

ILA Committee on “Rule of Law and International Investment Law”
Workshop: Investment Protection Standards and the Rule of Law

Vienna, 3 December 2018

9:00 – 18:10

Top floor of the Juridicum building
Schottenbastei 10-16
1010 Wien

Introduction and Conceptual Framework

9:00-9:15 Welcome and organizational aspects

9:15-9:30 Investment Protection Standards and the Rule of Law: Working Definition and Function of the Rule of Law in the Investment Treaty Regime (*Schill/Reinisch*)

Substantive Standards of Treatment: Rule of Law Demands for Domestic Legislative and Administrative Action

9:30-10:10 Fair and Equitable Treatment, Prohibition of Arbitrary and Unreasonable Measures (*Paparinskis*)

10:10-10:50 Legitimate Expectations (*Henckels*)

10:50-11:00 Coffee Break

11:00-11:40 (Direct and Indirect) Expropriation (*Bungenberg*)

11:40-12:20 Full Protection and Security (*Yannaca-Small*)

12:20-13:00 National and Most-Favoured-Nation Treatment (*Whitsitt*)

13:00-14:00 Lunch Break

14:00-14:40 Umbrella Clauses (*de Nanteuil*)

14:40-15:20 Capital Transfer Provisions (*Menkes*)

15:20-16:00 Regulatory Transparency/Transparency in Substantive Investment Protection
(*Chi*)

16:00-16:10 Coffee Break

Substantive Standards of Treatment: Rule of Law Demands of the Domestic Judiciary

16:10-16:50 Investment Protection Standards and the Domestic Judiciary (Denial of Justice,
Judicial Expropriation, Effective Protection) (*Kriebaum*)

Interfaces between International Investment Law, National Law, and Other International Legal Regimes

16:50-17:30 “In Accordance with Host State Law”-Clauses, Inherent Legality, and Good Faith
Requirements (*Jarret*)

17:30-18:10 The Use of Investment Treaty Standards to Enforce Domestic Law and Other
International Legal Regimes (*Živković*)

To register for the workshop please send an e-mail to martina.mittermayer@univie.ac.at.