



Ministry of Finance
of the Czech Republic

12th Investment Treaty Arbitration Conference

Conference program, 20 October 2022

Registration and morning coffee	9:00 to 9:30
Welcome Address	9:30 to 9:45
Martina Matejová (Acting Deputy Minister for Legal Affairs and Property of the State, Ministry of Finance) Jaroslav Kudrna (Head of the International Arbitration and Investment Protection Unit, Ministry of Finance)	
Keynote Lecture: Fragmentation and Integration in International Investment Law: Plus Ça Change	9:45 to 10:15
Claudia Annacker (Partner, Dechert, Paris)	
Panel 1: Investment Protection in Times of War and International Sanctions	10:15 to 11:30
Moderator: Lucia Raimanová (Partner, Allen & Overy, Bratislava) Panelists: Kabir Duggal (Senior Advisor, Arnold & Porter, New York), Athina Fouchard (Independent Arbitrator, Paris), Emmanuel Foy (Partner, Derains & Gharavi International, Paris), Yarik Kryvoi (Senior Fellow, British Institute of International and Comparative Law, London)	
Coffee break	11:30 to 12:00
Panel 2: Experience with the Use of Damages Experts in Investment Arbitration	12:00 to 13:15
Moderator: Michael Ostrove (Partner, DLA Piper, Paris) Panelists: Anthony Charlton (Partner, HKA, Paris), Carlos Lapuerta (Principal, Brattle Group, London/Paris), Alexander Leventhal (Partner, Quinn Emanuel, Brussels/Paris), Petr Polášek (Partner, White & Case LLP, Washington, D.C.)	
Lunch buffet	13:15 to 14:30
Panel 3: ICSID Rules Amendment and its Implications	14:30 to 15:45
Introduction: Martina Polasek (Deputy Secretary-General, ICSID, Washington, D.C.) Moderator: Mallory Silberman (Partner, Arnold & Porter, Washington, D.C.) Panelists: Raed Fathallah (Partner, Bredin Prat, Paris), Moritz Keller (Partner, Clifford Chance, Frankfurt), Rostislav Pekař (Partner, Squire Patton Boggs, Prague), Galina Zukova (Partner, ZUKOVA Legal, Paris)	
Coffee break	15:45 to 16:15
Panel 4: Modernization and the future of the ECT	16:15 to 17:30
Introduction: Alejandro Carballo Leyda (General Counsel, International Energy Charter, Brussels) Moderator: Simon Batifort (Partner, Curtis, Mallet-Prevost, Colt & Mosle, Brussels/New York) Panelists: Loukas Mistelis (Partner, Clyde & Co, London), Martins Paporinskis (Professor, University College London, London), Erica Stein (Independent Arbitrator, Stein Arbitration, Brussels), Laura Rees-Evans (Counsel, Fietta, London)	
Cocktail reception and dinner buffet	17:30

Organizing committee: Jaroslav Kudrna, Anna Bilanová and Martin Nováček

The conference is held in the Liechtenstein palace, U Sovových mlýnů 506/4, 118 00 Prague





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SPEAKER BIOGRAPHIES

**Claudia
Annacker**



Claudia Annacker

Partner, Dechert, Paris

Claudia Annacker is a partner at Dechert LLP in Paris. She focuses her practice on international arbitration and public international law matters, in particular investor-State disputes. She has represented States and sovereign and private investors in more than thirty-five investment arbitrations. Claudia regularly advises States, international organizations, and private parties on public international law matters. Claudia also acts as arbitrator. She was appointed to the ICSID Panel of Arbitrators in 2020 and serves on the SIAC Court of Arbitration and VIAC's Board. Claudia is an adjunct professor at the University of Vienna and regularly lectures at other leading universities.

**Simon
Batifort**



Simon Batifort

Partner, Curtis, Mallet-Prevost, Colt & Mosle, Brussels/New York

Simon Batifort is a partner in the International Arbitration Group of Curtis, Mallet-Prevost, Colt & Mosle LLP based in New York and Brussels, and Managing Partner of the firm's Brussels office. His practice focuses on investment treaty arbitration, international commercial arbitration, and public international law. He is also an Adjunct Professor at Brooklyn Law School where he teaches international investment law and arbitration. He currently serves as an officer of the Arbitration Committee of the International Bar Association (IBA) and as a member of the Executive Council of the American Society of International Law (ASIL).

