



# COP21

## Climate Change Related Disputes: A Role for International Arbitration and ADR

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7 December 2015

ICC, 33 avenue du Président Wilson, 75116 Paris

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### Objective

Open forum to discuss existing use of international arbitration and ADR mechanisms to resolve climate change related disputes and to explore the further role of arbitration and ADR to help to implement and enforce emerging international sustainability principles, standards, commitments and obligations, resolve disputes and maintain individual, national and international climate change targets and objectives.

### Who should attend?

- In-house counsel
- Arbitrators
- Counsel
- Academics
- Arbitration institutions
- Government officials in charge of sustainability obligations
- Senior managers and environmental compliance officers in corporations
- Senior negotiators in development banks, private banks and public and private insurers
- NGOs and lobby groups involved in promoting sustainable development and climate justice



# Programme

Monday 7 December

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0900

## Welcome Remarks by John Danilovich ICC Secretary-General

0930

## Introduction to IBA Task Force on Climate Change Justice and Human Rights and the importance of accessible and enforceable dispute resolution mechanism frameworks

*Speakers*

**Roger Martella** *Sidley Austin, Washington DC; Vice Chair, IBA Task Force on Climate Change Justice and Human Rights*  
**David W Rivkin** *President IBA, Partner, Debevoise & Plimpton, New York*

1015 **Questions**

1030 **Coffee Break**

1045

## I. Existing Use of Arbitration in Resolving Climate Change-related Disputes

*Moderator*

**Andrea Carlevaris** *Secretary-General, ICC International Court of Arbitration*

*Speakers*

**James Bacchus** *ICC Trade and Investment Chair, Partner, Greenberg Traurig*  
**Professor John H Knox** *United Nations Special Rapporteur on Human Rights and the Environment, Henry C Lauerman Professor of International Law, Wake Forest University*  
**Antonio La Viña** *Dean, Ateneo School of Government, Ateneo de Manila University; Negotiator, UNFCCC Delegation of the Republic of the Philippines*  
**Judith Levine** *Senior Legal Counsel, Permanent Court of Arbitration*

1215 **Questions**

1230 **Lunch Break**

1330 **Guest Speaker**

**Nicola Bonucci** *General Counsel, OECD*

1400

## II. International Arbitration & ADR in Enforcing Contractual Environmental Obligations

*Moderator*

**Alexis Mourre** *President, ICC International Court of Arbitration*

*Speakers*

**Andrea Bacher** *Policy Manager, Environment & Energy, ICC*  
**Rutger de Witt Wijnen** *General Counsel, Green Climate Fund*  
**Crenguta Leaua** *Partner, Leaua & Asociatii*  
**Martijn Wilder** *Partner, Head of Global Environmental Markets, Baker & McKenzie*

1500 **Questions**

1515

## III. International Arbitration & ADR in Enforcing Treaty Environmental Obligations

*Moderator*

**Annette Magnusson** *Secretary-General, Stockholm Chamber of Commerce Court of Arbitration*

*Speakers*

**Professor Laurence Boisson de Chazournes** *Professor of Law, University of Geneva*  
**Anna Joubin-Bret** *Former Senior Legal Advisor, Division on Investment, Technology and Enterprise Development, UNCTAD, Avocat*  
**Thomas F McInerney** *Distinguished Scholar in Residence, Loyola University of Chicago School of Law, Founder, Treaty Effectiveness Initiative*  
**Jeremy Sharpe** *Partner, Shearman & Sterling, Former Chief of Investment Arbitration, US State Department*

1615 **Questions**

1630 **Coffee Break**

1645

## IV. Exploring New Frontiers for International Arbitration and ADR in Enforcing Sustainability Objectives on Individuals, Corporations and States

*Roundtable Moderator*

**Wendy Miles QC** *Partner, Boies Schiller & Flexner; Secretary, IBA Arbitration Committee*

*Speakers*

**Justice David Baragwanath** *President of the Special Claims Tribunal on Lebanon*  
**Kate Cook** *Matrix Chambers, Chair, The Legal Response Initiative*  
**Professor Michael Gerrard** *Andrew Sabin Professor of Professional Practice, Director, Sabin Centre for Climate Change Law, Columbia Law School*

1745 **Questions**

1800 **End remarks**

**Alexis Mourre**

# Information

**Date**

7 December 2015

**Venue**

ICC, 33 avenue du Président Wilson, 75116 Paris

**How to register**

Register can only be made online until 3 December at **www.ibanet.org/conferences/conf728.aspx**. Credit card details must be provided at the point of registering on-line. We are unable to register or take payment by any other method.

**Fees**

Registration fee €70

**Registration confirmation**

All documentation regarding your attendance at the conference can be obtained from the IBA website. Upon receipt of your payment for the conference a confirmation email will be sent containing instructions on how to download the documents. Registration confirmation will not be distributed by post.

**Cancellation of registration**

If cancellation is received in writing at the IBA office by Monday 30 November, fees will be refunded less a 25 per cent administration charge. We regret that no refunds can be made after this date.

**Travel arrangements and visas**

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local embassy or consulate. We are unable to dispatch visa invitation letters to support your visa application prior to receipt of your registration form and full payment of registration fees.

**Please apply for your visa in good time.**



# International Bar Association

the global voice of the legal profession

The **International Bar Association** (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 50,000 individual legal professionals and 205 bar associations and law societies spanning all continents and has considerable expertise in providing assistance to the global legal community.

Grouped into two divisions – the **Legal Practice Division** and the **Public and Professional Interest Division** – the IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information. Through the various committees of the divisions, the IBA enables an interchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of law around the globe. Additionally, the IBA's world-class conferences provide unrivalled professional development and network-building opportunities for international legal practitioners, senior business professionals, regulators and government officials.

## **Arbitration Committee overview**

The Arbitration Committee focuses on laws, practice and procedures relating to the arbitration of transnational disputes. Through its publications and conferences, the committee seeks to share information about international arbitration and promote its use and improve its effectiveness. The committee has four subcommittees, namely Recognition and Enforcement of Arbitral Awards, Investment Treaty Arbitration, Conflicts of Interest, and Rules of Evidence. The committee also has established two task forces: the Task Force on Attorney Ethics in Arbitration; and the Task Force on Arbitration Agreements. The committee publishes a newsletter which is issued twice a year.

The newsletter is packed with articles from practitioners worldwide. The committee's publications include the IBA Guidelines on Conflicts of Interest in International Arbitration and the IBA Rules on the Taking of Evidence in International Commercial Arbitration. Committee members also receive the IBA's Dispute Resolution International journal which is issued twice a year. The committee has more than 2,300 members from over 90 countries.

## **Contact information**

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