Evolution, Evaluation and Future Developments in International Investment Law

Proceedings of the 10 Year Anniversary Conference of the International Investment Law Centre Cologne
Studies in International Investment Law
Studien zum Internationalen Investitionsrecht

edited by
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Evolution, Evaluation and Future Developments in International Investment Law

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Assistant Editors
Berta Boknik | Petyo Nikolov

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Abbreviations

AAA American Arbitration Association  
ADR Alternative Dispute Resolution  
(AF)AR Additional Facility Arbitration Rules ICSID Convention  
AG Advocate General  
AR(s) Arbitration Rule(s) ICSID Convention  
Art(t) Article(s)  
ASA Swiss Arbitration Association  
BEPS Base Erosion and Profit Shifting  
BIT Bilateral Investment Treaty  
BVerfGE Bundesverfassungsgerichtsentscheidungen  
CAFTA-DR Dominican Republic-Central America Free Trade Agreement  
CEDR Centre for Effective Dispute Resolution  
CETA Comprehensive Economic and Trade Agreement  
CIDS Geneva Centre for International Dispute Settlement  
CIETAC China International Economic and Trade Arbitration Commission  
CJEU Court of Justice of the European Union  
cp. compare  
D.C. District of Columbia  
DIS Deutsche Institution für Schiedsgerichtsbarkeit  
Doc. Document  
e.g. exempli gratia  
ECHR European Convention of Human Rights  
ECtHR European Court of Human Rights  
ECT Energy Charter Treaty  
ed(s) editor(s)  
EMEA Europe, Middle East and Africa  
et al. et alia  
et seq(q) et sequentes/ et sequentia  
etc. et cetera  
EU European Union  
EUVIPA EU-Viet Nam Investment Protection Agreement  
FDI Foreign direct investment  
FET Fair and Equitable Treatment  
FPS Full Protection and Security  
FTA Free Trade Agreement
**Abbreviations**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>FTC</td>
<td>Free Trade Commission</td>
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<td>GAR</td>
<td>Global Arbitration Review</td>
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<td>GATS</td>
<td>General Agreement on Trade in Services</td>
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<tr>
<td>GATT</td>
<td>General Agreement on Tariffs and Trade</td>
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<tr>
<td>I.C.J. Reports</td>
<td>International Court of Justice Reports</td>
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<td>i.e.</td>
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<td>L.L.R.</td>
<td>International Law Reports</td>
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<td>IBA</td>
<td>International Bar Association</td>
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<td>ibid.</td>
<td>ibidem</td>
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<td>ICC</td>
<td>International Chamber of Commerce</td>
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<td>ICCA</td>
<td>International Council for Commercial Arbitration</td>
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<td>ICJ</td>
<td>International Court of Justice</td>
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<td>ICS</td>
<td>Investment Court System</td>
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<td>ICSID</td>
<td>International Centre for Settlement of Investment Disputes</td>
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<td>IDLO</td>
<td>International Development Law Organization</td>
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<td>IIA</td>
<td>International Investment Agreement</td>
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<td>IIILCC</td>
<td>International Investment Law Centre Cologne</td>
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<td>IISD</td>
<td>International Institute for Sustainable Development</td>
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<td>IIA</td>
<td>International Law Association</td>
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<td>incl.</td>
<td>inclusive</td>
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<td>IPA</td>
<td>Investment Protection Agreement</td>
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<td>ISDS</td>
<td>Investor-State Dispute Settlement</td>
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<tr>
<td>ITLOS</td>
<td>International Tribunal for the Law of the Sea</td>
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<tr>
<td>LCIA</td>
<td>London Court of International Arbitration</td>
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<td>LDC</td>
<td>Least Developed Countries</td>
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<tr>
<td>lit.</td>
<td>littera</td>
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<tr>
<td>M&amp;A</td>
<td>Mergers and Acquisitions</td>
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<tr>
<td>MENA</td>
<td>Middle East and North Africa</td>
</tr>
<tr>
<td>MERCOSUR</td>
<td>Mercado Común Del Sur (Southern Common Market)</td>
</tr>
<tr>
<td>MFN</td>
<td>Most-favoured-nation</td>
</tr>
<tr>
<td>MIC</td>
<td>Multilateral Investment Court</td>
</tr>
<tr>
<td>MIGA</td>
<td>Multilateral Investment Guarantee Agency</td>
</tr>
<tr>
<td>NAFTA</td>
<td>North American Free Trade Agreement</td>
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<tr>
<td>Non-governmental</td>
<td>Non-governmental organisation</td>
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<td>No.</td>
<td>Number</td>
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<tr>
<td>OECD</td>
<td>Organisation for Economic Cooperation and Development</td>
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<tr>
<td>PCA</td>
<td>Permanent Court of Arbitration</td>
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### Abbreviations

