

Penerapan Prinsip The Most Favoured Nation Dalam Penyelesaian Sengketa Investasi Internasional Yang Berasal Dari Bilateral Investment Treaties = Application Of The Most Favored Nation Principle In International Investment Dispute Settlement Originating From Bilateral Investment Treaties

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Abstrak

Skripsi ini mengkaji penerapan prinsip The Most Favoured Nation di dalam penyelesaian sengketa investasi internasional yang berasal dari Bilateral Investment Treaties. Melalui penelitian yuridis-normatif, skripsi ini membahas mengenai prinsip The Most Favoured Nation menurut hukum internasional, prinsip The Most Favoured Nation di dalam Bilateral Investment Treaties dan sengketa-sengketa investasi internasional yang berkaitan dengan penerapan prinsip The Most Favoured Nation menurut keputusan pengadilan dan arbitrase internasional. Hasil penelitian menunjukkan bahwa ada beberapa prinsip umum hukum internasional dan instrumen hukum internasional yang mengatur mengenai prinsip The Most Favoured Nation di bidang investasi, ragam ketentuan prinsip The Most Favoured Nation di dalam Bilateral Investment Treaties serta adanya perdebatan tentang penerapan prinsip The Most Favoured Nation di dalam sengketa investasi internasional.

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This study discusses about the application of the Most Favoured Nation principle in international investment dispute settlement originating from Bilateral Investment Treaties. Through juridical-normative research, this study elaborates about the Most Favoured Nation principle under international law, the principle of the Most Favoured Nation principle in the Bilateral Investment Treaties and international investment disputes related to the application of the Most Favoured Nation principle according to the decisions of international courts and international arbitration. The research of this study shows some general principles of international law and international legal instruments that governs the Most Favoured Nation principle in investment field, diversity of the Most Favoured Nation provisions in Bilateral Investment Treaties and debates about the application of the Most Favoured Nation principle in international investment disputes.