



## Original Article

## The Incorporation of Human Rights Concerns into Investment Treaty Arbitration through the Application of Public International Law

<sup>1</sup>Ishfaq Ahmad, <sup>2</sup>Sajid Sultan, <sup>3</sup>Shahid Iqbal & <sup>4</sup>Muhammad Faisal

<sup>1</sup> Lecturer in Law, Bahauddin Zakariya University, Multan Sub Campus Vehari, Pakistan,

Email: [ishfaq.ahmad\\_vcamp@bzu.edu.pk](mailto:ishfaq.ahmad_vcamp@bzu.edu.pk)

<sup>2</sup> Ph.D. Scholar, Lecturer in Law, Bahauddin Zakariya University, Multan Sub Campus Vehari, Pakistan

<sup>3</sup> Advocate District Courts Vehari

<sup>4</sup> Lecturer in Law, School of Law, University of Okara

### ARTICLE INFO

#### Keywords:

*Investment Treaty Arbitration (ITA), International Center for Resolution of Investment Disputes (ICSID), United Nations Commission on Trade and Investment Law (UNCITRAL), the United Nations Guiding Principles on Business and Human Rights (UNGPs), Investment Policy Framework for Sustainable Development (IPFSD)*

#### \*Corresponding Author:

Ishfaq Ahmad

[ishfaq.ahmad\\_vcamp@bzu.edu.pk](mailto:ishfaq.ahmad_vcamp@bzu.edu.pk)

### ABSTRACT

This Article explores the complex interplay between public international law and human rights within the context of investment treaty arbitration. As globalization accelerates and international investments proliferate, the integration of human rights considerations into arbitration processes becomes imperative to ensure fair and equitable outcomes. This research critically examines how public international law can bridge the historical gap where economic interests often overshadow human rights, emphasizing the urgent need for a balanced approach. The study begins by outlining the evolution of international investment law, highlighting its traditional focus on protecting investors without sufficient regard for human rights impacts. This legal research analyzes various cases and legal frameworks to assess how existing mechanisms accommodate human rights considerations and where they fall short. The findings reveal a significant imbalance, with economic interests frequently taking precedence, leading to adverse human rights outcomes. The research proposes several reforms to address these deficiencies, including amending existing treaties to explicitly incorporate human rights obligations and developing new legal frameworks that harmonize investment protection with human rights enforcement. The proposed solutions aim to make arbitration processes more inclusive and transparent, allowing for a fairer adjudication of disputes considering broader implications for all stakeholders involved. This study underscores the critical role of public international law in reshaping investment treaty arbitration to foster a more just global investment landscape. By integrating human rights considerations more thoroughly, the law can ensure that international investments contribute positively to the welfare of all, promoting sustainable development and respect for human rights globally.

## Introduction

The introduction of human rights into the investment treaty arbitration marks a crucial development to the present day legal practice. While studying the instances in the past where the human rights were sacrificed on the expendability towards the economics, it's to set fire the complexities as well as consequences of the neglect. With methodical scrutiny this work seeks the difficulties and the dawning of the results which come with the lack of human rights management in the investment treaty arbitration. Besides that, this demonstrates that concrete steps should be taken towards a more comprehensive arbitration discourse that lets fundamental human rights values go along with economic interests. Similarly, through studying the paradigms attendant on investment treaty arbitration, to enrich knowledge on the questions that are currently standing in the way of its implementation and to advocate for changes that are based on fairness, equity and justice.<sup>1</sup>

### Historical Context of Human Rights in Public International Law:

Human rights in the global public law are a phenomenon of socio-historical development clearly showing that people's convictions about honor, independence, and equality are getting more and more basic and inalienable. Human rights within this framework experienced many changes during the history of mankind, conflicting ideas along the way and movements on the worldwide level, with every period having its characteristics, leading to understanding and protecting the intrinsic value of human life.

