



British Institute of
International and
Comparative Law

Thirty Fifth ITF Public Conference Evidence in Investor-State Arbitration

Online | 29-30 April 2021

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 Investment Treaty Forum +



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CONFERENCE OVERVIEW

This online conference brings together members of the Investment Treaty Forum to address complex issues related to evidence in investor-state disputes. The topics will include law applicable to evidentiary issues, admissibility of evidence (including obtained using illegal means), determining the relevance and materiality of evidence, adverse inferences, disclosure requests, distinction between law and facts, and provisional measures related to evidence.

PRACTICAL INFORMATION

How will the online format work?

- full programme online including comfort breaks - you will also get a recording of all presentations and slides to refer back to
- plenty of time for information-rich discussion involving key policymakers, practitioners and academics
- conference materials provided in advance, including speaker biographies and the list of participants with affiliations
- speakers presenting via webcam, accompanied by slides if they wish, using the Zoom online conference platform
- opportunities for live delegate questions and comments (both written and oral)
- networking opportunities - there will be opportunities for delegates to e-meet and interact on the [Investment Treaty Forum +](#) LinkedIn group.

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AGENDA

Thursday, 29 April 2021 (13:30 -17:30 BST)

13:30-13:40 | Opening remarks

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

13:40-14:30 | Keynote

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 Freehills, London
Exclusion of evidence and evidentiary privileges
- **Rachel Thorn**, Cooley, New York
Proof of law

Friday, 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, London

This programme is subject to change.

SPEAKER BIOGRAPHIES



Sir Franklin Berman QC
Essex Court Chambers, London

Sir Franklin (Frank) Berman joined HM Diplomatic Service in 1965 and was the Legal Adviser to the Foreign & Commonwealth Office from 1991-99. For the past 20 years he has been in practice in Essex Court Chambers specializing in international arbitration and advisory work in international law. He is Visiting Professor of International Law at Oxford and the University of Cape Town.

Sir Frank has served as an ad hoc Judge in the International Court of Justice: in the Case concerning Certain Property (Liechtenstein v. Germany) and recently in the two Appeals Related to the Jurisdiction of the ICAO Council. He was appointed by the Lord Chief Justice as the Legal Member of the Court of Arbitration in the Kishenganga dispute between Pakistan and India under the Indus Waters Treaty.



Sir Daniel Bethlehem KCMG QC
Twenty Essex, London

Sir Daniel Bethlehem QC is a barrister practising in the field of public international law from Twenty Essex chambers in London, in which role he acts both as arbitrator and as counsel / adviser. From May 2006 to May 2011, he was the principal Legal Adviser of the U.K. Foreign & Commonwealth Office (FCO). As arbitrator, Daniel has been appointed in both investor-State and non-investment cases, with notable experience in both PCA and ICSID-administered arbitrations. He is a member of the ICSID Panel of Arbitrators, a panellist on the WTO Indicative List of Panellists maintained by the WTO Secretariat, and a member of the Chairpersons Arbitration Panel designated jointly by the United Kingdom and the European Union under the EU-UK Withdrawal Agreement. As counsel, Daniel has appeared in every major international forum, including the ICJ, ITLOS, UNCLOS VII tribunals and the so far sole UNCLOS Annex V conciliation commission, WTO panels, the Iran – U.S. Claims Tribunal, European Court of Human Rights, and others.



Andrew Cannon
Herbert Smith Freehills, London

Andrew Cannon is a partner at Herbert Smith Freehills LLP in London. He has extensive experience of advising states, state-owned entities and major companies on all aspects of public international law. He has acted in ad hoc and institutional arbitrations across multiple jurisdictions and under a range of governing laws. He has also acted in high profile litigation cases before a range of international and domestic judicial bodies, including the European Court of Justice and General Court, the UK Supreme Court, House of Lords and Court of Appeal.

Andrew previously worked as a legal adviser to the UK Foreign and Commonwealth Office, and represented the UK at the UN in New York and the EU in Brussels, as well as in other international institutions. He has extensive experience of negotiating and advising on bilateral and multilateral treaties and other international instruments.



