



**REPORT**  
**Investment dispute management and  
prevention**  
**26-27 June 2018 • Cairo, Egypt**

This report contains the summary discussions, agenda, list of participants and presentations of the regional seminar on “Investment dispute management and prevention” organised in Cairo on 26–27 June 2018. The background paper is also available [online](#).



**PROGRAMME  
ON PROMOTING INVESTMENT  
in the Mediterranean**

## *Context and participants*

The EU-OECD Programme on Promoting Investment in the Mediterranean, which aims at supporting the implementation of sound investment policies and effective institutions in the Southern Mediterranean region, held a two-day regional seminar on investment disputes management and prevention on 26-27 June 2018 in Cairo, Egypt. The event was hosted and organised in co-operation with the Cairo Regional Centre for International Commercial Arbitration (CRCICA).

With international investment disputes on the rise, notably in MED countries, and increased concerns on investor-State Dispute Settlement (ISDS) mechanisms, the aim of the meeting was to build capacities of participating government representatives to deal with and to prevent disputes between foreign investors and the State. Discussions focused on ISDS trends and challenges in the Mediterranean region, while recalling current debates and developments at the global level. A session on the main steps of the dispute settlement process was conducted with practitioners, followed by a peer-learning session on the establishment of policies and mechanisms for the prevention of investment disputes, to avoid escalation into judicial or arbitration cases, building upon countries' experiences.

The seminar was particularly well attended by over **140 participants** (see the list [Annex 2](#) to this report in including:

- Government officials – policy makers and legal experts – involved in the management and prevention of investment disputes from the Ministry of Investment, the Ministry of Justice, and other relevant Ministries and agencies, including investment promotion agencies. All the eight beneficiaries' countries of the Programme (Algeria, Egypt, Jordan, Libya, Lebanon, Morocco, Palestinian Authority, and Tunisia) were represented;
- Private sector representatives from the region and from the EU (Egypt, France, Lebanon, Morocco);
- Representatives from international organisations (UNCITRAL, EU);
- Peers and international legal experts from EU countries (France, Italy), OECD experts and representatives of the EU delegation in Egypt; and
- Academia from Egypt.

The selection of funded participants based on their functions and level of expertise made the discussions very interactive and interesting.

**A draft paper on “Stocktaking of investment dispute management and prevention in the Mediterranean region”**, with a focus on global and regional trends, legal provisions, management and prevention, was prepared to support the discussions of the seminar. After a presentation on the global debate on investor-State dispute settlement (ISDS) reforms, it provides an overview of the region's recent ISDS trends, an analysis of each country's regulations and international agreements, as well as the current mechanisms set up for the management of investment disputes. It also presents selected case studies from the region and good practices in investor-State dispute prevention.

The regional seminar was followed by a national workshop on investment dispute management and prevention in Egypt, organised under the MENA Transition Fund project on “Enhancing the investment climate in Egypt”.

### *Discussions*

The regional seminar was opened by H.E. Judge Mostafa El Behebity, Deputy Minister of Justice for Arbitration and International Disputes of Egypt and Head of Technical Secretariat of Ministerial Committee for Settlement of Investment Disputes, together with Mr. Angel Gutierrez Hidalgo de Quintana, First Counsellor, Head of the Economic Cooperation Section, EU Delegation to Cairo, Dr. Ismail Selim, Director, Cairo Regional Centre for International Commercial Arbitration (CRCICA), and Dr. Marie-Estelle Rey, Senior Advisor, MENA-OECD Competitiveness Programme.

Mr. Mostafa El Behebity delivered a keynote address on the role of the Ministerial Committee for Settlement of Investment Disputes as a mechanism settling disputes between Egyptian government and investors. His intervention triggered a lot of interest from the participants as the Egyptian experience to deal with the rise of investment disputes has proven to be efficient.

The **introductory panel** reviewed the **global current trends in ISDS** identifying concerns and challenges for countries. While there is a growing consensus on the need to reform the ISDS system, opinions differ as to the direction to give to this reform, with some proposing a reshaping of the entire system and other some specific improvements to the existing mechanisms. .. In particular, since 2015, the European Commission has been working to establish a Multilateral Investment Court, as the EU Delegation recalled it. The topic of dispute resolution became at the top of the political agenda of many EU countries, with the signature of international agreements. The overall objective for creating a Multilateral Investment Court is to set up a permanent body to decide investment disputes for a more transparent investment dispute system. UNCITRAL also presented its current work on a possible reform of investor-State dispute settlement. It recalled that UNCITRAL Working Group III has been entrusted with the mandate to identify concerns regarding ISDS, consider whether reform is desirable and, if so, develop relevant solutions to be recommended to UNCITRAL, and stressed the need for all countries to voice their positions and contribute to the discussion to ensure their interests are addressed. It also detailed UNCITRAL rules on transparency and presented the Mauritius Convention on Transparency. This session allowed participants to keep abreast on the latest developments at the international level and contributed to forge countries’ position on the current debate on ISDS reform.

**The roundtable in session 1** focused on **ISDS in the Mediterranean region**. The OECD recalled the significant increase of investor-State disputes worldwide since the late 1990s, mostly based on bilateral investment treaties. This tendency also concerns the Mediterranean region, though there is a great deal of variation among countries in the region, from 1 to 2 cases in some countries to 31 cases in the case of Egypt. A large number of cases is still pending, meaning that most cases are recent. The issue is therefore particularly sensitive and warrant particular attention from MED states to reverse the trends and build capacities to deal with and prevent the cases. Representatives from each country shared their concerns on these developments and explained how they are trying to address these challenges The Palestinian Authority stressed that most investor-state conflicts are settled through negotiation and mediation and do not escalate into international arbitration. The Tunisian delegation emphasised the need to set-up an independent

body to deal with and prevent investment disputes. From the Algerian perspective, the core issues are institutional coordination and the governance of investment. Morocco also insisted on the need address disputes at their very beginning. Participants also discussed the existence of regional mechanisms – such as the Arab Investment Court – and a perceived need to update such mechanisms to reduce the risks entailed, and to make the most of the resources they contain. The 1980 Arab League Unified Agreement for the Investment of Arab Capital in the Arab States, amended in 2013, will possibly be renegotiated. This could offer a ground for constructive debates leading to consensual reforms.

In a very interactive **session two**, the panellists – experts from the region and from EU countries (France and Italy) – guided participants through the **chronology of an ISDS proceeding** from the moment the dispute is notified to the host State by a foreign investor to the moment when an award is rendered. Panellists interactively alternated turns presenting issues and options on how to handle different decisions and steps that need to be taken at each point of the process. Institutional arrangements to defend a case, including internal coordination network (between ministries, State attorneys, and consultants) that must be put up when claims arrive, investor counsel, choice of arbitration institution and appointing authority, appointment of the arbitral tribunal, the arbitration procedure (including transparency in ISDS proceedings) and the arbitral award were discussed. Due to extensive participation and subject matter, the session was extended on the following day.

Throughout the day's sessions, a number of participants referenced alternatives taken by some countries in their investment policy (e.g. South Africa, Brazil). Some expressed concerns based on a perception that they are operating within a system that is skewed to protect the investor with prejudices to the State and public interests. Participants further indicated that some awards should be subject to judicial review, underlining that the absence of a possibility of appeal is a concern.

