

**PROGRAMME**

**10.30 - 11.00** Registration and tea/coffee

Chair: **Markus Burgstaller**, Lovells LLP, London

**11.00 - 11.10 WELCOME AND INTRODUCTION**

Speakers:

Welcome: Professor **Robert McCorquodale**, Director, British Institute of International and Comparative Law

**Graham Coop**, Energy Charter Secretariat

**Anna Falk**, Ministry for Foreign Affairs of Sweden, Stockholm

**James Flynn**, Brick Court Chambers, London

**Professor Catherine Kessedjian**, University of Paris II, Panthéon-Assas

Introduction: **Patrick Sherrington**, Lovells LLP, London

**11.10 - 12.40 SESSION ONE: INVESTMENT ARBITRATION UNDER INTRA-EU BITs**

**15.00 - 15.20** Tea and coffee

Was the Arbitral Tribunal in *Eastern Sugar v Czech Republic* right to conclude that intra-EU BITs remain applicable until they are terminated or does EC law automatically terminate these treaties? Is EC law applicable in investment arbitrations?

**15.20 - 16.50 SESSION THREE: THE TREATY OF LISBON AND INVESTMENT PROTECTION**

What will be the allocation of competences for foreign direct investment once the Treaty of Lisbon enters into force? Will international investment agreements concluded by the EU and the Member States co-exist? What is the impact of the Treaty on Lisbon on the level of investor protection?

Chair: **Norah Gallagher**, Director, Investment Treaty Forum, British Institute of International and Comparative Law

Chair: **Robert Hunter**, Lovells LLP, Frankfurt

Speakers:

**Christer Söderlund**, Vinge, Stockholm

**Professor Christian Tietje**, University of Halle-Wittenberg

**Peter Turner**, Freshfields Bruckhaus Deringer LLP, Paris

**Robert Volterra**, Latham & Watkins LLP, London

Speakers:

**Professor James Crawford**, University of Cambridge

**Petr Ondrusek**, European Commission, Brussels

**Professor August Reinisch**, University of Vienna

**Manfred Schekulin**, Federal Ministry of Economics and Labour, Vienna

**12.40 - 13.40** Lunch

**16.50 - 17.00 CONCLUSION AND CLOSE**

**13.40 - 15.00 SESSION TWO: INFRINGEMENT PROCEEDINGS AGAINST MEMBER STATES' BITs BEFORE THE EUROPEAN COURT OF JUSTICE**

**Professor James Crawford**, University of Cambridge

**Michael Davison**, Lovells LLP, London

On 10 July 2008, Advocate General Maduro opined that several Austrian and Swedish BITs would violate EC law. If the ECJ follows this opinion, in effect, Austria and Sweden will have to terminate several BITs. Are Member States still competent to negotiate, conclude and amend BITs?

**17.00 - 18.30** Drinks reception