

**INTERNATIONAL INVESTMENT LAW CENTRE  
COLOGNE  
UNIVERSITY OF COLOGNE**

**“THE FIRST TWO YEARS  
OF BUILDING THE IILCC”**

**BIANNUAL REPORT  
APRIL 2009 – MARCH 2011**



INTERNATIONAL INVESTMENT LAW CENTRE COLOGNE  
UNIVERSITY OF COLOGNE

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## PREFACE

This first report of the International Investment Law Centre Cologne (IILCC) comprehends the build-up phase since its unofficial inauguration in the form of a conference in September 2008, its official foundation in April 2009 as an institute of the law faculty of Cologne University and its subsequent activities until March 30, 2011. During this period the Centre has made an effort to lay the groundwork for on-site projects and activities. It has launched projects intended to put the Centre on the academic map of International Investment Law and spread its reputation as research and teaching institution in the international investment arbitration community. The following aspects will thus be reported on:

- the organisational structure of the Centre (A.),
- university teaching (B.),
- the successful participation in moot court competitions (C.),
- the supervision of doctoral dissertations (D.),
- research projects (E.),
- conferences and inter-regional seminars (F.),
- speeches and presentations (G.),
- publications (H.),
- its library creation and expansion (I.),
- cooperation with other institutions (J.),
- the support of the Centre by the Generali Zukunftsfonds and the Stifterverband für die deutsche Wissenschaft (K.),
- the Association of Friends & Supporters of the IILCC (IILCC Förderverein) (L.), and
- an outlook for the remainder of 2011 (M.).

## **A. Organisational structure of the IILCC**

### ***The Advisory Board***

The Centre has an Advisory Board which advises on the Centre's future strategies.

The Advisory Board consists of:

Professor Dr Karl-Heinz Böckstiegel  
*Arbitrator, sole practitioner; member of the law faculty of Cologne University as Professor Emeritus*

Mr Tillmann Rudolf Braun  
*Federal Foreign Office, Coordination Unit, Economic and Foreign Economic Policy, Berlin, Germany*

Professor Dr Barbara Dauner-Lieb  
*University of Cologne, Germany, Chair of Civil Law, Commercial and Corporate Law, Labour Law and European Private Law; Director, Institute of Labour and Economic Law; Judge at the Constitutional Court of Northrhine-Westphalia*

Dr Richard Happ  
*Partner, Luther Law Firm, Hamburg, Germany*

Mr Ulrich W. Klemm  
*General Counsel, Deutsche Investitions- und Entwicklungsgesellschaft mbH, Cologne, Germany*

Professor Dr August Reinisch  
*University of Vienna, Austria, Vice Dean of the Law Faculty; Head of the Section for International Law and International Relations*

Professor Dr Andreas Schlüter  
*Generalsekretär, Stifterverband für die Deutsche Wissenschaft, Essen*

Professor Dr Christian Tietje  
*Martin Luther University, Halle-Wittenberg, Germany, Professor for European Law and International Economic Law; Director of the Institute for Economic Law; Director of the Transnational Economic Law Research Centre (TELC)*

More detailed information on the members of the Advisory Board can be found on the Centre's website at <http://www.iilcc.uni-koeln.de>.

### ***The Board of Directors***

The Centre is headed by a Board of Directors which consists of the following professors of the law faculty of Cologne University:

*Professor Dr Stephan Hobe, LL.M. (McGill)*

Professor Dr Stephan Hobe is a Director at the International Investment Law Centre Cologne (IILCC) and the Director of the Institute of Air and Space Law of Cologne University. Furthermore, he holds the Chair for Public International Law, European Law, European and International Economic Law at Cologne University.

He teaches public international law, international economic law including the law of the WTO and International Investment Law, European Union law and air and space law.

He has published about 25 books as author or editor and 220 articles on constitutional law, public international law, European and international economic law as well as air and space law.

Professor Hobe is also a member of the ICSID Panel of Arbitrators, having been nominated by the Federal Republic of Germany.

He serves on the Board of Directors of the German Branch of the International Law Association (ILA) as well as the boards of various other international organizations and institutions, inter alia the Council of the German Society of International Law.

