

Course title	International Investment Law				
Responsible person to enter grades	Nikos LAVRANOS、KAWASHIMA Fujio			開講区分	単位数
				1st semester	2.0
Numbering Code		Day・Period, etc.	Other(遠隔)	Timetable Slot Code	1J375

Lesson topic

This course will cover the main elements of “international investment law” and “investment treaty arbitration”. In addition, recent developments in Europe, in Asia and within the UNCITRAL Working Group III will be covered. Moreover, at the end of the course a Mock Arbitration case will be done by the students in order to apply their theoretical knowledge into practice.

Lesson target

Upon completing the course, Students will have an understanding of the following topics and be able to apply them in practice:

- Introductory principles of International Investment Law
- Protection Standards contained in investment treaties
- Procedural aspects of investment treaty arbitration
- The arbitration process
- Recognition, enforcement, annulment, setting aside procedures
- Recent developments in International Investment Law

Syllabus and plan

There will be a total of fifteen lectures (online in real time) covering the following topics.

Week 1 (May 15, May 17)

- Introduction into International Investment Law
- Background on the Japanese entry into the international system
- History and sources of International Investment Law

Week 2 (May 22, May 24)

- Protection Standards contained in investment treaties

Week 3 (May 29, May 31)

- Public interests limitations on foreign investors' protection
- Obligations to protect and respect public interests

Week 4 (June 5, June 7)

- Procedural aspects of investment treaty arbitration

Week 5 (June 12, June 14)

- The arbitration process

Week 6 (June 19, June 21)

- Recognition, enforcement, annulment, setting aside procedures

Week 7 (June 26, June 28)

- Recent developments in International Investment Law
- Q&A session

Week 8 (July 3)

- Mock Arbitration

Evaluation method

Your final grade will be calculated according to the following process:

Final Essay 60%, in-class contribution: 20%, Mock arbitration performance: 20%

Evaluation baseline

Students should be able to explain the main concepts and definitions of “international investment law” and “investment treaty arbitration” as well as recent developments in those areas.

The Final Essay should be completed with appropriate research questions, hypotheses, logical arguments, evidence based on the discussion in the course. References are also required.

Notice (include info. on related class)

Prior to taking this course, students are expected to have advanced knowledge of public international law, international economic/trade law and preferably EU law.

Review and preparation

Preparation: Read all the assigned materials (the Textbook chapters and the PowerPoint slides) and prepare the case-law before each lecture.

Review: Read the materials again and develop better understanding of the topics covered during the course.

Office hour · Contact information

Contact details will be announced during the course.

Message for student

Please make sure that you have the Textbook before the course starts.

Slides will be made available to students before each class.

The two classes in the week will be structured as follows: the first class will introduce the topic of the week and cover the topic on a general level. The second class will allow for more discussion with students and any assignments will be presented in that class.

Improvements in Teaching

Text

Rules and Practices of International Investment Law and Arbitration / Yannick Radi : Cambridge University Press ,2020 , ISBN:

Reference Material

1. ICSID Convention (2022),
https://icsid.worldbank.org/sites/default/files/documents/ICSID_Convention.pdf
2. UNCITRAL Arbitration Rules,
<https://docs.pca-cpa.org/2016/01/UNCITRAL-2013-English.pdf>
3. New York Convention (1958),
<http://www.newyorkconvention.org/11165/web/files/original/1/5/15432.pdf>
4. CPTPP,
<https://www.dfat.gov.au/trade/agreements/in-force/cptpp/official-documents/Pages/official-documents>
5. EU-JAPAN FTA
https://www.mofa.go.jp/policy/economy/page6e_000013.html
6. EU-Singapore FTA
7. <https://trade.ec.europa.eu/access-to-markets/en/content/eu-singapore-free-trade-agreement>7. RCEP
<https://rcepsec.org/legal-text/>
8. CETA
<https://ec.europa.eu/trade/policy/in-focus/ceta/ceta-chapter-by-chapter/>
9. NAFTA/USMCA
<https://ustr.gov/trade-agreements/free-trade-agreements/united-states-mexico-canada-agreement/agreement-between>
10. ECT (1994)
<https://www.energycharter.org/fileadmin/DocumentsMedia/Legal/ECTC-en.pdf>
11. ECT (revised 2022 text, not yet adopted)
<https://www.energycharter.org/fileadmin/DocumentsMedia/CCDECS/2022/CCDEC202210.pdf>
12. Dutch Model BIT text (2019)
<http://arbitrationblog.kluwerarbitration.com/wp-content/uploads/sites/48/2020/05/new-model-Netherlands-BIT.pdf>

Reference URLs

<http://arbitrationblog.kluwerarbitration.com/>
<https://efila.org/>

Classroom Language

English

Keywords

International Law; Foreign Investment; International Arbitration; Exchange Student