

Course title	International Investment Law 1				
Teacher(s)	TAMADA Dai, James Claxton, Julien CHAISSE			開講区分	単位数
				2nd semester	2.0
Numbering Code	J2ML600	Day・Period	Other	Timetable Slot Code	3J340

Lesson topic

The law of investor-State dispute settlement (ISDS), especially investment arbitration, has become influential and not negligible in the international law field, from the academic and practical viewpoints. It covers a lot of issues, such as expropriation, regulatory power, national treatment, most-favoured-nation treatment, umbrella clauses, and compensation among others. As a consequence, international investment law is of increasing importance for students who have a plan to be involved in transnational business.

Lesson target

The course is aimed to introducing to students to the main regimes and mechanisms of international investment law and their operation in practice. By the end of this course, participants will be able to understand the basic structure of international investment law and arbitration, and the recent trends of regional economic agreements (such as TPP, CPTPP, NAFTA, CETA) that include investment chapters.

Syllabus and plan

Fifteen lectures will cover the legal framework regulating foreign investment and will be provided by three professors. (1) Lessons 1 to 4 (by Professor Tamada) will touch upon the basic structure of ISDS and some recent FTAs, including CPTPP, CETA, EVFTA and so on. In addition, he will provide the attendants with introduction to case-law of investment arbitration. (2) Lessons 5 to 12 (by Professor Chaisse) will focus on the substantive aspects of investment protection, including national treatment, most-favoured-nation treatment, expropriation, fair and equitable treatment, full protection and security, umbrella clauses, and exceptions. (3) Lessons 13 to 15 (by Professor Claxton) will treat remaining issues of investment law and arbitration, including challenges to the legitimacy of the present system and the relationship between international investment law and other fields of law.

Evaluation method

Attendance and class participation 20%; term paper/presentation 80%

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)

Prior to taking this course, students are expected to have learned public international law, international commercial law or international commercial arbitration. The detailed course syllabus including lecture materials will be distributed to students later. This course is recommended for students who wish to work in their own government (government officials), lawyers, arbitrators, practitioners, and academics.

Review and preparation

Read the assigned materials and prepare the proposed questions before each lecture. The details will be announced at the first session.

Office hour・Contact information

Contact details will be announced during lectures.

Message for student

We look forward to the students' active participation in class.

Improvements in Teaching

Text

The International Law on Foreign Investment, 3rd edition / M. Sornarajah : Cambridge University Press ,2010. , ISBN:

Reference Material

Classroom Language

English

Keywords

Investment Law, Investment Arbitration, ISDS, International Law