*Professor Dr Bernhard Kempen*

Professor Dr Bernhard Kempen is one of the Directors of the International Investment Law Centre Cologne (IILCC) and of the Institute for German and European Science Law at the University of Cologne, where he also holds the Chair of the Institute of Public International and Foreign Public Law.

He lectures on both international and national law, including the law of the WTO, International Investment Law, European law, and German constitutional and administrative law.

Professor Kempen has published numerous books and articles on various aspects of public law and has contributed to commentaries on European and German Constitutional law.

He is also the President of the German Association of University Professors and Lecturers (Deutscher Hochschulverband (DHV)) and a member of numerous associations related to both domestic as well as international public law.

*Professor Dr Heinz-Peter Mansel*

Professor Dr Heinz-Peter Mansel is a Director at the International Investment Law Centre Cologne (IILCC) and the Director of the Institute of Foreign Private and Private International Law of Cologne University. Furthermore, he holds the Chair for Private Law, Private International Law, Civil Procedure Law and Comparative Law of the University of Cologne.

He teaches international private and international civil procedure law including international investment law, contract law and comparative law. His publications are listed under <http://www.ipr.uni-koeln.de>.

He is the President of the German Council of International Private Law (Scientific Council in connection with the German Ministry of Justice), the Chairman of the Review Board for Jurisprudence of the German Research Foundation (DFG), member of the board of the German-Turkish Lawyer Society, member of the Académie Internationale de droit comparé, the Società italiana degli Studiosi del

diritto civile, the International Association of Procedural Law and of various other associations.

*Professor Dr Burkhard Schöbener*

Professor Dr Burkhard Schöbener is one of the Directors of the International Investment Law Centre Cologne. He also holds the Chair for Public Law, Public International Law and European Law of the University of Cologne. His research focuses on International Economic Law (including WTO and International Investment Law) as well as German and European Economic Law. He publishes articles and papers on these subjects on a regular basis.

Professor Schöbener is also the President of the Association of Friends & Supporters of the IILCC (IILCC Förderverein).

***The Board of Academic Advisors***

Furthermore, the Centre has a Board of Academic Advisors from academia and practice.

The following persons have been members of the Board since September 2008:

Dr Lars Markert, LL.M. (Georgetown)  
*Associate, Gleiss Lutz, Stuttgart, Germany*

Dr Markus Perkams  
*Associate, Skadden, Arps, Slate, Meagher & Flom, London, United Kingdom*

Mr André von Walter, LL.M., MPA  
*Political advisor for international investment and corporate social responsibility, Ministry of Foreign Affairs, Paris, France*

Since December 2009, the following persons have joined the Board of Academic Advisors:

Professor Dr Marc Bungenberg, LL.M. (Lausanne)  
*Chair for Public Law and European Law, University of Siegen,  
Germany*

Dr Steffen Hindelang, LL.M. (Sheffield)  
*Senior Research Associate and Lecturer, Humboldt University Berlin,  
Germany*

More detailed information on the members of the Board of Academic Advisors can be found on the Centre's website at <http://www.iilcc.uni-koeln.de>.

#### ***Staff from September 2008 to December 2010***

Thanks to the generous support of the RheinEnergieStiftung regarding the *Digest of International Investment Jurisprudence* as well as the Generali Zukunftsfonds and the Stifterverband für die Deutsche Wissenschaft regarding the financing of the Centre since July 2010 the following persons were part of the Centre's staff.

During the period covered in this report, the Centre had limited resources with which it financed its part-time staff:

- Dr Jörn Griebel was employed at the Centre from May 2008 to December 2009 and has been employed as Junior Professor at the Centre since July 2010.
- Peter-Paul Urlaub has worked as student research assistant at the Centre since August 2008.
- From September 2008 to April 2009, Levent Sabanogullari was employed as student research assistant. He returned as research assistant and moot court coach from September 2010 to April 2011, financed by the Kölner Gymnasial- und Stiftungsfonds.



- Karolina Piatkowski was employed as student research assistant and moot court coach from September 2008 to April 2009. Her involvement as coach of the Centre's moot court team was made possible by the support of the Kölner Gymnasial- and Stiftungsfonds.
- Since May 2010, Christoph Hölken has been working at the Centre as research assistant.
- As of January 2011, Yun-I Kim started working at the Centre as research assistant.
- Eva Frackowiak was employed at the Centre from November 2008 to May 2009 as librarian and returned in February 2011.