Apart from that, the appearance of the 21st century's half and the advent of globalization as well as a wider international trade brought new and more complex issues for the discussion of human rights. Such situations led not only to the economic advantages being the primary objective but to laws on investment and human rights falling on different sides of the spectrum. International investment law is expanding quickly and is centered on the notion of 'protecting investors' rights and attracting foreign investment, but, interestingly, does not articulate 'human rights protection' provisions in a clear manner. This issue further revealed a blind spot between driving the economy and the right to humans as the existence of the complexities in the world's legal structure that balanced these competing interests was also revealed.<sup>2</sup>

Although the issues were numerous, the post-war period closed with some well-recorded achievements in the area of international human rights law. An array of acts and conventions, as the International Covenant for Civil and Political Rights and International Covenant for Economic, Social and Cultural Rights, was developed and it allowed to construct a specific legal document which provides a basis for the exposure of human rights throughout the whole world. The devices as well as the mechanisms to enforce them are the result of collaborative measures whose goal is to fill the gaps in the earlier strategies with institutions that guard human rights within those nations. Nevertheless, the merging of human rights into public international law has meandered through. The economic interest vs. human rights paradox will remain complex questions affecting the work of international law system in many years. With the globalization of

<sup>1</sup> Llc AL, "Human Rights Law and Investment Arbitration" (*Aceris Law*, April 25, 2021) <<https://www.acerislaw.com/human-rights-law-and-investment-arbitration/>>

<sup>2</sup> Zahoor N and others, "De-Globalization, International Trade Protectionism, and the Reconfigurations of Global Value Chains" (2023) 63 *Management International Review* 823 <<https://doi.org/10.1007/s11575-023-00522-4>>

trading actions and investments, there has come a need to reconsider and place greater emphasis on the mechanism deemed fit to look into the protection of human rights on the framework of international law. An expansion in the sphere of human rights has been conceived entailing economic development and the readiness of countries to commit to and fulfill these rights.

### **Development of Investment Treaty Arbitration**

The emergence of Investment Treaty Arbitration (ITA) as an agreeable instrument of international law is as momentous. Such a tool is simultaneously intended to shield foreign investment enterprises from improper treatment by host states and unjust deprivation. The present architecture emphasizes promoting transnational investments by giving a stable and neutral system for investors and states to sort out their disputes in the eventuality. The main purpose of ITA operations was mainly directed towards the establishment of a stable investment-friendly environment that provided foreign investors with a legal and secure legal setting that guaranteed the protection of their assets and interests among different borders.

At no point, ITA was devised to give the investors a recourse mechanism which was independent and impartial to decide on violation of claims such as direct or indirect expropriation, national or foreign discrimination and the breaches of the investment treaties. Tied to this in situations where there is a presence of the domestic legal system which in-turn might not be sufficient in guarding foreign investors from several considerations like that of capacity, biases, or political perception. The global society was able to put in place a mechanism for international arbitration thus ensuring elimination of the uncertainties related to the international investment. This in turns enhanced the robustness of international investment flows, which goes a long way for the global economic development. The core of ITA could be found in the post-World War II period, while the international community then began to fathom the need for a legal regime which came into existence to safeguard foreign investments. Through formation of the International Center for Resolution of Investment Disputes (ICSID) by the World Bank in 1966, a major landmark was reached in that direction. International Centre for Settlement of Investment Disputes (ICSID) and United Nations Commission on Trade and Investment Law (UNCITRAL) are the two arbitral bodies who were build on the purpose to provide required institutions structure for the settlement of investor-state problems.

During the ITA mechanism, they were not only simple elements or stages, in the sense that they gradually went with the complexity of various aspects of the investor-state relationship, these included protection of intellectual property rights and the measures involving environment and public health. Investment treaties and arbitration systems used to have a key role in striving for the stability and predictability of the investment environment. In theory, the more stable the environment, the more it attracts investors and helps host states with their economic growth and development. Even through, an overwhelming majority of people consider ITA as useful but one can still find some negative comments. Regarding the issues relating to safeguarding investors' rights and the host states' sovereign right to regulate in the public interest, undoubtedly, a considerable amount of importance was attached to the former. Critics argue that the economic principle of ITA mechanisms has overridden any social and human or the rights factors that could lead to scenarios where states will be punished for implementing regulations that have aim

at protecting public health, the surrounding environment and the human rights because of the imposed arbitration claims and the financial liabilities.<sup>3</sup>

The criticism is from the fact that while the main purpose of ITA was to create a regulatory regime that is fair for the foreign investors, it has amounted to a situation in which states may feel pressured to operate within the boundaries provided in the treaty and do not have as much freedom as they used to in ruling their economic activities within their territories. This has instigated a discussion on whether or not it is necessary to overhaul ITA mechanisms in order to ensure that investors' rights are well respected without hurting the public interest. The proposals for the reform of these treaties include having an explicit clause that protects states from any attempt to violate their right to self-determination in the manner they regulate in the public interest. Also a new clause that will be meant to govern the human rights obligations of investors and to enhance transparency and create an inclusive arbitration process. In addition, the incorporation of human rights issues into the ITA deliberations is gaining more ground, whereby human rights considerations are now taken directly into account rather than solely being implied. The essence is that investors be aware of the intensive reverberations of their business on the lives of local residents. This should be factored in when doing investor-state dispute resolution, in terms of the social and economic rights of various stakeholders Steps towards integrating human rights considerations into the investment treaty (ITA) scope of action involve the development of guidelines and principles by international organizations, as well as efforts to include human rights in the negotiation of investment treaties.

