

# HOWARD MANN

578 O'Connor St., Ottawa, Ontario Canada K1S 3R3  
(613) 729-0621; [h.mann@sympatico.ca](mailto:h.mann@sympatico.ca); [www.howardmann.ca](http://www.howardmann.ca)

## CURRICULUM VITAE

### LEGAL PRACTICE

- 1999–present Senior International Law Advisor, International Institute for Sustainable Development, Canada**
- Legal advisor on international trade and investment law to leading Canadian research and policy institute on sustainable development
  - 2003–2009: Initiated and managed Investment and Sustainable Development program ([www.iisd.org/investment](http://www.iisd.org/investment))
- 1993–2005 Private practice specializing in international law**
- Private practice specializing in international law consulting services
  - Clients include Government of Canada, international organizations, national and international non-governmental organizations
- 1988–1993 Counsel, Department of Justice, Ottawa**
- Joined Department of Justice as articling Student, 1988
  - Counsel, International and Constitutional Law Section, 1988–1991
  - Counsel, Legal Services, Environment Canada, 1991–1993
  - Lead responsibility for international environmental negotiations for Environment Canada
- 1983–1988 Assistant to Prof. Roslyn Higgins, Professor of International Law, London School of Economics, London UK**
- Academic research assistant, 1983–1988
  - Research for private legal practice, 1984–1988

### RELATED APPOINTMENTS AND EXPERIENCE

- 2009–present International Bar Association, Mining Law Committee**
- Member of the Administrative Committee for the development of the Model Mining Development Agreement for use in developing countries
- 2006–2008 International Commission of Jurists**
- Member of the Expert Panel on Corporate Complicity in International Crimes
- 2003–2004 Government of Canada**
- Member, Ad-Hoc Expert Advisory Group on international investment law, leading to the preparation of the 2004 Model Canadian bilateral investment treaty

- 1997–1999**      **Government of Canada**
- Member, Special Advisory Committee on international trade law and the environment
- 2000–2002**      **Adjunct Professor, University of Ottawa Faculty of Law**
- 1989–1999**      Sessional lecturer in public international law on sustainable development, 2000–2002;  
Sessional lecturer in public international law, Introductory course, 1989–1991

## PRACTICE HIGHLIGHTS

- Provided legal and policy advice to over 70 developing country governments on investment treaty negotiations, 2005–2010.
- Prepared a briefing paper for Prof. John Ruggie, United Nations Special Representative of the Secretary General for Business and Human Rights, entitled *International Investment Agreements, Business and Human Rights: Key Issues and Opportunities*; ongoing participation in related expert advisory meetings on the resulting “Responsible Contracting” project, 2007–present.
- Chef d’équipe, Training session on international investment law for developing country investment treaty negotiators, at the United Nations Economic Commission for Latin America and the Caribbean, Santiago Chile (2007), involving over 20 private practice, government and non-governmental lawyers; and similar but smaller program in Arusha, Tanzania, 2010.
- Lead drafter, first *amicus curiae* submission in international investment law arbitrations, cited in *Methanex v. United States*, 2000–2005.
- Lead drafter, first *amicus curiae* submission under International Centre for the Settlement of Investment Disputes (ICSID) revised Arbitration Rules, cited in *Bivater v. Tanzania*, 2006–2007.
- Lead writer, IISD Model International Agreement on Investment for Sustainable Development, 2004–2005.
- 2004–2005, Special Counsel on behalf of municipal Governments and others, Federal Court of Appeal, Canada, in *Sumas Energy 2, Inc. v. Canada (National Energy Board)* (Federal Court of Appeal)[2006]1 F.C.R. 456, the first case in Canada’s domestic courts to address the scope of NAFTA’s Chapter Eleven on Investment.
- Prepared international law and Canadian constitutional law case materials for Supreme Court of Canada and Federal Court of Canada cases on international sovereign immunity (*United States of America v. Public Service Alliance of Canada* [1992] 2 S.C.R. 50), and Canadian and international environmental law.
- Member of Canadian delegation to international negotiations at the United Nations (climate change, hazardous waste, United Nations Conference on Environment and Development 1992 (received Prime Ministerial citation), and in NAFTA and bilateral US-Canada negotiations.