### **B. Teaching: Lectures, Seminars**

The Centre offers a broad range of courses on international investment law as well as international economic law. It offers an introductory course in International Investment Law every winter semester covering the standards of protection and procedural issues in two separate classes. Attendance is rated with two credit points per class at Cologne University and students may take this subject as part of their specialisation in pursuit of a master's degree in business law. The courses offered by the Centre are complemented by further specialised classes and seminars on current issues in International Investment Law which are offered by the Centre on a regular basis.

The following is a brief overview of the lectures and seminars that have been offered since the foundation of the Centre:

#### *Winter Semester 2008/2009*

- Seminar on International Investment Law: Country reports and model investment treaties (Dr Jörn Griebel)
- International Investment Law (Dr Jörn Griebel)

*Summer Semester 2009*

- Seminar on current challenges of International Investment Law (Dr Jörn Griebel)
- International Investment Law I – the substantive standards of protection (Dr Jörn Griebel)
- International Investment Law II – procedural issues before international arbitral tribunals (Dr Jörn Griebel)

*Winter Semester 2009/2010*

- International economic law (Professor Kempen)
- Legal aspects of transnational loan financing (Ulrich Klemm)
- Precedents in International Investment Law (Markus Perkams)
- Treaty and contract drafting in International Investment Law (Dr Jörn Griebel)
- Seminar: The Treaty of Lisbon and its impact on International Investment Law (Dr Jörn Griebel)

*Summer Semester 2010*

- International Economic Law (Professor Schöbener)
- International Investment Law I – the substantive standards of protection (Dr Jörn Griebel)
- International Investment Law II – procedural issues before international arbitral tribunals (Dr Jörn Griebel)

*Winter Semester 2010/2011*

- International economic law (Professor Kempen)
- Treaty drafting in International Investment Law (Jr. Professor Griebel)
- Seminar on legal issues regarding the Nabucco pipeline (Professor Ehrlicke, Professor Hobe, Jr. Professor Griebel)

- Advanced seminar on issues of international law (Professor Schöbener)
- Advanced seminar on issues of private international law (Professor Mansel)

### **C. Moot Courts**

Since its foundation the Centre has managed to prepare and train a team to take part in moot court competitions every year. This has been made possible thanks to the generous and continuous support of the *Kölner Gymnasial- und Stiftungsfonds*.

In the academic year of 2008/2009 the Centre participated successfully in the second Frankfurt Investment Arbitration Moot Court, beating the University of Kiev and the University of Frankfurt in the preliminary oral rounds as well as achieving a draw against Georgetown University who finished on an overall second place in the competition. The team which consisted of Mr Samir Felich, Mr Sören Flecks, and Mr Majid Salehi narrowly missed the quarter finals, achieving the ninth rank. It was supervised by Ms Karolin Piatkowski de Grzymala, Ms Yun-I Kim and Dr Jörn Griebel.

The Centre sent its first team to the Foreign Direct Investment International Moot Competition (FDI) in 2009. The members of the team were Mr Sören Flecks, Ms Yun-I Kim, and Mr Majid Salehi. They finished the competition as best non-native speaking team on an overall 4<sup>th</sup> rank. Their written submissions were ranked 4<sup>th</sup> (memorial) and 6<sup>th</sup> (counter-memorial) place. The 2009 team was supervised by Dr Jörn Griebel and Ms Karolin Piatkowski de Grzymala.

In 2010 the Centre once again sent a team to the third Foreign Direct Investment International Moot Competition. The team was composed of Ms Nina Hager, Mr Fabian Helmke-Becker, and Mr Marcel Kreutz and was supervised by Mr Levent Sabanogullari and Jr. Professor Jörn Griebel. The team performed admirably in the oral proceedings and was awarded 5<sup>th</sup> and 6<sup>th</sup> rank for their memorial and counter-memorial out of submissions from 32 teams. They were ranked overall 13<sup>th</sup> out of 32 teams.

More information on moot court competitions in investment arbitration as well as firsthand reports can be found on the Centre's website.

#### **D. Doctoral Dissertations**

Under the supervision of the members of the Board of Directors the following doctoral dissertations have successfully been completed:

L. Markert, *Streitschlichtungsklauseln in Investitionsschutzabkommen* (supervised by Professor Schöbener);

M. Perkams, *Internationale Investitionsschutzabkommen im Spannungsfeld zwischen effektivem Investitionsschutz und staatlichem Gemeinwohl* (Professor Schöbener).

