



**British Institute of
International and
Comparative Law**

Investment Treaty Forum Annual Report 2019



A global centre for high level debate on International Investment Law

www.biicl.org/itf

Message from the Director



Dear ITF members and friends,

2019 has been a successful year for the Investment Treaty Forum (ITF), which grew its membership, expanded to new jurisdictions and strengthened its impact in the area of international investment law. ITF continues to serve as a global centre for high-level debate in the field of international investment law.

While the core of the Forum's activities remains in London, it becomes increasingly active abroad. In 2019, we completed a project on Investment Promotion and Protection in the [Canada-UK Trade Relationship](#) for the benefit of the UK and Canada governments engaging officials of both countries. We partnered with the National University of Singapore and Singapore International Arbitration Centre to host the [first ever ITF event there](#).

As ITF Director I contributed to activities of the UNITRAL Working Group II (Investor-State Dispute Settlement Reform), briefed the UK parliament on the [public international law aspects of Brexit](#) and convened an event on the United Nations Convention against [Corruption and international investment law](#). I also spoke at the inaugural event of the BIICL Human Rights Due Diligence Forum on the [interaction between investment law and human rights](#).

In 2019, ITF organised two major conferences in London on the valuation of damages and state responsibility in investment law attracting over 200 participants. ITF members hosted five smaller events, touching on a range of topics including [annulment of awards](#) (Baker Botts), [regulatory freedom and indirect expropriations](#) (Withers), [counterclaims](#) (DLA Piper), and [provisional measures in investment law](#) (While & Case). To reach a wider audience, ITF publishes [podcasts](#) of its meetings online as well as [blog posts](#) about ITF events.

In cooperation with White & Case, BIICL conducted a comprehensive empirical study on provisional measures in investment treaty arbitration. The findings were presented to members at the ITF Meeting in November, and [published](#) on the ITF website. In collaboration with Baker McKenzie, ITF is preparing [a new empirical study](#) focusing tribunals' treatment of corporate restructuring.

As BIICL is working on aligning membership in all its Fora, the ITF membership fee for 2020 will increase (from £2,750 to £2,950 (corporate) and from £500 to £750 (individual)). Please note that all Forum members also receive electronic access to the ICLQ, one free place per organisation at any standard BIICL evening event as well as the BIICL member rate for other public Institute events.

In 2020, our big conferences will be devoted to regulatory powers of states and its limits as well as evidence in international investment law. As always, several smaller events will be hosted by ITF members.

I wish you a happy and productive new year!

Professor Yarik Kryvoi
Director of the Investment Treaty Forum



Events

ITF Public Conferences

10 May 2019

Thirty Second ITF Public Conference: State Responsibility in Investment Law

Participants: Prof Christoph Schreuer, zeiler.partners (keynote address); Charles Claypoole, Latham & Watkins, London; Dr Stuart Dutson, Simmons & Simmons, London; Greg Falkof, Eversheds Sutherland, Paris; Prof Matthew Happold, University of Luxembourg; Loretta Malintoppi, 39 Essex Chambers; Kate Corby, Baker McKenzie, London; Lord Goldsmith QC, Debevoise & Plimpton, London; Dr Anthony Sinclair, Quinn Emanuel Urquhart & Sullivan, London; David Pawlak, David A. Pawlak LLC; Théobald Naud, DLA Piper, Paris; Suzanne Spears, Allen & Overy, London; Sylvia Tordova, Jones Day, London; Chanaka Wickremasinghe, Foreign and Commonwealth Office.

13 September 2019

ISDS@Singapore Public Conference: Dimensions of Legitimacy in Investor-State Dispute Settlement



Participants: Cavinder Bull, Drew & Napier LLC, Singapore; Toby Landau QC, Essex Court Chambers, London; Dr Jean Ho, NUS Law; Daphne Hong, International Affairs Division (IAD) of the Attorney-General's Chambers, Singapore; Miriama Kiselyova, Permanent Representation of the Slovak Republic to the EU; Prof Yarik Kryvoi, Investment Treaty Forum Director; Jonathan Lim, WilmerHale, London; Lim Seok Hui, Singapore International Arbitration Centre; Inga Martinkute, NUS Law; Dr Nimnual Piewthongngam, Dhurakij Pundit University; Jeremy

Sharpe, Shearman & Sterling, Paris; Prof M Sornarajah, NUS Law. View the [Event Photos](#)

18 October 2019

Thirty-third ITF Public Conference: Valuation of Damages in International Investment Law



