

Third Annual Houston Conference on Oil and Gas Investment Arbitration 2016



International Presentation of the Book:

"A critical view of investment arbitration based on the Ecuadorian experience"

An analysis of the Investor-State dispute settlement, its flaws,
contradictions and proposals for a change.

Keynote Speaker Diego García Carrión - Attorney General of Ecuador

6.5 Texas CLE available

Friday, September 16, 2016
8.00 am to 5.00 pm
Hotel Four Seasons
1300 Lamar St. Houston

Co-organized with:



Schedule of Events

Third Houston Annual Conference Oil and Gas Investment Arbitration 2016

- 8:00- 8:15 Registration
- 8:15-8:30 Welcoming Remarks. Professor Leonard M. Baynes
Dean and Professor of Law at the University of Houston Law Center
- 8:30-9:00 Considerations for Natural Gas Investments in an Evolving Global Market
**Greg W. Hopper. Vice President and Head of Americas Gas & Power Consulting
Wood Mackenzie**
Global opportunities for natural gas market growth have never been greater, but so, too are the uncertainties confronting the industry. In particular, future gas demand profiles raise important new risk allocation and mitigation questions. How commodity and infrastructure asset operators answer those questions will in many cases differentiate successful from marginal investments. In this presentation we provide an overview of the long term outlook for natural gas and the commercial considerations that will shape forward market transactions.
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- Mr. Hopper is an expert in wholesale energy market matters, with emphasis on North American natural gas midstream and global LNG markets.
- 9:00-10:00 Panel 1 – The Transpacific Partnership – Impact on Investment Arbitrations in the Oil and Gas Sector
The panel will address the ongoing debates about the Transpacific Partnership (TPP) and its particular impact on oil and gas investments in the Pacific region. The panelists will discuss the particular implications of the TPP investment chapter on ongoing oil and gas investments in the region, as well as on future prospects. The panelists will further address whether the TPP as a whole is likely to encourage and stabilize investment flows in the region beyond the bilateral approach previously undertaken.
Panel: Andrea Menaker (White & Case) and Teddy Baldwin (Baker & Mackenzie).
Moderator: Lorena Perez McGill (University of Houston)
- 10:00-10:15 Coffee Break
- 10:15-11:15 Panel 2 – Annulment in the Oil and Gas Sector
The panel will address how ICSID annulment standards are applied in the oil and gas sector. Specifically, the panel will look to apply the manifest excess of power annulment standard to questions typically faced by investment arbitrations – namely whether typical oil development project structures are at odds with legal rules constraining tribunal jurisdiction and questions of applicable law in the oil and gas sector.
Panel :Freddy Sourgens (Washburn Law School) and Alvaro Galindo (Dechert)
Moderator: Silvia Marchili (King & Spalding)

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11:15 –12:30 **Keynote by Dr. Diego García Carrión,
Attorney General, Republic of Ecuador.**

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12.30 – 2pm Lunch

2:00-3:15 Panel 3 – Applicable Law in Environmental Counterclaims

The panel will address the question of applicable law in the context of environmental counterclaims. It will discuss potentially applicable choice of law rules in the context of investment treaty arbitration counterclaims. It will further explore the potential emergence of a transnational law on environmental liability in the investor-state arbitration context and its relationship to traditional international law sources.

Panel: Miriam Harwood (Curtis, Mallet-Prevost) and Julian Cardenas (University of Houston).
Moderator: Ricardo Colmener (Entra Consulting)

3:15-3:30 Coffee Break

3:30-5:00 Panel 4 – Renewable Energy and Investment Arbitration

The panel will address the emergence of the renewable energy industry onto the global scene. The panel will discuss the regulatory responses to the renewable energy sector (both in the U.S. and abroad). It will address how changes in this regulatory environment have led to significant investor-state arbitration claims and will prognosticate what types of claims are likely to result from the current energy economy.

