



# 4<sup>th</sup> EFILA Annual Conference

31 January 2019

## The EU and the future of international investment law and arbitration



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Exchange House, Primrose St  
London

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## 4<sup>th</sup> EFILA Annual Conference

### Programme

**08:30-09:00** Registration and buffet breakfast sponsored by  **NautaDutilh**

**09:00-09:15** Welcome Address by Secretary General of EFILA

- Prof. Dr. Nikos Lavranos

**09:15-10:45** Panel 1: The EU's external investment policy

- Chair: Åsa Waller (Mannheimer Swartling)
- James Castello (King & Spalding)
- Bo Ra Hoebeke (NautaDutilh)
- Sir Francis Geoffrey Jacobs KCMG QC (King's College London)

**10:45-11:15** Tea/coffee break sponsored by



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**11:15-12:45** Panel 2: The EU's investment policy towards Asia

- Chair: Prof. Loukas Mistelis (Queen Mary University of London)
- James Claxton (Kobe University)
- Alexandra Diehl (White & Case)
- Iain Maxwell (Herbert Smith Freehills)

**12:45-14:00** Lunch break offered by

**GIDE**

GIDE LOYRETTE NOUËL

**14:00-15:30** Keynote Speech: *Constructing a multilateral investment court: the path ahead*  
Colin Brown, Deputy Head of Unit, Dispute Settlement and Legal Aspects of Trade Policy, Directorate General for Trade, European Commission

- Chair: Arif H. Ali (Dechert)
- Commentators:
- John Gaffney (Al Tamimi & Company)
- Mélida Hodgson (Foley Hoag)
- Dr Veronika Korom (ESSEC Business School Paris)
- Saadia Bhatti (Gide Loyrette Nouel)

15:30-16:00 Tea/coffee break sponsored by



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Essay Competition Prize 2018 giving ceremony by

*Brill Martinus Nijhoff* Publisher and **NORTON ROSE FULBRIGHT**

16:00-17:30 Panel 3: The EU's Energy investment policy

- Chair: Dr. Gloria Alvarez (Aberdeen University)
- Jeffrey Sullivan (Gibson Dunn)
- Alejandro Carballo (Energy Charter Secretariat)
- Dr. Richard Happ (Luther)
- Andrew Cannon (Herbert Smith Freehills)

17:30-17:45 Closing remarks

- Prof. Dr. Nikos Lavranos (Secretary General, EFILA)



18:00 Drinks sponsored by

**ESSEC**  
BUSINESS SCHOOL



## Practical details

### **Venue:**

Herbert Smith Freehills  
Exchange House,  
12 Primrose St,  
London EC2A 2HS

### **Entrance fee and Registration:**

The standard full price entrance fee is: €209.83 (including €10.83 fee & VAT) per person.  
Registration and payment before the event is required via this link:

<https://www.eventbrite.co.uk/e/the-eu-and-the-future-of-international-investment-law-and-arbitration-tickets-48123937994>

A reduced entrance fee of €104.99 (including €5.99 fee & VAT) for government officials, officials of international organizations and full-time academics, Ph.D-, LLM candidates and students, is available (proof of academic status must be provided when registering).

### **Cancellation and Refund policy:**

Registered attendees can receive a 100% refund of the entrance fee for cancellations up to 7 days before the start of the event.

For all cancellations received after 24 January 2019 no refund of the entrance fee will be offered.

### **Contact:**

For any questions regarding the Conference you can contact the EFILA team via email:

Prof. Dr. Nikos Lavranos, Secretary General of EFILA  
[n.lavranos@efila.org](mailto:n.lavranos@efila.org)

or

Tetyana Makukha, Legal Officer of EFILA  
[t.makukha@efila.org](mailto:t.makukha@efila.org)



## Panel Chairs and Speakers

### Arif Hyder Ali, Partner at Dechert



Arif Hyder Ali is the Co-chair of Dechert's International Arbitration practice, which consists of some 30 partners and associates across the firm's 27 offices. He splits his time between the firm's Washington, D.C. and London offices. He is also an Adjunct Professor of Law at Georgetown University, where he teaches international commercial and investment arbitration. From 2007 to 2012 he was an Honorary Lecturer and Global Faculty Member of the University of Dundee's Centre for Energy, Mining and Petroleum Law and Policy. In 2001, he was

decorated with the Order of Bahrain (II) for his role in the resolution of Bahrain's maritime and territorial boundary dispute with Qatar before the International Court of Justice.