The answering question is that foreign investment treaty arbitration has evolved as a principal organ in the establishment of the world investment order by settling disputes between investors and states. On the other hand, while ITA has undergone much transformation, it has been realized that in order to create a truly comprehensive framework that balances economic issues with the non-economic ones of social and human rights has become more and more important. Nowadays, the ambition of ITA is of prime value as it comprehends the necessity of accommodating and amending the system in ways that appreciate the need to protect investments on hand and states' sovereignty for public service, namely without harming the communities' rights and interests.<sup>4</sup>

## Current Mechanisms and Effectiveness

Human rights law and investment treaty arbitration intertwined rather the curve takes prominence, due to the hold uncertainty on arising this field of law. To avert this danger, it is imperative in that it should be made sure to have clear and well-defined standards which will be used to avoid conflicts within these different regulatory worlds. The solutions of these problems thereby entail provision of a clear direction towards questions of possible frictions between the domains of the international law. It is thus a necessity to keep building bridges among policymakers, practitioners, and academics in each state as the ongoing debate unfolds and gives

---

<sup>3</sup> Klein Heisterkamp J, "Investment Treaty Law and the Fear for Sovereignty: Transnational Challenges and Solutions"

<[https://eprints.lse.ac.uk/60853/7/Kleinheisterkamp\\_investment\\_treaty\\_law\\_accepted.pdf](https://eprints.lse.ac.uk/60853/7/Kleinheisterkamp_investment_treaty_law_accepted.pdf)>

<sup>4</sup> "Investment Treaty Arbitration," , *Cambridge University Press eBooks* (2024)

<<https://www.cambridge.org/core/books/abs/functions-of-international-adjudication-and-international-environmental-litigation/investment-treaty-arbitration/B8ECA4729720AE72A9CD1FF90F0550F2>>.

the necessary solution in which each case is treated independently and subsequently, across the jurisdiction, consistency is achieved is paramount.

## **Proposed Solutions and Frameworks**

In recent times there has been a gradual recognition of the importance of including human rights implications in investment dispute arbitration. It is because of the fact that investment undertakings could affect human rights through both direct or indirect ways. Although international investment law once centered on the protection of investors' rights the concept of balanced approach has become a common attribute where social concerns including respect for human rights have been employed alongside the traditionally protected investors' rights. Whilst recognizing this tendency, this section indicates strategies and models that are being set up to improve the integration of human rights in international investment law. These solutions being suggested are derived from the principles of existing laws and related law practices yet rooted in novel approaches that other areas of law have also explored. The objective here is to ensure a more balanced and fair system geared towards protecting everyone's interests, the control of the environment, and attainment of responsibility while running and managing business activities.

Before the proper suggestion itself, it is imperative to make note of several universal guides that should direct the endeavor to mix human rights in investment treaty arbitration. Initially, human rights duties need to be interpreted, however, the authors toggle between the prerogative of legal framework with human rights as constraints and exceptions. Firstly, environmental reviews have been limited to examination physical impact, social solution should extend to human rights impact assessment to ensure that problems could be discovered and resolved at an early stage of development. The third option in this context is to have both the ISDS and the human right claim hearing methods all working together as a system with mechanisms for dispute settlement providing remedies for violations. Last but not the least, the states have to guarantee greater disclosure and public engagement in investment treaty bargaining and decision-making processes, so that those communities who are affected have a chance to differ on policies that directly affect their lives. Having these guiding principles in mind, the researcher then moves on to two arguments on how human rights can be useful in international investment dispute settlement.<sup>5</sup>

## **Harmonizing International Legal Frameworks: Incorporating a Human Rights Perspective into Investment Law: The Necessary Bridge**

The inclusion of human rights issues in investment treaty arbitration has posed quite a challenge since it seems like investment standards for protection and human rights obligations that are compulsory are conflicting. Where investors could be privileged with respect to the protection of the rights arising from the concluding of investment agreements and allocations, human rights law adopts states' responsibilities to promote and ensure human rights. This gap manifests when no consistent ideology of reconciliation, which unites the two areas, has been established through the harmonization of the two types of international law. One of the possible ways to compromise human rights protection is development of guidelines or soft law rules which can give a clear direction on how investment protections can be diverse with human rights obligations.