**Session three** focused on mechanisms for **dispute prevention**. Panellists presented case studies from Mediterranean countries and other countries "good practices". The session included presentation of the Egyptian experience of mediation through the Center of Investment Disputes of the General Authority for Investment and Free Zones (GAFI). A representative from Algeria also shared her country's practices and concerns. Discussions stressed the importance of adjusting policies to the needs and existing mechanisms within each country (no one-size-fits-all); building awareness and channels of communication for all concerned entities (central and sectoral ministries, agencies, regional/sub-national entities); mapping and monitoring obstacles; and establishing institutional coordination mechanisms to identify and solve disputes at an early stage.

**Session four** took the form of **practical exercises** tutored by the experts. Three groups were formed according to participants' stated interest in the proposed subjects: drafting of dispute settlement clauses; institutional coordination for dispute management; and dispute prevention.

In the group dedicated to the drafting of dispute settlement clauses, discussion was based on the examples of two bilateral investment treaties (the new Netherlands model BIT and the 1971 Malaysia/Netherlands BIT), highlighting old practices and new mechanisms based on countries' experiences and global trends.

In the group on dispute management, participants exchanged on how organising efficient internal coordination mechanisms. The main issues reported by participants are the multiplication of ministries and institutions involved in investment disputes and the difficulties for gathering information, though some countries have put in place some specific institutions in charge of coordinating these issues, such as the Judiciary Agency (Agence judiciaire du Royaume) in Morocco and the Chief of State litigation in Tunisia. Participants pointed out the need to have one focal point in charge notably to coordinate with various ministries and institutions and to liaise with external counsels.

In the dispute prevention group, participants explained the mechanisms currently available within their jurisdiction and institutions. There is a large variety of practices within the region with countries such as Egypt and Algeria having extensive institutionalisation and others relying on their investment promotion agencies. The group discussed inter alia the role of mediation, the importance of an independent body able to coordinate within the government at all levels and amongst all agencies directly or indirectly involved with investment policy, and the need to improve provisions in investment contracts. Participants showed strong interest in other countries experiences, notably Korea, Colombia, Peru and Brazil.

Participants expressed their appreciation of these practical exercises, which triggered extensive exchange of experiences and ideas.

### *Next steps*

In conclusion, a **tour de table** allowed hearing the **views and suggestions of country representatives with regard to the seminar and future activities of the EU-OECD Programme**. Participants highlighted the usefulness and timeliness of the seminar. Several mentioned that the time was insufficient to cover the topics. They appreciated being informed about global context and initiatives and to be trained on specific and technical issues. They valued the open debates, the opportunity to engage into in-depth discussions, and the practical exercises.

**Libya** asked for more reflection on the weak and strong points of arbitration and on investment protection vs. State interests – an arbitral tribunal recently ordered Libya to pay USD 900 million for “lost profits resulting from real and certain lost opportunities”, one of the highest amounts in ISDS history (see the background paper). **Morocco** called for support on investment prevention as the Moroccan administration is willing to implement new practices. **Jordan** asked for wider capacity building on arbitration. **Egypt** also requested to deepen the issue of dispute prevention and to be kept abreast on global developments, notably the EU initiative on the Multilateral Investment Court – Egypt is an observer to the UNCITRAL Working group on ISDS reforms and intervenes on behalf of the G77. **Tunisia** is interested into more training sessions on international arbitration, ICSID and internal institutional organisation, and requested wider debate on the social dimension of investment (vs. protection), the perspective of the creation of an international investment arbitration court and electronic arbitration. **Algeria** suggested a training course on the negotiations and drafting of international investment agreements based on best practices.

# **Annex 1: Agenda**

# **REGIONAL SEMINAR**

## **Investment dispute management and prevention**

**26-27 June 2018**

**Cairo, Egypt**

**In cooperation with and hosted by:**

**The Cairo Regional Centre for International Commercial Arbitration  
(CRCICA)**



## **Agenda**

## ■ Context

**The EU-OECD Programme on Promoting Investment in the Mediterranean**, launched in October 2016 in Tunis, aims at supporting Southern Mediterranean countries in implementing sound and attractive investment policies and establishing effective institutions. Its goal is to help the region attract quality investments, create job opportunities and foster local development, economic diversification and stability.

The Programme is governed by an Advisory Group, co-chaired by the European Commission and the OECD, with the participation of representatives of beneficiary countries, the Secretariat of the Union for the Mediterranean and other regional partners.

## ■ Objectives

The objective of this seminar is to build capacities of participating government representatives to deal with and to prevent disputes between foreign investors and the State. The seminar will take stock of investor-State dispute settlement (ISDS) trends and challenges in the Mediterranean region and review related provisions in national laws and international investment agreements, against global developments. A session on the main steps of the dispute settlement process will be conducted with practitioners, followed by a peer-learning session on the establishment of policies and mechanisms for the prevention of investment disputes, to avoid escalation into judicial or arbitration cases, building upon countries' experiences.

## ■ Participants

Participants are government officials – policy makers and legal experts – involved in the management and prevention of investment disputes from the Ministry of Investment, the Ministry of Justice, and other relevant Ministries and agencies, including investment promotion agencies. Peers from EU countries, international legal experts and representatives of the private sector will also participate.

## ■ Background paper

**Draft paper on “Stocktaking of investment dispute management and prevention in the Mediterranean region”**, with a focus on global and regional trends, legal provisions, management and prevention.

## ■ Venue

**The Cairo Regional Centre for International Commercial Arbitration, CRCICA**

1 Al Saleh Ayoub St. Zamalek 11211

Cairo, Egypt



## Tuesday 26 June 2018

08:30-09:00 Welcoming and registration

### 09:00-09:30 Opening session

- **H.E. Judge Mostafa El Behebity**, Deputy Minister of Justice for Arbitration and International Disputes, Head of Technical Secretariat of Ministerial Committee for Settlement of Investment Disputes, Egypt
- **Mr. Angel Gutierrez Hidalgo de Quintana**, First Counsellor, Head of the Economic Cooperation Section, EU Delegation to Cairo
- **Dr. Ismail Selim**, Director, Cairo Regional Centre for International Commercial Arbitration (CRCICA)
- **Dr. Marie-Estelle Rey**, Senior Advisor, MENA-OECD Competitiveness Programme, OECD

09:30-10:00

### Keynote address: The Role of the Ministerial Committee for Settlement of Investment Disputes as a mechanism settling disputes between Egyptian government & investors

- **H.E. Judge Mostafa El Behebity**, Deputy Minister of Justice for Arbitration and International Disputes, Head of Technical Secretariat of Ministerial Committee for Settlement of Investment Disputes, Egypt

10:00-11:00

### Introduction: International investment dispute settlement at the global level – trends and challenges

*International investment disputes are on the rise and Investor-State Dispute Settlement (ISDS) mechanisms raise concerns and challenges for countries. Recurring concerns involve – among others – inappropriate interference with policy choices of host states, lack of trust in the impartiality and independence of the system, and increasing costs for the resolution of investment disputes. At the same time, investment treaties and ISDS can make an important contribution to the confidence of treaty-covered investors. In this context, in parallel to negotiations of international trade and investment agreements, debates on ISDS and how it could be improved or reformed are being pursued at the national, regional and international levels. This session will provide an overview of these debates and the issues at stake.*