Mr. Ali has served as lead trial counsel in international investment, commercial and construction arbitrations under many of the major international and regional arbitral regimes and covering a broad range of industries and economic activity, including foreign direct investment; privatization; the construction, operation and commercialization of thermal, nuclear, and hydro power plants; oil and gas pipeline construction and concession-related matters; mining concessions; gas pricing disputes; natural resource exploitation projects and contracts; the development and operation of tourism and hospitality projects; project finance and development agreements; contract stabilization and renegotiation issues; patents and trademarks; Internet governance and top-level domains; and information technology-related disputes. He has represented parties from the United States, Canada, Central and South America, Europe, the Middle East, Africa, and across Asia. Mr. Ali is consistently rated as one of the world's leading international arbitration and public international law specialists by Chambers and Partners, Legal 500, Global Arbitration Review, Who's Who in American Law, Who's Who in Public International Law, The Legal Media Group's Guide to the World's Experts in Commercial Arbitration, Lawdragon, PLC Which Lawyer?, The International Who's Who of Business Lawyers, Washington Super Lawyers, The International Who's Who of Commercial Arbitration Lawyers and The Best Lawyers in America.

### Dr. Gloria Alvarez, LL.M., Lecturer, Aberdeen University



Gloria is an academic specialised in international arbitration in the energy sector. Her expertise focuses on international commercial law, international arbitration, international investment law, EU Law and renewable energy.

Before joining the University of Aberdeen as Lecturer, she held academic positions at Queen Mary University of London as Research and Teaching Fellow. In 2016, she was a Scientific

Guest of the Max Planck Institute for Procedural Law (Luxembourg) and in 2015 as Research Fellow at the Shanghai University of Finance and Economics.

Having studied law in Mexico, France, Poland and the UK, Gloria has in-depth knowledge of both common and civil law. She has also studied EU Law in King's College London and University of Paris I: Pantheon- Sorbonne. Most recently, she has submitted her Doctoral

Research on the application of EU Law in intra-EU Energy Charter Treaty Disputes at the School of International Arbitration, Queen Mary University of London.

Gloria's current research agenda focuses on arbitration and justice, legal theory of investment arbitration, renewable energy, international investment law, international arbitration and ADR practices to resolve energy disputes. Gloria is a member of the Society of Legal Scholars, ArbitralWomen, Society of international Economic Law, European Society of International Law, ICC YAF and LCIA YIAG. She is an Associate Editor of Kluwer Arbitration Blog<sup>2</sup> and is in the Editorial Board of the European Investment Law and Arbitration Review (EILA Rev) and Journal of International Arbitration (JOIA). She is one of the General Managers of the European Federation for Investment Law and Arbitration (EFILA), a think-tank based in Brussels. This year Gloria was invited by Professor Maxi Scherer (Queen Mary) as Guest Lecturer in her class of International Energy Arbitration.

### **Saadia Bhatti, Counsel at Gide Loyrette Nouel**



Saadia Bhatti is an attorney admitted to the New York bar and Counsel in the International Dispute Resolution (IDR) team of Gide's London office. She advises and represents States and private entities on a wide range of contentious and non-contentious international dispute resolution law matters, in particular in international commercial and investment arbitrations and other public international law matters. Saadia has acted as counsel in investment and commercial arbitration proceedings conducted under the rules of various institutions, dealing with the laws of both civil and common-law jurisdictions.

Saadia's experience also includes providing thorough advice to clients on drafting arbitral clauses under various rules including those of the ICC, the ICSID, the LCIA, the SCC and the Organization for the Harmonization of Business Law in Africa (OHADA), and acting as Secretariat for an arbitral tribunal in several ICC proceedings.

A graduate from Harvard Law School and the Paris 1 Panthéon-Sorbonne University in Paris, and the Ecole Normale Supérieure, Saadia regularly writes articles, lectures in top universities in France and the UK, and acts as an arbitrator in international arbitration and public international law moot court competitions. She also speaks at conferences for international arbitration practitioners.

