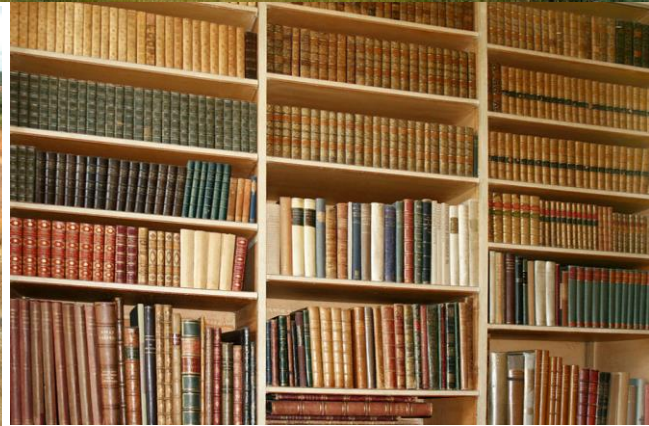




Columbia Center
on Sustainable Investment

A JOINT CENTER OF COLUMBIA LAW SCHOOL
AND THE EARTH INSTITUTE, COLUMBIA UNIVERSITY

2018-2019 Annual Report



Contents

Letter from the Director	3
Overview of CCSI	4
Workstream Overviews & Select Project Highlights.....	7
Sustainable Investment in Extractive Industries.....	7
Sustainable Investment in Land and Agriculture.....	8
Investment Law and Policy	10
Cross-Cutting Areas of Focus	11
Climate Change	11
Human Rights and Investment	12
CCSI Staff and Advisory Board	14
CCSI Staff	14
Advisory Board	20
Our Sponsors.....	21

Letter from the Director

Dear Colleagues,

We are pleased to share our 2018-2019 Annual Report. Unlike in previous years, this Annual Report provides only a brief snapshot of CCSI's wide-ranging research, policy inputs, multi-stakeholder events, publications, tools, and activities over the past year; more details on each activity and the approach of each of the Center's workstreams are available on our [website](#).

Since the adoption of the Sustainable Development Goals (SDGs) in 2015, much of our work has focused on how laws, policies, institutions, and practice at all levels of governance—local, national, and international—shape the impact that investment has on the SDGs and human rights. We critically examine existing governance frameworks to identify the gaps and deficiencies that allow certain environmental and social impacts to persist, and we propose alternative approaches, frameworks, and policies that could better align and channel investment toward the sectors and areas needed to achieve the SDGs, and to do so in a way that conserves natural resources and the environment and protects human rights. We also have been increasingly focused on the roles and responsibilities of the private sector and financial actors, and have been working with corporate leaders and financial professionals to rigorously define SDG-aligned corporate activity, and to map out the systems transformations that are necessary to align the corporate and financial sectors with the SDGs.

As noted in the following pages, our work on economic governance is interdisciplinary, broad, and multi-layered. We engage actively in international policy-making forums, in which we are also dedicated to bringing or elevating the voices and perspectives of underrepresented countries, communities, and affected stakeholders. We advise several governments on their own investment policies, model contracts, and sector strategies. And we work with farmers' cooperatives and community advocates to bolster the rights and the availability of legal and economic support available to affected individuals and communities.

In addition to our substantial research efforts, our policy inputs, and our advisory projects, a major source of impact for the Center continues to be our teaching in New York and around the world. We hosted our three two-week trainings for mid-level practitioners in investment in extractive industries, investment in agriculture, and investment treaties and arbitration in June, ran our [Massive Open Online Course on Natural Resources for Sustainable Development](#) in the fall and spring, taught a Masters-level course at Columbia's School of International and Public Affairs and Columbia Law School, and gave trainings, courses, and lectures in Austria, Belgium, Canada, Colombia, France, Germany, Ghana, Kenya, Mozambique, Norway, Switzerland, and Ukraine, among other countries.

I'm proud of the leading role that CCSI continues to play in this space, fostering policy-oriented dialogue and pushing the sustainable development agenda forward.

Sincerely,



Lisa Sachs



Overview of CCSI

The Columbia Center on Sustainable Investment (CCSI), a joint center of Columbia Law School and the Earth Institute at Columbia University, is a leading applied research center and forum dedicated to the study, discussion, and practice of sustainable international investment.

Our Mission

CCSI develops and disseminates practical approaches for governments, investors, communities, and other stakeholders to maximize the impact of international investment for sustainable development, and to minimize the harms.

The Challenge

Although foreign direct investment (FDI) can play a crucial role in advancing sustainable development—catalyzing the transfer of capital and technology, job creation, linkages with local industries, infrastructure development, and capacity building—international investments can also pose risks and challenges for host governments and their citizens. The extent to which benefits are realized and problems are avoided depends on the policies and practices of governments and investors, and the institutions available to find satisfactory outcomes for all stakeholders.

Our Approach

Guided by our five-pillar framework (see below), CCSI integrates interdisciplinary research, advisory projects, multi-stakeholder dialogue, educational programs, and the development of resources and tools. We have five primary means of accomplishing our mission:

- **Research:** CCSI produces qualitative and quantitative research crucial for advancing the body of knowledge on investment for sustainable development. This research provides a foundation for CCSI's other activities and for advancing its overarching mission.
- **Policy and Advisory Work:** Drawing on its interdisciplinary research, CCSI works with governments, the private sector, civil society, and communities to formulate and implement policies and strategies in support of sustainable investment.
- **Multi-Stakeholder and Expert Dialogue:** CCSI serves as a leading forum for high-level global dialogue among scholars, practitioners, the business community, and government regarding key topics in international investment and sustainable development.
- **Teaching and Curriculum Development:** As an academic center, CCSI develops courses and trainings on sustainable international investment for students, policymakers, and practitioners.
- **Resources and Tools:** CCSI develops user-friendly resources and tools for stakeholders to maximize the benefits of international investment.