Moderator: **Dr. Ismail Selim**, Director, Cairo Regional Centre for International Commercial Arbitration, CRCICA

- ▶ Trends, risks and challenges of ISDS
  - **Dr. Mohamed Abdel Wahab**, Founding Partner & Head of International Arbitration, Chair, Private International Law and

Professor of Dispute Resolution, Cairo University

- ▶ Recent trends in the global debate on ISDS
  - **Ms. Klara Kanska**, Head of Section for Trade, Science and Enterprise, EU Delegation to Egypt
  - **Mr. Benjamin Herisset**, Associate Expert, International Trade Law Division, UNCITRAL
  - **Ms Tihana Bule**, Economist / Policy Analyst, Responsible Business Conduct, Investment Division, OECD

11:00-11:30 **Coffee break** (group picture)

**Session 1: Round table on investment dispute in the Mediterranean region - trends and impact**

11:30-13:00 *This session will focus on ISDS in the Mediterranean countries. After an introduction on the recent trends and the legal investment commitments in domestic law, international investment agreements and state contracts, participants will discuss ISDS trends and implications for their countries.*

Moderator: **Dr. Mohamed Abdel Wahab**, Founding Partner & Head of International Arbitration, Chair, Private International Law and Professor of Dispute Resolution, Cairo University

- ▶ Introduction: ISDS trends in the Mediterranean region and legal sources
  - **Ms. Diane Pallez**, Policy Analyst, MENA-OECD Competitiveness Programme
- ▶ Countries' presentation on ISDS trends and challenges:

Each country delegation will be invited to briefly respond to the below questions:

- What are the ISDS trends in your country (number of cases, sectors, contract- or treaty-based?)
- How did your country manage the cases? What are the institutions in charge of dealing with ISDS cases?
- Do you think ISDS cases affect your country as an investment destination?
- Do you think Bilateral Investment Treaties (BITs) are important? What are the most important provisions in your country's BITs?
- What lessons has your country learned from ISDS cases?

13:00-14:00 **Lunch break**

## Session 2: Main steps in investment dispute settlement process

14:00-17:00

*Investment dispute resolution provisions in domestic law, contracts and treaties usually state a preference for amicable settlements, and provide that such efforts are a precondition to the commencement of a claim. This session will review the different steps of the dispute settlement process, and discuss lessons learnt based on ISDS cases in the Mediterranean region over the last decade.*

- **Moderator: Ms. Diana Ruiz Truque**, OECD Legal Consultant
  - **Ms. Claudia Pharaon**, Associate, Obeid Law Firm, Beirut
  - **Ms. Laurie Achtouk-Spivak**, Cleary Gottlieb Steen & Hamilton LLP
  - **Mr. Filippo Fontanelli**, Senior Lecturer, School of Law, University of Edinburgh, member of the support team to the Italian Ministry of Foreign Affairs for ECT-based arbitration

### Chronology of a case

- ▶ Amicable settlement (consultation, negotiation, mediation) and cooling-off period
- ▶ "Fork-in-the-road" provision - The one-way choice for an investor between local court, domestic or international arbitration
- ▶ Managing investment arbitration cases: institutional arrangements to defend a case, including internal coordination mechanisms, investor counsel, choice of arbitration institution and appointing authority, appointment of the arbitral tribunal, the arbitration procedure (including transparency in ISDS proceedings) and the arbitral award.

Wednesday 27 June 2018

## Session 3: Effective investment dispute prevention policies – good practices and experiences from other countries

09:30-11:30

*This session aims at sensitising the audience to the establishment and use of dispute prevention policies. Practices and experiences from Mediterranean and other countries will be shared before discussing options for dispute prevention mechanisms.*

**Moderator: Ms. Hélène François**, Legal Advisor, Investment Division, OECD

- ▶ Introduction: the policy framework for dispute prevention policies
  - **Dr. Marie-Estelle Rey**, Senior Advisor, MENA-OECD Competitiveness Programme, OECD
- ▶ Experience of other dispute prevention mechanisms
  - **Ms Tihana Bule**, Economist / Policy Analyst, Responsible Business Conduct, Investment Division, OECD

- ▶ Cases studies from Mediterranean countries, other countries and “good practices”: the experience of Egypt and Algeria
  - **Dr. Eman Mansour**, Director of the Center of investment disputes, GAFI, Egypt
  - **Ms. Fatma Zohra Touati**, Directrice Centrale, Banque d’Algérie, Doctorante en droit international des affaires, Institut Supérieur de Gestion et de Planification

11:30-12:15

**Light lunch**

12:15-14:45

**Session 4: Practical exercises in groups**

*This session will allow participants to take part in practical exercises in groups according to their expertise and institutional affiliation.*

Group discussions tutored by key experts on:

- ▶ Drafting of ISDS provisions  
Experts:
  - **Ms. Claudia Pharaon**, Associate, Obeid Law Firm, Beirut
  - **Mr. Filippo Fontanelli**, Senior Lecturer, School of Law, University of Edinburgh, member of the support team to the Italian Ministry of Foreign Affairs for ECT-based arbitration
  
- ▶ Organising internal ISDS coordination mechanisms  
Expert:
  - **Ms. Laurie Achtouk-Spivak**, Cleary Gottlieb Steen & Hamilton LLP
  
- ▶ Setting up dispute prevention mechanisms  
Expert:
  - **Ms. Diana Ruiz Truque**, OECD Legal Consultant

Results of the group work and key-take aways

14:45-15:00

**Conclusions – Wrap up and way forward**

- EU
- OECD

## Annex 2: List of participants

MENA COUNTRIES				
ALGERIA				
M.	Mohamed	BAKIR	Secrétaire des affaires étrangères	Direction des Relations Économiques et de la Coopération Internationale, Ministère des Affaires Étrangères
M.	Abdelhafid	CHARIF	Chef de bureau	Direction de la Promotion et du Soutien aux Échanges Économique, Ministère des Affaires Étrangères
M.	Ahmed	BERRICHI	Chef Division IDE et Grands projets, Directeur d'Études	Agence Nationale de Développement de l'Investissement (ANDI)
Ms.	Naima	KARA	Directrice d'Études	Direction Générale de la promotion de l'Investissement Ministère de l'Industrie et des Mines
Ms.	Nora	AISSSANI	Présidente de la Chambre commerciale/maritime	Cour d'Alger Ministère de la justice
Our d'Alger, Ministère	Fatma Zohra	TOUATI	Directrice de département Doctorante en droit international des affaires	Banque Centrale Institut supérieur de gestion et de planification d'Alger
EGYPT				
M.	Moustafa	EL BAHABITY	Deputy Minister of Justice for Arbitration and International Disputes and Head of Technical Secretariat of Ministerial Committee for Settlement of Investment Disputes	Ministry of Justice