### **Colin Brown, Deputy Head of Unit, Dispute Settlement and Legal Aspects of Trade Policy, Directorate General for Trade, European Commission**



Colin Brown is Deputy Head of Unit in Unit F.2 (Dispute Settlement and Legal Aspects of Trade Policy) of the Directorate General for Trade of the European Commission where he advises on a range of trade and investment issues, including the dispute settlement aspects of the EU's competence for investment, trade and energy, trade and environment etc. He leads the team developing the EU's approach on investor-to-state

dispute settlement and the teams providing legal advice on the Transatlantic Trade and



Partnership Agreement (TTIP) and the Comprehensive Economic and Trade Agreement (CETA) with Canada. He advises on institutional issues, including the changes to EU trade policy brought about by the Lisbon Treaty. Before joining DG Trade in October 2006 he worked for 6 years for the Legal Service of the European Commission, where he litigated WTO and EU law cases. He has been chair of the Legal Advisory Committee of the Energy Charter Treaty since January 2004. He is visiting lecturer in WTO law at the Université Catholique de Louvain in Belgium since 2009.

He holds an LLB (first class Honours) from the Faculty of Law of the University of Edinburgh, Scotland (1996), a Diploma in International Relations from the Bologna Centre of the School of Advanced International Studies (SAIS), Johns Hopkins University, Bologna, Italy (1997) and an LLM in European Law from the College of Europe, Bruges (1998).

#### **Andrew Cannon, Partner at Herbert Smith Freehills**



Andrew has a First Class law degree from Gonville & Caius College, Cambridge University, and was awarded the Procter Fellowship to Princeton University where he studied international relations and international law. Andrew specialises in international arbitration and public international law. He has extensive experience of advising states, state-owned entities and major companies on all aspects of public international law. He has acted in ad hoc and institutional arbitrations across multiple jurisdictions and under a range of

governing laws. He has also acted in high profile litigation cases before a range of international and domestic judicial bodies, including the European Court of Justice and General Court, the UK Supreme Court, House of Lords and Court of Appeal.

Andrew previously worked as a legal adviser to the UK Foreign and Commonwealth Office, and represented the UK at the UN in New York and the EU in Brussels, as well as in other international institutions. He has extensive experience of negotiating and advising on bilateral and multilateral treaties and other international instruments.

#### **Dr Alejandro Carballo Leyda, General Counsel at the Energy Charter Secretariat**



Head of the Conflict Resolution Centre; Legal advice to the Secretariat, Charter Conference and subsidiary bodies; Dispute settlement-related issues; Information relating to the documentary and oral travaux préparatoires; Coordinating the work of the Legal Advisory Task Force (LATF)

**James Castello, Partner at King & Spalding**

James Castello, a partner in the Paris office and a lawyer for more than 30 years, specializes in international arbitration. James has advised and represented clients in a wide range of legal disputes including commercial as well as investor-state arbitrations, both under institutional arbitration rules and in ad hoc arbitral proceedings. For the past 16 years, James has been based in Europe. In addition to his work as counsel, he also sits as an arbitrator.

In arbitration, James has represented clients from Europe, Africa, Asia and the Middle East in disputes arising from large infrastructure or industrial projects as well as in the field of energy, such as contested control of an oil refinery, state privatization of a power plant, long-term gas supply and gas price readjustment.

James complements his work as counsel with service to arbitral institutions. A member since 2001 of the U.S. delegation to the Arbitration Working Group at the UN Commission on International Trade Law (UNCITRAL), James has participated in revising or drafting the Model Laws on Conciliation (2002) and on International Arbitration (2006), the Arbitration Rules (2010), the Rules on Transparency (2013), the Transparency Convention (2014) and the Notes on Organizing Arbitral Proceedings (2016). He has written extensively on UNCITRAL's Arbitration Rules, including in arbitration handbooks published by Oxford, Kluwer, and Juris. In 2009, James was appointed to the Court of the London Court of International Arbitration (serving on the subcommittee that drafted the 2014 LCIA Rules), and he now serves on the LCIA's Board of Directors and as President of the LCIA's European Users Council. He also sits on the International Advisory Board of the Vienna International Arbitral Centre. Prior to 2001, James served for nearly six years in senior legal positions in the Clinton administration, including Deputy Counsel to the President at the White House and Associate Deputy Attorney General at the Justice Department, where his portfolio included such international issues as immigration and human rights.

**Prof. James Claxton, Kobe University**

B.A. (1998, University of Colorado), J.D. (2006, Tulane University Law School), LL.M. (2007, London School of Economics and Political Science)

2007 Member, State Bar of California

2008 Associate, Latham & Watkins LLP

2009 Associate, Orrick Rambaud Martel SCP

2013 Legal Counsel, International Centre for Settlement of Investment Disputes (World Bank Group)

2015 Professor, Graduate School of Law, Kobe University

**Dr. Alexandra Diehl, Local Partner at White & Case**

Alexandra Diehl focuses on national and international dispute resolution with a special focus on arbitration (DIS, ICC, ICSID, SCC and ad hoc). She represents German and multinational clients in all phases of disputes and has started to develop an active arbitrator practice.

