

# International Investment Agreements

Balancing Sustainable Development and Investment Protection

Conference Programme

International Conference at Freie Universität Berlin  
on 10 and 11 October 2013



This two-day conference seeks to stimulate a policy-oriented academic debate on the contents of international investment agreements with respect to sustainable development. Central to this will be a critical assessment of UNCTAD's Investment Policy Framework for Sustainable Development. In addition, discussions will focus on selected issues concerning investment agreements and regional perspectives on investment law.

Speakers include leading international academics, recognised national and international practitioners and policy-makers, as well as younger researchers presenting innovative interdisciplinary scholarship.

We are pleased to welcome **GIORGIO SACERDOTI, ELISABETH TÜRK, RAINER HOFMANN, CHRISTIAN TIETJE, VERENA WIESNER, MAHNAZ MALIK, PETER FUCHS, HELENE BUBROWSKI, TODD WEILER, ROLAND KLÄGER, ANNA DE LUCA, ILIA RACHKOV, HEGE KJOS, KARSTEN NOWROT, JULIA SACKMANN, MARKUS BURGSTALLER, KATHARINA BERNER, HELMUT AUST, AUGUST REINISCH, MARKUS KRAJEWSKI, SEAN WOOLFREY, MARÍA JOSÉ LUQUE, FRANK HOFFMEISTER, PHILIPP DANN, AND JAN WISSWÄSSER.**

## Conference Hosts

Prof. Dr. Steffen Hindelang, LL.M. (*Freie Universität Berlin*) and  
Prof. Dr. Markus Krajewski (*Friedrich-Alexander-Universität Erlangen-Nürnberg*)

**DFG** Deutsche  
Forschungsgemeinschaft

## Venue

Freie Universität Berlin, Henry Ford Building, Lecture Hall B, Garystraße 35, 14195 Berlin

Registration through our web page: [www.internationalinvestmentlaw.com](http://www.internationalinvestmentlaw.com)

Conference participants are responsible for organising and paying their transport and accommodation costs.

Freie Universität  Berlin

**FAU** FRIEDRICH-ALEXANDER  
UNIVERSITÄT  
ERLANGEN-NÜRNBERG

## Contact

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# International Investment Agreements – Balancing Sustainable Development and Investment Protection

Freie Universität Berlin on 10 and 11 October 2013

## Thursday, 10 October 2013

- 10:00 Registration and coffee
- 10:30 Welcome address  
COSIMA MÖLLER, Dean, Department of Law,  
Freie Universität Berlin
- 10:35 Introduction  
STEFFEN HINDELANG, Freie Universität Berlin
- 11:00 Keynote address  
  
*Investment protection and sustainable development:  
Concepts, issues and challenges*  
GIORGIO SACERDOTI,  
Università Commerciale Luigi Bocconi, Milan
- 12:00 *UNCTAD's Investment Policy Framework for  
Sustainable Development (IPFSD): International  
Investment Agreements*  
ELISABETH TÜRK, UNCTAD, Geneva
- 13:00 Lunch break
- 14:00 Discussion of the IPFSD  
Chair: RAINER HOFMANN,  
Goethe Universität Frankfurt/Main  
  
Comments:  
CHRISTIAN TIETJE,  
Martin-Luther-Universität Halle-Wittenberg  
VERENA WIESNER, Federal Ministry for Economic  
Cooperation and Development Berlin  
MAHNAZ MALIK, 20 Essex Street, London  
PETER FUCHS, PowerShift, Berlin
- 15:30 Coffee Break
- 16:00 *SESSION I. IIA – SPECIFIC SUBSTANTIVE ISSUES*  
Chair: HELENE BUBROWSKI,  
Frankfurter Allgemeine Zeitung, Frankfurt/Main  
  
*National treatment*  
TODD WEILER, Barrister and Solicitor  
  
*Fair and equitable treatment*  
ROLAND KLÄGER, Haver Mailänder, Stuttgart  
  
Comment: ANNA DE LUCA,  
Università Commerciale Luigi Bocconi, Milan
- 17:30 End of academic programme
- 19:00 Speakers' Dinner (by invitation only)

## Friday, 11 October 2013

- 9:00 *SESSION II. IIA – SPECIFIC PROCEDURAL ISSUES*  
Chair: ILIA RACHKOV, King & Spalding LLC, Moscow  
  
*Investor-state dispute settlement*  
HEGE KJOS, Universiteit van Amsterdam  
  
*Termination and renegotiation of IIAs*  
KARSTEN NOWROT, Universität Hamburg  
  
Comment: JULIA SACKMANN, RWE AG Essen
- 10:30 Coffee break
- 11:00 *SESSION III. IIAs, SUSTAINABLE DEVELOPMENT AND THE  
WIDER CORPUS OF PUBLIC INTERNATIONAL LAW*  
Chair: MARKUS BURGSTALLER, Hogan Lovells  
International LLP, London  
  
*Treaty interpretation*  
KATHARINA BERNER, Humboldt-Universität zu Berlin  
  
*Legal consequences and the law on state responsibility*  
HELMUT AUST, Humboldt-Universität zu Berlin  
  
Comment: AUGUST REINISCH, Universität Wien
- 12:30 Lunch break
- 14:00 *SESSION IV. REGIONAL ISSUES*  
Chair: MARKUS KRAJEWSKI,  
Friedrich-Alexander-Universität Erlangen-Nürnberg  
  
*South Africa*  
SEAN WOOLFREY, TRALAC Stellenbosch  
  
ALTERNATIVE APPROACHES IN SOUTH AMERICA  
MARIA LUQUE MACIAS,  
Friedrich-Alexander-Universität Erlangen-Nürnberg  
  
*Europe's new international investment agreement  
agenda*  
FRANK HOFFMEISTER, European Commission Brussels  
  
Comments: PHILIPP DANN,  
Justus-Liebig-Universität Gießen;  
JAN WISSWÄSSER, European Parliament Brussels
- 16:30 Closing remarks  
MARKUS KRAJEWSKI,  
Friedrich-Alexander-Universität Erlangen-Nürnberg
- 17:00 Coffee and farewell
- 17.30 Open Format: Young Scholars' Round Table