

Training Course on Understanding and Implementing Investment Treaties

Professional Development Training Course Outline

Category	Development	Duration	10 Days
Base Fee	\$3,000 USD	Delivery Mode	Online / On-site Hybrid

Course Introduction

This intensive training course is designed to equip participants with a thorough understanding of **international investment treaties (IIAs)** and the practical skills necessary for their effective implementation. In today's globalized economy, **foreign direct investment (FDI)** plays a crucial role in economic development. **Investment treaties** are key legal instruments that govern the relationship between host states and foreign investors, providing frameworks for **investment protection, dispute resolution**, and the overall **investment climate**. This course delves into the intricacies of treaty provisions, their interpretation, and their impact on **international law, economic policy, and sustainable development**. Participants will gain valuable insights into navigating the complex landscape of **investor-state dispute settlement (ISDS)** and leveraging **treaty provisions** to foster a stable and predictable environment for **cross-border investment**.

The course further explores the practical aspects of implementing **investment treaty obligations** at the national level. This includes understanding the interplay between **domestic law and international commitments**, developing effective strategies for **treaty negotiation**, and managing potential **investment disputes**. Participants will learn about best practices in **investment policy formulation**, the role of **government agencies**, and the importance of **stakeholder engagement**. By focusing on real-world case studies and practical exercises, this training aims to empower participants to effectively utilize **investment treaties** to attract and retain quality **foreign investment**, promote **economic growth**, and contribute to a more rules-based and equitable **global investment regime**.

Programme Curriculum

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Introduction

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Course Duration

10 days

Course Objectives:

1. **Analyze** the evolution and significance of **international investment law**.
2. **Identify** the key provisions and common clauses found in **bilateral investment treaties (BITs)** and **multilateral investment treaties (MITs)**.
3. **Interpret** the legal principles underlying **investment protection standards** such as fair and equitable treatment and expropriation.
4. **Evaluate** the mechanisms and procedures for **investor-state dispute settlement (ISDS)** under various **arbitration rules**.
5. **Understand** the relationship between **investment treaties** and **sustainable development goals (SDGs)**.
6. **Assess** the impact of **investment treaties** on **national sovereignty** and regulatory autonomy.
7. **Develop** strategies for effective **treaty negotiation** and **policy coherence**.
8. **Apply** principles of **treaty interpretation** to specific investment scenarios.
9. **Examine** the role of **international organizations** in shaping the **global investment landscape**.
10. **Compare** different approaches to **investment dispute prevention** and management.
11. **Analyze** the interaction between **investment treaties** and other areas of **international law**, such as trade and human rights.
12. **Evaluate** the challenges and reform efforts within the **ISDS system**.
13. **Formulate** practical strategies for the domestic implementation of **investment treaty obligations**.

Organizational Benefits:

- Enhanced capacity of government officials in **investment promotion agencies (IPAs)** and relevant ministries.

- Improved understanding of **legal risks** and opportunities associated with **foreign investment**.
- Strengthened ability to negotiate and manage **investment agreements** effectively.
- Increased attractiveness as a destination for **foreign direct investment (FDI)** due to a stable and predictable legal framework.
- Reduced likelihood of costly **investor-state disputes** through proactive management and understanding of treaty obligations.
- Enhanced ability to formulate **investment policies** that align with international standards and best practices.
- Improved inter-agency coordination on matters related to **investment treaties**.
- Greater confidence in engaging with foreign investors and navigating the complexities of **international investment law**.

Target Audience:

1. Government officials involved in **investment policy formulation** and **treaty negotiation**.
2. Legal advisors and practitioners specializing in **international investment law**.
3. Executives and managers of multinational corporations engaged in **cross-border investment**.
4. Staff of **investment promotion agencies (IPAs)** and economic development organizations.
5. Academics and researchers focusing on **international economic law** and **development studies**.
6. Representatives of civil society organizations interested in the impact of **investment treaties**.
7. International consultants and advisors on **foreign investment** and **legal frameworks**.
8. Professionals working in **international trade** and **economic cooperation**.

Training Modules:

Module 1: Foundations of International Investment Law

- Evolution and sources of **international investment law**.
- Key concepts and principles governing **foreign investment**.
- The role of **customary international law** in investment protection.
- Overview of different types of **international investment agreements (IIAs)**.
- Relationship between **public international law** and **investment law**.

Module 2: Core Provisions of Investment Treaties

- Definition of **investment** and **investor** under **investment treaties**.
- Scope and application of different **treaty provisions**.
- National treatment and most-favored-nation (MFN) clauses.
- Fair and equitable treatment (FET) standard and its interpretation.
- Protection against expropriation and compensation requirements.

Module 3: Investor-State Dispute Settlement (ISDS)

- Mechanisms and procedures for **investor-state arbitration**.
- Overview of major **arbitration rules** (e.g., ICSID, UNCITRAL).
- Jurisdictional issues and admissibility of claims in **ISDS**.
- Challenges and criticisms of the current **ISDS system**.
- Recent trends and reform efforts in **investor-state dispute resolution**.

Module 4: Treaty Interpretation and Application

- Principles of **treaty interpretation** under the Vienna Convention on the Law of Treaties.

- Case studies on the interpretation of key **treaty provisions**.
- The role of precedent and consistency in **investment treaty jurisprudence**.
- Interaction between **investment treaties** and domestic law.
- Challenges in applying **treaty provisions** to specific investment disputes.

