

Organisers



AAIL FOUNDATION

Seminar

Individual Responsibility for State Breaches of Investment Law

 30 SEP 2026 (Wed)

Seminar 18:30 – 19:30

 The Former French Mission Building
1 Battery Path, Central, Hong Kong

**Drink Reception 19:30–20:00*

CPD Point
being applied for

Can investment law look beyond the State and ask who, in practical terms, should bear responsibility for unlawful conduct that harms foreign investors? This seminar explores a timely and under-examined question: whether individuals who design, direct, or enable State conduct amounting to investment treaty breaches may face not only political or institutional scrutiny, but also civil liability.

The session moves beyond the familiar focus on State compensation to consider how concepts of personal accountability, including ideas associated with international criminal law, may help inform a civil liability framework for State officials and other decision-makers involved in investment-related wrongdoing. In doing so, the seminar invites participants to rethink the boundaries of responsibility in international investment law and to consider whether accountability should stop at the State's door.

Expanding this conceptual horizon, the discussion will evaluate how cross-border litigation strategies and international tort frameworks can translate abstract State wrongdoing into actionable individual liability. Participants will analyse the structural shifts required to bypass traditional sovereign immunities, assessing whether a transnational civil liability regime could effectively deter malicious or corrupt official conduct. By examining these emerging legal pathways, the panel aims to redefine the architecture of attribution and redress in modern international economic law.

Free Registration



Enquiries: events@aail.org

Asian Academy of International Law (AAIL)

AAIL is an independent and non-profit making body set up in Hong Kong to further the studies, research and development of international law in Asia and beyond. Specialising in providing training programme relating to international law and platforms for discussion about topical subjects of international law. Visit <https://aail.org> for more information.

Moderator



Anthony Neoh SC JP

Chairman

Asian Academy of International Law

Dr Anthony Neoh is a senior member of the Hong Kong Bar specialising in international litigation, arbitration and financial regulatory matters. In 1979, he commenced practice at the Hong Kong Bar after serving for 13 years in the Hong Kong Civil Service. From 1991 to 1994, he was a member of the Hong Kong Stock Exchange Council and its Listing Committee, and chaired its Disciplinary Committee and Debt Securities Group, and was Co-Chairman of the Legal Committee of the Hong Kong and China Listing Working Group. He was the chief architect of the legal structure for the listing of Chinese enterprises in Hong Kong. He is former Chairman of the Hong Kong Securities and Futures Commission from 1995 to 1998; during this time, he was the first Asian to be elected Chairman of the Technical Committee of the International Organization of Securities Commissions. From 1999 to 2004, he was Chief Advisor of the China Securities Regulatory Commission, at the personal invitation of former Premier Zhu Rongji. Dr Neoh was appointed as Chairman of the Hong Kong Independent Police Complaints Council from June 2018 to May 2021. Elected an Academician of the Eurasian Academy of Sciences and Honorary Fellow of the Hong Kong Academy of Finance and the Hong Kong Institute of Investment and Securities, he is internationally recognised as an expert in financial law and regulation and is also an active international arbitrator.

Speaker



Olga Boltenko FCI Arb

Research Fellow

Asian Academy of International Law

Barrister

Prince's Chambers

Ms Olga Boltenko FCI Arb is a barrister and arbitrator with decade-long of experience in cross-border dispute resolution and international arbitration. Most recently with Fangda Partners in Hong Kong, Ms Boltenko has also practised with leading arbitration teams in Paris and Singapore. With a particular focus on public international law, investor-State dispute resolution, and commercial arbitration, Ms Boltenko has acted as legal counsel in investor-State disputes under the auspices of the Permanent Court of Arbitration, the ICSID, the SCC, the ICC, the LCIA, and in various capacities in dozens of commercial disputes in a wide array of industries including oil and gas, mining, infrastructure, construction, telecommunications and pharmaceuticals, across Asia and beyond. Ms Boltenko FCI Arb teaches arbitration and investment law at The University of Hong Kong and at the Royal University of Law and Economics in Phnom Penh. She has a growing arbitrator practice and is listed on most regional arbitration panels. The topic of the seminar is the subject of her PhD research at the Grotius Centre for International Legal Studies at the Leiden University Law School.