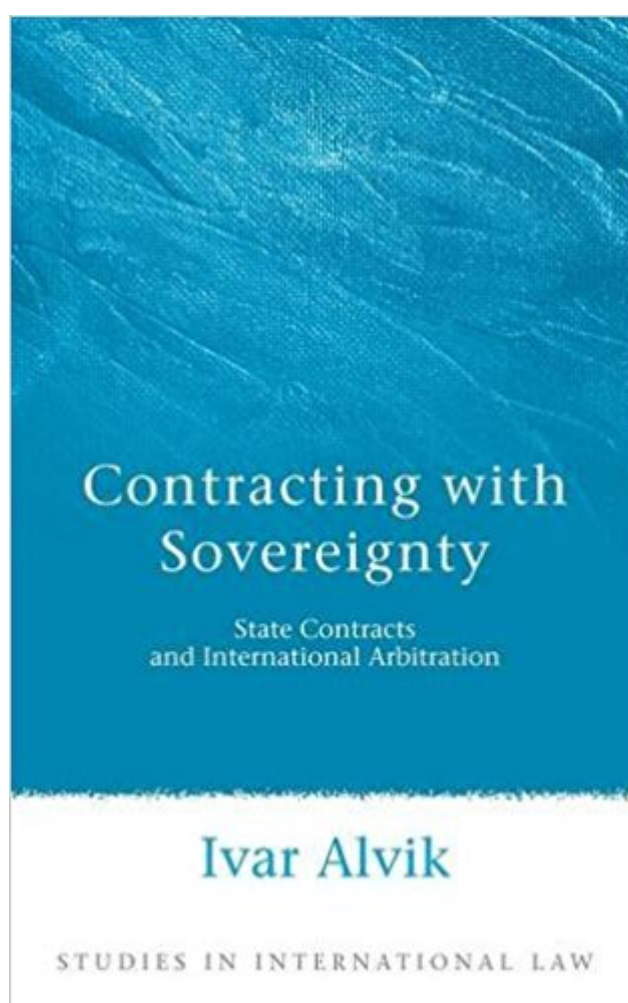


The book was found

Contracting With Sovereignty: State Contracts And International Arbitration (Studies In International Law)



Synopsis

The application of international law to state contracts with foreign private companies was the cause of continuing controversy throughout much of the 20th century. This is because state contractual undertakings with foreign investors raise a number of legal issues that do not fit well into the traditional pattern of international law as a law between states, but which also cannot be satisfactorily resolved by the exclusive application of the municipal law of the contracting state. In recent years, the controversy has gained new prominence as a result of the advent of a new form of international dispute settlement, namely the mechanism of investment treaty arbitration. The main feature of this model of dispute resolution is that foreign investors are entitled to bring claims against states directly before international arbitral tribunals. This model, which emerged strongly in the late 1990s, has generated a rapidly expanding body of arbitral case law, and, in the process, has become one of the most significant new developments in modern international law. Many of the disputes subject to investment treaty arbitration have their origin in contractual commitments made by states toward foreign investors. At the same time, international commercial arbitration continues to be the preferred means of dispute resolution in contracts between foreign investors and states or state entities. This book explores how contract claims against states are dealt with in the two parallel processes of treaty-based and contract-based arbitration. The book charts the development of commercial arbitration into an international legal remedy in this field, discusses the theoretical problems which it creates for international law, and outlines the most significant substantive features of the international law applicable to contract claims, as developed by arbitral tribunals on the basis of treaty standards and customary law.

Book Information

Series: Studies in International Law (Book 31)

Hardcover: 346 pages

Publisher: Hart Publishing (January 12, 2011)

Language: English

ISBN-10: 1841136573

ISBN-13: 978-1841136578

Product Dimensions: 6.3 x 1.2 x 9.3 inches

Shipping Weight: 1.5 pounds (View shipping rates and policies)

Average Customer Review: Be the first to review this item

Best Sellers Rank: #3,917,541 in Books (See Top 100 in Books) #67 in Books > Law >

Administrative Law > Public Contract #209 inÂ Books > Law > Legal Theory & Systems > Conflict of Laws #679 inÂ Books > Law > Business > Arbitration, Negotiation & Mediation

[Download to continue reading...](#)

Contracting with Sovereignty: State Contracts and International Arbitration (Studies in International Law) The Development of Outer Space: Sovereignty and Property Rights in International Space Law Appropriations Law for Contracts and Grants Questions and Answers (Federal Contracts and Grants Book 1) Investor-State Arbitration Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788-1836 (Harvard Historical Studies) Mosfet Modeling for VLSI Simulation: Theory And Practice (International Series on Advances in Solid State Electronics) (International Series on Advances in Solid State Electronics and Technology) The Physics And Modeling of Mosfets (International Series on Advances in Solid State Electronics) (International Series on Advances in Solid State Electronics and Technology (Unnumbered)) California Construction Law and Public Contracting in California: A Primer in how NOT to get Screwed Necessity and National Emergency Clauses: Sovereignty in Modern Treaty Interpretation (International Litigation in Practice) The Politics of Food: The Global Conflict between Food Security and Food Sovereignty (Praeger Security International) Casenote Legal Briefs: Contracts: Keyed to Crandall and Whaley's Cases, Problems, and Materials on Contracts, 5th Ed. Glannon Guide To Contracts: Learning Contracts Through Multiple-Choice Questions and Analysis (Glannon Guides) Winning Government Contracts: How Your Small Business Can Find and Secure Federal Government Contracts up to \$100,000 International Commercial Arbitration, Cases, Materials and Notes (University Casebook Series) Redfern and Hunter on International Arbitration International Arbitration: Cases and Materials (Aspen Casebook) The Principles and Practice of International Commercial Arbitration Essential Guide to Real Estate Contracts (Complete Book of Real Estate Contracts) Contracts Texts: Restatement 2d Contracts, UCC Article 2 & the CISG Redfern & Hunter on International Arbitration

[Contact Us](#)

[DMCA](#)

[Privacy](#)

[FAQ & Help](#)