Dr. (Ms.)	Eman	MANSOUR	Director of the Center of investment disputes	General Authority for Investment & Free Zones (GAFI)
Dr.	Sherif	EID	Senior Lawyer – Mediation center	General Authority for Investment & Free Zones (GAFI)
Dr.	Amr	HEDAR	IAs specialist	General Authority for Investment & Free Zones (GAFI)
Mr.	Moataz	AHMED HUSSAIN	Senior International Investment Agreements Specialist	General Authority for Investment & Free Zones (GAFI)
Mr.	Ziad	HISHAM	Legal researcher	General Authority for Investment & Free Zones (GAFI)
Counsellor	Wael	SHERIF	Member of the Investment dispute settlement committee	General Authority for Investment & Free Zones (GAFI)
Counsellor	Mahmoud Abdellatif	BADR	Member of the Investment dispute settlement committee	General Authority for Investment & Free Zones (GAFI)
Counsellor	Ahmed Taher	SHETA	Member of the Investment dispute settlement committee	General Authority for Investment & Free Zones (GAFI)
Counsellor	Mohamed Ahmed	MOSTAFA	Member of the Investment dispute settlement committee	General Authority for Investment & Free Zones (GAFI)
Counsellor	Hazem Samir	AL HALAWANY	Member of the Investment dispute settlement committee	General Authority for Investment & Free Zones (GAFI)
Ms.	Fatma	SAFWAT	Member of the Investment dispute settlement committee	General Authority for Investment & Free Zones (GAFI)
M.	Omar	EL BAZ		Ministry of Foreign Affairs
Ms.	Nadine	MOURAD	Counsellor Head of Egyptian Economy Unit	Ministry of Foreign Affairs

Ms.	Rana Ayman Salah El Din Helmy.	EL DIN HELMY	Counselor, Ministerial committee for settlement of investment disputes	Ministry of Justice
M.	Moustafa Ahmed	FARRAG HUSSEIN	Counselor, Ministerial committee for settlement of investment disputes	Ministry of Justice
M.	Ahmed	RADY	Member of the Technical Bureau, Ministerial Committee for the settlement of investment contract disputes	Ministry of Justice
M.	Mohamed Adel	SHOEIB ALI.	Counselor, Ministerial committee for settlement of investment disputes	Ministry of Justice
M.	Mahmoud	EL-KHAMRY	Judge	Egyptian State Council
Ms.	Yasmine	ELDEMERY	Legal Researcher	Ministry of Investment & International Cooperation
Dr.	Ashraf	MEGAHED	General manager	Ministry of Education
M.	Ahmed	GOWAYED	Legal Deputy General Manager	Ministry of Petroleum
M.	Amr	ARAFA	State Counselor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
Ms.	Sarah	ABULKASSEM	State Counselor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
Ms.	Salma	EL ALILY	Counselor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
Ms.	Yousria	EL GAMAL	Counsellor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
M.	Ahmad	FARAHAT	Government solicitor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)

Ms.	Leila	KASSEM	Counselor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
M.	Mohamed	KHALAF	Counselor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
Ms.	Fatima	KHALIFA	Counselor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
Coun.	Nada	MORSY ELZAHAR	Counselor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
Coun.	Mohamed	NEGM	State Counselor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
M.	Ahmed	SAYED ABD EL RAHAM	Counselor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
Ms.	Yasmine	SHAMEKH	Counselor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
Ms.	Yasmin	SHAMEKH	Counselor	Egyptian State Law Suits Authority (ESLA) - (Foreign Disputes Department)
M.	Mahmoud	ALKHOULY	Attorneys at law	General Authority for the Suez Canal Economic Zone
M.	Ibrahim	BADWI	Manager for Legal Affairs	General Authority for the Suez Canal Economic Zone
M.	Ahmed	ELGENDY	General Manager Assistance for Legal Affairs	General Authority for the Suez Canal Economic Zone
Ms.	Amani	ESSAWI	International Relations Advisor	General Authority for the Suez Canal Economic Zone
M.	Alaa	KOTB	State Council Member	General Authority for the Suez Canal Economic Zone
M.	Esam El-Din	MOHAMED	Legal affairs general manager	General Authority for the Suez Canal Economic Zone



M.	Hassan	MOHAMMED	Attorneys at law	General Authority for the Suez Canal Economic Zone
M.	Mahmoud	BADRAN	Judge and a Former Deputy Attorney-General	Commercial and Financial Affairs Prosecution office
Judge	Shaza	BARAKAT	Administrative prosecutor	Administrative Prosecution Authority
Coun.	Salma	EL ALAILY	Counselor	Egyptian State Lawsuits Authority
M.	Mahmoud	HUSSEIN	Judge at the Egyptian Council of State	Egyptian Council of State
M.	Abdelmohsen	SHEHA	Pre-trial judge	Egyptian Council of State
Ms.	Sarah	YOUNIS	Department Head	
Ms.	Eman	EMAM MOSTAFA		

#### JORDAN

H.E.	Fawaz Fahd	AL GHRAIR	Judge in Amman Court of First Instance	Ministry of Justice
H.E.	Haitham Ali	AL KHAWALDEH	Judge in Amman Court of First Instance	Ministry of Justice
H.E.	Muhannad Zayed	ABU QAMAR	Judge in Amman Court of First Instance	Ministry of Justice
M.	Nidal	DABBAS	Head of International Cooperation Section	Jordan Investment Commission (JIC)
Dr.	Ghazi	AL ADWAN	Head of Contracts and Agreements Section	Jordan Investment Commission (JIC)

#### LEBANON

M.	Mohamad	ABOU HAIDAR	Consumer Protection Coordinator	Ministry of Economy and Trade
M.	Jean	EL BOUSTANY	Trade Information Specialist	Ministry of Economy and Trade
M.	Nabil	ITANI	Chairman	Investment Development Authority of Lebanon (IDAL)

<b>LIBYA</b>				
M.	Essam Yusaf Khlifa	ZAHAF	Director of International Cooperation Department	Libyan Privatization And Investment Board
M.	Hashem Mohamed Ali	ALZAWI	Director of investment Dept and head of Libyan committee Investment disputes	
M.	Yousuf Mohammed Abdulmuhsin	ALHRASH	Economic consultant	Libya Investment and Privatisation Board
M.	Salah	ALWIRFILI	Head of the follow-up department	Libya Investment and Privatisation Board

<b>MOROCCO</b>				
M.	Abdou	EL AZIZI	Chef de Service	Direction du Trésor et des Finances Extérieures - Ministère de l'Economie et des Finances.
M.	Youness	LAZRAK HASSOUNI	Chef de service des Etudes et de l'Ingénierie Juridique	Agence Judiciaire du Royaume - Ministère de l'Economie et des Finances.
Ms.	Mariam	BOUALILA		Agence marocaine de développement des investissements et exportations (AMDIE)
M.	Hassane	EL YAHIAOUI	Magisrat	Cour d'Appel administrative de Rabat

<b>PALESTINIAN AUTHORITY</b>				
Ms	Hilda	ALSHIKH (SHEIKH)	Legal Assistant	Palestinian Investment Promotion Agency (PIPA)
M.	Kmail	ALAAEDDIN	Legal Advisor	Council of Ministers, Cabinet Secretariat

