



# 13<sup>th</sup> Annual Forum of Developing Country Investment Negotiators

3–11 September 2020 | ONLINE EVENT



Ministry of  
Foreign Affairs  
of Thailand

## Investment Policymaking During COVID-19 and Beyond

### AGENDA

#### DAY 1 THURSDAY, 3 SEPTEMBER 2020

<p>13:00 UTC/GMT</p>	<p><b>Opening remarks</b></p> <ul style="list-style-type: none"> <li>• <b>Mr. Cherdchai Chaivaivid</b>, Director General, Department of International Economic Affairs, Ministry of Foreign Affairs, Thailand</li> <li>• <b>Ms. Nathalie Bernasconi</b>, Senior Director, Economic Law &amp; Policy, IISD</li> </ul>
<p>13:20 UTC/GMT</p>	<p><b>Keynote and theme-setting</b></p> <ul style="list-style-type: none"> <li>• <b>Professor Muthucumaraswamy Sornarajah</b>, Emeritus Professor, National University of Singapore</li> </ul>
<p>13:45 UTC/GMT</p>	<p><b>Interactive Debate and Open Discussion: Investment policymaking during the global crisis</b></p> <p>Extraordinary times call for extraordinary measures. In order to contain the COVID-19 pandemic and manage its impacts on public health and the economy, governments worldwide have been forced to act decisively and quickly. What types of measures have governments taken? How have they affected investment, and how do they relate to legal and policy frameworks on investment, i.e. treaties, laws, and contracts? Could these measures give rise to investment arbitration and what can governments do to reduce those risks? What actions can governments take to minimize negative impacts on investment due to the crisis?</p> <p><b>Moderator:</b></p> <ul style="list-style-type: none"> <li>• <b>Ms. Ajuma Patience Okala</b>, Deputy Director, Legal Adviser, Nigerian Investment Promotion Commission</li> </ul> <p><b>Panelists:</b></p> <ul style="list-style-type: none"> <li>• <b>Mr. Hamed El-Kady</b>, International Investment Policy Officer, Division on Investment and Enterprise, UNCTAD</li> <li>• <b>Ms. Vilawan Mangklatanakul</b>, Director General, Department of Treaties and Legal Affairs, Ministry of Foreign Affairs, Thailand</li> <li>• <b>Amb. Albert Muchanga</b>, Commissioner for Trade and Industry, African Union Commission</li> <li>• <b>Ms. Chantal Ononaiwu</b>, Trade Policy &amp; Legal Specialist, CARICOM Secretariat</li> <li>• <b>Mr. Ignacio Torterola</b>, International Lawyer</li> </ul>
<p>15:00 UTC/GMT</p>	<p><b>End of Session</b></p>



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## DAY 2 FRIDAY, 4 SEPTEMBER 2020

Breakout Session #1: Sharing of country experiences on  
COVID-19 related policy responses

08h-09h30 UTC/GMT	<b>Groups 1 &amp; 2*</b>
13h-14h30 UTC/GMT	<b>Groups 3, 4, &amp; 5*</b>

\* Participants will be assigned to one of these groups, taking into consideration the preference they indicated during registration. Final group assignments will be announced prior to the session.

