Research Seminar
Political Science

You are cordially invited to the following seminar
Tuesday, 20 April from 16:00 – 17:00hrs, ONLINE via ZOOM

International Investment Agreements and Precedent:
Reading new treaties in light of old case law

Litigants and tribunals in investor-state arbitration routinely rely on prior investment arbitration awards to support their reasoning. Such reliance on past decisions becomes problematic when states engage in significant investment treaty reform as new treaties risk being read through the prism of old case law. Most existing ISDS disputes have been litigated under older investment agreements rooting precedent in outdated treaty design. Moreover, many recent treaty design innovations are conscious efforts on the part of contracting states to reject, correct or recast previous arbitral (mis)interpretations. When tribunals read new treaties in light of old case law they risk rolling back innovation included in recent agreements and thwart state-driven treaty design reform.

Wolfgang Alschner is an Associate Professor at the Common Law Section of the University of Ottawa, Canada. He specializes in international economic law, empirical research and the computational analysis of law. He holds a PhD in International Law from the Graduate Institute of International and Development Studies in Geneva, a Master of Law from Stanford Law School, a Master in International Affairs from the Graduate Institute as well as an LLB from the University of London and a BA in International Relations from the University of Dresden, Germany.