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<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>REIO</td>
<td>Regional Economic Integration Organisation</td>
</tr>
<tr>
<td>SADC</td>
<td>Southern African Development Community</td>
</tr>
<tr>
<td>SCC</td>
<td>Stockholm Chamber of Commerce</td>
</tr>
<tr>
<td>SIAC</td>
<td>Singapore International Arbitration Centre</td>
</tr>
<tr>
<td>UCP</td>
<td>Uniform Customs and Practice for Documentary Credits</td>
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<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNCTAD</td>
<td>United Nations Conference on Trade and Development</td>
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<tr>
<td>US</td>
<td>United States</td>
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<tr>
<td>USA</td>
<td>United States of America</td>
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<tr>
<td>USD</td>
<td>United States Dollar</td>
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<tr>
<td>USMCA</td>
<td>United States-Mexico-Canada Agreement</td>
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<tr>
<td>v</td>
<td>versus</td>
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<tr>
<td>VCLT</td>
<td>Vienna Convention on the Law of Treaties</td>
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<td>VIAC</td>
<td>Vienna International Arbitral Centre</td>
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<td>Vol.</td>
<td>Volume</td>
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<td>WTO</td>
<td>World Trade Organization</td>
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</table>
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(1944 – 2020)

Prof. Dr. Dr. Rudolf Dolzer was a pioneer and thought leader in the field of international investment law and investor-State dispute settlement. From 1992 to 1996 he was Director General of the Chancellery. He taught at the Chinese Academy of Social Sciences, Michigan Law School, Cornell Law School, Massachusetts Institute of Technology, Yale Law School, Paris 1 University (Sorbonne), Instituto de Empresa Business School. From 1996 to 2009 he was Director of the Institute for International Law at the University of Bonn. In 2010 he taught at the Academy of International Law in The Hague. In addition, he published several books on foreign investment law and about 200 articles on investment law, public international law and comparative law. In 2018, he published a monograph on „Petroleum Contracts and International Law“.

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ence in managing large strategic dispute resolution proceedings and leading cross-border teams including the fight against corruption and money laundering.
She further focuses on investment arbitration and the law of nations, also in the field of business and human rights.
As a party representative, Patricia has conducted over 140 arbitration proceedings under the rules of numerous arbitration institutions – including ICC, ICSID, SCC, CIETAC, DIS, LCIA, ICDR, Swiss Chamber of Commerce, Indian Council of Arbitration, and the Danish Institution of Arbitration as well as ad hoc proceedings. She is also regularly appointed as an arbitrator and has led numerous international ICC-, DIS- and ad hoc arbitration proceedings as a chairperson, sole arbitrator or party-appointed arbitrator.
The German government has appointed Patricia in 2007 as one of four arbitrators to the panel of arbitrators at the International Centre for Settlement of Investment Disputes (ICSID).
Patricia has also a proven academic track record and publishes regularly in leading publications. She is co-editor of leading arbitration handbooks ‘Arbitration in Germany - The Model Law in Practice’ (Boeckstiegel, Kroell, Nacimiento (eds.) Kluwer 2nd ed 2015) and ‘Recognition and Enforcement of Foreign Arbitral Awards: A Global Commentary on the New York Convention’ (Kronke, Nacimiento, Otto, Port Kluwer, 2010).

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Christoph Schreuer

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Prof. Dr. Christian J. Tams is Professor of International Law at the University of Glasgow and an academic member of Matrix Chambers, London. He studied law in Kiel and Lyon, before completing an LL.M. and a PhD at the University of Cambridge (2000, 2004). Christian’s research focuses on international courts and tribunals, the law of treaties and State responsibility. On these and other areas, he has published widely, including most recently, *The Statute of the International Court of Justice* (3rd edition, Oxford 2019), *Self-Defence against Non-State Actors* (Cambridge 2019) and *Investment Law and History* (Elgar 2018). Christian is regularly instructed in inter-State and investment disputes; in recent years, he has appeared before the International Court of Justice, the Iran-US Claims Tribunal, ITLOS and investment tribunals. Christian is a member of the Council of the German Society of International Law, sits on the appointment committee of the German Court of Arbitration for Sports and is the Review Editor of the European Journal of International Law.