

PROGRAMME

THURSDAY, 2 OCTOBER

08:30 – 09:00 Registration and Refreshments

09:00 – 09:15 Opening Remarks

Chair: **Tim Martin, Managing Director, Northumberland Chambers, Calgary, Canada.**

- **Valeria Galindez, Partner, Galindez Arb, Vice President of the ICC Court, São Paulo, Brazil.**
- **Shakwa Nyambe, AIEN President & Managing Partner, SNC Incorporated, Windhoek, Namibia.**

09:15 – 10:45 First Session: History of Energy Disputes

Energy disputes have a long and distinguished history going back more than a hundred years. In addition to being the business sector that perennially dominates both investor state and commercial disputes, energy disputes, in particular oil & gas disputes, have established the principles of investment law and international arbitration, which are now widely accepted and used throughout the world. This panel discusses the early historical cases and how they have influenced today's disputes world.

Chair: **Danielle Gomes de Almeida Valois, Partner, Trench, Rossi e Wannabe, Rio de Janeiro, Brazil.**

- **Tim Martin, Managing Director, Northumberland Chambers, Calgary, Canada.**
- **José Emilio Nunes Pinto, Founding Partner, José Emilio Nunes Pinto Advogados, São Paulo, Brazil.**
- **Meg Kinnear, Founding Member, LKDR, Washington DC, USA.**

10:45 – 11:15 Break

11:15 – 12:45 Second Session: Boundary Disputes

The delimitation of boundaries is a major area of disputes amongst sovereign states. A large majority of them deal with competing governments wanting to access oil & gas reserves and mineral deposits. Amongst a number of sovereign boundary disputes, this panel will discuss sovereign boundary disputes that have arisen in South America and the Caribbean as a result of the recent discovery of world class oil fields in offshore Guyana. Major legal, economic and geopolitical issues have arisen between adjacent states that have been exacerbated by the complexities of the shifting coastline in South America and the difficulties in delimiting the outer continental shelf.

Chair: **Mike Josephson, Independent Arbitration Counsel, Victoria, Canada.**

- **Kathryn Khamsi, Partner, Three Crowns, Paris, France.**
- **Robert van de Poll, Global Director Law of the Sea, Fugro, Hanwell, NB, Canada.**
- **Sandra González, Partner, Ferrere Dispute Resolution, Uruguay.**

12:45 – 14:00 Lunch at Conference Venue

14:00 – 15:30 Third Session: Disputes Involving States and State Entities

The panel will present a review of disputes between energy companies and states/state entities arising from treaties and contracts along with emerging trends in their resolution. Some topics of the panel will include disputes and arbitrations that have dealt with cost recovery, tax disputes, decommissioning, operational standards and the stabilization of financial terms in energy contracts.

Chair: **Valeria Galindez, Partner, Galindez Arb, Vice President of the ICC Court, São Paulo, Brazil.**

- **Artur Watt, Director General, ANP, Rio de Janeiro, Brazil.**
- **Meg Kinnear, Founding Member, LKDR, Washington DC, USA.**
- **Rafael Souto Monteagudo, Manager, Petrobras, Rio de Janeiro, Brazil.**

15:30 – 16:00 Break

16:00 – 17:30 Fourth Session: Joint Venture Disputes

The energy sector's projects are predominantly done through joint ventures. Members of this panel have published leading textbooks and articles on disputes arising from joint ventures in the energy and natural resource sectors. Their discussion will cover disputes arising from both incorporated and unincorporated joint ventures in the oil & gas, solar, wind and nuclear industries. Their research and analysis covers hundreds of cases from around the world, including previously unpublished international arbitral awards that arose in South America.

Chair: **Camila Biral, Partner, Demarest, São Paulo, Brazil.**

- **Tim Martin, Managing Director, Northumberland Chambers, Calgary, Canada.**
- **John Gilbert, Partner, Bracewell, London, UK.**
- **Elisabeth Eljuri, Independent Arbitrator, Elisabeth Eljuri P.A., Miami, USA**

17:30 – 19:30 Networking Reception

PROGRAMME

FRIDAY, 3 OCTOBER

9:00 – 10:30 First Session: Energy Transition: Challenges to Latin America

Latin America has some unique challenges in meeting the energy transition. A number of governments have established various incentives to make the energy transition and then retracted them, resulting in disputes. There have also been disputes between multinational energy companies and local partners, and between owners/operators and suppliers. This panel will discuss the disputes that have arisen in Central and South America that are arising from the energy transition.

Chair: Flavio Spaccaquerche, Partner, Mattos Filho, Rio de Janeiro, Brazil.

- Marcela Veríssimo, Legal Manager, Total Energies EP, Rio de Janeiro, Brazil.
- Gustavo Fernandes, Partner, Tauil & Chequer, Rio de Janeiro, Brazil.
- Marie Hubbard Amade, Senior Legal Counsel, Shell, Rio de Janeiro, Brazil.

10:30 – 11:00 Break

11:00 – 12:30 Second Session: Alternative Energy Disputes

As alternative energy sources expand their share of energy projects, so do their disputes. This panel will discuss emerging disputes from the solar, wind, nuclear and power generation industries. These include state investment, joint venture, financing, IP technology, licensing, regulatory and construction disputes.

Chair: Ignacio Zapiola, Manager, YPF, Buenos Aires, Argentina.

- Paula Butti, Federal General Attorney, AGU, São Paulo, Brazil.
- Oisin Brady, Independent Expert, Strasbourg, France.
- Greta Walters, Partner, Chaffetz Lindsey, New York, USA.

12:30 - 14:00 Lunch at Conference Venue

14:00 – 15:30 Third Session: Energy Infrastructure Disputes

Energy companies are involved in some of the largest construction projects in the world. This session provides an in-depth analysis of the infrastructure and construction disputes that arise in the international energy business.

Chair: Cristiano Zanetti, Partner, Zanetti Advogados, São Paulo, Brazil.

- Ajey Chandra, Chief Executive Officer, Baker & O'Brien, Houston, USA.
- Silvia Marchili, Partner, White and Case, Miami, USA.
- Erica Franzetti, Partner, King & Spalding, Miami, USA.

15:30 – 16:00 Break

16:00 – 17:30 Fourth Session: Damages in Energy Disputes

The primary remedy provided in international energy arbitration awards is damages, whether in state investment or commercial disputes. This segment will review the kinds of valuation methods and compensation standards applied in such disputes and how damages are assessed in large, complex energy transactions.

Chair: Leticia Abdalla, Partner, Correa, Fleury, Gama e Silva, São Paulo, Brazil.

- Kathleen Paisley, Partner, Ambos NBGO, Brussels, Belgium.
- Daniel Johnston, Petroleum Economist, Fort Worth, USA.
- Fabiano Robalinho, Partner, Sergio Bermudes Advogados, Rio de Janeiro, Brazil.

17:30 – 17:45 Closing Remarks

- Mike Josephson, Independent Arbitration Counsel and Co-Chair, Victoria, Canada.
- Patricia de Figueiredo Ferraz, Director, Arbitration and ADR, Latin America, ICC Dispute Resolution Services, São Paulo, Brazil.