---

<sup>5</sup> Mundi J, "Wiki Note: Human Rights in Investment Claims" <<https://jusmundi.com/en/document/publication/en-human-rights-in-investment-claims>>

Their soft law nature does not affect perceptions on them as potent normative guidance mechanisms, within the international legal circles. Hence, once accepted the institutional frameworks could provide themselves to be how to strengthening compatibility between investment protection mechanism and humanities laws could promise the attainment of shared goals. To start with, regulating international regimes in the realm of investments and human rights has to be made with deliberate consideration of the complexities and nuances that exist between the two areas. Soft law tools enable collaboration between instruments such as the UNGPs and Maastricht Principles, thus making it possible to ensure alignment between the seemingly mutually exclusive goals. The investment treaty arbitration process can strongly benefit from the gain in level of awareness and implementation of the said principles and thus reach a higher level of coherence and better balance of many raised concerns. Eventually, this policy will help to improve the investment patterns so as to do justice to the act of upholding human dignity which can yield shared goals for the future as far as prosperity, fairness and sustainability are concerned.

### **Amending Existing Investment Treaties to Incorporate Human Rights Obligations**

A possible way of enforcing the incorporation of human rights into the investment treaty arbitration is the modification of existing treaties to stipulate necessitating investors to account the human rights respect. Such clauses could have different manifestations; they could be broad principles, or they could be specific codified standards supported by monitoring mechanisms. Such as, the United Nations Guiding Principles on Business and Human Rights (UNGPs), endorsed unanimously by the Human Rights Council members in 2011 can help in drafting provisions for Human Rights-based Business standards. They set out three pillars: states' obligations to protect, corporations' responsibility to respect, or remedial mechanisms for the victims; the three core elements of business and human rights. Through the implementing of such norms in investment agreements, the states would symbolize their dedication to the harmonious development of economic affairs along with proliferation of social welfare<sup>6</sup>.

Some treaties which are already in existence may also give human rights. Let's take the Article 13(1) of the Energy Charter Treaty for an instance where parties must be progressive so that they can maintain observance of commonly recognized standards and principles of environmental protection. A rule similar to this can be introduced to cover the human rights issues, specifying the that investors must respect internationally recognized human rights standards and norms. Thus, a standalone piece guiding the details of work rights, the human rights law of indigenous peoples, and any other aspects of human rights law ought to be drafted.

### **Introducing New Multilateral Frameworks for Investment and Human Rights**

As alternative for encompassing human rights in the investment treaty arbitration, a new multilateral model can be designed which will entail traits of the trade, investment and human rights law. Another example is the IPFSD (Investment Policy Framework for Sustainable Development), which has been working since 2015 under the protection of the UNCTAD. The main objective of the IPFSD is, to ensure that the investment policies relate economic, social,

---

<sup>6</sup> "PACE Website" <<https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=23239&lang=en>>

and environmental goals, while being approving of the needs and the point of view of different stakeholders.

**Promoting policy coherence across sectors:** In contrast to the focus of IPFSD on investment as separate from other policy areas, there is an emphasis on building coordinated strategies that use investment opportunities to achieve goals for wider development.

**Fostering inclusive decision-making:** Through IPFSD, public authorities highlight the fact that the stake of civil society organizations, workers and local communities in the decision-making process matters and the policy mainly responds to people's livelihood.

**Recognizing the role of small and medium enterprises (SMEs):** SMEs play an immense role in creating jobs, spurring innovation and ensuring sustainable development. Therefore, the IPFSD recognizes the importance of providing targeted measures of support so that such kind of enterprises too benefit from global value chains.

