## Table of cases

(N.B. Cases not included in text (and having no page references) but used in research are listed separately under individual main headings as appropriate)

### AD HOC ARBITRAL TRIBUNALS

- *Agreement between the Kingdom of the Netherlands and the Republic of Poland on Encouragement and Reciprocal Protection of Investment between Eureko B.V. and Republic of Poland* ...................................................... 139, 166

### AUSTRALIAN CASE LAW

- *JT International SA v. Commonwealth* ............................................................ 204

### CANADIAN CASE LAW

- *R. v. Tener* ........................................................................................................ 63

### COURT OF JUSTICE OF THE EUROPEAN UNION

- *Boehringer Ingelheim v. Swingward I* .............................................................. 73

### EUROPEAN COURT OF HUMAN RIGHTS

- *Anheuser-Busch Inc. v. Portugal* ..................................................................... 17

### FRANCO-MEXICAN COMMISSION

- *George Pinson (France) v. United Mexican States* ......................................... 12

### ICSID ARBITRAL DECISIONS

- *ADF Group Inc. v. United States of America* .................................................. 103
- *AES Summit Generation Limited AES-Tisza Erömű KFT v. The Republic of Hungary* ................................................................. 214
<table>
<thead>
<tr>
<th>Case Title</th>
<th>Jurisdiction</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ambiente Ufficio S.P.A. and Others v. The Argentine Republic</td>
<td>Argentina</td>
<td>30</td>
</tr>
<tr>
<td>American Manufacturing &amp; Trading, Inc. v. Republic of Zaire</td>
<td>Zaire</td>
<td>165</td>
</tr>
<tr>
<td>Antoine Goetz et consorts v. République du Burundi</td>
<td>Burundi</td>
<td>58</td>
</tr>
<tr>
<td>Apotex Holdings Inc. and Apotex Inc. v. United States of America</td>
<td>United States</td>
<td>220</td>
</tr>
<tr>
<td>Aguas del Tunari v. Republic of Bolivia</td>
<td>Bolivia</td>
<td>25</td>
</tr>
<tr>
<td>Asian Agricultural Products Ltd. (AAPL) v. Republic of Sri Lanka</td>
<td>Sri Lanka</td>
<td>105, 166</td>
</tr>
<tr>
<td>Azurix Corp. v. The Argentine Republic</td>
<td>Argentina</td>
<td>108, 163</td>
</tr>
<tr>
<td>Bayview Irrigation District et al. v. United Mexican States</td>
<td>Mexico</td>
<td>28</td>
</tr>
<tr>
<td>Bivater Gauff (Tanzania) Ltd. v. United Republic of Tanzania</td>
<td>Tanzania</td>
<td>23</td>
</tr>
<tr>
<td>Camuzzi International S.A. v. The Argentine Republic</td>
<td>Argentina</td>
<td>19</td>
</tr>
<tr>
<td>Ceskoslovenka Obchodni Banka (CSOB), A.S. v. The Slovak Republic</td>
<td>Slovakia</td>
<td>25, 29, 148</td>
</tr>
<tr>
<td>Compañía de Aguas del Aconquija S.A. and Vivendi Universal S.A. v. Argentina Republic</td>
<td>Argentina</td>
<td>43, 107–8</td>
</tr>
<tr>
<td>Compañía del Desarrollo de Santa Elena, S.A. v. The Republic of Costa Rica</td>
<td>Costa Rica</td>
<td>40, 41, 43</td>
</tr>
<tr>
<td>Consortium Groupement LESI-DIPENTA v. People’s Democratic Republic of Algeria</td>
<td>Algeria</td>
<td>29</td>
</tr>
<tr>
<td>Emilio Agustin Maffezini v. The Kingdom of Spain</td>
<td>Spain</td>
<td>95–6</td>
</tr>
<tr>
<td>Enron Corporation Ponderosa Assets, L.P. v. Argentine Republic</td>
<td>Argentina</td>
<td>138, 169</td>
</tr>
<tr>
<td>Generation Ukraine, Inc. v. Ukraine</td>
<td>Ukraine</td>
<td>40</td>
</tr>
<tr>
<td>FedEx N.V. v. The Republic of Venezuela</td>
<td>Venezuela</td>
<td>24, 29</td>
</tr>
<tr>
<td>Fraport AG Frankfurt Airport Services Worldwide v. Republic of the Philippines</td>
<td>Philippines</td>
<td>31</td>
</tr>
<tr>
<td>FTR Holding S.A. (Switzerland), Philip Morris Products S.A. (Switzerland) and Abal Hermanos S.A. (Uruguay) v. Oriental Republic of Uruguay</td>
<td>Ukraine</td>
<td>202</td>
</tr>
<tr>
<td>Inceysa Vallisolelana S.L. v. Republic of El Salvador</td>
<td>El Salvador</td>
<td>31</td>
</tr>
<tr>
<td>Joy Mining Machinery Limited v. The Arab Republic of Egypt</td>
<td>Egypt</td>
<td>137</td>
</tr>
<tr>
<td>Klöckner v. Republic of Cameroon</td>
<td>Cameroon</td>
<td>32</td>
</tr>
<tr>
<td>Malaysian Historical Salvors Sdn, Bhd v. The Government of Malaysia</td>
<td>Malaysia</td>
<td>24, 209</td>
</tr>
<tr>
<td>Marvin Feldman v. Mexico</td>
<td>Mexico</td>
<td>46</td>
</tr>
<tr>
<td>Metalclad Corporation v. United Mexican States</td>
<td>Mexico</td>
<td>42</td>
</tr>
<tr>
<td>Mondev International Ltd. v. United States of America</td>
<td>United States</td>
<td>102</td>
</tr>
<tr>
<td>Noble Ventures Inc. v. Romania</td>
<td>Romania</td>
<td>166, 219</td>
</tr>
<tr>
<td>Pan American Energy LLC, and BP Argentina Exploration Company v. The Argentine republic</td>
<td>Argentina</td>
<td>138</td>
</tr>
<tr>
<td>Philip Morris Asia Limited (Claimant) and the Commonwealth of Australia (Respondent)</td>
<td>Australia</td>
<td>206</td>
</tr>
<tr>
<td>PSEG Global Inc. and Konya Ilgin Elektrik Üretim ve Ticaret Limited Sirketi v. Republic of Turkey</td>
<td>Turkey</td>
<td>102, 164</td>
</tr>
<tr>
<td>Robert Azinian, Kenneth Davitian, &amp; Ellen Baca v. The United Mexican State</td>
<td>Mexico</td>
<td>68</td>
</tr>
<tr>
<td>Rumeli Telekom A.S. and Telim Mobil Telekomikasyon Hizmetleri A.S. v. Republic of Kazakhstan</td>
<td>Kazakhstan</td>
<td>168</td>
</tr>
<tr>
<td>Salini et al. v. Morocco</td>
<td>Morocco</td>
<td>15, 23, 209</td>
</tr>
</tbody>
</table>
Table of cases

