Record Nr. UNINA9910813466003321

Titolo Public participation and foreign investment law: from the creation of

rights and obligations to the settlement of disputes // edited by Eric

deBrabandere, Tarcisio Gazzini, Avidan Kent

Pubbl/distr/stampa Leiden;; Boston:,: Brill,, [2021]

©2021

ISBN 90-04-39766-3

Descrizione fisica 1 online resource

Collana Nijhoff International Investment Law Series ; ; Volume 16

Disciplina 347.09

Soggetti Dispute resolution (Law)

International commercial arbitration Investments, Foreign (International law)

Lingua di pubblicazione Inglese

Formato Materiale a stampa

Livello bibliografico Monografia

Nota di bibliografia Includes bibliographical references and index.

Nota di contenuto Public participation in international investment law : setting the scene /

Avidan Kent, Tarcisio Gazzini and Eric De Brabandere -- Exploring the legal framework for international investment / Yenkong Ngangjoh Hodu -- Public participation and international investment law: towards a new settlement? / Lorenzo Cotula -- The evolving concept of public participation: from Rio to Mauritius / Avidan Kent -- Public participation in investment treaty making / Chrysoula Mavromati and Sarah Spottiswood -- How to ensure public participation in FTA negotiations? A critical analysis of the instruments used in the FTAmaking process / Maria Laura Marceddu -- Contractualisation of human rights and public participation : challenges and prospects / Youseph Farah and Valentine Olusola Kunuji -- Public participation and the adoption of investment codes: observation of the mixed practice from Tanzania / Chris Maina Peter and Saudin Jacob Mwakaje --Parliamentary scrutiny over investment projects: the case of Tanzania's natural resources regulatory reform / Elena Cima -- The principle of indigenous consultation as a Latin American regional custom / Francesco Seatzu -- Public participation in environmental impact assessments for foreign investment projects: a Canadian perspective /

David A Collins -- Investment projects and conflict: the two faces of

Janus / Franz Zubieta Mariscal -- Public participation in arbitral proceedings / Sondra Faccio -- Third party intervention at the proposed multilateral investment court / Farouk El-Hosseny -- Back into the shadows? Public participation in the peaceful settlement of investment disputes through non-arbitral means / Esme Shirlow -- Politics of public participation in investment arbitration / Sophie Nappert and Nataliia Tuzheliak -- Conclusions / Tarcisio Gazzini, Avidan Kent and Eric De Brabandere.

Sommario/riassunto

"Public Participation and Foreign Investment Law offers a systematic treatment of public participation from the standpoint of the three main sources of foreign investment law, namely treaties, legislation and contracts. It identifies and critically discusses the different forms of public participation that can be found or envisaged in foreign investment law. From this perspective, the book looks at public participation as vehicle to strike a balance between private and public rights and interests. This book contributes to the understanding of the current forms, level and impact of public participation. It provides indications on how such participation could be enhanced with a view of improving the balance and legitimacy of the legal instrument related to the promotion and protection of foreign investments"--