

ICSID at 50: Investment Arbitration as a Motor of General International Law?

– Frankfurt Investment Law Workshop 2016 –

Goethe University Frankfurt am Main, Germany
Campus Westend, Theodor-W.-Adorno-Platz 4, Frankfurt, Lecture Hall HZ 14

11 and 12 March 2016

For many decades, international investment law and investor-State arbitration have been seen as highly specialized, even exotic, legal disciplines. Meanwhile international investment law is slowly, but steadily, moving mainstream with increasing numbers of investment treaties, proliferating investment disputes, the negotiation of mega-regionals, such as the Transatlantic Trade and Investment Partnership or the Trans-Pacific Partnership, and the ensuing public debates. These developments not only lead to increasing attention to investment law among general international lawyers. They are likely also to be reflected in an increasing contribution of investment law and investor-State arbitration to the development of international law. At the occasion of the 50th anniversary of the entry into force of the ICSID Convention, the 2016 Frankfurt Investment Law Workshop inquires whether, and to what extent, international investment law and investor-State arbitration are 'engines of legal development' and have radiating effect in general international law. Topics addressed are the contribution of investment law and investor-State arbitration to the international law of dispute settlement, the law of treaties, and state responsibility.

Friday, 11 March 2016

20.00 **Welcome Reception and Buffet**

Keynote Address

Christoph Schreuer (University of Vienna)

The Development of International Law by ICSID Tribunals

Saturday, 12 March 2016

09.00 **Opening Remarks and General Introduction**

Rainer Hofmann (Goethe University Frankfurt am Main)

Stephan Schill (University of Amsterdam)

09.30 **Panel 1: The Contribution of Investment Arbitration to the International Law
of Dispute Settlement**

Chair: **Hélène Ruiz Fabri (Max Planck Institute, Luxembourg)**

Kate Parlett (20 Essex Street, London)

Nationality of Claims and Standing

James Devaney (University of Glasgow)

Procedural Law (Evidence, Provisional Measures, Challenges, etc.)

Maxi Scherer (Queen Mary University of London and WilmerHale LLP, London)

Review and Implementation of Awards (Including Enforcement)

– Coffee break –

11.15 **Panel 2: The Contribution of International Investment Law to the Law of Treaties**

Chair: Sir Frank Berman (Essex Court Chambers, London)

Julie Maupin (Max Planck Institute, Heidelberg)

Scope of Application of Treaties

Antonios Tzanakopoulos (University of Oxford)

Invalidity, Termination and Suspension of Treaties

Christian Tams (University of Glasgow)

State Succession to Treaties

– Lunch break –

14.00 **Panel 3: The Contribution of International Investment Law to the Law of State Responsibility**

Chair: Bruno Simma (Iran-United States Claims Tribunal, The Hague)

Stephan Wittich (University of Vienna)

Attribution of Conduct

Federica Paddeu (University of Cambridge)

Circumstances Precluding Wrongfulness (Including Waiver)

Dirk Pulkowski (Permanent Court of Arbitration, The Hague)

Remedies for Wrongful Conduct

– Coffee break –

15.45 **Closing Discussion: International Investment Law and the Structure of the International Legal System**

Sir Frank Berman, Hélène Ruiz Fabri, Bruno Simma

Registration: To register please get in touch with Ms. Sabine Schimpf, Merton Centre for European Integration and International Economic Order, Email: S.Schimpf@jur.uni-frankfurt.de, Tel.: + 49 (0) 69 798 34293, Fax: +49 (0) 69 798 34515, by 28 February 2016.