



Executive Training on Investment Arbitration for Government Officials

Columbia Center

on Sustainable Investment

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

Program Overview

Treaty-based investor-state arbitrations have been on the rise, affecting a growing number of countries each year.

Due to several features of investment arbitration, including

- the rapid growth of investment arbitration as a field of law,
- the fact that investor-state arbitration is often largely handled by law firms and resolved in institutions located far from the host state,
- the confidentiality of many orders, decisions and awards, and
- limited availability of free resources providing analysis of case law,

it can be exceedingly difficult for states to understand the strengths and weaknesses of claims or defenses, develop and implement their own litigation strategies, or internalize lessons from past decisions in order to avoid future disputes and shape future treaties. Moreover, even when states win cases, defending the disputes can be costly, drawing officials' attention away from important matters, generating millions of dollars in litigation expenses, and causing governments reputational harm.

This course addresses those challenges. Through an intensive week-long course, government officials involved in managing investment treaty disputes or negotiating investment treaties will increase their knowledge of crucial procedural and substantive aspects of investment law.

Topics

Over the course of five days, participants will:

- be updated on new developments in challenges to jurisdiction, including both successes and failures;
- gain insight into the process of and strategies for arbitrator selection and challenges;
- gain up-to-date knowledge on the current contours of core substantive standards such as the “fair and equitable treatment” obligation, the prohibition on uncompensated expropriation, and the non-discrimination obligations;
- explore the relationship between contract-based and treaty-based claims;
- learn about treaty language and procedural strategies for deterring or securing dismissal of frivolous claims;
- address approaches to valuation and damages;
- hear what other states are doing in terms of preventing disputes or ensuring the effectiveness of “cooling off” periods; and
- learn of new trends in treaty practice.

A Certificate of Attendance will be provided by Columbia University upon successful completion of the course.

Faculty

Sessions will be taught by leading academics and practitioners and will be tailored to uniquely address issues relevant to governments. Faculty include:

- **Lee Caplan**, Partner, Arent Fox LLP; former Attorney-Advisor, US Department of State
- **Claudia Frutos-Peterson**, Partner, Curtis Mallet-Prevost, Colt & Mosle LLP; Adjunct Professor, American University College of Law
- **Ian Laird**, Partner, Crowell & Moring LLP; Adjunct Professor, Columbia Law School and Georgetown University Law Center
- **Ucheora Onwuamaegbu**, International Attorney, Arent Fox LLP; former Senior Counsel, International Centre for Settlement of Investment Disputes
- **Ignacio Torterola**, Partner, Brown Rudnick LLP; former Counsel and Deputy Director, Office of the Argentine Treasury Attorney-General’s Office
- **Louis T. Wells**, Herbert F. Johnson Professor Emeritus of International Management, Harvard Business School

We look forward to welcoming you in July

Who Should Attend

The program is designed for public sector officials whose responsibilities relate to treaty negotiation or investor-state arbitration

Contact

Paulo Cunha,
Assoc. Director of Operations
pcunha@law.columbia.edu
+1.212.854.1830

Dates

July 13-17, 2015

Duration

5 instructional days

Location

Columbia University
New York City, U.S.A.

Fee

The program fee is \$2,400. The fee includes instruction, materials, breakfast and lunches, and hotel accommodation for 6 nights.

Without accommodation, the program fee is \$1,615.

How to Apply

Applications will be accepted on a rolling basis until **April 15, 2015**.

To apply, please visit the application page on our website:
www.ccsi.columbia.edu

Please note that all participants must be able to read and communicate in English.

