

**Ninth Executive Training Programme for Young Professionals:
Legal Session**

Training on Investment Dispute Resolution

Energy Charter Secretariat

56 Boulevard de la Woluwe

1200 Brussels

19th-21st October 2016

(OPTIONAL INFO SESSION ON 18TH OCTOBER)

The Energy Charter Secretariat is pleased to host a training on investment arbitral practice and procedure. The training will guide participants through the main stages of an SCC and PCA investment arbitration from a very practical perspective with a mock case. The training will also explain and discuss the issue of determination of damages (when to involve experts, which methods to use...).

DRAFT AGENDA

Tuesday 18 October 2016 (optional)

15.30 – 17.30 Introduction to the International Energy Charter

17.30 – 18.30 Welcome cocktail

Wednesday 19 October 2016

09.00 – 9.30 Arrival and Registration

09.30 – 10.00 Welcome Remarks

Dr Urban Rusnák, Secretary General, Energy Charter Secretariat

Dr Marat Terterov, Training Programme Coordinator, Energy Charter Secretariat

10.00 – 12.00 Determination of Damages: practical issues (with mock exercises)

- Introduction
- What are damages?
- What is a damages expert?
- The arbitration process
- The role(s) of an expert – key tasks
- Engaging an expert

Garrett Rush, Managing Director, Navigant

Travis Taylor, Director, Navigant

Maribel Rodriguez, Senior Associate, Cuatrecasas, Gonçalves Pereira

12.00 – 14.00 Lunch

14.00 – 18.00 Determination of Damages: methods of calculation with a mock case

- Information required – documentation, evidence, etc.
- An overview of damages calculation – frameworks and tools
- Comparing methods adopted in recent arbitral decisions
- Description of a hypothetical case
- Mock exercise

Garrett Rush, Managing Director, Navigant

Travis Taylor, Director, Navigant

Maribel Rodriguez, Senior Associate, Cuatrecasas, Gonçalves Pereira

(small coffee break in between sessions)

19.00 – 22.00 Gala dinner

Thursday 20 October 2016

10.00 – 13.00 PCA investment arbitration practice and procedure (with interactive exercises)

- Notice of Arbitration
- Appointment of arbitrators/constitution of the Tribunal
- Procedural and logistical choices at the beginning of the process
- Arbitrator challenges

Dirk Pulkowski, Senior Legal Counsel, Permanent Court of Arbitration

Eloïse Obadia, Special Legal Consultant, Derains & Gharavi (former Senior Counsel and Team Leader at ICSID)

Christophe Bondy, Partner, Volterra Fietta (former lead counsel to Canada on NAFTA claims and counsel on the Canada-EU CETA negotiations)

Lisa Bingham, Legal Counsel, Permanent Court of Arbitration & Deputy Executive Director, International Council for Commercial Arbitration (ICCA)

(small coffee break in between sessions)

13.00 – 14.00 Lunch

14.00 – 17.00 PCA investment arbitration practice and procedure (with interactive exercises)

- Interim procedural decisions
- Evidence
- Preparation and conduct of the hearing
- Costs of arbitration
- Award and post-award remedies

Dirk Pulkowski, Senior Legal Counsel, Permanent Court of Arbitration

Eloïse Obadia, Special Legal Consultant, Derains & Gharavi (former Senior Counsel and Team Leader at ICSID)

Christophe Bondy, Partner, Volterra Fietta (former lead counsel to Canada on NAFTA claims and counsel on the Canada-EU CETA negotiations)

Lisa Bingham, Legal Counsel, Permanent Court of Arbitration & Deputy Executive Director, International Council for Commercial Arbitration (ICCA)

19.00 – 22.00 Dinner

Friday 21 October 2016

09.00 – 12.00 SCC investment arbitration practice and procedure (with interactive exercises)

- Investment protection system and arbitration
- Introduction to investment arbitration
- Constitution of the tribunal and commencement of proceedings

Natalia Petrik, Legal Counsel, SCC Arbitration Institute

Celeste Salinas Quero, Legal Counsel, SCC Arbitration Institute

Eloïse Obadia, Special Legal Consultant, Derains & Gharavi (former Senior Counsel and Team Leader at ICSID)

Christophe Bondy, Partner, Volterra Fietta (former lead counsel to Canada on NAFTA claims and counsel on the Canada-EU CETA negotiations)

Ginta Ahrel, Senior Associate, Lindahl

Noah Rubins, Partner, Freshfields Bruckhaus Deringer

(small coffee break in between sessions)

13.00 – 14.00 Lunch

13.00 – 16.00 SCC investment arbitration practice and procedure (with a mock case)

- Current issues in investment arbitration
- Pre-award relief and emergency arbitration under the SCC rules
- Mock exercise

Natalia Petrik, Legal Counsel, SCC Arbitration Institute

Celeste Salinas Quero, Legal Counsel, SCC Arbitration Institute

Eloïse Obadia, Special Legal Consultant, Derains & Gharavi (former Senior Counsel and Team Leader at ICSID)

Christophe Bondy, Partner, Volterra Fietta (former lead counsel to Canada on NAFTA claims and counsel on the Canada-EU CETA negotiations)

Ginta Ahrel, Senior Associate, Lindahl

(small coffee break in between sessions)

16.00 – 17.30 Award ceremony and farewell cocktail