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Rethinking International Investment Governance: Principles for the 21st Century

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Columbia University

PANELIST BIOGRAPHIES

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PANELIST BIOGRAPHIES

Ben Beachy, Director, Trade Program at Sierra Club, Washington, D.C.

Ben Beachy has worked to transform economic policies for over a decade in organizations fighting for climate equity, workers' and immigrants' rights, trade justice, and public health. That includes work as Director of Sierra Club's Living Economy program, senior policy advisor for Sierra Club's trade team, research director for Public Citizen's Global Trade Watch, and national organizer for Witness for Peace. He also has written on the financial crisis with the Global Development and Environment Institute in Boston, researched climate impacts with ActionAid in India, and investigated labor abuses with the Worker Rights Consortium in Central America. He received a master's degree in public policy from Harvard's Kennedy School of Government, where he was a Public Service Fellow. He hails from West Virginia and volunteers in support of immigrant-led efforts to resist deportations.

Joan Carling, Co-Convenor, Indigenous Peoples' Major Group (IPMG) for Sustainable Development

Joan Carling is an indigenous activist from the Cordillera, Philippines. She is currently the co-convenor of the Indigenous Peoples' Major Group (IPMG) for Sustainable Development and works directly with indigenous organizations and networks across the globe for the promotion of indigenous peoples' rights, and their contributions and aspirations for sustainable development. She is also an active Board member of the International Indigenous Women's Network, Advisory Board member of the Cordillera Peoples Alliance (CPA) and AIPP. She has been working on indigenous issues at the grassroots to international levels for more than 20 years. Her field of expertise includes human rights, sustainable development, environment, and climate change, as well as on the principles and application of Free Prior and Informed Consent (FPIC). She served as the Secretary General of the Asia Indigenous Peoples Pact (AIPP)— a coalition of 50 indigenous organizations across Asia, from 2008 to 2016. She gained further experience, knowledge and skills in networking and policy advocacy work including with the UN system, on business and human rights, development and environmental issues. She was appointed by the UN ECOSOC as an expert-member of the UN Permanent Forum on Indigenous Issues (UNPFii) for 2014 to 2016.

Carlos Correa, Executive Director, The South Centre

Carlos Maria Correa is the Executive Director of the South Centre, an intergovernmental organization established in Geneva. He has been Director of the Center for Interdisciplinary Studies on Industrial Property and Economics (University of Buenos Aires), a visiting professor in post-graduate courses of several universities and consultant to UNCTAD, UNIDO, UNDP, WHO, FAO, IDB, INTAL, World Bank, SELA, ECLA, and other regional and international organizations.

Eleanor M. Fox, Walter J. Derenberg Professor of Trade Regulation, New York University School of Law

Eleanor M. Fox is the Walter J. Derenberg Professor of Trade Regulation at New York University School of Law, where she specializes in antitrust law and international and comparative competition policy with a focus on Europe and developing countries. She was a partner in the New York law firm Simpson Thacher & Bartlett. She served as a member of President Carter's antitrust commission and President Clinton's international competition advisory committee. She received her law degree from New York

University School of Law in 1961 and an honorary doctorate degree from the University of Paris-Dauphine in 2009. She was awarded an inaugural Lifetime Achievement award in 2011 by the Global Competition Review for "substantial, lasting and transformational impact on competition policy and practice." She received the inaugural award for outstanding contributions to the competition law community in 2015 by ASCOLA, the world network of professors of antitrust law and economics. She was awarded the Lifetime Achievement Award of the Antitrust & Economic Regulation Section of the Association of American Law Schools in 2017. Her books include *Global Issues in Antitrust and Competition Law* with Daniel Crane, 2d ed. West 2017, *EU EU Competition Law: Cases, Text and Context* with Damien Gerard, Elgar 2017, *The Design of Competition Law Institutions* edited with Michael Trebilcock, Oxford 2013, and *Cases and Materials on US Antitrust in Global Context*, 3d ed. West 2012. Her book with Mor Bakhoun, *Making Markets Work for Africa*, is in publication, Oxford.

