



1st Brazil-Germany International Investment Law Seminar

Diplomatic Protection
Kemil Jarude

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Summary

Definition of Diplomatic Protection

Requirements for application of diplomatic protection

How the new CFIs aims to prevent diplomatic protection

Diplomatic Protection

Distiguishing Diplomatic Protection

Not recognition of *actio popularis* in Public International Law

Diplomatic Protection as a legal fiction

Requirements

Exhaustion of local remedies

Diallo case

Effective and continuous nationality

Incorporation test

Siege social test

Control test

Barcelona Traction case

CFI Model and Diplomatic Protection

ICSID as autonomy for investors

The Tokyo No

CFI as alternative to ICSID and other BIT models



Thank you!

kemiljarude@gmail.com