

MODEL GREEN INVESTMENT TREATY

TEAM PLANET

“Be part of the solution, not part of the pollution.”

Captain Planet

General

Team Planet is composed of persons with enormous diversity of expertise, experience and perspective. People were asked to participate based on the desire to cover substantive areas critical to the relationship between sustainable development, climate change, foreign investment and international dispute settlement, while also aiming for a team that is representative in terms of geography, work experience, gender and other factors. Team members participated in their personal capacities.

The team is comprised of experts from East Asia, South Asia, Europe, Middle East and Northern Africa, North America, South America and sub-Saharan Africa. Team members have experience in academia, industry, inter-governmental organizations, investment secretariats, local and national governments, and non-governmental organizations (including organizations focusing on conservation, pollution and human rights). The team includes persons of a wide variety of nationalities and ethnic backgrounds; and it is gender-balanced.

In addition to the perspectives offered as a result of the diversity just described, team members have a wealth of substantive expertise essential to integrating investment law with efforts to achieve sustainable development and combat climate change. The team has lawyers from civil law and common law jurisdictions, and some trained in both, as well as international law experts (including a former member of the UN International Law Commission). Besides expertise in investment, trade law and business law, team members have expertise in other areas essential to addressing issues raised by climate change: agriculture (including a World Food Prize Laureate); climate change law, policy and finance; international dispute settlement (economic and other, including at least one person who has been an arbitrator); domestic and international energy; economics; engineering; environmental protection (including an Elisabeth Haub Environmental Law Laureate); human rights; private and multilateral finance; labour; property law; public health; and water (including a Stockholm Water Prize Laureate). The Green Treaty that resulted from this *mélange* is a collective effort and the specific solutions it contains do not necessarily represent the views of each team member.

Short biographical statements for team members follow.

Biographical Statements

Niranjali Amerasinghe works in the Sustainable Finance Center at the World Resources Institute (WRI). She is an international environmental lawyer with expertise in climate change, human rights, forest governance, and coal finance. She leads WRI's international policy work related to the Green Climate Fund, focusing on improving accountability and environmental and social protection and on supporting work to strengthen the capacity of national institutions to meet international standards and access finance. Her work focuses on ensuring that climate finance is used effectively and does not cause harm to people and the environment. Prior to joining WRI, she directed the Climate & Energy Program at the Center for International Environmental Law (CIEL). She has extensive experience with international climate negotiations, including forest and land-use (such as REDD+), legal form and compliance, and the intersection of climate change and human rights. Her work at CIEL also involved leading the development of legal strategies to shift financial flows away from fossil fuel investments. She has an LL.M. in International and Comparative Law from the George Washington University Law School, USA, and an LL.B. from the University of Bristol, UK. She was born and raised in Sri Lanka.

Leila Chennoufi is an international expert in sustainability, environment, health and safety, and the application of international standards for project finance, both public and private. Her experience spans 25 years with URS corporation in France and the United States leading compliance and management systems teams, and managing the environmental safeguards team for the Inter-American Development Bank. She has worked in over 40 countries in the developed and developing world, assessing hundreds of sites and projects across a variety of industrial and infrastructure sectors. Her work focuses on ensuring compliance with relevant laws and standards, avoiding harm and fostering opportunities for the people and the environment. She has an M.S. in Structural Engineering from the Ecole Spéciale des Travaux Publics and a Ph.D. in Engineering Geology from the Ecole Nationale Supérieure des Mine de Paris, France. Leila was born and raised in Tunisia.

Krycia Cowling is a consultant at the World Bank, working primarily with the Primary Health Care Performance Initiative (PHCPI). She has a Ph.D. in Health Policy from Johns Hopkins University's Bloomberg School of Public Health, where her dissertation research examined the impacts of global trade and investment liberalization on the key non-communicable disease risk factors of tobacco, alcohol, and dietary consumption. She has an M.P.H. degree in global health metrics and evaluation from the University of Washington, and has previously held research positions at the Institute for Health Metrics and Evaluation and the Public Health Foundation of India.

Charles Di Leva has over thirty years' experience addressing the challenges of sustainable development, particularly those faced by the World Bank. He has extensive experience advising senior managers and project teams on environmental and social issues related to complex infrastructure operations and law and policy compliance, including throughout compliance

investigations. He is a leading expert on climate change, having served for twenty-five years as the World Bank legal advisor on environmental and social development matters, including the United Nations Framework Convention on Climate Change and its Kyoto and Paris agreements, as well as the Bank's relations with the Green Climate Fund. He has unparalleled experience in the development and application of environmental and social standards for international project finance. He has worked extensively with a global network of sustainable development experts, including those working in other international financial institutions, Indigenous Peoples, and civil society organizations. He has also worked at the International Union for Conservation of Nature and Natural Resources (IUCN), United Nations Environment Programme (UNEP) and U.S. Department of Justice, as well as in the private practice of law.

