



Calculation of Compensation and Damages in International Investment Law (Oxford International Arbitration Series)

Irmgard Marboe

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This title will analyse the practice of international courts and tribunals to the valuation of investment claims against states. It pays specific attention to the question of interest. Specific guidance on how valuation issues should be approached will be invaluable to counsel, advisors, judges and arbitrators in international judicial proceedings.

This issue of valuation represents one of the most important aspects in international investment disputes. The parties involved have an obvious interest in an appropriate solution to the question of quantum. The sums involved are high and this is particularly true in the context of private foreign investment. With the increase of international investment both in the developing as well as the developed world, there is a growing need for a stable and predictable approach to quantum.

However, until recently, the issue of valuation has attracted rather little attention both in international jurisprudence and legal writing. The present book now meets the needs of foreign investors and host States by setting the issue of valuation on a more solid ground. It provides an analysis of how international courts and tribunals have handled cases until now. The emphasis lies on the correct identification of the legal basis claim to inform the valuation method. The author concludes with suggestions and proposals as to how valuation should be handled by legal councils, experts, judges and arbitrators in international judicial proceedings.

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