At ease with the multijurisdictional intricacies of transnational fact patterns, Alexandra supports clients with complex disputes relating to Post M&A, international investment law, IP and liability issues (including lawyer and managing directors' liability). She also regularly advises clients on issues relating to private international law and cross-border taking of evidence. Moreover, she gives IP-related advice in technology-driven transactions and with regard to R&D and license agreements.

Prior to joining the firm, Alexandra worked for eight years for a major British law firm in Düsseldorf and Frankfurt.

Alexandra regularly publishes on international arbitration matters and teaches international investment law at Heinrich-Heine-University of Düsseldorf.

**John Gaffney, Senior Counsel at Al Tamimi & Co.**

John is admitted as a Solicitor in England & Wales and the Republic of Ireland. He has assisted clients in relation to disputes concerning construction, corporate/commercial, development, energy, investment treaty, IP, and telecommunications matters.

John has worked with the international arbitration practices of international firms in both London and Paris, including King & Spalding, Freshfields Bruckhaus Deringer, and Skadden, Arps Slate Meagher & Flom. He has served as a legal officer with the United Nations Compensation Commission (UNCC) in Geneva, a subsidiary organ of the United Nations Security Council, as well as working as a partner with a top-tier commercial law firm in his native Ireland.

In addition to his work as counsel, John is a member of a number of international and domestic arbitration panels and sits as an arbitrator in DIAC disputes, WIPO domain name disputes, and as an Expert in ICC Expertise proceedings.

John has published and spoken widely on international dispute resolution, including contributions to a number of leading textbooks.

John has advised in matters seated around the world under a variety of rules, including the DIAC, ADCCAC, ICC, UNCITRAL, and LCIA rules, as well as ad hoc proceedings. He is ranked as "Gold" as an Arbitrator on the Newton Arbitration platform, listed in the Euromoney Guide to Leading Commercial Arbitration Experts (10th ed.) and Who's Who Legal (2016).

**Dr. Richard Happ, Partner at Luther Rechtsanwaltsgesellschaft**



Richard is a partner in Luther's complex disputes group. He has acted as counsel and arbitrator in numerous disputes under national and international rules, covering a wide variety of issues. He is particularly well known for his expertise in investment disputes as well as energy-related work. He has authored or co-authored more than 40 publications, including two volumes of the Digest of ICSID Awards (OUP) as well as a commentary on the ICSID Arbitration Rules. He also sits on the Executive Board of the European Federation for Investment Law and Arbitration (EFILA).

**Mélida Hodgson, Partner at Foley Hoag**



Mélida Hodgson, partner at the firm's New York office, practices in the international litigation and arbitration group. Her focus is on Investor-State and commercial arbitrations, counseling governments and state-owned entities with respect to international investment protection obligations, business disputes, as well as World Trade Organization (WTO) dispute resolution and international trade policy issues. Mélida is also an

arbitrator of international disputes initiated under Chapter 19 of the NAFTA and in commercial arbitrations under the AAA/ICRD rules. She was also appointed to the list of panelists eligible to hear WTO disputes. She was recently recognized as one of the "top 100" lawyers focused on Latin America by Latinex.

Mélida began her career in private practice before becoming a U.S. government litigator – first at the Department of Justice, where she litigated claims brought by bank shareholders against the United States, as well as public contracting disputes. Mélida then joined the Office of the United States Trade Representative as an associate general counsel where she litigated international trade disputes before the WTO; provided counsel in NAFTA Chapter 11 investor-State arbitrations involving the United States, Canada, and México; and defended the United States in Ad Hoc arbitrations under the 1996 Softwood Lumber Agreement between the United States and Canada.

At USTR, Mélida also participated in the revision and negotiation of the new generation of free trade agreement investment protection and procurement provisions, as well as the 2004 U.S. Model BIT. She represented the United States in subsequent free trade agreement negotiations and was the lead lawyer for the first two negotiations under the 2004 U.S. Model. Before initiating her law career, she was a banker at the Chemical Bank (now JP Morgan Chase)

**Sir Francis Jacobs KCMG QC**



Sir Francis Jacobs, KCMG, QC is a professor of law at King's College London and Jean Monnet Professor. He served as an Advocate General at the European Court of Justice from 1988 until 2006. He is the president of Missing Children Europe, the European Federation for Missing and Sexually Exploited Children. He has also practised as a barrister at Fountain Court Chambers. He is also Member of the Advisory Board of EFILA.



