



UNIVERSITEIT VAN AMSTERDAM



**MAX PLANCK INSTITUTE**  
FOR COMPARATIVE PUBLIC LAW  
AND INTERNATIONAL LAW



THE UNIVERSITY OF  
**SYDNEY**

# THE RISE OF DOMESTIC COURTS IN INTERNATIONAL INVESTMENT LAW

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Project coordinated by:

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Stiftung Reichspräsident Friedrich-Ebert-Gedenkstätte, Heidelberg,  
Germany

5 – 7 July 2023

Workshop funded by:

Fritz Thyssen Stiftung  
für Wissenschaftsförderung

# Workshop Programme

- Please note that all times specified below are Central European Summer Time.

## Day 1 (14:30 – 18:00, 5 July 2023):

### Location

Stiftung Reichspräsident Friedrich-Ebert-Gedenkstätte,  
Pfaffengasse 18  
69117 Heidelberg  
Directions from Premier Inn Heidelberg City

### Paper 1 (14:30 – 15:30)

- Andreas Kulick
- Paper:  
*Constitutional Review of Investment Treaties by the European Court of Justice*
- Commentator: Robert Stendel

### Paper 2 (15:30 – 16:30)

- Luke Nottage and Robert Stendel
- Paper:  
*Concurrent Investor-State Cases Before Domestic Courts*
- Commentator: Andreas Kulick

### Paper 3 (17:00 – 18:00)

- Andrés Alvarado and Bianca Böhme
- Paper:  
*Constitutional Review of Investment Treaties in America*
- Commentator: Paolo Mazzotti

### Workshop Dinner 1

Café Burkardt (from 18:30)

## Day 2 (14:15 – 18:45, 6 July 2023):

### Location

Max Planck Institute for Comparative Public Law and International Law,  
Im Neuenheimer Feld 535  
69120 Heidelberg  
Directions from Premier Inn Heidelberg City

### Paper 4 (14:15 – 15:15)

- Chester Brown and Dorothea Lehmann
- Paper:  
*Anti-Arbitration Injunctions for Investment-Treaty Arbitrations*
- Commentator: Bianca Böhme

### Paper 5 (15:15 – 16:15)

- Andrés Alvarado and Marc Bungenberg
- Paper:  
*Recognition, Enforcement, and Execution of Investment-Treaty Arbitral Awards by Domestic Courts*
- Commentator: Kilian Wagner

### Paper 6 (16:30 – 17:30)

- Christina Binder and Kilian Wagner
- Paper:  
*The Interpretation of Jurisdictional Requirements for Investment-Treaty Arbitration by Domestic Courts*
- Commentator: Vivienne Bath

### Paper 7 (17:45 – 18:45)

- Jeanne Huang
- Paper:  
*Retaliatory Measures by Domestic Authorities against Investors for Initiating Investment-Treaty Arbitrations*
- Commentator: Marc Bungenberg

### Workshop Dinner 2

Café-Restaurant Merlin (from 19:30)

## Day 3 (14:30 – 18:00, 7 July 2023):

### Location

Stiftung Reichspräsident Friedrich-Ebert-Gedenkstätte,  
Pfaffengasse 18  
69117 Heidelberg  
Directions from Premier Inn Heidelberg City

### Paper 8 (14:30 – 15:30)

- Martin Jarrett
- Paper:  
*Public Policy–Based Challenges to Investment-Treaty Arbitral Awards*
- Commentator: Luke Nottage

### Paper 9 (15:30 – 16:30)

- Vivienne Bath
- Paper:  
*Obtaining Evidence for Investment-Treaty Arbitrations in Domestic Courts*
- Commentator: Dorothea Lehmann

### Paper 10 (17:00 – 18:00)

- Paolo Mazzotti and Stephan Schill
- Paper:  
*Investment Treaty–Governed Investor-State Disputes Before Domestic Courts*
- Commentator: Andrés Alvarado