Our activities are integrated: our interdisciplinary research, curricula, and resources inform and are informed by our advisory work, practical engagements, and dialogue.

Our Collaborators and Partners

CCSI collaborates with faculty and students at Columbia Law School and the Earth Institute, as well as throughout Columbia University, integrating our expertise in law, economics, and investment with diverse fields of sustainable development. CCSI also partners or collaborates with numerous external organizations, including bilateral and multilateral organizations, international initiatives, civil society, the private sector, and academia.

Five-Pillar Framework for Sustainable International Investment

CCSI has defined a five-pillar framework for sustainable international investment that underpins CCSI's mission and approach throughout its research and advisory work. These five interrelated pillars are intended to create a holistic approach for maximizing the impact of investment for sustainable development.

In theory, the framework is applicable to all countries and all multinational enterprises. However, some aspects of the framework may be more or less relevant depending on country, industry, sector, or project size. In particular, the framework was developed primarily to address large-scale investment in areas such as natural resources and infrastructure.

The five-pillar framework orients CCSI's work, and can also provide guidance to governments, industry, and other stakeholders seeking to identify and advance the elements of sustainable international investment. In some cases, stakeholders may need additional skills, capacity, or resources to fulfill their respective roles effectively; a shared vision and common framework can identify opportunities for support.

It has been developed through research, advisory projects, and stakeholder dialogue with policy makers, corporate executives, multilateral and donor organizations, civil society, and communities and remains a "living framework."

1. **A Transparent and Mutually Beneficial Legal Framework:** A transparent domestic legal framework for investment is mutually beneficial to the host country, including its communities and individuals, and to the investors. Robust and transparent legal frameworks, which include laws, regulations, policies, administrative and judicial decisions, and contracts, should be implemented by effective governmental institutions, monitored by civil society, and adhered to by industry. Laws and regulations that are developed and issued through open, inclusive, and participatory processes can minimize opportunities for corruption, rent-seeking, self-interested conduct, and opportunism in asymmetrical negotiations. In addition, the international legal system should encourage collaborative regional and global efforts while accommodating adequate domestic-level policy space so that governments can regulate international investment for public interest purposes. Finally, transparent, independent, and coherent domestic and international grievance, mediation, and dispute settlement mechanisms should ensure access to justice and promote responsible investment that benefit sustainable development.
2. **A Commitment to Long-term Planning and Revenue Management:** An effective government strategy and medium- or long-term plans, informed by stakeholder engagement processes, can optimize investments by managing revenues for national and local development objectives. At the national level, this includes national and development planning, intra-government coordination and prioritization, effective

budgetary mechanisms and execution, and strategic allocation of revenues flowing from investments. At the local level, this requires strategic, participatory, local development planning. Furthermore, investors and donors should take concerted efforts to assure that their plans align with and complement the governments' development planning efforts.

3. **A Strategy to Leverage Investments for Development through Infrastructure and Linkages:** Regulatory, operational and institutional models should promote pragmatic, cooperative, and mutually beneficial strategies for assessing and meeting the infrastructure needs both of the public and of investors. Enforceable policies and an enabling environment should allow, facilitate, and strengthen linkages between the investment and the local economy, including, as relevant, the procurement of local goods and services, training and employment of local workers, knowledge and technology transfer, and the creation of economically rational value-addition industries. Shared infrastructure platforms and industry linkages can reduce costs, improve access, create economies of scale, and promote broad-based socio-economic development.
4. **An Approach that Promotes Human Rights and Integrated Development:** Home and host governments must protect, and investors must respect, human rights affected by investments, while enabling the participation and inclusion of people and communities and providing effective remedies for potential breaches. Additionally, governments should undertake integrated strategies, informed through community engagement and supported by public and private partners, that prioritize sustainable development goals to ensure that communities in the region benefit from the presence of international investment.
5. **A System to Manage Environmental Risks and Impacts:** Environmental protection should be incorporated into relevant government policies prior to the design or approval of investments. These policies should address systemic environmental challenges, such as climate change, water management, biodiversity, conversation, deforestation, and protection of the global commons, including in accordance with relevant international treaties. An environmental management system, both generally and at the project level, should facilitate multi-stakeholder capacity to anticipate, manage, mitigate, and adapt to the cumulative environmental impacts and challenges in the region. All stakeholders, including home and host governments and investors, should strive to continuously improve relevant capacity and standards.

This framework is based on the premise that the shared goal of public and private stakeholders is a mutually beneficial, long-term relationship, which translates into widespread development benefits for the population and enables a reasonable return on investment. Implementation of the framework is the mutual responsibility of both public and private stakeholders.

Sustainable Investment in Extractive Industries

CCSI's Extractive Industries workstream has built its strength in developing cutting edge research and tools in niche areas to provide practical advice on resource governance; by developing appropriate policy responses and building capacities, local actors are better equipped to proactively manage their extractive industries and optimize those resources' impact on sustainable development. This year, the World Economic Forum requested CCSI to define and elaborate the future drivers and trends in the sector that are expected to influence the evolution of the shared-value paradigm of extractive industry investments; those drivers and trends shape CCSI's research and engagement strategies.

