

International Conference

**Managing the Globalization of Sanitation and Water Services  
'Blue Gold' Regulatory and Economic Challenges**

Hong Kong  
23-24 March, 2015

Conference location  
The Chinese University of Hong Kong (CUHK) - Shatin Main Campus  
Yasumoto International Academic Park (YIA)  
Lecture Theater No. 2 (LT2)

**PROGRAM**

**The Chinese University of Hong Kong, Faculty of Law**  
*In cooperation with*  
Maastricht University, Faculty of Law  
University of Sydney, School of Economics  
University of Leeds, Business School  
British Institute of International and Comparative Law

**Supported by the**



## Conference Organizers

### Faculty of Law, The Chinese University of Hong Kong

Enriched by the intellectual and cultural heritage of its University and at the heart of the legal system, the Faculty of Law brings together common law and Chinese law with other great legal traditions and values to promote justice and safeguard the rule of law. An international family of research-led scholars creates a dynamic, flexible learning environment. Supported by world class research, the Faculty of Law provides a flexible, learner-centred environment in which students are actively engaged and prepared for distinction in the legal profession and for leadership roles in Hong Kong, China, and internationally.

For more information, see: <http://www.law.cuhk.edu.hk>

### Centre for Financial Regulation and Economic Development

The Centre for Financial Regulation and Economic Development (CFRED) was established to support and facilitate research in all areas of law affecting commerce and business dealings, including the fields of banking law, capital markets, commercial law, contract law, corporate law, investment law, intellectual property, securities regulation, international trade law, tax law, and any other economically focused area of law in which a member of the CUHK Law Faculty addresses his or her research.

For more information, see: <http://www.law.cuhk.edu.hk/research/cfred>

### The Worldwide Universities Network (WUN)

WUN comprises 16 research-intensive institutions spanning nine countries. It is one of the leading international higher education networks, collaborating to accelerate the creation of knowledge and to develop the people required to address the challenges and opportunities of our rapidly changing world. The Network helps new research groups get established by providing resources, contacts and advice. By helping to share talent across the different WUN members, we are able to encourage new research growth that will help address the challenges of tomorrow.

For more information, see: <http://www.wun.ac.uk/about>

## **Monday, March 23, 2015:**

8:00 – 9:00 **Coffee and registration (YIA Foyer)**

9:00 – 9:15 **Welcome and opening remarks**

Mr. Christopher Gane, Dean, Faculty of Law, CUHK  
Mr. Julien Chaisse, Faculty of Law, CUHK  
Mr. Tihomir Ancev, School of Economics, University of Sydney  
Ms. Leïla Choukroune, Faculty of Law, University of Maastricht

9:15 – 10:00 **Keynote Speech followed by Q&As**

Ms. Laurence Boisson de Chazournes, Faculty of Law, University of Geneva

10:00 – 11:15 **Session I: International Trade Governance of Sanitation and Water Services**  
**Chair: Mr. Jesús Seade, Department of Economics, Lingnan University**

- **International Trade Rules for Promoting Global Water-use Efficiency**  
Ambassador Manzoor Ahmad, International Centre for Trade and Sustainable Development, Geneva
- **The Trade in Water Services -- How Does GATS Apply to the Water and Sanitation Services Sector?**  
Ms. Rebecca Bates, School of Law, Queen Mary University of London
- **Intellectual Property Rights and Access to Clean Water: Friends, Foes or Something in Between?**  
Mr. Bryan Mercurio, Faculty of Law, CUHK
- **Lead discussants followed by Q&As**  
Mr. William Marshall, Baker & McKenzie, HK  
Mr. Francesc Hernandez-Sancho, School of Economics, University of Valencia  
Mr. Danny Friedmann, Faculty of Law, CUHK

11:15 – 11:45 **Coffee Break (YIA Foyer)**

11:45 – 13:00 **Session II: Foreign Investment Governance of Sanitation and Water Services**  
**Chair: Ms. Leïla Choukroune, Faculty of Law, University of Maastricht**

- **Foreign Governmental Suppliers' Investment: Profit or Aid?**  
Mr. Shintaro Hamanaka, Asian Development Bank, Manila
- **Are Investments in Water Different? A Legal and Economic Exploration of Specialized Regimes for Utilities in International Investment Treaty Arrangements**  
Mr. Jansen Calamita, British Institute of International and Comparative Law, London
- **The Erosion of the Concept of Public Service in Water Concessions**  
Mr. Fernando Dias Simões, Faculty of Law, University of Macau
- **Lead discussants followed by Q&As**  
Mr. Timothy Franklyn, DLA Piper HK  
Mr. Bryan Mercurio, Faculty of Law, CUHK

13:00 – 14:00 **Lunch in YIA Foyer (for speakers, chairs and discussants only)**

14:00 – 15:30 **Session III: Regional Developments in the Regulation of Water Services**  
**Chair: Mr. Gonzalo Villalta Puig, Faculty of Law, CUHK**

