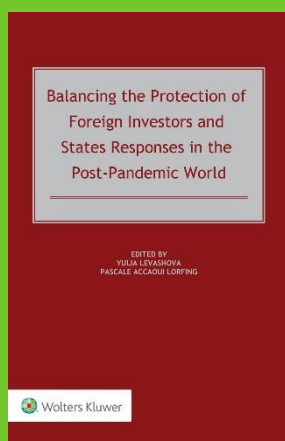


Balancing the Protection of Foreign Investors and States Responses in the Post-Pandemic World

Edited by
Yulia Levashova
Pascale Accaoui Lorfing



Overview

The COVID-19 pandemic has brought the debate on reform of the international investment agreement regime to the fore with renewed force. In this important and timely book, top professionals in the field collectively offer an in-depth investigation of the measures that States have taken, or failed to take, to deal with the pandemic's consequences and whether these actions or inactions can be construed as investment arbitration risks.

In an extensive overview of the impact of COVID-19 on States and investors – including perspectives from UNCTAD, the European Union, the United States, Russia, India, South Korea and the African Union – this comprehensive guide on State defences and investor protection mechanisms tackles such aspects of the debate as the following as affected by the pandemic:

- treatment of investors in times of pandemic and in the post-pandemic world;
- sufficient contribution to the economic development of the host State;
- disparities in bargaining power; and
- use of 'pandemic power' to accord preferential treatment.

The final part of the book is dedicated to analysing case studies from around the world in the context of the pandemic and investor-State disputes.

Understanding the way public health emergencies can shape international investment law is key to building a sustainable, stable investment environment. As the first detailed study of the post-pandemic development of investment law, this matchless collection takes a giant step toward reconciling the interests of foreign investors and sovereign States at various stages of economic development. With practical recommendations for both States and investors, it will be of immeasurable assistance to practitioners, policymakers, and academics in anticipating and dealing not only with COVID-related measures but also with similar future contingencies.

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