



United Nations  
UNCITRAL



CENTER FOR INTERNATIONAL  
COMMERCIAL & INVESTMENT ARBITRATION

 Columbia Law School



## **Invitation: Columbia Arbitration Day Presents: Establishing an Advisory Centre on International Investment Law**

**13 April 2023, 12:10pm to 1:10pm EDT**

**Columbia Law School, Feldberg Lounge, William and June Warren  
Hall, Rm. 105, 1125 Amsterdam Ave, New York, NY 10025  
in person and on-line**

### **Program**

Dear Colleagues,

We cordially invite you to attend a hybrid meeting: “**Columbia Arbitration Day Presents: Establishing an Advisory Centre on International Investment Law**”, co-organised by the Center for International Commercial and Investment Arbitration, the Columbia Arbitration Day Committee and UNCITRAL. The event is convened in connection with the Columbia Arbitration Day and will be conducted in English.

The event is free of charge. But to attend it in person or to receive the on-line meeting-link details, please [register here](#). Please note that, to avoid any difficulties, **only participants who register** will be able to attend in person or remotely.

Opening: **Daniel Knaap**, Columbia Arbitration Day JD Chair

Moderator: **Karl P Sauvant**, Senior Fellow, Columbia University, Columbia Center on Sustainable Investment

Panelists:

**Anna Joubin-Bret**, Secretary of the United Nations Commission on International Trade Law and Director of the International Trade Law Division, Office of Legal Affairs of the UN: *The state of negotiations on establishing an ACIIL and the way forward.*

**Michael Imran Kanu**, Ambassador, Deputy Permanent Representative of Sierra Leone, Permanent Mission of Sierra Leone to the United Nations: *The importance of an Advisory Centre: An African perspective.*

**Ligia L. Flores Soto**, Counsellor, Permanent Mission of El Salvador to the United Nations: *The importance of an Advisory Centre: A Latin American and Caribbean perspective.*

**George A. Bermann**, Professor of Law, Columbia Law School, and Director of the Center for International Commercial and Investment Arbitration Law: *Lessons learned from the Advisory Centre on WTO Law.*

Over 130 countries have so far faced treaty-based international investment disputes (74 new disputes in 2021 alone), for a total of over 1, 200 such disputes at the end of 2021. (The number is higher if disputes are added that are based on contracts and national laws.) The potential for considerably more disputes is substantial. They typically involve difficult matters of international investment law, are often expensive to handle and can lead to high monetary awards against host countries.

Not surprisingly, many developing countries—and especially the least developed among them—typically do not have the human resources to represent themselves effectively as respondents in such disputes, nor do they often have the financial resources to hire international counsel.

In light of this situation, it has been proposed to establish an Advisory Centre on International Investment Law (ACIIL), to assist developing countries—and especially the least developed among them—in dealing with such disputes. It would be an effort to provide (international) legal support, akin to the aid that the Advisory Centre on WTO Law provides, to developing countries.

As part of ongoing negotiations on a possible reform of the investor-State dispute settlement regime, numerous members of Working Group III of the United Nations Commission on International Trade Law (UNCITRAL) have identified establishing an Advisory Centre as a desirable reform element. A first round of deliberations regarding scope, services and financing has already taken place. To further support the discussions in Working Group III, his hybrid event addresses a number of issues that are central to this objective.

Columbia Arbitration Day (April 14, 2023) is the largest annual event organized by the Columbia International Arbitration Association, the only student association at Columbia Law School focusing exclusively on international arbitration. This year's theme is "Arbitration Beyond the Box: New Innovations & Perspectives." Panels will discuss ESG arbitration, Belt-and-Road disputes and domestic judges' perspectives on international arbitration. Special guests include retired Justice Stephen G. Breyer to discuss the Supreme Court's arbitration legacy and Meg Kinnear (Secretary-General of ICSID) and Anna Joubin-Bret (Secretary of UNCITRAL) to discuss institutional innovations in international arbitration.

**In-person attendance: immunization and mask requirements:** Participants are required to adhere to Columbia University’s COVID-19 policies in effect at the time of the event. Currently, visitors are required to meet the primary vaccination series, and masking is strongly recommended. See <https://covid19.columbia.edu>.

**On-line attendance:** Registration at the following link is necessary to obtain the link for the meeting: [https://docs.google.com/forms/d/1QmNaM9r9lBwMUvzawQFlne3r46ytlPjTmpuJK9owo\\_8](https://docs.google.com/forms/d/1QmNaM9r9lBwMUvzawQFlne3r46ytlPjTmpuJK9owo_8).

We are looking forward to seeing you at the event.

George Bermann, Anna Joubin-Bret, Daniel Knaap, Karl P. Sauvant

**Background literature:**

UNCITRAL, UNCITRAL, [Working Group III WP 212](#) and [Addendum](#) (Feb. 2022).