Over the past two years, CCSI has focused on four drivers that are altering the shared-value paradigm of extractive industries and are critical elements influencing the field's agenda: climate change, the SDGs, the adoption of automation and new technologies, and the impact of politics in the sector. Over the past year, we've advanced a number of projects in those areas:

- **Climate Change:** CCSI's [Renewable Power of the Mine](#) is the most comprehensive study to date on the status of existing efforts to integrate renewables in mining operations, roadblocks that impede future adoption, and the future trends and opportunities for renewable energy supply at mine sites. One of the primary findings of the report was that non-technical factors, including powerful vested interests, lack of incentives, and company capacity, have slowed renewable uptake. The study has led to further research on tangential topics including the development of a [greenhouse gas reporting framework for the industry](#), developed in partnership with the Rocky Mountain Institute and the MIT Sustainable Supply Chains Center.
- **SDGs:** In collaboration with local partners, CCSI has been piloting the use of SDG indicators to develop a consultative and data-driven [local development planning and monitoring framework](#). This year, we worked with local governments in Huasco Province, Chile, to develop a long-term development strategy around a large-scale mining investment in the region. The resulting "[Roadmap to Sustainable Development of Huasco Province](#)" includes a comprehensive and detailed diagnostic of the development needs of the Province, a shared vision for the Province's development based on extensive consultations, and strategic pillars that the development plan should incorporate.
- **Automation, Digitization, and New Tech:** In collaboration with the International Institute for Sustainable Development and Engineers Without Borders, we are continuing our assessment on how automation in the mining sector will impact the shared-value paradigm, building on the success of our 2016 '[Mining a Mirage?](#)' study.
- **Politics:** With support from the Open Society Foundations, The William and Flora Hewlett Foundation, and Ford Foundation, CCSI is raising awareness of the importance of considering political factors in formulating recommendations for extractive sector governance reforms. The [Executive Session on the Politics of Extractive Industries](#) brings together a diverse group of experts to grapple with the ways that power, interests, incentives, and characteristics of political systems shape extractive industry project

development and outcomes. The project has inspired new areas of inquiry for CCSI, including, for instance, on [how company personality informs negotiation strategies](#), increasing the effectiveness of international transparency initiatives like the Extractive Industries Transparency Initiative (EITI), and [how politics impacts the provision of technical assistance by development institutions](#). CCSI is also examining [the politics of Free, Prior, and Informed Consent \(FPIC\)](#) to understand how power asymmetries, diverging interests, and characteristics of political systems affect the FPIC process in order to recommend strategies to improve FPIC implementation.

Alongside these projects, CCSI continued its traditional activities of training, legal review of contracts and investment laws, fiscal modeling of extractive projects, and analyses of economic linkages to the extractive sector. In the coming year, we will also develop research on how to quantify the non-fiscal impacts of extractive projects to better inform project and policy decision-making. CCSI kicked off this work in Paris in June 2019 at the EITI global conference, in collaboration with the Natural Resource Governance Institute and Engineers Without Borders.

Sustainable Investment in Land and Agriculture

Widespread global hunger, climate change shocks that are disrupting agricultural systems, and increasingly resource-intensive lifestyles around the world are just some of the reasons why investments in agriculture remain critical. These investments, along with land-based investments for forestry, renewable energy, and other projects, also continue to present both opportunities and challenges for host communities, governments, and the private sector. To realize the opportunities and overcome the challenges, stakeholders must be equipped and incentivized to achieve better outcomes. Better governance of investment, more empowered communities who can protect their rights and interests, and even playing fields for responsible investors are necessary.

CCSI's Land and Agriculture team works in a variety of ways to ensure that investments in land and agriculture support sustainable development and do not undermine human rights or land rights. We analyze complex challenges that benefit from legal and policy expertise, a holistic approach, and creative thinking. We develop resources and present solutions that can be used and implemented by governments, civil society, communities, donors, the private sector, and others. We train and support stakeholders seeking to integrate or advance better practices.

Following are a few examples of our impacts in this workstream during the 2018-19 fiscal year:

- [Innovative Financing Solutions for Community Support](#): Communities affected by resource investments urgently need increased funding for legal and technical support. Without support, communities risk losing access to critical land and resources, suffering human rights violations, or missing opportunities to benefit from investments. A lack of community support can also lead to conflict and challenges that are damaging to companies and host governments. While donors and support providers have found ways to finance support for communities, such efforts can only extend so far. Promising new opportunities exist for filling the financing gap, yet they will require sustained efforts by a range of actors. In March 2019, CCSI published a report presenting an overview of

different options for tapping new funding sources for community support. Aside from explicit suggestions, the report provides a call to action to help communities secure the support they so crucially need. The report has been presented in various fora, and we are actively undertaking follow-up work, which will include a briefing note and technical assistance around ideas included in the report.

- **[Guidance for Communities Interacting with Investors](#)**: Deciding whether or not to allow an investor to use community lands and natural resources is one of the most important decisions a community can make. Yet communities confronting this decision, along with the advocates who support them, are often under-prepared, under-resourced, and at a significant disadvantage when investors come knocking. In September 2018, CCSI and Namati, a legal empowerment organization, published two guides for communities and their advisors focused on preparing for interactions with investors and, if they wish, on negotiating with investors. Potential users working in countries from Kenya to Papua New Guinea have expressed interest in applying these guides, and we have already worked to distill relevant information from the guides for communities and their advisors in Mozambique.
- **[Making Coffee Sustainable](#)**: The coffee sector faces a multitude of sustainability challenges. There are significant levels of poverty and child labor, a lack of access to basic services in some coffee-growing regions, and critical environmental sustainability concerns that will be exacerbated by climate change impacts. Although industry actors and others have committed to the SDGs, these goals are far from being achieved in the sector at large. Over the last year, a price crisis has led to untenable situations for coffee farmers around the world, who have found themselves unable even to cover their costs of production. CCSI, working with advisory board chair Professor Jeffrey Sachs, has been analyzing price developments and farmer incomes, the future supply of coffee in light of climate variability, and opportunities to achieve the SDGs through sector-wide collaboration. The results of this research were presented in July 2019 at the second World Coffee Producers Forum in Brazil and will be discussed at a Ministerial meeting alongside the UN General Assembly in September 2019; our analysis and recommendations will help frame cross-country and multi-stakeholder dialogue on solutions to the price, climate, and sustainability crises affecting coffee today.
- **[OpenLandContracts](#)**: OpenLandContracts.org—a global repository of publicly available investment contracts for land, agriculture, and forestry projects—has significantly increased in size since its 2015 launch. It now hosts over 800 documents, including nearly 250 annotated contracts, from 21 countries. Over the past year, the project supported Liberian civil society advocates as they raised community awareness of relevant contractual obligations of an investor whose concession extends over community lands, as well as a leading rights organization as it conducted research on sugar contracts and downstream actors’ compliance with policy commitments. OpenLandContracts has demonstrated that it is possible to make land investments more transparent, illustrated the relevance of investor-state contracts to the broader land governance community, and helped to demystify contracts and the information they contain.

