

**THE USE OF PUBLIC INTERNATIONAL LAW**  
**IN INVESTMENT ARBITRATION**

**List of reading material**

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**1. The use of international rules of interpretation in order to interpret the basic texts applicable in investment law. 8 July 2013.**

- [Vienna Convention on the Law of Treaties, 1969, Articles 31, 32, 33.](#)
- [El Paso Energy International Company v. Argentine Republic](#) (ICSID Case No. ARB/03/15), [Award](#), October 31, 2011, especially §§ 613-626.
- [Guiding Principles applicable to unilateral declarations of States capable of creating legal obligations](#), 2006, ILC Report, A/61/10.
- [Tidewater Inc. and others v. Bolivarian Republic of Venezuela](#) (ICSID Case No. ARB/10/5), especially §§ 73-102.

**2. The use of the international rules on attribution of the ILC Articles on State responsibility. 9 July 2013.**

- [ILC Articles on the Responsibility of States, UN General Assembly, Resolution 56/83](#) of 12 December 2001, Articles 2, 4, 5, 8, 11.
- [Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt](#) (ICSID Case No. ARB/04/13), [Award, November 6, 2008](#), especially §§ 142-175.
- [Gustav F W Hamester GmbH & Co KG v. Republic of Ghana](#) (ICSID Case No. ARB/07/24), especially §§ 140-201.

**3. The use of the international rules on the extension in time of an internationally illegal act of the ILC Articles on State responsibility. 10 July 2013.**

- [ILC Articles on the Responsibility of States, UN General Assembly, Resolution 56/83](#) of 12 December 2001, Articles 14, 15.

- [\*Pac Rim Cayman LLC v. Republic of El Salvador\*](#) (ICSID Case No. ARB/09/12), [Decision on Jurisdiction, June 01, 2012](#), especially Part II, §§ 2.1-2.111.

#### **4. The relationship between investment law and European law. 11 July 2013.**

- [Vienna Convention on the Law of Treaties, 1969](#), Articles 30, 59, 65.

- [Electrabel S.A. v. Republic of Hungary](#), ICSID Case No. ARB/07/19, [Decision on Jurisdiction, Applicable Law and Liability, November 30, 2012](#), especially Part IV, §§ 4.111-4.199.

#### **5. The use of the general principles of international law in the application of investment law. 12 July 2013.**

- [Phoenix Action, Ltd. v. The Czech Republic](#), ICSID Case No. ARB/06/5, [Award, April 15, 2009](#), especially §§ 52-116.

- [Mobil Corporation, & al v. Bolivarian Republic of Venezuela](#), ICSID Case No. ARB/07/27, [Decision on Jurisdiction, June 10, 2010](#), especially §§ 62-96.