**Dr. Veronika Korom, Assistant Professor at ESSEC Business School Paris**


Veronika Korom studied law in Budapest, Aix-en-Provence, Oxford and London. She is dual-qualified as solicitor of England and Wales and as avocat admitted to the Paris bar, and is also a member of the Budapest bar. Veronika worked in university research in the field of comparative contract and company law at the Universities of Oxford, Vienna and Brussels before practicing in the field of international finance and international arbitration in international law firms based in London and Paris. Veronika is referenced as arbitrator on the list of the Court of Arbitration of the Hungarian Chamber of Commerce and lectures on arbitration and international business law at the Paris Dauphine

University and the Pázmány Péter University of Budapest.

Veronika's main research interests are corporate law, comparative law, international investment law, international investment arbitration, EU law and the interaction between the international and EU legal orders in the field of international investment protection.

**Prof. Dr. Nikos Lavranos, LL.M., Secretary General of EFILA**


Nikos Lavranos is the first Secretary-General of the European Federation for Investment Law and Arbitration (EFILA). He is founder & owner of NL-Investmentconsulting, external Legal Advisor for NautaDutilh, Billiet & Co Lawyers and Of Counsel at Wöss & Partner. He specializes in international investment law & arbitration, EU law, WTO law and public international law.

He is listed as Arbitrator and Mediator at VIAC and as Mediator at the Energy Community and the Asian International Arbitration Centre. In addition, he is Guest Professor International Investment Law at the

Free University of Brussels and Visiting Professor at the Law Faculty of Verona University. He is also co-Editor-in-Chief of the *European Investment Law and Arbitration Review*. Previously, he was Chief Negotiator for Dutch BITs at the Dutch Ministry of Economic Affairs and later at the Dutch Ministry of Foreign Affairs. He is a permanent contributor to the Kluwer Arbitration Blog, the Practical Law Arbitration Blog, the EFILA Blog and Borderlex. He earned a Dr.jur. and LL.M degree from Maastricht University and a Law degree from J.W. Goethe University Frankfurt.

**Iain Maxwell, Of Counsel at Herbert Smith Freehills**


Iain Maxwell is an experienced dispute resolution lawyer and advocate, who specialises in arbitration (in particular treaty arbitration) and public international law. He regularly represents investors in arbitration claims against states, and also advises both corporations and states on a broad range of public international law issues, including sovereign immunity, sanctions, and boundary issues. Iain graduated with a First Class law degree from Jesus College, Cambridge University, and has practiced at Herbert Smith

Freehills for over fifteen years, working out of the firm's London and Singapore offices. Iain has worked on cases arising from all major industry sectors, and in arbitration proceedings

administered by all the major arbitration institutions including the International Centre for Settlement of Investment Disputes (ICSID), the International Chamber of Commerce (ICC), the London Court of International Arbitration (LCIA), and the Singapore International Arbitration Centre (SIAC). He is ranked in both the Legal 500 and Chambers for Public International Law and International Arbitration, with sources to the latest edition of Chambers indicating that "His knowledge of the subject is very impressive indeed," and that "He is capable of dealing a knockout blow from nowhere during cross-examination."

**Prof. Loukas Mistelis, LLB, MLE, FCIArb, Advocate (Athens Bar), Clive M Schmitthoff Professor of Transnational Commercial Law and Arbitration, Queen Mary University of London**



Professor Loukas Mistelis 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", 45 under 45, amongst the top 15 highlighted members of the list, is listed on the Who's Who Commercial Arbitration since 2007 and also a member of the ICSID Panel of Arbitrators as well as the

recipient of the GAR Award for best arbitration lecture of 2013. He is also listed as one of the Thought Leaders in International Arbitration.

Loukas Mistelis is the Clive M Schmitthoff Professor of Transnational Commercial Law and Arbitration and the Director of the School of International Arbitration at the Centre for Commercial Law Studies, Queen Mary University of London. He joined Queen Mary University of London in 1998 and became a professor in 2005. He was also Visiting Professor, NYU in London (2006-2012), a Visiting Professor at Pepperdine University London programme (2008-2011); he is Distinguished Visiting Professor, National University of Singapore (2013); he was Visiting Scholar at Columbia University Law School (spring semester 2007), Visiting Fellow at NYU Law School (2012), Visiting Professor at Keio University, Tokyo (2008), LUISS, Rome (2009) and Catholic University of Portugal, Lisbon (2007, 2009).