One of the added solutions emanating from discussions among scholars and industry experts is the creation of a Global Investment Charter. The UN Global Compact, emulating a platform where businesses, civil society, and UN organizations congregate based on united sustainability principles will be used for the pact as a tool to propel collective action on the investment challenges, namely the climate change, inequality, and abuse of human rights. This initiative would involve all the participants undertaking the Best practices involving investment governance, transparency, and accountability amongst the subjects. Even though the IPFSD and the Global Pact for Investment have no provisions that directly convey investment treaty arbitration, these instruments are still helpful in that they provide education on how human rights correlations can be connected to investment policy frameworks in general.<sup>7</sup>

## **Suggestions & Recommendations**

In view of the determinants discussed above, a set of recommendations are thus brought forward for the purpose of making an efficacious balance between human rights and investment treaty settlements. This package of recommendations seek to bring about a more balanced and inclusive approach to investment, which recognises human rights considerations in all its policies as basic needs of this era.

**Clarification of Legal Framework:** Policymakers are advised to come up with the required set of rules and give it a legal view, which they think fits best in the section of interaction between human rights and investment treaty arbitration. This goal can be attained via the adherence to the soft law or guidelines like the United Nations Guiding Principles on business and human rights (UNGP) and the Maastricht Principles on extraterritorial state obligations in effecting economic, social, and cultural rights. These principles can be echoed in the legal arrangements thereby enforcing a broader and coherent environment, which is also the whole process of dealing with human rights in investment arbitration.

**Amendment of Existing Investment Treaties:** It is suggested that agreements should be re-negotiated so that the rights of the people can be ensured, and that investors respect this right.

---

<sup>7</sup> Alan S Gutterman, "The Global Compact for Sustainable Entrepreneurs and Impact Investors" (July 2, 2024) <<https://www.linkedin.com/pulse/global-compact-sustainable-entrepreneurs-impact-alan-s-gutterman-ukctc/>>.

This is therefore the way that should be taken towards incorporating similar clauses by policymakers into bilateral and multilateral treaties. The conditions can be utilized to prevent investment activity abuses which which are the human rights rights abuses and underline the need to observe fundamental rights rights and freedoms in the international investment context.

**Creation of Multilateral Frameworks:** In such a case, creating brand new multi-lateral structure with the creation of new standards that directly target investments while the respect for human rights is observed. Examples like UN Technical Assistance and Technology Transfer for Development (IPFSD), and Global Pact for Investment may offer emerging countries a way of promoting policy coherence, inclusive institution making, and collaborative policy making on investment- based challenges. Through disclosing frameworks, the governments they emphasize their dedication to a combination of investment goal and human rights protection of a broad scope.<sup>8</sup>

### **Strengthening Domestic Legal Systems**

The national justice system must be ordered by it that could deal with human rights problems within investment treaty arbitration. Tackling these issues involves taking a wide range of measures, like the enactment of protection and promotion of human rights laws that prevent negative impacts on marginalized communities and communities advisory that ensures local views are considered, and partnering with local NGOs and CSOs to boost transparency and accountability in the investment process.

**Promotion of Multi-stakeholder Initiatives:** It is crucial that multi-stakeholder initiatives be expanded and one should work on developing channels for dialogue and partnership among the often differing entities, including governmental bodies, enterprises, civil societies and educational institutions. These opportunities would create infrastructures for the interchange of best practices experiences, identification of common adversities and discussion of new ideas how to make a right for people while chalking a growth path.

**Encouragement of Alternative Dispute Resolution Mechanisms:** It is paramount to highlight most of the much-needed mediation and alternative dispute resolution techniques in the settlement of investment claims. They allow for greater participation of multiple parties that may arise in dispute settlement procedures, and amicable resolution of matters that have human rights dimension, while providing equitable solution for all parties involved. Through attempts to spread that confinement, decision-makers will help to move the system of these disputes closer to collaborative and friendly one.<sup>9</sup>

**Awareness Raising:** In this regard, the issue of the connection between Investment and Human Rights need to be raised among the key staffs like among the lawyers, judges, investors, academicians, and policymakers for positive results. This can be done through the introduction of educational programs, workshops for training, and campaigns for awareness that bring out the

---

<sup>8</sup> Brown G, "The United States Needs a New Approach to Multilateralism" *Foreign Policy* (September 9, 2024) <<https://foreignpolicy.com/2023/09/11/us-china-russia-multilateralism-diplomacy-alliances-trade/>>

<sup>9</sup> Ansari, Abdul Haseeb "ALTERNATIVE DISPUTE RESOLUTION IN ENVIRONMENTAL AND NATURAL RESOURCE DISPUTES: NATIONAL AND INTERNATIONAL PERSPECTIVES." *Journal of the Indian Law Institute* 59, no. 1 (2017): 26–56. <https://www.jstor.org/stable/26826589>.

synergies in growth of the economy and social life. Through the creation of the framework, which gives credence to the application of human rights principles in the decision making, with regards to investment stakeholders will be in a better position to contribute to a globally economically equitable and sustainable world.

