

## Course Outline

<b>Course number</b>	RBE356				
<b>Course title</b>	International Investment Law				
<b>Credit points</b>	3 ECTS				
<b>Total hours</b>	80				
<b>Contact hours</b>	32				
<b>Independent studies</b>	48				
<b>Course level</b>	Bachelor				
<b>Prerequisites</b>	-				
<b>Category</b>	Mandatory		Restricted elective	X	Free elective

### COURSE RESPONSIBLE

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Tjaco Theo van den Hout	LL.M. (Leiden)	Professorial Fellow*

\* Jan Ramberg Distinguished Visiting Professorial Fellow

### COURSE TEACHERS

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
See above	See above	See above

### COURSE ABSTRACT

After a brief introduction to the significance in the global economy of foreign direct investment (FDI), this course examines the legal framework governing the protection of foreign investment. It covers: 1) the sources of international investment law, including (i) bilateral investment treaties (BITs), (ii) multilateral treaties, and (iii) customary international law; 2) the interpretation

of investment treaties and key clauses; 3) the qualification of “investors” and “investments”; and 4) the admission of investments by host States.

The course then analyses the principal standards of protection afforded to foreign investors, including: a) fair and equitable treatment (FET), b) full protection and security, 3) protection against arbitrary or discriminatory treatment, 4) national treatment, and 5) most-favoured-nation (MFN) treatment. Expropriation is explored in depth. Due attention is also given to the concepts of *necessity* and *attribution*, and the doctrine of State responsibility.

A substantial part of the course is devoted to dispute settlement, in particular investment treaty arbitration, with detailed discussion of leading cases. The course is fully interactive. Students are expected to read assigned materials and be able, when called upon in class, to articulate the essence of the readings clearly and coherently.

## GRADING CRITERIA

<b>Criteria</b>	<b>Weighting</b>
Assignments	25%
Quizzes	25%
Final Exam (Part 1)	25%
Final Exam (Part 2)	25%

### Assessment and Grading Criteria

The final grade for this course is determined by four main components: written assignments, quizzes, and the the parts of the final examination.

#### 1. Written Assignments (25%)

Quality and timely submission of written assignments constitute 25% of the overall course grade. Use of generative AI tools (e.g., ChatGPT or similar systems) is permitted, provided their use is *explicitly* disclosed in the submitted text. (Transparency in authorship is required and forms part of RGSL’s academic integrity policy.)

A grade of 7 for assignments represents a Pass, meaning the assignment successfully met the required learning outcomes. It should not be understood to mean that anything was wrong or missing — rather, it shows the necessary elements have been covered at the expected level. The assignment grade reflects competency against the criteria, no more — no less. An upward adjustment *beyond* a Pass for an assignment is possible but based on exceptional performance—for example, distinctive insight, outstanding analytical depth, or strong classroom participation revolving around the issues concerned. Failure to submit an assignment automatically results in a grade of 3 representing a Fail.

#### 2. Quizzes (25%)

Periodic quizzes will be conducted at selected points during the course. These account for 25% of the total grade. The use of generative AI tools is strictly prohibited during quizzes. Detection of AI-assisted responses will result in an automatic Fail (0) for this

component. Quizzes serve a dual purpose: as a didactical tool to reinforce learning, and as an objective measure of student progress and performance throughout the semester.

### 3. Final Examination (25%+25%)

The Final Exam constitutes 50% of the overall course grade and evaluates students' comprehensive understanding of all course materials. Use of generative AI tools is prohibited, and any evidence of such use will result in an automatic Fail (0). The exam consists of two parts, both of which are graded on a ten-point scale and weighted equally (25% each): Part I: A set of multiple-choice questions, administered in class and online. Part II: One or more essay questions of broad analytical scope, taken in class after a 15-minute break. During this part, no electronic devices are permitted — only pen and paper may be used.

#### Conditions for Eligibility to Sit for the Final Exam

To be eligible to take the Final Exam, students must meet the following conditions:

1. Attendance: Students must have attended at least 12 out of 16 classes. Exceptions may be granted in justified cases.
2. Submission: All outstanding written assignments must be submitted by Friday of the week preceding the Final Exam.
3. Academic Integrity: Students must comply with the university's academic integrity policy throughout the course, including the responsible use of AI tools as stated above.

### COURSE REQUIREMENTS

Given the nature of this course class attendance is, in principle, mandatory. Participation in class discussions is encouraged while overall commitment to the course assured by monitoring completed assignments. Quality of class participation is measured by calling on individual students in class to address a particular issue covered in the reading materials. To pass this course, students are required to have satisfactory grades for the 1) assignments, 2) quizzes and 3) final exam.

### COURSE PLAN – MAIN SUBJECTS

<b>No.</b>	<b>Main subjects</b>	<b>Planned hours</b>
1	Sources of international investment law	4
2	Investors, investments, admission of investments	4
3	Standards of protection, expropriation, necessity, attribution, state responsibility	6
4	Dispute settlement: investment treaty arbitration	18