He is co-ordinating the LLM specialisation in Comparative and International Dispute Resolution. He teaches at the LLM programmes in London and Paris and is the co-ordinator of the courses in International Arbitration Law and Practice II, Investment Treaty Arbitration and Investment Arbitration: Substantive Protection and also teaches on the International Commercial Law and International Energy Transactions courses. In Paris Loukas Mistelis teaches International Investment Dispute Settlement, Regulation and Infrastructure of International Arbitration and Applicable Law and Procedures in International Arbitration. Loukas Mistelis has also developed directs our Diploma in International Arbitration by Distance Learning, the Diploma in International Mediation (ADR) by Distance Learning and the Diploma in International Arbitration, which is offered by CCLS with accreditation from the Chartered Institute of Arbitrators.

Professor Mistelis was the Secretary of the CISG-AC (Advisory Council of the Convention on Contract for the International Sale of Goods) from 2001 to the end of 2007. He is a member of the Academic Committee of the Institute of Transnational Arbitration, an academic member of the Investment Treaty Forum, British Institute of International and Comparative Law and a member of the Advisory Board of the EFILA (European Federation of Investment



Law and Arbitration) and a member of the Academic Committee of AIPN, Chair of Academic Committee of the Civil Mediation Council and President of the Court of CEDRAC (Cyprus Eurasia Dispute Resolution & Arbitration Centre).

Professor Mistelis was educated in Greece (LLB Hons Athens 1991); France (Certificate in International & Comparative Human Rights, IIHR, Strasbourg, 1990); Germany (MLE, 1992, Law School, Hanover, Germany, 1998); and Japan (Certificate in Japanese international trade law, Law School, Keio University, Tokyo, 1998). He has been a member of the Athens Bar since 1993. He is fluent in English, German and Greek, and has good knowledge of French, and basic knowledge of Polish, Russian and Spanish. Member of Chartered Institute of Arbitrators (CI Arb) since 2001, became Fellow of the CI Arb (FCI Arb) in December 2016.

He has practiced law in Germany, Greece and the United Kingdom, having also acted as a consultant in Cambodia, Japan, Moldova, Nigeria, Poland, Ukraine, and Vietnam. He has also advised several UK government agencies (such as DTI, BERR, MoJ) and international organizations, including the United Nations (UNCTAD, UNCITRAL and ECLAC) and the European Bank for Reconstruction and Development (on law reform for various secured transactions legislative projects).

His substantial arbitration experience covers ad hoc and ICC, ICSID, LCIA, UNCITRAL, SCC, Swiss Chambers and Moscow cases. Parties in these cases were from Afghanistan, Argentina, Austria, Bangladesh, BVI, Canada, Cayman Islands, Cyprus, Czech Republic, Egypt, France, Georgia, Germany, Greece, Hungary, India, Ireland, Italy, Korea, Libya, Lithuania, Malaysia, Moldova, Nigeria, Poland, Romania, Russia, Spain, Switzerland, Tajikistan, Turkey, Ukraine, UAE, UK, Ukraine, and the United States. Subject matters included foreign direct investment, sales contracts, aviation, distribution agreements, counter-trade, construction and infra-structure projects, defence contracts, mining, administration of natural resources, mining, and oil and gas transactions. He has also given advice on English and Greek law as an expert in arbitral proceedings and also before Swiss courts.

#### **Bo Ra van der Plas - Hoebeke, Counsel at NautaDutilh**



Bo Ra van der Plas - Hoebeke specialises in domestic and international arbitration and commercial litigation. Bo Ra advises and litigates for both national and international clients in arbitrations and arbitration related court proceedings, such as enforcement proceedings and setting aside proceedings regarding arbitral awards. Previously, Bo Ra was a member of NautaDutilh's Banking & Finance Department (2011-2012). Bo Ra studied at Leiden University. In 2008, she graduated from Leiden University in

Dutch private law, International and European Law and Business Law at Leiden University. In 2005, Bo Ra studied at Yonsei University in Seoul, South-Korea. In July 2008 Bo Ra joined NautaDutilh and was admitted to the Rotterdam Bar in the same year.

