International Arbitration Institute

IAI CONFERENCE
JURISDICTION IN INVESTMENT TREATY ARBITRATION

October 14, 2010 – Cercle de l’Union Interalliée (Paris)

09:00  Foreword
Emmanuel Gaillard, Chairman, International Arbitration Institute

09:10  Jurisdiction ratione materiae: the notion of ‘investment’
Discussion leader: Emmanuel Gaillard, Chairman, IAI

09:15  Is there an economic definition of an ‘investment’?
Vicky Pryce, Senior Managing Director, FTI Consulting (London); Former Joint Head of the United Kingdom Government Economics Service

09:25  Is there a legal definition of an ‘investment’?
Stanimir Alexandrov, Partner, Sidley Austin LLP (Washington, D.C.)

09:40  The so-called requirement of a contribution to the economic development of the host State
Pierre-Marie Dupuy, Professor of Law, Graduate Institute (Geneva)

09:50  Does the consent of the contracting Parties govern the requirement of an ‘investment’ as specified in Article 25 of the ICSID Convention?
Stephen M. Schwebel, Former President of the International Court of Justice (Washington, D.C.)

10:00  The so-called requirement of the legality of investments
Michael Polkinghorne, Partner, White & Case LLP (Paris)

10:15  Coffee break

10:45  The so-called ‘nationality’ of investments
Peter Turner, Partner, Freshfields Bruckhaus Deringer LLP (Paris)

11:00  Determining the States’ intention when negotiating and entering into investment treaties
Megan Clifford, Deputy Director, Investment Trade Policy Division, Department of Foreign Affairs and International Trade, Government of Canada

Roberto Echandi-Gurdián, Former Ambassador of Costa Rica to the European Union, Belgium and Luxembourg, Government of Costa Rica

Jae-Hoon Kim, Former Trade negotiator, Ministry of Justice, Government of South Korea

11:45  Comments and discussion

12:30  Luncheon
14:00  **Jurisdiction ratiōne personae**  
Discussion leader: Laurent Lévy, Partner, Lévy Kaufmann-Kohler (Geneva)

14:05  Is there a standard definition of an ‘investor’ in investment treaties?  
Doak Bishop, Partner, King & Spalding LLP (Houston)

14:20  Taking into account control under denial of benefits clauses  
Yas Banifatemi, Partner, Shearman & Sterling LLP (Paris)

14:35  Defining the defendant State: are there specific standards of jurisdiction?  
Geneviève Bastid Burdeau, Professor of Law, University of Panthéon-Sorbonne (Paris)

14:50  Comments and discussion

15:15  Coffee break

15:45  **Jurisdiction ratiōne temporis**  
Discussion leader: Charles Brower, 20 Essex Street Chambers and Judge, Iran-United States Claims Tribunal (London)

15:50  Is there a distinction between jurisdiction ratiōne temporis and substantive protection ratiōne temporis?  
Veijo Heiskanen, Partner, Lalive (Geneva)

16:05  Determining the critical date  
Zachary Douglas, Matrix Chambers (London)

16:20  Comments and discussion

16:45  End of Programme

*The presentations and discussions will take place in French or in English with simultaneous translation.*

**Venue:**
Cercle de l’Union Interalliée  
33 rue du Faubourg Saint-Honoré – Paris 8ème

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REGISTRATION FORM

IAI CONFERENCE - OCTOBER 14, 2010

JURISDICTION IN INVESTMENT TREATY ARBITRATION

Venue
Cercle de l’Union Interalliée – 33 rue du Faubourg Saint-Honoré – Paris 8ème

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Registration fee: EUR 600 (EUR 250 for full-time academics, government employees, and in-house corporate counsel)

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Payment must be received / will be processed on 30 September 2010. For cancellations received after that date, we regret that no refund can be made.

Working languages: English and French, with simultaneous translation.

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