Participants: Juan Fernández-Armesto, Armesto & Asociados (keynote address); Antolín Fernández Antuña, Antuña & Partners; Christina Beharry, Foley Hoag LLP; Ronnie Barnes, Cornerstone Research; Christophe Bondy, Cooley LLP, London; Jeffery Commission, Burford Capital LLC; Marcos D. Garcia Dominguez, University of Chicago; Daniel Dozsa, Dechert LLP, London; John Elisson, FTI Consulting Inc; David Herlihy, Skadden, Arps, Slate, Meagher & Flom LLP, London; Prof Yarik

Kryvoi, Investment Treaty Forum Director; Aron Skogman, Mannheimer Swartling Advokatbyrå AB; Huawei Sun, Zhong Lun Law Firm; Vikki Wall, Haberman Ilett LLP. View the [Event Photos](#)

ITF Public Meetings

6 February 2019

Annulment in International Investment Law

Convened in partnership with Baker Botts LLP

Participants: Dr Johannes Koepp, Baker Botts (chair); Dr Veijo Heiskanen, Lalive, Geneva; Prof Luca G. Radicati di Brozolo, Arblit, Milan; Dr Tim Rusche, European Commission, Brussels. View the [Event Photos](#)

4 March 2019

Renewing the Relationship: Treaties and Customary International Law



Convened in partnership with Withers LLP

Participants: Prof Andrea Bjorklund, McGill University (chair); Hussein Haeri, Withers LLP, London; Robert Volterra, Volterra Fietta, London; Dr Mustaqeem De Gama, South African Mission to the WTO. View the [Event Photos](#)

20 June 2019

ITF Debate on Regulatory Freedom and Indirect Expropriation

Convened in partnership with Withers LLP | [Podcast](#)

Participants: Prof Attila Massimiliano Tanzi, University of Bologna, and Associate Member, 3 Verulam Buildings; Dr Andrea Carlevaris, Bonelli Erede; Ms Andrea Menaker, White & Case LLP, Washington DC; Dr Aniruddha Rajput, Withers LLP, London.

6 November 2019

Counterclaims in Investor-State Arbitration



Convened in partnership with DLA Piper | [Podcast](#)

Participants: Michael Ostrove, Global Co-Chair of International Arbitration, DLA Piper, Paris (chair); David Herlihy, Skadden, Arps, Slate, Meagher & Flom LLP, London; Alison Macdonald QC, Matrix Chambers, London; Dainis Pudelis, State Chancellery of Republic of Latvia.

27 November 2019

Provisional Measures in Investor-State Arbitration

Convened in partnership with White & Case LLP / [Podcast](#)

Participants: Hilary Heilbron QC, Brick Court Chambers, London (chair); David Goldberg, White & Case, London; Gavan Griffith QC, Essex Court Chambers; Prof Yarik Kryvoi, Investment Treaty Forum Director; Ivan Philippov, White & Case, London.

17 December 2019

The United Nations Convention against Corruption and International Investment Law

Convened in partnership with the United Nations Office on Drugs and Crime / [Podcast](#)

Participants: Paul-Jean Le Cannu, ICSID; Vladimir Kozin, UNODC; Yarik Kryvoi, BIICL; Amankali Sagatov, Government of Kazakhstan; Jae Sung Lee, UNCITRAL; Aloysius Llamzon, King & Spalding; Feri Wibison, Government of Indonesia.

Investment Treaty Forum Members



Corporate:

- Allen & Overy LLP
- Baker & McKenzie LLP
- Baker Botts LLP
- Clifford Chance LLP
- Cooley LLP
- Debevoise & Plimpton LLP
- Dechert LLP
- Dentons LLP
- DLA Piper LLP
- Eversheds Sutherland LLP
- Freshfields Bruckhaus Deringer LLP
- Gibson, Dunn & Crutcher LLP
- Herbert Smith Freehills LLP
- Hogan Lovells LLP
- Jones Day LLP
- Latham & Watkins LLP
- Linklaters LLP
- Mannheimer Swartling Advokatbyrå
- Reed Smith LLP
- Shearman & Sterling LLP
- Skadden, Arps, Slate, Meagher & Flom LLP
- Three Crowns LLP
- Vinson & Elkins LLP
- Volterra Fietta
- White & Case LLP
- WilmerHale LLP
- Withers

Individual:

