

NOMINATION STATEMENT STEERING COMMITTEE - ACADEMIC FORUM

I have been honoured with a nomination to run for a place in the Steering Committee of the Academic Forum (AF), supporting and informing UNCITRAL Group III negotiations on ISDS Reform. As an academic, occasional practitioner and former government official I feel humble to accept this nomination and look forward to contribute to the objectives, work and leadership of the AF. Currently, I am a Lecturer and Programme Director of the International Economic Law Programme at the University of Edinburgh, focused on international investment law (IIL), dispute settlement, international trade and public international law. A great deal of my scholarship concentrates on the intersection between IIL and other areas of regulatory activity that concerns host states e.g. environmental regulation, water and natural resources management, climate change, health and safety. When addressing this issues I have engaged with substantive and procedural aspects of investment law and arbitration; ISDS is, of course, of pivotal importance to achieve such high societal concerns. My scholarship also engages with investment treaty arbitration defence burden, evaluating the extent to which ISDS constitutes an economic, social and political burden for developing states, and whether they have developed or are currently developing adequate mechanisms to respond to foreign investor's claims. Such mechanism may be relevant during the arbitration proceedings as such, during negotiations with states officials, or even prior to the adoption of regulatory measures potentially affecting investors' interests.

My scholarship is informed by my experience as practitioner in investment and commercial arbitration, but also by my vast experience as Legal Director and Counsel of the Bolivian public utility regulatory system (SIRESE). The SIRESE was created to regulate the newly privatised sectors of telecommunications, electricity, hydrocarbon, water services and transport, as such it is an excellent example of the relationship between host states' institutional frameworks and foreign investors. Having been on both side of the spectrum i.e. as government official responding to investment claims, and investor's counsel in ISDS proceedings, I have benefited from important insights linked to internal challenges faced by host states, and also those faced by foreign investors.

I have come to appreciate the relevance of the UNCITRAL Group III negotiations, and the importance of the AF role in supporting these negotiations. If elected I would seek to: *first*, continue the work of my predecessors who have paved the way to an ever increasing collaboration between policy makers and the academic community; *second*, strengthen this collaboration by engaging with the interests and voices of wider sectors such as think tanks, NGOs, and communities with particular interests; and *third*, engage with states' diplomats so that the AF assists them in channelling initiatives and proposals with an academic, neutral and sober outlook, when appropriate.

Thank you for your consideration,

Ana María Daza-Clark