

Contents

| | | |
|---|--|---|
| 1 | Introduction..... | 1 |
| | <i>Jason Fry and Louis-Alexis Bret</i> | |

Part I: Key Issues in Mining Arbitration

| | | |
|---|--|----|
| 2 | Stabilisation Provisions in Long-Term Mining Agreements | 13 |
| | <i>Sam Luttrell and Amanda Murphy</i> | |
| 3 | Arbitration of Social Disputes in Connection with Mining Projects | 40 |
| | <i>Henry G (Harry) Burnett and Fernando Rodríguez-Cortina</i> | |
| 4 | The Rise of Environmental Counterclaims in Mining Arbitration..... | 51 |
| | <i>Yasmine Lahlou, Rainbow Willard and Meredith Craven</i> | |
| 5 | Valuation of Non-Producing Mineral Properties | 68 |
| | <i>Damien Nyer and Xuefeng Wu</i> | |
| 6 | Arbitration under Long-Term Mining Offtake Contracts and Royalty Arrangements | 83 |
| | <i>Simon Greenberg and Karolina Rozycka</i> | |

Part II: Applicable Substantive Principles

| | | |
|---|---|-----|
| 7 | Australian Reflections on International Mining Arbitration..... | 97 |
| | <i>Kanaga Dharmananda SC, Timothy Paul O'Leary and Marshall Timothy McKenna</i> | |
| 8 | Human Rights and International Mining Disputes..... | 109 |
| | <i>Rae Lindsay and Anna Kirkpatrick</i> | |
| 9 | The Role of Economic Experts in Mining Arbitration..... | 130 |
| | <i>Manuel A Abdala and Pablo D López Zadico</i> | |

Part III: Regional Issues in Mining Arbitration

| | | |
|------------|---|-----|
| 10 | Mining Arbitration in Africa | 143 |
| | <i>Philippe Hameau, Janice Feigher, Marc Robert and Chloé Deydier</i> | |
| 11 | Mining Arbitration in the Asia-Pacific..... | 156 |
| | <i>Aloysius Llamzon and William Panlilio</i> | |
| 12 | Mining Arbitration in Central Asia..... | 167 |
| | <i>Sabrina Ainouz, Jérôme Lehucher and Victor Datry</i> | |
| 13 | Mining Arbitration in Latin America: Social and Environmental Issues in Investment Arbitration Cases | 183 |
| | <i>Arif Ali, Érica Franzetti, José Manuel García Represa and Eduardo Silva Romero</i> | |
| 14 | Conclusion..... | 205 |
| | <i>Jason Fry and Louis-Alexis Bret</i> | |
| Appendix 1 | About the Authors..... | 209 |
| Appendix 2 | Contributors' Contact Details | 223 |