



Investment Treaties and Economic Development: Growing conflicts and options for coherence

DAY 1 WEDNESDAY 5 NOVEMBER 2014	
8:30	Registration
9:00	<p>Opening Ceremony</p> <ul style="list-style-type: none"> Nathalie Bernasconi, IISD George G. Wisner, Liberia (from Monrovia) Martin Khor, South Centre <p>Keynote Speaker: Yilmaz Akyuz</p>
9:45	<p>Session 1A Recent developments in treaty negotiation, re-negotiation, termination, dispute settlement</p> <p>Chair: Angela Dau Pretorius, Namibia</p> <p>Recent Developments:</p> <ul style="list-style-type: none"> Elisabeth Tuerk, UNCTAD Martin Khor, South Centre Nathalie Bernasconi, IISD
10:45	BREAK
11:15	<p>Session 1B Experience-sharing round-table: what has happened over the last year in treaty negotiation, re-negotiation, termination, dispute settlement</p> <p>Chair: Champika Malalgoda, Sri Lanka</p> <p>Speakers:</p> <ul style="list-style-type: none"> Xavier Carim, South Africa Andres Arauz, Ecuador Ronald Eberhard, Indonesia Erivaldo Alfredo Gomes, Brazil
12:15	<p>Breakout Session 1 Reviewing the Implications of Recent Developments and Possibilities of Reforms to Investment Rules</p> <p>Group discussion on national developments, possible reviews and technical assistance needs.</p>
13:00	LUNCH



14:00	<p>Session 2 Setting out the problématique: the return of economic development policies as a major element of sustainable development in developing and emerging economies versus the evolution of the investment treaty model, as seen in recent negotiations</p> <p>An introductory session to the central theme, showing general trends leading to possible collision. The first speaker will focus on structural transformation policy and the growing role of industrial policy in economic planning. The second panellist will speak on the growth in scope of treaty provisions relating to these.</p> <p>Chair: Xavier Carim, South Africa Speakers:</p> <ul style="list-style-type: none"> • Richard Kozul-Wright, UNCTAD • Howard Mann, IISD
15:00	<p>Session 3 Industrial policy and performance requirements: friend or foe of sustainable development?</p> <p>It is important to separate slogans from effective development strategies. This session will engage in some economic and development analysis and include a review of the role of industrial policy in developing countries post-decolonization, the range and types of more specific tools today, approaches to structural transformation, and examples of industrial policy decision-making at the national level.</p> <p>Chair: Keganele Malikongwa, Botswana</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Aaron Cosbey, IISD • Manuel Montes, South Centre • Omotese Rianat Eva, Nigeria (oil sector) • Ronald Eberhard, Indonesia (mining sector)
16:15	BREAK
16.45	<p>Break-out Session 2 Industrial policy and performance requirement tools: how are they used by governments today?</p> <p>Group discussion and reporting back on national examples of industrial policy tools</p>
18:00	End of DAY1

DAY 2 THURSDAY 6 NOVEMBER 2014	
9:00	<p>Re-cap of day 1</p> <ul style="list-style-type: none"> • Howard Mann, IISD
9:15	<p>Session 4 Examining different approaches to investment liberalization in investment treaties and chapters</p> <p>This session will cover the range of options to liberalize and the role of domestic law. It will examine different approaches in investment agreements, including investment chapters, as formulated in 'traditional' EU style</p>



	<p>treaties, the North American and Japan models, as well as the newer models, as seen in the Canada-China and Canada-EU agreements.</p> <p>Chair: Istiaque Ahmed, India</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Nathalie Bernasconi, IISD • Chantal Ononaiwu, CARICOM Secretariat • Hamed El-Kady, UNCTAD
10:30	BREAK
11:00	<p>Session 5 Prohibitions on performance requirements in investment treaties and chapters</p> <p>This session will provide a more detailed focus on provisions that prohibit performance requirements. It will recap what they are and provide an overview of their scope in TRIMS, investment agreements and chapters.</p> <p>Chair: Catalina Barberi Torres, Colombia</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Suzy Nikiema, IISD • Howard Mann, IISD • Sanya Reid Smith, South Centre
12:30	LUNCH
13:30	<p>Breakout Session 3 The political push for market access and investment liberalization in bilateral and regional relations</p> <p>The break-out groups will discuss: Where are the demands for expanded liberalization and markets access coming from? Are they internal? Regional? Inter-regional? Why? What have regional responses to investment liberalization typically looked like in developing regions?</p>
15:00	BREAK
15:30	<p>Session 6 Investment liberalization and prohibitions on performance requirements: A review of treaty arbitrations and related WTO disputes</p> <p>This session will provide a review of arbitrations and WTO disputes relating to performance requirements and investment liberalization, as well as the relationship between the different dispute settlement mechanisms. In this context, the session will also examine how the role of permanent sovereignty over natural resources is dealt with.</p> <p>Chair: Kinda Mohamadieh, South Centre</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Aaron Cosby, IISD • Suzy Nikiema, IISD • Ronald Eberhard, Indonesia
17:00	End of DAY2



DAY 3 FRIDAY 7 NOVEMBER 2014	
9:00	Re-cap of DAY 2 <ul style="list-style-type: none"> Howard Mann, IISD
9:15	Session 7 Relation of industrial policy issues to other parts of investment treaties, FTAs, and the WTO <p>This session will look at how other parts of investment treaties, FTAs and the WTO relate to economic development policy and the use of other economic development tools. It will also examine how the different rules inter-relate. Issues covered will include: definition of investment, TRIMS and GATS, the role of IPR-related issues, services chapters, financial services chapters, mutual recognition chapters.</p> <p>Chair: Andres Arauz, Ecuador</p> <p>Speakers:</p> <ul style="list-style-type: none"> Chantal Ononaiwu, CARICOM Secretariat Sanya Reid Smith, South Centre Aaron Cosby, IISD
10:30	BREAK
11:00	Breakout Session 4 Discussion on the integration of investment provisions in comprehensive trade agreements and on the inclusion of investment liberalization and performance requirements prohibitions <p>Groups will make suggested recommendations how to deal with and move forward on the issue of investment liberalization and performance requirements.</p>
12:30	LUNCH
13:30	Session 8 The Way Ahead for Developing Countries: Promoting positive relationships between investment, investment treaties and sustainable development <p>Moderated plenary discussion:</p> <ul style="list-style-type: none"> Chantal Ononaiwu, CARICOM Secretariat <p>The way ahead and next steps:</p> <ul style="list-style-type: none"> Martin Khor Nathalie Bernasconi
15:30	Closing Ceremony <ul style="list-style-type: none"> IISD South Centre
16:00	End of DAY3 and Closing Ceremony