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Newsletter editors

[Susan Isiko Štrba](#) & [Maria Laura Marceddu](#)

Should you wish to include an item in the next SIEL newsletter, please contact us.

Congratulations to all of us for the SIEL 2016 Conference, which was a truly successful event! As announced at the AGM, the SIEL 2018 Global Conference will be held in **Washington D.C.** Please stay tuned for more information!

A brief update on the July AGM election results: Meredith Kolsky Lewis' term as Co-Executive Vice President of the SIEL came to an end. We greatly appreciate her vital service and look forward to continuous guidance from her. We also thank Amelia Porges, Federico Ortino and Tania Voon for their wonderful service to the SIEL, as their terms as officers or Executive Council member have come to an end. Welcome our re-elected, newly elected and continuing officers and Executive Council members to the group! Let's work together to serve our members and to ensure that the SIEL continues to grow!

Holger Hestermeyer & Shin-yi Peng

SIEL GOVERNANCE

Officers

Gabrielle Marceau (President); Shin-yi Peng & Holger Hestermeyer (Executive Vice-Presidents); Junji Nakagawa & José Caiado (Treasurers); Krista Nadakavukaren Schefer & Markus Wagner (SIEL Corporate Secretaries)

Executive Council

Padideh Ala'i, Freya Baetens, Michael Ewing-Chow, Meredith Kolsky Lewis, Jurgen Kurtz, Andrew Lang, Gracia Marin-Duran, Maria Laura Marceddu, Suresh Nanwani, Jumoke Oduwale, Federico Ortino, Shin-yi Peng, Colin Picker, Amelia Porges, Susan Isiko Štrba, Lisa Toohey, Galina Zukova



Some pictures of the 2016 SIEL Biennial Conference

Towards Inclusive Growth through Trade and Investment

As you know, our bi-annual conference took place this July in beautiful South Africa thanks to the exceptionally efficient team from Wits led by Engela Schlemmer and Franziska Sucker, and supported by SIEL colleagues Meredith Kolsky Lewis, Markus Wagner and Holger Hestermeyer. Almost 180 participants from some 44 countries participated in 28 panels over the three days of the conference. The conference focused on the place of international economic law in an increasingly diverse world, and the discussions were intensive, detailed, and enlightening. All who attended left with greater understanding of, and sensitivity to the importance of the diversity of actors, tools and means, as well as issues in international trade, investment, financial and monetary law. We bring along so many beautiful souvenirs of this recent Southern winter.

With the Northern autumn coming, we need to face colder issues. In early September, for the first time ever, the leaders of the G20 meeting in Hangzhou, China, acknowledged several weaknesses in our global economy and set ambitious goals to deal with growth that is not as inclusive as it could or should be. The so-called "Hangzhou Consensus" represents a package of policies and actions for strong, sustainable, balanced, and inclusive economic growth.

The growing anti-trade sentiment in numerous countries risks giving rise to increased protectionism, and is fuelling populist sentiment that a significant part of the global population does not benefit from the growth brought about by globalisation. Are the benefits of trade, investment and globalisation appropriately distributed to an increasingly sceptical public? Who is responsible for ensuring an appropriate distribution of the benefits accruing from growth resulting from international trade and investment?

Supporting the multilateral trade system through a rules-based, transparent, non-discriminatory,

open, and inclusive multilateral trading system contributes to growth which is essential to economic and social development. The WTO plays a central role in this regard, as its rule-based system favours economic growth and non-discrimination. Recently the WTO delivered more negotiated results which will lower barriers to trade. For example, WTO Members decided to eliminate agricultural export subsidies, they concluded the Trade Facilitation Agreement and they expanded the Information Technology Agreement. This should promote inclusiveness. Is it enough, though? Is this what "inclusiveness" is really about? But all actors, including the WTO and governments, should do much more for inclusiveness.

As noted by DG Azevêdo, inclusiveness is about bringing the benefits of globalisation to all actors, small businesses (SMEs) and ultimately to individuals. For his goodbye speech before the UNGA, President Obama also called for a more inclusive international system. What does inclusiveness mean? Inclusiveness is inter alia about trade via digital means and e-commerce, which are more accessible to all; it is about making sure that small and medium enterprises benefit from globalisation. Inclusiveness is also, importantly, about domestic policies to ensure that the benefits of trade are widely distributed. However, there are no rules in the WTO that oblige or even encourage WTO Members to appropriately distribute the gains from import tariffs or other trade measures more generally, to the people. Some idealists have suggested that WTO Members should report, in the context of their Trade Policy Review Mechanism (TPRM), whether and how WTO-led benefits are distributed within their countries. For most WTO Members, conversely, this would constitute interference in domestic affairs, and we all agree that social choices between cultures are very difficult, if not impossible, to compare!

In the meantime, the world leaders have recognized that trade and investment alone will not bring about the inclusiveness that is needed. They have therefore decided to act on two relevant fronts: (i) endorse the G20 Strategy For Global Trade Growth, pursuant to which governments will promote the lowering of trade costs, harness trade and investment policy coherence, boost trade in services, enhance trade finance, promote e-commerce development, and address trade and development; and (ii) support policies that encourage firms of all sizes, in particular women-led firms, youth entrepreneurs, and SMEs, to take full-advantage of the global value chains.