- Professor Nicolas Angelet, Université libre de Bruxelles, Brussels
- Thayanathan Baskaran, Baskaran, Kuala Lumpur
- Sir Franklin Berman QC, Essex Court Chambers, London
- Prof Andrea Bjorklund, McGill University, Montreal
- Dr Tillmann Rudolf Braun, Federal Ministry for Economic Affairs & Humboldt University of Berlin
- Stuart Dutson, Simmons & Simmons
- Ike Ehiribe, 7 Stones Chambers, London
- Raed Fathallah, Bredin Prat, Paris
- Dr Gavan Griffith QC, Essex Court Chambers, London
- Professor Matthew Happold, University of Luxembourg
- Alison Macdonald QC, Matrix Chambers
- Dr Jean Ho, National University of Singapore
- Dr Tomoko Ishikawa, Nagoya University, Nagoya



- Jean Kalicki, Independent Arbitrator, Washington, D.C.
- Professor Mark Kantor, Georgetown University Law Center, Washington, D.C.
- Dr Sabine Konrad, McDermott Will & Emery, Frankfurt a. M.
- Professor A Vaughan Lowe, All Souls College Oxford and Essex Court Chambers
- Loretta Malintoppi, 39 Essex Chambers, London
- Professor Emeritus Maurice Mendelson QC, Blackstone Chambers, London
- David A. Pawlak, David A. Pawlak LLC, Warsaw & Washington, D.C.
- Anthony Sinclair, Quinn Emanuel Urquhart & Sullivan, LLP, London
- Can Yeginsu, 4 New Square, London

The Advisory Board:

- Sir Frank Berman, KCMG QC, Essex Court Chambers
- Professor Andrea Bjorklund, McGill University
- Professor A Vaughan Lowe, All Souls College Oxford and Essex Court Chambers
- Loretta Maintops, 39 Essex Chambers
- Audley Sheppard QC, Clifford Chance LLP
- Robert Volterra, Volterra Fietta, and Faculty of Law, UCL.

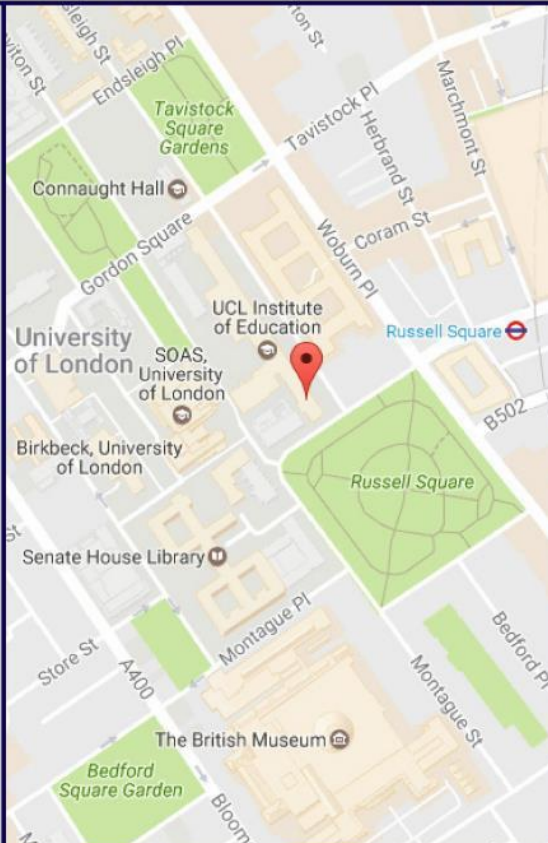
ITF Director:

Professor Yarik Kryvoi, British Institute of International and Comparative Law

Membership Benefits

- The right to participate in an independently-run Forum, including free entry to all ITF meetings and conferences.
- A direct influence on the agenda of Forum meetings and the opportunity to recommend events, speakers and topics for debate.
- The opportunity to suggest research or other work to be carried out by the Forum staff.
- Access to a members-only section of the website with various materials related to investment treaty law.
- The membership benefits in line with the Institute's Individual membership (free access to ICLQ, 40% discount on BIICL publications, 20% discount on CUP publications and member rate at BIICL events).

Contact Information

<p>Contact</p> <p>Professor Yarik Kryvoi Director of the Investment Treaty Forum Email: y.kryvoi@biicl.org Tel: +44 (0)20 7862 5151</p> <p>Visit</p> <p>British Institute of International and Comparative Law Charles Clore House 17 Russell Square London WC1B 5JP UK www.biicl.org/itf</p>	 <p>The map shows the area around Russell Square in London. A red location pin is placed on the street between Tavistock Square and Russell Square, indicating the location of the UCL Institute of Education. Other landmarks shown include the University of London, SOAS, Birkbeck, University of London, Senate House Library, The British Museum, and various streets like Gordon Square, Woburn Pl, Coram St, and Bedford Pl.</p>
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