In 2010, Dr Markert's dissertation was also awarded the award for the best dissertation in public law by the law faculty of Cologne University sponsored by the law firm Cornelius Bartenbach Hasemann (CBH).

Furthermore, about a dozen doctoral dissertations are in preparation in the field of International Investment Law under the supervision of the members of the Board of Directors, among them the following:

D. Beckers-Schwarz, *Multilateraler Investitionsschutz im Rahmen des WTO-Rechts* (Professor Schöbener)

T. Braun, *Der Investor als partielles Subjekt des Investitionsrechts* (Professor Hobe)

H. Bubrowski, *Die Rolle staatlicher Gerichte im Investor-Staat-Schiedsverfahren* (Professor Kempen)

B. Dehne, *Die Kontrolle der Beteiligung ausländischer Staatsfonds an deutschen Unternehmen durch das Außenwirtschaftsrecht* (Professor Schöbener)

- A. Fischbach, *Die völkerrechtliche Gewährleistung der Eigentumsgarantie als Menschenrecht auf regionaler und universeller Ebene* (Professor Schöbener)
- S. Friedrich, *The Definition of Investment under Article 25 of the Washington Convention* (Professor Mansel)
- C. Hölken, *Systemische Integration von Investitionsschutzabkommen* (Professor Schöbener)
- M. Jobst, *Der Schutz geistigen Eigentums durch bilaterale Investitionsschutzverträge* (Professor Schöbener)
- A. Schernbeck, *Die gerechte und billige Behandlung in Investitionsschutzabkommen* (Professor Schöbener)
- C. Waldemann, *Meistbegünstigungsklauseln in Investitionsschutzabkommen* (Professor Mansel)
- C. Wendler, *Corruption in Investor-State Disputes* (Professor Mansel)

## **E. Research Projects**

### *Digest of International Investment Jurisprudence*

With the generous support of the RheinEnergie Stiftung and later supported by the Association of Friends & Supporters of the IILCC (IILCC Förderverein), the Centre started compiling a Digest of International Investment Jurisprudence. This project involves putting together in the form of a digest the decisions and awards of international arbitral tribunals. The project will be available as an online database upon completion which is envisioned for mid-2011.

### *Series on International Investment Law (Schriften zum Internationalen Investitionsrecht)*

The *Series on International Investment Law* founded in 2010 comprises two series in one, both under the same title. The first series – the IILCC series – is edited by the directors of the IILCC, Professor Dr Stephan Hobe, Professor Dr Bernhard Kempen, Professor Dr Heinz-Peter Mansel and Professor Dr Burkhard Schöbener. The second series is edited by Professor Dr Marc Bungenberg, Professor

Dr Stephan Hobe, Professor Dr Reinisch, and by Professor Dr Ziegler. The series comprises three volumes already:

Volume 1: L. Markert, *Dispute Settlement Clauses in Investment Treaties*

Volume 2: M. Bungenberg/J. Griebel/ S. Hindelang (eds.), *International Investment Protection and European Law*

Volume 3: M. Perkams, *Internationale Investitionsschutzabkommen im Spannungsfeld zwischen effektivem Investitionsschutz und staatlichem Gemeinwohl*

#### *Publication Project: International Investment Law*

*International Investment Law* is a joint publication project initiated by members of the Centre, the Advisory Board, and the Academic Advisors. The project is edited by Professor Marc Bungenberg, Jr. Professor Jörn Griebel, Professor Stephan Hobe, and Professor August Reinisch. They have launched this project in 2010 which is expected to become the leading work of reference for both practitioners and scholars in the field of International Investment Law and arbitration. It shall provide a comprehensive legal analysis of the jurisprudence as well as consider prevailing and emerging trends and developments. The team of authors comprises altogether about 80 renowned specialists in International Investment Law. *International Investment Law* will be published by *Nomos* in cooperation with *Beck and Hart Publishing* in one volume of approximately 2000 pages. The project coordinator at the Centre is Ms Yun-I Kim.

