

# CENTRE FOR INTERNATIONAL LAW

## Seminar

# CIL

**15 July 2015, Wednesday, 4.00PM – 5.30PM**

Seminar Room 4-1, Level 4, Block B, NUS Bukit Timah Campus,  
469 Bukit Timah Road, Singapore 259756

## The Treatment of Regulatory Change in Bilateral Investment Treaty Disputes: When Can Host States Change Their Minds?

### ABOUT THE SPEAKER



**Mr Thomas Sebastian**  
Barrister  
Monckton Chambers, London

Thomas Sebastian is a barrister at Monckton Chambers in London and specialises in public international law. He has acted in over 20 treaty cases and has an in-depth understanding of the commercial, regulatory and political factors that give rise to trade and investment disputes.

He also acts in commercial arbitrations.

Thomas holds a BA, LLB (Hons) degree from the National Law School of India University as well as BCL and MPhil degrees from Oxford University, which he attended on a Rhodes Scholarship.

### INTRODUCTION

States often change their policies and frequently in ways that are disadvantageous to businesses. When, if ever, can a change in policy give rise to a breach of a bilateral investment treaty? Can regulatory change give rise to breach even if the new policy is rational, non-discriminatory and consistent with prior promises made by the host state?

This seminar examines how tribunals established under bilateral investment treaties have tackled matters of regulatory change. It looks at examples drawn from the region (such as India's changes to telecom spectrum allocation policies and Indonesia's changes to policies on raw material exports) and beyond (such as Canada's changes to intellectual property rules and Switzerland's changes to foreign exchange policies) and provides a descriptive and normative account of when a regulatory change can amount to a breach of treaty.

#### FREE ADMISSION

To register, please click [HERE](#) or email  
CIL Events at [cil.events@nus.edu.sg](mailto:cil.events@nus.edu.sg).

#### ABOUT THE CENTRE FOR INTERNATIONAL LAW (CIL)

The Centre for International Law (CIL) is based at the Bukit Timah campus of the National University of Singapore. CIL's mission is to enable Singapore and the Asia-Pacific region to play a more significant role in the promotion and development of international law and policy. The Centre's aim is to become the region's intellectual hub and thought leader for research on and teaching of international law and policy. The Director of CIL is Associate Professor Robert C Beckman. For more information, please visit the CIL website at [www.cil.nus.edu.sg](http://www.cil.nus.edu.sg) or email: [cil.info@nus.edu.sg](mailto:cil.info@nus.edu.sg).