M.	Ahmad	ABUALRUB	Legal Assistant	Council of Ministers, Cabinet Secretariat
Ms.	Suzan	HAMDAN	Legal Researcher, Department of Legislation	Council of Ministers, Cabinet Secretariat

<b>TUNISIA</b>				
Ms.	Yousra	KAMMOUN	Sous-directeur à la Direction Générale des grands projets	Ministère du développement de l'investissement et de la coopération internationale
M.	Kamel	AYARI	Conseiller juridique du Ministre	Ministère du développement, de l'investissement et de la cooperation international

<b>OECD COUNTRIES</b>				
<b>ITALY</b>				
Mr	Filippo	FONTANELLI	Consultant - Professor	Italian legal team in international investment arbitration
<b>SPAIN</b>				
Ms	Susana	CASTRO ACUNA	Commercial Attaché	Embassy of Spain in Cairo
<b>SWEDEN</b>				
Mr.	Ahmed	ISMAIL	Second Secretary – Political, Economic and Cultural Affairs	Embassy of Sweden in Cairo
<b>GREECE</b>				
Mr	Panteleimon	GASSIOS	Counsellor, Economics & Commercial Affairs	Embassy of Greece in Cairo
<b>FINLAND</b>				
Mr	Yasser	SHAWKY	Commercial Advisor	Embassy of Finland in Cairo

**REPUBLIC OF LITHUANIA**

Dr.	Rimvydas	KRIUKELIS	Deputy Head of Mission	Embassy of the Republic of Lithuania in Cairo
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**INTERNATIONAL ORGANISATIONS****EUROPEAN UNION**

Mr	Angel	GUTIERREZ-HIDALGO	First Counsellor, Head of the Economic Cooperation Section	EU Delegation in Cairo
Ms.	Klara	KANSKA	Head of Section for Trade, Science and Enterprise	EU Delegation in Cairo

**UNCITRAL**

M.	Benjamin	HERRISET	Associate Expert International Trade Law Division	UNCITRAL
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**CRCICA**

M.	Ismail	SELIM	Director	Cairo Regional Centre for International Commercial Arbitration (CRCICA)
Ms.	Rania	ABDEL HAMID	Senior PR officer & PA to the Chairman of the Board of Trustees	Cairo Regional Centre for International Commercial Arbitration (CRCICA)
Ms.	Wissam	ELMOLLA	Manager	Cairo Regional Centre for International Commercial Arbitration (CRCICA)
M.	George	GHALI	Case Manager and Legal Researcher	Cairo Regional Centre for International Commercial Arbitration (CRCICA)

## PRIVATE SECTOR

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Ms.	Elshaimaa	ABOSHANAB	Director of Claims Unit for Arab Contractors	Arab Contractors Othman Ahmed Osman
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M.	El Sayed Ibrahim Ahmed	TORKY	Senior Concellor	Federation of Egyptian Industries, Egypt
Ms.	Nourhan	ABDELHADY	Associate	Emedia Technologies, Egypt
Ms.	Amani	KHALIFA	Principal	Khalifa & Associates
M.	Sameh	ABDELSAMAD	Lawyer	Sameh Abdelsamad attorneys at law, Egypt
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M.	Nabil	AHMED HASSAN	خبير هندسي و محكم دولي	وزارة العدل و المحاكم الاتحادية بالامارات العربية
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M.	Mahmoud	ELADL	Lawyer	Eladl Law Firm, Egypt
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Ms.	Bassant	GABR	Cairo international film festival	Private Sector
Ms.	Rana	ELHELBAWI	White and Case law firm	Private Sector
Mr.	Abdelrehman	MAHDY	Badran law firm	Private Sector
Mr.	Charles	FELIX	IDAI - Badran Law Office in Cairo	Private Sector
Mr.	Alaa	ELGOHARY	Lawyer	Private Sector
Mr.	Ali	ELGENDY	Prof.Dr/Ahmed Saad	Private Lawfirm
Mr.	Ibrahim	BALWAN	Alexandria, Egypt	Private Sector
Mr.	Wael	KHALIFA	UECC	Private Sector
Mr.	Ibrahim	SHEHATA	Shehata & Partners	Private Sector
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Ms.	Nada	NASHAT	Law frim	Private Sector
Mr.	Esmail	ESMAIEL	شركة الصافي للإستيراد والتصدير والتوكيلات التجارية ش.م.م	Private Sector
Coun.	Khaled	EL KADY		Private Sector

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Eng.	Mohamed	SALAMA	Area manager	ECG, Egypt
M.	Mostafa	SHEHATA	Junior Associate	Levari LLP in association with Pitmans LLP, Egypt
Eng.	Gamal El-Din	TAHER	Chairman	Consulting office, Egypt
M.	Alaa	A KHATER	Cost Control Manager	ACE Project Management, Egypt
M.	Ambassador Mohamed Moustafa	KAMAL	Ambassador former assistant minister of Foreign Affairs and Attorney at Law	Own Law office
Eng.	Eman	ELMASRY	Manager of Contracting Department	The Arab Contractors O.A.O & Co.
<b>FRANCE</b>				
Ms.	Laurie	ACHTOUK-SPIVAK	Counsel	Cleary Gottlieb Steen & Hamilton LLP, France
<b>JORDAN</b>				
M.	Osama	ALBITAR	Head Of Regional Office of AFPIPR	Amman and United Arab Emirates, Jordan

LEBANON				
Ms.	Claudia	PHARAON	Associate	Obeid Law Firm
M.	André	NADER	Partner	Nader Law Office
MOROCCO				
M.	Mohamed	ELAOUAD	Juge arbitre international	

ACADEMIA				
M.	Ahmed	ABBAS	Student	Cairo University, Egypt
Eng.	Ahmad	ABO AL DAHAB	Construction engineer	Arab Academy for science, technology and maritime transport, Egypt
Ms.	Amal	AHMED AWED	باحث دكتوراه - كلية الحقوق - جامعة عين شمس - رئيس وحدة تكنولوجيا المعلومات - سكرتير وحدة ضمان الجودة	كلية التربية الفنية - جامعة حلوان
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M.	Bassel	AMER	Student at Faculty of Law- English Section	Cairo University, Egypt
Prof.	Mohamed	AMR	Prof. and Chair of International Law Dept.	Cairo, Egypt
Dr.	Hanan	BAHNASAWY	Lecturer of Commercial law	Beni-Suef University, Egypt
Ms.	Camille	CHARAF	Student	Institut de droit des affaires internationales - Cairo University, Egypt
M.	Ahmed	DRWISH	Teaching Assistant at Faculty of Law & Attorney at Law	Beni-Suef University & Badran Law Office, Egypt
Dr.	Ahmed	EL SHAHAWY	Doctor	Murdoch university, Egypt
M.	Youssef	EL WELILY	Student	Cairo University, Egypt