Jonathan Drimmer is Deputy General Counsel at Barrick Gold Corporation, where he helps oversee the Company's international regulatory and compliance programs, as well as its global investigation group, entity level litigation and disputes, and other matters. Before joining Barrick, he was a partner at Steptoe & Johnson LLP, in Washington, D.C., and Deputy Director in the U.S. Justice Department's Office of Special Investigations, where he investigated and prosecuted cases involving suspected war criminals. He is a former Bristow Fellow in the Office of the U.S. Solicitor General, and was a judicial clerk on the U.S. Court of Appeals for the Ninth Circuit. He graduated from Stanford University and the University of California Los Angeles (UCLA) Law School.

Chiara Giorgetti is Associate Professor at Richmond Law School. She has authored over a dozen publications, including four books. She writes in the areas of international dispute resolution, international courts and tribunals, and international arbitration, as well as general international public law. Prior to academia, she practiced international arbitration in Washington, D.C., and Geneva, and worked extensively with the United Nations. Her practice included representing sovereign states at the UN Claims Commission and at the Eritrea Ethiopia Claims and Boundary Commissions. She is a member of the Executive Council and Executive Committee of the American Society of International Law, the co-Director of Studies of the American Branch of the International Law Association, a member of the board of the International Law Students Association, and a Vice-Chair of the Academic Council of the Institute for Transnational Arbitration. She holds a law degree from Bologna University, a MSc from the London School of Economics, and an LL.M. and a JSD from Yale Law School. She clerked at the International Court of Justice.

Hana Heineken is a Senior Sustainable Finance Campaigner at the Rainforest Action Network and works on promoting the rule of law and sustainability at the intersections of finance, the environment, and human rights. She was formerly a Senior Policy Advisor at Global Witness, specializing in the global trade in illegal timber, with a focus on Japan. Her areas of expertise include the international trade in forest-risk commodities, private and public financing in forest-risk commodity sectors, and associated human rights and environmental

issues. She has previously worked as a consultant for the Center for International Environmental Law on climate change, hazardous waste and international finance, and prior to that served as a policy aide for Japanese Members of Parliament. She received her Bachelor of Arts degree in Political Science from Princeton University, and her Juris Doctor from the Elisabeth Haub School of Law at Pace University.

Mette Hoej has an M.A. degree as a civil engineer in environmental management and sustainability science, specializing in life cycle analysis, eco-design and the circular economy. She works in the department for regional development of the North Denmark Region, whose main objective is to enhance growth and development in North Denmark. Her specific responsibility is sustainable development for businesses in the region, using funding from the government of Denmark and the European Union to support the development of green products, energy systems, and resource efficiency. She is project manager for the North Denmark Region on an Interregional Europe project relating to how regional and local authorities and business development agencies can improve relevant policy instruments and provide support to assist small and medium enterprises to enter the circular economy. She also participates in an interregional North Sea project relating to connecting the energy systems in the northern part of Europe.

Young Hee Lee works at the Adaptation Fund Board Secretariat focusing on accreditation, complaint handling mechanism and environmental and social safeguards. Previously, she worked for the United Nations Convention to Combat Desertification (UNCCD) and the Korean government, where she negotiated for and represented the Korean government relating to its missions at the conferences of the UNCCD, UNFCCC, and UN Conference on Sustainable Development (Rio+20 Summit). She co-authored a book on the Havana Charter and wrote a book chapter on the national treatment of the World Trade Organization rules and international investment agreements. She also published legal articles on carbon tax and its legal implications and on the European Union Renewable Energy Directive's sustainability criteria. She holds a B.A. in Diplomacy and Political Science and LL.M. from Yonsei University, Korea, as well as a J.D. degree and LL.M. degree (dual specialization in International Trade & Investment Law and international Environmental Law) from American University Washington College of Law, in Washington, DC, USA.

Jan Low is principal scientist with the Centro Internacional de la Papa (CIP – International Potato Center), based in their regional office for Africa in Nairobi, Kenya. She manages the Sweet Potato Action for Security and Health in Africa (SASHA) project and co-leads the Sweet Potato for Profit and Health Initiative (SPHI) with the director of the Forum for Agricultural Research in Africa (FARA). The SPHI seeks to improve the lives of 10 million African households in 17 target countries by 2020, through access to improved varieties of sweet potato and their diversified use. She obtained her doctorate in agricultural economics at Cornell University, minoring in nutrition. She has focused with her team on developing and promoting biofortified

orange-fleshed sweet potato to combat vitamin A deficiency. She has worked over 25 years in sub-Saharan Africa and served as President of the African Potato Association (APA) from 2011-2013. She is a World Food Prize Laureate.

