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Introduction to Investor-State Arbitration Yves Derains, Josefa Sicard-Mirabal, 2018-10-17 Today thousands of investors act globally in markets providing services technology or capital in countries all around the world This activity can be peacefully accomplished when both the investor and the host State know that the disputes will be resolved under the aegis of the investor State arbitration regime wherein an investor is provided with a direct right of action against a State most commonly stemming from a bilateral or multilateral investment treaty This book approaches the substantive and sometimes difficult concepts of investor State arbitration in a clear and concise explanatory fashion In the course of acquainting the reader with the basic legal concepts and policies of the regime the authors address such issues as the following consent to jurisdiction State responsibility possible conflict of interests mechanisms for reviewing an award damages and costs and enforcement The book examines a number of arbitration procedures arising from various perspectives with differing underlying assumptions while highlighting important cases Given that investor State arbitration is now under the public watch and facing many challenges this remarkably clear and concise overview of the regime will prove to be of great value to in house counsel and other practitioners as well as to government policymakers and students x

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d'exécution et procédures de distribution. 3e éd. - Voies d'exécution et procédures de distribution Anne Leborgne, Claude Brenner, Charles Gijssbers, 2020-01-01 Une analyse d'expert sur le droit de l'exécution jour des diff rentes interventions l gislatives et r glementaires Macron Sapin loi programmation de la justice et ses d crets d application Le droit de l'ex cution regroupe l ensemble des moyens l gaux mis la disposition des personnes qui souhaitent obtenir l'ex cution sinon volontaire au mieux forc e des obligations dont elles sont cr anci res Il s inscrit dans le prolongement de la proc dure civile mais encore dans celui du droit au proc s quitable jour des diff rentes interventions l gislatives et r glementaires Macron Sapin loi programmation de la justice et ses d crets d application ce Pr cis pr sente d abord les dispositions g n rales applicables au droit de l'ex cution personnes principes et juridictions concern es avant d exposer toutes les proc dures d'ex cution r glement es par le Code des proc dures civiles d'ex cution Sont galement tudi es les proc dures de saisies de navires bateaux et a ronefs et la situation des brevets marques et droits d'auteur L ouvrage traite aussi des mesures simplement conservatoires et notamment des saisies conservatoires de bateaux navires et a ronefs S en tenir aux seules saisies n est cependant pas suffisant il faut galement ma triser les incitations l'ex cution volontaire astreintes mises en demeure et recouvrement amiable et valuer les obstacles l gaux l'ex cution d lais et causes de suspension de l'ex cution Le droit de l'ex cution est donc un droit extr mement utile dans la vie juridique quotidienne et qui a des implications profondes en mati re conomique et sociale L ouvrage destin avant tout aux tudians en master et futurs praticiens est aussi un pr cieux instrument de travail pour tous les professionnels du droit juges de l'ex cution avocats et huissiers de justice qui y trouveront c t de r flexions doctrinales de nombreuses annotations de jurisprudence

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