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Abstract

Abuse of Rights in International Law

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Abuse of rights means “discrimination” and “arbitrariness” in the exercise of rights. The prohibition of abuse of rights reflects the legitimate expectations of participants in a special legal regime. In two special legal regimes – the World Trade Organization regime and the international investment regime – the concept of abuse of rights protects special public interests, namely, foreign trade and foreign investment.

Keywords: abuse of rights, arbitrariness, discrimination, exercise of rights, international investment arbitration, international investment law, international law, public interest, special legal regime, World Trade Organization.