

Asian International Economic Law Network (AIELN)
5th Biennial Conference
“Asian Perspectives on International Investment Law”

Xiamen University School of Law, 16-17 June 2017

Call for Papers

1 CONFERENCE THEME

Asian International Economic Law Network (AIELN) is pleased to announce that it will hold its 5th biennial conference on 16th and 17th of June, 2017 (“AIELN 2017”). Hosted by Xiamen University School of Law, the Conference will take place in Xiamen, China. The theme will be “Asian Perspectives on International Investment Law”.

For the most part of its history, international investment law has been dominated by capital-exporting countries in Western Europe and North America. The classic formulation of international minimum standard of treatment of aliens and the right of diplomatic protection appeared in the late 19th century and the early 20th century within the context of protecting Western European and North American investment in Latin America, via arbitral awards by claims commissions. After the WWII, Western Europe took the lead in concluding bilateral investment treaties (BITs) with capital-importing countries. Later, the US and Canada set a precedent of model investment treaties, based on the NAFTA investment chapter. This was also a precedent of including investment chapters in free trade agreements (FTAs). Western Europe and North America have also been active players in investor-state dispute settlement (ISDS) during the last three decades.

In contrast, Asia has largely been rule-takers in international investment law. Many countries in Asia have not been active in concluding BITs and FTAs with investment chapters. Asian countries have also kept a low profile in ISDS, both as claimants and respondents.

The geography of international investment law has, however, started to change during the past decade, and Asian countries have come to actively develop their network of BITs and FTAs with investment chapters, with China, Korea and India being the most active. More recently, Asia has been actively engaged in the regional rule-making in international investment law. The ASEAN Comprehensive Investment Agreement, China-Japan-Korea Trilateral Investment Agreement and the Trans-Pacific Partnership (TPP) investment chapter are notable examples. Finally, there is a sign that Asian countries will actively participate in ISDS.

The changing landscape of international investment law in Asia raises a number of questions to be seriously dealt with. What are the major factors that put Asian countries to these new directions in international investment rule-making and dispute settlement? Are Asian countries merely taking rules from Western Europe and North America? Or, are they crafting a new model(s) of international investment law, reflecting their specific socio-cultural values? Are there any ‘Asian’ style of international investment rule-making and dispute settlement? Or, are individual Asian countries

seeking their specific national ‘models’, depending on their economic structure and geopolitical interests?

The AIELN 2017 will take up these and other issues relating to the Asian perspectives on international investment law so as to forecast a future Asian contribution to the science and practice of international investment law.

2 SUBMISSION OF PAPER PROPOSALS

How to submit

- An applicant should submit (a) an abstract (of no more than 500 words) and (b) a CV (including email address and list of publications) to [nakagawa@iss.u-tokyo.ac.jp] **by 15 January 2017**.

Please write “AIELN 2017” in the subject of the email.

An abstract and a CV should be attached to the above email as separate attachments.

The abstract should consist of (i) the title of the paper and (ii) the abstract, and *should not contain (iii) the name and affiliation of the submitter*.

- Every proposal will be reviewed by at least two members of the AIELN 2017 Conference Committee on a double blind and confidential basis.

The successful applicants will be notified **by mid-February 2017**.

- Participants are expected to submit a conference paper (of no more than 5,000 words) **by 31 May 2017**.

3 OTHER INFORMATION

- The AIELN 2017 Conference will be hosted by Xiamen University School of Law, Xiamen, Fujian Province, China. The details of the venue are to be confirmed.
- Registration fee of 800 RMB is required. Coffees, lunches and a dinner will be provided.
- A limited number of financial assistance for travel/accommodation expenses might be available for applicants at their early stage of academic/practical career and/or from low income countries. Detailed information is to be provided.

Enquiries

Please submit enquiries to Professor Junji Nakagawa, University of Tokyo. Email nakagawa@iss.u-tokyo.ac.jp