The Customary International Law Game by George Norman and Joel P. Trachtman
Taking a game-theoretic approach to customary international law, this article uses the model of a multilateral prisoner’s dilemma to show that contrary to the arguments of some critics, it is plausible that states would comply with customary international law under certain conditions. This model identifies the relevant parameters, which include the value of cooperation and whether that value rises or falls with the number of states involved, the patience of states, the frequency of interaction, and the types of other relationships between the relevant states. Some of these parameters are amenable to empirical observation and to manipulation through institutional change.

Form and Substance in International Agreements by Kal Raustiala
Drawing on theories from international relations and international law, this article explores the interactions of three design features of international agreements: legality, depth of cooperation, and monitoring/enforcement systems. An understanding of the trade-offs between these features, and of the influence of domestic actors and institutions on treaty making, deepens our perception of agreement dynamics and can contribute to the design of more effective and robust international accords.

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THE FLETCHER FORUM OF WORLD AFFAIRS
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The State of Democracy in Russia

Our Man in Moscow
While many in the West view Putin as steering his country toward dictatorship, Nicolai N. Petro and Alexander Rahr contend that the Kremlin leader is best understood as a consummate pragmatist, whose success is strategically vital to the West.
Alexander Rahr and Nicolai N. Petro

Putting Democracy First in Relations with Russia
Russia under Vladimir Putin may wish to join the Group of Seven (G-7) nations—the United States, Canada, France, Britain, Germany, Japan and Italy—and create a new “G-8,” but Tom Lantos argues to prevent this until Putin improves Russian democracy.
Tom Lantos

Modernization and Russian Democracy
Vladimir Shkolnikov cautions Russia, Georgia, and Ukraine against wholesale acceptance of Western democratic models. Instead, he argues for local design of democratic reform agendas. He also highlights the recent Georgian and Ukrainian revolutions as positive influences on Russia’s democratization process.
Vladimir Shkolnikov

The Middle East and North Africa: Negotiating Reform
Iran’s Bomb: A Crisis Deferred?
Michael Donovan explains how the United States is uniquely qualified to do what the Europeans wish they could do—stop Iran from developing nuclear weapons without resorting to military force.
  Michael Donovan

Transatlantic Cooperation: Libya’s Diplomatic Transformation
Muammar al-Qadhafi’s decision to denounce terrorism and rid Libya of weapons of mass destruction has changed Libya’s diplomatic status from a pariah to a responsible international player. Gawdat Bahgat thinks this will continue to affect Libyan foreign policy, as well as prospects for the Libyan oil industry.
  Gawdat Bahgat

Morocco’s Truth Revealed, and the Possibility of Reconciliation
Maryam Montague examines Morocco’s Equity and Reconciliation Commission, a panel established to review human rights violations perpetrated from 1956 to 1999, and to provide reparations to victims. Is there reason to be optimistic about the spread of such “truth commissions” to other countries in the Arab world?
  Maryam Montague

Africa: Looking In and Looking Out

Regional Solutions to Regional Problems:
The Elusive Search for Security in the African Great Lakes
Peter Uvin, Andre Bourque, and Craig Cohen argue that national programs fail to address the complex dynamics undermining security in the Great Lakes region. Instead, a regional approach must be implemented if peace is to be established for good.
  Peter Uvin, Andre Bourque, and Craig Cohen

Stabilization Operations and Nation-Building:
Lessons from United Nations Peace-keeping in the Congo, 1960-1964
Janeen Klinger revisits the UN peacekeeping mission to the Congo in the 1960s revealing some worrisome parallels with the U.S. mission in Iraq today.
  Janeen Klinger

The Rough Contours of Land in Zimbabwe
Blair Rutherford rethinks mainstream media’s dominant narratives about Zimbabwean land politics. How will ongoing “territorializing projects”—land occupations that attempt to enforce ruling-party discipline on farmers and workers—affect the politics of land and the welfare of rural Zimbabweans?
  Blair Rutherford

Africa and Shifting Global Power Relationships
Macharia Munene reminds readers that there are other avenues to international esteem besides economic and technological supremacy. He suggests that the leaders of African nations follow the example of Nelson Mandela, and exert their moral, ethical and logical abilities to garner increased international respect for their countries.
  Macharia Munene

India, China, and North Korea: A New Understanding

The Mythical Nuclear Kingdom of North Korea
Sung-Yoon Lee investigates how the myths created by outsiders—by both hawks and doves—are obfuscating our understanding of an already mysterious regime, leading to poor policy choices and potentially disastrous outcomes.
Sung-Yoon Lee

A Geopolitical and Geo-economic Overview:
On the rise of China and India as two Asian giants
In his detailed account of the forces driving these two dynamos, Wolfgang Schürer explores the effect China and India will have on the rest of the world in the coming century.
Wolfgang Schürer

U.S. Foreign Policy

W Version 2.0: Foreign Policy in the Second Bush Term
Louis Klarevas argues that foreign policy in George W. Bush’s second term will adhere strictly to the realist school of international relations theory. At the same time, Bush’s expansive foreign policy goals will be compromised by the United States’ dwindling financial and military resources.
Louis Klarevas

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**FOREIGN AFFAIRS**

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Blowback Revisited
Peter Bergen and Alec Reynolds
The current war in Iraq will generate a ferocious blowback of its own, which -- as a recent classified CIA assessment predicts -- could be longer and more powerful than that from Afghanistan. Foreign volunteers fighting U.S. troops in Iraq today will find new targets around the world after the war ends.

Who Will Control the Internet?
Kenneth Neil Cukier
Foreign governments want control of the Internet transferred from an American NGO to an international institution. Washington has responded with a Monroe Doctrine for our times, setting the stage for further controversy.
Independence for Kosovo
Charles A. Kupchan
Given the atrocities they have suffered in the past and the autonomy they are enjoying now, Kosovo's Albanians will never accept continued Serbian sovereignty. The time has come to give them what they want -- independence.

Iraq: Learning the Lessons of Vietnam
Melvin R. Laird
During Richard Nixon's first term, when I served as secretary of defense, we withdrew most U.S. forces from Vietnam while building up the South's ability to defend itself. The result was a success -- until Congress snatched defeat from the jaws of victory by cutting off funding for our ally in 1975. Washington should follow a similar strategy now, but this time finish the job properly.

The Iraq Syndrome
John Mueller
Public support for the war in Iraq has followed the same course as it did for the wars in Korea and Vietnam: broad enthusiasm at the outset with erosion of support as casualties mount. The experience of those past wars suggests that there is nothing President Bush can do to reverse this deterioration -- or to stave off an "Iraq syndrome" that could inhibit U.S. foreign policy for decades to come.

The End of Europe?
Laurent Cohen-Tanugi
Since French and Dutch voters rejected the European constitution last spring, the EU has been in crisis. The treaty debacle did not cause the EU's current troubles; the EU's long-standing problems caused voters' dissatisfaction. But the way out of the impasse should involve pragmatic steps to improve EU economics, not legal or institutional reforms.

Fighting the War of Ideas
Zeyno Baran
While radical Islamist terrorist groups such as al Qaeda grab the headlines, their nonviolent ideological cousins remain little known. But groups such as Hizb ut-Tahrir play a crucial role in indoctrinating Muslims with radical ideology. Because they occupy a gray zone of militancy, regulating them is a difficult challenge for liberal democracies -- but ignoring them is no longer an option.

Base Politics
Alexander Cooley
As the Pentagon prepares to redeploy U.S. forces around the world, it should review its practice of setting up bases in nondemocratic states. Although defense officials claim that having U.S. footholds in repressive countries offers important strategic advantages, the practice rarely helps promote liberalization in host states and sometimes even endangers U.S. security.

Mbeki's South Africa
Jeffrey Herbst
Despite remarkable progress since the end of apartheid, South Africa today is badly wracked by AIDS and severe wealth inequalities, with a leadership still fixated on racial struggle. After more than a decade in power, the ANC has yet to reconcile its various ambitions: curbing racism, promoting political participation, and advancing the interests of all South Africans.

The Limits of Intelligence Reform
Helen Fessenden
The shock of September 11 focused long-overdue attention on the failings of the U.S. intelligence system. But less than a year after the passage of a landmark intelligence reform bill, the prospects for real change are increasingly remote. Bureaucratic self-protection and insider squabbling have thwarted sound policy yet again, and the consequences for national security could be dire.
Iraq and the Democratic Peace
John M. Owen IV
Mature democracies may not fight each other. But immature democracies, an important new book argues, can be quite bellicose. Unfortunately, Iraq might end up fitting the pattern.

The Ethical Economist
Joseph E. Stiglitz
In a major new work, Benjamin Friedman presents a compelling moral case for growth-oriented economic policies. But even he sometimes needs reminding that the kind of growth matters as much as the amount.