**Kabir
Duggal**



Kabir Duggal

Senior Advisor, Arnold & Porter, New York

Dr. Kabir Duggal is an attorney in Arnold and Porter's New York office focusing on international arbitration serving both as arbitrator and counsel. He is recognized as a "Chartered Arbitrator" (the highest ranking for arbitrators) by both the Chartered Institute of Arbitrators and the Asian Institute of Alternative Dispute Resolution. Kabir is also a Lecturer-in-Law at Columbia Law School, an adjunct Professor at Fordham Law School, and a Course Director and a Faculty Member for the Columbia Law School-Chartered Institute of Arbitrators Comprehensive Course on International Arbitration.

**Raëd
Fathallah**



Raëd Fathallah

Partner, Bredin Prat, Paris

Raëd Fathallah is a partner in Bredin Prat's international arbitration group. Over the past twenty years, he has conducted more than 200 cases under the major institutional rules (including ICSID, LCIA, ICC, OHADA, CRCICA, BCDR and DIAC) and subject to many different common law and civil law legal systems. Raëd specializes in large-scale and complex international arbitrations and is particularly well known for his expertise in acting in matters both for and against States and State-owned entities, including claims brought under bilateral investment treaties. He has acted in over 20 investor-State arbitrations both as lead counsel and as arbitrator.

**Athina
Fouchard**



Athina Fouchard
Independent Arbitrator, Paris

Athina Fouchard Papaefstratiou, a Greek citizen, registered with the Bar in Paris and in Athens, is an independent arbitrator based in Paris. She has worked for 15 years in two of the most renowned international arbitration groups globally and in an arbitration boutique, before establishing her own practice in 2022. Athina has worked extensively on investment and commercial arbitration cases in the construction and the telecommunications sector, as well as on corporate disputes. She has significant experience in Africa-related arbitration, as well as in arbitrations involving States and State entities.

**Emmanuel
Foy**



Emmanuel Foy
Partner, Derains & Gharavi International, Paris

Emmanuel Foy is a Partner at the Paris based arbitration firm Derains & Gharavi. He has extensive experience as counsel, including in over a dozen investments cases. He recently acted alongside Hamid Gharavi in a BIT arbitration against Bahrain for two Iranian Banks resulting in a €250 million award and a finding that the expropriation was not justified by UN or extra-territorial sanctions but rather was political. He teaches investment arbitration in graduate courses at the University of Paris II Panthéon-Sorbonne.

**Anthony
Charlton**



Anthony Charlton
Partner, HKA, Paris

Anthony is a Partner of HKA, based in Paris, France, and is a Fellow of the Institute of Chartered Accountants in England and Wales. He has served or is serving as testifying expert in many investment treaty and commercial arbitration matters, involving claims ranging in value from \$3 million to over \$20 billion. He has also acted as tribunal appointed expert. His experience covers many different industry sectors including mining, resources, aviation, hospitality, aerospace and defence, TMT, oil & gas, energy, construction, real estate, infrastructure, banking, media, materials. Anthony's practice is global in scope, although his most recent experience has focused on Africa, the Middle East, Central and Eastern Europe, the CIS, as well as Continental Europe and the UK.

**Moritz
Keller**



Moritz Keller
Senior Advisor, Arnold & Porter, New York

Moritz Keller is an arbitration partner based in the Frankfurt office of Clifford Chance. He represents clients in commercial arbitration as well as in investment arbitration proceedings. Moritz acts for companies and corporates, the public sector, states and private individuals in arbitration proceedings under the ICSID, ICC, UNCITRAL, DIS, Austrian Chamber, Swiss Rules and many other arbitration rules. In his practice, he mostly focuses on Germany, Austria, Switzerland and the CEE or CIS Region. Moritz has dealt with disputes in a number of sectors, most prominently concerning the energy, infrastructure, construction and banking sectors.

**Yarik
Kryvoi**



Yarik Kryvoi
Senior Fellow, British Institute of International and Comparative Law, London

Professor Yarik Kryvoi is a Senior Fellow in International Economic Law and a Director of the Investment Treaty Forum at the British Institute of International and Comparative Law in London. He is also a member of the New York State Bar (USA). Before moving to academia, he practised law with Freshfields Bruckhaus Deringer in London, Morgan Lewis & Bockius in Washington, DC and Baker & McKenzie in Saint Petersburg. His main areas of expertise include International Arbitration, International Investment Law, Law and Policy in Russia and the CIS, Reforms and Government Excellence, Economic Crimes, Corruption and Bribery.

