Recent Developments in Investment Treaty Jurisprudence – Table of Contents

Submitted by: Arnold & Porter LLP
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M. Phoenix Action, Ltd. v. Czech Republic, ICSID Case No. ARB/06/5, Award, ¶¶ 136, 138-44 (15 April 2009).

N. Rumeli Telekom A.S. and Telsim Mobil Telekomunikasyon Hizmetleri A.S. v. Kazakhstan, ICSID Case No. ARB/05/16, Award, ¶ 328-29 (29 July 2008).

O. Salini Construction v. Morocco, ICSID Case No. ARB/00/4, Decision on Jurisdiction, ¶ 52 (23 July 2001).

P. Saluka Investments B.V. v. Czech Republic, UNCITRAL Partial Award, ¶¶ 240-41 (17 March 2006).

Q. Société Générale v. Dominican Republic, UNCITRAL, LCIA Case No. UN7927, Preliminary Objections to Jurisdiction, ¶ 110 (19 September 2008).

R. Tokios Tokeles v Ukraine, ICSID Case No. ARB/02/18, Decision on Jurisdiction, 29 April 2004 {refusing to pierce the corporate veil} {back-end treaty shopping no good}

S. Venezuela Holdings B.V. and others (case formerly known as Mobil Corporation and others) v. Venezuela, ICSID Case No. ARB/07/27, Decision on Jurisdiction, ¶¶ 198, 205 (10 June 2010).

T. Wena Hotels Ltd. v. Egypt (ICSID Case No. ARB/98/4, Proceeding on the Jurisdiction, 25 May 1999 {refusing to pierce the corporate veil}


II. Blogs and News Articles (most recent first)


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III. Academic Articles

A. Eunjung Lee, *Treaty Shopping in International Investment Arbitration: How often has it occurred and how has it been perceived by Tribunals?*, London School of Economics and Political Science Department of International Development Working Paper Series, No. 15-167 (Feb. 2015).


IV. Excerpts from Various International Investment Agreements

A. ICSID Convention, Article 25

B. Multi-National

1. Association of Southeast Asian Nations Comprehensive Investment Agreement (2012), *Excerpts (Definitions (Article 4); Denial of Benefits (Article 19))*

2. Energy Charter Treaty (1998), *Excerpts (Definitions (Article 1); Non-Application of Part III in Certain Circumstances (Article 17))*


4. Draft Trans-Pacific Partnership, Chapter 9 - Investment, *Excerpts (Definitions (Article 9.1); Denial of Benefits (Article 9.14))*

C. Bilateral


2. United States Model Bilateral Investment Treaty (2012), *Excerpts (Definitions; Denial of Benefits (Article 17))*