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The relevance of foreign legal materials in U.S. constitutional cases: A conversation between Justice Antonin Scalia and Justice Stephen Breyer

Constitutional court judges' roundtable
Comparative constitutionalism in practice: Sixth World Congress of the International Association of Constitutional Law Santiago, Chile, January 12–16, 2004

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Professor Juan Colombo Campbell • Presiding judge of the Constitutional Court • Chile

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Olivier Dutheillet de Lamothe • Member, Conseil constitutionnel • France

Wolfgang Hoffmann-Riem • Justice, Bundesverfassungsgericht (Constitutional Court) • Germany

N. Santosh Hegde • Justice, Supreme Court • India

Luis Lopez Guerra • Former judge, Tribunal Constitutional (Constitutional Court) • Spain

Stephen Sedley • Lord Justice of Appeal, Her Majesty's Court of Appeal • United Kingdom

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Food Safety in the WTO: Where Do We Stand?
ILARIA FILIPPI
This article aims to provide an overview of the issues that have been raised in the WTO with regard to food safety and will analyse previous WTO disputes in order to get a sense of how WTO "jurisprudence" is likely to guide the Panel's interpretation of the relevant WTO Agreements in the context of the GMOs dispute between the EC and the USA. This dispute will be crucial in setting a precedent for future trade disputes related to food safety.

Parallel Policies on Pharmaceutical Parallel Trade
NICK GALLUS
United States domestic policy makers increasingly embrace parallel importing of cheap pharmaceuticals as a means to reduce domestic pharmaceutical prices. Meanwhile, their colleagues in the state department continue to exchange promises with other countries, to proscribe pharmaceutical parallel imports in order to protect drug company profits. The Article argues these conflicting policies
are unsustainable and that the US' attempt to pursue inconsistent domestic and foreign policies, informs the bilateral versus multilateral trade agreement debate.

The Nuclear Suppliers Group: Present Challenges and Future Prospects
DANIEL H. JOYNER In this article, consideration of the Nuclear Suppliers Group ("NSG") will turn from a description of the historical development and practical functioning of the NSG to an analysis of current challenges facing the regime in the fulfilment of its objectives of curbing the spread of nuclear weapons-related technologies, as well as to commentary on the future prospects for international non-proliferation export control efforts.

Energy Services in the Current Round of WTO Negotiations
FRANCESCO MEGGIOLARO AND PAOLO R. VERGANO
In this article, the authors (Francesco Meggiolaro and Paolo R. Vergano) first provide a short introduction to the WTO system and the negotiations for further liberalisation of international trade. They then focus on the General Agreement on Trade in Services ("GATS") and the specific rules created for the purpose of addressing international trade in energy services. Finally, they deal with the current WTO negotiations and the negotiating agenda of WTO Members.

Comment
Safeguarding Access to Justice
JOHN GRAYSTON
The adoption of further EU safeguard measures prompts consideration of whether the European Courts are right to reject applications for judicial review on the grounds of a lack of standing. Existing case law in which standing was granted to Chinese non-market economy producers, suggests that standing should be accorded to co-operating exporters in safeguard cases.

Book Review
The WTO and the Doha Round: The Changing Face of World Trade

JEAN MONNET WORKING PAPERS
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Author: Marco Dani

Title: Economic Constitutionalism(s) in a Time of Uneasiness - Comparative Study on the Economic Constitutional Identities of Italy, the WTO and the EU

Abstract: Constitutionalism has developed in the last two centuries almost exclusively in context of the state. Particularly, its categories and institutional solutions have been fashioned in respect to the functional concerns progressively assumed by the state form of government. In the current situation, a massive process of re-organization of the public space is taking place. States are outsourcing their functions to commonly established international or supranational agencies which often originate autonomous legal orders and, in some cases, even claim constitutional status.

This paper advocates the idea that the monopoly on constitutionalism by the states may be considered an historical contingency and that the ideal inherent in constitutionalism – to achieve fundamental objectives by enabling and limiting political institutions – may be developed also in non-state contexts, originating autonomous constitutional spheres and doctrinal categories in the light of the functional concerns of post-national units.