The recognition of the need for further inclusiveness confirms a new dimension of international economic law which is growing more diverse in its expressions and its concerns. Some twenty years ago, we all agreed that development had to be sustainable. Subsequently, the WTO adapted to this new paradigm and the respect of sustainable development became a formal goal of the WTO, noted in its preamble. Today world leaders recognize that development, in order to be fully and effectively "sustainable", needs also to be inclusive. International economic law now needs to integrate this outcry for inclusiveness in its diverse expressions, announcing a new international spring season!

Gabrielle Marceau

Publications by SIEL members

IEL Activities

- A. Brexit means Brexit, but what does Brexit mean?
- B. The UNESCO & IEL Conference
- C. Mandela Institute 5th Annual IEL Update

Regional & Network Activities

- A. AIELN 2017 Conference
- B. Development and International Economic Law Network
- C. International Investment Law Network

Call for Papers

- A. New Cognitive Sociology, Culture, and International Law
- B. SIEL/JIEL/OUP Competition

Publications by SIEL members

Adinolfi, G., Baetens, F., Caiado, J., Lupone, A., Micara, A. (Eds.) *International Economic Law – Contemporary Issues* (Giappichelli / Springer 2016).

Hestermeyer H., How Brexit will happen: A Brief Primer on EU Law and Constitution, *Journal of International Arbitration* 2016; King's College London Law School Research Paper No. 2016-36. Available at SSRN [here](#).

Bartels L., The UK's Status in the WTO after Brexit, available at SSRN [here](#).

IEL Activities

A. Brexit means Brexit, but what does Brexit mean?

The Centre of European Law of King's College London is running a **Brexit Seminar Series 2016/17** starting in October 2016. Please see [here](#) for full details. To register for seminars please click [here](#). If you have any enquiries please contact [CEL](#).

B. The UNESCO World Heritage Between Education and Economy – A Legal Analysis

The Scientific Committee is pleased to invite you to the international Conference on the theme 'UNESCO World Heritage Between Education and Economy - A Legal Analysis', which will be held in Ravenna on 27-28 October 2016. Full program is available [here](#).

The participation is free for students and academics, but you have to register in advance, please contact [Fondazione Flaminia](#).

C. Mandela Institute 5th Annual International Economic Law Update

The Mandela Institute in collaboration with the World Trade Institute at the University of Bern and the Swiss State Secretariat for Economic Affairs (SECO) is pleased to invite you to the 5th Annual International Economic Law Update, which will take place at the Mandela Institute, University of the Witwatersrand, on 14 October 2016.

The draft programme, cost of participation and registration information are available [here](#).

Regional and Network Activities

A. AIELN 2017 Conference

The Asian IEL Network (AIELN) will hold its 5th biennial conference (**AIELN 2017 Conference**) on **16 - 17 June 2017**, under the theme "*Asian Perspectives on International Investment Law*", at the Xiamen University School of Law. Call for papers will be uploaded on the SIEL website in late October.

For more information, please contact [Junji Nakagawa](#) Chairman AIELN Steering Committee.

B. Development and International Economic Law Network

The Development and International Economic Law Network, co-chaired by Krista Nadakavukaren Schefer and Suresh Nanwani, held its second meeting following the inaugural meeting held in SIEL Conference 2014. The number of persons interested in this network has increased and any SIEL members can contact [Krista](#) or [Suresh](#) if interested in joining the Network. Although the internal blog project did not take off in 2014 as initially planned, there were positive results such as sharing contacts and making acquaintances with similar interests in development.

The participants at this year's meeting reconfirmed the interest in the Network and agreed on a blog project which went online (exactly on schedule) on September 15. For the first year (September 2016-August 2017), the topics will center around the theme of the Sustainable Development Goals.

For September 2017 – June 2018, the theme will shift to Institutional Frameworks for Development. Another SIEL member, Ohio Omiunu (in coordination with Amy Porges), has done the technical work of setting up a

blog site for the Network in the SIEL website and will continue providing technical support on the Development and IEL Network site.

All SIEL members are welcome to provide comments on the posted articles or submit new pieces related to the annual theme.

For more information will be available [here](#) and [here](#).

C. International Investment Law Network

The SIEL International Investment Law network is back, and committed to expanding its activities and developing new projects!

The Investment network invites SIEL members to express their interest to join this network by answering an online questionnaire. The questionnaire should take only a few minutes and can be found [here](#). We have agreed in Johannesburg that the data in the questionnaire will be made available to network members to facilitate interaction and collaboration in the field.

For any further information, and if you would like to get in touch to help this network operate, please contact [Maria Laura Marceddu](#) and [Juan David Barbosa](#).

Call for papers

A. Cognitive Sociology, Culture, and International Law

iCourts, the Danish Research Foundation's Centre for Excellence for International Courts invites academics and experts in various stages of their careers to submit abstracts exploring various interactions between sociological and cognitive processes and international law, for the third workshop on the sociology of international law, which will take place at the University of Copenhagen, 28-29 April 2017. Full details [here](#).

B. SIEL/JIEL/OUP Competition

A prize has been established by the Society of International Economic Law (SIEL), Journal of International Economic Law (JIEL) and Oxford University Press (OUP) for the best essay submitted on any topic in any field of international economic law. The 2016-2017 SIEL/JIEL/OUP Essay Prize competition is open, and authors meeting the stated conditions are warmly encouraged to send their submission by 15 January 2017. Further details are available [here](#).

Thanks for your support and interest.

Maria Laura Marceddu & Susan Isiko Štrba