



international
investment
law centre
cologne

iilccl

Preface



Photo: Lisa Beller

Cologne, 1st of May 2019

Dear Friends and Supporters of the International Investment Law Centre Cologne,
Ladies and Gentlemen,

Founded as a part of the Faculty of Law at the University of Cologne in 2008, the International Investment Law Centre Cologne (IILCC) has set itself the task of independently analysing the development of international investment law and actively helping to shape it.

Within a rather short period of time, international investment protection and investor-state dispute settlement have become a field of law of incomparable dynamic and increasing complexity. It has become apparent that the law dedicated to the protection and promotion of foreign direct investments represents more than a set of international treaties and has developed into a legal regime of transnational governance. Correspondingly, it is vital to understand and explore its wide-reaching impact on a globalized economy and society.

As the leading research institute with an exclusive focus on international investment law in the German-speaking academic community, it is the IILCC's mission statement to address current and fundamental issues of this dynamic field of law in research and teaching. At the same time, it is our aim to provide a forum for exchange between academia and practice.

Today, the IILCC finds itself at the centre of an ever-growing network of academics, legal practitioners, government officials and students dedicated to the research and practice of international investment law. We hope to have aroused your interest in our work and would be delighted if you enjoy reading this brochure, which we publish at the occasion of the Centre's tenth anniversary.

Yours sincerely,



Prof. Dr. Dr. h. c. Stephan Hobe



Jun.-Prof. Dr. Julian Scheu

Board of Directors



Prof. Dr. Dr. h.c. Stephan Hobe, LL.M. (Mc Gill)
(Managing Director)

Institute of Air Law, Space Law and Cyber Law at the University of Cologne, chair for public international law, European law, European and international economic law



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Institute of German and European Science Law at the University of Cologne, chair for public international and foreign public law



Prof. Dr. Heinz-Peter Mansel

Institute for Private International and Comparative Law at the University of Cologne, chair for civil law, international private law, comparative law and civil procedure law



Prof. Dr. Burkhard Schöbener

Chair for public law, public international law and European Law at the University of Cologne

Junior Professorship & General Management



Jun.-Prof. Dr. Julian Scheu, LL.M. (Cologne/Paris I)

(Head of Management)

Junior professorship of international investment law, public international law and public law



Team

Berta Boknik, LL.B. (Research Assistant)

Petyo Nikolov (Research Assistant)

Jana Jochem (Student Assistant)

Dejan Rakanovic (Student Assistant)

THE ACTIVITIES OF THE CENTRE INCLUDE

Teaching & Education | Research Projects | Academic Conferences | Consulting



Photo: Simon Wegener

IILCC Advisory Council

The International Investment Law Centre Cologne is privileged to have an Advisory Council comprised of distinguished academics, legal practitioners and government officials. The Centre greatly benefits from the insight and experience provided by the Council members.



**Prof. em. Dr.
Karl-Heinz Böckstiegel**
Independent Arbitrator



**Prof. Dr. Dr. h. c.
Barbara Dauner-Lieb**
University of Cologne



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Europe-Institute at the
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University of International
Business and Economics



Prof. Dr. Jörn Griebel
University of Siegen



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LUTHER Rechtsanwälte



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LL.M. (NYU)
University of Vienna



Prof. Dr. Steffen Hindelang,
LL.M. (Sheffield)
University of Southern
Denmark



Prof. Dr. Stephan Schill,
LL.M. (NYU)
University of Amsterdam



Dr. Lars Markert,
LL.M. (Georgetown)
Nishimura & Asahi



Prof. Dr. Andreas Schlüter
Stifterverband für die
Deutsche Wissenschaft,
DSZ Rechtsanwälte



Dr. Patricia Nacimienta
Herbert Smith Freehills



Prof. Dr. Christian Tietje,
LL.M. (Michigan)
University Halle-Wittenberg



Dr. Markus Perkams
Skadden, Arps, Slate,
Meagher & Flom

Founders & Supporters

Since its creation, the IILCC is generously supported by distinguished cooperation partners.

SANTANDER UNIVERSITIES

Thanks to the commitment of Santander Universities, which is part of Santander Bank and dedicated to creating opportunities for students and academics in higher education



through cooperation and support programs, the endowed junior professorship for international investment law, international law and public law could be established.

STIFTERVERBAND FÜR DIE DEUTSCHE WISSENSCHAFT

Research and teaching at the IILCC are made possible by the generous support of the Stifterverband, which is a joint initiative by companies and foundations committed to



STIFTERVERBAND
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improve education, science and innovation in Germany by providing consulting, networking and financial support. Since 1929, the Association represents the common responsibility of German companies for a sustainable and livable society.