Panel 4: Kabir Duggal (Baker & McKenzie); Janet Whittake (Clifford Chance); Tomasz Hara (Allen & Overy). Moderator: Ian Laird (Crowell & Moring)

Keynote Speaker

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About the speaker:

Diego García Carrión was born in Guayaquil, on January 25, 1963. He comes from a family with a long tradition spanning four generations of attorneys and public servants. He graduated as a lawyer in 1988, and earned a Juris Doctor degree from the Universidad Católica Santiago de Guayaquil in 1995, with a thesis entitled "The woman in the Ecuadorian legislation".

His legal career began in 1998, as a member of the law firm García Feraud & Sons. He provided legal advice in the areas of civil, commercial, banking, corporate, administrative and labour law. ONCLA), as well as Chairman of the Mediation Center of the State Attorney's Office. In 1992, he started working in the public service as head of the Legal Department of the Port Authority of Guayaquil, where he served until 1994. From 2000 to 2003 and 2006 to 2007, Dr García Carrión was appointed as Delegate of Dr Gustavo Noboa Bejarano and Dr Alfredo Palacio González, Presidents of the Republic of Ecuador, to the National Stock Exchange Council. Between 2003 and 2006, he served as Associate Permanent Judge of the Administrative Contentious Court in Guayaquil. Between April 2006 and January 2007, during Dr Alfredo Palacio's administration, he served as General Legal Secretary to the Presidency. During the same period, he also represented the President of the Republic to the Board of Directors of Petroecuador and to the Board of the Deposit Guarantee Agency (AGD). Upon completion of his term and during the Presidency of Dr Alfredo Palacio González, Dr García Carrión was awarded the "Grand Cross of the National Order of Merit", conferred by the President of the Republic in January 2007.

He was appointed as Attorney General by the Constituent Assembly of Montecristi in April, 2008 until December 2010. On this date, Dr García resigned in order to integrate a shortlist of candidates nominated by the President of the Republic, Rafael Correa, for the same office. In January 13, 2011, the Council of Citizen Participation and Social Control appointed Dr Diego García Carrión as Attorney General for a period of four years, after having accomplished all the requirements and procedures established to define the shortlist sent by the President of the Republic, economist Rafael Correa Delgado. In January 18, 2011 the Attorney General took office for a period that concluded in January 18, 2015, after the National Assembly positioned as such.

On February 5th, 2015, Dr. Diego García Carrión took office as Attorney General of Ecuador. He was positioned by the National Assembly for a new four-year period, in accordance to article 235 of the Constitution. Before he took office, the Resolution of the Civic Participation and Social Control Council, dated Thursday January 29th on which doctor García Carrión was appointed from a shortlist of three candidates sent by the President of the Republic, Rafael Correa, was read. As s Attorney General, Diego García Carrión is also the Chairman of the National Council Against Money Laundering



Keynote by Dr. Diego García Carrión, Attorney General, Republic of Ecuador.

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Who should attend

Energy In-house attorneys, arbitrators, professionals, academics and students interested or involved oil and gas transactions and arbitration.

Registration Fee

Practitioners - \$300. Early registration before Wednesday September 14, \$250 by email.

Academics - \$175

Students - \$75 (limited to 20)

These fees include the conference attendance, materials, refreshments and lunch.

Registration

You can register contacting Prof. Julian Cardenas or by email: jcardena@central.uh.edu. Or paying online with debit or credit card following this link: <https://lnkd.in/eh2E3np>

Travel

The conference will take place in the Four Seasons Hotel, 1300 Lamar Street, Houston, TX 77010. Friday, September 16, 2016 Time: 8 am – 5 pm

A limited number of rooms are available at a special rate for the conference participants.

Houston is well-known as the Energy Capital of the World and its International Airports offer domestic and international flights.

Further information

For any inquiries you also can contact Prof. Julian Cardenas at jcardena@central.uh.edu