In the next year, we will build on work conducted to date. This includes continuing to advance the conversation around financing solutions for community support, as well as working to further transparency around land investments by exploring how demand-driven transparency can lead to

more effective use of disclosed information. While remaining grounded in our core areas of expertise, we will also broaden our work in significant ways. Moving beyond agricultural investment, we will undertake critical work relevant to investments in food systems more generally, including on how the food sector can align itself with the SDGs. We will also work to apply lessons, resources, and best practices generated in the context of agricultural investments to the critical context of renewables, as a form of land-based investment that is key to a global transition to a low-carbon future. Through these and other efforts, we will apply our expertise to some of the most challenging and important questions around sustainable investment in land and agriculture.

Investment Law and Policy

CCSI's work on [Investment Law and Policy](#) focuses on ensuring that investment governance frameworks—including, in particular, investment treaties—support, and do not undermine, sustainable development and human rights. We strive to strengthen policy coherence in and across contractual, domestic, and international law arenas, identifying and addressing how legal frameworks can harness international investment in support of, and not adverse to, the shift toward a just, environmentally sound, inclusive, and equitable world. This means both articulating critiques of the current investment law and policy framework, and evaluating policy alternatives that may better achieve, and/or pose fewer risks to, sustainable development aims.

CCSI has sought, in particular, to identify and articulate how international economic law can affect outcomes in different pillars of sustainable development, including environmental protection, the progressive realization of human rights, and reduced inequality in economic, political, and social terms. We have sought to build bridges across often siloed substantive fields of work, driving, for instance, research and policy dialogues on how international investment law can shape [environmental, social, and governance outcomes of investments](#) in natural resources and [infrastructure](#) development.

Over the past year, we continued to engage at the intra-system level, providing input to actors and forums centered on the practice and/or contours of international investment law. For example, we attended and provided [oral](#) and [written input](#) (also [here](#)) in and around international negotiations on possible reform of investor-state dispute settlement (ISDS), which have been taking place at the United Nations Commission on International Trade Law (UNCITRAL) since 2017. We have also organized various side meetings with government officials participating in the UNCITRAL negotiations and other stakeholders, including thematic dialogues on relevant issues such as the [use of third-party funding in ISDS](#), and implications of ISDS for the [rights and interests of non-parties](#). Additionally, we have organized several in-person workshops and online meetings to support governments in their efforts to take stock of past developments and explore future pathways in the negotiations.

We have sought to deepen engagement with extra-system actors such as local government actors and environmental and human rights NGOs whose rights and interests may be affected by international investment law. Our research, recommendations, and comments on extra-system actors have been recognized in UNCTAD's International Investment Agreement Issues Note

covering important developments in investment law and policy, in the keynote speech of the UN High Commission for Human Rights at the World Investment Forum in October 2018, and in the acceptance of CCSI and its partner organizations' request for a thematic hearing on human rights law and the investment treaty regime by the Inter-American Commission on Human Rights (only a handful of requests are accepted for each of the Commission's period of sessions).

Overall, we have been using the global, universally agreed, and unifying framework of the SDGs to connect and improve dialogue among communities of intra- and extra-system actors; deepen understanding of how international investment law is relevant to different dimensions of sustainable development; identify areas of policy tensions; and articulate ways of overcoming or mitigating those tensions.

Cross-Cutting Areas of Focus

Climate Change

The linkages between climate change action and sustainable development have important implications for the world's approach to international investment, particularly with respect to natural resources. Yet, no coherent vision has emerged to guide the ways in which global actors can shift the trajectory of natural resource investments to lead to reduced greenhouse gas emissions while also addressing the development needs of resource-rich, low-income countries.

CCSI was one of the first institutions to focus on the nexus of natural resource investments and climate change. We are currently in the process of deepening and expanding our program of work on [climate change, the energy transition, and investment policy](#). This work looks at how policies and practices shape investment as it relates to climate change, in terms of incentivizing investment necessary for an energy transition that would allow us to stay within the 1.5°C warming limit, helping governments adequately govern that investment and ensuring that rights are protected during the transition. Recognizing the tremendous shifts in investment flows necessary to address the energy transition challenge, this program aims to provide an evidence-based understanding of the legal and practical mechanisms that can and/or do shape investment in a way that accelerates the transition to a low- or no-carbon economy, while addressing the broader set of development goals.

