

## Should investment arbitration be reformed?

27th March 2013

Ministry of Foreign Affairs, Paris

---

8:45 am - Check in

### 9 am - Opening remarks

Mr. Jean-Baptiste MATTÉI, Director General of Global Affairs, Development and Partnerships, Ministry of Foreign Affairs. Dr. Antoine GARAPON, Secretary General, Institut des hautes études sur la justice (IHEJ).

### Session 1 - Introduction

---

Pr. Gabrielle KAUFMANN-KOHLER, Professor, University of Geneva, Partner, Lévy Kaufmann-Kohler.

### 9:15 to 10:45 am – 1<sup>st</sup> panel - Definitions of investment

---

Rapporteurs :

Pr. Sandrine CLAVEL, Dean of the Law and Political Sciences Department, University of Versailles Saint-Quentin. Yves DERAIS, Esq, Founding partner, Derains & Gharavi.

Discussants :

Mr. Jean-André DIAZ, Special counsel, Total E&P. Dr. Moshkan MASHKOUR, Sanglaj international, former executive director of BILS, in charge of litigation and arbitration for the Islamic Republic of Iran. Pr. Brigitte STERN, Emeritus Professor of International Law at the University of Paris I, Panthéon-Sorbonne.

Questions from the Floor

*Pause*

### 11:15 to 12:45 am – 2<sup>nd</sup> panel - Fraudulent arbitrations

---

Rapporteur :

Dr. Hamid GHARAVI, Founding partner, Derains & Gharavi.

Discussants:

Pr. Ziya AKINCI, Professor at Galatasaray University and Attorney at Law, Akinci Law Firm. Pr. Emmanuel GAILLARD, Professor at Sciences Po Law School faculty, Partner, Shearman & Sterling LLP. Ms. Eloise OBADIA, Senior Counsel, ICSID. Pr. Pierre TERCIER, Emeritus Professor of Law, University of Fribourg, Switzerland, Honorary president of the ICC International Court of Arbitration, Paris.

Questions from the Floor

*Lunch break*

## Session 2 : Introduction

---

**Mr. Gilbert GUILLAUME**, Member of the Permanent Court of Arbitration, Former President, International Court of Justice.

## 2:15 to 3:45 pm – 3<sup>rd</sup> panel – Choosing arbitrators

---

Rapporteur :

**M. Dominique HASCHER**

Discussants :

**Pr. Patrick JUILLARD**, Emeritus Professor, University of Paris 1, Panthéon Sorbonne. **Sophie NAPPERT, Esq**, Solicitor of the Supreme Court of England and Wales, Attorney at law, Bar of Quebec, Canada. **Mr. André VON WALTER**, Legal counsel, Directorate general for Trade, European Commission. **M. Nassib G. ZIADÉ**, Director of the Dubai International Arbitration Centre (DIAC), Former Deputy Secretary-General of ICSID.

Questions from the Floor

*Pause*

## 4:15 to 5:45 pm – 4<sup>th</sup> panel – The performance of awards

---

Rapporteurs :

**Bertrand DERAINS, Esq**, Founding partner, Derains & Gharavi. **Ms. Isabelle HAUTOT**, General Counsel International expertise & Conflicts resolution, CSR & Real estate, ORANGE Group Chair, Corporate Counsel International Arbitration Group (CCIAG).

Discussants :

**Mr. Gonzalo JASPE**, Deputy Legal Counsel, Vinci construction Grands projets. **Mr. Guy LEPAGE**, Managing Director, La Française-AM International Claims Collection. **Pr. Albert Jan VAN DEN BERG**, Founding partner, Hanotiau & van den Berg Law offices.

Questions from the Floor

## 17h45 : “ The impact of transparency provisions in UNCITRAL rules ”

**M. Géraud SAJUST DE BERGUES DE ESCALUP**, Deputy director for Legal Affairs, Ministry of Foreign Affairs.

## 18h : Concluding remarks.

*This conference was made possible thanks to generous support from :*



DERAINS & GHARAVI