M.	Abdelrahman	EL-AZAZY	law student	Sheikh Zayed, Egypt
Ms.	Omnia	GADALLA	lecturer	Arab Academy, Egypt
Ms.	Passant	GHORAB	Student	Faculty of Law Cairo University English Section, Egypt
M.	Mohamed	HASSAN	Teaching Assistant	The American university in Cairo, Egypt
Ms.	Farida	HASSIB	College Student	Cairo, Egypt
M.	Loai	HUSSEIN	Student	Cairo University, Egypt
Dr.	Hoda	NOUR	University member	Helwan University, Egypt
Ms.	Gehad	TANTAWY	Student	Cairo University, Egypt
Ms.	Ro'ya	YAAKOUB	Student	Cairo University, Egypt
M.	Hesham	OMAR	Legal Intern	Khalifa Associates, Egypt
M.	Ahmed	RAGAAY	student	Cairo University, Egypt
Ms.	Mariam	GALAL	Student	IDAI - Cairo University, Egypt
Ms.	Marihane	WAFIK ABOU ELFETOUH	Student	Faculty of Law Cairo university, Egypt
Ms.	Nadine	EL KHESHEN	Student	Cairo University, Egypt
Ms.	Yasmine	ABDELWAHAB		Joined Internship program at Baker&McKenzie, Matouk Bassiouny, Shalakany, Egypt
Ms.	Habiba	THABET	Student	Badran Law Firm, Egypt
M.	Nour	SAADALDIN	Student	Egypt
M.	Mohamed	YACI	Student in law at Sorbonne University	IDAI, Djibouti
Ms.	Dana	OMARY	Student	Unversity, Palestinian Authority

OECD				
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Ms.	Diane	PALLEZ	Policy Analyst	Global Relations Secretariat
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Ms.	Diana	RUIZ TRUQUE	Legal Consultant	
Ms.	Nadia	KAMELEDDINE	Project Assistant	Global Relations Secretariat
Ms	Anne	GIMENEZ	Communication Officer	Global Relations Secretariat

## **Annex 3:**

# **Presentations, pictures and communication**

**Please click on this link to access the presentations**

[ftp://rasgulla:Utp2aOECDd!@ftp.oecd.org/Regional\\_Seminar%20Cairo\\_26-27\\_June\\_2018](ftp://rasgulla:Utp2aOECDd!@ftp.oecd.org/Regional_Seminar%20Cairo_26-27_June_2018)

**Please click on this link to access the photo album**

<https://flic.kr/s/aHskDXNMf3>

**Please click on this link to access the tweets**

<https://twitter.com/hashtag/InvMed?src=hash>

## Annex 4: Speaker Biographies

**H.E. Judge Mostafa El Behebity**, Deputy Minister of Justice for Arbitration and International Disputes, Head of Technical Secretariat of Ministerial Committee for Settlement of Investment Disputes, Egypt.



Judge El Behebity is currently Deputy Minister of Justice for Arbitration and International Disputes, as well as Head of the Technical Secretariat in both, the High Committee for International Arbitration and the Ministerial Committee for Settlement of Investment Contract's Disputes in Egypt. He is a Court Member of the International Court of Arbitration at the International Chamber of Commerce since 2005 on behalf Egypt. Judge El Behebity succeeded in the settlement of many international arbitration disputes on behalf of the Egyptian government, in addition to representing Egypt in cases held before ICSID. He presided and was member at numerous arbitration panels in private arbitration disputes. Mr. El Behebity conducted a lot of research and attended many courses and conferences in the field of arbitration. He started his career as a public prosecutor, was promoted as Chief Prosecutor at the Supreme Public Assets Prosecution, then moved to the judiciary and worked as Judge at the Court of First Instance until he became a Chief Justice at the Court of Appeals. Judge El Behebity holds a post-graduate degree in public law, economic and finance from Ain Shams University.

**Dr. Ismail Selim**, Director of the Cairo Regional Centre for International Commercial Arbitration

Dr. Ismail Selim is the Director of the CRCICA and Secretary Treasurer of the International Federation of Commercial Arbitration Institutions (IFCAI). He graduated from Cairo University in 1997 with an LL.B., where he also obtained an LL.M in International Business Law from the IDAI in 1999. He then earned his Master's degree in Public Administration from ENA (Paris, 2001). He also earned a Certificate in International Commercial Arbitration from Queen Mary University of London in 2005. After an internship at the ICC Court of International Arbitration, he earned his PhD from Burgundy University (France, 2009). Dr. Selim started his carrier at the judiciary, until he joined Zulficar & Partners as Senior Associate in 2009 until 2012, then promoted to Partner and leading member of the International Arbitration Group from 2013 to 2015. Dr. Selim then joined Nour & Selim in association with Al Tamimi & Company as Partner and Head of Dispute Resolution. Dr. Selim teaches Private International Law at the IDAI since 2011 and has taught Arbitration Law and Private International Law in several universities in Egypt. He also teaches Comparative International Arbitration Law at the Sorbonne University Middle East Laws LLM in Paris since 2018 and is a full approved tutor in CIArb Approved Faculty List. He is constantly appointed as Presiding arbitrator, Sole Arbitrator and Co-Arbitrator and has acted as a Counsel in various ad hoc and institutional cases under various rules such as CRCICA, Swiss Rules, UNCITRAL, the ICC and the DIFC-LCIA. Dr. Selim provides expert opinions on Egyptian and Libyan



laws in international proceedings. He is enrolled on the Court of Arbitration for Sport (CAS) panel of arbitrators and Board Member of Francarbi. Dr. Selim was recognised as “Leading Individual” by Legal 500 and has published several articles in Egyptian and International journals and regularly speaks in international conferences in the field of arbitration and investment.

**Dr. Marie-Estelle Rey**, Senior Advisor, MENA-OECD Competitiveness Programme, Global Relations, OECD

Marie-Estelle Rey is Senior Advisor in the Organisation for Economic Co-operation and Development in Paris. She joined the OECD in 1999 and has been working for the MENA (Middle East and North Africa) OECD Competitiveness Programme in the Global Relations Secretariat where she coordinates research and policy dialogue on investment and trade policies and contributes to the strategic management of the Programme. She has also been Senior Policy Analyst in the OECD Investment Division. Previously, she worked in the United Nations Conference on Trade and Development (UNCTAD) in Geneva as a Legal Expert in the Division on Investment and a project officer in the UNCTAD’s SME programme (Empretec). She holds a PhD in public law on WTO from the Université René Descartes (Paris V) France and graduated in international relations and development law.



**Dr. Mohamed Abdel Wahab**, Founding Partner & Head of International Arbitration, Chair, Private International Law and Professor of Dispute Resolution, Cairo University

Dr. Mohamed Abdel Wahab is Chair of private international law and professor of international arbitration at Cairo University; Founding Partner and Head of International Arbitration at Zulficar & Partners Law Firm; Vice President of the ICC International Court of Arbitration; Member of LCIA Court of Arbitration, Member of the CIMAC Court of Arbitration, Member of the CRCICA Advisory Committee, Member of CI Arb’s Board of Management and Practice and Standards Committee, President of the CI Arb’s Egypt Branch, Member of the Advisory Council Africa Arbitration and features on I-ARB Africa’s 100 Arbitrators. He served as ‘Sole Arbitrator’, ‘Presiding Arbitrator’, ‘Party Appointed Arbitrator’, or ‘Counsel’ in more than 175 cases. Dr. Abdel Wahab features in *Who’s Who Legal: Arbitration*; *GAR Global Guide for Future Leaders in International Arbitration (2017 - 2018)*; and *Who’s Who Legal Thought Leaders: International Arbitration (2017 - 2018)*. *Who’s Who Legal (2017-2018)* says: Mohamed Abdel Wahab is “one of the best practitioners in the world today”. In 2018, Prof. Dr. Abdel Wahab received the Swiss Arbitration Association’s International Arbitration Global Advocacy Prize and in 2017 he was voted the Best Legal Practitioner in Egypt by the LAW Magazine.