## **F. Conferences and Workshops**

### *IILCC Founding Conference in September 2008*

On the occasion of its unofficial foundation, the Centre held a joint conference together with the Cologne Chamber of Commerce on September 26, 2008. One purpose of the convention was to inform a large body of entrepreneurs about the significance and the possibilities

of International Investment Law and the programme was organised accordingly. The convention was attended by around 70 participants from the industry, practice, and academia. Reports about the Founding Convention can be found on the Centre's website as well as in the German Arbitration Journal (SchiedsVZ), vol. 6 (2008), p. 302 *et seq.* and Practice of International Private and Procedural Law (IPRax), vol. 1 (2009), p. 102 *et seq.*

The Centre was officially recognised as institute of the law faculty of Cologne University in April 2009.

#### *1<sup>st</sup> Roundtable for Young Investment Scholars and Lawyers 2009*

In January 2009 the Centre very successfully held a roundtable at Krickenbeck Castle on the Lower Rhine giving young scholars and practitioners an opportunity to exchange ideas and intensively discuss current developments in International Investment Law. The roundtable was made possible by the generous support of the Hanns Martin Schleyer Foundation and the Association of Friends & Supporters of the IILCC. The roundtable gathered around 20 young scholars and practitioners who are active in the field of International Investment Law and encouraged open discussions on all issues relating to the subject. The concept proved to be an enormous success and found large support among all participants. A report on the roundtable can be found in the German Arbitration Journal (SchiedsVZ), vol. 2 (2009), p. 117 *et seq.*

#### *International Investment Law and EU Law – on the Eve of a European Policy on Foreign Direct Investment*

In September 2009 the Centre in cooperation with Dr Marc Bungenberg and the University of Tübingen organised a workshop on the future of International Investment Law in the context of the European Union and the changes made under the Treaty of Lisbon. Over 70 experts from academia and government as well as practitioners discussed the possible impact of the evolving Common

European Policy on Foreign Direct Investment with a special emphasis on future EU model investment agreements. The proceedings of the workshop were published in German and English by Nomos and Springer Publishing. The workshop was generously supported by Professor Dr Martin Nettesheim and his Chair for German Public Law, Public European Community Law, International Law and International Political Theory, University of Tübingen and the law firm Gleiss Lutz, Stuttgart.

*50 Years of Bilateral Investment Treaties Conference 2009*

On the occasion of the 50<sup>th</sup> anniversary of the first bilateral investment treaty concluded between Pakistan and Germany, the IILCC co-hosted a conference in Frankfurt, Germany together with the Federal Ministry of Economics and Technology, the Federation of German Industries (BDI), the Transnational Economic Law Research Center (TELC), Halle and the law firm Lovells. It was attended by approximately 250 participants from academia and practice all over the world. The conference reviewed the last 50 years of investment protection through investment treaties and focused in particular on the German role in the course of these developments. Furthermore, the conference discussed current challenges to the system. A report on the conference can be found in the German Arbitration Journal (SchiedsVZ), vol. 8 (2010), p. 268 *et seq.*

*2<sup>nd</sup> Roundtable for Young Investment Scholars and Lawyers 2010*

The Centre held its 2<sup>nd</sup> Roundtable for Young Investment Scholars and Lawyers in January 2010. This was made possible through the continued support of the Hanns Martin Schleyer Foundation and of the Association of Friends & Supporters of the IILCC. A group of some 20 young practitioners, doctoral candidates and scholars once again shared their thoughts on current problems and challenges facing the system of International Investment Law both during the official sessions as well as during the breaks. The overwhelmingly positive



resonance encouraged the Centre in its effort to organise this kind of event on a yearly basis. A report on the 2<sup>nd</sup> roundtable has been published in the German Arbitration Journal (SchiedsVZ), vol. 8 (2010), p. 265 *et seq.*

*1<sup>st</sup> Inter-Regional Seminar on International Investment Law for Doctoral Students and Candidates 2010*

In March 2010 the Centre organised the nationwide first *Inter-Regional seminar on International Investment Law for Doctoral Students and Candidates*. The seminar was attended by approximately 25 doctoral students and candidates from universities all over Germany as well as from universities from Austria, Switzerland, and France. Each participant was given the opportunity to present and discuss their research projects in terms of methodology, hypotheses, and approach of the specific subject. The seminar was made possible by the support of the Association of Friends & Supporters of the IILCC.

