



## Investment Treaty Forum

### Fourteenth ITF Public Conference

# Do Not Pass Go: Jurisdictional and Other Objections Available to Respondent States

Friday 7 May 2010, 09:00 to 17:00

Brunei Gallery, School of Oriental and African Studies, 10 Thornhaugh Street, London WC1H

## Programme

08.30 – 09.00	Registration with tea & coffee
09.00 – 09.15	Welcome and Introduction
09.15 – 09.45	Keynote Address: <b>Jan Paulsson</b> , Freshfields Bruckhaus Deringer LLP, Paris
	<b>PANEL 1: Changing Jurisprudence on the Definition of Investment</b>  <b>Chair:</b> <b>Professor Alain Pellet</b> , University Paris Ouest, Nanterre- La Défense; Member and former Chairman, International Law Commission of the United Nations; Associé de l'institut de droit International  <i>Definition of Investment: What Certainty for Host States?</i> <b>Charles Kaplan</b> , Herbert Smith LLP, Paris  <i>The Definition of 'Investment' – Deficiencies in Arbitral Decision-Making</i> <b>Toby Landau QC</b> , Essex Court Chambers, London  <i>The Nature of Property and the Territoriality Requirement in International Investment Law</i> <b>Todd Weiler</b> , www.naftaclaims.com, London, Canada
11.15 – 11.45	Tea & Coffee break

11.45 – 13.15	<p><b>PANEL 2: Restrictions and Strategy of Jurisdictional Objections</b></p> <p><b>Chair:</b>  <b>Professor Philippe Sands QC</b>, Matrix Chambers and University College London</p> <p><i>The Timing of Jurisdictional Objections</i>  <b>Professor Dr Christoph Schreuer</b>, Wolf Theiss, Vienna</p> <p><i>Salini v Phoenix: the Test for Investment Revised</i>  <b>Oscar M Garibaldi</b>, Covington &amp; Burling LLP, Washington D.C.</p> <p><i>Commentator:</i>  <b>Alvaro C Galindo</b>, Director, International Litigation and Arbitration Unit, Solicitor General Office, Republic of Ecuador</p>
13.15 - 14.15	Lunch
14-15 – 16.00	<p><b>PANEL 3: Other Jurisdictional Arguments Available to Host States</b></p> <p><b>Chair:</b>  <b>Professor M Sornarajah</b>, National University of Singapore</p> <p><i>Guarantees as a Condition to Stay: an Unjust Restriction to the Right to Seek Annulment?</i>  <b>Domenico Di Pietro</b>, Chiomenti Studio Lagale, Rome</p> <p><i>Restrictive Dispute Settlement Clauses: Application of China and Former Soviet BITs</i>  <b>Professor Dr August Reinisch</b>, University of Vienna</p> <p><i>Objections to the Admissibility of Claims: Another Approach to Investor Misconduct</i>  <b>Professor Andrew Newcombe</b>, University of Victoria</p>
16.00 - 16.15	<p><b>Closing Remarks</b></p> <p><b>Audley Sheppard</b>, Clifford Chance LLP, London</p> <p><b>Professor Vaughan Lowe QC</b>, Essex Court Chambers, Chichele Professor of International Law and Fellow of All Souls College, University of Oxford</p>
16.15 - 17.00	Tea and Coffee