**Dr. Benjamin Herisset**, Associate Expert, International Trade Law Division, UNCITRAL

Benjamin Herisset is a Legal Officer at the International Trade Law Division of the United Nations. As such, he supports the work of the United Nations Commission on International Trade Law on all investment and trade law issues. He is also actively working on promoting UNICTRAL texts in African countries and providing technical assistance in the area. Previously, Benjamin worked four years in Vietnam, first in the judicial and legal cooperation office of the French Embassy in Hanoi, then as a lawyer in an international law firm in Ho Chi Minh City. Those two positions allowed him to gain strong knowledge and understanding of foreign investment dynamics and the benefits enjoyed by States in building a better regulatory landscape, together with investor's needs and structuration of projects.



**Ms. Klara Kanska**, Head of Section for Trade, Sciences and Enterprise, EU Delegation to Egypt

Klara Kanska is the Head of Trade section at the EU Delegation to Egypt since 2014. Previously she was the regional trade officer for Central America at the EU Delegation in Nicaragua. She joined the European Commission in 2005, working first in the area of intellectual property rights and moving on to trade issues in 2009. She holds a Ph.D. in European Law from the Faculty of Law at the University of Warsaw and LL.M from the London School of Economics.



**Ms. Tihana Bule**, Economist/Policy Analyst, Responsible Business Conduct, Investment Division, OECD

Tihana Bule is an economist and policy analyst in the OECD Investment Division, focusing on responsible business conduct (RBC). She works on cross-cutting RBC issues and strategic engagement with emerging and developing economies, including the integration of RBC in investment policy reviews. Tihana joined the OECD in 2012 and comes from the private sector. Her previous professional experience is in the technology sector, investment and trade, and intellectual property rights and patent infringement cases. She holds a Master in Law/Diplomacy from Tufts University in Boston, where she specialised in international political economy and strategic management, and a degree in mathematics from Smith College.



**Ms. Diane Pallez-Guillevic, Policy Analyst, MENA-OECD Competitiveness Programme**

Diane Pallez – Guillevic is Policy Analyst in the Middle East and Africa Division of the Global Relations Secretariat of the Organisation for Economic Co-operation and Development (OECD) in Paris, where she works on investment policy reform programmes in the Middle East and North Africa region. Prior to joining the OECD, she practiced as a lawyer for several years in international law firms, in Paris and North Africa, where she specialised in investment law and business law. She also worked at the International Finance Corporation (IFC) – The World Bank Group, in Washington DC for the Investment Across Borders Project. Diane is admitted to the Paris Bar and to the New York Bar. She graduated with an advanced Master in Business Law from the University Panthéon-Assas (Paris II) and with a LLM – Master’s degree from Georgetown Law University, Washington DC.



**Ms. Diana Ruiz Truque, OECD Legal Consultant**

Ms. Ruiz-Truque has recently worked as a consultant and legal advisor on investment policy and arbitration to international organisations and private practicing attorneys. She worked at Costa Rica’s Ministry of Foreign Trade where she collaborated in the establishment of investment policy and with the implementation of Costa Rica’s international trade commitments before the WTO and in the framework of CAFTA. Ms. Ruiz-Truque was part of Costa Rica’s negotiation team for the Association Agreement between Central America and the European Union. She later worked in private practice in Spain and as legal advisor at the Division on Investment and Enterprise at UNCTAD. With a BA from American University’s School of Public Affairs in Washington D.C. (2003); she obtained her Law degree at the University of La Salle in Costa Rica in (2008). Additionally she obtained an LLM in International Legal Practice from Madrid’s *Instituto Superior de Derecho y Economía* – ISDE (2009)



**Ms. Claudia Pharaon, Associate, Obeid Law Firm, Beirut**

Claudia Pharaon is an associate at Obeid Law Firm in Beirut, where she focuses on both investment treaty arbitration and commercial arbitration. Claudia holds a ‘Maîtrise’ from the Université Panthéon-Assas (Paris II). She also obtained a Diploma in Legal Studies from the University of Oxford, a Master in International Law and International Administration from the Université Panthéon-Sorbonne (Paris I) and an LL.M. from Harvard Law School. Claudia is qualified to practice law in the State of New York and is admitted to the roll of solicitors in England and Wales. Previously, she worked as a Research Associate at the Chartered Institute of Arbitrators in London. She also has former experience in private practice and in international organisations (the UNFCCC Secretariat and the OECD).



**Ms. Laurie Achtouk-Spivak**, Counsel, international arbitration and public international law team at Cleary Gottlieb Steen & Hamilton's Paris office.

Laurie Achtouk-Spivak is Counsel with the international arbitration and public international law team at Cleary Gottlieb Steen & Hamilton's Paris office. Ms. Achtouk-Spivak represents investors and sovereigns in investment treaty arbitrations before, inter alia, ICSID, UNCITRAL, ICC, SCC, LCIA and ad hoc tribunals. She has also represented clients in several commercial arbitrations including some involving sovereigns. She likewise advises companies on investment structuring, as well as sovereigns on model investment treaties. Ms. Achtouk-Spivak teaches a course on investment treaty arbitration at the University of Poitiers. She is a member of the Peer Review Board of the ICSID Review, an Associate Editor for TDM, and an author in the yearly investment arbitration chronicle in the Cahiers de l'arbitrage. Ms. Achtouk-Spivak is listed as a Future Leader in arbitration by *Who's Who Legal* and as a Leading Individual in arbitration *Who's Who Legal France*, commended by a WWL source for being "the best young investment arbitration lawyer in Paris."



**Mr. Filippo Fontanelli**, Senior Lecturer, School of Law, University of Edinburgh, Consultant to the Italian legal team in international investment arbitration

Dr Filippo Fontanelli is Senior Lecturer in International Economic Law at the University of Edinburgh. He previously worked in private practice and at the International Court of Justice. He serves as expert for the Council of Europe and the Scottish Parliament and is co-rapporteur of the ILA Committee on the Procedure of International Courts and Tribunals. He has been working in the legal support team of the Italian Ministry of Foreign Affairs on ECT-based investment arbitration disputes.



**Ms. H el ene Fran ois**, Legal Advisor, Investment Division, OECD



H el ene Fran ois is a Legal Advisor and Project Manager at the Directorate for Financial Affairs of the Organisation for Economic Co-operation and Development (OECD), where she works on investment policy reform programmes focusing on investment laws and treaties. She is part of the OECD Investment Policy Review Unit and contributes to various "investment for development" programmes, mostly in Middle Eastern and North African countries, but also in Southeast Asia and Sub-Saharan Africa. For the past seven years, she has worked on investment policy reviews of a dozen of Asian, Middle Eastern and African countries and has assisted numerous countries in reforming their investment legislation. Prior to joining the OECD, H el ene worked at the United Nations Secretariat and at the French Embassy to Morocco. She graduated from University Paris I La Sorbonne in Business Law and from University Paris II Panth eon- Assas in International Economic Law.