Kevin Gallagher, Professor of Global Development Policy; Director, Global Development Policy Center, Frederick S. Pardee School of Global Studies, Boston University

Kevin P. Gallagher is a professor of global development policy at Boston University's Frederick S. Pardee School of Global Studies, where he directs the Global Development Policy Center. He is the author or co-author of six books: *The China Triangle: Latin America's China Boom and the Fate of the Washington Consensus*, *Ruling Capital: Emerging Markets and the Reregulation of Cross-Border Finance*, *The Clash of Globalizations: Essays on Trade and Development Policy*, *The Dragon in the Room: China and the Future of Latin American Industrialization* (with Roberto Porzecanski); *The Enclave Economy: Foreign Investment and Sustainable Development in Mexico's Silicon Valley* (with Lyuba Zarsky); and *Free Trade and the Environment: Mexico, NAFTA, and Beyond*. He co-chairs the T-20 Task Force on An International Financial Architecture for Stability and Development at the G-20, and served on the Intergovernmental Expert Group on Financing for Development at the United Nations. He served on the investment sub-committee of the Advisory Committee on International Economic Policy at the US Department of State and on the National Advisory Committee at the Environmental Protection Agency. He has been a visiting or adjunct professor at the Paul Nitze School of Advanced International Studies at Johns Hopkins University, the Fletcher School of Law and Diplomacy at Tufts University; El Colegio de Mexico in Mexico; Tsinghua University in China, and the Center for State and Society in Argentina.

Frank Garcia, Professor, Boston College School of Law

Frank J. Garcia joined the BC Law faculty in 2001. He currently serves as book review editor and board member of the *Journal of International Economic Law*, and advises the *BC International & Comparative Law Review*. He had been an associate professor at the Florida State University College of Law since 1993. He has served as a Visiting Professor at a number of schools around the world including the University of Paris, the University of New South Wales in Sydney, the University of the Republic in Uruguay, the University of Houston Law Center, and as the Katherine A. Ryan Distinguished Visiting Professor at the St. Mary's University School of Law/University of Innsbruck, Austria. He received his B.A. in Religious Studies from Reed College in 1985, and his J.D. from the University of Michigan Law School in 1989. He was a law clerk for Andrews & Kurth in Texas and Davis Wright Tremaine in Oregon, and an associate in the Oregon firm Stoel Rives Boley Jones & Grey from 1990-1993. He was a Fulbright Scholar, as well as a professorial fellow at the Law Institute of the Americas, SMU School of Law, and the Associate Director of the Caribbean Law Institute, FSU College of Law. He has served on

the Executive Board and as Vice-Chair of the ASIL International Economic Law and International Legal Theory Interest Groups, and on the Board of the Law School Admissions Council.

Anna Joubin-Bret, Director, International Trade Law Division, United Nations Office of Legal Affairs; Secretary, United Nations Commission on International Trade Law (UNCITRAL)

On 24 November 2017, Anna Joubin-Bret was appointed the Secretary of the United Nations Commission on International Trade Law and Director of the Division on International Trade Law in the Office of Legal Affairs of the United Nations. Previously, she was Attorney-at-law and practiced in Paris. She specialized in International Investment Law and Investment Dispute Resolution, focused on serving as counsel, arbitrator, mediator and conciliator in international investment disputes. She served as arbitrator in several ICSID, UNCITRAL and ICC disputes. For 15 years prior to 2011, she was the Senior Legal Adviser for the United Nations Conference on Trade and Development (UNCTAD). With UNCTAD, she managed the research and advisory work on international investment law issues as well as the technical assistance program on international investment agreements (IIAs). She assisted countries with formulation of investment policies and frameworks and the management of investor-State disputes. She has lectured in various universities and institutes all over the world, and authored seminal research and publications on international investment law. She holds a postgraduate degree (DEA) in Private International Law from the University of Paris I, Panthéon-Sorbonne, a master's degree in International Economic Law from University Paris I and in Political Science from Institut d'Etudes Politiques. She has been Legal Counsel in the legal department of the Schneider Group, General Counsel of the KIS Group and Director-Export of Pomagalski S.A. She has been appointed judge at the Commercial Court in Grenoble (France) and was elected Regional Counsellor of the Rhône-Alpes Region in 1998.