Following is a sampling of our relevant projects over the past year:

- CCSI partnered with the Business and Human Rights Resource Centre, Equitable Origin, and the UN Sustainable Development Solutions Network (SDSN) to create "[Mapping the Renewable Energy Sector to the Sustainable Development Goals: An Atlas](#)," which aims to provide a shared understanding of how the renewable energy sector can most effectively contribute to the SDGs. The Atlas traces the many points of intersection between renewable energy and the SDGs, including ways in which the renewable sector can contribute toward the realization of the SDGs, the risks renewable energy operations can pose for sustainable development and the realization of human rights, and the

implications of the SDGs for the industry's future operations, with special attention to the interconnections of the human rights framework with the SDGs.

- In September 2018, we hosted a number of events on climate and energy around the UN General Assembly, including conferences on the [role of litigation to promote climate change mitigation](#), [the Global Pact for the Environment and the future of international environmental governance](#), and [opportunities and risks that renewable energy use in the extractive and land sectors pose for the achievement of the SDGs](#).
- As noted above in the Extractive Industries section, CCSI also published our comprehensive [Renewable Power of the Mine](#) report.

Going forward, we plan to focus on a number of different approaches, including: looking at how investment and trade agreements and mechanisms for international cooperation [affect energy transition-related investments](#) with respect to signaling commitments, facilitating cooperation, and impacting governments' regulatory space; looking at the [land and climate nexus](#), such as how climate impacts, decarbonization, and renewables intersect with land rights and use, including the effects on vulnerable host communities (see, e.g., this [upcoming conference](#) supported by the Climate and Land Use Alliance); and helping countries plan for decarbonization through the use of an interactive model for stranding fossil fuel assets that accounts for the emission factor of each type of fossil fuel, current production patterns, global efficiency, level of development, and the availability of low-cost, low-carbon alternatives.

Human Rights and Investment

CCSI's cross-cutting work on [Human Rights and Investment](#) is grounded in our vision of a world where investment strengthens rather than undermines sustainable development and human rights, and where global economic governance does not prioritize corporate interests over human rights. Our efforts aim to redesign approaches to international investment and its governance, and to provide both ambitious solutions and practical resources, so that rights-holders and affected communities are empowered to effectively advocate for and protect their rights in the context of investment.

Our strategy in the human rights and investment space has three prongs. First, we draw on our deep expertise in both international investment law and international human rights law to analyze the human rights impacts of the international investment regime and to identify and promote means of reforming the investment regime, and of strengthening the rights regime, to reduce the risk of human rights abuses. These reforms are critical for achieving a more equal playing field for rights-holders. Second, we use our academic position, expertise, and credibility to support and work with a range of stakeholders, convening them together and/or working with them separately to improve understanding of the human rights impacts of the investment regime, address the negative impacts, influence relevant policy, and advance solutions. Third, we empower rights-holders to engage on investment issues by: providing them technical support, tools, and training; using our position to create new spaces for rights-holders to engage in the system; and seeking to change the system. For example, we have worked to demystify investment contracts for rights-holders and their advocates by providing [tools for analysis](#); [directories of community guidance](#) on

investment-related agreements; a repository of, and information on best practices regarding, [community development agreements](#); and [analysis](#) of contracts for responsible business models.

We highlight the following activities completed during the 2018-19 fiscal year within this area of work:

- Within our portfolio of work concerning the [access to justice](#) for communities affected by investor-state arbitration and the investments underlying those disputes, CCSI hosted a [meeting](#) alongside UNCITRAL Working Group III's 37th Session on reform of ISDS to discuss investment disputes and the rights and interests of third (or non-) parties. The meeting provided government delegates and other stakeholders an opportunity to explore ways in which investor-state arbitration affects the rights of third parties, and to consider mechanisms that would allow investment dispute settlement processes to meaningfully consider the range of rights and interests at stake in investment disputes. A number of issues discussed at this meeting were raised by several delegates and observers during the 37th Session, and included in the Session's report. In advance of UNCITRAL's 38th Session, CCSI, along with the International Institute for Environment and Development and the International Institute for Sustainable Development, submitted a [document to UNCITRAL outlining potential reform options concerning third party rights and ISDS](#).
- Related to our work on advancing access to justice for investment-affected rights-holders, CCSI [submitted comments](#) on the draft Hague Rules on Business and Human Rights Arbitration to highlight whether the Drafting Team's strategy meets or undermines access to justice objectives.
- CCSI team members contributed to and published articles, book chapters, and reports on the [human right to adequate nutrition](#), the [impacts of agriculture investments on human rights](#), and the [implications of human rights law](#) on the interpretation and application of investment treaties.
- CCSI worked with several civil society organizations and a human rights clinic to submit a request for a thematic hearing before the Inter-American Commission on Human Rights regarding the human rights impacts of the investment treaty regime in the Americas. The request was accepted for the February 2019 period of sessions (although ultimately withdrawn due to logistics, and re-submitted for a period of sessions in the forthcoming fiscal year).
- As highlighted in the Land and Agriculture section above, CCSI additionally published two guides, with Namati, to assist communities negotiating with investors, and a report on innovative financing solutions to support communities in such negotiations.