**Dr. Eman Mansour**, Director of the Center of investment disputes, GAFI, Egypt

Dr. Eman Mostafa Mansour has 26 years of practical experience in the legal and Investment fields, including, Criminal law, Commercial Law, Investment laws. She has her PhD from Cairo University, Egypt, on the Criminal Mediation with the grade (Excellent with honor). In her capacity as a Director of GAFI Investors' Dispute Settlement Center (IDSC), Dr. Mansour contributes deeply to the establishment of the Center and in drafting of its rules and regulation. IDSC is the first institutional center of mediation in Egypt. Under the auspice of the Minister of Investment, Dr. Mansour organized, with the support of the world Bank, several workshops for the Introduction of the mediation in Egypt. Dr Mansour contributes with the Ministry of Justice in the drafting process of the mediation law in Egypt. This practical experience is also supplemented by some academic research. Dr. Mansour published a book "The Art of Mediation" in addition to some articles on the Mediation and the Importance of its Confidentiality published in the Arab Arbitration Journal.



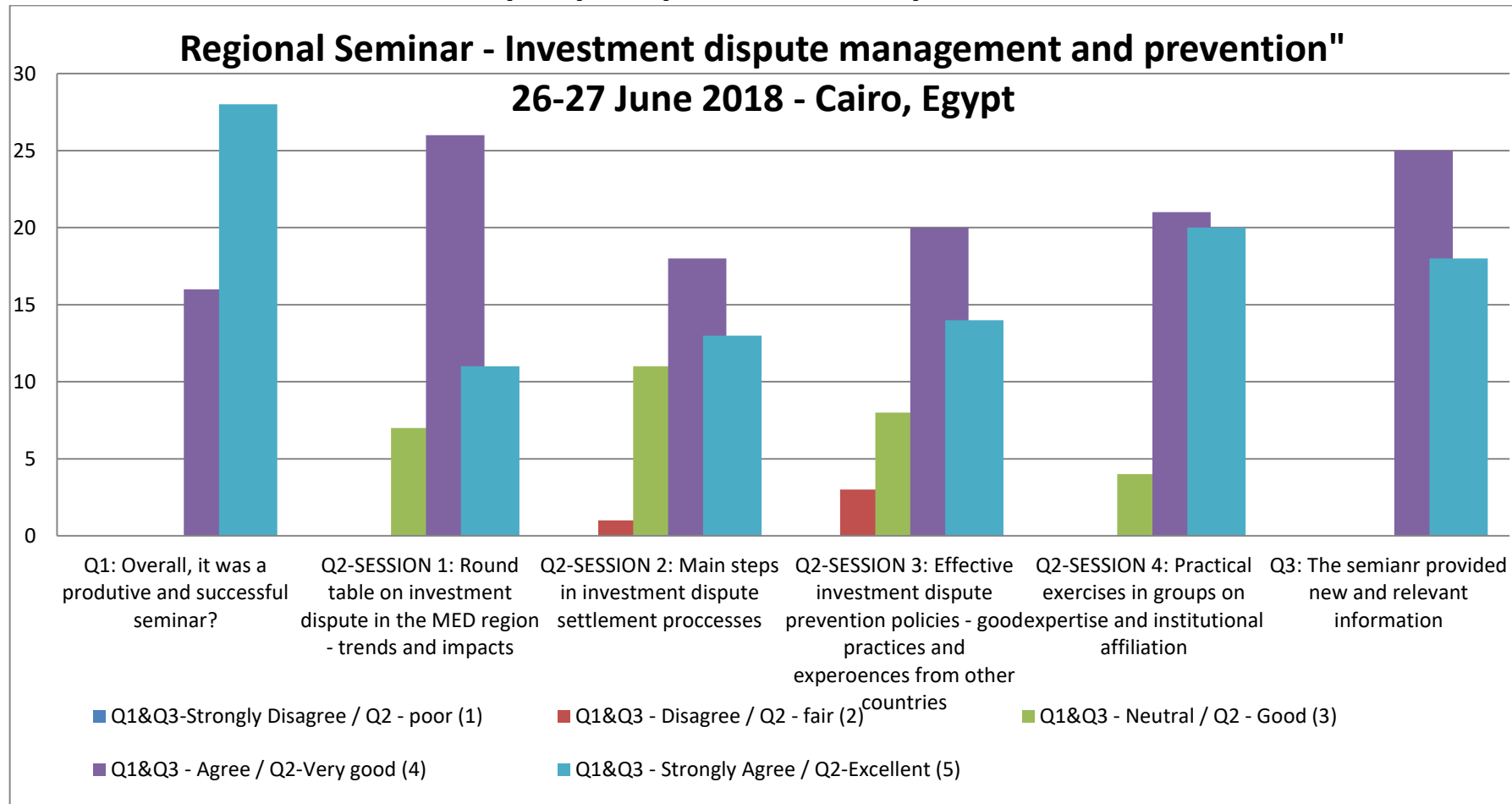
**Fatma Zohra Touati**, Central Director, PhD Candidate in International Business Law, Higher Institute of Management and Planning

As Central Director of the Bank of Algeria and former executive at the Algerian Ministry of Finance, Ms. Touati graduated from ENA in 1991. She began her career at local government level as the Head of the Government Procurement Office. With extensive experience in public procurement management, Ms. Touati worked on the prevention and management of procurement disputes, both domestic and international, and led international contract negotiation meetings. She advised on the legal risks of contracts concluded with foreign partners, and managed litigations. She was one of the pioneers initiating the implementation of market regulations of the Bank of Algeria. Currently, she is preparing a PhD in International Business Law and is writing a thesis on "Investment Protection and State Interests".



## Annex 5: Feedbacks from the Evaluation Forms

45 participants replied to the evaluation questionnaire



## Selection of relevant comments from participants

### 4. How will you apply the new information and skills acquired to your work, either now or in the future?

- Knowledge transfer: insights and new information will be shared within colleagues from the Ministries in charge of investment , other judges, European partners & student bodies
- Use new information in court awards
- Use acquired information for future academic studies
- Lobbying with government advisors to adhere to relevant agreements that encourage investment
- Take into consideration all possible national and international ways to avoid disputes
- Improve the writing of contracts clauses
- Better negotiate investment agreements

### 5. Which aspects of the Workshop did you find the most useful?

- Practical exercises
- Session on Dispute Prevention
- ISDS trends and implications
- Country comparisons

### 6. Which topics were not or insufficiently covered?

- Investment dispute prevention
- More on investment mediation
- Main steps of investment disputes, especially looking at the MED region

### 7. Other comments / topics suggestions / improvements for future workshops

#### On process:

- Limited time to cover big topic of investment disputes. Suggestion: 3-4 days seminar instead of 2 days
- Sharing of documents & notes
- Follow-up training
- Respect timing

#### On substance:

- More practical exercises not only on BITs drafting, but also for settlement agreement drafting
- More “Lessons Learnt from...” of real arbitration cases
- Extended focus on Risk Management and Assessment
- More information on current tendencies of BITs

## CONTACTS

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