This paper tests this general thesis in respect to economic constitutionalism(s). After questioning the exclusively state-centered approaches to constitutionalism, a core of constitutional elements shared
by the Italian (as a sample of the EU member states), the WTO and EU legal orders is singled out. 
The concept of Economic Constitutional Identity (ECI) is therefore introduced as the most appropriate 
device to investigate, according to the methodology of comparative law, the attitudes towards the 
economic issues of the legal orders at hand. Hence, the ECIs of Italy, the WTO and the EU are 
analyzed in detail by stressing in turn their divergent and convergent elements. On the basis of this 
more specific understanding of the characters of the ECIs, criteria for interpreting their interactions are 
provided in the light of the idea of benefiting from (rather than being concerned with) the uneasiness 
caused by their diversity.

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---

**JOURNAL OF WORLD INVESTMENT & TRADE**

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BIBLIOGRAPHY

INGRID KOST, Books and Articles in the Field of the Prevention and Peaceful Settlement of International Disputes (Spring 2005)

MINNESOTA JOURNAL OF GLOBAL TRADE

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In the Spotlight

The World Bank Guidelines as a Foundation for a Global Investment Treaty: A Problem-Oriented Approach
by C. Wendrich, Webster University Vienna

Recent developments in international investment agreements (Research Note)
by UNCTAD, www.unctad.org

Judge Stephen Schwebel on international investment law and investment arbitration

The Influence of Bilateral Investment Treaties on Customary International Law
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Anti-Suit Injunctions in International Arbitration - An Overview
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Reflections on International Adjudication
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International Law on Foreign Investment

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Expropriation
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Applicable law
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Remedies and Compensation in International Investment Law
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Investment Guarantee: From a National to an International Perspective
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Independence, Impartiality and Duty of Disclosure in Investment Arbitration
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The Most-Favoured-Nation Treatment and International Law on Foreign Investment
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Conflict Prevention in the International Sphere
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A Behavioral Analysis of Private Judging
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International Law

May preparatory Work be Used to Correct Rather than Confirm the "Clear" Meaning of a Treaty Provision?
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Comment on 'May preparatory Work be Used to Correct Rather than Confirm the "Clear" Meaning of a Treaty Provision?'
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State Immunity: The United Nations Convention and its effect
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J. Foakes, Chatham House

Arbitration - General Issues

International Arbitration - Privacy and Confidentiality
by A.P. Lavers, White & Case LLP
J.M.H. Bellhouse, White & Case LLP

The Burgh House Principles on the Independence of the International Judiciary
International Court of Justice Practice Directions, note containing important information for parties to new cases
International Arbitration - Procedure

The Withholding of Documentary Evidence in International Arbitration: Remedies for Dealing With Uncooperative Parties
by M.A. Polkinghorne, White & Case LLP

The Liability of International Arbitrators: A Comparative Analysis and Proposal for Qualified Immunity
by S.D.Franck, University of Nebraska-Lincoln College of Law

International Commercial Arbitration

Federal Arbitration Act Preemption and Class Arbitration
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Default Rule Theory and International Arbitration Law (with Comments on Expanded Review and Ex Parte Interim Relief)
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Use of Experts in Arbitration; Independent Experts - The Common Law Approach
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Striking a Balance for Court Intervention in Arbitration Disputes: The Decision in Cetelem S.A. v. Roust Holdings Limited
by C. Newmark, Baker & McKenzie LLP
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House of Lords gives Arbitrators Free Rein: The Decision in Lesotho Highlands
by C. Newmark, Baker & McKenzie LLP
T. Yates, Baker & McKenzie LLP

The ICC Pre-Arbitral Referee Procedure: Momentum for Expanded Use
by M. Kantor, Mark Kantor

Forum Shopping in Arbitration
by CMS Cameron McKenna, www.law-now.com

Use of Experts in Arbitration; Appointment of Experts by the Arbitral Tribunal
by N. Voser, Schellenberg Wittmer

International Commercial Law

Agreements to Agree: Does Expert Determination Provide a Default Solution?
by D. Mildon, Essex Court Chambers

Recovering Lost Profits in International Disputes
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Arbitration/Bankruptcy/Appeal
by J.J. Sentner, Jr., Gardere

Use of General Principles of International law in International Long-Term Contracts
by E. Gaillard, Shearman & Sterling LLP
by M.J. Beeley, Vinson & Elkins

Choice of Law in Third-Millennium Arbitrations: The Relevance of the UNIDROIT Principles of International Commercial Contracts
by F. Marrella, Cà Foscari University of Venice

THE BUILT-UP TRUTH - Some Heterodoxal Ideas on Legal Interpretation
by F. de Trazegnies, Pontificia Universidad Católica del Perú, Faculty of Law