Jane Kelsey, Professor of Law, University of Auckland, New Zealand

Jane Kelsey is a professor of law at the University of Auckland and a prominent critic of globalisation. She has a LLB (Hons) from Victoria University of Wellington, BCL from Oxford University, M.Phil from the University of Cambridge and a Ph.D from the University of Auckland. She has worked at the University of Auckland since 1979 and was appointed to a personal Chair in Law in 1997. She is a key member of the Action Resource Education Network of Aotearoa (Arena), and is actively involved in researching and speaking out against the World Trade Organisation, the International Monetary Fund, free trade and corporate-led globalisation. She is also actively involved in campaigning for the New Zealand Government's full recognition of the Treaty of Waitangi and opposed the controversial seabed and foreshore legislation.

Minister Sigrid Kaag, Minister for Foreign Trade and Development Cooperation

In October 2017, Sigrid Kaag was appointed Minister for Foreign Trade and Development Cooperation in the third Rutte government. From 2015 to 2017, she served as Under-Secretary-General in Lebanon with responsibility for all UN activities in the country. In 2015 she received an honorary doctorate from the University of Exeter and was awarded the Carnegie Wateler Peace Prize in 2016, in recognition of her efforts and the results of her work in the Middle East. She has held several other senior positions at the United Nations, including at UNICEF, as a senior UN advisor in Khartoum and Nairobi, and as Assistant Secretary-General for the UN Development Programme (UNDP) in New York. From October 2013 to September 2014, as UN Under-Secretary-General, she led the mission to eliminate chemical weapons in Syria. Before joining the United Nations, she worked for Shell International in London, at the UN

Political Affairs Section of the Ministry of Foreign Affairs in the Netherlands, and at the International Organization for Migration in Geneva. She has a B.A. in Middle East Studies from the American University in Cairo, an M.Phil in International Relations from Oxford University, and an M.A. in Middle East Studies from the University of Exeter.

Kerry Kennedy, President, Robert F. Kennedy Human Rights

Kerry Kennedy is the President of Robert F. Kennedy Human Rights. Since 1981, she has worked on diverse human rights issues including child labor, disappearances, indigenous land rights, judicial independence, freedom of expression, ethnic violence, impunity, women's rights and the environment. She founded RFK Compass, which convenes biannual meetings of institutional investors who collectively control \$5-7 trillion in assets to address the impact of human rights violations on investment outcomes. She is the author of *Speak Truth to Power: Human Rights Defenders Who Are Changing Our World* (2008) and New York Times Best Seller, *Being Catholic Now* (2000). *Speak Truth* has grown to include a photography exhibit, Broadway play, award winning website, PBS documentary, and a twelve week education and toolkit for action packet now being taught to millions worldwide. She appears regularly on ABC, NBC, CBS, CNN and PBS as well as on networks in countries around the world, and her commentaries and articles have been published in The Boston Globe, The Los Angeles Times and The New York Times, among others. She served as Chair of the Amnesty International USA Leadership Council for over a decade. She serves on the boards of the U.S. Institute of Peace, Human Rights First, and the Kailash Setyarthi Children's Foundation as well as several public companies. A graduate of Brown University and Boston College Law School, she has received numerous awards and honorary degrees.

Iris Krebber, Head of Agriculture, UK Department for International Development (DFID)

Iris Krebber is the Head of Agriculture at the UK Department for International Development (DFID). Her area of responsibility includes global policy, programmes, evidence and engagement around DFID's Agriculture Policy, its Economic Development strategy, land governance, and responsible investments. For example, a key flagship programme is "Land – Enhancing Governance for Economic Development" (LEGEND). In 2014, she led the UK in the negotiations of the global Principles for Responsible Investment in Agriculture and Food Systems (RAI) which place strong emphasis on better managing risk and securing positive impacts from primary agriculture and investments along agricultural value chains. Prior to joining DFID, she was the Regional Director in East Africa for Welthungerhilfe, the largest German INGO working on hunger and poverty. She ensured that all programmes, from pre-design stage onwards, focused strongly on maximising the benefits for poor local people, created linkages and leveraged added value from the private sector as much as possible. Prior to working in humanitarian assistance and development, she spent seven years working in the private sector across a range of industries including defense, automobile, and IT. She holds advanced degrees in humanitarian and development management, international law, and languages from the US, EU and Germany.