Kate Cervantes-Knox
DLA Piper, London

Kate Cervantes-Knox is a partner in DLA Piper's international arbitration practice in London, with extensive experience advising clients in relation to commercial arbitrations and investment treaty disputes across a range of sectors, with a focus on energy and infrastructure disputes. Kate also sits as arbitrator, is a member of the ICC Arbitration and ADR Commission and sits on the LCIA European Users' Council. She has been recognised in the Legal 500 Arbitrator Powerlist and in Who's Who Legal: International Arbitration - Global Leaders 2020, Legal 500 and Chambers for her international arbitration expertise. Kate is a Visiting Professor at the University of Law.



Adam Douglas
Government of Canada, Ottawa

Adam Douglas is Senior Counsel and Deputy Director with Global Affairs Canada in its Trade Law Bureau. His practice focuses on public international law, investor-State arbitration, and trade and investment policy. Mr. Douglas has public and private sector experience in international arbitration proceedings conducted before panels administered by ICSID, PCA and ad hoc tribunals under various arbitration rules. He has represented the Government of Canada in more than fifteen investor-State arbitrations in the areas of oil and gas, energy regulation, telecommunications, pharmaceuticals, and transportation. He also advises the government during the negotiation of free trade agreements and foreign investment protection agreements, and instructs government ministries on Canada's trade and investment obligations in relation to potential claims. Mr. Douglas teaches a graduate course on investment arbitration and litigation strategy at the University of Ottawa.



David Goldberg
White & Case, London

David Goldberg is a partner at White & Case LLP in London. He is recognised by the leading legal directories for the strength and particular expertise in complex investment disputes and disputes involving states, as well as those arising out of corporate transactions. He is one of only three lawyers in the world ranked Band 1 for "Dispute Resolution—Russia (Expertise Based Abroad)" by Chambers 2018 and is featured in the Hall of Fame by the Legal 500 2018.

David has experience of arbitrations conducted under all major arbitral institutions and rules, including LCIA, ICC, ICAC, ICSID, SCC and UNCITRAL arbitrations. He also represents clients in court proceedings concerning the conduct of arbitral proceedings, including the enforcement or challenge to arbitral awards, the appointment of arbitrators and applications for interim measures such as disclosure and worldwide freezing orders. His experience covers a broad range of sectors, including oil and gas, metals and mining, telecommunications, manufacturing, financial services and insurance.

David is also regularly appointed as an arbitrator, with recent appointments including arbitrations conducted under the LCIA, ICC, SCC, ICAC and UNCITRAL rules.



Colin Johnson
HKA, London

Colin Johnson is a partner at HKA in London. Colin has over 30 years of experience including acting as a lender, equity investor, developer, and legal and financial adviser. He has been appointed as an expert witness on more than 30 occasions. Colin has given oral evidence and acted as an expert in matters of litigation and arbitration, ranging from investment treaty claims to commercial, contractual and construction disputes.

Colin uses his international experience in analysing, negotiating and managing major energy projects to determine full commercial impacts and their effect on valuations. He has worked in Europe, North America, Latin America, Africa, the Middle East and Asia on behalf of national governments, large companies, and entrepreneurs. Colin specialises in evaluating value and damages in relation to large project companies whether in investment treaty claims, contractual disputes and investigations.



Mark Kantor
Independent Arbitrator, Washington, DC

Mark Kantor is a retired partner of Milbank, Tweed, Hadley & McCloy, an international arbitrator in investment and commercial disputes, Adjunct Professor at the Georgetown University Law Center, Editor-in-Chief of the online journal Transnational Dispute Management and a member of the World Bank Group Sanctions Board. He is on the Council of the American Arbitration Association (former member, Board of Directors), and former Chair of the DC Bar International Investment Committee and the DC Bar International Dispute Resolution Committee. He has authored numerous works, including Reports of Overseas Private Investment Corporation Determinations (eds. Mark Kantor, Michael D. Nolan and Karl P. Sauvant), *Valuation for Arbitration: Compensation Standards, Valuation Methods and Expert Evidence* (OGEMID Best Book 2008) and "A Code of Conduct for Party-Appointed Experts in International Arbitration – Can One be Found?" 26 *Arbitration International* 323 (2010) (OGEMID Best International Dispute Resolution Article 2010).



