



VALE COLUMBIA CENTER
ON SUSTAINABLE INTERNATIONAL INVESTMENT
A JOINT CENTER OF COLUMBIA LAW SCHOOL AND
THE EARTH INSTITUTE AT COLUMBIA UNIVERSITY



**CENTER FOR ENERGY,
MARINE TRANSPORTATION
AND PUBLIC POLICY**

Preventing and Managing Conflict in Energy and Other Natural Resource Investment Relations

**Columbia University, International Affairs Building, Room 1501, 15th Floor
420 West 118th Street, New York, NY
May 13, 2009**

PROGRAM

Center for Energy, Marine Transportation and Public Policy (CEMTPP), School of International and Public Affairs (SIPA)

CEMTPP—the Center for Energy, Marine Transportation and Public Policy—is dedicated to helping policymakers, business leaders and the general public manage energy in optimal ways. The mission of CEMTPP is to provide an unparalleled and comprehensive education in International Energy Management and Policy (IEMP) and to contribute to informed policy discussion and decision making through original, insightful research. For more information, see: www.cemtp.org

Vale Columbia Center on Sustainable International Investment Columbia Law School/The Earth Institute

The Vale Columbia Center on Sustainable International Investment promotes learning, teaching, policy-oriented research, and practical work within the area of foreign direct investment (FDI), paying special attention to the sustainable development dimension of this investment. It is a joint center of Columbia Law School and The Earth Institute at Columbia University. For more information, see: www.vcc.columbia.edu.

Objectives, Logistics and Themes of the Symposium

Objectives: At a time when investment relations in the field of energy and other natural resources are marked by tensions, the May 13, 2009 Symposium will be an opportunity simultaneously to:

- present some of the essential conclusions of the *Yearbook on International Investment Law and Policy (Investment Yearbook)*, to be released at that time by Oxford University Press;
- foster a dialogue among policy makers, practitioners and academics on the present state of investment relations in energy and other natural resources, and on the ways to prevent or, if that is not possible, successfully to manage and resolve conflicts between investors and host countries;
- provide guidance to the Center for Energy, Marine Transportation and Public Policy and the Vale Columbia Center on Sustainable International Investment on how to continue promoting an action-oriented dialogue through original research, high-level meetings and insightful publications.

Outcome: The Symposium is intended to foster a dialogue among principal stakeholders and with academia, lead to a better understanding of the issues involved and explore practical solutions. In order to assure wider dissemination, a conference volume might be prepared. In addition, CEMTPP and the Vale Columbia Center on Sustainable International Investment will seek guidance from the Symposium regarding the longer term research program that they are conducting and/or planning to initiate in support of these objectives.

Symposium contact:

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May 13, 2009, Wednesday

08:30 **Registration**

09:00 **Welcome and opening remarks by John Coatsworth**, Dean, School of International and Public Affairs

Presentation of the Symposium’s objectives, Albert Bressand, Aristotle Onassis Professor in the Practice of International and Public Affairs, Executive Director, Center for Energy, Marine Transportation, and Public Policy, and **Karl P. Sauvant**, Executive Director, Vale Columbia Center on Sustainable International Investment

9:30 – 13.00 **Session I: Balancing the rule of international investment law and the need to protect national interests: insights from the first *Investment Yearbook***

Chair: Karl P. Sauvant

1. “Implications of a self-judging essential security interest provision for energy FDI and investment in other sectors,” **James Mendenhall**, Partner, Sidley Austin LLP, former U.S. Trade Representative General Counsel
2. “What does a self-judging essential security interest clause mean for the rule of international investment law?” **Andrea Bjorklund**, Professor of Law, University of California, Davis, School of Law
3. “The concept of ‘essential security interests’ and implications for the international investment regime,” **José E. Alvarez**, Hamilton Fish Professor of International Law and Diplomacy; Director, Center on Global Legal Problems, Columbia Law School
4. “Negotiating durable natural resources contracts,” **Peter Rosenblum**, Lieff, Cabraser, Heimann and Bernstein Clinical Professor of Human Rights, Columbia Law School

10:30-10.45 *Coffee/Tea Break*

Discussion. Lead discussants:

Charles H. “Chip” Brower, II, Croft Associate Professor of International Law and Jessie D. Puckett, Jr. Lecturer-in-Law, University of Mississippi

Greg Hicks, Deputy Director, Office of Investment Affairs, Bureau of Economics, Energy and Business Affairs, Department of State, United States

Daniel M. Price, Senior Partner for Global Issues, Sidley Austin LLP; Former Assistant to the President and Deputy National Security Advisor for International Economic Affairs in the Bush Administration

W. Michael Reisman, McDougal Professor of International Law, Yale Law School

13:00 – 14:30 **Buffet Lunch**

Keynote address: “Eurasian energy security and cooperation: an Azerbaijani perspective,” **Elkhan Nuriyev**, Director, Center for Strategic Studies under the President of the Republic of Azerbaijan; **Introduction by Albert Bressand**, Aristotle Onassis Professor in the Practice of International and Public Affairs, Executive Director, Center for Energy, Marine Transportation, and Public Policy

Response by David L. Goldwyn, CEO, Goldwyn International Strategies LLC

14:30 – 17:30 **Session II: Toward an Enhanced Policy Dialogue: global and regional initiatives in search for a common perspective**

Roundtable chaired by Albert Bressand. Roundtable participants:

Albert Bininachvili, Director, Program for Caucasus & Central Asian Studies, Universita di Bologna

Susan Franck, Associate Professor of Law, Washington and Lee University School of Law

Andrei Konoplyanik, Consultant to the Board, Gazprombank, Moscow; Visiting lecturing professor on International Oil and Gas Business, Russian State Oil and Gas University, Moscow; former Deputy Secretary General, Energy Charter Secretariat

Ian A. Laird, Counsel, Washington, D.C. office of Crowell & Moring LLP

Said Nachet, Energy Director, International Energy Forum Secretariat, Riyadh

Elkhan Nuriyev, Director, Center for Strategic Studies under the President of the Republic of Azerbaijan

Jim Ragland, Chief Economist, Saudi Aramco, Washington DC

Gregory Stoupnitzky, CEO, CIS Capital LLC

15:30 – 15:45 *Coffee/Tea Break*

17:30 - 17:45 **Closing remarks and next steps in the Columbia work program**

Karl P. Sauvant, Executive Director, Vale Columbia Center on Sustainable International Investment

Albert Bressand, Executive Director, Center for Energy, Marine Transportation, and Public Policy