

Damages and Costs in Investment Treaty Arbitration Revisited

Mr Matthew Hodgson

Date & Time: 07 May 2018 (Monday) 19:00 – 20:30

*CPD point being applied for

Venue: Room 1501-02, 15/F Hong Kong Club Building, 3A Chater Road, Central, Hong Kong

Fee: AAIL member – HK\$100; non-member – HK\$200

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The Speakers

Matthew Hodgson is a partner at Allen & Overy, specialising in international arbitration and public international law. He is admitted to practice in England & Wales, New York and Hong Kong. Since joining Allen & Overy in 2005, he has acted in commercial arbitrations under all major arbitral rules with particular experience of joint venture disputes, post-M&A matters and disputes arising out of major energy, infrastructure and mining projects. He has also represented clients in various investment treaty proceedings worldwide under the ICSID and UNCITRAL rules. This includes successfully representing investors in claims against Sri Lanka (Deutsche Bank) and the Philippines (BDC) and representing the Governments of Azerbaijan, Krygyz Republic, Poland and Pakistan in seven disputes ranging from US\$300 million - \$11 billion. He has also advised Governments on the drafting of investment treaties and other matters of public international law.

Romesh Weeramantry is a Foreign Legal Consultant at Clifford Chance. He specialises in investment treaty disputes and international commercial arbitrations. His prior experience includes work at the Iran-United States Claims Tribunal and at the United Nations Compensation Commission, which resolved claims resulting from Iraq's invasion of Kuwait. His publications include *Treaty Interpretation in Investment Arbitration* (Oxford UP 2012); and *International Commercial Arbitration: An Asia-Pacific Perspective* (Cambridge UP 2011). He is a General Editor of the *Asian Dispute Review*, a General Arbitration Editor of the *Hong Kong White Book* and is an Adjunct Professor of Law at the University of Hong Kong. He also serves on the Editorial Board of the *ICSID Review*, and the IBA Subcommittee on Investment Treaty Arbitration.

The Talk

This talk is the second course of AAIL's 2018 series on Investment Law. Matthew Hodgson will make a presentation on his latest study concerning the practice of investment treaty arbitrations, which includes an analysis of its costs, the length of the arbitration process, success rates, the apportionment of costs by tribunals and amounts recovered. The current study interprets data from a total of 324 publicly available awards and 52 annulment decisions. It is a comprehensive update of Matthew's original 2012 study. The talk will be moderated by Romesh Weeramantry.

The Organiser

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