Prof Yarik Kryvoi
Investment Treaty Forum Director, London

Professor Yarik Kryvoi is Senior Research Fellow in International Economic Law and Director of the Investment Treaty Forum at the British Institute of International and Comparative Law (BIICL).

He holds law degrees from Harvard, Moscow, Nottingham, Utrecht and St Petersburg and is admitted to practice in the State of New York. Before moving to academia, he practicing international investment law with Freshfields Bruckhaus Deringer in London, Morgan Lewis & Bockius in Washington, DC and Baker & McKenzie in Saint Petersburg. He is the founding editor of the CIS Arbitration Forum and serves on editorial boards of several international legal periodicals.

Professor Kryvoi is the course leader of the Institute's new online course International Investment Law and Dispute Resolution, available at <http://biicl.org/isds>.



Prof Maurice Mendelson QC
Blackstone Chambers, London

Maurice Mendelson is a barrister (Queen’s Counsel) at Blackstone Chambers, London, specializing in public international law. He has been in practice at the English and international Bar since 1971; from 1968 to 2001 he also held academic posts at the Universities of Oxford and London, most recently the Chair of International Law at University College, London University, from which he took early retirement in order to concentrate on his practice.

Amongst his main specialities is the law of international investment protection. He has sat as an arbitrator; acted as counsel both for claimants and for respondent states; helped to negotiate investment protection treaties; advised governments on their investment protection legislative and treaty programmes; advised companies and individuals on aspects of the structuring of their investments; and given expert evidence to the Supreme Courts of various countries and to international arbitral tribunals.



Samantha Rowe
Debevoise & Plimpton, London

Samantha J. Rowe is a partner in Debevoise & Plimpton’s International Dispute Resolution, Public International Law and Business Integrity Groups. Ms. Rowe has represented private clients and States across multiple jurisdictions (most notably, Latin America, Asia, the Middle East and Eastern Europe) in arbitrations and litigations governed by various substantive laws and conducted under the rules of the ICC, LCIA, ICSID, UNCITRAL and SIAC.

Ms. Rowe has been named to *The Lawyer’s* Hot 100 list (2019), which recognizes the profession’s most innovative and inspirational lawyers. The magazine noted the “precedent-setting cases” she advises on. She was also named a UK Rising Star, and a Rising Star in the Commercial Arbitration practice category at the inaugural *Euromoney Legal Media Group* Europe Rising Stars Awards. Ms. Rowe is included in *The Legal 500’s* inaugural International Arbitration Powerlist, and she is listed by *Who’s Who Legal* (2021) as a thought leader for arbitration. *The Legal 500 UK* (2021) recommends her for International Arbitration and Public International Law.



Robin Rylander
Mannheimer Swartling, Stockholm

Robin Rylander is a partner at Mannheimer Swartling in Stockholm. He specialises in international arbitration, with a particular focus on investment treaty matters, where his experience includes arbitrations, ICSID annulment proceedings, and domestic challenge and enforcement matters. Recent engagements include the *Vattenfall v. Germany* arbitration and court proceedings in the wake of *Achmea*. He has acted in commercial arbitrations under various institutional rules and has represented clients before the Swedish courts, including the Swedish Supreme Court. He has acted as counsel in disputes in a number of areas, such as construction, share purchases, software licensing, joint ventures, and supply of gas and nuclear fuel. He is recognised by *Who’s Who Legal* as a “Future Leader” in Arbitration. He is a member of the Swedish Bar Association and has previously served at the Stockholm District Court.



Kiran Sanghera
HKIAC, Hong Kong

Kiran Sanghera is Special Counsel at HKIAC. She leads HKIAC's domain name dispute resolution team, oversees HKIAC's business development activities, and speaks and writes on dispute resolution including arbitration. Kiran previously worked at HKIAC as counsel handling the administration of commercial arbitrations involving parties from Asia, Europe and the Americas, and was responsible for promoting HKIAC's dispute resolution services and Hong Kong arbitration in Latin America (2013-2014). She also previously worked at the Secretariat of the ICC International Court of Arbitration in Paris. Prior to joining HKIAC, Kiran worked as Director of Litigation Funding at Harbour Litigation Funding where she was responsible for developing the third party funding market across Asia.