Carlos Lapuerta



Carlos Lapuerta
Principal, Brattle Group, London/Paris

Carlos Lapuerta has worked as an economist with The Brattle Group since 1990, and founded its London office in 1997. He specializes in the economic and financial analysis of the energy sector, including the valuation of energy projects, such as power stations and long-term natural gas contracts, and assessments of competition and market power. He has published reports for the European Commission, national regulators and regulated companies addressing liberalization and competition in the European natural gas sector. Carlos has testified as an expert witness in regulatory hearings and international arbitration proceedings.

Alexander Leventhal



Alexander Leventhal
Partner, Quinn Emanuel, Brussels/Paris

Alexander Leventhal is a Partner in Quinn Emanuel's Paris office and a member of the firm's international arbitration team. Alexander is active both as counsel and a thought leader in the world of investment arbitration. He helped leading a team that obtained an order from an ICSID tribunal, which, for the first time, ordered the suspension of extradition proceedings in a third-party State and also guided a team that prepared a submission to UNCITRAL Working Group III on behalf of the European Federation for International Law and Arbitration (EFILA) (in addition to authoring a number of pieces on investment arbitration himself). Alexander, who holds a degree in economics, is also a leading expert on quantum issues, in particular, in investment arbitration.

Alejandro Carballo Leyda



Alejandro Carballo Leyda
General Counsel, International Energy Charter, Brussels

Alejandro Carballo-Leyda is the General Counsel of the International Energy Charter and Head of its Conflict Resolution Centre, which provides good offices and mediation support to investors and governments. From December 2020 to mid-September 2021, he was also Acting Deputy Secretary-General of the International Energy Charter. He coordinated the 2016 Guide on Investment Mediation, the amendment to the energy transit conciliation rules (with a commentary), the 2018 Model Instrument on Management of Investment Disputes and the negotiations on the modernisation of the ECT. Alejandro also teaches foreign investment law at Paris 1 Panthéon-Sorbonne.

Loukas Mistelis



Loukas Mistelis
Partner, Clyde & Co, London

Professor Loukas Mistelis is an International Arbitration Partner with Clyde & Co LLP, based in London, and the Clive Schmitthoff Professor of Transnational Commercial Law and Arbitration at the Centre for Commercial Law Studies, Queen Mary University of London. Loukas is an acknowledged authority on international dispute resolution and investment treaty law. In 2006 he was listed as one of the "leading lights in international arbitration" and since 2007 he is listed on the Who's Who Commercial Arbitration and as of 2017 as Global Thought Leader in International Arbitration. He has been also part of the team which won the 2022 GAR Award for best innovation, the Cross-Examination Moot.

Michael Ostrove



Michael Ostrove
Partner, DLA Piper, Paris

Michael Ostrove is the Global Co-Chair of DLA Piper's International Arbitration group. He is also a Vice-President of the ICC International Court of Arbitration and a Member of the World Bank Sanctions Board. A member of the Paris and New York bars, Michael has nearly 30 years' experience with commercial and investment arbitrations -- acting for States, multinational corporations, international organizations and individuals. He has also litigated before national courts and in the International Court of Justice, the Court of Justice of the European Union and the Cour Commune de Justice et de l'Arbitrage. Michael teaches international arbitration in an advanced degree program at the University of Paris II.

Martins Paporinskis



Martins Paporinskis
Academic, University College London, London

Martins Paporinskis is a Professor of Public International Law at University College London and a member designate of the International Law Commission. He has published in *American Journal of International Law*, *British Yearbook of International Law*, *European Journal of International Law*, *ICSID Review*, and *Oxford Monographs of International Law*, and is the author on State responsibility in the forthcoming 10th edition of *Oppenheim: Peace* (OUP). Martins is a member of the Permanent Court of Arbitration, ICSID Panels of Arbitrators and of Conciliators, and Panels of Arbitrators of BAC/BIAC and CIETAC.

Rostislav Pekař



Rostislav Pekař
Partner, Squire Patton Boggs, Prague

Rostislav Pekař is a partner in the Prague and Paris offices of Squire Patton Boggs. Rostislav co-heads Squire's global investment arbitration practice and serves as the managing partner of the Prague office. He is a member of the ICSID Panel of Arbitrators and chairs the Arbitration Commission of ICC Czech Republic.

