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To what extent, if any, are most favoured nation clauses able to be invoked by investment treaty claimants suing under one bilateral investment treaty in relation to procedural rights granted by another bilateral

By Sebastian Röder

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Die Arbeit wurde zur Erlangung eines 'LL.M.' an der University
of Auckland, Neuseeland erstellt. Jeweils im Anschluss an eine
Blockveranstaltung waren dafür vier derartiger 'Research
Paper' anzufertigen. Die erzielte Note 'B+' entspricht auf einer
deutschen Notenskala einer '2,0', abstract: Since 1959, the year
in which the first Bilateral Investment Treaty (hereinafter BIT)
was concluded, the number of BITs has increased to roundly
2500. The rapid growth of that number spells out the
outstanding role BITs nowadays play in the global investment
protection regime. Typically the host country has not only
entered into a BIT with one country but a number of other
countries as well. Due to numerous reasons the BITs concluded
by the host country often differ in their wording, scope and the
guaranteed range of rights. In order to prevent a
discrimination and to ensure a balanced competition in the
country's market with equal opportunities...

Reviews

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