



ESSENTIALS OF INTERNATIONAL INVESTMENT LAW IN ASIA

PROGRAM DETAILS

FACULTY	DATE/TIME	FEE
Kevin Crow	9 February 2026 9.00AM - 5.00PM	RM3,000 before SST*

*Fee excludes accommodation at ASB Residential for outstation/ overseas participants but can be arranged at additional cost.

Program Overview

The countries in ASEAN, as individual states and when taken as a bloc, are party to almost 300 enforceable international investment agreements (IIAs); together with the rest of Asia, that number increases to almost 1,000 IIAs. It is therefore essential for lawyers and senior decision-makers to understand this evolving landscape of investment instruments in Asia, where skepticism of IIL is subsiding, where new agreements tackle unprecedented and unique issues, and where many older treaties no longer reflect current economic, political, development or ESG priorities.

This program offers a dynamic, policy-oriented exploration of international investment law (IIL) with a distinct focus on Asia. Geared toward in-house counsel and senior decision-makers in multinational companies and government agencies, it provides practical insights to navigate cross-border investments and risk management. The program covers treaty interpretation, investor-state arbitration, dispute resolution strategies, and regulatory compliance.

It will give participants the tools to balance investor protections with host-state regulatory space – to uphold treaty commitments without compromising public policy or assurances against political risk. It uses case studies to demystify the investor-state dispute settlement (ISDS) process and to illustrate best practices for managing arbitration from negotiation to enforcement. The program will analyze the shifting ISDS landscape - from a surge in high-value claims to reform efforts for greater consistency and predictability for both states and businesses - with a focus on Asia's rising prominence in investment arbitration. It will also examine innovative tools like mediation as an alternative to arbitration, and the rules of individual forums like the Asian International Arbitration Centre (AIAC) in Kuala Lumpur.

Finally, the program will explore how environmental, social, and governance (ESG) factors are reshaping investment law. Through case studies on climate-related disputes, such as recent renewable energy arbitrations under investment treaties, and through technical analysis of treaty interpretation, the program will explore why and how ESG-driven claims - a growing trend globally - are prompting new treaty clauses and arbitration approaches on issues like environmental regulation and human rights.

This program blends lectures, case studies, and interactive exercises. Sessions include analysis of cases, group discussions, and hands-on simulations to reinforce practical skills.

Learning Outcomes

- Interpret and apply the core principles of international investment treaties in ASEAN and in the Asian context more generally.
- Evaluate the strengths and limitations of ISDS and alternative mechanisms.
- Identify practical strategies for mitigating legal and regulatory risks in cross-border investments.
- Analyze high-profile investment disputes and extract lessons for corporate or governmental strategy.
- Anticipate the impact of ESG and sustainability concerns on investment law and treaty practice.
- Engage effectively with external counsel, arbitrators, and regulators in managing disputes.
- Develop sector- and institution-specific action plans for navigating international investment challenges.

Who Should Attend?

- In-house counsel
- Senior decision-makers in multinational companies
- Senior decision-makers in government agencies

Faculty

Dr. Kevin Crow is an Associate Professor II of International Law & Ethics at ASB and International Faculty Fellow at MIT. His research focuses on public-private constructions in international law, legal imaginaries of personhood, law's role in determining economic and moral subjects historically and presently, and most recently, actualities that are presented as 'natural' in legal and economic theory. Prior to joining ASB, Kevin taught international economic law and human rights law at the University of Halle-Wittenberg Law School in Germany and practiced international criminal law with NGOs based in Cambodia and France.



Alongside his work with ASB, Kevin is an affiliated researcher with Columbia University's Freedom of Expression Initiative and is active in legal consulting and international impact litigation. He holds a BA from the University of Washington (Political Science), a dual JD / LLM from the London School of Economics and the University of Southern California Law School (Law / Legal Theory), and a PhD from the Universität Halle-Wittenberg Transnational Economic Law Center (International Law), all with honors.

Kevin is licensed to practice law in the State of California and can advise internationally on matters related to international law. His first book, *International Corporate Personhood: Business and the Bodyless in International Law* (Routledge 2021), sets out a theory of the corporation's relationship to international law. His second book, *Accession, Agreement and Acceptance in International Law: Adversarialism and Consent After Bandung* is forthcoming from Routledge (2026).



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