

[Special Course Outline]

## **Investment Treaty Practice of China, Japan and Korea:**

By Professor Hi-Taek Shin

**Class 1 (July 2, 2012):** Investment Policy of China, Japan and Korea:

- China, Japan and Korea in the Global network of International Investment Agreements (IIAs)
- Investment Policy and the basic objective of IIAs

**Class 2 (July 3, 2012):** Substantive Protections (1): Non-discrimination

- National Treatment
- MFN Treatment

**Class 3 (July 4, 2012):** Substantive Protections (2)

- Expropriation
- Fair and Equitable Treatment
- Full Protection and Security
- Prohibition of performance requirement

**Class 4 (July 5, 2012):** Dispute Settlement: Investor State Arbitration

- Scope of claims to be referred to arbitration
- Pre-requisite to arbitration:

- Cooling off period
- Other procedural requirement
- Choice of an arbitration institution or rules
- Transparency
- Precedents involving three states: