

Day 2 McGill –Queen Mary University of London Conference

Investment and Investor-State Dispute Settlement in the CETA

Date: Saturday November 1st, 2014
Time: 9:00 – 17:30
Location: Moot Court, McGill Faculty of Law
Organized by: Pierre Bienvenu, Andrea K. Bjorklund, Stavros Brekoulakis, and Sabine Konrad

We are pleased to invited you to attend the second day of the CETA Conference entitled “Investment and Investor-State Dispute Settlement in the CETA.” This second day is made possible with the support of our partners: McGill University L. Yves Fortier Chair in International Arbitration and International Commercial Law, Queen Mary University London, McGill’s Private Justice and the Rule of Law Research Group, Norton Rose Fulbright Montreal and the Canadian Branch of the International Law Association.

About

One of the most interesting chapters of CETA is the investment chapter, which aims to clarify key substantive provisions commonly found in investment treaties, including the fair and equitable treatment provision, in addition to including detailed procedural provisions delineating with more specificity the characteristics of arbitrators and their powers in resolving cases. Participants in a closing roundtable will discuss the implications of CETA , one of three investment agreements – the other two are the Trans-Pacific Partnership and the Transatlantic Trade and Investment Partnership – that will shape world investment and trade in the twenty-first century.

Agenda

8:30 – 9:00	<i>Coffee</i>
9:00 – 9:15	Welcome
9:15 – 10:45	<u>Session 1:</u> Policy Considerations on Investment Protection, including Substantive Standards of Protection and ISDS: The Negotiators’ Perspectives
10:45 – 11:15	<i>Coffee/ Tea Break</i>
11:15 – 12:45	<u>Session 2:</u> Salient Legal Issues in the Substantive Standards of Protection in CETA
12:45 – 14:00	<i>Luncheon with Keynote Speaker</i>
14:00 – 15:30	<u>Session 3:</u>

	Salient Legal Issues in Investor-State Dispute Settlement in CETA
15:30 – 16:00	<i>Coffee/ Tea Break</i>
16:00 – 17:00	<u>Session 4:</u> Roundtable: Prognosis for CETA and Concluding Remarks

Programme

- 8:30 – 9:00 Coffee
- 9:00 – 9:15 Welcome
- 9:15 – 10:45 **Session 1:**
Policy Considerations on Investment Protection, including Substantive Standards of Protection and ISDS: The Negotiators' Perspectives
- Moderator:** Pierre Bienvenu, Global Co-Head of International Arbitration, Senior Partner, Norton Rose Fulbright, Montreal
- Speakers:** Sylvie Tabet, General Counsel and Director, Trade Law Bureau, Government of Canada
Colin Brown, Trade and Investment Layer, Deputy Head of Unit, European Commission(invited)
- Commentator:** Alexis Mourre, Vice-President, ICC (Invited)
- 10:45 – 11:15 Coffee/ Tea Break
- 11:15 – 12:45 **Session 2:**
Salient Legal Issues in the Substantive Standards of Protection in CETA
- Moderator:** Stephen Drymer, Woods LLP
- Speakers:** **Howard Mann, International Institute for Sustainable Development**
Sabine Konrad, Partner, McDermott Will & Emery
Hamid Gharavi, Partner, Derains & Gharavi
Mark Kantor, Adjunct Professor, Georgetown University, Faculty of Law
- 12:45 – 14:00 Luncheon with Keynote Speaker
- Keynote speaker:** Stephen Schwebel, former Judge of International Court of Justice
- 14:00 – 15:30 **Session 3:**
Salient Legal Issues in Investor-State Dispute Settlement in CETA



Faculty of Law
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Moderator: Debra Steger, University of Ottawa (invited)
Speakers: Andrea K. Bjorklund, L. Yves Fortier Chair in International Arbitration and International Commercial Law, McGill University, Faculty of Law
Andrew Newcombe, Associate Professor, University of Victoria, Faculty of Law
John Gaffney, Senior Associate, Al Tamimi & Company
Sophie Nappert, Independent Arbitrator, 3 Verulam Buildings

15:30 – 16:00 Coffee/ Tea Break

16:00 – 17:00 Session 4:
Roundtable: Prognosis for CETA and Concluding Remarks

Speakers: Stavros Brekoulakis, Professor in International Arbitration and Commercial Law, Queen Mary University, Faculty of Law
August Reinisch, Vice Dean, Faculty of Law, University of Vienna
Mark Bungenberg, Professor, University of Siegen
Gonzalo Flores, Senior Counsel & Team Leader, ICSID



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