



PROGRAMME

Regional training course on International Investment Agreements: “Reforming the International Investment Regime”

Organized by UNCTAD in cooperation with
the Ministry of Foreign Affairs of the Republic of Belarus, the Ministry of Economy and
the National Agency of Investment and Privatization

Minsk, 28-30 September 2015



NATIONAL AGENCY
OF INVESTMENT
AND PRIVATIZATION
REPUBLIC OF BELARUS



Министерство экономики
Республики Беларусь



UNITED NATIONS
UNCTAD

PROGRAMME

Regional training course on International Investment Agreements:

Reforming the International Investment Regime

**28-30 September 2015
Minsk, Belarus**

Organized by
UNCTAD in cooperation with the Ministry of Foreign Affairs of the Republic of Belarus, the Ministry
of Economy and the National Agency of Investment and Privatization

Venue: Johannes Rau International Centre for Education and Exchange (IBB)
Prospect Gazety Pravda 11, Minsk 220116

Join us at
<http://investmentpolicyhub.unctad.org>



UNCTAD's Work Programme on international investment agreements (IIAs) seeks to help beneficiary countries to participate as effectively as possible in international rule-setting for investment. It does so against the background of an intensifying policy discourse about the sustainable development dimension and the future orientation of the IIA regime. The objectives of this training course are to deepen the understanding on issues in IIAs, to identify and examine issues, challenges and options and ensure that sustainable development concerns are adequately addressed.

The National Agency of Investment and Privatization (NAIP) of the Republic of Belarus is a governmental agency, which acts as a "one-stop shop" for the foreign investor in Belarus and supports projects at every stage of their implementation. For more information, visit www.investinbelarus.by.

Monday, 28 September 2015

Public session

- 09:00 – 09:30** **Opening ceremony and welcome remarks**
- **Aleksey Barbuk**, Head, International Agreements Department, Ministry of Foreign Affairs, Belarus
 - **Elisabeth Tuerk**, Chief, IIA Section, UNCTAD
- 09:30 – 10:15** **World Investment Report (WIR) 2015: Reforming International Investment Governance**
- **Elisabeth Tuerk**, Chief, IIA Section, UNCTAD
- 10:15 – 10:30 Q&As
- 10:30 – 11:00** **Belarus FDI trends and investment climate**
- **Roman Proskalovich**, Lead Specialist, Investment Proposals and Aftercare Department, National Agency of Investment and Privatization, Belarus
- Implementation of investment projects in Belarus: selected issues**
- **Vassily Tarasevich**, Financial Advisor, KPMG LLC
- 11:00 – 11:15 Q&As
- 11:15 – 11:45** **Panel discussion on reforming international investment governance: emerging policy developments**
- Moderator: Ruslan Varankov**, Counsellor, International Agreements Department, Ministry of Foreign Affairs, Belarus
- **Lise Johnson**, Legal Researcher, Head of Investment Law and Policy, Columbia Center on Sustainable Development
 - **Andrei Yakovlev**, Partner, King & Wood Mallesons LLP
 - **Elisabeth Tuerk**, Chief, IIA Section, UNCTAD
- 11:45 – 12:00 Coffee break
- 12:30 – 13:30 Lunch break

Regional training course – private sessions

SESSION 1: UNCTAD's road map for IIA reform

- 13:30 – 14:15** **Introduction to UNCTAD's Action Menu for IIA Reform and UNCTAD's Investment Policy Framework for Sustainable Development (2015 version)**
- **Elisabeth Tuerk**, Chief, IIA Section, UNCTAD
- 14:15 – 14:45 Sharing of experiences and discussion
- 14:45 – 15:00 Coffee break – kindly provided by KPMG
- 15:00 – 15:45** **Recent trends in international investment agreements (IIAs) and investor-State dispute settlement (ISDS) – in the world and in transition economies**
- **Diana Rosert**, Associate Legal Affairs Officer, IIA Section, UNCTAD
- 15:45 – 16:30 Sharing of experiences and discussion

Tuesday, 29 September 2015

SESSION 2: Policy options for reform of substantive IIA clauses based on the WIR 2015 and the Investment Policy Framework 2015