Daniel Magraw is President Emeritus of the Center for International Environmental Law (CIEL) and Senior Fellow at the Foreign Policy Institute at Johns Hopkins University's School of Advanced International Studies (SAIS). He has extensive experience in international law, institutions, processes and policies, particularly relating to environmental protection, dispute settlement, investment and trade, and human rights, including climate change and environmental justice. He has worked in government, non-governmental organizations (NGOs), inter-governmental organizations, business, and academia, and as an arbitrator. He serves on several boards of trustees/directors. He has served on many U.S. delegations to international negotiations regarding environment, trade, and investment and held appointed positions at the Environmental Protection Agency and White House. He worked as an economist and businessman in India from 1968-1972. He has a J.D. from the University of California, Berkeley and a B.A. in Economics from Harvard University.

Kendra Magraw is a Ph.D. candidate in international law at the Graduate Institute of International and Development Studies in Geneva and currently a contributor to Investment Arbitration Reporter. Kendra specializes in international investment law and policy, as well as international dispute settlement. She has worked as a lawyer in private practice, as well as at the International Centre for Settlement of Investment Disputes (ICSID), the International Investment Agreements Section of the United Nations Conference on Trade and Development (UNCTAD) and as a clerk at the International Court of Justice (ICJ). She has authored and contributed to multiple articles and other publications.

Stephen McCaffrey is Distinguished Professor of Law at the University of the Pacific, McGeorge School of Law in Sacramento, California. He is the 2017 Stockholm Water Prize Laureate. He served two terms on the International Law Commission, chaired that body for one of its sessions, and was the Commission's special rapporteur on international watercourses. He was elected by the Parties to the UNECE Water Convention as a member of that agreement's Implementation Committee. He has served as counsel to States in cases before the International Court of Justice and the Permanent Court of Arbitration and has published widely in the field of international water and environmental law.

Grace Menck Figueroa is a Brazilian environmental and human rights attorney with more than 15 years of experience in multilateral organizations in the United States and in the private sector in Brazil. She holds LL.M. degrees in International Environmental Law from George Washington University and International Law from the University of Geneva/HEI. She is fluent in English, French, Italian, Portuguese (native) and Spanish, and has a basic knowledge of

German. She has worked on legal matters relating to a variety of corporate, environmental, and human rights issues in Latin American and Caribbean countries, as well as in the Middle East, North Africa and the Caucasus. She works presently as an attorney for The Nature Conservancy in the United States and is also a professor for the Rule of Law Program of the American Bar Association.

Sergio Puig is an Associate Professor at the University of Arizona James E. Rogers College of Law. His main academic interests include topics related to international economic law, international arbitration, law and society, and indigenous rights. Prior to joining the University of Arizona, he taught International Investment Law and International Trade Law at Duke Law and Stanford Law School, where he was the SPILS Teaching Fellow. Sergio also worked for over three years in the young professionals program for lawyers and scholars at the World Bank Group and International Centre for Settlement of Investment Disputes (ICSID), and has practiced in leading firms in Mexico City and Washington D.C. He graduated from the National Autonomous University of Mexico (UNAM) and received a law degree from the Autonomous Technical Institute of Mexico (ITAM). He has an LL.M. degree in International and Socio-Legal Studies and a doctoral degree (JSD) in International Economic Law from Stanford University School of Law.

Annabella Rosemberg is the senior climate and environment advisor in the International Trade Union Confederation, (ITUC). Anabella has coordinated the international trade union movement's input to major environmental intergovernmental processes, notably the UNFCCC, from 2007 to 2017. Born in Villalonga, a small town in the Argentinean Patagonia, she holds an M.A in Development Studies, Institut d'Etudes Politiques de Paris. Before joining the ITUC, she has worked for non-governmental organisations, in the areas of democracy and youth empowerment.

Research Assistants

Tyler Lee received his B.A. in International Studies from Johns Hopkins University and is completing his M.A. in International Relations and International Economics from the Nitze School of Advanced International Studies (SAIS) at Johns Hopkins University, with a concentration in International Law & Organizations.

Rachel Mayer received her B.A. in Political Science and French & Francophone Studies from Union College and is completing her M.A. from the Nitze School of Advanced International Studies (SAIS), with a concentration in International Economics and International Political Economy. She previously worked as a legal assistant at Wilmer Cutler Pickering Hale & Dorr LLP on international arbitration matters.

Stephanie Sepulveda received a B.A. in International Relations and a B.S. in Communication from Florida International University and is completing her M.A. in International Relations and International Economics from the Nitze School of Advanced International Studies (SAIS) at Johns Hopkins University, with a concentration in International Law & Organizations.