**Jeffrey Sullivan, Partner at Gibson Dunn**



Jeffrey Sullivan is a partner in the International Arbitration Group. He specialises in both commercial and investment treaty arbitration, as well as all aspects of public international law.

Jeff's practice has a particular focus on disputes arising in the energy, extractive industries and infrastructure sectors. His experience includes handling disputes arising out of long-term supply agreements, concession agreements, production sharing and operating agreements, joint venture agreements, EPC and other construction agreements.

Jeff has also acted as counsel and lead advocate in numerous bilateral investment treaty and Energy Charter Treaty arbitrations. He has also appeared in numerous ICSID annulment proceedings. He has advised States in Europe, Central Asia and the Middle East on the negotiation and drafting of trade and investment treaties. Jeff also regularly advises clients on the structuring of foreign direct investments and issues of state succession.

The author of numerous academic articles and chapters on international investment law and arbitration, Jeff is frequently invited to speak at international conferences and seminars. Among other positions, Jeff is, an advisory board member of the Institute for Transnational Arbitration, a member of both the Energy Charter Treaty Secretariat's Legal Advisory Task Force and UNCTAD's Investment Experts Group, and sits on the Executive Board of the European Federation for Investment Law and Arbitration (EFILA). Jeff is a dual-qualified lawyer, admitted to practice in Washington DC and England & Wales.

**Åsa Waller, Senior Associate at Mannheimer Swartling**



Åsa Waller is a Senior Associate in Mannheimer Swartling's Dispute Resolution Group. She is specialised in arbitration and litigation and has experience from a wide range of areas and industry sectors, including energy/oil & gas, construction, joint ventures, machinery and equipment and licensing. She has represented clients in investment as well as commercial disputes and has experience of arbitrations under many

different sets of rules, including the ICC, SCC, ICSID, UNCITRAL, HKIAC, SIAC and VIAC. She frequently speaks at seminars and conferences and is a member of the ICDR Y&I Global Advisory Board."

# EUROPEAN FEDERATION FOR INVESTMENT LAW AND ARBITRATION (EFILA)

The Brussels-based think tank at the heart of EU investment law

## THINK-TANK ON THE EU'S INVESTMENT LAW AND ARBITRATION POLICY

The European Federation for Investment Law and Arbitration (EFILA) has been established in Brussels to promote the knowledge of all aspects of EU and international investment law, including arbitration, at the European level. EFILA endeavours to facilitate a meaningful exchange of views on relevant and timely issues vital to the development of the European internal market, in order to contribute to a more favourable investment climate in Europe and beyond.

## EFILA PROMOTES AN OPEN AND BALANCED DISCOURSE ON INVESTMENT LAW AND ARBITRATION

EFILA serves as a platform for a fact and merit-based discussion on European and international investment law issues. In particular, it fosters an objective debate about the current system of investment arbitration. As a think-tank EFILA analyses the scope and use of investment arbitration, especially from a European perspective.

## EFILA'S GOVERNING BOARDS ARE COMPOSED OF LEADING INVESTMENT LAW SPECIALISTS

The Executive Board and Advisory Board of EFILA are composed of leading investment law and arbitration specialists, representatives of investors and academics from various European states.

### The Executive Board:

Dr. Markus Burianski, Partner at White & Case (Germany)

Mr Andrew Cannon, Partner at Herbert Smith Freehills (France)

Dr. Richard Happ, Partner at Luther Rechtsanwaltsgesellschaft mbH (Germany)

Mr Stephen Jagusch, Partner at Quinn Emanuel Urquhart & Sullivan (United Kingdom)

Prof. Dr. Nikos Lavranos, Secretary-General of EFILA (The Netherlands)

Prof. Dr. Gerard Meijer, Partner at NautaDutilh (The Netherlands)

Mr. Jakob Ragnwaldh, Partner at Mannheimer Swartling (HK and Sweden)

Ms. Marie Stoyanov, Partner at Allen & Overy (France)

Mr. Jeff Sullivan, Partner at Gibson Dunn (United Kingdom)

Ms. Amy Roebuck Frey, Partner at King & Spalding (France)

Ms. Sherina Petit, (Chair of the Executive Board), Partner at Norton Rose Fulbright (United Kingdom)