Nicolas Angelet et al., [Note on the Costs and Financing of an Advisory Centre on International Investment Law](#) (Washington, D.C.: ILI and IAI, 2020),

CCSI, [Securing Adequate Legal Defense in Proceedings Under International Investment Agreements: A Scoping Study](#) (New York: CCSI, 2019).

Charlie Garnjana-Goonchorn, “[An Advisory Centre on International Investment Law: Is Perfect the Enemy of Good?](#)” *Columbia FDI Perspective*, no. 324 (Feb. 7, 2022).

Anna Joubin-Bret, “[Establishing an International Advisory Centre on Investment Disputes?](#)” (Geneva: ICTSD, 2015).

Karl P. Sauvant, “[Establishing an Advisory Centre on International Investment Law: Key Challenges Ahead](#)”, *International Economic Law and Policy Blog*, March 11, 2023.

Karl P. Sauvant, “[An Advisory Centre on International Investment Law: Key Features](#)”, 17 U. ST. THOMAS L.J. 354 (2021).

Karl P. Sauvant and Federico Ortino, “[Extending International Legal Aid from Trade to Investment: An Advisory Centre on International Investment Law](#)”, *Global Trade and Customs Journal*, vol. 16 (Sept. 2021), pp. 548-554).

Ticha Ungboriboonpisal, “[The Advisory Center on International Investment Law \(ACIIL\) and the Potential Conflict of Interest Situations it Could Encounter](#)”, *American Review of International Arbitration*, vol. 33 (Jan. 2023), pp. 129-152.

## **Bios:**

### **George A. Bermann**

George A. Bermann is Professor of Law at Columbia Law School; Director, Center for International Commercial and Investment Arbitration; faculty member of the Ecole de droit, Sciences Po (Paris) and Geneva LL.M. in International Dispute Settlement; founding member, Governing Board of the ICC International Court of Arbitration; head, global advisory board of New York International Arbitration Center; fellow of Chartered Institute of Arbitrators; Chief Reporter of the ALI Restatement of the US Law of International Commercial Arbitration; co-editor-in-chief *American Review of International Arbitration*; and author of numerous books and articles.

## **Ligia L. Flores Soto**

Ligia Soto is Legal Adviser at the Permanent Mission of El Salvador to the United Nations. Previously, she served at the International Legal Studies division of the Ministry of Foreign Affairs of El Salvador. She has two inter-university master's degrees, in Regional Integration Law in Central America and in Diplomacy and International Relations from the Diplomatic School of Madrid, Spain. As a delegate to the UN, she has recently served as a facilitator of the capacity building and transfer of marine technology negotiations of the BBNJ agreement.

## **Anna Joubin-Bret**

Anna Joubin-Bret is the Secretary of the United Nations Commission on International Trade Law and the Director of the International Trade Law Division in the Office of Legal Affairs of the United Nations. Prior to her appointment, she practiced law in Paris, specializing in International Investment Law and Arbitration, as counsel and arbitrator. Prior to 2011, she was a Senior Legal Adviser with UNCTAD. She holds a DEA in Private International Law and a Master's Degree in International Economic Law from Paris I and a Bachelor Degree in Political Science.

## **Michael Imran Kanu**

Michael Imran Kanu is Ambassador and Deputy Permanent Representative (Legal Affairs) of Sierra Leone to the United Nations. He coordinates/leads several processes at the UN, including the African Group experts on investor-States dispute settlement reform in New York. He holds an LL.B from Fourah Bay College, University of Sierra Leone (2007), a B.L. from Sierra Leone Law School (2008), LL.M (2015) and Doctor of Juridical Science in International Business Law from the Central European University (2018). He is a United Nations International Law Fellow (2019).

## **R. Daniel Knaap**

R. Daniel Knaap obtained an LL.B. in Global Law from Tilburg University in the Netherlands and an LL.M. in U.S. Legal Studies from the University of Connecticut School of Law, before joining the Columbia Law School community. He worked as a legal intern at the World Bank's International Centre for Settlement of Investment Disputes and the International Institute for Conflict Prevention and Resolution, and will join Herbert Smith Freehills as a Summer Associate in May. His scholarship focuses on intra-EU and third-party funding issues in investment arbitration.

## **Karl P. Sauvant**

Karl P. Sauvant has advocated, since 2004, the establishment of an Advisory Center on International Investment Law, writing about this subject and participating in events relating to it. At UNCTAD, he created the *World Investment Report*, remaining its lead author until 2004. He retired in 2005 as Director of UNCTAD's Investment Division and established, in 2006, what is now the Columbia Center on Sustainable Investment (CCSI). He stepped down as the Center's Executive Director in 2012, to focus his work, as a CCSI Senior Fellow, on teaching, research and writing.

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