



आर्थिक कार्य विभाग
DEPARTMENT OF
ECONOMIC AFFAIRS



Executive Training Programme on Investment Treaties and Investor-State Dispute Settlement System for Government Officials

Organised by

Department of Economic Affairs (DEA),
Ministry of Finance, Government of India

and

Centre for Trade and Investment Law (CTIL),
Indian Institute of Foreign Trade

About Centre for Trade and Investment Law

Centre for Trade and Investment Law (CTIL) was established by the Ministry of Commerce and Industry, Government of India. CTIL acts as an advisory centre and think tank on issues related to international trade law, investment law and issues of regional integration. CTIL also conducts several training and capacity building programs, seminars, conferences, discussions and workshops for various stakeholders. For more information please visit www.ctil.org.in.

About Department of Economic Affairs

The Department of Economic Affairs (DEA) is a part of the Ministry of Finance, Government of India. The DEA is tasked with overseeing issues relating to the Indian economy, including both internal and external issues such as bilateral cooperation, currency, financial markets, commodities, investment and multilateral relations. For more information please visit www.dea.gov.in.

Contact:

Aparna Bhattacharya, Senior Research Fellow, CTIL

aparna.ctil@iift.edu



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PROGRAMME*	TIME
Day 1 - Wednesday, 28 April 2021	2.00 – 5.30 PM

Inaugural Session

2:00 – 2.45 PM

Welcome Address: Dr. James J. Nedumpara,
Head & Professor, Centre for Trade and Investment Law (CTIL)

Keynote Address: Mr. K Rajaraman
Additional Secretary, Department of Economic Affairs,
Government of India

Vote of Thanks: Ms. Smrithi Bhaskar
Research Fellow, Centre for Trade and Investment Law

SESSION 1*
INTRODUCTION TO INVESTMENT TREATY PRINCIPLES

Introduction to International Investment Treaties 2.45 – 3.30 PM
Prof. Julien Chaisse,
City University of Hong Kong

Discussion Session 3.30 – 3.45 PM

Investment and the Regulatory Power of the State 3.45 – 4.20 PM
Dr. Prabhash Ranjan,
Sr. Assistant Professor, South Asian University

Discussion Session 4.20 – 4.30 PM

***Non-discrimination in Investment Treaties (NT and MFN):
Precautions to be taken to avoid raising of dispute on
discrimination*** 4.30 – 5.15 PM

Dr. Kabir Duggal
Senior International Arbitration Advisor, Arnold & Porter, New
York

Discussion Session 5.15 – 5.30 PM



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Day 2 - Thursday, 29 April 2021

3.00 – 6.50 PM

SESSION 2*
DISPUTE SETTLEMENT IN BITs

The Treatment of Regulatory Change (including discussion on Indirect Expropriation, and Fair and Equitable treatment including case examples) 3.00 – 3.45 PM

Mr. Thomas Sebastian, Barrister at Law
Mockton Chambers, London

Discussion Session 3.45 – 4.00 PM

Discussion on Louis Dreyfus Amateurs won by Republic of India** 4.00 – 4.30 PM

Mr. A.K Saran
Director, Ministry of Home Affairs

Discussion on Tenoch Holdings and Nissan Motors Limited ** 4.30 – 5.00 PM

Ms. Ramya Raman
Legal Consultant, Department of Economic Affairs

ISDS and role of Arbitral Institutions 5.00 – 5.45 PM

Ms. Meg Kinnear,
Secretary General, ICSID, Washington DC
and

Ms. Celeste Elisabeth Mowatt
Legal Counsel – Institutional Matters, ICSID, Washington DC

Discussion Session 5.45 – 6.00 PM

Damages, Recognition and Enforcement of awards 6.00 – 6.40 PM

Dr. Borzu Sabahi
Partner, Curtis, Mallet Prevost, Colt & Mosle LLP, Washington DC

Discussion Session 6.40 – 6.50 PM

Day 3 - Friday, 30 April 2021

2.00 to 6.10 PM

SESSION 3 *
INVESTOR STATE DISPUTE SETTLEMENT

Handling Investor Disputes and Arbitration Cases** 2.00 – 3.00 PM

Ms. Reetu Jain
Economic Adviser, Department of Economic Affairs



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Dispute Settlement and Selection of Lawyers and Arbitrators** 3.00 – 4.00 PM
Dr. R J R Kasibhatla

Deputy Legal Adviser, Department of Legal Affairs

Settlement of Investment Disputes: Multicountry Experience 4.00 – 4.45 PM
Prof. Dr. Jan Wouters
Professor, KU Leuven Institute for International Law, Brussels

Discussion Session 4.45 – 5.00 PM

New Developments in Investment Treaties 5.00 – 5.50 PM

Dr. Lisa Sachs
Director, Columbia Center on Sustainable Investment, New York
and

Ms. Jesse Coleman
Senior Legal Researcher, Columbia Center on Sustainable
Investment, New York

Discussion Session 5.50 – 6.00 PM

Concluding Remarks 6.00 – 6.10 PM

Ms. Aparna Bhattacharya, Senior Research Fellow
Centre for Trade and Investment Law

*Deliberations in all the sessions shall remain confidential and information disclosed during the discussions shall not be reported or quoted elsewhere.