Anthony Sinclair
Quinn Emanuel Urquhart & Sullivan, London

Dr. Anthony Sinclair is a partner at Quinn Emanuel Urquhart & Sullivan LLP in London. Anthony specialises in international commercial arbitration, investment treaty arbitration, and public international law. His work spans a broad range of industry sectors, with particular focus on the oil and gas, energy and mining, telecommunications, infrastructure and utilities sectors, especially in emerging markets, as counsel and arbitrator. His experience includes handling disputes under ICC, LCIA, ICSID and UNCITRAL arbitration rules arising out of concession agreements, licences, production sharing and operating agreements, joint ventures, EPC and other construction agreements, host government and inter-governmental agreements, management and service agreements, distributorships, investment agreements, financing agreements and derivatives and post-M&A matters.

He also has extensive experience as counsel for both private investors and States handling disputes under bilateral investment treaties (BITs) and the Energy Charter Treaty (ECT), and has also been counsel in several ICSID annulment proceedings. He has advised States on the negotiation and drafting of treaties, headquarters agreements and intergovernmental agreements.



Professor Frédéric Sourgens
Washburn School of Law, Topeka

Frédéric Gilles Sourgens is the Senator Robert J. Dole Distinguished Professor of Law and Director of the Washburn Oil and Gas Law Center. He serves as Editor in Chief of Oxford University Press' InvestmentClaims reporter of international arbitral awards between states and foreign investors.

Professor Sourgens was recently included in the 2021 Who's Who Legal list for international arbitration as one of half a dozen academics in the U.S. and approximately 30 academics worldwide. Prior to entering academia on a full-time basis in 2012, Professor Sourgens practiced law first in the Houston office of Fulbright & Jaworski (now Norton, Rose, Fulbright) and then in the Washington D.C. office of Milbank, Tweed, Hadley & McCloy. During his time in practice, Freddy taught as an Adjunct Professor of Law at Georgetown University Law Center and received the Georgetown Law Center Council of Barristers Inaugural Alternative Dispute Resolution Award for Coaching Excellence.



Erica Stein
Dechert, Paris

Erica Stein is a partner with Dechert LLP, based in Paris and Brussels, where she acts as counsel and arbitrator in high-stakes international commercial and investment arbitrations across industry sectors. Prior to joining Dechert, Erica worked for six years at the ICC International Court of Arbitration, before spending six years at the premier arbitration boutique in Belgium. With nearly 20 years of experience, Erica has been recognized as an expert for her broad work experience in all aspects of arbitral practice. She has been selected to The International Who's Who – Arbitration every year since 2012, garnering praise for her "incisive and insightful comments" and "strategic acumen," and because "she is very good at what she does." She has also been selected by clients and peers as a "Thought Leader" among practitioners and is recommended by The Legal 500 EMEA.

Erica was a member of the Task Force for the Revision of the 2010 IBA Rules on the Taking of Evidence. She also represents Belgium at the ICC Commission on Arbitration and ADR and, in this capacity, has been a member of the ICC Task Force on Arbitration and ADR and the ICC Task Force on Emergency Arbitrator Proceedings.



Rachel Thorn
Cooley, New York

Rachel Thorn is a partner at Cooley LLP in New York. Rachel represents companies in commercial arbitrations, both US domestic and international, and in investment-treaty disputes (ICSID, UNCITRAL). She has extensive expertise in the Federal Arbitration Act, the US leading domestic arbitration rules (AAA, JAMS, CPR) and is advising on issues involving mass arbitrations. Rachel also represents clients around the world in arbitrations under the rules of the major arbitral institutions (ICC, ICDR, LCIA, SCIAC, HKIAC). Her practice includes arbitration-related litigation in the United States Courts, including actions to compel or stay arbitration proceedings, and actions to vacate, confirm or enforce arbitration awards under the FAA and New York Conventions.



