**Literature review map**

Plan out your research with this helpful literature review map, apply these strategies to your own work by filling out your answers to the questions below.

**Themes**What central themes have you identified in the field of research?

**Research chronology**

Show how the research field has developed over time.

Customary international law favors capital exporting/developed countries’ investors at the expense of developing/capital importing countries.

Under customary international law which applied to international investments, investors can invoke protections against host state activities.

Expropriation of international investments led to calls for better investment protection / emergence of bilateral investment treaties and investment contracts.

To protect their sovereignty, capital importing states starts renegotiating/ abandoning investment treaties.

**Debates and disagreements**

Investors must consider that states are sovereign with powers that may enable them to derogate from contractual terms.

Treaties, and non-uniform laws and contexts fuel uncertainties more than tribunals.

Investors and sovereign states are equal partners in investment contracts.

Tribunals fuel uncertainties in the field of international investment law.

What are the main debates and disagreements in this field of research?

Methodology

Doctrinal approach

Methodology

Methodology

**The Problem**

nnkvb

Mixed method

Mixed method

Doctrinal approach

Methodology

SW Schill - Accountability and legitimacy in the field can be increased by conceptualising international investment law as a public law discipline that differs from both public international law and commercial arbitration.

Who are the key researchers in the field? What was their major contribution?

**Key researchers**



Rudolf Dolzer, Christoph Schreuer - traces the purpose, context, and evolution of the clauses and provisions characteristic of contemporary investment treaties, and analyses the case law, interpreting the issues raised by standard clauses.



F.V. Garcia-Amado – failure to perform contractual obligations would trigger state responsibility under international law if it involves an act in contravention of international law, not otherwise.



What gaps or weaknesses are there in the research field?

**Gaps in the research**

* How can the right balance be achieved between investment protection and host state sovereignty?
* To what extent can host states derogate from investment contracts in the pursuit of public policy?
* Does the level of host state development matter in the consideration of standards of treatment under treaty law?