## DAY 3 MONDAY, 7 SEPTEMBER 2020

08:00 UTC/GMT	<p><b>Interactive Debate and Open Discussion: Recovery for a sustainable and resilient future</b></p> <p>The pandemic is causing a devastating impact on the global economy. At the same time, it offers governments around the world an opportunity to build back better for a more resilient and more sustainable economy. The role of developing countries is crucial in this process. As countries continue to navigate the uncertainties brought about by the pandemic, there is an urgent need for developing and emerging economies to coordinate swiftly in setting the stage for a robust and lasting recovery. What will be the role of FDI during the recovery? How should FDI be governed to yield more inclusive, equitable, and sustainable economic growth? What are some factors to consider when developing these policies?</p> <p><b>Moderator:</b></p> <ul style="list-style-type: none"> <li>• <b>Mr. Makane Moïse Mbengue</b>, Professor of International Law, Faculty of Law, University of Geneva</li> </ul> <p><b>Panelists:</b></p> <ul style="list-style-type: none"> <li>• <b>Ms. Opeyemi Abebe</b>, Adviser Trade Competitiveness, Trade Division, Commonwealth Secretariat</li> <li>• <b>Mr. Faizel Ismail</b>, Director Designate, Nelson Mandela School of Public Governance</li> <li>• <b>Ms. Jane Kelsey</b>, Professor of Law, Faculty of Law, University of Auckland</li> <li>• <b>Mr. Kamalinne Pinitpuvadol</b>, Legal Expert, Department of International Economic Affairs, Ministry of Foreign Affairs, Thailand</li> <li>• <b>Mr. Daniel Uribe</b>, Programme Officer, South Centre</li> </ul>
10:00 UTC/GMT	<b>End of Session</b>



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## DAY 4 TUESDAY, 8 SEPTEMBER 2020

Breakout Session #2: Understanding the Joint Initiative on Investment Facilitation and its relationship to investment for sustainable development

08h–09h30 UTC/GMT	<b>Groups 1 &amp; 2*</b>
13h–14h30 UTC/GMT	<b>Groups 3, 4, &amp; 5*</b>

\* Participants will be assigned to one of these groups, taking into consideration the preference they indicated during registration. Final group assignments will be announced prior to the session.

## DAY 5 WEDNESDAY, 9 SEPTEMBER 2020

13:00 UTC/GMT	<p><b>Interactive Debate and Open Discussion: Developing a multilateral framework for settling investment-related disputes</b></p> <p>In this session, panelists will share views and ideas on how ongoing international and regional processes, such as the work on ISDS reform underway in UNCITRAL WGIII, and developments on dispute prevention and resolution can help achieve coherent outcomes that fulfil the sustainable development objectives and priorities of developing countries, especially during this challenging time.</p> <p><b>Moderator:</b></p> <ul style="list-style-type: none"> <li>• <b>Ms. Andrea Laura Mackielo</b>, Second Secretary, Argentine Mission to the European Union</li> </ul> <p><b>Panelists:</b></p> <ul style="list-style-type: none"> <li>• <b>Mr. Jonathan Bonnitcha</b>, Senior Lecturer in Law, University of New South Wales</li> <li>• <b>Ms. Kekeletso Mashigo</b>, Director Legal: International Trade, Investment, Dispute Settlement. Trade Policy, Negotiations &amp; Cooperation Branch, the DTIC, South Africa</li> <li>• <b>Ms. Ana Maria Ordóñez Puentes</b>, Director of International Legal Defense, National State Legal Defense Agency, Colombia</li> <li>• <b>Ms. Taylor St John</b>, Lecturer, University of St. Andrews</li> <li>• <b>Ms. Kanawan Waitayagitgumjon</b>, Third Secretary, Department of Treaties and Legal Affairs, Ministry of Foreign Affairs, Thailand</li> </ul>
15:00 UTC/GMT	<b>End of Session</b>



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## DAY 6 THURSDAY, 10 SEPTEMBER 2020

Breakout Session #3: Strategizing for the next UNCITRAL WGIII session

08h-09h30 UTC/GMT	<b>Groups 1 &amp; 2*</b>
13h-14h30 UTC/GMT	<b>Groups 3, 4, &amp; 5*</b>

\* Participants will be assigned to one of these groups taking into consideration the preference they indicated during registration. Final group assignments will be announced prior to the session.

## DAY 7 FRIDAY, 11 SEPTEMBER 2020

13:00 UTC/GMT	<b>Identifying Ways Forward Post-Crisis for Investment Policymakers and Negotiators</b>
14:30 UTC/GMT	<b>Announcing the 14th Annual Forum</b>
14:50 UTC/GMT	<b>Closing Ceremony</b>
15:00 UTC/GMT	<b>End of Session</b>