Gaëtan Verhoosel
Three Crowns, London

Gaëtan Verhoosel is a partner at Three Crowns LLP in London. Gaëtan has served as advocate and as arbitrator in a large number of both commercial and investment treaty arbitrations, some of which have been widely reported because of the significance of the financial recoveries at stake or the novelty of the legal issues involved.

Gaëtan is the immediate past Co-Chair of the IBA Arbitration Committee and was appointed to the ICSID Panel of Arbitrators by the Kingdom of Belgium. He teaches international investment law at King's College School of Law in London. Prior to co-founding Three Crowns, he was a partner and the global co-chair of the international arbitration practice at a prominent international law firm. Prior to entering private practice, he served as a Legal Advisor at the World Trade Organization, where he advised dispute settlement panels adjudicating disputes between sovereigns across a range of industry sectors.



Jennifer Younan
Shearman & Sterling, London

Jennifer Younan, partner in Shearman & Sterling’s International Arbitration and Public International Law practices, advises and represents companies, State-owned entities and States in investment treaty and commercial arbitrations conducted under most major arbitration rules, with a focus on investment and energy disputes in emerging markets. She has notably participated in several of the largest international disputes submitted to arbitration. Her experience covers a wide range of industry sectors and types of disputes, including energy, mining and metals, banking and finance, infrastructure/transportation and construction, as well disputes arising from business combination transactions and general commercial matters.

Jennifer is recognized by Who’s Who Legal - Arbitration as a “Global Leader” and as a “next generation lawyer” in *The Legal 500 EMEA* in International Arbitration. She is admitted to practice in New South Wales, England and Wales and Paris.

INVESTMENT TREATY FORUM

Overview

The Investment Treaty Forum (ITF) was founded in 2004. Its aim is to provide a global centre for serious high level debate in the field of international investment law. The Forum is a membership-based group, bringing together some of the most expert and experienced lawyers, business managers, policy advisers, academics and government officials working in the field. Like BIICL itself, the Forum has a reputation for independence, even-handedness and academic rigour. The Forum membership is by invitation only.

People

Patrons

The Patrons of the Forum are: HE Judge Rosalyn Higgins GBE QC and Yves Fortier CC QC.

Forum Director

The Forum Director is Professor Yarik Kryvoi.

The Advisory Board

Since its inception the Investment Treaty Forum's programme has been guided on an informal basis by a small Advisory Board which currently comprises:

- 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 Malintoppi, 39 Essex Chambers, London;
- Audley Sheppard, Clifford Chance LLP, London;
- Robert Volterra, Volterra Fietta, and Faculty of Law, UCL

Membership

The ITF's strength lies in its membership, which is drawn from as wide a range of backgrounds as possible. Members meet regularly (typically 6-7 times each year) to discuss topical issues and, where appropriate, to develop views on issues of concern to governments and decision-makers. The Forum also has strong links with related institutions (including the UK Foreign Commonwealth and Development Office, UNCTAD and many others).

Benefits of membership

Key benefits for ITF members include:

- 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 materials related to investment treaty law.
- BIICL's Individual membership benefits (electronic access to ICLQ, 40% discount on BIICL publications, 20% discount on CUP publications and member rate at BIICL events).

Conditions of membership

Forum membership is limited by invitation only, to ensure the highest quality in its plenary discussions. To guarantee continuity, and manageability of debate, membership is for named individuals only. However, at the time of joining, members may nominate a senior colleague to represent them on those occasions when they are unable to attend meetings.

Membership rates

Membership of the ITF is available at the following annual rates (exclusive of VAT):

- Corporate membership: £2,950
- Individuals: £750

Membership of the Forum is by invitation only. For more information on ITF membership please contact Prof Yarik Kryvoi (Y.Kryvoi@biicl.org).