Martina Polasek



Martina Polasek
Deputy Secretary-General, ICSID, Washington, D.C.

Martina Polasek is Deputy Secretary-General at the International Centre for Settlement of Investment Disputes (ICSID). Martina has served as Secretary of Tribunals in many arbitrations under the ICSID Convention, the ICSID Additional Facility Rules and the UNCITRAL Rules. She has also acted as ad hoc Committee secretary in numerous annulment proceedings. Martina has led several key ICSID projects, most recently the revision of the ICSID Rules and Regulations. She has also represented ICSID before State delegations, judges, and the private sector, including before UNCITRAL WG III.

Petr Polášek



Petr Polášek
Partner, White & Case LLP, Washington, D.C.

Petr Polášek specializes in investment treaty arbitration, international commercial arbitration, and public international law. He has extensive experience representing States and investors in investment treaty arbitrations relating to a wide range of industries, including mining and mineral processing, electricity generation, supply and distribution, telecommunications, oil & gas, banking, and real estate, among others. Petr studied law in the Czech Republic and the United States and started his legal career at White & Case's Prague office prior to relocating to the Firm's Washington, D.C. office in 2003.

Lucia Raimanova



Lucia Raimanova
Partner, Allen & Overy, Bratislava

Lucia Raimanova is a Partner in the International Arbitration Group of Allen & Overy based in Bratislava from where she heads up the Group's arbitration practice in Central and Eastern Europe. She is a solicitor-advocate of England & Wales, and is also qualified to practise in Slovakia and Ireland. Having practised with the firm in London, Hong Kong and Bratislava, she has over 15 years of experience in high-stakes investment treaty and commercial arbitrations across the world, as well as in related court proceedings and before the CJEU. Lucia currently serves on the Board of the Vienna International Arbitral Centre.

**Laura
Rees-Evans**



Laura Rees-Evans
Counsel, Fietta LLP

Laura Rees-Evans is an English-qualified solicitor and Solicitor-Advocate (Higher Courts Civil Proceedings) and Counsel at Fietta LLP. Laura's practice focuses on contentious and non-contentious aspects of public international law (PIL) and international arbitration. Laura has represented both claimant investors and respondent States in complex and high-value international investment arbitrations under all of the major arbitral rules (ICSID, SCC, UNCITRAL). Laura has authored and co-authored numerous articles, and frequently delivers training courses and lectures, on topics of PIL and international arbitration

**Mallory
Silberman**



Mallory Silberman
Partner, Arnold & Porter, Washington, D.C.

Mallory Silberman, a partner at Arnold & Porter, is an internationally recognized practitioner with nearly a decade of first-chair experience in high-stakes international arbitrations. At age 37, she "is among the world's most experienced young practitioners of investment arbitration" (Who's Who Legal 2021), having worked on more than 40 of these matters. Across these cases, Mallory has represented not only well-known corporations, but also nearly eight percent of the world's countries.

**Erica
Stein**



Erica Stein
Independent Arbitrator, Stein Arbitration, Brussels

Erica acts as arbitrator in international commercial and investment arbitrations. Prior to becoming an independent arbitrator, Erica was a partner in the international arbitration practice of Dechert in Brussels and Paris. Erica also has expertise in the enforcement of arbitral awards and agreements under the New York Convention, on which she has taught classes at both the MIDS (Geneva LL.M. in International Dispute Settlement) and National University of Singapore. Erica currently serves as the Vice President of the DIS Arbitration Council (German Arbitration Institute) and as Co-Chair of the IBA Arbitration Guidelines and Rules Subcommittee.

**Galina
Zukova**



Galina Zukova
Partner, ZUKOVA Legal, Paris

Dually qualified in Paris and Latvia, Dr. Galina Zukova regularly sits as an arbitrator (more than 50 cases) under the most major institutional rules and represents clients in international arbitration proceedings. She is a Member of the ICC International Court of Arbitration and a Council Member of the ICC Institute of World Business Law. In 2022, she was included in the European Commission's List of Candidates Suitable for Appointment as Arbitrators in EU trade and investment agreements with third states. She is also an Associate Professor at the University of Versailles Saint-Quentin (Paris-Saclay) and the Riga Graduate School of Law.

