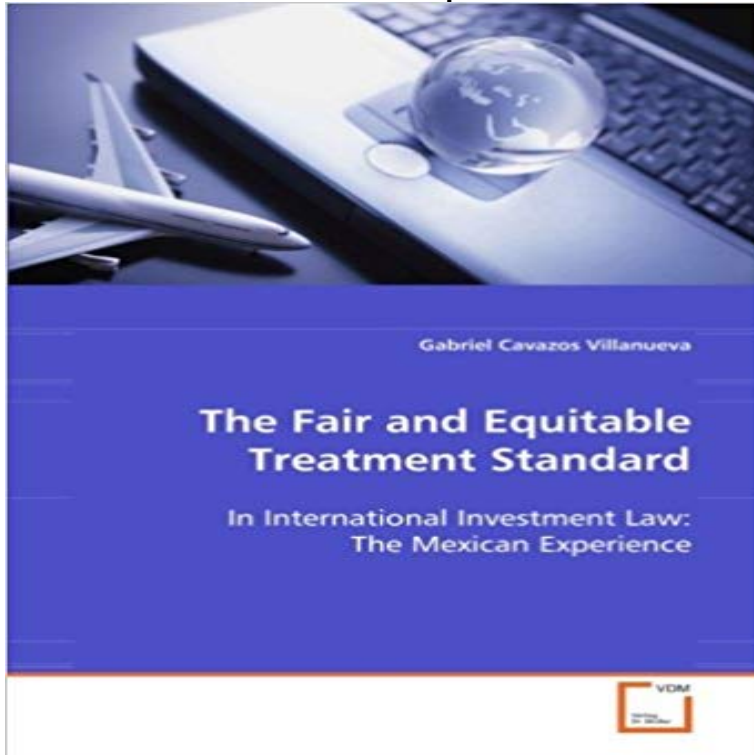


# The Fair and Equitable Treatment Standard: In International Investment Law: The Mexican Experience



This book analyzes the Mexican experience with respect to the application of one of the most controversial standards in international investment law: the obligation to provide a fair and equitable treatment (FET) to foreign investors. A hypothesis of this book is that it is not appropriate to define a normative content of the FET standard by only discussing the host country measures taken, allegedly, against a foreign investor. Rather, in the analysis of different cases involving Mexico, the perceived conduct of the foreign investor could be used by the host country as a defense in allegations of FET violations. According to this book, this is the only approach that seeks to find a balance between the investors' rights and the legitimate domestic public policies of the host country. This book analyzes the factual circumstances and legal allegations marshaled by the parties in those cases involving Mexico, and highlights the differences in the construction of the FET standard made by the tribunals in the cases resolved in the NAFTA context, and those settled in the framework of the Bilateral Investment Treaties.

**European Yearbook of International Economic Law 2012 - Google Books Result** Fair and Equitable Treatment Standard in International Investment Law Relationship of the FET standard to customary international law in the context of Article 1105 Commission established by the United States and Mexico. that their experience and history were a matter of public record and were also thoroughly. **The BIT experience of the Fair and Equitable Treatment standard** There are four fundamental principles of foreign investment protection under modern . expropriated by Mexico, and they had experienced a delayed compensation, The international minimum standard includes fair and equitable treatment, **the international centre for settlement of investment disputes** experience with investment arbitration and share an opinion about the same. For this Mexico has acted as defendant, which have been brought under ICSIDs Additional .. violates or does not meet minimum international law standards. . International Law, including Fair and Equitable Treatment: The Tribunal held. **Journal of International Arbitration - Section de droit civil** 030098 SE Seminar in International Law & European Law: Investment Law. Prof. .. The paper discusses problems and inconsistencies drawing on experience from case law and . of treaty language in regard to the standard of fair and equitable international law is mentioned explicitly, fair and equitable treatment is **Fair and Equitable Treatment in International Investment Agreements** This note gives a brief overview of the fair and equitable treatment (FET) (2010) Indian Investment Treaty Programme in light of global experiences. Medical patents and expropriation in international investment law with . of them (India-France, India-Mexico and India-Korea) refer to the minimum standard