Howard Mann, Senior International Law Advisor, International Institute for Sustainable Development (IISD)

Howard Mann is the Senior International Law Advisor for IISD, where he specializes in international law relating to investment and sustainable development. From 1999-2009, he initiated and managed IISD's Investment and Sustainable Development program. He has worked with colleagues in advising

government officials from over 80 developing countries and multiple regional organizations on international investment law issues, investment treaty negotiations, investment contract negotiations, and the development of sound domestic investment laws and policies from a sustainable development perspective. He was the lead author of IISD's Model International Agreement on Investment for Sustainable Development, significant portions of which have been adopted in multiple international investment treaties since it was published in 2005. He was an active participant in promoting the development of the UNCITRAL Rules on transparency in treaty-based investment arbitration, has worked on sustainable development projects with the International Bar Association, been on a special expert panel for the International Commission of Jurists, and advised on the development of the UN Principles on Business and Human Rights. In 2017, he was appointed as an arbitrator in an ICSID-based investor-state dispute.

Cecilia Olivet, Programme Coordinator, Trade & investment, Transnational Institute (TNI)

Cecilia Olivet is a researcher with the Transnational Institute (TNI), an international research and advocacy institute, where she coordinates the Trade and Investment Programme. She specialises in the international investment regime. She has analysed the impacts of the investment protection regime in countries like Mexico, Myanmar, Mongolia, Ecuador and Asian countries negotiating the Regional Comprehensive Economic Partnership (RCEP). At TNI, she contributes with research, analysis, campaigning and network facilitation. She is an active member of the Seattle to Brussels (S2B) network and the EU-ASEAN FTA network. Between 2013 and 2015, she was a member and Chair of CAITISA, a Presidential Commission that audited Ecuador's bilateral investment treaties and investment arbitration cases. She is the co-author of over 20 reports and articles on investment protection, including, “Profiting from Injustice” (2012) and “One Treaty to Rule Them All” (2018).

Nicolás M. Perrone, Assistant Professor of International Law, Durham Law School; Visiting Professor, Universidad Nacional de San Martín

Nicolás M Perrone is Assistant Professor of International Law at Durham Law School. His main research interests are in international economic law, particularly in foreign investment law and policy. He is a faculty member of the Institute for Global Law and Policy based at Harvard Law School. He has been a Visiting Professor at the Universidad Nacional de San Martín, the International University College of Turin, the University of Eastern Piedmont, and the Externado University of Colombia. He has worked and consulted for the governments of Argentina, Ecuador, and Colombia, the OECD, UNCTAD, the International Institute for Sustainable Development, and the Friedrich Ebert Stiftung. His academic research has been published in journals such as the Journal of International Dispute Settlement, Transnational Legal Theory and the Journal of World Investment & Trade.

Anita Ramasastry, Professor of Law and Director, Sustainable International Development Program, University of Washington School of Law; Member, United Nations Working Group on Business and Human Rights

Anita Ramasastry is the Roland L. Hjorth Professor of Law and the director of the Graduate Program in Sustainable International Development at the University of Washington School of Law. She was appointed to the UN Working Group on Business and Human Rights in 2016 and leads its work on the SDGs, human rights defenders, trade and investment promotion and conflict. She researches and teaches in the fields of law and development, anti-corruption, international commercial law and business and human rights. From 2009-2012, she served as a senior advisor to the International Trade Administration

of the US Department of Commerce. She has authored numerous scholarly articles and reports focused on emerging issues in business and human rights including the influential survey on access to remedy, “Commerce, Crime and Conflict” (with Mark Taylor and Bob Thompson) and recently has co-chaired an independent commission on experts with Justice Ian Binnie, focused on commerce, crime and human rights. She has advised many intergovernmental and civil society organizations including the World Bank, USAID, the Institute for Human Rights and Business, BSR, Amnesty International and the International Corporate Accountability Roundtable. She is a founding co editor in chief of the *Business and Human Rights Journal* (Cambridge). She is a graduate of Harvard College, Harvard Law School, and the University of Sydney.