As highlighted in the Investment Law and Policy section above, CCSI's work at the intersection of human rights and investment law has been reflected in the comments and work of leading organizations in both the human rights and investment policy fields

CCSI Staff

Lisa Sachs, Director



Lisa Sachs is the Director of the Columbia Center on Sustainable Investment. Since joining CCSI in 2008, she established and now oversees the three areas of focus for CCSI: investments in extractive industries, investments in land and agriculture, and investment law and policy. She has developed a robust research portfolio in each of these areas, and has overseen advisory work in Mozambique, Guinea, Tanzania, Malawi, Namibia, Paraguay, and Timor-Leste. She teaches a master's seminar at Columbia Law School and Columbia's School of International and Public Affairs on Extractive Industries and Sustainable Development, and has helped to build course offerings and executive trainings at Columbia Law School on investment law and policy and sustainable development. She specializes in extractive industries, foreign investment, corporate responsibility, human rights, and integrated economic development. She is a co-chair of the UN Sustainable Development Solutions Network's thematic group on the Good Governance of Extractive and Land Resources and a member of the World Economic Forum's Global Future Council on the Future of International Governance, Public-Private Cooperation and Sustainable Development. From 2014-2016, she was Vice-Chair of the World Economic Forum's Global Agenda Council on the Future of Mining & Metals. She received a Bachelor of Arts in Economics from Harvard University, and earned her Juris Doctor and a Master's degree in International Affairs from Columbia University, where she was a James Kent Scholar and recipient of the Parker School Certificate in International and Comparative Law.

Jesse Coleman, Legal Researcher



Jesse Coleman is a legal researcher for the Columbia Center on Sustainable Investment, focusing on investment law and policy, natural resources, and the intersection between human rights and sustainable development. Prior to joining CCSI, Jesse worked with a diverse network of non-profit and research-based organizations, including the END Fund (a non-profit fund dedicated to combatting neglected tropical diseases), the International Center for Transitional Justice, and Cambridge University's Centre of Governance and Human Rights (a multi-disciplinary research center dedicated to advancing innovative thought and practice within the areas of global justice and human rights). She also worked with the Cambridge Pro Bono Project to complete research for the Inter-American Court of Human Rights. Jesse received her Bachelor of Arts in Political Science and Bachelor of Laws from Trinity College Dublin, and holds a Master of Law from Cambridge University (where she specialized in international law), all received with first class honors. Her research while at Cambridge focused on the interplay between international human rights law and land-based investment.

Kaitlin Y. Cordes, Head, Land and Agriculture; Lead, Human Rights and Investment



Kaitlin Y. Cordes leads the Columbia Center on Sustainable Investment's work on investments in land and agriculture, as well as the Center's work on the intersection of human rights and international investments. Prior to joining CCSI, she worked with the Africa Division of Human Rights Watch, focusing on farmworkers in South Africa, and served as an advisor to the UN Special Rapporteur on the right to food (Olivier De Schutter), concentrating primarily on large-scale land acquisitions, access to land, inclusive business models, and the rights of agricultural workers. She also has worked with a range of social justice organizations in the United States and India, and clerked for Justice Virginia A. Long of the Supreme Court of New Jersey. She is the co-editor of *Accounting for Hunger: The Right to Food in the Era of Globalisation* (Hart, 2011). She holds a bachelor of arts in Political Science and International Studies from Northwestern University and a *juris doctor* from Columbia Law School, where she was a James Kent Scholar, a Harlan Fiske Stone scholar, and recipient of the Valentin J.T. Wertheimer Prize and a Parker School Certificate in Foreign and Comparative Law. She is admitted to the bar in New York.

Paulo Cunha, Director of Operations



Paulo Cunha is CCSI's Director of Operations. In this capacity, he oversees much of the Center's financial, administrative, and communications responsibilities, while contributing to research, strategic planning, and project management. He is also an extractive industries transparency specialist. He joined the center from the Earth Institute, where he directed operations and managed a number of sustainable development projects across several centers and initiatives. As part of his responsibilities, he managed the Earth Institute's advisory project in São Tomé and Príncipe, working with Columbia Law School to coordinate the team's work on extractive industries transparency, oil revenue management and development planning. He has over 12 years of experience as a project manager, operations specialist and researcher in the fields of sustainable development and investment, natural resource governance and extractive industries transparency, and has worked with the Natural Resource Governance Institute, the Swiss Network for International Studies and the United Nations Development Program. He holds a Bachelor's degree from Cornell University and a Master's degree from Columbia University's School of International and Public Affairs.

Brooke Güven, Legal Researcher



Brooke Skartvedt Güven is a legal researcher for CCSI's work on international investment law and policy. She analyzes the contracts, legislation and international legal arrangements governing cross-border investments and the impacts that these frameworks have on sustainable development objectives. She also focuses on the intersection of international investments and human rights. Prior to joining CCSI, she spent seven years working at large international law firms focusing on cross-border finance and investments. During 2011, she worked for the International Senior Lawyers Project as a legal

advisor to the Liberian Ministry of Health and Social Welfare. Based in Monrovia, she advised the ministry on a public health law reform initiative, focusing on international and comparative practices. She received a Bachelor of Arts in Economics and Political Science from Northwestern University, a Master of International Public Affairs from the University of Wisconsin, a Juris Doctor from the University of Wisconsin Law School and an LL.M in International Legal Studies from New York University School of Law, where she was also a Human Rights Scholar at the NYU Center for Human Rights and Global Justice.

Lise Johnson, Head, Investment Law and Policy



Lise Johnson leads the Columbia Center on Sustainable Investment's work on investment law and policy. Her work at CCSI centers on analyzing the contractual, legislative, and international legal frameworks governing international investment, and shaping the impacts that those investments have on sustainable development objectives. She focuses in particular on analyzing international investment treaties and the investor-state arbitrations that arise under them, examining the implications those treaties and cases have for host countries' domestic policies and development strategies. In addition, she concentrates on key institutional and procedural aspects of the legal framework, including efforts to increase transparency in and legitimacy of investor-state dispute settlement. She has a B.A. from Yale University, a J.D. from the University of Arizona, and an LL.M. from Columbia Law School, and is admitted to the bar in California.

