

Third Inter-Sessional Regional Meeting on Investor-State Dispute Settlement Reform 25-26 September 2019 Conakry, Guinea



United Nations
UNCITRAL



ORGANISATION
INTERNATIONALE DE
la francophonie



The Third Inter-Sessional Regional Meeting on Investor-State Dispute Settlement Reform, organized in Conakry, is part of the ISDS reform project under consideration by UNCITRAL Working Group III and aims to discuss ISDS issues from a regional perspective.

Provisional Program



Third Inter-Sessional Regional Meeting on
Investor-State Dispute Settlement Reform
25-26 September 2019
Conakry, Guinea

25 September

16:00 – 18:00 – Introductory Meetings

16:00 – 16:15

Introduction to ISDS reform

Presentation by the UNCITRAL Secretariat, followed by questions & answers

16:15 – 17:15

Panel I – ISDS provisions in regional free trade agreements

Moderator: [TBD]

Speakers:

- The African Union – African Continental Free Trade Area (African Union) (2018) and the Pan-African Investment Code (2016), ISDS issues [African Union Representative, TBD]
- Tripartite Free Trade Agreement (SADC, COMESA, EAC) (2015) and provisions relating to ISDS, *Chileshe Mpundu Kapwepwe, Secretary General, COMESA*
- Presentation of the ECOWAS Area Agreements [*Representative of the Organization, TBD*]
- Presentation of the CEMAC Investment Charter [CEMAC Representative, TBD]

17:15 – 18:15

Panel II – Partnership Agreements

Moderator: [TBD]

Speakers:

- Representative of China
- Representative of the United States of America
- Colin Brown, Deputy Head of Unit, Directorate-General for Trade, European Commission
- Perspective – How to ensure the consistency of different sources of law on ISDS [TBD]

18:30 – 22:00

Social event open to all representatives attending the Inter-Sessional Regional Meeting (*to be confirmed*)



**Third Inter-Sessional Regional Meeting on
Investor-State Dispute Settlement Reform
25-26 September 2019
Conakry, Guinea**

26 September

09:00 – 09:40

OPENING CEREMONY - WELCOME ADDRESSES

- H.E. Gabriel Curtis, Minister of Investments and Public-Private Partnerships, Republic of Guinea
- Representative of UNDP Guinea [TBD]
- Anna Joubin-Bret, Secretary, UNCITRAL
- Representative of the International Organization of la Francophonie [TBD]
- Opening of the Session, Representative of the Republic of Guinea [TBD]

FIRST SESSION
REGIONAL EXPERIENCES

09:40 – 10:45

States involvement with ISDS, emergence of new issues, recent national and regional initiatives

Moderator: [TBD]

Speakers (provisional list)

- Representative of Algeria [TBD]
- Representative of Egypt [TBD]
- Representative of Guinea
- Representative of Morocco [TBD]
- Representative of Mauritius [TBD]
- Representative of Nigeria [TBD]
- Representative of the Democratic Republic of Congo [TBD]



Third Inter-Sessional Regional Meeting on
Investor-State Dispute Settlement Reform
25-26 September 2019
Conakry, Guinea

SECOND SESSION
REFORM OPTIONS

10:45 – 11:30

Introductory presentations

- Presentation of the discussions and conclusions of the capacity building workshop organized by the Organization of la Francophonie and the Government of Guinea on 25 September 2019 [OIF expert]
- Overview of concerns and issues identified by UNCITRAL Working Group III, *Shane Spelliscy, Chair of UNCITRAL Working Group III, General Counsel and Director, Investment and Services Law, Global Affairs (Canada)*

11:30 – 11:45

COFFEE BREAK

11:45 – 13:00

Round-Table I
Presentation of recent or ongoing reforms

Moderator: [TBD]

Speakers:

- Presentation on mediation: the Singapore Convention on Mediation, and its impact on ISDS, UNCITRAL Secretariat
- Presentation of the transparency standards: the UNCITRAL Rules on Transparency and the Mauritius Convention on Transparency, *Shane Spelliscy, Chair of the UNCITRAL Working Group III, General Counsel and Director, Investment and Services Law, Global Affairs (Canada)*
- Presentation of the ongoing ICSID amendments to procedural rules, *Aurelia Antonietti, Senior Legal Adviser, International Centre for Settlement of Investment Dispute (ICSID)*
- New OHADA Uniform Act on Arbitration, Representative of OHADA
- Main developments in recent investment treaties [TBD]



Third Inter-Sessional Regional Meeting on
Investor-State Dispute Settlement Reform
25-26 September 2019
Conakry, Guinea

13:00 – 14:00

LUNCH

14:00 – 15:15

Round-Table II

Discussion on reform proposals presented to Working Group III

Moderator: *UNCITRAL Secretariat*

Speakers: States of the region and of other regions presenting their reform proposals, including to date:
Representative of Morocco [TBD]; Representative of Japan [TBD]; Colin Brown, Deputy Head of Unit,
Directorate-General for Trade, European Commission

[to be completed]

15:15 – 15:30

COFFEE BREAK



Third Inter-Sessional Regional Meeting on
Investor-State Dispute Settlement Reform
25-26 September 2019
Conakry, Guinea

15:30 – 17 :00

Round-Table III

Detailed Presentations and comments on the various options of reform

Moderator: [TBD]

Speakers:

- Joint project of UNCITRAL and ICSID for a code of conduct for arbitrators, *Aurelia Antonietti, Senior Legal Adviser, ICSID and Anna Joubin-Bret, Secretary, UNCITRAL*
- Creation of an appeal mechanism and/or an investment court [TBD]
- Creation of an advisory centre for international investment law (“Advisory Centre”) [Representative of the Government of the Netherlands]
- Substantive vs. procedural questions [TBD]
- Treaty interpretation [TBD]

17:00 – 17:30

Closing Remarks