



Dispute Resolution in Major Industrial Projects Involving State Parties

Format: Day 1: Virtual (on Zoom) Sessions 1-3

Day 2: Virtual (on Zoom) for Sessions 4, 6–7, and hybrid for Session 5

Date: 12–13 June 2024

Partners:

- Asian Development Bank Institute, Japan
- University of Oxford, UK
- CNRS - Centre National de la Recherche Scientifique (French National Centre for Scientific Research)
- SASTRA University (Under the aegis of TATA PALKHIVALA CHAIR ON AI & ADR, SoL, SASTRA), India

Overview

Alternative Dispute Resolution mechanism is here to supplement and, in a few cases, to supplant traditional decision-making processes in the public domain. International training workshop on “Dispute resolution in major industrial projects involving state parties” aims at examining and understanding the significance of alternative dispute resolution for policy decision makers who are involved on behalf of states and/or state entities in major industrial projects, with Harvard Business School case study (“The Kashagan Production Sharing Agreement”) to be set as a practical illustration. The Workshop is organized by the Asian Development Bank Institute (Japan) in association with CNRS (France), University of Oxford (UK) and SASTRA Deemed University (India).

The international workshop will feature interactive sessions led by esteemed members of academia, experts, and practitioners. The workshop is designed to be particularly beneficial for government officials (such as Ministries of Economics, Industry, and Environment), responsible for policies and projects that engage foreign investors, state-owned entities, as well as researchers and practitioners in this area from ADB’s developing member countries. One of its goals is to provide a platform for stakeholders such as public organizations working at the international and national levels, practitioners and researchers to deliberate and discuss on what is required to build new approaches in the field of alternative dispute resolution.

The international workshop will use an interdisciplinary approach that draws on scholars and practitioners from various fields of expertise such as law, public policy, political science, finance and economics. It will be conducted for two days, and the case study and reading materials will be made available to selected participants prior to the event.

Notes:

- *Participants joining the workshop online will be able to join Session 5 via Zoom, as it will be broadcasted on Zoom.*
- *Accepted participants will be provided with case study materials prior to the workshop.*
- *Zoom sign in details will be shared with only accepted participants.*

DAY 1: (12 June 2024)

Format: Virtual

**Kindly note that there may be some changes in the agenda prior to the workshop*

JST 14:45 – 15:00	Welcome and housekeeping (Time for attendees to join and check connection, self-introductions and explanation of housekeeping rules)
JST 15:00 – 15:10	Opening Remarks ADBI, Deputy Dean (TBC)
JST 15:10 – 16:10	Session 1: Introduction of the Workshop and of the Harvard Business School Case Study (“The Kashagan Production Sharing Agreement” (PSA)) Facilitator: Florian Grisel (University of Oxford and CNRS) <i>Note: Accepted participants will be provided with case study materials prior to the workshop</i>
JST 16:10 – 16:30	Short break
JST 16:30 – 17:30	Session 2: Negotiating and Mediating Disputes Involving State Entities Moderator: Amrith Bhargav (Attorney & Fellow, SASTRA Deemed University) Speaker: Shahla Ali (University of Hong Kong)
JST 17:30 – 18:30	Session 3: Arbitrating Disputes Involving States: The Perspective of Private Parties Speaker: Hafez Virjee (Delos Dispute Resolution)

DAY 2: (13 June 2024)

Format: Virtual and Hybrid

**Kindly note that there may be some changes in the agenda prior to the workshop*

JST 13:45-14:00	Zoom meeting room opens, welcome and housekeeping (Time for attendees to join and check connection, explanation of housekeeping rules)
JST 14:00 – 15:00	Session 4: Arbitrating Disputes Involving States: The Perspective of State Parties Speaker: Edern Coent (Mayer Brown (Singapore))

JST 15:00 – 16:30	<p>Session 5: Panel Discussion: When International Commercial Arbitration Involve State Entities: Yesterday, Today and Tomorrow (Hybrid)</p> <p>Panelists (TBC): Ganesh Chandru (Dua Associates), Anirudh Krishnan (AK Law Chambers), Pramod Nair (High Court of Karnataka), Thriyambak J Kannan (Khaitan & Co), Kshama A. Loya (Dentons Link Legal), Florian Grisel – TBC (University of Oxford and CNRS).</p> <p>Moderator: Amrith Bhargav (Attorney & Fellow, SASTRA Deemed University)</p> <p><i>Participants joining online will be able to join this hybrid session via Zoom. It will be broadcasted on Zoom</i></p>
JST 16:30 – 16:45	Short Break
JST 16:45 - 17:45	<p>Session 6: Building Counterclaims in Investor-State Disputes: An Environmental Perspective</p> <p>Speaker: Jennifer Lim (Sidley Austin LLP Singapore)</p>
JST 17:45 – 18:45	<p>Session 7: General Discussion on the Learning Outcomes: Back to the Case Study</p> <p>Facilitators: Florian Grisel (University of Oxford and CNRS) and S Sangeetha (SASTRA University)</p>
JST 18:45 – 19:00	<p>Closing remarks and final announcement</p> <p>KE Seetha Ram (Task Manager, ADBI)</p>