*Sempra Energy International v. Argentine Republic* ........................................... 108, 139, 169
*SGS Société Générale de Surveillance S.A. v. Islamic Republic of Pakistan* ......... 29, 136–7
*SGS Société Générale de Surveillance S.A. v. The Republic of Paraguay* ......... 138
*SGS Société Générale de Surveillance S.A. v. Republic of the Philippines* .......... 29, 137
*Siemens A.G. v. The Argentine Republic* .......................................................... 170, 209
*Suez, Sociedad General de Aguas de Barcelona S.A. and Vivendi Universal S.A. v. The Argentine Republic* .......................................................... 214
*Tecnicas Medioambientales Tecomé* ............................................................ 43, 95, 166
*Waste Management Inc. v. United Mexican States* ....................................... 69, 102
*Wena Hotels Limited v. Arab Republic of Egypt* ........................................... 32, 42–3, 166

**Cases not Included in Text but Used in Research**


Intellectual property rights as foreign direct investments

INTERNATIONAL COURT OF JUSTICE (ICJ)

Elettronica Sicula S.p.A. (ELSI) (U.S. v. Italy) .................................................. 168

INDIAN CASE LAW

Cases not Included in Text but Used in Research

Supreme Court of India, Novartis A.G. v. Union of India and Others with Natco Pharma Ltd. v. Union of India and Others and M/S Cancer Patients Aid Association v. Union of India and Others, 1st April 2013, Civil Appeal Nos. 2706–2716 of 2013 (arising out of SLP(C) Nos. 20539-20540 of 2009).

