

SIDE EVENTS DURING THE WG III SESSION (23–27 September 2024, Vienna)

23 Sep. Monday	Treaty Law Aspects of the Multilateral Instrument (12:40–13:50)
	<p>Organized by the Academic Forum on ISDS</p> <p><i>As the Working Group proceeds to consider the draft statute of a standing mechanism for the resolution of international investment disputes (whether for a two-tiered body or a standalone appellate mechanism), this side event organised by the Academic Forum on ISDS will focus on crucial treaty law aspects of this multilateral instrument. The following are some of the questions the event will aim to answer. What form should the instrument take and how can its effectiveness be ensured? What will be the relationship between this prospective instrument and existing investment treaties? What will be the relationship between the standing mechanism and arbitration, in the case of states that subscribe both to the multilateral instrument and arbitration?</i></p> <p>Panellists: George A Bermann (Columbia University), Gabriel Bottini (Uría Menéndez & University of Buenos Aires), Marc Bungenberg (Europa-Institut, Saarland University), Catharine Titi (French National Centre for Scientific Research & CERSA, University Paris-Panthéon-Assas) (moderator), and Michael Waibel (University of Vienna).</p> <p>Venue: Boardroom D</p>
24 Sep. Tuesday	ITA Roundtable: Denying the Benefits of Investment Treaties: Proposals at UNCITRAL WG III (17:45–20:00)
	<p>Organized by the Institute for Transnational Arbitration and co-sponsored and hosted by KNOETZL</p> <p><i>Draft Provision 17 of the UNCITRAL Working Paper 244 addresses the “denial of benefits” clause, allowing States to deny the protection offered to investors or investments that they did not intend to protect. While paragraph 1 of the Draft Provision is based on similar provisions in recent investment treaties, paragraph 2 generously extends the scope of the “denial of benefits” clause to cover situations of third-party funding, unlawful investments, and investments resulting from, or involving, corruption and other illegal actions. The focus of the roundtable discussion is Draft Provision 17, acknowledging, thus, not only the critical importance of the ‘denial of benefits’ clause, but also the necessity to thoroughly address its application, in particular in the context of the proposed paragraph 2.</i></p> <p>18:00-19:00 - Roundtable 19:00-onwards - Drinks</p> <p>Venue: KNOETZL, Herrengasse 1, A-1010 Vienna</p> <p style="text-align: center;">Please register via this link</p>
24 Sep. Tuesday	Operationalization of the Advisory Centre (12:40–13:30)
	<p>Organized by the Secretariat and the Delegation of Thailand</p> <p><i>The Commission adopted in principle the draft statute of an advisory centre on international investment dispute resolution at its 57th session earlier in July. It also recommended States and regional economic integration organizations to utilize an informal process to work on operationalization of the advisory centre. To this end, Thailand will host an informal meeting on 2-4 December 2024 in Bangkok. This side event will provide an update regarding the preparations for the informal meeting and an opportunity for any questions interested participants may have.</i></p> <p>Venue: Boardroom D</p>
24 Sep. Tuesday	Views from the Global South on the Multilateral Investment Court and Procedural and Cross-cutting Issues in Investor–State dispute settlement (ISDS) Reform (18:45–21:00)
	<p>Organized by the Government of Colombia (Permanent Mission of Colombia in Vienna), Vienna School of International Studies, Diplomatische Akademie Wien, the South Centre and the Externado University of Colombia</p> <p><i>In this event, representatives of the Global South will voice their thoughts on the way forward concerning ISDS reform in WG III until September 2025, when the mandate of WGIII is due to expire. The event will focus exclusively on issues currently under discussion, notably the standing mechanism for the resolution of international investment disputes and the draft provisions on procedural and cross-cutting issues and will tackle how the concerns of the Global South can be addressed to achieve a more inclusive outcome regarding the rest of the WG III agenda.</i></p> <p>Welcome remarks: Ambassador Emil Brix, Director of the Vienna School of International Studies Introduction: Ambassador Laura Gil, Permanent Representative of Colombia Opening remarks: Anna Joubin Bret, Secretary of UNCITRAL</p> <p>Roundtable moderated by: José Manuel Alvarez, Professor of International Economic Law, Externado University of Colombia and Holger Hestermeyer, Professor of International and EU Law, Vienna School of International Studies.</p> <p>Speakers: Daniel Uribe, Advisor, South Center; Mariana Pinto S. Legal Advisor Investment, Services and Digital Economy, Undersecretary of International Relations, Chile; Ana María Larrea – Director of International Affairs General Attorney’s Office, Ecuador; Margie Lys Jaime – Ministry of Economy and Finance of Panamá; (TBC from G-77 member)</p> <p>20:15-21:15 – Networking Reception</p> <p>Venue: Diplomatische Akademie Wien, Festsaal, Vienna School of International Studies, Favoritenstrasse 15a, 1040 Vienna, Austria</p> <p style="text-align: center;">Please register via this link</p>