SUPPORTERS FROM LEGAL PRACTICE

In addition to research and teaching, it is part of the Centre's mission statement to bridge the gap between academic discourse and legal practice. Events organized by the Centre are aimed at promoting the dialogue with legal practitioners. In the past, they have been generously supported by



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C L I F F O R D
C H A N C E

Association of Friends & Supporters of the IILCC

In 2008, the non-profit **Association of Friends & Supporters of the IILCC** (Förderverein des International Investment Law Centre Cologne der Universität zu Köln e.V) was founded in order to promote the research activities undertaken by the Centre. Its statutory objective is to serve as a platform to coordinate the interests of academia and practice and facilitate and further the discourse on international investment protection. Under the presidency of **Prof. Dr. Burkhard Schöbener** (University of Cologne), the Association has gained members from academia and practice interested in supporting the work of the IILCC. Since 2019, the Association is chaired by president **Dr. Lars Markert** (Nishimura & Asahi) and vice-president **Prof. Dr. Christian J. Tams** (University of Glasgow). Both are supported by the Association's treasurer **Dr. Christoph Hölken** (Federal Cartel Office).

PROJECTS SUPPORTED BY THE ASSOCIATION INCLUDE

- The development of the **Digest of International Investment Jurisprudence** (www.investment-law-digest.com). Thanks to the Association's support this service is provided **free of charge** to the benefit of scholars, students and practitioners in the field of international investment law.
- The organization of **academic conferences** such as the roundtable discussion on the ECJ's Achmea judgement rendered in March 2018.
- The support of the **activities of the doctoral network on international investment law** and the participation of students in investment law related **moot court competitions**.

MEMBERS BENEFITS

- Be invited to all IILCC events and conferences without attendance fee
- Be informed on and get involved in current IILCC projects
- Become a member of an exclusive network of lawyers dedicated to the promotion of international investment law



*membership
application*

Courses on International Investment Law at the IILCC

The courses on international investment law represent a special offer to students, doctoral candidates and legal practitioners interested in international investment law and investor-state dispute settlement. The curriculum consists of three courses and offers a comprehensive academic education with a strong focus on practical aspects.

COURSE ON INVESTMENT PROTECTION STANDARDS (in German)

The students learn about the legal and historical foundations on which the system of international investment protection is based. The course inter alia focuses on the involved actors, the definition of investment and the scope of different standards of protection such as expropriation, non-discrimination or fair and equitable treatment.

COURSE ON INVESTOR-STATE DISPUTE SETTLEMENT (in German)

The course gives an insight into the highly relevant system of investor-state dispute settlement. Focusing on current practice, students get to know the principles of international investment arbitration and learn by what procedural means foreign investors can enforce their rights. In addition to the legal foundations of international arbitration, the participants study the particularities of investment arbitration, including the ongoing reforms of the investor-state dispute settlement mechanism.

ADVANCED COURSE ON ICSID ARBITRATION (in English)

The course provides a detailed and practical insight on procedural aspects of investment arbitrations conducted under the ICSID rules. It is aimed at students with previous exposure to international arbitration, doctoral candidates and interested practitioners.

LECTURERS IN INTERNATIONAL INVESTMENT LAW AND ARBITRATION

Courses on international investment law are taught by professors of the IILCC as well as visiting professors and lecturers specialized in international investment law and arbitration.



Francisco Abriani
International Centre for the
Settlement of Investment
Disputes (Washington D.C.)



**Jun.-Prof. Dr.
Julian Scheu,**
LL.M. (Cologne/Paris I)
University of Cologne



Dr. Lars Markert,
LL.M. (Georgetown)
Nishimura & Asahi (Tokyo)



Dr. Philipp Stompfe,
LL.M. (QMUL)
Alexander & Partner (Berlin)



Dr. Markus Perkams
Skadden, Arps, Slate,
Meagher & Flom (Frankfurt)



Prof. Dr. Christian J. Tams,
LL.M. (Cambridge)
University of Glasgow /
Matrix Chambers (London)



Advanced Course on ICSID Arbitration, Winter Semester 2018/2019 taught by Francisco Abriani

Research Projects at the IILCC

International investment law and investor-state dispute settlement have become a field of law of incomparable dynamic and increasing complexity. It is therefore vital to understand and explore its wide-reaching impact on a globalized economy and society. The IILCC has devoted its research exclusively to this field and has established an ever-growing network of academics, legal practitioners, government officials and students dedicated to the research and practice of international investment law. It is the Centre's aim to actively shape future developments in the field of international investment protection through publications, education and consulting.

DOCTORAL STUDIES AT THE IILCC



The directors of the IILCC supervise doctoral research in international investment law. The Centre provides a platform for young researchers to expand their network and engage in stimulating academic discussions. During **doctoral seminars**, they can present their research project and get valuable feedback from peers.

