

LL.M/ITL/04/19

ONE YEAR LL.M. DEGREE SECOND SEMESTER EXAMINATIONS, JUNE, 2019

International Investment Arbitration

Maximum Marks: 50

Time: 3 Hours

Answer ANY FIVE Questions

I.A. Examine the relevance of the principle of consent of parties in the case of international investment arbitration.

OR

I.B. Trace the evolution of international investment arbitration as a basic necessity for attracting foreign investment by different countries.

II.A. Examine the freedom available to arbitral tribunals to ignore the basic principles of human rights while deciding on matters of investment disputes.

OR

II.B. Comment on the scope of jurisdiction available to an investment tribunal in the determination of investment disputes.

III.A. Examine the protection available to investors against expropriation of their investment by the state.

OR

III.B. Comment on the importance ascribed by arbitral tribunals to 'fair and equitable treatment' being afforded to investors.

IV.A. Examine the defences available to the State against claims by investors in investment disputes.

OR

IV.B. Examine the mechanism contemplated for the implementation of investment arbitral awards.

V.A. Comment on the relevance of investment arbitration as a mechanism for dispute resolution from the context of its ability to protect the interest of the State.

OR

V.B. Discuss the ability of investment arbitration to protect the interest of developing countries
