



UNSW Course Outline

JURD7479 International Investment Law - 2024

Published on the 31 Jan 2024

General Course Information

Course Code : JURD7479

Year : 2024

Term : Term 1

Teaching Period : T1

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : School of Private and Commercial Law

Delivery Mode : In Person

Delivery Format : Standard

Delivery Location : Kensington

Campus : Sydney

Study Level : Postgraduate

Units of Credit : 6

Useful Links

[Handbook Class Timetable](#)

Course Details & Outcomes

Course Description

Investment treaties are some of the most controversial yet least understood instruments of global economic governance. This course offers a comprehensive introduction to the investment treaty regime. It examines the historical origins and evolution of international investment law and

focuses on substantive standards of investment protection through the extensive network of nearly 3,000 bilateral investment treaties along with the investment disciplines within multi-issue free trade agreements like CPTPP and RCEP. The course also looks at investment treaty arbitration as well as cross-cutting issues related to the legitimacy and reforms of the investment treaty regime.

Main Topics:

- Origins of investment protection and international investment law
- Globalization and foreign direct investment
- Bilateral investment treaties and regional agreements (e.g., RCEP and CPTPP)
- ICSID Convention
- Expropriation and compensation
- Standards of treatment (e.g., non-discrimination and fair and equitable treatment)
- Investment treaty arbitration
- Criticism and reform of international investment law

Course Aims

Course Objectives

The specific aims of the course are:

- to assist students to develop an understanding of the issues involved in the regulation of trans-border investment
- to give them an advanced knowledge of international investment law and its relationship to national legal systems
- to develop an awareness of different methods of international investment law as compared to national law in such matters as textual interpretation and working with judicial decisions
- to assist students to recognise international investment law problems in their subsequent careers and to point them in the direction of ways of resolving them.

Course Learning Outcomes

Course Learning Outcomes
CL01 : Demonstrate effective oral communication and collaboration through class discussion of complex legal, theoretical and/or professionally relevant subject matter in a scholarly and insightful manner (PLOs 1, 6, 9 & 10)
CL02 : Engage in complex critical discussions of how the principles of international trade law operate within the international economic legal order (PLOs 1, 5, 6, 9 & 10)
CL03 : Examine and engage in advanced critical analysis of the essential elements of international trade law and the development of the international trade regimes and associated policy issues through an extended research essay (PLOs 1, 5, 6, 9 & 12)

Course Learning Outcomes	Assessment Item
CLO1 : Demonstrate effective oral communication and collaboration through class discussion of complex legal, theoretical and/or professionally relevant subject matter in a scholarly and insightful manner (PLOs 1, 6, 9 & 10)	• Class Participation
CLO2 : Engage in complex critical discussions of how the principles of international trade law operate within the international economic legal order (PLOs 1, 5, 6, 9 & 10)	• Research Essay • Essay Proposal • Class Participation
CLO3 : Examine and engage in advanced critical analysis of the essential elements of international trade law and the development of the international trade regimes and associated policy issues through an extended research essay (PLOs 1, 5, 6, 9 & 12)	• Research Essay • Essay Proposal

Learning and Teaching Technologies

Moodle - Learning Management System

Learning and Teaching in this course

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates
Research Essay Assessment Format: Individual	60%	Start Date: See Moodle Due Date: See Moodle
Class Participation Assessment Format: Individual	20%	Start Date: See Moodle Due Date: See Moodle
Essay Proposal Assessment Format: Individual	20%	Start Date: See Moodle Due Date: See Moodle

Assessment Details

Research Essay

Assessment Overview

Detail will be provided in Term specific Course Information.

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

Course Learning Outcomes

- CL02 : Engage in complex critical discussions of how the principles of international trade law operate within the international economic legal order (PLOs 1, 5, 6, 9 & 10)
- CL03 : Examine and engage in advanced critical analysis of the essential elements of international trade law and the development of the international trade regimes and associated policy issues through an extended research essay (PLOs 1, 5, 6, 9 & 12)

Detailed Assessment Description

Please see Moodle for detailed assessment instructions.

Class Participation

Assessment Overview

Students will be expected students to actively engage in oral communication and collaboration through class discussions of various issues and activities.

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

Course Learning Outcomes

- CL01 : Demonstrate effective oral communication and collaboration through class discussion of complex legal, theoretical and/or professionally relevant subject matter in a scholarly and insightful manner (PLOs 1, 6, 9 & 10)
- CL02 : Engage in complex critical discussions of how the principles of international trade law operate within the international economic legal order (PLOs 1, 5, 6, 9 & 10)

Detailed Assessment Description

Please see Moodle for detailed assessment instructions.

Essay Proposal

Assessment Overview

Detail will be provided in the Term specific Course Information

Course Learning Outcomes

- CL02 : Engage in complex critical discussions of how the principles of international trade law operate within the international economic legal order (PLOs 1, 5, 6, 9 & 10)
- CL03 : Examine and engage in advanced critical analysis of the essential elements of international trade law and the development of the international trade regimes and associated policy issues through an extended research essay (PLOs 1, 5, 6, 9 & 12)

Detailed Assessment Description

Please see Moodle for detailed assessment instructions.

General Assessment Information

Grading Basis

Standard

Course Schedule

Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

Course Resources

Prescribed Resources

This course uses two core texts below and several other primary and secondary resources. Please consult the set reading for each week through the Moodle page.

- R Dolzer, U Kriebaum and C Schreuer, *Principles of International Investment Law* (Oxford University Press 3rd edn 2022).
- J Bonnitcha, L Poulsen and M Waibel, *The Political Economy of the Investment Treaty Regime* (Oxford University Press 2017).

Course Evaluation and Development

International investment law is a dynamic and rapidly evolving field. Therefore, this course is revised and updated each year, in response to the rapid developments in law and policies and to student feedback from previous terms. For the 2024 course, we have implemented further enhancements, including updating reading materials and developing learning activities to enrich the in-person seminars and support students' learning experience in the classroom.

Over the years, feedback from students about this course has been very positive. We welcome students' feedback throughout the course, and we will be administering the UNSW myExperience questionnaire at the end of term. If there's something that you feel could be done better, or aspects of the course that you really enjoy, we always appreciate you letting us know - you can email the Course Convenor or chat before/after class.

Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Lu Wang		Law & Justice Building		Consultations available via appointment. Please email the course convenor to set up a time.	Yes	Yes

Other Useful Information

Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up,

then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

Faculty-specific Information

Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

School Contact Information

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.