

**PRESS RELEASE****PCA PARTICIPATION IN UN CLIMATE CHANGE CONFERENCE COP24 AND
SIDE EVENT ON PROMOTING AND PROTECTING CLIMATE CHANGE INVESTMENT**

KATOWICE, POLAND, 10 DECEMBER 2018

A delegation from the Permanent Court of Arbitration ('PCA') has participated in COP24, the 24th Conference of the Parties to the United Nations Framework Convention on Climate Change ('UNFCCC') hosted by the Polish Presidency in Katowice, Poland, from 2 to 14 December 2018. The PCA delegates joined almost 30,000 others at COP24, including world leaders, international organisations, NGOs, scientists, business and civil society groups. The PCA also organised and co-hosted an official side event.

Each year since the UNFCCC's adoption in 1992, parties to the Convention have convened to assess and progress its implementation. The Paris Agreement, a widely ratified international agreement seeking to limit the earth's temperature rise, was adopted at COP21 in 2015 and entered into force in 2016. At COP24 world leaders are expected to negotiate and finalise the Paris Agreement work program ('PAWP'). PAWP will be the 'rulebook' for the Paris Agreement's implementation and will outline the details of how UNFCCC parties will meet the Paris Agreement's general obligations, including on reducing greenhouse gas emissions, mitigating and adapting to the effects of climate change, and financing mitigation and adaptation projects in developing countries.

The PCA has administered disputes relating to projects within the framework of the UNFCCC and its Kyoto Protocol, including under the [PCA's optional rules for arbitration](#) and [conciliation](#) of disputes relating to natural resources and the environment. It is also acting as registry in a number of treaty-based [disputes](#) relating to foreign investments in renewable energy projects. Historically, the PCA has been an active participant in the UNFCCC process, bringing to the attention of States Parties and other stakeholders the availability of the PCA's services for dispute resolution arising under key environmental treaties. The PCA is an accredited UNFCCC observer organisation and in recent years has attended [COP21](#) in Paris in 2015, during which the PCA Secretary-General addressed the Plenary Session and the PCA co-hosted a [conference](#) titled 'Climate Change Related Disputes: A Role for International Arbitration and ADR'; COP22 in Marrakech in 2016, during which the PCA co-hosted a [conference](#) titled 'Bridging the Climate Change Policy Gap: The Role of International Law and Arbitration'; and similarly [COP 23](#) in Bonn in 2017, at which the PCA co-hosted an official [side event](#) on 'Supporting the UNFCCC and Paris Agreement through International Dispute Settlement'.

The COP24 official side event co-hosted by the PCA was held on 6 December 2018, as part of the Business and Industry Day on the theme of "Increasing Climate Ambition, A Public Private Dialogue", organized by the International Chamber of Commerce in partnership with the International Bar Association and the Arbitration Institute of the Stockholm Chamber of Commerce. The [event](#) included a panel on "Promoting and Protecting Climate Change Investment" which explored how regulatory regimes and dispute settlement mechanisms like arbitration can encourage and protect private and public-private investment in climate change mitigation and adaptation projects. PCA Senior Legal Counsel, Ms. Judith Levine, chaired the panel, and answered questions about the PCA's rules and experience with climate change related disputes and investor-state arbitration. The PCA delegation also attended plenary and negotiation sessions, met with Contracting Parties and other stakeholders, and participated in workshops and other events.

Background on the Permanent Court of Arbitration

The Permanent Court of Arbitration is an intergovernmental organization established by the 1899 Hague Convention on the Pacific Settlement of International Disputes. The PCA has 121 Contracting Parties. Headquartered at the Peace Palace in The Hague, the Netherlands, the PCA facilitates arbitration, conciliation, fact-finding, and other dispute resolution proceedings among various combinations of States, State entities, intergovernmental organizations, and private parties. The PCA’s International Bureau is currently administering 3 interstate disputes, 98 investor-State arbitrations, and 50 cases arising under contracts involving a State or other public entity. More information about the PCA can be found at www.pca-cpa.org.

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Side Event Panellists: Judith Levine (PCA), Ilona Millar (Baker McKenzie), Wendy Miles QC (Debevoise & Plimpton), and Nicola Peart, Lourdes Sanchez and Amelia Keene (representing winning teams of the SCC’s Stockholm Treaty Lab global competition).



PCA Delegates, Senior Legal Counsel Judith Levine and Assistant Legal Counsel Camilla Pondel



States negotiating implementation of Paris Agreement, Art. 15



COP24 is taking place 15 minutes from the site of Factory at Chorzów, of the PCIJ case cited frequently in international arbitrations. The PCA arranged a visit to the factory for a group of international lawyers and met with Azoty Chorzów CEO, Piotr Hetnar, who is also a legal academic at Wroclaw University.