Nathan Lobel, Special Assistant to the Director



Nathan Lobel works with CCSI Director Lisa Sachs, supporting a wide range of research and programmatic work in CCSI's extractives, land, and investment policy workstreams. He also supports the Center's work on projects related to climate change, energy, and the just transition to a low-carbon society. Nathan holds a bachelor's degree in political science with high honors from Yale University, where he studied energy and environmental justice policy. While an undergraduate, Nathan worked with the Yale Program on Climate Change Communication and on Yale's fossil fuel divestment campaign.

Nick Maennling, Senior Economics and Policy Researcher



Nicolas Maennling leads the economics and policy research at CCSI and is a development economist with experience in the public and private sectors. From 2011 to 2012, he advised the Ministry of Finance in Timor-Leste on issues including inflation, macroeconomic forecasting, and fiscal sustainability, as part of the Earth Institute's advisory project to the Government. Previous to his employment at the Earth Institute, he spent three years in Mozambique, first as the resident Overseas Development Institute fellow in the Ministry of Industry and Trade, working on the design and implementation of Mozambique's industrial policy. He then served as a consultant for a private bulk commodity shipping company, LBH Group, and the UK Department for International Development on

resource extraction projects in northern Mozambique. He received a Bachelor of Science in Economics from the University of Birmingham (UK) and a Master of Science in Economics from the University of Warwick (UK).

Tehtena Mebratu-Tsegaye, Legal Researcher



Tehtena Mebratu-Tsegaye is a legal researcher for the Columbia Center on Sustainable Investment. Her work with the Center focuses on sustainable investment in extractive industries, and land and agriculture. Prior to joining CCSI, she worked with Namati as a legal consultant on cases relating to large-scale mining and agricultural projects. As an Aryeh Neier fellow with the Open Society Justice Initiative, she worked on anti-corruption research and litigation, and freedom of information projects. She trained as a lawyer at an international law firm where she worked on finance, energy, and infrastructure projects from the firm's London and Singapore offices. She received her law degree from the University of Oxford and her

Master of Laws from Columbia Law School. She is admitted to practice law in England and Wales, and New York.

Ladan Mehranvar, Legal Researcher



Ladan Mehranvar is a legal researcher for the Columbia Center for Sustainable Investment, with a focus on investment law and policy, and human rights and sustainable investment. In addition, she is a lecturer at Princeton University, where she teaches Environmental Law and Policy. Her previous experience includes work for a national law firm in Toronto, Canada, with a focus on environmental and expropriation law, an NGO in Guatemala supporting indigenous communities on issues surrounding human rights and extractive industries, and as a legal researcher at Amnesty International

(Vancouver) and the Inter-American Institute of Human Rights (Costa Rica). She holds a Bachelor of Science and a Master of Science in Ecology from the University of Toronto and the University of British Columbia, a JD from Osgoode Hall Law School, and an LLM from the University of Toronto. Her research at Osgoode and Toronto largely focused on the impact of foreign investment on subaltern communities in Latin America.

Karl P. Sauvant, Resident Senior Fellow



Karl P. Sauvant is Resident Senior Fellow at CCSI. In addition to his research at the Center, he also 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 also Guest Professor at Nankai University, China. He was the Founding Executive Director of CCSI (previously the Vale Columbia Center on Sustainable International Investment) until February 2012. While in this role, 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. Until October 2011, he was also the Co-Director of the Millennium Cities Initiative at the Earth Institute, responsible for helping African cities attract investment. Prior to his time with CCSI, he served as the Director of the United Nations Conference on Trade and Development's (UNCTAD's) Investment Division, the focal point in the UN system for matters related to FDI, as well as a major interface with the private sector. While at the UN, he created the prestigious annual *World Investment Report*, of which he was the lead author until 2004. In 1992, he founded the journal *Transnational Corporations*, serving as its editor until 2005. He provided intellectual leadership and guidance to a series of 25 monographs on key issues related to international investment agreements, which were published in 2004/05 in three volumes. Together with Professor John H. Dunning, he edited a 20-volume *Library on Transnational Corporations* (published by Routledge). His name is associated with a great number of UN publications on FDI over his three decades of service in the UN. He holds a Bachelor's equivalent from the Freie Universitaet Berlin (Germany), a Master's degree from the University of Pennsylvania, Philadelphia, and received his Ph.D. degree in 1975 from the University of Pennsylvania.

Nancy Siporin, Executive Coordinator



Nancy Siporin is the Executive Coordinator of the Columbia Center on Sustainable Investment. Prior to joining CCSI, she worked in television production, in areas ranging from broadcast operations to publicity, before becoming a casting director and eventually, owner of an independent casting company. Previously, she spent numerous years in the advertising industry, where she served as the Manager of Network Television Programming at a large ad agency. Her diverse background also includes working as a Senior Recruiting Manager in the medical market research industry. She received her Bachelor's degree in Communications, Arts and Sciences, with honors, from Queens College, New York.

Lisa Sweat, Associate Director of Development and Strategy



Lisa Sweat joined CCSI in 2018 to help the Center refine its strategic direction and lead its fundraising efforts as Associate Director of Development and Strategy. Prior to that, she was at the International Senior Lawyers Project, where she established and managed their Myanmar Program from 2013 to 2015 before helping the organization undertake a strategic transition and eventually serving as Director of Strategy. Her previous experience also includes legal internships with the Office of the General Counsel at the U.S. Department of Commerce and the Burma Lawyers' Council in Mae Sot, Thailand, as well as research assistance for The Center on Law and Security, for a law firm representing victims' rights at the International Criminal Court, and for NGOs working in the areas of international economic development, security, and human rights. She holds a JD from New York University School of Law and a BA from Emory University, and is admitted to the bar in New York.