**Closed Session for Government Officials only.

Note: The Executive Training Programme will be conducted virtually. All sessions will be conducted using WebEx. All registered participants will be provided links to access the sessions prior to the event.



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Speakers

PROF. JULIEN CHAISSE

Prof. Julien Chaisse is Professor of Law at City University of Hong Kong. Prof. Chaisse specialises in international Law, with a special focus on globalization and on Asian economies.

DR. PRABHASH RANJAN

Dr. Ranjan is an Assistant Professor of law at the South Asian University, New Delhi, India. He teaches and publishes in the area of international investment law and world trade law. He has been a Visiting Fellow at the Lauterpacht Centre for International Law, Cambridge University, Visiting scholar at Brookings India amongst other reputed institutions.

DR. KABIR DUGGAL

Dr. Duggal is a Senior International Arbitration Advisor at Arnold & Porter, New York, as well as a Lecturer in Law at Columbia Law School. He has a focus on investment arbitration, international commercial arbitration and public international law. He has had extensive experience in this field as both counsel, and arbitrator. He has participated in numerous investment arbitration disputes.

MR. THOMAS SEBASTIAN

Mr. Sebastian is a Barrister at Monckton Chambers, London. He has significant experience in disputes arising from public international law, commercial dispute resolution, competition law, EU law etc. He has also represented investors in billion-dollar arbitrations. He has appeared before a variety of fora, including investment arbitration tribunals. Mr. Sebastian is a Rhodes Scholar and completed his BCL and MPhil from Oxford University.

MR. A.K SARAN

Mr. Saran is a Director at the Ministry of Home Affairs, Government of India. Before joining the Ministry of Home Affairs, he served as the Director in the Ministry of Shipping and was part of India's representatives in the investment dispute with Louis Dreyfus Armateurs SAS.

MS. RAMYA RAMAN

Ms. Raman is a Legal Consultant in the International Investment Treaties and Framework Section of the Department of Economic Affairs, Ministry of Finance, Government of India since 2015. Ms. Raman is a member of the official delegation representing India in negotiations of Bilateral Investment Treaties and Investment chapters of Free Trade Agreements. She also handles Investment Treaty disputes, and conducts research and provides advise on related policy matters. She holds an LLM from Queen Mary, University of London.



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MS. MEG KINNEAR

Ms. Kinnear is the Secretary General of the International Centre for Settlement of Investment Disputes (ICSID). She has previously worked as the Senior General Counsel and the Director General of the Trade Law Bureau of Canada. She has an extensive publication record, including on subjects such as Investment Disputes under NAFTA.

MS. CELESTE ELISABETH MOWATT

Ms. Mowatt is a Legal Counsel – Institutional Matters at the International Centre for Settlement of Investment Disputes (ICSID). She has previously worked as an attorney with Appleton & Associates.

DR. BORZU SABAHI

Dr. Sabahi is a Partner at Curtis, Mallet-Prevost, Colt & Mosie, LLP, Washington DC. He specializes in international arbitration, with a focus on state-owned enterprises related disputes. He is also an adjunct professor at Georgetown University, and teaches investor-state arbitration. He is also a co-director of the ILI International Investment Law Centre. He has represented various countries in investment arbitrations under BITs, and has also advised various countries on aspects of BITs and commercial arbitrations.

MS. REETU JAIN

Ms. Reetu Jain, IES, Economic Adviser in the Department of Economic Affairs, Ministry of Finance is a trained economist from the University of Delhi. With an additional degree in Law from Delhi University, she has been working in the Government for more than 20 years. Presently she handles investments, disputes and negotiations related to Bilateral Investment Promotion Agreements.

DR. R J R KASIBHATLA

Dr. Kasibhatla is a Deputy Legal Adviser in the Department of Legal Affairs, Ministry of Law & Justice, Government of India since January, 2011. He joined the Indian Legal Service in 2001, prior to which he worked as an Assistant Professor at the W.B. National University of Juridical Sciences. Dr. Kasibhatla provides legal advice on all matters referred by the various Ministries and Departments of the Government of India. He is a member of the official delegation representing India in the negotiation of Bilateral Investment Treaties and Investment chapters of Free Trade Agreements. He also assists in handling Investment Treaty disputes.

PROF. DR. JAN WOUTERS

Dr. Wouters is a Professor of International Law and International Organisations at the KU Leuven Institute for International law. He is also the Jean Monnet Chair *ad personam* EU and Global Governance, as well as the Founding Director of the Institute for International Law, and the Leuven Centre for Global South Studies. He has an extensive publication record on subjects



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such as EU law and international law. He has conducted training programs on these subjects for many countries.

DR. LISA SACHS

Dr. Sachs is the Director of the Columbia Center on Sustainable Investment. She teaches courses at Columbia Law School on international investment law, and has overseen advisory work on the subject in many countries, including Chile, Guinea, and Tanzania.

MS. JESSE COLEMAN

Ms. Coleman is a Senior Legal Researcher at the Columbia Center on Sustainable Investment. She focuses on investment law and policy, natural resources and human rights. She has previously worked in a variety of non-profit and research based roles, focusing on global justice and human rights.