

Analisis terhadap lingkup indirect expropriation dalam bilateral investment treaty P4M = An analysis on the scope of indirect expropriation in bilateral investment treaty P4M

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Abstrak

[Bilateral Investment Treaty merupakan perjanjian internasional antara dua negara yang berfungsi untuk melindungi kepentingan investor asing dan host state. Klausul ekspropriasi merupakan salah satu klausul penting dalam BIT guna melindungi hak investor asing dari perampasan property secara langsung maupun kerugian lain yang mungkin timbul. Ekspropriasi terbagi menjadi indirect expropriation dan indirect expropriation. Thesis ini mencoba menganalisis ruang lingkup dari indirect expropriation dalam hubungannya dengan kedaulatan negara

dalam mengambil kebijakan berdasarkan pada hukum internasional; Bilateral Investment Treaty is a treaty between two States which functions to protect investor's interest, as well as, the host state's. Expropriation clause is one of the important clauses in BITs to protect the right of foreign investor from the act of confiscation of property directly, and its subsequent injuries. Expropriation consists of direct expropriation and indirect expropriation. This thesis tries to

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