World Trade Forum 2011

New Directions and Emerging Challenges in International Investment Law and Policy

World Trade Institute, University of Bern
with the kind support of the Ecoscientia Foundation

Programme

Day One: Friday, 9 September 2011

12:00–13:00  Registration (World Trade Institute)

13:00–13:10  Plenary Welcome
Room 201, Main Building, University of Bern


Chair: James Zhan, UNCTAD
Introductory presentation

Paper 1:  Foreign Direct Investment and Development: New Perspectives, Novel Challenges
Theodore Moran, Georgetown University

Paper 2:  New Actors in the International Investment Scenario: Sovereign Wealth Funds and State Enterprises
Lauge Poulsen, London School of Economics and Sébastien Miroudot, OECD

Discussants:
Gary Hufbauer, Peterson Institute for International Economics
Pierre Sauvé, World Trade Institute

15:00–15:30  Open Discussion

15:30–16:00  Coffee Break
16:00–18:00  Parallel Sessions Two and Three

Parallel Session Two: The Interaction Between International Trade and Investment Regulation
Room 201, Main Building, University of Bern
Chair: Thomas Cottier, World Trade Institute

Paper 1:  Investment and Trade: The "Lottie and Lisa" of International Economic Law?
Tomer Broude, Hebrew University of Jerusalem

Paper 2:  International Investment Law and Trade
Mary E. Footer, University of Nottingham School of Law

Discussants:
Debra Steger, University of Ottawa
Christian Tietje, Martin-Luther University, Halle-Wittenberg

Parallel Session Three: The Challenge of Fostering Greater Coherence in International Investment Law
Room 101, Main Building, University of Bern
Chair: August Reinisch, University of Vienna

Paper 1:  Practical and Legal Avenues to Make Substantive Rules and Disciplines of IIAs Converge
Andrea Bjorklund, University of California

Paper 2:  The Procedural Dimension: How to Foster Greater Consistency in Panel Interpretation of Substantive Investment Rules and Disciplines?
Yas Banifatemi, Shearman & Sterling

Discussants:
Michael Ewing-Chow, National University of Singapore
Anne Van Aaken, University of St. Gallen

18:00–18:30  Open Discussion (in each parallel session)

19:30  Dinner (for speakers and discussants only)
Keynote Speaker: Daniel Price, Former Assistant to the President and Deputy National Security Advisor for International Economic Affairs of the United States; Principal, Daniel M. Price PLLC.
Day Two: Saturday, 10 September 2011

9:00–11:00  
Session Four: The Policy and Rule-making Challenges Arising from the Growth in Investment Litigation  
Room A103, Uni S Building, University of Bern  
Chair: Anna Joubin-Bret, UNCTAD  

Paper 1: The Current Challenges of ISDS: How to Improve the System?  
Margrete Stevens, King & Spalding  

Roberto Echandi, World Trade Institute  

Discussants:  
Andrea Bjorklund, University of California  
Laurence Boisson de Chazournes, University of Geneva  

Open discussion  

11:00–11:15  
Coffee Break  

11:15–13:00  
Session Five: The Quest for an Adequate Balance Between Investment Protection and Liberalization and Other Public Policy Objectives  
Room A103, Uni S Building, University of Bern  
Chair: Michael Ewing-Chow, National University of Singapore  

Paper 1: Is There a Case to Develop a “General Exception” Such as GATT’s Art. XX in the Context of International Investment Law?  
Bart Legum, SALANS  

Paper 2: Investment and Sustainable Development: Developing a New Conceptual Framework  
Anne Van Aaken, University of St. Gallen  

Discussants:  
Céline Lévesque, University of Ottawa  
Susan Franck, Washington and Lee University, Virginia  

Open discussion
13:00–14:00  Lunch Break

Afternoon  Session Six: Closing Roundtable: The Way Forward for the International Investment Regime
Room A103, Uni S Building, University of Bern
Chair: Pierre Sauvé, World Trade Institute

14:00–15:30  Presentation of papers
From an Uneven International Investment Regime Towards a Coherent International Investment System: Defining the Objectives, Architecture and Roadmap
Christopher Schreuer, Wolf Theiss Rechtsanwälte
Peter Muchlinski, University of London
Rudolph Dolzer, University of Bonn

15:30–15:45  Coffee Break

15:45–16:30  Discussants:
Marino Baldi, Former Swiss Ambassador and Trade Delegate, Former Chairman of the OECD Investment Committee
Rainer Geiger, Former Deputy Director Financial and Fiscal Affairs, OECD

16:30–17:30  General Discussion and Concluding Remarks
World Trade Institute & UNCTAD