







## Roundtable on

## States and State-Controlled Entities as Claimants in International Investment Arbitration

Columbia University, Case Lounge 435 West 116<sup>th</sup> Street, New York, NY March 19, 2010

## **Table of Authorities**

TITLE	AUTHOR(S)	PAGES/PARAGRAPH NUMBERS
CASES		
Cable Television of Nevis, Ltd. and Cable Television of Nevis Holdings, Ltd. v. Federation of St. Kitts and Nevis	N/A	See paragraphs 2.01-2.33.
CSOB v. Slovakia	N/A	See paragraphs 10, 15-32.
Gabon v. Societe Serete	N/A	
Genin v. Estonia	N/A	See paragraphs 376-378.
Government of the Province of East Kalimantan v. PT Kaltim Pima Coal and others	N/A	
Klöckner v. Cameroon	N/A	
Maffezini v. Spain	N/A	See paragraphs 71-89.
Nicaragua v. Spanish Grupo Barcelo	N/A	
Société Générale de Surveillance S.A. v. Republic of the Philippines	N/A	See paragraph 40.
Tanzania Electric Supply Company Limited v. Independent Power Tanzania Limited	N/A	See paragraphs 1-2.
BOOKS		
Contemporary Problems in International Arbitration	Julian DM Lew (Editor)	Chapter Twenty-Eight – Sovereign Immunity and Transnational Arbitration (by Georges R. Delaume), page 322
The Future of Investment Arbitration	Catherine A. Rogers and Roger P. Alford (Eds.)	Chapter Five – An Examination of the Draft Award Circulation of the US Model BIT of 2004 (by Jack J. Coe, Jr.), pages 121-122
The ICSID Convention: A Commentary	Christoph H. Schreuer	Pages 159-162 (paragraphs 168-169); pages 168-169 (paragraphs 192-193); pages 185-191 (paragraphs 232-240) *Relevant sections included as a PDF
International Investment Arbitration: Substantive Principles	Campbell McLachlan QC, Laurence Shore, and Matthew Weiniger	Chapter 2, Paragraphs 2.29-2.31, State to State Disputes
Principles of International Investment Law	Christoph H. Schreuer and Rudolf Dolzer	Chapter 3, Section 1(a) ("International investment law is designed to promote and protect the activities of private foreign investors. This does not necessarily exclude the protection of government-controlled entities as long as they act in a commercial rather than in a governmental capacity.")
ARTICLES		
Antinomies of the (Continued) Relevance of ICSID to the Third World	Ibironke T. Odumosu	Page 4
The Case for Host State Claims in Investment Arbitration, Journal of International Dispute Settlement	Gustavo Laborde	See generally for a discussion of host states as claimants.
The Convention on the Settlement of Investment Disputes between States and Nationals of Other States	Aron Broches	

The Corporate Governance of SOEs Operating Abroad	OECD	Pages 2-9
Development and Outcomes of Investment Treaty Arbitration	Susan D. Franck	Pages 6, 36
Foreign Government-Controlled Investors and Recipient Country Investment Policies: A Scoping Paper	OECD	See generally for an overview of policy issues.
The French Strategic Investment Fund: A Creative Approach to Complement SWF Regulation or Mere Protectionism?	Jean-Rodolphe Fiechter	Pages 8-9.
International Arbitration in Latin America: Overview and Recent Developments	Sylvia Noury and Caroline Richard	PDF page 7 (page 287 of the source document)
Is the Erecting of Barriers against Sovereign Wealth Funds Compatible with International Investment Law?	Mathias Audit	PDF pages 10-11 (pages 9-10 of the source document)
Is There A Better Way? Alternative Methods of Treaty-Based, Investor- State Dispute Resolution	Jeswald W. Salacuse	Pages 4-5
The Legal Reasoning of ICSID Tribunals – An Empirical Analysis	Ole Kristian Fauchald	PDF page 313, note 57
Looking Beyond the Dabhol Debacle: Examining its Causes and Understanding its Lessons	Preeti Kundra	Pages 3, 9
Protectionism and Sovereign Investment Post Global Recession	Efraim Chalamish	PDF pages 7-9 *Not For Circulation
Quantum Press Release Re: Claim Against the Democratic Republic of Congo	Quantum	Page 1
Report of the Executive Directors on the Convention on the Settlement of Investment Disputes between States and Nationals of Other States	International Bank for Reconstruction and Development	PDF page 41 (paragraph 13)
Singapore's Sovereign Wealth Funds: The Political Risk of Overseas Investments	Friedrich Wu	PDF page 18 (page 14 of the source document)
Trade Agreements and Bilateral Treaties Expand Use of Investor-State Arbitration Provisions	Mark Kantor	Page 4
The Uncertain Future of ICSID in Latin America	Ignacio Vincentelli	Page 22, note 72
U.S. Initiates Arbitration Against India Over OPIC Claims for the Dabhol Power Project	John R. Crook (Editor)	Page 2
The World Bank Convention on the Settlement of Investment Disputes	P.F. Sutherland	PDF pages 19-20 (pages 384-385 of the source document)

## Additional books reviewed include:

Arbitration of International Business Disputes, Studies in Law and Practice, by William W. Park

International Investment Law in Context, Edited by August Reinisc and Christina Knahr

International Commercial Arbitration, by Gary B. Born

International Commercial Arbitration: A Transnational Perspective, Edited by Tibor Várady, John J. Barceló III, and Arthur T. von Mehren

The Principles and Practice of International Commercial Arbitration, by Margaret L. Moses