Module 5: Investment Treaties and Sustainable Development

- Balancing **investment protection** with **sustainable development goals (SDGs)**.
- Incorporating environmental and social considerations in **investment agreements**.
- The right to regulate in the public interest and its implications for **investment treaties**.
- Corporate social responsibility and the role of investors.
- Promoting responsible investment through **treaty provisions**.

Module 6: Negotiation of Investment Treaties

- Key considerations and strategies in **treaty negotiation**.
- Drafting effective and balanced **treaty clauses**.
- Incorporating specific national interests and policy objectives.
- Regional approaches to **investment treaty making**.
- The role of transparency and stakeholder consultation in **treaty negotiation**.

Module 7: Implementation of Investment Treaty Obligations

- Domestic legal frameworks for implementing **investment treaty obligations**.
- The role of government agencies in facilitating and regulating **foreign investment**.
- Best practices in **investment policy formulation** and administration.
- Managing potential conflicts between **treaty obligations** and domestic laws.
- Ensuring effective communication and coordination across government entities.

Module 8: Investment Dispute Prevention and Management

- Strategies for preventing **investor-state disputes**.
- Early warning mechanisms and proactive engagement with investors.
- Alternative dispute resolution (ADR) methods in investment disputes.
- Managing the costs and risks associated with **ISDS**.
- Building institutional capacity for effective dispute management.

Module 9: Regional Investment Agreements

- Analysis of key regional **investment agreements** (e.g., USMCA, AfCFTA).
- Comparison of approaches and provisions in regional agreements.
- Implications of regionalism for the **global investment regime**.
- Opportunities and challenges of regional economic integration for investment.
- The interplay between bilateral and regional investment treaties.

Module 10: The Future of International Investment Law

- Current trends and emerging issues in **international investment law**.
- Debates on the reform of the **ISDS system**.
- The impact of geopolitical developments on **investment treaties**.
- The role of technology and innovation in shaping future investment rules.
- Prospects for a multilateral framework on investment.

Module 11: Sector-Specific Issues in Investment Law

- Investment regulation in key sectors (e.g., energy, natural resources, infrastructure).
- Specific challenges and considerations in different industries.
- The impact of **investment treaties** on sector-specific policies.
- Case studies of investment disputes in particular sectors.
- Promoting sustainable investment in specific industries.

Module 12: Transparency and Accountability in Investment Law

- The importance of transparency in **investment treaties** and **ISDS**.
- Access to information and public participation in investment-related decision-making.
- Mechanisms for ensuring accountability of investors and host states.
- The role of civil society in promoting transparency and accountability.
- Recent developments and best practices in transparency initiatives.

Module 13: Investment Treaties and Human Rights

- The intersection of **investment law** and **human rights law**.
- Potential conflicts between **investor rights** and **human rights obligations**.
- Efforts to integrate human rights considerations into **investment treaties**.
- The responsibility of investors for human rights impacts.
- Case studies on the human rights implications of foreign investment.

Module 14: Economic Development and Investment Treaties

- The role of **investment treaties** in promoting **economic growth** and **development**.
- Attracting quality **foreign direct investment (FDI)** through treaty frameworks.
- Balancing investor protection with development objectives.
- The impact of **investment treaties** on local economies and communities.
- Strategies for maximizing the development benefits of foreign investment.

Module 15: Practical Case Studies and Exercises

- Analysis of real-world **investor-state disputes**.
- Simulations of **treaty negotiation** scenarios.
- Exercises on the interpretation of specific **treaty clauses**.
- Case studies on the domestic implementation of **investment treaty obligations**.
- Group discussions and problem-solving exercises on current challenges in **international investment law**.

Training Methodology:

This training course will employ a variety of interactive and engaging methodologies to facilitate effective learning, including:

- **Lectures** providing foundational knowledge and key concepts.
- **Interactive discussions** encouraging participant engagement and exchange of ideas.
- **Case study analysis** of real-world investment disputes and treaty provisions.
- **Group exercises** and simulations to apply learned concepts in practical scenarios.
- **Presentations** by leading experts in the field of international investment law.
- **Q&A sessions** to address participant queries and foster deeper understanding.
- **Reading materials** and resources for further exploration.
- **Online forums** for continued learning and networking.

Register as a group from 3 participants for a Discount

Send us an email: info@fineskilltrainingcenter.org or call +254769199797

Certification

Upon successful completion of this training, participants will be issued with a globally- recognized certificate.

Tailor-Made Course

We also offer tailor-made courses based on your needs.

Key Notes

- a.** The participant must be conversant with English.
- b.** Upon completion of training the participant will be issued with an Authorized Training Certificate

Upcoming Scheduled Sessions

Start Date	End Date	Location	Price
21 Sep 2026	02 Oct 2026	Online	\$2,000
21 Sep 2026	02 Oct 2026	Physical	\$3,000
21 Sep 2026	02 Oct 2026	Physical	\$0
21 Sep 2026	02 Oct 2026	Physical	\$0
21 Sep 2026	02 Oct 2026	Physical	\$0
21 Sep 2026	02 Oct 2026	Physical	\$0
21 Sep 2026	02 Oct 2026	Physical	\$0
21 Sep 2026	02 Oct 2026	Physical	\$0

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