*3<sup>rd</sup> Roundtable for Young Investment Scholars and Lawyers 2011*

In response to the lasting success of the previous two roundtables, the Centre organised the 3<sup>rd</sup> Roundtable for Young Investment Scholars and Lawyers to take place in January 2011. This was made possible through the generous financial support of the Hanns Martin Schleyer Foundation, the August-Maria Berges Stiftung für Arbitrales Recht, and the Association of Friends & Supporters of the IILCC. The 20 available spots were in great demand and indicated the growing interest in this forum. The participants came from academia, government, and practice and were given ample opportunity to discuss in-depth recent issues in international investment arbitration, both on and off the official schedule. The Krickenbeck Circle has established itself as a successful forum for young investment academics and practitioners. A report on the 3<sup>rd</sup> roundtable will be published in the German Arbitration Journal (SchiedsVZ).

*2<sup>nd</sup> Inter-Regional Seminar on International Investment Law for Doctoral Students and Candidates 2011*

The Centre held its 2<sup>nd</sup> Inter-Regional seminar on International Investment Law for Doctoral Students and Candidates in March 2011. Around 25 doctoral students and candidates attended the seminar from universities in Germany, Austria, and France. The participants had the opportunity to present and discuss their research ideas and projects and receive useful feedback from the group of participants. The seminar was generously supported by the Association of Friends & Supporters of the IILCC.

*1<sup>st</sup> IILCC/Generali Lecture*

On 17 March 2011 the Centre in cooperation with the Generali Zukunftsfonds held the first IILCC/Generali Lecture on the premises of Freshfields Bruckhaus Deringer in Cologne. The guest speaker of this event was Director General of the External Economic Policy Department of the German Ministry of Economics and Technology Dr Karl-Ernst Brauner who spoke about the conflicts of competence relating to the Treaty of Lisbon from a governmental perspective. This lecture is the first event in a series of IILCC/Generali Lectures on International Investment Law.

## **G. Speeches and Presentations**

*13. Außenwirtschaftsrechtstag 2008, Münster, 16–17 October 2008*

“Die Geltendmachung von Ansprüchen aus Investitionsverträgen in Investitionsschiedsverfahren auf der Grundlage von Investitionsschutzabkommen” (Dr Jörn Griebel)

Moderator of the *1<sup>st</sup> Roundtable for Young Investment Scholars and Lawyers 2009*, Krickenbeck, January 2009 (Dr Jörn Griebel)

*50 Years of Bilateral Investment Treaties Conference 2009, Frankfurt, 1–3 December 2009*

Chair of Session 3 “Europeanization and Regionalism as a Challenge to BITs” (Professor Dr Stephan Hobe)

Moderator of the 2<sup>nd</sup> Roundtable for Young Investment Scholars and Lawyers 2010, Krickenbeck, January 2010 (Dr Jörn Griebel)

*Summer Academy of the German National Academic Foundation, Görlitz, August – September 2009 (organized under the Direction of T. Braun in cooperation with Professor S. Hobe, Professor C. Tietje, Dr C. Nowrot and Dr J. Griebel)*

Lecturer and moderator of working group 5 “Globalisation and the Future of International Law” (Dr Jörn Griebel):

- Private individuals as actors of the system: the boundaries of state responsibility for such acts
- Challenges of global terrorism in the framework of the prohibition of the use of force
- Challenges due to legislative acts of the Security Council
- Flexibility of the United Nations – obstacles on the path of change
- The position of the investor compared to the protection under human rights and consular rights
- Investor–state dispute settlement mechanisms as model for the international legal order?

*University of Cologne@Metu – Summer School on European Studies, Ankara, 13–25 September 2010*

- “Introduction to International Investment Law”
- “International Investment Agreements”
- “The Lisbon Treaty – a Challenge to the System”  
(Jr. Professor Jörn Griebel)

*Die gemeinsame Handelspolitik der Europäischen Union „nach Lissabon“, Berlin, 28 September 2010*

“Der Weg seit Lissabon – Bewertung der politischen Ansätze von EU und Mitgliedstaaten” (Jr Professor Jörn Griebel)

Moderator of the 3<sup>rd</sup> Roundtable for Young Investment Scholars and Lawyers 2011 (*Krickenbeck Circle*), Krickenbeck, January 2011 (Jr Professor Dr Jörn Griebel)

## H. Publications

Two journal editions which have been authored largely by members of the Advisory Board, the Directors, the Academic Advisors and the Staff of the Centre deserve particular mention. These are the January 2009 edition of *Wirtschaft und Verwaltung* and the *Kölner Schrift zum Wirtschaftsrecht* which dedicated their edition of February 2011 to the subject of International Investment Law.