- **Fragmentation of Water Policies as a Source of Disputes in Asia-Pacific**  
Mr. Sufian Jusoh, Faculty of Law, University of Malaysia
- **Development of China's Water Markets to Hold the Three Red Lines**  
Ms. Debra Tan, China Water Risk
- **Integrating Water Services Markets -- The regulation of water services in the EU internal market**  
Mr. Panagiotis Delimatsis, Faculty of Law, University of Tilburg
- **External Competences of the EU in the Field of Water Services Trade and Regulation**  
Mr. Christoph Herrmann, Faculty of Law, University of Passau
- **Lead discussants followed by Q&As**  
Mr. Shintaro Hamanaka, Asian Development Bank, Manila  
Mr. Markus Krajewski, Faculty of Law, University of Erlangen-Nuremberg

15:30 – 16:00 **Coffee Break (YIA Foyer)**

16:00 – 17:30 **Session IV: Funding of Sanitation and Water Services: Emergence of a Global Market**  
**Chair: Ambassador Manzoor Ahmad, International Centre for Trade and Sustainable Development, Geneva**

- **The Role of Multinationals in Providing Water Services: Are they more efficient?**  
Mr. Tihomir Ancev, School of Economics, University of Sydney  
Mr. Samad Azad, Tasmanian School of Business & Economics  
Mr. Francesc Hernandez-Sancho, School of Economics, University of Valencia
- **Demand for Infrastructure Investment for Water Services: Key Features and Assessment Methods**  
Mr. Sacchidananda Mukherjee, National Institute of Public Finance and Policy (New Delhi)  
Mr. Debashis Chakraborty, Indian Institute of Foreign Trade
- **Microfinance in Water and Sanitation Services: Identifying best practices**  
Mr. Allen Lai, ESSEC Business School, Singapore  
Mr. Jonatan Lassa, School of International Studies, Nanyang Technological University
- **Lead discussants followed by Q&As**  
Mr. Zhaodong Jiang, Business School, CUHK  
Mr. Chao Xi, Faculty of Law, CUHK

**Tuesday, March 24, 2015:**

9:00 – 9:30 **Coffee and registration (YIA Foyer)**

9:30 – 11:00 **Session V: The Rise of International Disputes**  
**Chair: Ms. Yuhong Zhao, Faculty of Law, CUHK**

- **Mapping the ‘Blue Gold’ Investment Disputes: Recurring Issues and Common Thread**  
Mr. Julien Chaisse, Faculty of Law, CUHK
- **The Right of the Host State to Regulate Water Services**  
Ms. Catharine Titi, Faculty of Law, University of Paris II
- **Mechanisms to Protect Public Interest in Water Disputes in International Investment Arbitration**  
Mr. Rahul Donde, Levy Kaufmann-Kohler, Geneva
- **A Critical Approach to Investment Awards on Water related Issues**  
Mr. Shotaro Hamamoto, School of Law, University of Kyoto
- **Lead discussants followed by Q&As**  
Mr. Christoph Herrmann, Faculty of Law, University of Passau  
Mr. Timothy Hughes, Herbert Smith Freehills, Hong Kong

11:00 – 11:30 **Coffee Break (YIA Foyer)**

11:30 – 12:45 **Session VI: Balancing economic and non-economic policy objectives: Potentials and Limits of international law I**  
**Chair: Mr. Jansen Calamita, British Institute of International and Comparative Law**

- **The Parched Earth of Cooperation: Solving the Tragedy of the Commons in Global Water Conservation**  
Mr. Bryan Druzin, Faculty of Law, CUHK
- **Right to Water in the Shadow of Trade Liberalization**  
Mr. Chien-huei Wu, Academica Sinica  
Ms. Helen Huang, National Taiwan University
- **Water Control and Climate Change: Promises and Pitfalls of Shale Gas**  
Mr. Paolo Davide Farah, University of West Virginia
- **Lead discussants followed by Q&As**  
Mr. Anatole Boute, Faculty of Law, CUHK  
Mr. Emmanuel Gillet, School of Accounting and Finance, Hong Kong Polytechnic University

12:45 – 14:00 **Lunch in YIA Foyer (for speakers, chairs and discussants only)**

14:00 – 15:30 **Session VII: Balancing economic and non-economic policy objectives: Potentials and Limits of international law II**  
**Chair: Mr. Tihomir Ancev, School of Economics, University of Sydney**

- **Protecting the Human Right to Water through the Regulation of Multinational Enterprises**  
Mr. Markus Krajewski, Faculty of Law, University of Erlangen-Nuremberg
- **A New Development in International Water Law: Towards the Harmonization of the Human Right to Water and the Protection of Investment Rights in the Water Sector?**  
Mr. Paulo Canelas de Castro, Faculty of Law, University of Macau
- **The Liberalization of Water and Sanitation Services and International Law -- For a Holistic Rights Based Approach**  
Ms. Leïla Choukroune, Faculty of Law, University of Maastricht
- **Lead discussants followed by Q&As**  
Mr. Samuli Seppänen, Faculty of Law, CUHK  
Ms. Kun Fan, Faculty of Law, CUHK

15:30 – 16:00 **General Report of the *Conference Rapporteur***  
Mr. Pierre Sauvé, World Trade Institute

16:00 – 16:30 **Closing remarks**  
Mr. Tihomir Ancev  
Ms. Leïla Choukroune  
Mr. Julien Chaisse

**END**