The Second Conference of the British Institute of International and Comparative Law’s Investment Treaty Forum

APPEALS AND CHALLENGES TO INVESTMENT TREATY AWARDS: IS IT TIME FOR AN INTERNATIONAL APPELLATE SYSTEM?

Sir Elihu Lauterpacht QC 20 Essex Street Chambers and Cambridge University
Professor James Crawford Matrix Chambers and Cambridge University
Professor Martin Hunter Essex Court Chambers and The Nottingham Trent University
Nigel Blackaby Freshfields Bruckhaus Deringer, Paris
V V Veeder QC Essex Court Chambers
Doak Bishop King & Spalding, Houston
Robert Volterra Herbert Smith
Professor Thomas Wäde Centre for Energy, Petroleum & Mineral Law and Policy, University of Dundee
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Thomas Johnson Covington & Burling, Washington
Philippe Ruttley Clyde & Co

Abby Cohen Smutny White & Case, Washington
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Philippe Pinsolle Shearman & Sterling LLP, Paris
Professor William W Park Boston University Law School
Michael Schneider Lalive & Partners, Geneva
Dr Mads Andenas British Institute of International and Comparative Law
Judith Gill Allen & Overy
Professor Asif Qureshi 4 Essex Court and Manchester School of Law
Audley Sheppard Clifford Chance LLP
Barton Legum US State Department
Guido Tawil M & M Bomchil, Buenos Aires
Dr Valerie Hughes Director, WTO Secretariat

Friday 7 May 2004 9.00-17.30
Chancellor’s Hall, Senate House, University of London
Malet Street, London WC1E 7HU

Attendance Fee: BIICL Members £130.00, Non-Members £195.00, Investment Treaty Forum Members no cost to attend; there are a limited number of free places for Students; prices include VAT and refreshments. CPD hours are available.

Forum Dinner following: £65.00 per person including VAT.
To register, visit www.biicl.org or return the form overleaf to:
Mary Clements, BIICL, Charles Clore House, 17 Russell Square WC1B 5JP
Fax: 020 7862 5152  Email: info@biicl.org  Tel: 020 7862 5151
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Chancellor’s Hall, Senate House, University of London
Malet Street, London WC1E 7HU
7 May 2004 9.30-17.30

9.00-9.30 Registration and Coffee

9.30-10.00 INTRODUCTION

1. An Update on the British Institute of International and Comparative Law’s Investment Treaty Forum
   
   Dr Mads Andenas British Institute of International and Comparative Law

2. The Necessary Safeguards of an Appellate System
   
   V V Veeder QC Essex Court Chambers

10.00-11.15 PANEL ONE: IS THERE A NEED FOR AN APPELLATE SYSTEM?

Panel One Chair: Professor James Crawford Matrix Chambers and Cambridge University

1. The Case for an Appellate Panel and its Scope of Review
   
   Doak Bishop King & Spalding, Houston

2. Inconsistent Decisions: An Issue to be Addressed or a Fact of Life?
   
   Judith Gill Allen & Overy

   
   Nigel Blackaby Freshfields Bruckhaus Deringer, Paris; Investment Treaty Forum Advisory Board Member

   Comment: Carlos Ignacio Suarez Clifford Chance LLP

11.15-11.30 Coffee
11.30-12.30  PANEL TWO: ICSID ANNULMENT

Panel Two Chair: Professor Martin Hunter  Essex Court Chambers and The Nottingham Trent University

1.  Jurisdictional Review

Philippe Pinsolle  Shearman & Sterling LLP, Paris

2.  Factual Review

Thomas Johnson  Covington & Burling, Washington

3.  Procedural Review

Abby Cohen Smutny  White & Case, Washington

12.30-13.30  Lunch

13.30-14.30  PANEL THREE: NAFTA CHALLENGES

Panel Three Chair: Professor William W Park  Boston University Law School

1.  Judicial Review of Investment Arbitration Awards

Noah Rubins  Freshfields Bruckhaus Deringer, Paris

2.  US Trade Promotion Legislation

Daniel M Price  Sidley Austin Brown & Wood, Washington; Investment Treaty Forum Advisory Board Member

3.  Non-Party States’ Efforts to Influence Ongoing Proceedings

Mark W Friedman  Debevoise & Plimpton

14.30-15.30  PANEL FOUR: WTO APPEALS

Panel Four Chair: Philippe Rutley  Clyde & Co

1.  The WTO Appellate Body: What Lessons Can Be Learned?

Dr Valerie Hughes  Director, WTO Secretariat

2.  Development Perspectives

Professor Asif Qureshi  4 Essex Court and Manchester School of Law

3.  Does the WTO Confirm the Need for a More General Appellate System in Investment Disputes?
Michael Schneider Lalive & Partners, Geneva

15.30-15.45 Coffee

15.45-17.00 Panel Five: The Pros and Cons of an International Appellate System

Panel Five Chair: Professor Sir Elihu Lauterpacht QC 20 Essex Street Chambers and Cambridge University

1. The Challenges of Administering an Appellate System for Investment Disputes

Bette Shifman Deputy Secretary-General, Permanent Court of Arbitration

2. Visualizing an Appellate System

Barton Legum US State Department

3. An International Appellate System: Progress or Pitfall?

Guido Tawil M & M Bomchil, Buenos Aires

4. Alternatives for Obtaining Greater Consistency in Investment Arbitration: An Appellate Institution after the WTO, Authoritative Treaty Arbitration or Mandatory Consolidation?

Professor Thomas Wälde Centre for Energy, Petroleum and Mineral Law and Policy, University of Dundee

17.00-17.30 Conclusion and Close

Robert Volterra Herbert Smith; Investment Treaty Forum Advisory Board Member

Audley Sheppard Clifford Chance LLP; Investment Treaty Forum Advisory Board Member
For the Attention of Mary Clements, BIICL
Investment Treaty Forum
Appeals and Challenges to Investment Treaty Awards: Is it Time for an International Appellate System?
Friday 7 May 2004

Full Name (Title): _________________________ Position: _______________ Organisation: _____________________________

Email: _________________________________ Tel: ____________________
Fax: __________________________
Address: __________________________________________________________________________________

☐ I am able/unable to attend the Dinner on 7 May 2004.

Please list any dietary requirements: -

__________________________________________________________________________________________

* Please also register my guest(s), No of Guests _______________
(for more than one guest, use additional sheet of paper for details)

Guest Full Name (Title): ___________________ Position: ______________ Organisation: _______________

Email: __________________________________ Tel: _________________ _ Fax:_______________________
Address: __________________________________________________________________________________

The cost to attend: BIICL Members £130.00, Non-Members £195.00, Investment Treaty Forum Members no cost to attend, limited number of free places for Students; which includes VAT, lunch and refreshments. CPD hours available. Forum Dinner £65.00 per person including VAT. Cancellation date for refunds 5 working days prior to event.

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