

Course title	International Investment Law 2				
Teacher(s)	Walid BEN HAMIDA, TAMADA Dai			開講区分	単位数
				2nd semester	2.0
Numbering Code	J2ML600	Day・Period	Other	Timetable Slot Code	3J389

Lesson topic

In recent years, governments around the world have negotiated a vast network of treaties designed to stimulate foreign investment. These treaties give substantial rights and protections to covered investors, and it is important for anyone involved in international business to be familiar with them. Meanwhile, the activities of multinational enterprises are increasingly attracting controversy because of their potential adverse impacts on the environment and local communities.

Lesson target

This seminar explores investment treaties and other international law governing the treatment and regulation of foreign investment, as well as the challenge of balancing the competing interests and goals implicated by foreign investment, including investor rights and protections, economic development, the sovereignty of host states, protection of the environment, and human rights. Consideration is also given to ICSID and dispute settlement mechanisms.

Syllabus and plan

- Team preparations
- Negotiation sessions
- Reporting back and discussions

1. EVOLUTION OF THE SYSTEM AND CURRENT DEBATE
2. SOURCES OF INVESTMENT LAW
3. THE EMERGENCE OF INVESOR-STATE ARBITRATION AND THE SUCCESS OF THE ICISID
4. JURISDICTION OF ICSID
5. THE PRACTICE OF INVESTMENT ARBITRATION
6. THE SCOPE OF THE INVESTMENT AGREEMENTS (PROTECTED INVESTOR AND PROTECTED INVESTMENT)
7. STANDARDS OF TREATMENT (PREAMBLE, ADMISSION CLAUSE, FAIR AND EQUITABLE TREATMENT, PROTECTION AND SECURITY).
8. STANDARDS OF TREATMENT (MOST FAVORED NATION CLAUSE, NATIONAL TREATMENT, UMBRELLA CLAUSE, EXPROPRIATION).
9. STANDARDS OF TREATMENT (EXPROPRIATION)
10. GROUP NEGOTIATION EXERCISE, INVESTMENT STREAM

Evaluation method

- To prepare the seminar, students are expected to read the reference indicated under (a) required readings. No further work requested.
- Attendance and class participation 60%.
- A short paper on an issue selected with the Professor

Evaluation baseline

With the method stated above, grades will be determined in accordance with the degrees of achievement of the objectives.

Notice (include info. on related class)

More detailed information will be provided to students who register and attend the course.

Review and preparation

TBA

Office hour · Contact information

To be announced during the seminar

Message for student

M/A

Improvements in Teaching

Text

Principles of International Investment Law, Second Edition, 456 p / Rudolf Dolzer, Christoph Schreuer : Oxford University Press ,2012 ,ISBN:
International Investment Arbitration: Substantive Principles, Second Edition, 520 p / Campbell McLachlan, Laurence Shore, Matthew Weiniger : Oxford University Press ,2017 ,ISBN:
Law and Practice of Investment Treaties: Standards of Treatment, pp: xix - 598 / Andrew Newcombe, Lluís Paradell : Kluwer Law International ,2009 ,ISBN:

Reference Material

TBA

TBA / : , , ISBN:

TBA / : , , ISBN:

TBA / : , , ISBN:

Classroom Language

English

Keywords