

a) Phillip Morris v. Uruguay

- Please read the following paragraphs of the Award - **paras. 272-307, 388-420.**

The following questions will be discussed:

- a) What was the investment in the case?
- b) What standards of protection under the BIT were breached according to Claimant? What were the main substantive issues the tribunal had to deal with?
- c) Based on the arbitral award, can you define what is the police powers concept? How did the Tribunal use the police powers concept?
- d) What interests were protected by the state through the manifestation of police powers doctrine?
- e) Did the Tribunal decide that the measure was a legitimate exercise of the state's police powers? If so, why?
- f) Do you think that the fact that a state concludes a BIT deprives it of its ability to regulate in public interest?

b) Dan Cake v. Hungary, paras 145-157,

- a) What was the investment in the case?
- b) What standards of protection under the BIT were breached according to Claimant?
- c) What were the main substantive issues the tribunal had to deal with?
- d) Do you see any controversial issue in this case?

c) Solar and Michael Göde v. Czech Republic, para 360.

- a) Please explain what the tribunal says in para 360.

Thank you and see you soon.