

# An Introduction to International Investment Law

This insightful and accessible introduction provides students and practitioners with a comprehensive overview of the increasingly important discipline of international investment law. Focusing primarily on the legal principles contained in the growing body of international investment agreements, this book covers the core concepts of the discipline, with attention given to their relation to each other and to the manner in which they have been developed through arbitration case law. The context of each legal principle is explored, along with a consideration of some of the major debates and emerging criticisms. Avoiding extensive case extracts, this book adopts an engaging and succinct narrative style which allows readers to advance their understanding of the topic while examining the legal principles with academic rigour and discerning commentary.

David Collins is a Professor of International Economic Law at City University London where he teaches and researches in the fields of world trade and international investment law. He has authored numerous books and articles and his research has attracted funding from sources such as the British Academy and the Society of Legal Scholars. David has lectured around the world and has been a visiting fellow at several institutions including Georgetown University, Columbia University and the Max Planck Institute in Heidelberg. David is a Solicitor (England and Wales) and is admitted to the Bars of Ontario, Canada and New York State.



# An Introduction to

# **International Investment Law**

**David Collins** 

City University London





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# **Abbreviations**

ACIA ASEAN Comprehensive Investment Agreement

AIIB Asian Infrastructure Investment Bank ASEAN Association of South East Asian Nations

BIT Bilateral Investment Treaty
BOT Build Operate and Transfer
BRIC Brazil, Russia, India, China

BRICS Brazil, Russia, India, China, South Africa CAFTA Central American Free Trade Agreement

CETA Comprehensive Economic and Trade Agreement

CFIUS Committee on Foreign Investment in the United States
COMESA Common Market for Eastern and Southern Africa

CSR Corporate Social Responsibility

ECOWAS Economic Community of West African States

ECT Energy Charter Treaty

GATS General Agreement on Trade in Services
GATT General Agreement on Tariffs and Trade
FCN Friendship, Commerce and Navigation

FDA Food and Drug Administration
FDI Foreign Direct Investment
FET Fair and Equitable Treatment

FPS Full Protection and Security Standard

FTA Free Trade Agreement

NGO Non-Governmental Organization ICC International Chamber of Commerce

ICJ International Court of Justice

ICSID International Centre for the Settlement of Investment

Disputes

IFC International Finance Corporation

IFSWF International Forum of Sovereign Wealth Funds

IIA International Investment Agreements

IMF International Monetary Fund



> List of Abbreviations xvii

ΙP Intellectual Property

LCIA London Court of International Arbitration MAI Multilateral Agreement on Investment

MFN Most Favoured Nation

MIGA Multilateral Investment Guarantee Agency NAFTA North American Free Trade Agreement North Atlantic Treaty Organization NATO.

**NDB** New Development Bank

NIFO New International Economic Order

**OECD** Organization for Economic Cooperation and Development

OPIC Overseas Private Investment Corporation

PCA Permanent Court of Arbitration

**PCIJ** Permanent Court of International Justice

PRI Political Risk Insurance

**PSNR** Permanent Sovereignty over Natural Resources

RTA Regional Trade Agreements State-Owned Enterprises **SOEs TiSA** Trade in Services Agreement **TPP** Trans Pacific Partnership

**TRIMS** Trade-Related Investment Measures

TRIPS Trade-Related Aspects of Intellectual Property TTIP Transatlantic Trade and Investment Partnership

UN United Nations

UNCITRAL United Nations Commission on International Trade Law United Nations Conference on Trade and Development UNCTAD UNESCO

United Nations Educational, Scientific and Cultural

Organization

Vienna Convention on the Law of Treaties **VCLT** 

WTO World Trade Organization