United Nations Institute for Training and Research

Unitar Online Catalogue

LALIVE/UNITAR: Introduction to Investment Arbitration (2016)

Deadline: 26 Sep 2016

Type:	Course
Location:	Web-based
Date:	26 Sep 2016 to 30 Oct 2016
Duration:	5 Weeks
Thematic Area:	Governance, , Public Finance and Trade
Website:	http://www.unitar.org/pft/events
Price:	$800.00
Event Focal Point Email:	pft-training@unitar.org
Partnership:	LALIVE

BACKGROUND

Investment arbitration is possibly the fastest-developing area of international law, combining elements of private dispute settlement, treaty law and public policy.

Due to the widespread geographical participation of States in investment treaties and the increased use of arbitration to settle disputes involving significant

amounts of money, understanding the particularities and dynamics of investment law and arbitration is becoming increasingly important.

Introduction to Investment Arbitration is a four week course aimed at giving participants an overview of the specific issues relating to arbitration between foreign investors and host States, in particular under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention) and Bilateral Investment Treaties (BITs).

The course covers four broad areas that are relevant for an understanding of investment arbitration: (1) specific instruments, mechanisms and procedure; (2) jurisdiction and admissibility; (3) substantive investor protections; and (4) award, enforcement and challenge. Each area is covered in a module where emphasis is laid on issues that are specific to investment arbitration, in particular those arising from the provisions of the ICSID Convention and BITs.

The course uses up-to-date materials from treaty texts, case law and commentary to enable participants to evaluate the issues covered and to apply the legal doctrines discussed to future situations. As investment arbitration is a fast-moving area of the law and many questions remain presently unsettled, emphasis is placed on highlighting different and sometimes conflicting interpretations and decisions, inviting participants to consider and analyse them.

About LALIVE

LALIVE is an international law firm with offices in Geneva and Zurich, and in Doha, Qatar, LALIVE IN QATAR LLP. It is renowned for its expertise and experience in international legal matters and in particular international dispute resolution, international projects, international corporate and business law, and international and economic criminal law. It is also a full-service Swiss law practice.

LALIVE operates on a worldwide basis and its clients include private and public sector entities, states and international organizations. The firm currently

comprises lawyers and legal advisers from Switzerland and more than a dozen other countries, who together speak more than ten languages and whose legal expertise covers several key jurisdictions. Over a fifty-year period, LALIVE has also developed an extensive network of legal specialists and experts from around the world and the firm often acts in cooperation with other law firms.

LEARNING OBJECTIVES

After completing the course, participants should be able to:

- Recognise the distinctive characteristics of investment arbitration and compare those with commercial arbitration;
- Discuss and assess the salient procedural, jurisdictional and substantive features of investment arbitration;
- Apply the relevant law and principles in this area of international dispute resolution to issues and situations that may arise in their jurisdictions, whether on the State’s side or the investor’s side;
- Identify the place of investment arbitration in the development of international law and examine and analyse current and future trends and concerns; and
- Update their knowledge of the state of the law in the future.

CONTENT AND STRUCTURE

The course is divided into four modules, covering the following topics:

- Module 1: Introduction and Procedure
- Module 2: Jurisdiction and admissibility
- Module 3: Substantive Protections
- Module 4: Award, enforcement and challenge

METHODOLOGY

In order to ensure the best possible outreach, the course will be delivered through e-learning. Through a multiple-instructional setting, the goal is to achieve the learning objectives by means of learning technologies that match personal learning styles and by the inclusion of non-linear learning that aims at the development of just-in-time skills of adult learners. At the same time, in order to

allow participants maximum flexibility of scheduling , the learning will be conducted in an asynchronous manner. Using a state-of-the-art training architecture, UNITAR will combine self-learning with assessments and online discussions. The pedagogy - adapted specifically to professionals in full-time work - will help train participants through various experiences: absorb (read); do (activity); interact (socialize); reflect (relate to one's own reality).

TARGETED AUDIENCE

The target audience for this course includes private sector professionals, country delegates and representatives, ministry and parliamentary officials, academics and researchers both in developing and developed countries.

ADDITIONAL INFORMATION

Course Mentors

Laura Halonen is counsel in the LALIVE arbitration team. She moderates the course and mentors the first Module on Introduction and Procedure. Laura has almost a decade of practice in international arbitration, much of it in investment arbitration. She is a qualified Solicitor in England and Wales, although most of her practice has been in France and Switzerland, focusing in particular on international law.

Jaime Gallego is an associate in the LALIVE arbitration team. He will moderate the second Module on Jurisdiction and Admissibility. Jaime has been practicing international arbitration since 2004, with investment arbitration disputes having been a large part of his practice. He is a Solicitor of England and Wales and a Spanish Abogado.

Sam Moss is an associate at LALIVE, focusing on international arbitration. He is

the mentor for the third course Module, which deals with Substantive Protections. Sam has acted as counsel or secretary in over a dozen international arbitrations, including several investment arbitrations, with a particular emphasis on construction and energy-related disputes. He also advises clients on issues of public international law.

Christophe Guibert de Bruet is an associate in the LALIVE arbitration team. He mentors Module 4 on Award, Enforcement and Challenge. Christophe has almost a decade of practice in international arbitration, much of it in investment arbitration. He is admitted to practice in New York, the District of Columbia, and Paris.

A certificate of completion will be issued jointly by UNITAR and LALIVE to all participants who complete the course-related assignments and assessments successfully. *Course schedule is subject to change. Course fee is non-refundable but transferrable to another course or participant and subject to change as per UNITAR's policy on pricing.*