25 Sep. Wednesday	Application of the 2022 ICSID Rules and Regulations (12:40–13:30)
	<p>Organized by ICSID</p> <p><i>ICSID representatives (Martina Polasek, ICSID Secretary-General & Aurélia Antonietti, ICSID Legal Adviser) will share ICSID's experience with the 2022 ICSID Arbitration Rules that overlap with the Working Group III Draft Provisions on Procedural and Cross-Cutting Issues. They will explain the reasons behind ICSID's amendments, how the 2022 ICSID Arbitration Rules have been implemented by parties and tribunals, and how these new rules have impacted proceedings. ICSID's practical experience with the 2022 ICSID Arbitration Rules will allow WGIII representatives to have a better understanding of the practical implications of the draft provisions that are currently under discussion by the Working Group.</i></p> <p>Venue: Boardroom D</p>
	The regional approaches to the ISDS reform: The perspectives of a standing mechanism from the Central Asian and Southern Caucasus regions (17:10–18:40)
	<p>Organized by Asia Pacific FDI Network and Arbitral Women</p> <p><i>Panelists: Mushtariy Rashidova, Peri Mikayelyan, Alexander Korobeinikov, Natalia Alenkina</i></p> <p><i>Moderator: Dr. Yulia Levashova (Asia Pacific FDI Network/Nyenrode University)</i></p> <p><i>A hybrid conference "The ISDS reform and the perspectives of a standing mechanism from Central Asian and Southern Caucasus regions" will take place in Vienna International Centre and online on September 25 from 5.10 to 6.40 pm (CET). This event will feature interactive discussions on evolving regional investment reforms and a prospective standing mechanism in Armenia, Kazakhstan, Kyrgyzstan, etc. The secretary general of ICSID will reflect on the regional ISDS developments.</i></p> <p>Venue: Boardroom D</p> <p>Flyer</p> <p style="text-align: center;">Please register via this link</p>

OTHER EVENTS

19 Sept. Thursday Jeudi 19 septembre	Réunion francophone informelle en ligne préparatoire à la 49^{ème} session du Groupe de travail III de la CNUDCI Mise en place d'un mécanisme permanent de règlement des différends : échanges sur quelques questions clés (14h30-16h15, UTC+1)
	<p>Organisé par l'Organisation internationale de la Francophonie (OIF)</p> <p><i>En complément des échanges de la dernière réunion francophone informelle, tenue le 17 mars 2024, en marge de la 48^e session du GT III, qui avait permis de présenter les points de vue d'experts de divers horizons sur les enjeux d'un mécanisme permanent de règlement des différends comme réponse aux limites de l'arbitrage d'investissement, cette réunion veut privilégier le dialogue en proposant de débattre de quelques aspects saillants de cet élément de réforme. Trois questions seront successivement abordées, pour lesquelles, pour les besoins de l'exercice, un point de vue favorable à un mécanisme permanent ou à certaines de ces caractéristiques sera exprimé, et un point de vue plus critique, considérant le cas échéant que les autres propositions de réforme du groupe III suffisent à renforcer la légitimité du RDIE. L'objectif de cet exercice, au cours duquel les points de vue exprimés ne reflèteront pas nécessairement les vues personnelles de ceux qui les expriment, est d'apporter un autre éclairage sur les termes du débat pour permettre à chaque délégation de se forger une opinion précise. Chaque débat sera suivi d'un temps d'échange qui permettra aux participants de questionner ou de compléter les points de vue exprimés.</i></p> <p><i>Les débats seront suivis d'une présentation du secrétariat de la CNUDCI sur les sujets en cours de discussion au sein du Groupe de travail III.</i></p> <p>La réunion se tiendra entièrement en ligne</p>
26 Sep. Thursday	South-Eastern Europe Arbitration Conference (SEEA) - Current Trends in International Arbitration in South Eastern Europe
	<p>Venue: Almanac Palais Vienna, Parkring 14, Vienna, Austria</p> <p style="text-align: center;">Agenda</p>
30 Sep. Monday	A Decade of Transparency: Celebrating 10 Years of UNCITRAL Transparency Standards - Theory and Practice (18:00–20:00)
	<p>Organized by the Secretariat, SFU and VIAC</p> <p><i>More information on the panel will follow</i></p> <p>Venue: VIAC - Vienna International Arbitral Centre, 63 Wiedner Hauptstraße, 1040 Vienna</p> <p style="text-align: center;">Please register via this link</p>