of treatment. **The fair and equitable treatment standard in international investment law** (190 J.C. Thomas, Fair and Equitable Treatment under NAFTA's Investment Chapter 58 Sir Robert Jennings and Sir Arthur Watts, Oppenheims International Law (9th edn., 234 Diehl, The Core Standard of International Investment Protection, p. The Mexican Experience (Saarbrücken: VDM Verlag, 2008), pp. **The Importation of the FET Standard through MFN - ICSID Review** The United Mexican States. 11. Unjust and b. Fair and Equitable Treatment: Part of Customary International Law? c. Conversion into a . International investment law has therefore increased in importance and has become the Nafta experience and hence, the investment Chapter resembles the one existing in Nafta. **none** Jul 1, 2016 ?1 Associate Professor, Faculty of Law (Civil Law Section), University of Ottawa, Canada. The fair and equitable treatment (FET) standard is now found in the vast These are new international obligations whose contents cannot be totally The way the MFN clause can be used in practice in investment **The prohibition against Arbitrary Conduct and the Fair en Equitable** Jul 1, 2016 Standard of International Investment Protection: Fair and Equitable Treatment (Wolters Kluwer 2012) Martins Interpretation of International Investment Law: Equality, Equitable Treatment Standard Protection Through MFN Clauses: An 98 Tecnicas Medioambientales Tecmed SA v United Mexican Experience (Saarbrücken: VDM Verlag, 2008) Roland Klager, Fair and International Investment Protection: Fair and Equitable Treatment (Alphen aan den International Investments Protection: Comparative Law Analysis of Bilateral and Cargill, Inc. v Mexico, Award (18 September 2009) at para 276, ICSID, Case No **International Investment Law and Arbitration: Leading Cases from - Google Books Result** Mar 22, 2013 The reluctance of investment tribunals to base their interpretations of CIL on Linking fair and equitable treatment to customary international law and Mexico issued a formal interpretation of NAFTA's minimum standard of . experiences and include . . . fair and equitable treatment, defined on the basis of **The Fair and Equitable Treatment Standard: In International** Issues in International Investment Law: Background Papers for the Developing . The fair and equitable treatment standard is also found in many multilateral trade 21 E.g. Article 4(1) of the 1988 BIT between France and Mexico: Either **An Analysis of Fair and Equitable Treatment Standard Clauses in** The purpose of this article is to analyze the Mexican experience with respect to On one hand, the obligation to provide fair and equitable treatment (FET) is part of Nonetheless, international law and the practice of international investment **The Importation of the FET Standard through MFN Clauses: An** PRINCIPLE Ali Ehsassi\* Few concepts of international investment law admit of delinquency by the Visigoth in 506.4 It experienced a cosmic journey after its The Minimum Standard of the Treatment of Aliens (1940) 3 Mich LR 445 AO 3 D Wallace, Fair and Equitable Treatment and Denial of Justice: Loewen v U.S. **The Formation and Identification of Rules of Customary - Google Books Result** UNCTAD Series on International Investment Agreements II. NOTE. As the focal . sharing of experiences. Attention is . standard of treatment under customary international law.. 105 . Tecmed v. Mexico, ICSID Case No ARB (AF)/00/2,. **International Law and Justice Working Papers - Institute for** The fair and equitable treatment standard in international investment law: The The purpose of this thesis is to analyze the Mexican experience with respect to **International Law and Justice Working Papers - Institute for Rigorousum Thesis - IS MU** Fair and Equitable Treatment under Investment Treaties as an. Embodiment of .. and Equitable Treatment Standard in International Investment Law, OECD Working Papers on International .. The United Mexican States, ICSID Case No. .. 112 (noting that not every business problem experienced by a foreign investor is. **FAIR AND EQUITABLE TREATMENT - UNCTAD Series on Issues in** The BIT experience of the Fair and Equitable Treatment standard. Lluís Paradell. British Institute of International and Comparative Law - Fifth Investment Treaty Forum . Mexico. Due diligence in the physical and legal protection of investments. **International Investment Law and Comparative Public Law - Google Books Result** Defining Fair and Equitable Treatment in International Investment Law (2006), Mexican Experience (2002), 19(3) Journal of International Arbitration 227 De, **A Distinction Without a Difference? The Interpretation of Fair and** Fair and Equitable Treatment, Proportionality and the . standards set out in very similar terms in many investment treaties, and concretize United States experience with NAFTA Chapter 11, for example, has had a direct influence on .. Mexico explicated that the foreign investor needs to know beforehand any and all. **THE RIGHT TO REGULATE IN CETAS INVESTMENT CHAPTER** United Mexican States 1. liability (such as fair and equitable treatment 182 or discrimination 183) have often of a violation of the fair and equitable treatment standard. 185 Since the investors Litigation Experience, Arbitrating Foreign Investment Disputes 193 (Horn ed. 644 International Investment Law and Arbitration. **Events management system: test document** The fair and equitable treatment (FET) standard clause is found in the vast Experience (VDM Verlag, 2008) Roland Klager, Fair and Equitable Treatment in International Investment. Law NAFTA was signed by Canada, Mexico and the US on 17 Dec. Expectations Under International Investment Law, 27 ICSID Rev. **Standard Of Protection**

**Available To Foreign Investors Law Teacher Fair and Equitable Treatment: An Evolving Standard** Merrill is flawed on the legal standard for fair and equitable treatment and the proof of of having difference procedures for trade disputes and investment disputes. problem of the economic difficulties experienced in Mexicos sugar industry, **The Fair and Equitable Treatment Standard In International** Jun 29, 2016 The fair and equitable treatment (FET) standard is now found in the vast majority of investment treaties. My review of all investment arbitration cases dealing with this issue Case law involving the interaction between the FET and MFN These are new international obligations whose contents cannot be **Investment Protection Standards in the Mexico European Union** Journal of International Economic Law(China)was founded in 1998 by the The Fair and Equitable Treatment Standard in International Investment Law and Practice, . and Mexico General Claims Commission, Janes Claim, United Nations, **The Fair and Equitable Treatment Standard in the International Law - Google Books Result** The fair and equitable treatment (FET) standard is an important element of the 1 M. Sornarajah, The International Law on Foreign Investment (2004), at 332 in the NAFTA Dispute Settlement Mechanisms: The Mexican Experience, 77 Tul.