



International Investment Law: Reconciling Policy and Principle (Second Edition)

By Surya P Subedi

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This textbook offers an up-to-date, scholarly overview of the law of foreign investment, incorporating a thorough and succinct analysis of the principles and standards of treatment available to foreign investors in international law. It is authoritative and multi-layered, offering an analysis of the key issues and an insightful assessment of recent trends in the case-law, from both developed and developing country perspectives. A major feature of the book is that it deals with the tension between the law of foreign investment and other competing principles of international law. In doing so, it proposes ways of achieving a balance between these principles and the need to protect the legitimate rights and expectations of foreign investors on the one hand, and the need not to unduly restrict the right of host governments to implement their public policy, including the protection of the environment and human rights, and the promotion of social and economic justice within the host country, on the other. Since the first edition was published, a number of land-mark decisions have been produced by various international investment tribunals calling for an update in what is a fast-growing and rapidly changing investment environment. In addition, scholars and other actors, both non-governmental and inter-governmental, have responded to the agenda set by the first edition of this book; thus this second edition also reflects on the work of some of these major actors in the field. This is perhaps the first book of its type authored by an international lawyer who has taught, researched, and advised in both the developed and developing world over the past 20 years. The wealth of experience he brings to the task enables him to develop unique insights into the interplay between the law, economics, and politics of foreign investment, making this book essential reading for students, scholars, practitioners, and diplomats interested in the contemporary law of foreign investment.

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Editorial Review

Review

As a result of its immense detail and unique examination of themes in international investment law, AIA recommends Subedi's "International Investment Law: Reconciling Policy and Principle" as a thorough and engaging book. (Adam Miller *Association for International Arbitration Newsletter*)

Subedi offers an insightful account of the development of international investment law against the evolving backdrop of the customary rules and principles relevant to the treatment of aliens and their property. He aptly explores key issues being faced by the future development of this recently unfolding discipline. (Alejandro Escobar *Global Arbitration Review, Volume 8, Issue 1*)

...this book stands out from many of the others currently addressing the topic of international investment law - it goes beyond stating what the law is and focuses on controversies occurring within this area of the law...International Investment Law: Reconciling Policy and Principle does make a valuable contribution to the discourse on the implications of foreign investment protection rules for domestic policy space and on their interaction with principles from other areas of international law, such as human rights law or international environmental law. It will also serve as an excellent introduction to this complex area of international law for newcomers to the subject, whether legal scholars, policy-makers, or students. (Kate Miles *Australian International Law Journal*)

.a timely book. In a modest 244 pages, the author brings together a host of important substantive and procedural issues which beset the effective and balanced functioning of international law on foreign investment. Without denying the positive role of international law in advancing the protection of foreign investment, the author offers a vision of how the promotion of investment can be reconciled with competing policies. The extensive coverage of the book explains its dispensation with details of investment cases, which can be found elsewhere. With its focus, critical approach, brevity, and incisive argument, the book will provide an excellent source of reference for advanced students, academics, and practitioners. (Mavluda Sattorova *European Journal of International Law, Vol 20, No 3*)

About the Author

Surya P Subedi, OBE, DPhil, FRSA, is Professor of International Law, University of Leeds, and a Barrister at Tanfield Chambers in London. He has been designated to serve on the Panels of Arbitrators and of Conciliators of ICSID and on the Panels of the Dispute Settlement Body of the WTO.

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