Bringing together young researchers interested in international investment law regardless of their home institution is the aim of the **doctoral network for young researchers in international investment law**. The network is a joint initiative of PhD candidates from Cologne and elsewhere. Meetings are held regularly and give the possibility to exchange opinions, discuss current developments and work on common projects.



*Join the IILCC
Doctoral Network*

VISITING RESEARCH PROGRAM

The Centre is regularly pleased to welcome visiting scholars to conduct independent research projects in international investment law whilst based in Cologne. Visiting researchers may get involved in ongoing IILCC projects, use the facilities of the Centre and benefit from the **extensive investment law library**.

DIGEST OF INTERNATIONAL INVESTMENT JURISPRUDENCE

(online database)

One of the flagship projects of the IILCC is the **Digest of International Investment Law Jurisprudence**. This online database provides a systematic collection of legal statements from decisions rendered in investment treaty arbitrations and supports scholars, students and practitioners in their work and studies. The Digest is available at www.investment-law-digest.com and is edited by the IILCC in cooperation with the University of Siegen.



www.investment-law-digest.com



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The Digest is **free of charge**. Despite making no claim to be comprehensive, new content is added constantly. Currently, the database features over 1000 statements made by investment tribunals which can be searched by case, topic or relevant article.

GERMAN INVESTMENT TREATY DISPUTES

(online database)

In order to make the field of international investment law accessible and serve its research, the IILCC publishes a freely available database containing all pending and conducted investment treaty arbitrations involving German parties. The website offers its users a comprehensive overview of all investment treaty claims, including claims brought by German investors against foreign host States and claims brought by foreign investors against the Federal Republic of Germany.



www.german-investment-treaty-disputes.de

Publications

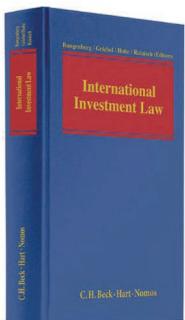
STUDIES IN INTERNATIONAL INVESTMENT LAW (publication series)

In cooperation with Nomos Publishing, the IILCC co-publishes 'Studies in International Investment Law' (Studien zum internationalen Investitionsrecht). Comprising more than 30 titles, this unique series of publications has firmly established itself as one of the leading fora for investment law research in German. Under its auspices, inter alia the dissertations of doctoral students from Cologne supervised by the directors of the IILCC are published in German and English.



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INTERNATIONAL INVESTMENT LAW HANDBOOK



The International Investment Law Handbook, which was published in 2015, was edited and co-authored by scholars from the IILCC. Its purpose is to provide practitioners and legal scholars with both a first overview as well as a detailed insight into all aspects of investment law. In order to reach this goal, the handbook carries out a thorough legal analysis of arbitral jurisprudence and identifies emerging trends, developments and issues in the field of international investment law.

UN/IDLO INVESTMENT SUPPORT PROGRAMME FOR THE LEAST DEVELOPED COUNTRIES

As a proud partner of the Investment Support Programme for the Least Developed Countries, the IILCC assumes responsibility and contributes its scientific expertise to legal practice. The Investment Support Programme for the Least Developed Countries was initiated by the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and the Small Island Developing States (UN-OHRLLS) and supports the world's poorest developing countries in investment law issues through its roster of experts. The programme is coordinated by the International Development Law Organization (IDLO), an international organization based in Rome, on behalf of the UN.

Inquiries from governments, state-owned enterprises and private investors from eligible countries can be forwarded by IDLO to the IILCC. Projects can relate to the training of government representatives, support in investment-related negotiations or investment arbitration proceedings. Through its involvement in the Investment Support Programme, the IILCC actively contributes to ensuring that the less experienced and financially weak players also have access to investment law expertise.

Further information about the programme are available at www.idlo.int/Investment-Support-Programme-LDCs.



Academic Conferences



SANTANDER ROUNDTABLE DISCUSSIONS ON INTERNATIONAL ECONOMIC LAW

The Centre regularly organizes roundtable discussions on current issues and developments in international economic law, kindly supported by Santander.

In the context of this event series, the Centre invited academics, practitioners and students on 5 July 2018 to the conference *“Protection of Foreign Investments in Europe – Perspectives & Solutions”*, which was held on the occasion of the judgment of the Court of Justice of the European Union in the so-called Achmea case – a decision that has provoked many open questions and concerns within the European investment community in March 2018.

Speakers were:

- Prof. Dr. Isabel Feichtner
- Prof. Ursula Kriebaum
- Dr. Martins Papparinskis
- Dr. Tim Maxian Rusche
- Prof. Dr. Stephan Schill

EVOLUTION, EVALUATION AND FUTURE DEVELOPMENTS IN INTERNATIONAL INVESTMENT LAW

10 YEAR ANNIVERSARY CONFERENCE OF THE INTERNATIONAL INVESTMENT LAW CENTRE COLOGNE

16 MAY 2019

VENUE: COLOGNE CHAMBER OF COMMERCE AND INDUSTRY

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ORGANIZER:
University of Cologne
International Investment Law
Centre Cologne



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10 YEAR ANNIVERSARY CONFERENCE OF THE IILCC

On 16 May 2019, the IILCC celebrated its tenth anniversary with an academic conference on the topic *“Evolution, Evaluation and Future Developments in International Investment Law”*. The event gave the opportunity to look at past and future developments of international investment law from various angles.

