

SIDE EVENTS DURING THE WG III SESSION (9-13 October 2023, Vienna)

<p>9 October Monday</p>	<p style="text-align: center;">Procedural and Cross-cutting Issues (17:10-19:00)</p> <p><i>Organized by South Center, CCSI, IISD, IIED</i></p> <p><i>The objective of this event, which is open to all developing country delegations, is to discuss the draft provisions on procedural and cross-cutting issues, with a particular emphasis on those related to the assessment of damages and compensation, third-party funding, recourse to local remedies and counterclaims. This is an informal event with short presentations by the organizers, followed by an open discussion on the above topics.</i></p> <p><i>For details and registration please contact: Daniel Uribe (uribe@southcentre.int) and Joseph Ostřanský (jostransky@iisd.org)</i></p> <p><i>Venue: CO 435</i></p> <p style="text-align: center;">Flyer</p>
<p>10 October Tuesday</p>	<p style="text-align: center;">Taking Stock of State Efforts to Manage Their Treaties: What works; what doesn't; and what does that mean for ongoing and future reform efforts (12:40-13:40)</p> <p><i>Organized by CCSI</i></p> <p><i>With a view to evaluating concrete reform actions that can be taken by States both within and outside the UNCITRAL WGIII process, this panel will examine countries' experiences with developing and managing their investment treaties. It will involve government officials and practitioners sharing key insights and lessons learned, ranging from experiences with developing and refining model treaties, negotiating on the basis of models, handling investment disputes as respondents and non-disputing State parties, and seeking to correct and clarify interpretations through the use of unilateral and joint interpretive statements. Panellists will also discuss issues of amendment and termination, including the advantages and disadvantages associated with each approach. The objective is to draw on past efforts in order to test existing theories and draw new conclusions on what states can feasibly do (and in what forum, and through what steps) to most effectively ensure that their investment treaties provide benefits without generating undue costs.</i></p> <p><i>Speakers: Vaibhav Rundwal (India), Jaroslav Kudrna (Czech Republic), Ana Maria Ordoñez Puentes (Colombia), Simon Batifort (Curtis, Mallet-Prevost, Colt & Mosle LLP), Ladan Mehranvar (CCSI)</i></p> <p><i>Venue: Boardroom D</i></p> <hr/> <p style="text-align: center;">ISDS Reform: Comparative, Regional, and Institutional Approaches (17:10-18:40)</p> <p><i>Organized by the Nyenrode Business University and CREDIMI</i></p> <p><i>The perspectives of diverse regions, such as African states and LATAM, on ISDS reform are unique and reflect specific aspects pertinent to each region, its historical past, and its economic position. The interstate positions have a significant impact on ISDS reform in the context of UNCITRAL WG III. This conference aims to address the issue of ISDS reform in the context of the UNCITRAL WG III discussions, first from an institutional and think-tank perspective (UNCITRAL, ICSID and IISD), and then from a comparative viewpoint, taking into account the perspectives of different continents (Africa, MENA, Latin America, and Asia).</i></p> <p><i>Introduction: Pascale Accaoui Lorjing & Yulia Levashova</i></p> <p>Registration</p> <p><i>Venue: Boardroom D and online</i></p> <p style="text-align: center;">Flyer</p>
<p>11 October Wednesday</p>	<p style="text-align: center;">The Human Rights Remedy Gap in ISDS – The Potential of the Hague Rules on Business and Human Rights Arbitration (12:40-13:40)</p> <p><i>Organized by the Academic Forum</i></p> <p><i>The Hague Rules on Business and Human Rights Arbitration were designed to provide a comprehensive set of procedural rules for the conduct of arbitration involving Business and Human Rights disputes. They are based on the UNCITRAL Arbitration Rules. This session explores whether and how the Hague Rules may be used as a mechanism to resolve claims concerning human rights violations arising from foreign investments. They allow states and business to fulfil their obligations under the UNGP.</i></p> <p><i>Venue: Boardroom D</i></p> <hr/> <p style="text-align: center;">From Past to Present: Schreuer's Commentary on the ICSID Convention (18:00-19:30)</p> <p><i>Organized by ICSID</i></p> <p><i>"Schreuer's Commentary on the ICSID Convention" holds a unique place in the literature on international investment law and dispute settlement. Now in its third edition, the Commentary reviews the drafting history of ICSID Convention provisions and their interpretation by ICSID tribunals and ad hoc committees over half a century. It has served as an indispensable resource for practitioners, academics and arbitrators alike. ICSID and the University of Vienna are pleased to host an event with Christoph H. Schreuer, general editor Stephan W.</i></p>

	<p><i>Schill, editor August Reinisch, and other editors and contributors to celebrate the role the Commentary had played in building on understanding of the ICSID Convention.</i></p> <p>Venue: University of Vienna, Rooftop of the Juridicum</p> <p style="text-align: center;">Flyer</p>
<p>12 October Thursday</p>	<p style="text-align: center;">The Future of Investment Treaties: An update on OECD-hosted treaty climate alignment and reform discussions (12:40:13:40)</p> <p>Organized by OECD</p> <p><i>The OECD will provide an update on work hosted under its Future of Investment Treaties work programme, following up on its presentation organised during the WG III January 2023 session. To recall, the work programme was launched in 2021, in the light of mounting interest in reshaping investment treaties, in the face of challenges such as climate change and in light of debates that have emerged in the past decade as to the design of treaties, the interpretation and use of certain standards of protection, and in this context, the overall outcomes of the treaty system.</i></p> <p><i>Lauge Poulsen (Professor of International Relations and Law, UCL), Chair of Track 1 of the work programme, will present the progress accomplished to date on discussions considering how to align investment treaties with the Paris Agreement objectives. Sylvie Tabet (General Counsel and Director in the Trade Law Bureau of the Government of Canada), Chair of Track 2 of the work programme, will recall the rationale and objectives of work undertaken on substantive treaty provisions and standards. She will present initial observations related to work to date, as well as envisaged directions for work under Track 2.</i></p> <p>Venue: Boardroom D</p>
	<p style="text-align: center;">Workshop: The UNCITRAL Codes of Conduct for ISDS Adjudicators (18:00-19:40)</p> <p>Organized by the Permanent Mission of Italy to the International Organizations in Vienna in collaboration with the University of Vienna</p> <p><i>Welcome addresses: Amb. Debora Lepre, Permanent Representative of Italy</i></p> <p><i>Introduction by Mr. Shane Spelliscy (Chair, UNCITRAL WG III): The Adoption of the UNCITRAL Codes</i></p> <p><i>The view of an adjudicator: Prof. Giorgio Sacerdoti (former member of the WTO Appellate Body and arbitrator)</i></p> <p><i>Ethical rules for international judges in comparison with ethical standards for ISDS arbitrators</i></p> <p><i>Chair: Dr. Anna De Luca Discussants: Mr. Colin Brown (European Commission); Ms. Martina Polasek (ICSID Secretariat); Ms. Natalie Morris-Sharma (Rapporteur, UNCITRAL WG III); Prof. Kriebaum (University of Vienna); and Prof. Michael Waibel (University of Vienna)</i></p> <p><i>Conclusion: Prof. Maria Chiara Malaguti</i></p> <p>Venue: Istituto Italiano di Cultura di Vienna</p> <p style="text-align: center;">Flyer</p>