BRICK COURT
CHAMBERS

Brick Court Chambers
7-8 Essex Street, London WC2R 3LD
DX 302 London Chancery Lane

Professor Peter Muchlinski

YEAR OF CALL: 1981

Clerk's Email: TonysClerkingTeam@brickcourt.co.uk

Practice Overview

Peter Muchlinski has been a door tenant since 1990. He is Emeritus Professor in International Commercial Law at the School of Oriental and African Studies (SOAS), University of London. Prior to joining SOAS he was Professor of Law and International Business at Kent Law School, University of Kent (2001-5). He has taught at the London School of Economics (1983-1998), and was the Drapers' Professor of Law in the Law Department of Queen Mary and Westfield College, University of London, from 1998 to 2001.

He specialises in international and European business law, including the regulation of multinational enterprises, international investment law, law and development and commercial regulation, in which fields he has authored numerous papers and articles. His more recent published work concentrates on the social dimension of the regulation of international business, with emphasis on human rights and multinational enterprises and upon the rebalancing of rights and obligations of host and home countries, and investors, in international investment agreements. He also has an interest in the relationship between international and comparative legal methodology and the process of globalization focusing, in particular, on international and comparative corporate law.

He is the author of *Multinational Enterprises and the Law* (Second edition, Oxford University Press, 2007, third edition in preparation) and co-editor (with Dr Federico Ortino and Professor Christoph Schreuer) of the *Oxford Handbook of International Investment Law* (Oxford University Press, 2008) in which he has also written three chapters. He has also co-edited (with Julia Black and Paul Walker) *Commercial Regulation and Judicial Review* (Hart Publishing, 1998).

He acted as a principal adviser to the United Nations Conference on Trade and Development

(UNCTAD) on investment issues for fourteen years between 1997 and 2012. During the period of June-October 2003 he was on leave of absence from Kent Law School and worked at UNCTAD in Geneva as a Senior Legal Expert in the Division on Investment Technology and Enterprise Development.

He was, until its dissolution in August 2008, Co-Rapporteur to the International Law Association Committee on the International Law on Foreign Investment.

He acted as Adviser to the International Commission of Jurists Expert Panel on Corporate Complicity in International Crimes between 2006-2008.

Commercial

Recent Advisory Positions

Principal Advisor to the UNCTAD Series on issues in international investment agreements 1997-2004 and UNCTAD Series on International Investment Policies for Development 2004-2012.

Adviser to the International Commission of Jurists Expert Panel on Corporate Complicity in International Crimes 2006-2008.

Co-Rapporteur to the International Law Association Committee on the International Law on Foreign Investment 2004-2008.

Lead consultant UNCTAD *World Investment Report 2003* (New York and Geneva, United Nations, 2003).

Joint Parliamentary Committee on Human Rights *Human Rights and Business 2017: Promoting responsibility and ensuring accountability* Written evidence submitted from Professor Peter Muchlinski (HRB0011). Available here.

Qualifications

LLB (Lond.) London School of Economics; LLM (Cantab.) Christ's College; Called 1981;

Emeritus Professor of International Commercial Law School of Oriental and African Studies 2016-; Professor of International Commercial Law, the School of Oriental and African Studies, University of London 2005-2016, Senior Legal Adviser to the Division on Investment, Technology and Enterprise Development/Division on Investment and Enterprise, UNCTAD 1997-2012.

Formerly Professor of Law and International Business, Kent Law School, University of Kent at Canterbury 2001-2005; Drapers' Professor of Law, Queen Mary, University of London 1998-2001;

Senior Lecturer in Law, London School of Economics 1996-1998; Lecturer in Law, London School of Economics 1983-1996; Lecturer in Law, Kent Law School, University of Kent at Canterbury 1981-1983; Tutor in International Law, Christ's College Cambridge 1979-81; Research Officer British Institute of Human Rights 1979-80

Publications

Editor and contributor to *The Oxford Handbook of International Investment Law* (Oxford, Oxford University Press, 2008)

Author of *Multinational Enterprises and the Law* (Oxford, Oxford University Press, 2nd Ed, 2007, third edition in preparation).

"The Impact of a Business and Human Rights Treaty on Investment Law and Arbitration" in Surya Deva and David Bilchitz (eds) *Building a Treaty on Business and Human Rights: Context and Contours* (Cambridge, Cambridge University Press, 2017) 346

"Corporations in International Law" in Rüdiger Wolfrum (ed) *Max Planck Encyclopaedia of Public International Law* (Oxford, Oxford University Press, June 2014). Available here.

"The Development of German Corporate Law until 1990: An Historical Re-appraisal" 14(2) German Law Journal 339 (2013)

"Sovereignty and Private Corporate Power: The Case of Multinational Enterprises" in in Richard Rawlings, Peter Leyland and Alison L. Young (eds) *Sovereignty and the Law: Domestic, European and International Perspectives* (Oxford, Oxford University Press, 2013) 286

"Implementing the New UN Corporate Human Rights Framework: Implications for Corporate Law, Governance, and Regulation" 22(1) Business Ethics Quarterly 145 (2012)

" 'Caveat Investor'? The Relevance of the Conduct of the Investor under the Fair and Equitable Treatment Standard" 55 International and Comparative Law Quarterly 527-558 (2006).

"Enron and Beyond: Multinational Corporate Groups and the Internationalization of Governance and Disclosure Regimes" 37 Connecticut Law review 725-763 (2005).