



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 seeks to help address 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.

All participants must be able to read and communicate in English. 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. Past faculty have included:

- **Lee Caplan**, Partner, Arent Fox LLP
- **Claudia Frutos-Peterson**, Partner, Curtis Mallet-Prevost, Colt & Mosle LLP
- **Alejandro Garro**, Adjunct Professor of Law, Columbia Law School
- **Ucheora Onwuamaegbu**, International Attorney, Arent Fox LLP
- **Jeremy Sharpe**, Partner, Shearman & Sterling LLP
- **Shane Spelliscy**, Trade Law Bureau, Foreign Affairs, Trade and Development, Government of Canada
- **Ignacio Torterola**, Partner, Brown Rudnick LLP
- **Louis T. Wells**, Herbert F. Johnson Professor Emeritus of International Management, Harvard Business School
- **Katia Yannaca-Small**, Counsel, Shearman & Sterling LLP

We look forward to welcoming you in August

Who Should Attend

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

Contact

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Dates

August 1-5, 2016

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 \$1,400.

Need-based scholarships may be available.

How to Apply

Applications will be accepted on a rolling basis until **March 21, 2016**.

To apply, please visit the application page on our website:

www.ccsi.columbia.edu

