

Thirty Fifth ITF Public Conference: Evidence in Investor-State Arbitration

29 - 30 April 2021

Programme

29 April 2021 (13.30 - 17.00 BST)

13:30 - 13:40

Opening remarks

Prof Yarik Kryvoi, British Institute of International and Comparative Law, London

13:40 - 14:30

Keynote address: **Sir Daniel Bethlehem KCMG QC**, Twenty Essex, London

14:30 - 14:40 - refreshment break

14:40 - 16:00

Panel 1: Applicable law and evidence

Chair: **Gaëtan Verhoosel**, Three Crowns, London

- **Professor Frédéric Sourgens**, Washburn School of Law, Topeka - *Overview of conflict of law issues*
- **Jennifer Younan**, Shearman & Sterling, London - *Approaches to admissibility and relevance of evidence in ISDS*
- **Samantha Rowe**, Debevoise & Plimpton, London - *Approaches to burden and standard of proof in ISDS*

16:00 - 16:10 - refreshment break

16:10 - 17:30

Panel 2: Inferences and exclusionary rules

Chair: **Prof Maurice Mendelson QC**, Blackstone Chambers, London

- **Kate Cervantes-Knox**, DLA Piper, London - *Inferences from evidence or its absence*
- **Andrew Cannon**, Herbert Smith, London - *Exclusion of evidence and evidentiary privileges*
- **Rachel Thorn**, Cooley, New York - *Proof of law*

30 April 2021 (13.30 - 16.30 BST)

13:30 - 14:50

Panel 3: Obtaining and presenting evidence

Chair: **Anthony Sinclair**, Quinn Emanuel Urquhart & Sullivan, London

- **David Goldberg**, White & Case, London - *Provisional measures related to evidence*
- **Robin Rylander**, Mannheimer Swartling, Stockholm - *Rules and practice related to discovery and document production requests*
- **Kiran Sanghera**, Hong Kong International Arbitration Centre, Hong Kong - *Green protocols in international arbitration*

14:50 - 15:00 - refreshment break

15:00 - 16:20

Panel 4: Proving damages and corruption

Chair: **Mark Kantor**, Independent Arbitrator, Washington, DC

- **Adam Douglas**, Government of Canada, Ottawa - *Overview of issues related to proving damages*
- **Colin Johnson**, HKA, London - *Damages calculations affected by Covid-19*
- **Erica Stein**, Dechert, Paris - *Proving corruption in ISDS*

16:20 - 16:30

Closing remarks

Sir Franklin Berman QC, Essex Court Chambers

#itflaw #ISDS

Please note this programme is subject to change.