlement in international law. Despite having ancient roots, tensions remain between the private interests in international investment relations and the public international law features of the arbitral procedure. This book, which presents an account of investment treaty arbitration as a part of public international law – as opposed to commercial law – provides an important contribution to the literature on this subject. Eric De Brabandere examines the procedural implications of conceiving of investment treaty arbitration in such a way, with regard to issues such as the principles of confidentiality and privacy, and remedies. The author demonstrates how the public international law character of investment treaty arbitration derives from, and has impacted upon, the dispute settlement procedure.

**Eric De Brabandere** is Associate Professor of International Law at the Grotius Centre for International Legal Studies at Leiden University, and is a Member of the Brussels Bar.

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# List of abbreviations

BIT	bilateral investment treaty
ECHR	European Convention on Human Rights
ECT	Energy Charter Treaty
ECtHR	European Court of Human Rights
FET	fair and equitable treatment
FPS	(full) protection and security
ICC	International Chamber of Commerce
ICJ	International Court of Justice
ICSID Convention	Convention on the Settlement of Investment Disputes between States and Nationals of Other States (Washington Convention)
ICSID	International Centre for Settlement of Investment Disputes
ILC	International Law Commission
ITLOS	International Tribunal for the Law of the Sea
MFN	most-favoured-nation
NAFTA	North American Free Trade Agreement
NGO	non-governmental organization
NT	national treatment
PCA	Permanent Court of Arbitration
PCIJ	Permanent Court of International Justice
SCC	Stockholm Chamber of Commerce
UNCITRAL	United Nations Commission on International Trade Law
UNCTAD	United Nations Conference on Trade and Development

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UNTS	United Nations Treaty Series
VCLT	Vienna Convention on the Law of Treaties
WTO	World Trade Organization
WTO DSU	World Trade Organization Dispute Settlement Understanding