



# 2023 MODEL CONTRACTS WORKSHOP *Lisbon*



## WORKSHOP PROGRAM September 19-22, 2023 | Lisbon, Portugal

### TUESDAY, SEPTEMBER 19

5:30 - 6:30 PM      **Early Registration**

6:30 - 8:00 PM      **Welcome Reception**

### WEDNESDAY, SEPTEMBER 20

8:00 AM - 8:45 AM      **Registration & Morning Refreshments**

8:45 AM - 9:00 AM      **Welcome & Introduction**  
Nuno Antunes (*Miranda*), Norman Nadorff (*Mayer Brown*), João Oliveira (*bp*), Co-Chairs

9:00 AM - 9:30 AM      **Keynote Address**  
Jörg Häring, Chief Legal and Assurance Officer, CEPISA

9:30 AM - 10:15 AM      **The Continuing Role of Model Contracts in an Evolving Energy Landscape**  
Jennifer Josefson (*Morgan Lewis*) and Andrew Derman (*Holland & Knight*) will outline the ongoing changes in the energy landscape and the implications for AIEN as we capture new opportunities. The panel will discuss the types of contracts that are populating the new energy space and the challenges they represent for the AIEN Model Contracts Committee in terms of the modification of existing models and the creation of new ones. They will also describe the Committee's collaboration with other organizations toward that end.

10:15 AM - 10:45 AM      **Morning Coffee Break**

10:45 AM – 11:00 AM      **AIEN & New Energies - Transition Taskforce Introduction**  
Gabrielle Finger (*Chevron*), AIEN's newly appointed VP of 'New Energies', will introduce the three taskforces (CCUS, ESG, and Hydrogen) created in the context of AIEN's energy transition agenda.

11:00 AM - 12:00 PM      **CCUS Taskforce**  
Nicholas Fulford (*Gaffney Cline*) and Kelly Ripley (*Shell*) will discuss the progress and direction of this Taskforce and will review the global regulatory environment and the evolving theories on the role carbon capture plays in the lower carbon future. The panel will identify model contracts that will be critical for CCUS development as well as the challenges and opportunities that CCUS presents.

12:00 PM – 1:00 PM      **ESG Taskforce**  
Professor Lucila de Almeida (*NOVA School of Law & European University Institute*) and Ro Lazarovitch (*Bracewell*) will discuss the work of this Taskforce and the global and regional opportunities that ESG provides. The panel will present a broad overview of the global ESG landscape and how to address the commercial and contractual challenges that have emerged.

1:00 PM - 2:30 PM      **Luncheon**

2:30 PM - 3:30 PM      **Hydrogen Taskforce**  
Nuno Antunes (*Miranda*) and Zoë Bromage (*King & Spalding*) will discuss the progress and direction of the recently established Hydrogen Taskforce, highlighting the wider issues the taskforce is working to address and the types of new model contracts related to the production and use of Hydrogen. The panel will discuss the surrounding concepts and challenges that hydrogen contracts will need to address to effectively maneuver through the energy transition as a lower carbon solution.

3:30 PM - 4:00 PM      **Afternoon Coffee Break**

4:00 PM - 5:00 PM **AIEN / IBA Joint Collaboration on New Model Clauses for a Successful Energy Transition**  
Andrea Forabosco (*Shell*) and Kenyon Weaver (*US Department of Commerce*) will describe the recent and unique project between AIEN and IBA (International Bar Association) aimed at delivering standard model clauses that the energy industry can rely on to implement their emissions reductions and decarbonization goals, contributing to an energy transition that is timely, just, sustainable, and efficient.

#### **THURSDAY, SEPTEMBER 21**

8:00 AM - 9:00 AM **Registration & Morning Refreshments**

9:00 AM – 10:30 AM **Update on the draft Model Long Term LNG Sale and Purchase Agreement**  
James English (*Clark Hill*) will discuss the status of the draft Model Long Term LNG Sale and Purchase Agreement which will provide the LNG industry with a neutral agreement appropriate for long term buyers, producers, and portfolio aggregators.

10:30 AM - 11:00 AM **Morning Coffee Break**

11:00 AM - 1:00 PM **Enhancing the Dynamics of Host Government – Foreign Investor Negotiations: Would a New Model Host Government Agreement Help or Hinder?**  
Efficient and effective government-investor negotiations are key to creating thriving energy projects both traditional and transitional. Professor Owen Anderson (*University of Texas*) will (i) moderate a discussion with Walid Mughrabi (*Chevron*), Ricardo Silva (*Miranda*), and Latifat Yusuff (*NNPC Group*) regarding the dynamics of government-investor negotiations and relations and (ii) briefly describe host government agreements (HGA) and then engage the audience in a discussion of the pros and cons of creating an AIEN Model HGA.

1:00 PM- 2:30 PM **Luncheon**

2:30 PM – 3:30 PM **“The Only Way to Predict the Future is to Build it” – A New Paradigm for our Model JOA**  
Nadine Amr (*Vinson & Elkins*) and Nick Scott (*Exxon*) will present and discuss the new JOA model and the implications of some of its new clauses, notably in the context of the energy transition.

3:30 PM - 4:00 PM **Afternoon Coffee Break**

4:00 PM - 5:30 PM **From Traditional to Transitional: Negotiating the New AIEN Model JOA**  
The 2023 AIEN Model JOA has introduced several new clauses reflecting an energy industry in transition. This mock negotiation, presented by Norman Nadorff (*Mayer Brown*) and Joao Oliveira (*bp*) will feature some of these clauses, including Carbon Capture and ESG as well as traditional battleground clauses. Coaches Leandro Duarte (*Mayer Brown*) and Maria Beatriz (*DLA Piper*) will lead teams comprised of law students and young professionals.

#### **FRIDAY, SEPTEMBER 22**

8:00 AM - 8:30 AM **Registration & Morning Refreshments**

8:30 AM – 9:00 AM **Keynote Address: Transitioning from Petroleum to Energy**  
Andres Guevara, President, bp Spain  
A discussion on how bp is reinventing itself as it navigates the energy transition.

9:00 AM - 10:20 AM **Focusing on Adaptability**  
David Haverkamp (*Enigma Advisors LLC*) will moderate a discussion between Martin Lucas (*Watson Farley*) and Bruce McLeod (*Pinsent Masons*), who will discuss how existing AIEN model contracts can be adapted to fit a capital-intensive clean energy world.

10:20 AM - 10:50 AM **Morning Coffee Break**

- 10:50 AM - 12:15 PM **Energy Development and Transition in Africa: The Role of Model Contracts**  
Eric Fry (*Past AIEN President and International Energy Consultant*) will moderate this panel in which Shakwa Nyambe (*SNC Incorporated*) and Julia Dias (*ENH*) will discuss how model contracts have helped facilitate energy development projects in Africa and the role they can play in the continent's dynamic embrace of energy transition and the wide spectrum of contracts it entails.
- 12:15 PM - 12:45 PM **New and Future AIEN Model Contracts – What's Next?**  
Chris Strong (*Vinson & Elkins*) will provide a closing overview of proposed updates and new models and seek audience feedback on how the model contracts organization can best serve the needs of AIEN members engaged in contract drafting and negotiations.
- 12:45 PM - 1:00 PM **Wrap up and Final Comments**  
Nuno Antunes (*Miranda*), Norman Nadorff (*Mayer Brown*), João Oliveira (*bp*), Co-Chairs
- 1:00 PM - 2:30 PM **Luncheon**