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## **Is a Multilateral Investment Treaty Needed?**

June 19, 2017

World Trade Institute (WTI), Hallerstrasse 6, Bern, Room 205 (second floor)

*Organized with the support of the World Economic Forum*

*and the Swiss Network for International Studies (SNIS)*

08:30 - 09:00 Registration

09:00 - 09:10 **Welcome and Introduction, Joseph Francois, WTI**

**SESSION I: The Background - Chair: Ana Novik, Head of the Investment Division, Organisation for Economic Co-operation and Development (OECD)**

09:10 - 09:25 Ali Dadkhah & Dan Ciuriak, Ciuriak Consulting, Centre for International Governance Innovation (CIGI), C.D. Howe Institute and BKP Economic Advisors, Canada: "Do investment agreements promote foreign investment?"

09:25 - 09:40 Rodrigo Polanco, Azernoosh Bazrafkan and Valentino Desilvestro, World Trade Institute "Missing Investment Treaties"

09:40 - 09:55 Malebakeng Forere, University of Witwatersrand, South Africa: "Move away from BITs framework: A need for multilateral investment treaty?"

09:55 - 10:10 Robert Basedow, European University Institute, Italy: "Re-evaluating the failed MAI negotiations - What policy recommendations can we draw from past attempts to establish a multilateral framework for investment?"

10:10 - 10:40 Discussion introduced by Chair

10:40 - 11:10 Coffee

**SESSION II: The EU Proposal - Chair: Manfred Elsig, WTI**

11:10 - 11:25 Colin Brown & Maria Luisa Andrisani, DG Trade, European Commission: "The Rationale for and possible design features for a Multilateral Investment Court"

11:25 - 11:40 José Manuel Álvarez, Universidad Externado, Colombia: "The European (Multilateral) Investment Court: 100 years' setback on dispute resolution"

11:40 - 11:55 Anna De Luca, Università Bocconi: "Of True problems and fake myths: Is the Multilateral Investment Court a panacea?"

11:55 - 12:10 Elsa Sardinha, National University of Singapore (NUS), Singapore: "Multilateralising the Investment Tribunal System in CETA & the EU-Vietnam FTA: Form, Content and Challenges to this (Imperfect?) Response to Legitimacy Concerns in Investor-State Arbitration"

12:10 - 12:30 Discussion introduced by Chair

12:30 - 13:30 Lunch

**SESSION III: The Relationship with Existing Treaties, Chair: Krista Nadakavukaren Schefer, Universität Basel & Swiss Institute of Comparative Law (ISDC)**

13:30 - 13:45: Iryna de Meyer, Energy Charter Secretariat: “The ECT - An existing multilateral investment agreement”.

13:45 - 14:00: N. Jansen Calamita, National University of Singapore (NUS), Singapore: “A Multilateral Investment Court – What Future for ICSID?”

14:00 - 14:15: Martin Björklund, The Erik Castrén Institute, University of Helsinki, Finland: “A Cuckoo in the nest? Potential Effects of Bargaining in the Converging “Shadows of the Law” of both a Multilateral Investment Regime and WTO Dispute Settlement?”

14:15 - 14:30 Markus Wagner, University of Warwick, United Kingdom: “What Lessons in Cross-Fertilization between International Trade and Investment Law for a Multilateral Investment Treaty?”

14:30 - 15:00 Discussion introduced by Chair

15:00 - 15:30 Coffee

**SESSION IV: Future Steps - Chair: Nikos Lavranos, European Federation for Investment Law and Arbitration (EFILA)**

15:30 - 15:45 Facundo Calvo, IELPO LL.M., University of Barcelona, “The Shortest Way Towards a Multilateral Investment Treaty”

15:45 - 16:00 Lise Johnson, Columbia Center on Sustainable Investment, United States: “Framework for Future International Investment Agreements (IIAs): Principles and approaches for aligning IIAs with sustainable development”

16:00 - 16:15 Junqing Chao, University of Hong Kong: “China’s Proposal of Multilateral Investment Treaty: A Long Road Ahead”

16:15 – 16:30 Axel Berger & Wan-Hsin Liu, German Development Institute (DIE) & Kiel Institute for the World Economy (IfW), Germany: “Can the G20 Serve as a Launchpad for a Multilateral Agreement on Investment?”

16:30 - 17:00 Discussion introduced by Chair

17:00 - 18:00 **Closing Policy Roundtable. Chair: Cristián Rodríguez Chiffelle, World Economic Forum (WEF).** Speakers: Nathalie Bernasconi-Osterwalder (IISD), Ricardo Meléndez Ortíz (ICTSD), Corinne Montineri (UNCITRAL), Pierre Sauvé (World Bank), and Elisabeth Tuerk (UNCTAD)

18:00 - 19:00 Farewell Drinks

*Conference Scientific Committee: Federica Cristani (WTI), Krista Nadakavukaren Schefer (U. Basel - ISDC), Rodrigo Polanco (WTI) and Cristián Rodríguez Chiffelle (WEF)*

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