Question 1

A) Answer **shortly** all of the following five questions. (2 points each)

1. The notion of “investment” was not defined in the ICSID Convention because the drafters thought that …

2. Pursuant to the ICSID Convention’s nationality requirements, can a natural person with dual citizenship access ICSID arbitration?

3. Give two examples of investment categories a “broad asset based”-definition of investment typically covers!

4. In a “narrow” dispute settlement clause a foreign investor can only request an arbitral tribunal to assess …

5. What have arbitral tribunals regularly held, if a BIT clause protects only investments “made in accordance with host State law”?

B) Answer the following essay question! (10 points)

To what extent has the specific wording of MFN clauses influenced their interpretation by investment tribunals?