The authors associated with the Centre in *Wirtschaft und Verwaltung* (WuV) are: Professor Stephan Hobe, Professor Bernhard Kempen, Dr Markus Perkams, and Professor Burkhard Schöbener.

The contributors to the *Kölner Schrift zum Wirtschaftsrecht* (KSzW) are: Professor Karl-Heinz Böckstiegel, Tillmann Braun, Professor Marc Bungenberg, Jr Professor Jörn Griebel, Dr Richard Happ, Professor Stephan Hobe, Christoph Hölken, Dr Lars Markert, Levent Sabanogullari, and Professor Christian Tietje.

A selection of articles related to investment law and arbitration by the Directors of the Centre which have been published can be viewed in the list below.

*Jr Professor Dr Jörn Griebel:*

Internationaler Investitionsschutz und Europarecht, Tagungsband, Stuttgart 2010 (editor, with Marc Bungenberg und Steffen Hindelang)

International Investment Law and EU Law – On the Eve of a European Policy on Foreign Direct Investment, European Yearbook of International Economic Law, Special Issue, Berlin 2010 (editor, with Marc Bungenberg und Steffen Hindelang)

Überlegungen zur Wahrnehmung der neuen EU-Kompetenz für ausländische Direktinvestitionen nach Inkrafttreten des Vertrags von Lissabon, *Recht der Internationalen Wirtschaft (RIW)* 2009, p. 469 *et seq.*

Die Geltendmachung von Ansprüchen aus Investitionsverträgen in Schiedsverfahren auf der Grundlage von Investitionsschutzabkommen, in: Ehlers/Wolfgang/Schröder (eds.), *Rechtsfragen internationaler Investitionen*, Frankfurt am Main 2009, p. 187 *et seq.*

Tagungsbericht zur 2. Tagung junger Investitionsrechtler, *SchiedsVZ* 2010, p. 265 *et seq.* (with Sophie Spetzler)

Challenges ahead: EU Investment Protection after the Entry into Force of the Treaty of Lisbon, *Transnational Dispute Management (TDM)* 2010, <http://www.transnational-dispute-management.com> (with Marc Bungenberg and Steffen Hindelang)

New Protectionism – How binding are International Economic Obligations During a Global Economic Crisis?, *Göttingen Journal of International Law II* (2010), p. 423 *et seq.* (with Stephan Hobe)

Einführung in den Deutschen Mustervertrag über die Förderung und den gegenseitigen Schutz von Kapitalanlagen von 2009, *Praxis des Internationalen Privat- und Verfahrensrechts (IPRax)* 2010, p. 414 *et seq.*

*Aguas del Tunari v. Bolivia*, in T. Weiner/I. Laird (eds.), *Investment claims*, online publication of Oxford University Press, 2011

Lehren aus der Erfolgsgeschichte des Internationalen Investitionsrechts, *Kölner Schrift zum Wirtschaftsrecht* 2011, p. 99 *et seq.*

Investieren im Ausland – Grundlagen der investitionsschutzrechtlichen Beratung im Lichte steuerrechtlicher Bezüge, *Recht der Internationalen Wirtschaft* 57 (2011), p. 177 *et seq.* (with Manfred Klein)

Der Weg seit Lissabon – Die neue Kommissionsstrategie im Bereich der Direktinvestitionen, in: M. Bungenberg and C. Herrmann (eds.), Die Gemeinsame Handelspolitik der Europäischen Union „nach Lissabon“, Schriftenreihe des Arbeitskreises Europäische Integration (forthcoming 2011)

*Professor Dr Stephan Hobe:*

Die Schiedsgerichtsbarkeit des International Centre for Settlement of Investment Disputes (ICSID), *Wirtschaft und Verwaltung* 1 (2009), p. 65 *et seq.* (with Anna Müller)

New Protectionism – How binding are International Economic Obligations During a Global Economic Crisis?, *Göttingen Journal of International Law* II (2010), p. 423 *et seq.* (with Jörn Griebel)

