



Details of Speakers and Topics for Discussion

Our five speakers will be in dialogue. The overarching theme for the dialogue is: "W(h)ither ICSID jurisdiction?". The speakers are free to make any observations they wish, but five topics that are intended to stimulate discussion are:

- Basic foundations of ICSID jurisdiction *ratione personae* are being reconsidered.
- ICSID's prohibition of dual national claimants is wrong.
- When is risk not risk? The distinction between "investment" and "commercial" risk.
- 'The Convention is dead! Long live the Convention!' When does denunciation take effect?
- W(h)ither ICSID jurisdiction? Is there a trend towards narrowing ICSID jurisdiction? What does the future hold for ICSID jurisdiction?

Speakers



Alejandro Escobar

Alejandro is a Partner at Baker Botts and practises in public international law and arbitration. He advises businesses and States in disputes arising out of investment protection treaties and in arbitrations arising out of project agreements. He has handled numerous claims of expropriation and abusive regulation in various industries, including power, oil & gas, telecommunications, and public concessions and procurement. Alejandro advises on other international law issues, including boundary disputes, relevant to international business.



Yas Banifatemi

Yas is a partner in Shearman & Sterling's International Arbitration Group and leads the firm's Public International Law Practice. She advises and represents States, State-owned entities and companies on both public international law and international arbitration issues. She has acted as counsel and arbitrator in arbitration cases under the ICSID, UNCITRAL, ICC, LCIA, SCC, CRCICA and Swiss Arbitration Rules, with particular focus on investment protection, oil & gas and general commercial matter



Stephen Fietta

Stephen is Principal of Fietta and has practised public international law, whether within government or private practice, for almost 20 years. He has advised on cases before the International Court of Justice, International Tribunal for the Law of the Sea, European Court of Justice, European Court of Human Rights and multiple domestic courts. He has a strong practice in investment arbitration, having appeared in more than 30 pending and decided cases under the World Bank (ICSID), UNCITRAL and other rules.



Aimee-Jane Lee

Aimee-Jane is an international counsel in Debevoise and Plimpton's International Dispute Resolution Group. Her practice focuses on international commercial arbitration and litigation, and public international law. She advises on the international protection of investments (notably under bilateral investment treaties, the Energy Charter Treaty and investor-State contracts) and represents her clients in associated disputes. She has also advised on maritime boundary issues, treaty drafting and interpretation, the interaction between public international law and domestic law, international sanctions and human rights.



Hussein Haeri

Hussein is a Partner at Withers and a specialist in international arbitration and public international law. Hussein advises and represents governments, corporations, individuals and international organisations on international arbitration (commercial and investment treaty), public international law and international dispute resolution matters. He has acted as counsel and advocate in contentious matters, including in international arbitrations under ICSID, UNCITRAL, LCIA, ICC and SCC Rules, and in State-State proceedings before the International Court of Justice and in national courts.



Lucas Bastin – Chair

Lucas is a Member of Chambers, practising in public international law, investment treaty arbitration and international commercial arbitration.