

## Recent Developments in International Investment Policy – and Investor-State Arbitration cases against Uruguay, Australia & Germany

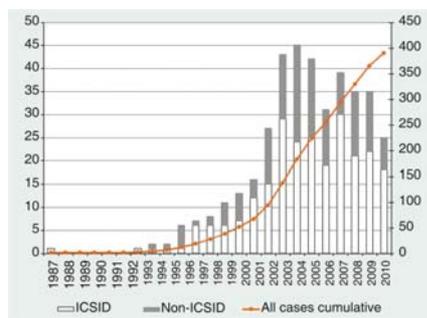
**Friday, December 16, 11:30-13:00 h**  
**Room C, Centre William Rappard (CWR), Rue de Lausanne 154**

**Speakers:** **Ms. Nathalie Bernasconi (IISD)**  
**Ms. Elisabeth Tuerk (UNCTAD)**

While the Doha Round continues to linger, between intensive care and crematorium' important trade and investment policy processes are taking place outside of the WTO. This is especially true for international investment policy. The UNCTAD World Investment Report 2011 points out, that as countries continue concluding International Investment agreements (IIAs) the policy discourse about the future orientation of the IIA regime and how to make IIAs better contribute to sustainable development is intensifying.

NGOs and social movements from around the world in November 2011 gathered in Brussels and launched a „Call for an Alternative Investment Model“. They see IIAs – such as the Bilateral Investment

Treaties (BITs) and investment chapters in Free Trade Agreements (FTAs) – as part of an „architecture of impunity for transnational corporations (TNCs)“, which undermines sovereignty and public interests in both



**Known investment treaty arbitrations, 1987-2010 (cumulative and newly instituted cases)**  
Source: UNCTAD, WIR 2011, p. 102, Figure III.3

**Trends of BITs, DTTs and “other IIAs”, 2000–2010**

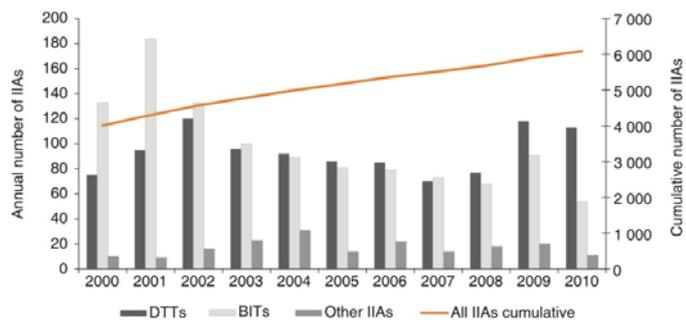


Figure III.2, WIR11, p. 100.

developed and developing countries. Of particular concern are the extraordinary rights given to TNCs in IIAs to bypass local and national legal systems by suing sovereign states before international arbitral tribunals like the International Centre for Settlement of Investment Disputes (ICSID). Recent examples of such Investor to State arbitration cases are Philipp Morris’s challenges to tobacco regulation in Uruguay and Australia as well as the possible new case of the Swedish energy corporation Vattenfall against the nuclear phase out in Germany.

This discussion will be an opportunity for NGOs, trade unions and policy makers to learn and exchange views about recent trends in international investment policy and arbitration cases. Feel free to come along, listen, learn and bring in your views and questions!