Jeffrey D. Sachs, Director, Center for Sustainable Development, Columbia University

Jeffrey D. Sachs is Director of the Center for Sustainable Development, Quetelet Professor of Sustainable Development, and Professor of Health Policy and Management at Columbia University. He is Special Advisor to United Nations Secretary-General Ban Ki-moon on the Millennium Development Goals, having held the same position under former UN Secretary-General Kofi Annan. He is Director of the UN Sustainable Development Solutions Network. He is co-founder and Chief Strategist of Millennium Promise Alliance, and is director of the Millennium Villages Project. He is also one of the Secretary-General’s MDG Advocates, and a Commissioner of the ITU/UNESCO Broadband Commission for Development. He has authored several bestsellers including *The End of Poverty* (2005), *Common Wealth: Economics for a Crowded Planet* (2008), and *The Price of Civilization* (2011). His most recent books are *To Move the World: JFK’s Quest for Peace* (2013) and *The Age of Sustainable Development* (2015).

Mavluda Sattorova, Professor of Law, University of Liverpool; Director of the Liverpool Economic Governance Unit (LEGU), Liverpool, England

Mavluda Sattorova is currently a senior lecturer at the School of Law and Social Justice and Director of Liverpool Economic Governance Unit, University of Liverpool. Her research primarily focuses on international investment law and investor-state arbitration. Her most recent work examines the impact of investment treaty law on national policy-making and governance. She works closely with international organisations and government agencies involved in the design and reform of international investment treaties and national investment policies. She has published extensively on international investment law and worked in an expert capacity with the UNCTAD Investment Division and the World Health Organisation. Lately she has been exploring an empirically-driven approach to investigating the interaction between investment treaty rules with national law and policy, in particular in developing countries. Her monograph, *The Impact of Investment Treaty Law on Host States: Enabling Good Governance?*, has been published by Hart Publishing in 2018.

Karl Sauvant, Resident Senior Fellow, Columbia Center on Sustainable Investment

Karl P. Sauvant is Resident Senior Fellow at CCSI and serves as an Adjunct Senior Research Scholar and Lecturer-in-Law at Columbia Law School; Fellow at the Academy of International Business; and Honorary Fellow at the European International Business Academy. He is Guest Professor at Nankai University, China. He was the Founding Executive Director of CCSI until February 2012, during which he launched the *Yearbook on International Investment Law and Policy*, the *Columbia FDI Perspectives*, the Columbia FDI Profiles, the annual Columbia International Investment Conference, the Investment Law and Policy Speaker Series, and the Emerging Markets Global Players project. He teaches a seminar

on FDI and public policy and has published widely in the international investment area. He was also the co-director of the Millennium Cities Initiative at the Earth Institute, responsible for helping African cities attract investment. Prior to CCSI, he served as director of the United Nations Conference on Trade and Development's (UNCTAD's) Investment Division. While at the UN, he created the annual *World Investment Report*, and was lead author until 2004. In 1992, he founded the journal, *Transnational Corporations*, serving as editor until 2005. He provided intellectual leadership and guidance to a series of 25 monographs on key issues related to international investment agreements, published in 2004/05 in three volumes. He co-edited a 20-volume *Library on Transnational Corporations* (published by Routledge). He holds a Bachelor's equivalent from the Freie Universitaet Berlin, and received his master's and Ph.D. degree from the University of Pennsylvania.

Susan Sell, Professor, School of Regulation and Global Governance (RegNet), Australian National University

Susan K. Sell is a RegNet Professor. She earned her Ph.D in Political Science at the University of California, Berkeley. She taught at Pomona College and the Claremont Graduate School before joining the George Washington University, where she was Professor of Political Science and International Affairs. She served as director of the Institute for Global and International Studies at the Elliott School of International Affairs at George Washington from 2007-2012. Her research interests include international political economy, trade, economic development, intellectual property, and investment. She focuses on the global governance of public health, food sovereignty, education and climate change. She has published a number of books, including *Private Power, Public Law: the Globalization of Intellectual Property Rights*; this was translated into and published in Chinese in 2007 and in Korean in 2009. With Deborah Avant and Martha Finnemore she co-edited *Who Governs the Globe?* (Cambridge University Press, 2010). She has published numerous articles and book chapters and serves on the editorial boards of *International Studies Quarterly*; *the Review of International Political Economy*; *the European Journal of International Relations*, and *Global Governance*. She serves on the Board of Geneva-based IP-Watch, a reporting service targeted at under-resourced negotiating delegations. She has been a consultant for the Ford Foundation, the Open Society Institute, and the World Health Organization. In 2015-2016 she was appointed to the Expert Advisory Group for the United Nations Secretary General's High-level Panel on Public Health and Access to Medicines.