Through the observance of above-indicated priorities, politicians, legal professionals and researchers can contribute to the elaboration of the better system at the border of foreign investments activities where both human rights and economic interest are considered within one's scope. In their effort to achieve a better investment landscape, stakeholders should focus on justice, equal rights and sustainable development while working together and making sure that both investors and communities benefit from it.<sup>10</sup>

## Conclusion

As a result, bringing human rights into investment treaty arbitration can be called a double-edged sword that puts on the table the issues of both existing challenges and opportunities for redefining the tradeoffs between economic and social outcomes. Drawing on lessons learned from existing legal frameworks and practical experiences, this chapter has outlined six proposals aimed at deepening the connections between these two domains: the aid of investment treaty amendments and the inclusion of human rights obligations; creating new multilateral structures for investment and human rights; intensifying domestic legal systems in addressing human rights issues; developing multi-party dialog and cooperation platforms; the reinforcement of mediation and alternative dispute resolution mechanisms; and drawing in broad audiences, stakeholders to better understand the dynamic between investment and human rights. In the aggregate, these recommendations are to walk the road of changing investment landscape to develop it into a model that supports the society as a whole and not a particular member of it based on his wealth or status.

## References

1. Alan S Gutterman, “The Global Compact for Sustainable Entrepreneurs and Impact Investors” (July 2, 2024) <<https://www.linkedin.com/pulse/global-compact-sustainable-entrepreneurs-impact-alan-s-gutterman-ukctc/>>.
2. Ansari, Abdul Haseeb, Muhamad Hassan Bin Ahmad, and Sodiq Omoola. “Alternative Dispute Resolution in Environmental and Natural Resource Disputes: National and International Perspectives.” *Journal of the Indian Law Institute* 59, no. 1 (2017): 26–56. <https://www.jstor.org/stable/26826589>.
3. Brown G, “The United States Needs a New Approach to Multilateralism” *Foreign Policy* (September 9, 2024) <<https://foreignpolicy.com/2023/09/11/us-china-russia-multilateralism-diplomacy-alliances-trade/>>
4. “Investment Treaty Arbitration,” *Cambridge University Press eBooks* (2024) <<https://www.cambridge.org/core/books/abs/functions-of-international-adjudication-and-international-environmental-litigation/investment-treaty-arbitration/B8ECA4729720AE72A9CD1FF90F0550F2>>.
5. Kleinheisterkamp J, “Investment Treaty Law and the Fear for Sovereignty: Transnational Challenges and Solutions”

<sup>10</sup>[https://www.researchgate.net/publication/378685039\\_Effectiveness\\_of\\_Mediation\\_and\\_Arbitration\\_as\\_Alternative\\_Dispute\\_Resolution\\_Methods\\_in\\_Mexico](https://www.researchgate.net/publication/378685039_Effectiveness_of_Mediation_and_Arbitration_as_Alternative_Dispute_Resolution_Methods_in_Mexico)

6. Llc AL, “Human Rights Law and Investment Arbitration” (*Aceris Law*, April 25, 2021) <<https://www.acerislaw.com/human-rights-law-and-investment-arbitration/>>
7. Mundi J, “Wiki Note: Human Rights in Investment Claims” <https://jusmundi.com/en/document/publication/en-human-rights-in-investment-claims>
8. “PACE Website” <<https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=23239&lang=en>>
9. [https://www.researchgate.net/publication/378685039\\_Effectiveness\\_of\\_Mediation\\_and\\_Arbitration\\_as\\_Alternative\\_Dispute\\_Resolution\\_Methods\\_in\\_Mexico](https://www.researchgate.net/publication/378685039_Effectiveness_of_Mediation_and_Arbitration_as_Alternative_Dispute_Resolution_Methods_in_Mexico)
10. <[https://eprints.lse.ac.uk/60853/7/Kleinheisterkamp\\_investment\\_treaty\\_law\\_accepted.pdf](https://eprints.lse.ac.uk/60853/7/Kleinheisterkamp_investment_treaty_law_accepted.pdf)>
11. Zahoor N and others, “De-Globalization, International Trade Protectionism, and the Reconfigurations of Global Value Chains” (2023) 63 *Management International Review* 823 <<https://doi.org/10.1007/s11575-023-00522-4>>