

**PROGRAMME**  
**Second Annual Forum of Developing Country Investment Negotiators**  
**2-4 November, 2008**  
Méridien N'Fis Hotel, Marrakech, Morocco

**November 2, Sunday**

All day          Arrival of participants in Morocco

20 h              Welcoming reception, Méridien N'Fis Hotel, Marrakech, Morocco

**Day 1, November 3, Monday**

8 h 45 – 9 h 15          Registration

9 h 15 – 9 h 30          Opening Ceremony and Welcome from the Co-Organizers

9 h 30 – 10 h 30          Keynote address

- Makhdoom Ali Khan, Senior Advocate of Supreme Court of Pakistan, “When you are hit by the first investor-state arbitration, you realize what these words mean”

Followed by question and answer and discussion

10 h 30          Coffee Break

11 h – 13 h          Session I: Recent Developments in Investment Negotiations in Bilateral, Regional and Multilateral Treaty Instruments

Chair: Marwane Mansouri, Head of Studies & Information Division, Moroccan Investment Department

- Overview of recent trends in bilateral, regional and Economic Partnership Agreements negotiations, Mahnaz Mahlik, IISD
- GATS negotiations and investment negotiations, Offah Obale, South Centre
- Recent developments in Latin America: Veronica Maseda Beaumont, Proinversion, Peru

13 h              Lunch

14 h 30 – 16 h Session II: Negotiating IIAs –The Importance of Defining Terms and Concepts; State of the art on key terms

Chair: Howard Mann, Senior International Law Advisor, IISD

- Background presentation, Definition of “investment” and recent developments on expropriation and right to regulate, Mahnaz Malik, IISD
- Discussant 1: To be determined
- Discussant 2, expropriation: Veronica Maseda Beaumont, Proinversion, Peru

16 h Coffee Break

16 h 15 –  
17 h 45

Session III: Negotiating IIAs – Advances in Investor-State Arbitration Issues; The Debate on Transparency in Investor-State Arbitration

Chair: Mr. Abid Kabadi, Président de la Commission Droit de l’Entreprise de la Confédération Générale des Entreprises, Associé-Gérant du Cabinet Juristes-Conseils Partners, Morocco

- Background presentation, Fiona Marshall, IISD
- Khalil Hamdani, Special Advisor, South Centre
- Thandiwe Folutiya Mwiko, Folutiya and Chiumya Legal Practitioners, Lusaka, Zambia

## **Day 2: November 4, Tuesday**

8 h 30 – 8 h 45 Opening

8 h 45 –  
10 h 30

Session IV: Negotiating IIAs – Defining Investor Obligations and Ensuring Development Policy Space for Host Countries

Chair: Makhdoom Khan, Pakistan

- Background paper: recent developments, Fiona Marshall, IISD
- Setting development goals for IIA negotiations: Vice Yu, South Centre
- Discussant: Cao Wen, Ministry of Commerce, China

10 h 30 Coffee Break

11 h 00 – 13 h Session V: The Linkages between International Investment Treaties and Investment Contracts between Foreign Investors and Host Governments

Chair: Marwane Mansouri, Head of Studies & Information Division, Moroccan Investment Department

- Why are investment contracts important here: linkages between IIAs and investment contracts, Howard Mann, IISD
- Role and nature of investment contracts in developing countries, Ferhat Horchani, Professor of Law, Tunis University
- Andrea Shemberg, Legal Advisor to UN Special Representative of the Secretary General for Business and Human Rights John Ruggie

13 h Lunch

14 h 30 –  
16 h 30 Session VI: Climate Change and International Investment Agreements

Chair: Khalil Hamdani, Special Advisor, South Centre

- Aaron Cosbey, Associate and Senior Climate Change and Trade Advisor, IISD
- Prof. Riekie Wandrag, Deputy Dean and Associate Professor of Law, UWC, South Africa
- Discussant: Koteswara Rao, India

16h30 –  
16 h 45 Coffee Break

16 h 45 Continuation of above session

17 h 15 –  
17 h 45 Closing session:  
Marwane Mansouri, Moroccan Investment Department  
Khalil Hamdani, South Centre  
Howard Mann, IISD

19 h 30 Meet at hotel reception for transport to restaurant

20 h Closing dinner at restaurant Chez Ali, a Marrakech landmark!