



COURSE UNIT (MODULE) DESCRIPTION

Course unit (module) title	Code
INTERNATIONAL INVESTMENT LAW AND ARBITRATION	12977

Lecturer(s)	Department(s) where the course unit (module) is delivered
Coordinator: Lect. dr. Rimantas Daujotas Other(s):	Vilnius University, Faculty of Law, Department of Private Law Saulėtekio av. 9, Building 1, LT-10222, Vilnius, 311 room, phone (8 5) 236 6170, e-mail: ptkatedra@tf.vu.lt

Study cycle	Type of the course unit (module)
Second	Optional

Mode of delivery	Period when the course unit (module) is delivered	Language(s) of instruction
Face-to-face	Autumn semester	English

Requirements for students	
Prerequisites: international public law	Additional requirements (if any):

Course (module) volume in credits	Total student's workload	Contact hours	Self-study hours
5	133	32	101

Purpose of the course unit (module): programme competences to be developed		
<p>The aim of the course is to assist students to develop comprehensive understanding of the issues involved in the regulation of trans-border investment, to develop abilities to assess the nature and function of the various legal instruments, mechanisms and processes constituting international investment law, as well as to apply them, to develop abilities to critically analyze the key issues of the substantive investment law.</p>		
Learning outcomes of the course unit (module)	Teaching and learning methods	Assessment methods
Students will be able to individually identify and thoroughly explain the nature and function of the various legal instruments, mechanisms and processes constituting international investment law.	Lectures, exercises and individual work	Active participation in exercises Essays Presentations
Students will understand the main jurisdictional aspects of an investor-state dispute and competence of the tribunal, standards and guarantees of the investors' protection, as well as to apply the elements of procedural aspects of investor-state arbitration.	Lectures, exercises and individual work	Active participation in exercises Essays Presentations
Students will be able to systemically analyse key problems in the international investment sector on the basis of scholarly debate and case-law.	Lectures, exercises and individual work	Active participation in exercises Essays Presentations
Students will be able to systemically interpret legal sources of the international investment law (inter alia, bilateral and multilateral investment treaties, customary international law, public policy), as well as to apply relevant rules and regulations in support of their legal decisions.	Lectures, exercises and individual work	Active participation in exercises Essays Presentations
Students will be able to argue their position in written or orally, support their arguments by relevant case-law, and convey their ideas in a critical and reasonable manner.	Exercises and individual work	Active participation in exercises Essays Presentations
Students will be able to enhance acquired knowledge and abilities independently, inter alia, to use legal information data bases and other sources, to select relevant theoretical and practical material, and to substantiate their own conclusions by the achievements of jurisprudence.	Exercises and individual work	Active participation in exercises Essays Presentations End-of-term essay

Content: breakdown of the topics	Contact hours							Self-study work: time and assignments	
	Lectures	Tutorials	Seminars	Exercises	Laboratory work	Internship/work placement	Contact hours	Self-study hours	Assignments
1. Bilateral & Multilateral treaties & Free trade agreements	2			1			3	9	Reading, preparation for presentation & essay
2. Notion of investor – natural persons	1			1			2	8	Reading, preparation for presentation & essay
3. Notion of investor – legal persons	1			1			2	8	Reading, preparation for presentation & essay
4. Notion of investment	1			1			2	8	Reading, preparation for presentation & essay
5. Fair & Equitable Treatment (FET)	2			1			3	9	Reading, preparation for presentation & essay
6. Full protection and security	2			1			3	8	Reading, preparation for presentation & essay
7. Expropriation & nationalization	2			1			3	8	Reading, preparation for presentation & essay
8. Creeping expropriation	2			1			3	8	Reading, preparation for presentation & essay
9. ICSID procedure	2			1			3	9	Reading, preparation for presentation & essay
10. Damages & arbitration costs	2			1			3	9	Reading, preparation for presentation & essay
11. Recognition and enforcement of the award	1			1			2	8	Reading, preparation for presentation & essay
12. International investment law & EU law	2			1			3	9	Reading, preparation for presentation & essay
Total	20			12			32	101	Reading, preparation for presentation & essay

Assessment strategy	Weight, %	Deadline	Assessment criteria
Active participation in exercises	10%	During semester	The assessment will be based on the capability to effectively orally present and discuss the topics of international investment law, to raise important questions, to provide own legal insights and arguments in a logical and structured manner, to critically assess the discussed legal issues, to provide other critical remarks as well as to contribute to other participants' ideas.
Presentation of assigned topic	30%	During semester	The assessment of an assigned topic will be based on: - work content (comprehensive problem analysis, proper source application, critical analytical thinking, conclusion/recommendation formulation); - work presentation (clear structural parts, concentrated work presentation, adhesive scientific language, the use of informative visual aids); - efficient and active participation in discussion, answering to questions.
Mid-term essay	30%	During semester	The assessment of essay will be based on the student's capability to provide arguments in a clear, structured, logical manner, to base his/her arguments on relevant legal provisions and case-law, to provide his/her own insights and to base them on his/her own reasonable and convincing argumentation, to use scientific language style.
End-of-term essay	30%	End of semester	The assessment of essay will be based on the student's capability to provide arguments in a clear, structured, logical manner, to base his/her arguments on relevant legal provisions and case-law, to provide his/her own insights and to base them on his/her own reasonable and convincing argumentation, to use scientific language style.

Author	Year of publication	Title	Issue of a periodical or volume of a publication	Publishing place and house or web link
Compulsory reading				
Ch. Schreuer	2009	<i>The ICSID Convention: A Commentary (2nd edition)</i>		Cambridge University Press Cambridge
M. Sornarajah	2018	<i>International Law on Foreign Investment (4th edition)</i>		Cambridge University Press Cambridge
Andrew Newcombe & Lluís Paradell	2009	<i>Law and Practice of Investment Treaties – Standards of Treatment</i>		Wolters Kluwer
Optional reading				
Rudolf Dolzer and Christoph Schreuer	2012	<i>Principles of International Investment Law (2nd edition)</i>		New York: Oxford University Press
Peter Muchlinski, Federico Ortino, & Christoph Schreuer	2008	<i>The Oxford Handbook of International Investment Law</i>		Oxford: Oxford University Press
		Investment Treaty Arbitration: http://www.italaw.com/		
		ICSID: http://icsid.worldbank.org/ICSID/Index.jsp		
		International Investment Agreements Navigator: http://investmentpolicyhub.unctad.org/IIA		