Völkerrechtlicher Notstand im Internationalen Investitionsrecht, *Kölner Schriften zum Wirtschaftsrecht (KSzW)* 2011, p. 121 *et seq.*

*Christoph Hölken*

Legitime Regulierung durch den Staat im Konflikt mit dem Investorenschutz, *Kölner Schriften zum Wirtschaftsrecht (KSzW)* 2011, p. 183 *et seq.*

*Professor Dr Bernhard Kempen:*

Eigentum: ein universelles Menschenrecht?, *Wirtschaft und Verwaltung* 1 (2009), p. 19 *et seq.*

*Yun-I Kim*

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*Professor Dr Burkhard Schöbener:*

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### **I. Library and Database of the Centre**

With the founding of the Centre it also established a library dedicated to International Investment Law. The Centre's library comprises a collection of all publications, journals and major works relevant to the field of International Investment Law since the 1990s. Furthermore, all relevant investment journals can be found in here. In addition, the Centre offers access to the most established online databases in the field. It is thus one of its kind within Germany.

The database of the whole library is accessible via the internet and can be used by the general public through the catalogue of Cologne University (Kölner Universitäts-Gesamtkatalog (KUG)). It is possible to either search the entire catalogue or directly search in the Centre's catalogue only.

The establishment of the Centre's library was made possible by the generous support of the Verein zur Förderung der Rechtswissenschaft and several contributions of the KölnAlumni – Verein der Freunde und Förderer der Universität zu Köln e.V.

The librarian in charge is Ms Eva Frackowiak.

### **J. Cooperation with other Institutions**

#### *G15 of Law Schools and UNCTAD Pilot International Investment Blog*

In July 2010 the Centre was invited to join the "G15 of Law Schools" and UNCTAD Pilot International Investment Blog. This password protected blog is to provide the G15 of law schools with an



interactive, web-based tool for the intellectual exchange and discussion of important issues in International Investment Law.

#### **K. Generali Zukunftsfonds and Stifterverband für die Deutsche Wissenschaft**

It is only thanks to the generous sponsorship of the Generali Zukunftsfonds and the Stifterverband für die Deutsche Wissenschaft that the Junior Professorship for Public Law, International Law and International Investment Law could be established at the law faculty of the University of Cologne.

The excellent cooperation with the Generali Zukunftsfonds is also expressed by the very successful first IILCC/Generali Lecture held on 17 March 2011 which was jointly hosted by the Centre and the Generali Zukunftsfonds on the premises of Freshfields Bruckhaus Deringer in Cologne.

#### **L. Association of Friends & Supporters of the IILCC (IILCC Förderverein)**

In September 2008 the Association of Friends & Supporters of the IILCC (*Gemeinnütziger Verein zur Förderung des IILCC e.V.*) was founded. Its primary task is to support the academic research activities undertaken by the Centre financially. Moreover, the Association should serve as a platform to coordinate the interests of academia and practice and facilitate and further the discourse on International Investment Law. The membership is open to natural and juridical persons. More information is available from the President of the Association, Professor Dr Burkhard Schöbener (burkhard.schoebener@uni-koeln.de).

### **M. Outlook**

We hope that this selection has given you a thorough overview of the Centre's activities in its first two years of its existence. As has been described above the Centre has been kept busy irrespective of a lack of resources and we expect and hope to be able to continue our successful operations.

The *Digest on International Investment Jurisprudence* will continue to run throughout 2011 until its completion. The publication of *International Investment Law* is expected in 2012.

The Centre will also make every effort to hold the Krickenbeck Circle as well as the Inter-Regional Seminar for Doctoral Candidates and Students again in the coming year. The same is true for the IILCC/Generali Lectures started in March 2011.

Yet another aim is to intensify the ties established in the context of the G15 of Law Schools as well as to expand the Series on International Investment Law. The Centre is also planning to offer more courses on the various facets of International Investment Law.

We hope for your continuing support for all of these academic endeavours.

With our best wishes,  
Yours sincerely

Professor Dr Stephan Hobe  
Professor Dr Bernhard Kempen  
Professor Dr Heinz-Peter Mansel  
Professor Dr Burkhard Schöbener  
Jr. Professor Dr Jörn Griebel