**Investor-State Disputes - International Investment LAW**

National Courts and International Arbitration: Exhaustion of Remedies and Res Judicata Under Chapter Eleven of NAFTA
by W.S. Dodge, University of California, Hastings College of the Law

Establishing Jurisdiction through a Most-Favored-Nation Clause
by E. Gaillard, Shearman & Sterling LLP

The Concept of Expropriation under the ETC and other Investment Protection Treaties
by C.H. Schreuer, University of Vienna, Department for European, International and Comparative Law

Investment Arbitration - A Voyage of Discovery
by C.H. Schreuer, University of Vienna, Department for European, International and Comparative Law

The Innovations of the Investment Provisions of the US-Singapore Free Trade Agreement
by G.S. Akpan, United Nations University, Institute of Advanced Studies

The Issue of a Foreign Company Wholly Owned by National Shareholders in the Context of ICSID Arbitration
by O.E. Garcia-Bolivar, BG Consulting, Inc

Foreign Investments and Municipal Laws: the Argentine Experience
by H.A. Mairal, Marval, O'Farrell & Mairal

State Enterprise Arbitration and Sovereign Immunity Issues: A Look at Recent Trends
by A.F.M. Maniruzzaman, University of Portsmouth

Treaty-Based Jurisdiction: Broad Dispute Resolution Clauses
by E. Gaillard, Shearman & Sterling LLP

Effect and Purpose of "Umbrella Clauses" in Bilateral Investment Treaties: Unresolved Issues
by V. Zolia, Federal Department of Justice - Canada

Occasional Note: Many BITs have yet to enter into force
by UNCTAD, www.unctad.org

Les Entités Paraétatiques Dans la Jurisprudence du CIRDI
by Y. Nouvel, Université Paris XIII

May a State Invoke its Domestic Law to Evade its International Obligations?
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Council of Canadians and CUPW v. the Attorney General of Canada - In support of the Applicant:
Affidavit of M. Sornarajah
by M. Sornarajah, National University of Singapore, Faculty of Law

Council of Canadians and CUPW v. the Attorney General of Canada - In Support of the Respondent:
Affidavit of J. Crawford
by J. Crawford, Cambridge University

Case T 8735-01-77, The Czech Republic v. CME Czech Republic B.V. - Expert Opinion of Professor Sacerdoti
by G. Sacerdoti, Bocconi University

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Recent decision on Constitutionality of Chapter 11, Council of Canadians and CUPW v. the Attorney General of Canada
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Confirmation of Plan: more power to judges within the bankruptcy process.
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Argentina latest policy evolution with respect to ICSID cases
International Dispute Resolution Newsletter, June 2005
by White & Case, www.whitecase.com

Investment and Sovereign Immunity of Foreign States in Argentine Law
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International Arbitration Cases: Argentine Political Risk Insurance Litigation
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Decree No 93-419, 15 March 1993, Government of the French Republic and the Government of the
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First NAFTA (non-)Consolidation Order: Corn Products et al. v. Mexico
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Gas Natural SDG, S.A. (Claimant) v. The Argentine Republic (Respondent) - Case No. ARB/03/10 -
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Gas Natural SDG, S.A. (Claimant) v. The Argentine Republic (Respondent) - Case No. ARB/03/10 -
Decision sobre preguntas preliminares sobre jurisdicción

Petrobart Limited v. The Kyrgyz Republic. Arbitration No. 126/2003 (Arbitral Award)

Russia Federation v. Sedelmayer - Judgment of the Svea Court of Appeal (Svea Hovrätt) [English
translation]

Russia Federation v. Sedelmayer - Judgment of the Svea Court of Appeal (Svea Hovrätt) [German
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The Amicus Curiae in ICSID Arbitration Proceedings
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Court of Appeals judgment - Occidental v. Ecuador
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Investment Protection for "Mailbox Companies" under the 1994 Energy Charter Treaty
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CDC Group plc v. Republic of the Seychelles - Annulment Proceeding (ICSID Case. ARB/02/14)

Noble Ventures Inc. v. Romania ICSID Case No. ARB/01/11 (October 12, 2005) - Case Comment
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Sedelmayer vs. Germany, European Court of Human Rights
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Sedelmayer vs. Germany, European Court of Human Rights - Application

IBM v Ecuador, jurisdictional decision 2003, settlement 2004
by T.W. Wälde, CEPMLP, University of Dundee


Execution of a BIT-award against Russia in Germany (short comment)
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Beschluss des VII. Zivilsenats vom 4.10.2005 - VII ZB 9/05. Bundesgerichtshof (German Federal Supreme Court)

Russian Disputes
Summary and Analysis of Report on Criminal Case #18/41-03
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Summary and analysis of the "Statement on the Form of the Indictment Presented to Platon Lebedev" published on April 1, 2004
by P. Clateman, Sputnik Group

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Further comment on the arrest of Yukos's assets
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The Yukos Affair and Russian President Putin's "Dictatorship of Law": Potential Implications for the Business and Legal Communities
by E.S. Burger, International Legal Malpractice Advisors, LLC.