Speakers were:

- Francisco Abriani
- Dr. Claudia Annacker
- Prof. Dr. Christian Borris
- Prof. Dr. Karl-Heinz Böckstiegel
- Dr. Markus Burgstaller
- Prof. Dr. Peter Cameron
- Nadia Darwazeh
- Prof. Dr. Dr. Rudolf Dolzer
- Markus Gabbert
- Dr. Moritz Keller
- Corinne Montineri
- Dr. Patricia Nacimiento
- Prof. Dr. August Reinisch
- Prof. Dr. Christoph Schreuer
- Dr. Sebastian Seelmann-Eggebert
- Dr. Anke Sessler
- Prof. Dr. Bruno Simma
- Prof. Dr. Christian Tams



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IILCC LECTURE SERIES ON INTERNATIONAL INVESTMENT LAW

The IILCC established a lecture series on international investment law. In this context, internationally distinguished speakers are invited to Cologne to share their thoughts on a topic related to international investment law. Former speakers of the series include:

- Prof. em. Dr. Christoph Schreuer (2014)
- Prof. Dr. Dr. Rudolf Dolzer (2013)
- Prof. em. Dr. Karl-Heinz Böckstiegel (2012)
- Dr. Karl-Ernst Brauner (2011)



Participants of the 'Krickenbeck Circle' 2019

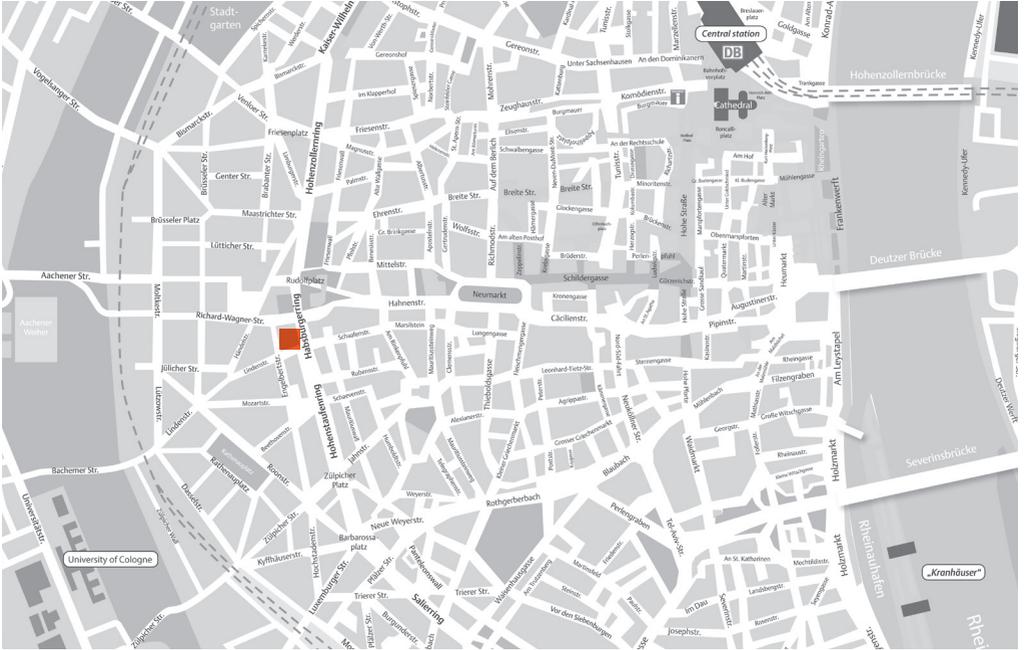
THE 'KRICKENBECK CIRCLE' ON INTERNATIONAL INVESTMENT LAW

The IILCC and Prof. Dr. Jörn Griebel from the University of Siegen jointly organize the annual conference "Krickenbeck Circle on International Investment Law". The two-day roundtable forum brings together academics and practitioners with the aim to promote discussions on developments in the field of international investment law and investor-state dispute settlement. The corresponding conference reports are annually published in the German Arbitration Journal (SchiedsVZ). At the 10th Jubilee Conference in January 2018, the Circle was able to look back on a total of 58 presentations over the years. Participants come from a wide range of backgrounds and include young researchers as well as experienced scholars and arbitrators. The 22 dissertations on international investment law published by the participants of the Circle so far testify of its success.

International Investment Law Centre Cologne

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