

LL.M/C.P/ITL/02/18/05

LL.M. DEGREE SECOND SEMESTER EXAMINATIONS, MAY 2018

INTERNATIONAL INVESTMENT ARBITRATION

Time: 3 Hours

Maximum Marks: 50

*Answer All questions. All questions carry equal marks.*

(5 x 10 = 50)

I. Comment on the substantive provisions typically contained in investment treaties which set out the standards for investment protection agreed to by the States.

OR

II. Examine the significance and importance of the Most Favoured Nation clause usually found in investment treaties.

III. Explain the relevant tests for "nationality" of individuals (natural persons) and companies (juridical persons) and for "investments" under the ICSID Convention.

OR

IV. Critically evaluate the legality of expropriation under international investment law.

V. Critically comment on the accepted standard for national treatment under international investment law.

OR

VI. Explain how investment arbitral tribunals have interpreted the obligation of states on the issue of full protection and security.

VII. Comment on the stance of investment arbitral tribunals on the issue of arbitrators' neutrality.

OR

VIII. Critically evaluate the mechanisms in place to ensure impartiality of investment arbitral tribunals.

IX. Critically evaluate whether investment treaty law is being developed by the treaty parties or by investment tribunals.

OR