Forum members

Organisations

- Allen & Overy LLP
- Baker & McKenzie LLP
- Baker Botts LLP
- Clifford Chance LLP
- Cooley LLP
- Debevoise & Plimpton LLP
- Dechert 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 AB
- Reed Smith LLP
- Shearman & Sterling LLP
- Skadden, Arps, Slate, Meagher & Flom LLP
- Steptoe & Johnson LLP
- Three Crowns LLP
- Vinson & Elkins LLP
- Volterra Fietta
- White & Case LLP
- WilmerHale LLP
- Withers LLP

Individuals

- Prof 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, London
- Ike Ehiribe, 7 Stones Chambers, London
- Raed Fathallah, Bredin Prat, Paris
- Dr Gavan Griffith QC, Essex Court Chambers, London
- Robert Hunter, Osborne Clarke, London
- Inga Martinkute, MMSP, Vilnius
- Professor Matthew Happold, University of Luxembourg, Luxembourg

- Dr Jean Ho, National University of Singapore
- Dr Tomoko Ishikawa, Nagoya University, Nagoya
- Jean Kalicki, Independent Arbitrator, Washington, D.C.
- Prof Mark Kantor, Georgetown University Law Center, Washington, D.C.
- Dr Sabine Konrad, McDermott Will & Emery, Frankfurt a. M.
- Prof A Vaughan Lowe, All Souls College Oxford and Essex Court Chambers
- Loretta Malintoppi, 39 Essex Chambers, London
- Prof 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

Consultative Forum Members

Organisations

- Attorney General Office of the State of the Republic of Ecuador
- The Energy Charter Secretariat
- General Attorney's Office, the Kingdom of Spain
- The International Institute for Sustainable Development
- The Legal Office for International Trade Law, Ministry of Economy, Government of Mexico
- Ministry of Finance of the Czech Republic
- The Organisation for Economic Cooperation and Development
- The Permanent Court of Arbitration
- The Permanent Representation of the Slovak Republic to the European Union
- Secretariat for Legal Affairs - Presidency of the Republic of Ecuador
- State Chancellery of Latvia
- Trade Law Bureau, Government of Canada
- Treasury Legal Advisers, Government Legal Department, United Kingdom
- The United Nations Conference on Trade and Development
- The United Kingdom Department for International Trade
- The United Kingdom Foreign, Commonwealth and Development Office

Individuals

- Professor Jansen Calamita, National University of Singapore (former ITF director)
- Professor James Crawford SC, FBA, University of Cambridge and International Court of Justice
- Norah Gallagher, Queen Mary University of London (former ITF director)
- Judge Christopher Greenwood QC, International Court of Justice
- Professor Loukas Mistelis, Queen Mary University of London
- Professor Peter Muchlinski, School of Oriental and African Studies, University of London
- Dr Federico Ortino, School of Law, King's College London (former ITF Director)
- Dr Antonio Parra, Visiting Professor, University College London and former Deputy Secretary-General, International Centre for the Settlement of Investment Disputes
- Dr Karl P Sauvant, Columbia University Law School
- Professor Christoph Schreuer, University of Vienna
- Judge Stephen M. Schwebel, Essex Court Chambers
- Professor M Sornarajah, National University of Singapore



Find out more and register online: www.biicl.org/isds

Online Course International Investment Law and Dispute Resolution



British Institute of
International and
Comparative Law

Overview

This course covers the history and the rationale of protection of foreign direct investments, applicable law, the key principles of international investment law and investor-state dispute settlement (ISDS). Participants will develop their own critical appreciation of international investment law and will cover the nature of international investment law, the main substantive and procedural principles, dispute resolution mechanisms and the current professional criticisms of the system. Total guided learning time is approximately 18 hours.

Curriculum

- Introduction to international investment law and dispute resolution
- Why do we need international investment law?
- Conflict of law issues in investment arbitration
- Fair and equitable treatment and arbitrary measures
- Substantive standards of international investment law: expropriation and denial of justice
- Investor-State dispute settlement
- Legitimacy challenges and reform of international investment law

Tutors

- Professor Yarik Kryvoi (course leader)
- Suzanne Spears, Allen & Overy LLP
- Hussein Haeri, Withers LLP
- Stuart Dutson, Simmons & Simmons LLP
- Samantha Rowe and Patrick Taylor, Debevoise & Plimpton LLP
- Maurice Mendelson QC, Blackstone Chambers
- Professor Phillippe Sands QC, Matrix Chambers and University College London

Pricing and Registration

The course fee is \$149 (approx £120) (incl. VAT). Discounts are available for groups of five and more people, please contact eventsregistration@biicl.org for more information.



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