Sam Szoke-Burke, Legal Researcher



Sam Szoke-Burke is a legal researcher for the Columbia Center on Sustainable Investment's focus areas of land and agriculture, and extractive industries. He also specializes in the intersection of human rights and international investments. Prior to joining CCSI, Sam worked as a legal consultant for the Land, Environment and Development project at the Legal Assistance Centre, Namibia, where he represented various indigenous communities in legal claims relating to mineral exploration, ancestral land claims and forced resettlement, amongst other projects. He has also worked with various human rights and public interest organizations in the US and Australia, including on a project concerning the human rights impacts of gold mining in Haiti, and clerked for Justice Anthony Cavanough, head of the Judicial Review and Appeals List, at the Supreme Court of Victoria, Australia. He holds a Bachelor of Arts in Politics and a Bachelor of Laws with first class honors from Monash University Australia, and a Master of Laws from New York University School of Law, where he was a Rotary Global Scholar, a Transitional Justice Scholar and an NYU International Law and Human Rights Fellow. He is admitted to practice in Victoria, Australia.

Perrine Toledano, Head, Extractive Industries



Perrine Toledano heads the Center's focus on extractive industries and sustainable development. She leads research, training, and advisory projects on: fiscal regimes; financial modeling; leveraging extractive industry investments in rail, port, telecommunications, water and energy infrastructure for broader development needs; local content; revenue management; contract transparency; and optimal legal provisions for development benefits. Perrine has led projects in DRC, Liberia, Paraguay, Mozambique, Sierra Leone, Tanzania, and Timor-Leste, and assisted many more government teams remotely. Perrine also jointly developed curricula for a masters and an executive course on extractives and sustainable development taught at Columbia University. Prior to joining CCSI, she worked as a consultant for several non-profit organizations, including the World Bank, DFID, and Revenue Watch Institute, and private sector companies, including Natixis Corporate Investment Bank and Ernst and Young. Her experience includes auditing, financial analysis, IT for capital markets, public policy evaluation, and cross-border project management. She has a Master's of Business Administration from ESSEC in Paris, France, and a Masters of Public Administration from Columbia University.

Advisory Board

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

Sheikh Khalid Bin Mustahail Al Mashani, Chair, Board of Directors, BankMuscat, Oman

Tom Butler, CEO, International Council on Mining and Metals (ICMM)

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

Olivier De Schutter, Member of the UN Committee on Economic, Social and Cultural Rights

Jonathan T. Fried, Personal Representative of the Prime Minister for the G20 and Coordinator for International Economic Relations, Global Affairs Canada

Jason A. Fry, Partner and Co-head of the International Arbitration Group, Clifford Chance Europe LLP; Former Secretary General, ICC International Court of Arbitration

Gabrielle Kaufmann-Kohler, Professor of Law, University of Geneva; Partner, Lévy Kaufmann-Kohler

Kerry Kennedy, President, Robert F. Kennedy Human Rights

Sheila Khama, Practice Manager, Energy and Extractives, World Bank Group

Meg Kinnear, Secretary-General, International Centre for Settlement of Investment Disputes

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

Justin Yifu Lin, Director, Center for New Structural Economics, and Honorary Dean, National School of Development, Peking University

Alberto Ninio, Director, Sustainability and Corporate Responsibility, Vale S.A.

David C. Noko, Executive Vice President, Social and Sustainable Development, AngloGold Ashanti Ltd.

Luiz Eduardo Osorio, Executive Director, Sustainability and Institutional Relations, Vale S.A.

Antonio M.A. Pedro, Director, Sub-regional Office for Central Africa, United Nations Economic Commission for Africa

Jon Samuel, Group Head of Government and Social Affairs, Anglo American

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

Stephen M. Schwebel, Independent Arbitrator and Counsel; Former President of the International Court of Justice

M. Sornarajah, CJ Koh Professor of Law, National University of Singapore

A. Pedro H. van Meurs, Leading Petroleum Economist; President, Van Meurs Corporation

Louis T. Wells, Herbert F. Johnson Professor Emeritus, Harvard Business School

Zhang Ye, Vice President, Metallurgical Corporation of China Ltd.

James Zhan, Director, Investment & Enterprise Division, UNCTAD

Our Sponsors

CCSI's work is 100% funded by external donors and supporters. To provide our stakeholders an understanding of our funding structure, we provide the following list of all supporters whose open grants or donations covered activities taking place during the 2018-2019 fiscal year. Categories reflect the total, aggregate value of all grants or contracts that were open within the 2018-19 fiscal year, for amounts exceeding \$5,000.

\$500,000+

Department for International Development (UK)
Open Society Foundations
Swiss Agency for Development Cooperation
The William and Flora Hewlett Foundation

\$100,000-\$499,999

Consultora y Asesorias Plataforma Dinamica SpA
Ford Foundation
GIZ (Germany)
Ministry of Foreign Affairs of the Netherlands
Vale S.A.
World Coffee Producers Forum

\$25,000-\$99,999

Club de Juristes
Food and Agriculture Organization of the United Nations
Iberdrola S.A.
International Institute for Sustainable Development
World Association of Investment Promotion Agencies
World Bank

\$5,001-\$24,999

Arnold & Porter
Canadian International Resources and Development Institute
The Earth Institute of Columbia University
Engineers Without Borders
Foley Hoag
UN Sustainable Development Solutions Network

For Further Information

Columbia Center on Sustainable Investment

Columbia Law School – Earth Institute

Jerome L. Greene Hall

435 West 116th Street

New York, NY 10027

Phone: 212-854-1830

Email: ccsi@law.columbia.edu

Website: ccsi.columbia.edu



Columbia Center on Sustainable Investment

A JOINT CENTER OF COLUMBIA LAW SCHOOL
AND THE EARTH INSTITUTE, COLUMBIA UNIVERSITY