

ARBITRATING EXTRACTION IN THE ANTHROPOCENE

LEGAL, ETHICAL AND POLITICAL CHALLENGES

PUBLIC ROUNDTABLE
BERN, 18TH JANUARY 2024, 18.00-19.30

Credit M. Bolay

Hörraumes 101, Universität Bern, Hochschulstrasse 4

How do foreign investors sue sovereign states in private courts?
What effects arbitral decisions may have on climate policies?
How do arbitral tribunals account for sustainability imperatives?
How can investors' law be challenged, contested or transformed?

At a time when the new planetary regime of the Anthropocene is urgently calling into question our current modes of natural resource exploitation, the number of disputes between investors and States over extraction projects has exploded. Investor State Dispute Settlement (ISDS), a private arbitration mechanism, challenges prevailing conceptions of state sovereignty and may hinder domestic efforts towards an ecological transition.

By bringing together social scientists, arbitration practitioners and members of civil society, this public roundtable will question the legal and ethical challenges posed by investment arbitration, and discuss its political role in the age of climate change.

Public roundtable with:

Paul R. Gilbert, School of Global Studies, University of Sussex

Martina Magnarelli, Seven Summits Arbitration (7SA)

Josef Ostřanský, International Institute for Sustainable Development

Convenors: Matthieu Bolay & Paule Pastré