

INTERNATIONAL ENERGY INVESTMENT LAW

The Pursuit of Stability

PETER D CAMERON

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Barcelona Traction, Light and Power Co Ltd, Belgium v Spain, Judgment, (1970) ICJ Rep 3, ICGJ 152 (ICJ 1970), 5 Feb 1970	3.09
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Biwater Gauff (Tanzania) v Tanzania, Award, ICSID Case No ARB/05/22, IIC 330 (2008), 18 July 2008	1.50, 5.12, 8.80
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Burlington Resources Oriente Ltd v Ecuador and Empresa Estatal Petróleos del Ecuador (PetroEcuador), Procedural Order, ICSID Case No ARB/08/5, IIC 379 (2009), 29 June 2009	6.111
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Compañía del Desarrollo de Santa Elena SA v Cost Rica, Final Award, ICSID Case No ARB/96/1, IIC 73 (2000), 10 ICSID Rev 69, 17 Feb 2000	5.112
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Electricity Companies case (1925), <i>Recueil des cours</i> 128 (1969-III). 169	3.34, 3.36
Electricity Company of Sofia and Bulgaria, Judgment No 30, ICGJ 329 (PCIJ 1939), 4 April 1939	6.120
Emilio Agustín Maffezini v Spain, ICSID Case No ARB/97/7, Decision on Jurisdiction, IIC 85 (2000), 25 January 2000, Award, IIC 86 (2000), 11 Nov 2000, Rectification of Award, IIC 87 (2001), 31 Jan 2001	4.59, 4.79, 6.112
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Fedax NV v Venezuela, ICSID Case No ARB/96/3, Decision on Jurisdiction, IIC 101 (1997), 5 ICSID Rep 183 (1997), 11 July 1997, Award, IIC 102 (1998), 9 March 1998.	1.49, 4.18
Feldman Karpa v Mexico, Award, ICSID Case No ARB(AF)/99/1, IIC 157 (2002), (2003) 18 ICSID Rev—FILJ 488, (2003) 42 ILM 625, 16 Dec 2002	5.103
Fireman's Fund Insurance Co v Mexican States, ICSID Case No ARB(AF)/02/01, Award, IIC 291 (2006), 17 July 2006	8.78
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Fraport AG Frankfurt Airport Services Worldwide v Philippines, Award, ICSID Case No ARB/03/25, IIC 299 (2007), 16 August 2007	1.52, 5.91, 5.92
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Gabcikovo-Nagymaros Project (Hungary v Slovakia), Judgment, Merits [1997] ICJ Rep 7, ICGJ 66 (ICJ 1997), 25 Sept 1997	5.37
Gas Natural SG SA v Argentina, ICSID Case No ARB/03/10, Decision on Jurisdiction, IIC 115 (2005), 17 June 2005.	1.44
Genin v Estonia, Award, ICSID Case No ARB/99/2, IIC 10 (2001), 25 June 2001	5.79, 7.10
Glamis Gold Ltd v United States, Award, Ad hoc—UNCITRAL Arbitration Rules, IIC 380 (2009), 14 May 2009.	8.81
Goetz (Antoine) v Burundi, ICSID Case No ARB/95/3, IIC 16 (1999), 6 ICSID Rep 3, 15 ICSID Rev 457, 26 YB Com Arb 26, 10 Feb 1999	1.44, 5.45
Gould Marketing Inc v Ministry of Defence, Award No 136-49/50-2, Iran-US CI Trib Rep.	3.94
Grand River Enterprises Six Nations Ltd et al v United States, http://www.state.gov/s/l/c11935.htm Inter Am Ct HR	8.81
Group Menatep: Hulley Enterprises Ltd; Yukos Universal Ltd; Veteran Petroleum Trust v Russian Federation, UNCITRAL Arbitration Rules, 3 Feb 2005	5.16, 7.93
Helnan International Hotels A/S v Egypt, Decision on Objection to Jurisdiction, ICSID Case No ARB/05/19, IIC 130 (2006), 17 Oct 2006	1.50
Himpurna California Energy Ltd v PT.PLN (Persero), Fina Award, Ad hoc UNCITRAL Arbitration Rules, 4 May 1999	5.28
Hrvatska Elektroprivreda v Slovenia, ICSID Case No ARB/05/24, 28 Dec 2005	7.93
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Kuwait v American Independent Oil Co (AMINOIL), Award, 21 ILM 976 (1982), 24 March 1982.	1.57, 2.64, 2.65, 2.67, 2.81, 3.01, 3.48–3.74, 3.79, 3.82, 3.86, 3.104, 3.105, 4.04
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