- Contributed legal advice on the preparation of several pieces of Canadian federal environmental law, including the Canadian Environmental Impact Assessment Act and regulations under the Canadian Environmental Protection Act.

## EDUCATION

- 1985–1988      **London School of Economics**, London, United Kingdom, Ph.D., joint degree in international law and international relations
- 1983–1984      **London School of Economics**, London, United Kingdom, LL.M, international law
- 1982–1983      **Barreau du Quebec**, Bar Admission Course
- 1979–1982      **McGill University, Faculty of Law**, Montreal, Canada, Bachelor of Civil Law
- 1975–1978      **Concordia University, Montreal Canada**, Bachelor of Arts, *Cum laude*

## SELECTED PUBLICATIONS

- **“International Investment Agreements, Business and Human Rights: Key Issues and Opportunities”**, prepared for the United Nations Special Representative for Business and Human Rights, February, 2008, available at [http://www.iisd.org/pdf/2008/ia\\_business\\_human\\_rights.pdf](http://www.iisd.org/pdf/2008/ia_business_human_rights.pdf)
- **“Transparency and Consistency in International Investment Law: Can the Problems be Fixed by Tinkering?”**, pp. 213–222 in Karl P. Sauvant ed., *Appeals Mechanism in International Investment Disputes*, Oxford University Press, 2008.
- **“The Final Decision in Methanex v. United States: Some New Wine in Some New Bottles”**, TDM Volume 3, Issue 5, December 2006. Available at [http://www.transnational-dispute-management.com/members/articles/welcome.asp?key=847&n\\_key=15](http://www.transnational-dispute-management.com/members/articles/welcome.asp?key=847&n_key=15)
- **“Implications of International Trade and Investment Agreements for Water and Water Services: Some Responses from Other Sources of International Law”**, reprinted in *Transnational Dispute Management*, Volume 3, Issue 5, 2006. Available at [http://www.transnational-dispute-management.com/members/articles/welcome.asp?key=900&n\\_key=15](http://www.transnational-dispute-management.com/members/articles/welcome.asp?key=900&n_key=15)
- **“IISD Model Agreement on Investment for Sustainable Development”**, lead author with Konrad von Moltke, Aaron Cosbey and Luke Peterson, International Institute for Sustainable Development, 2005. Reprinted in the *ICSID Review*, Fall, 2005. Second edition published 2006. Available at [http://www.iisd.org/pdf/2005/investment\\_model\\_int\\_handbook.pdf](http://www.iisd.org/pdf/2005/investment_model_int_handbook.pdf)
- **“The Emperor’s Clothes Come Off: A Comment on Republic of Ghana v. Telekom Malaysia Berhad, and the Problem of Arbitrator Conflict of Interest”**, *Transnational Dispute Management*, Volume 2, Issue 1, 2005. Available at <http://www.transnational-dispute->

[management.com/members/articles/welcome.asp](http://management.com/members/articles/welcome.asp)

## SELECTED CONFERENCE PAPERS

- **“Civil Society Perspectives: What Do Key Stakeholders Expect From the International Investment Regime?”**, Second Columbia International Investment Conference, October 2007, Columbia University.
- **“Transparency and Consistency in International Investment Law: Can the Problems be Fixed by Tinkering?”**, First Columbia International Investment Conference, October 2006, Columbia University.
- **“Is Fair and Equitable Treatment Fair, Equitable, Just or Under Law”**, American Society of International Law, 100<sup>th</sup> Anniversary Meeting, March 2006.
- **“Implications of International Trade and Investment Agreements for Water and Water Services: Some Responses from Other Sources of International Law”**, Fourth World Water Forum, Mexico City, March 2006.
- **“Procedural Issues in International Investor-State Arbitrations”**, United Nations Conference on Trade and Development (UNCTAD), Commission on Investment, Technology and Related Financial Issues, 9<sup>th</sup> Session: Policy Dialogue on “Investor-State Disputes and Policy Implications”, Geneva, March 8, 2005.
- **“Reshaping International Investment Agreements”**, Royal Institute for International Affairs (Chatham House) Conference, “Trade and Sustainable Development Priorities, Post Doha”, London, April 2003.

A full list of publications and conference papers is available on request.