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Can Foreign Investors Sue the UK for Brexit?

Roger Alford (General Editor) (Notre Dame Law School) · Thursday, July 6th, 2017

On May 30, 2017, Volterra Fietta and the University of Notre Dame hosted a debate of whether foreign investors can sue the United Kingdom for a hard Brexit. The recorded video is now available for viewing.

[Markus Burgstaller](#) and I presented the case that foreign investors may have viable claims against the UK, while [Jeremy Sharpe](#) and [Luis González García](#) presented a respondent state perspective. [Suzanne Sharpe](#) and [Martins Paporinskis](#) provided additional commentary.

The British government was invited to attend and present its views, but respectfully declined. Afterwards, a spokesman for the Department of International Trade [stated that](#) “The government does not believe that the UK’s decision to leave the EU will provide grounds for valid legal claims under our bilateral investment treaties.”

Following a lively debate, the audience was surveyed and 58 percent voted that foreign investors would not have viable claims against the British government for a hard Brexit, while 42 percent responded that they would.

The event was reported in various news outlets, including the [Times](#), the [Daily Mail](#), and [Global Arbitration Review](#), among [others](#).

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