



Building International Investment Law. The First 50 Years of ICSID

By *Meg Kinnear, Geraldine Fischer, Jara Minguez Almeida, Luisa Fernanda Torres, and Mariee Uran Bildegain*

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Mariee Uran Bildegain

The International Centre for Settlement of Investment Disputes (ICSID) is the premier international investment arbitration facility in the world. In its half-century of existence ICSID has administered more than 525 cases with parties, counsel, arbitrators, and conciliators from virtually every country in the world. Collectively, ICSID jurisprudence has defined international investment law. This volume celebrates the first 50 years of ICSID by presenting the landmark cases that have been decided under its auspices. These cases have addressed every aspect of investment disputes: jurisdictional thresholds; the substantive obligations found in investment treaties, contracts, and legislation; questions of general international law; and a number of novel procedural issues. Each chapter, written by a knowledgeable expert on the chapter's particular focus, looks at an international investment law topic through the lens of one or more of these leading cases, analysing what the case held, how it has been applied, and its overall significance to the development of international investment law. These topics include:

- applicable law;
- res judicata in investor-State arbitration;
- notion of investment;
- investor nationality;
- consent to arbitration;
- substantive standards of treatment;
- consequences of corruption in investor-State arbitration;
- State defenses
- counter-claims;

- assessment of damages and cost considerations;
- ICSID Arbitration Rule 41(5) objections;
- mass claims, consolidation and parallel proceedings;
- provisional measures;
- arbitrator challenges;
- transparency and amicus curiae; and
- annulment.

Because the law of international investment continues to grow in importance in an ever more globalizing world, this book is more than a fitting way to mark the past 50 years and to welcome the next 50 years of development. It will prove both educational for practitioners new to the field and informative for seasoned investment lawyers. Moreover, the book itself is a landmark that will be of great value to professionals, business people, scholars and students interested in international investment law,

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