IRAN–UNITED STATES CLAIMS TRIBUNALS

Amoco International Finance Corporation v. The Government of the Islamic Republic of Iran ................................................................. 69
Tippetts, Abbott, McCarthy, Stratton v. TAMS-AFFA ...................................... 43

LONDON COURT OF INTERNATIONAL ARBITRATION

Occidental Exploration and Production Company v. The Republic of Ecuador ................................................................. 164, 169

NAFTA CHAPTER 11 ARBITRAL TRIBUNALS

Canadian Cattlemen for Fair Trade v. United States ........................................ 28
Methanex Corporation v. United States of America .................................... 44–5, 90
Pope Talbot Inc v. The Government of Canada ............................................. 75, 106
S.D. Myers Inc. v. Government of Canada ................................................. 37–9, 40–41, 43, 46, 75

Case not Included in Text but Used in Research


PERMANENT COURT OF ARBITRATION (PCA)

Romak S.A. (Switzerland) v. The Republic of Uzbekistan ................................ 208
PHILIPPINES CASE LAW

Case not Included in Text but Used in Research

Supreme Court of the Philippines (3rd division), Smith Kline & French Laboratories Ltd. v. Court of Appeals, Bureau of Patents, Trademarks and Technology Transfer and Doctors Pharmaceuticals, Inc., 24 July 1997, G.R. No. 121867.

STOCKHOLM CHAMBER OF COMMERCE

Mr. X (United Kingdom) v. The Republic (in Central Europe) .................... 15, 18

UNCITRAL RULES OF ARBITRATION

Apotex Inc. v. The Government of the United States of America ................... 220
BG Group Plc. v. The Republic of Argentina .................................................. 170
CME Czech Republic B.V. (The Netherlands) v. The Czech Republic ............. 43
Eli Lilly and Company v. Government of Canada ........................................ 70, 220–21
National Grid Plc. v. The Argentine Republic ............................................. 93
Ronald S. Lauder v. The Czech Republic ................................................... 166, 168
Saluka Investments BV (The Netherlands) v. The Czech Republic ............. 44, 108,
112, 168, 215

Cases not Included in Text but Used in Research

Notice of Arbitration Under the Arbitration Rules of the United Nation


UNITED KINGDOM CASE LAW

R. v. North and East Devon Health Authority Ex parte Pamela Coughlan .......... 60

UNITED STATES CASE LAW

The DOW CHEMICAL CO.; Shell Oil Company; Shell Chemical Company, Plaintiffs-Appellants, v. Jeronimo Anibal Florian CALDERON ................. 197
Lucas v. South Carolina Coastal Council ..................................................... 60, 64
Penn Central Transportation Co. et al., Appellants, v. City of New York .......... 56
Roche Products Inc. v. Bolar Pharmaceutical Co ................................................. 48
WALLING, Administrator of Wage and Hour Division, United States Department of Labor v. PEAVY-WILSON Lumber CO ......................................... 88

Cases not Included in Text but Used in Research


WORLD TRADE ORGANIZATION’S DISPUTE SETTLEMENT BODY

Canada – Administration of the Foreign Investment Review Act .................. 136
Canada – Patent Protection of Pharmaceutical Products: Complaint by the European Communities and their Member States ........................................ 67
China – Measures affecting the protection and enforcement of Intellectual Property Rights ................................................................. 159
Indonesia – Certain Measures Affecting the Automobile Industry ................. 136
Thailand – Restrictions on the Importation of and Internal Taxes on Cigarettes ................................................................. 202
United States – Measures Affecting the Cross-Border Supply of Gambling and Betting Services (US – Gambling ......................................................... 200
United-States – Section 211 Omnibus Appropriations Act of 1998 ..................... 97
Cases not Included in Text but Used in Research