Corruption in Russia's Arbitrazh Courts
by E.S. Burger, International Legal Malpractice Advisors, LLC.

Reply memorandum in support of motion to confirm Arbitration Award and Swedish judgments of New-York (Russian Federation, Compagnie NOGA D'importation et D'exportation S.A.)

Defendant's Memorandum of Law in opposition to plaintiffs motion to confirm Arbitration Award and Swedish judgements (Russian Federation, Compagnie NOGA D'importation et D'exportation S.A.)

Legal Opinion, Conclusion of Civil Law by Professor Mikhail (Russian Federation, Compagnie NOGA D'importation et D'exportation S.A.)

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Notified Conclusions by the Russian Federation (Russian Federation, Compagnie NOGA D'importation et D'exportation S.A.)

Legal Opinion, Mr. Alexei S. Avtonomov (Russian Federation, Compagnie NOGA D'importation et D'exportation S.A.)

Certificate of Appeal (Russian Federation, Compagnie NOGA D'importation et D'exportation S.A.)

Correspondence to the Arbitration Institute (Russian Federation, Compagnie NOGA D'importation et D'exportation S.A.)

Arbitration Award (Russian Federation, Compagnie NOGA D'importation et D'exportation S.A.)

Swedish judgement (Russian Federation, Compagnie NOGA D'importation et D'exportation S.A.)

Legal Opinion, Professor Braguinsky (Russian Federation, Compagnie NOGA D'importation et D'exportation S.A.)

Mediation & ADR

Online Mediation: The Practitioners' Point of View
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The Role of Arbitrators in Settlement of Claims Pending Before Them for Decision
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The Mediation / Arbitration Hybrid: A Work In Progress?
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Mediating Community/Company Environmental Disputes in the Oil and Gas Industry: a Guide for Promoting Environmental Mediation in Emerging Economies - Focus on Nigeria
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ICSID arbitrator fees: some practical considerations
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Invalidity of contracts resulting from the violation of national law
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Environmental and Labor Provisions of DR-CAFTA
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What Do the BIT-FDI Studies Actually Say?
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Investor State Conciliation - A Comment
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"Frivolous" Claims
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Methanex - Erroneus on Expropriation? (an OGEMID discussion)

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Isabel Garcia Rodriguez, LA PROTECCIÓN DE LAS INVERSIONES EXTERIORES (Los Acuerdos de Promoción y Protección Recíproca de Inversiones celebrados por España) - A Book Review
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by J. Kurtz, The University of Melbourne

International Law in National Legal Systems: Constitutional Obstacles and Opportunities
by L. Paradell Trius, Freshfields Bruckhaus Deringer

International Investment Law and Arbitration: Leading Cases from the ICSID, Nafta, Bilateral Treaties and Customary International Law, Todd Weiler (ed.)
by R. Happ, Luther Menold Rechtsanwaltsgesellschaft mbH

**Conference Reports**

Arbitration in Peru
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The Defence of “Objective Justification” in the Application of Article 82 EC [Loewenthal] (154 KB)


EU Competition Policy, Vertical Restraints, and Innovation: An Analysis from an Evolutionary Perspective [Kerber, Vezzoso]


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Butterworths Competition Law Handbook, Garth Lindrup [Korah]


An Introductory Guide to EC Competition Law and Practice, Valentine Korah [Holmes]

Competition Policy, Theory and Practice, Massimo Motta [Korah]

EC Antitrust Procedure, C.S. Kerse and N Khan [Holmes]


Antitrust and Competition Policy, Andrew Kleit, Editor and An Antitrust Anthology, Andrew I. Gavil, Editor [Waller]

Competition Law of the European Community, Van Bael and Bellis [Holmes]

WORLD TRADE AND ARBITRATION MATERIALS

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World Trade Organization: Trade Policy Review-The Philippines

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CMS Gas Transmission Company and the Argentine Republic

Impregilo S.p.A. v. Islamic Republic of Pakistan

ICC International Court of Arbitration
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