Gregory Shaffer, Director, Center on Globalization, Law, and Society, University of California Irvine School of Law

Gregory Shaffer is Chancellor's Professor and Director of the Center on Globalization, Law and Society at the University of California, Irvine. He is a member of the Board of Editors of the *American Journal of International Law* and the *Journal of International Economic Law* and has served as Vice President of the American Society of International Law. He received his JD from Stanford Law School and his BA from Dartmouth College. His publications include seven books and over one hundred articles and book chapters. The books and edited volumes are *Constitution-Making as a Transnational Legal Order* (with Ginsburg and Halliday, 2018); *Transnational Legal Orders* (with Halliday, 2015); *Transnational Legal Ordering and State Change* (2013); *Dispute Settlement at the WTO: The Developing Country Experience* (with Melendez, 2011); *When Cooperation Fails: The International Law and Politics of Genetically Modified Foods* (with Pollack, 2008); *Defending Interests: Public-Private Partnerships in WTO Litigation* (2003), and *Transatlantic Governance in the Global Economy* (with Pollack, 2001). His editorials and commentaries appear in the *Washington Post* and *Huffington Post*.

Kinda Mohamadieh, Senior Researcher, Global Governance for Development Programme, The South Centre

Kinda Mohamadieh is Senior Researcher with the Global Governance for Development Programme of the South Centre, where she works on issues pertaining to international investment governance and the role and accountability of business enterprises with respect to human rights. For nine years, she had worked as Policy Advisor at the Arab NGO Network for Development (Beirut) where she addressed issues pertaining to development and economic policies in the Arab region. She holds an LL.M. in International Economic Law from the University of Lausanne, a master's degree in Public Affairs from the University of California, Los Angeles, and an undergraduate degree in economics. She is currently a Ph.D candidate at the international law department of the Graduate Institute in Geneva.

Ricardo Mélendez-Ortiz, Chief Executive Officer, International Centre for Trade and Sustainable Development (ICTSD)

Ricardo Meléndez-Ortiz is co-founder of ICTSD and has been its Chief Executive since 1996. He currently sits on advisory committees and the boards of a number of global policy initiatives, including the World Economic Forum's Stewardship Board on Trade and Investment, and Chair of the Board of Directors of the Meridian Institute (US). Previously, he co-founded and was General Director of Fundación Futuro Latinoamericano (Quito). He has represented Colombia as a negotiator in several multilateral fora, including as permanent delegate of Colombia in Geneva. Earlier, he served as Principal Adviser to the Colombian Minister of Economic Development and as Chief of Administration of the Office of the President of Colombia. Since 1997, He has been the publisher of *BRIDGES* and its sister publications, and has edited, authored and published a wide range of books, articles and opinion pieces in English, French and Spanish on economic governance, trade, sustainable development and conflict management. He is the convener of the E15 Initiative, a joint undertaking of ICTSD and the World Economic Forum, gathering 400 experts to look into improving the global trade and investment system. He is a graduate of Harvard University.

Luis Parada, Senior Counsel, Curtis, Mallet-Prevost, Colt & Mosle LLP

Luis Parada, Senior Counsel in Curtis' International Arbitration group, concentrates his practice on representing governments and state entities in investment treaty disputes. He has a wealth of experience representing and advising sovereign clients in high-profile proceedings before the International Centre for Settlement of Investment Disputes (ICSID). In particular, he has developed significant experience representing sovereign States in cases conducted under the United States-Central America-Dominican Republic Free Trade Agreement (CAFTA). He has acted as counsel for the disputing State in two CAFTA arbitrations, as well as counsel for a non-disputing State in three additional CAFTA arbitrations, where he has addressed the tribunal on issues of treaty interpretation. In addition, he has provided advice to several sovereign States on other types of issues and disputes involving public international law. He is a dual national of the United States and El Salvador.