- 09:00 – 09:30** **Treaty scope, definition of covered investment and investors**
- **Andrei Yakovlev**, Partner, King & Wood Mallesons LLP
- 09:30 – 10:00 Group exercise and discussion
- 10:00 – 10:30** **National treatment and most-favoured-nation treatment**
- **Moritz Keller**, Counsel, Freshfields Bruckhaus Deringer LLP
- 10:30 – 11:00 Group exercise and discussion
- 11:00 – 11:15 Coffee break – kindly provided by KPMG
- 11:15 – 11:45** **Fair and equitable treatment**
- **Lise Johnson**, Legal Researcher, Head of Investment Law and Policy, Columbia Center on Sustainable Development
- 11:45 – 12:30 Group exercise and discussion
- 12:30 – 13:30 Lunch break
- 13:30 – 14:00** **Expropriation (direct and indirect)**
- **Iliia Rachkov**, Partner, King & Spalding LLP
- 14:00 – 14:30 Group exercise and discussion
- 14:30 – 14:45** **State contracts and the umbrella clause**
- **Begaiym Esenkulova**, Assistant Professor of the International and Business Law Department, American University of Central Asia
- 14:45 – 15:00 Discussion
- 15:00 – 15:15 Coffee break – kindly provided by KPMG
- 15:15 – 16:00** **Panel discussion on reform-oriented IIA policymaking: what can be done at the *national* level?**
- **Rufat Atakishiyev**, Head, Foreign Investments Division, Department of Interstate Economic Cooperation, Ministry of Economy and Industry, Azerbaijan
 - **Ruslan Varankov**, Counsellor, International Agreements Department, Ministry of Foreign Affairs, Belarus
 - **Samira Sulejmanović**, Head of Unit, Bilateral Trade Relations, Ministry of Foreign Trade and Economic Relations, Bosnia and Herzegovina
 - **Miriama Kiselyová**, Senior State Counsellor, Intrastate and International Legal Affairs Unit, Ministry of Finance, Slovak Republic
 - **Anna Estrina**, Financial Economist, Economic Bureau Office of Investment Affairs, Department of State, United States
 - **Begaiym Esenkulova**, Assistant Professor of the International and Business Law Department, American University of Central Asia
- 16:00 – 16:30 Group discussion and wrap-up

Wednesday, 30 September 2015

SESSION 3: Addressing key IIA reform needs based on the WIR 2015 and the Investment Policy Framework 2015

- 09:00 – 09:30** **Public policy and national security exceptions**
- **Lise Johnson**, Legal Researcher, Head of Investment Law and Policy, Columbia Center on Sustainable Development
- 09:30 – 09:45 Discussion
- 09:45 – 10:15** **Investment promotion and facilitation**
- **Diana Rosert**, Associate Legal Affairs Officer, IIA Section, UNCTAD
- 10:15 – 10:45 Group discussion
- 10:45 – 11:15** **Responsible investment**
- **Begaiym Esenkulova**, Assistant Professor of the International and Business Law Department, American University of Central Asia
- 11:15 – 11:30 Sharing of experiences and discussion
- 11:30 – 11:45 Coffee break – kindly provided by KPMG
- 11:45 – 12:15** **Investor-State dispute settlement: the main features**
- **Iliia Rachkov**, Partner, King & Spalding LLP
- 12:15 – 12:30 Discussion
- 12:30 – 13:00** **Investment dispute settlement: insights from arbitration practice**
- **Andrei Yakovlev**, Partner, King & Wood Mallesons LLP
- 13:00 – 13:30 Group discussion
- 13:30 – 14:30 Lunch break
- 14:30 – 16:00** **Panel discussion on UNCTAD’s road map for IIA reform: How should IIA and ISDS reform proceed? Identifying challenges and opportunities for *global* IIA reform**
- **Lise Johnson**, Legal Researcher, Head of Investment Law and Policy, Columbia Center on Sustainable Development
 - **Moritz Keller**, Counsel, Freshfields Bruckhaus Deringer LLP
 - **Iliia Rachkov**, Partner, King & Spalding LLP
 - **Elisabeth Tuerk**, Chief, IIA Section, UNCTAD
- 16:00 – 16:15 Coffee break – kindly provided by KPMG
- 16:15 Closing ceremony and distribution of certificates of participation