### The Advisory Board:

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 Dr. Erhard Böhm, Attorney at BAIER Rechtsanwälte/Attorneys at Law (Austria)  
 Dr. Andrea Carlevaris, Bonelli Erede, Partner, Paris/Milan  
 Mr Alexander de Daranyi, Senior Legal Director, Banking & Finance Law at Sanofi (France)  
 Ms Norah Gallagher, Senior Lecturer at Queen Mary University of London (United Kingdom)  
 Ms Laura Halonen, (Chair of the Advisory Board) Counsel at Lalive (Switzerland)  
 Sir Francis Jacobs, KCMG, QC, Professor at King's College London (United Kingdom)  
 Prof. Dr. Loukas Mistelis, Clive M Schmitthoff Professor of Transnational Commercial Law and Arbitration at Queen Mary University of London (United Kingdom)  
 Mr Davide Rovetta, Of counsel at Grayston & Company (Belgium)  
 Mr Aron Skogman, Senior Associate at Mannheimer Swartling (Sweden)  
 Mr Epaminontas E. Triantafyllou, Partner at Quinn Emanuel (United Kingdom)

### RECENT ACTIVITIES

Since its creation EFILA has submitted several position papers in response to public consultations organized by, inter alia, the European Commission, the OECD, ICSID Secretariat and the UK Parliament. In addition, EFILA has published in-depth analytical papers countering the misleading ISDS criticism as well on the proposed Investment Court System (ICS). Since 2018 EFILA was granted Observer Status by UNCITRAL to participate in the Working Group III on ISDS reform.

All EFILA submissions and publications are available on EFILA's website: [www.efila.org](http://www.efila.org)

### ANNUAL CONFERENCE SERIES

Starting in 2015 with a very successful inaugural conference in London, EFILA has organized a similarly outstanding conference in Paris in 2016 and in London in 2018. The 2019 conference continues the Annual Conference Series of EFILA. These conferences bring together the most experienced and outstanding experts in international investment law and arbitration from practice, academia and international arbitration institutions.

### ANNUAL LECTURE SERIES

Since 2015 EFILA organizes the Annual Lecture series, which was kicked off by Sophie Nappert. This Lecture was awarded the GAR Prize for the Best Lecture in 2015. In 2016, Johnny Veeder, QC, gave the Annual Lecture, while the 2017 Annual Lecture was delivered by Judge Christopher Greenwood.

The 2018 Annual Lecture was given by Prof. George Bermann, Columbia University New York.

The most recent Lectures can still be watched at the YouTube channel of EFILA:

[https://www.youtube.com/channel/UC3DVmlvk-aj6EgFgKCLu3A/videos?disable\\_polymer=1](https://www.youtube.com/channel/UC3DVmlvk-aj6EgFgKCLu3A/videos?disable_polymer=1)

### EUROPEAN INVESTMENT LAW AND ARBITRATION REVIEW

Since 2016 EFILA publishes together with Queen Mary University of London annually the *European Investment Law and Arbitration Review*. This Review is the first legal journal that focuses on the EU's investment policy and its impact on international investment law and arbitration. The Review (also available online) can be ordered at Brill Martinus Nijhoff Publishers:

<https://brill.com/abstract/title/39463?rskey=V3pf7m&result=3>

EFILA welcomes unpublished submissions (long and short articles, case-notes, book reviews) for publication. The deadline for submission is always 1 April of the year. For more information visit the website of the Review: <https://efila.org/eila-review/>

## BLOG

EFILA also runs a highly successful blog which presents a platform for discussion on the current developments pertaining to the fields of international (investment) law and arbitration, EU law and public policy, as well as the dynamics of these multiple legal, political and economic spheres. EFILA welcomes contributions by arbitration practitioners and academics from around the world.

For more details, please visit: <http://efilablog.org>

## EFILA WELCOMES NEW MEMBERS

We also welcome new individual and corporate Members who wish to actively get involved in EFILA. In particular, we welcome donations, intellectual input and organizational support in order to achieve the aims of EFILA.

EFILA offers three types of membership:

- **corporate membership** for law firms, companies €2.500,- per year
- **individual membership** for academics, arbitrators €750,- per year
- **junior/academic membership** (for Master, PhD students, Lecturers, Researchers and early career lawyers) for €200,- per year

To become a Member and learn more about how you can contribute to EFILA please contact: Prof. Dr. Nikos Lavranos, LL.M., Secretary-General at: [n.lavranos@efila.org](mailto:n.lavranos@efila.org)

For more information about the upcoming EFILA events, please contact EFILA Secretariat:

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