Matthew Porterfield, Deputy Director and Adjunct Professor, Harrison Institute for Public Law, Georgetown University

Matthew Porterfield is Deputy Director and Adjunct Professor at the Harrison Institute for Public Law, Georgetown University Law Center. He works on various aspects of international economic law, with a particular focus on the relationship between international trade and investment rules and environmental

policy. His publications include, “Exhaustion of Local Remedies in Investor-State Dispute Settlement: An Idea Whose Time Has Come?”, *Yale Journal of International Law Online* (2015); “State Practice and the (Purported) Customary International Law Prohibition on Uncompensated Regulatory Expropriation”, *North Carolina Journal of International Law & Commercial Regulation* (2011); “U.S. Farm Subsidies and the Expiration of the WTO's Peace Clause”, *University of Pennsylvania Journal of International Economic Law* (2007); “An International Common Law of Investor Rights?”, *University of Pennsylvania Journal of International Economic Law* (2006); and “International Expropriation Rules and Federalism”, *Stanford Journal of Environmental Law* (January 2004). He holds a BA from the University of Vermont; a JD, Magna Cum Laude, from Vermont Law School; and an LLM from Georgetown University.

Sanya Smith, Legal Advisor and Senior Researcher, Third World Network.

Sanya Smith is a Legal Advisor and Senior Researcher with Third World Network (TWN). She analyses the implications of trade and investment agreements on laws and policies in developing and least developed countries. Recently, she has been analysing various bilateral and multilateral trade and investment agreements, including the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), TPP and Regional Comprehensive Economic Partnership, which she has attended dozens of rounds as a stakeholder; as well as World Trade Organization and Trade In Services Agreement negotiations. She has given presentations on these issues at the World Trade Organization, the United Nations Conference on Trade and Development, and other conferences. Third World Network is a grouping of organisations and individuals involved in development issues. TWN's international secretariat is in Malaysia, and it has offices in various regions, including in Geneva, where she works.

Sarah Pray, Team Manager; Senior Analyst for Africa, Open Society Fiscal Governance Program, Washington, D.C.

Sarah Pray is a Team Manager with the Open Society Fiscal Governance Program, focusing on natural resource governance and trade. Prior to joining the Fiscal Governance Program, she was the Open Society Foundations' Senior Policy Analyst for Africa, advocating to the Washington, D.C., policymaker community on a diverse range of issues, including elections, human rights, rule of law, and corruption. Since 2010, she has been a lecturer at the George Washington University Elliott School of International Affairs teaching graduate skills courses on advocacy. Before working at Open Society, she was the coordinator of the Publish What You Pay United States coalition, advocating for transparency and accountability in the oil, gas, and mining industries. She has also worked at the Robert F. Kennedy Center for Human Rights as a human rights attorney promoting corporate responsibility and government accountability around the extraction of oil in Chad. She serves on the board of directors of EG Justice, a human rights organization focusing on Equatorial Guinea. She received a BA from the University of Michigan and a JD from Boston College Law School.

Kyla Tienhaara, Canada Research Chair in Economy and Environment, Queen's University

Kyla Tienhaara is a Canada Research Chair in Economy and Environment and Assistant Professor in the School of Environmental Studies and Department of Global Development Studies at Queen's University. She has previously held positions as Head of Research for Greenpeace Australia Pacific and as a Research Fellow at the Australian National University. Her research examines the intersection between environmental governance and the global economic system. Her work on investment arbitration has focused particularly on the subject of 'regulatory chill' and has been published in a number of academic journals and in *The Expropriation of Environmental Governance: Protecting Foreign Investors at the*

Expense of Public Policy (Cambridge University Press, 2009). Her most recent book, *Green Keynesianism and the Global Financial Crisis* (Routledge, 2018), explores the experience of Australia, Canada, Japan, Korea, and the United States with green stimulus programs following the 2008 global financial crisis.

Irma Mosquera Valderrama, Associate Professor of Tax Law at Leiden University, the Netherlands

Irma Johanna Mosquera Valderrama is Associate Professor of Tax Law at Institute of Tax Law and Economics, Leiden University, the Netherlands. In 2007, she obtained her Ph.D (cum laude) at the University of Groningen, the Netherlands. Her areas of expertise are international tax law and comparative tax law in developed and developing countries and more recently exchange of information including taxpayers' rights and safeguards in exchange of information, and BEPS related issues in developing countries. She has been recently awarded a prestigious ERC starting grant to carry out research from 2018-2022 on a New Model of Global Governance in International Tax Law Making (GLOBTAXGOV). The GLOBTAXGOV project investigates the implementation of BEPS Minimum Standards in 12 countries in the African, Latin American, European and Asian region.