1. **Title of the module**

LAWS8100 / LAWS8101 (LW810) The International Law on Foreign Investment

1. **School or partner institution which will be responsible for management of the module**

Kent Law School

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 7

1. **The number of credits and the ECTS value which the module represents**

20 credits (10 ECTS Credits)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn or Spring

1. **Prerequisite and co-requisite modules**

None. The course however assumes that the students will have studied Public International Law at the undergraduate level.

1. **The programmes of study to which the module contributes**

LLM in (Specialisation); LLM Law; PG Diploma in (Specialisation); PG Certificate in Law; PGDip/LLM in (Specialisation) Brussels

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will be able to demonstrate:**
   1. An ability to systematically evaluate the substantive, analytical, normative and empirical characteristics of international law of foreign investment as field of study and practice.
   2. A practical understanding of how established techniques of research and enquiry are used to create and interpret knowledge in the field and an ability to critically analyse those techniques.
   3. A critical awareness of historical and contemporary theoretical and policy problems around the world that have generated, and continue to inform, the international law of foreign investment.
   4. Originality in the application and synthesis of the above knowledge and understanding.
2. **The intended generic learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Present relevant knowledge and understanding in the form of an integrated, reasoned argument through seminar discussion and written assessment.
   2. Identify and evaluate complex legal and policy problems according to their historical, political and legal context.
   3. Carry out independent further research, synthesising material from a variety of sources to inform a sustained and detailed argument.
   4. Ability to summarise detailed historical and conceptual material, recognising different positions that arise in the literature surveyed.
   5. Appreciate, and critically analyse the implications of, the fact that legal forms arise and operate within complex historical and political conditions.
   6. Develop an awareness of, and an ability to critically analyse, the economic, political and/or social implications of legal forms and remedies.
3. **A synopsis of the curriculum**

This module explores the legal implications (practical and theoretical) of foreign direct investment. Attention is paid to the perspectives of states, investors, civil society actors and theorists; and to placing legal implications in their economic, social, political and historical context. Questions considered include:

* + - * What political, economic and legal actors and factors have shaped the international law on foreign investment?
      * What are the legal implications of the fact that most foreign investments are made by corporations?
      * What roles can host state legal systems play in attracting and regulating foreign investments?
      * What international legal mechanisms are used to enable foreign investment?
      * What challenges do current concerns with corruption and tax evasion pose to existing international law on foreign investment?

1. **Reading List (Indicative list, current at time of publication. Reading lists will be published annually)**

**Textbook**

* + - * M. Sornarajah (2010) ‘The shaping factors’ in The International Law on Foreign Investment, CUP

**Other sources**

* + - * A. Perry-Kessaris (2008) Global Business, Local Law: the Indian legal system as a communal resource in foreign investment relations
      * A. Perry-Kessaris ed. (2010) Socio-legal approaches to international economic law: Text, context, subtext Routledge.
      * P. Dicken (2011) ‘Global Shift.
      * A. Lowenfeld (2008) International Economic Law
      * M. Herdegen (2013) Principles of International Economic Law Chapter
      * P. Muchlinski (2007) Multinational Enterprises and the Law
      * J. Bakan (2005) The Corporation Constable.
      * J. Salacuse (2010) The Law of Investment Treaties

1. **Learning and Teaching methods**

Contact hours: 18

Private study hours: 182

Total study hours: 200

1. **Assessment methods.**

13.1 Main assessment methods

Written essay of no more than 5,000 words (100%)

13.2 Reassessment methods

Reassessment instrument: 100% coursework

1. **Map of Module Learning Outcomes (sections 8 & 9) to Learning and Teaching Methods (section 12) and methods of Assessment (section 13)**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 9.1 | 9.2 | 9.3 | 9.4 | 9.5 | 9.6 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |
| Combined Lectures/Seminars | X | X | X | X | X | X |  | X | X | X |
| Private Study | X | X | X | X | X | X | X | X | X | X |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |
| Essay | X | X | X | X | X | X | X | X | X | X |

1. **Inclusive Module Design**

The School recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with the KLS school-level statement on Lecture Capture, in Canterbury, teaching sessions will not be recorded to assist notetaking as they are heavily discussion-based and may contain sensitive material. However, the module convenor will notify students in advance of any lectures that will be recorded. In Brussels, recording will be at the discretion of the module convenor.

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or Centre(s) where module will be delivered:**

Canterbury and Brussels

1. **Internationalisation**

The module is about international foreign investment law. It is therefore an inherently international subject.

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**FACULTIES SUPPORT OFFICE USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

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| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
| 26/04/2016 | Minor | September 2016 | 7, 12, 13, 16 |  |
| 06/01/2020 | Minor | September 2020 | 15 | No |