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Newsletter editors

[Freya Baetens](#) and [José Caiado](#)

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

A. SIEL's Fifth Biennial Global Conference: International Economic Law in a Diverse World

The clock is ticking down towards SIEL's Fifth Biennial Global Conference on "International Economic Law in a Diverse World" that will be held at the Oliver Schreiner School of Law and its Mandela Institute, University of the Witwatersrand, Johannesburg, South Africa, from 7 to 9 July 2016. Once again, the SIEL conference will bring together leading academics from all over the world for three days of cutting-edge discussions in all areas of international economic law. Particular highlights will be the Opening Keynote Lecture on "Africa and the Disciplines of International Economic Law: Taking Stock and Moving Forward" by James T. Gathii (Loyola Chicago), the Robert

Hudec Lecture, which will be delivered by Donald McRae (Ottawa) on "International Trade Law and International Investment Law: Sub-sets of International Law or Self-contained Regime?" and Saturday's Plenary Keynote by Laurence Boisson de Chazourne (Geneva) on "Dispute Settlement in a Diverse World". The draft program of the conference is attached to the newsletter. You can still register for the conference via SIEL's website. The registration link and other practical information for the conference can be found [here](#). **Please note that early bird registration will be available until 23 May 2016.**

B. SIEL and ELSA Moot

The ELSA Moot Court Competition on WTO law (EMC2) is a competition designed to enhance knowledge of international trade law and WTO dispute settlement procedures, organized annually by the European Law Students' Association (ELSA) in cooperation with the World Trade Organization. Each participating team represents both the complainant and the respondent in a fictional case and prepares both written and oral submissions. Oral pleadings are made before panels consisting of WTO law experts. Through EMC2, ELSA is especially dedicated to build the capacity for meaningful engagement in multilateral trade in the long term.

The competition has five Regional Rounds, spread across four continents. This year rounds took place in Canada; Singapore, Czech Republic, Germany and South Africa. The best teams from every round will be facing each other in the Final Oral Round that will be organized in Geneva between the 7th and 12th of June 2016, where the following finalist teams will meet: Switzerland, Germany, Greece, Ukraine, the Netherlands, Belgium, Canada, United States, Colombia, India, Australia, China, Taiwan, South Africa and Kenya.

SIEL supports the Competition on an annual basis, with a special focus on the African Regional Round and SIEL officers often act as judges in the Regional Rounds. The 14th edition of the Competition counted with the presence of Lorand Bartels, Federico Ortino, Andrew Lang and Meredith Kolsky Lewis. Finally the members of the "best spirit team" and their coach will be awarded a full membership to SIEL, thanks to the President of SIEL; in addition the members of the second best team overall, will also each receive a membership to SIEL - thanks to Santiago Willis.



SIEL GOVERNANCE

Officers

Gabrielle Marceau (President); Meredith Kolsky Lewis & Holger Hestermeyer (Executive Vice-Presidents); Junji Nakagawa & Federico Ortino (Treasurers); Amelia Porges & Markus Wagner (SIEL Corporate Secretaries)

Executive Council

Padideh Ala'i, José Caiado, Michael Ewing-Chow, Susan Isiko Strba, Jurgen Kurtz, Andrew Lang, Nokuhle Madolo, Gracia Marin-Duran, Junji Nakagawa, Suresh Nanwani, Jumoke Oduwole, Shin-yi Peng, Colin Picker, Krista Schefer, Lisa Toohey, Tania Voon, Markus Wagner.



When investment meets with trade again - but better

More than 70 years ago experts in international economic law had already understood the fundamental link between trade and investment: providing a stimulus for development. Chapter III of the Havana Charter was entitled "Economic Development and Reconstruction" and it included a provision on "International Investment for Economic Development and Reconstruction" (Article 12). Furthermore, Article 1 on the "Objectives and Purposes" made a reference to the need "to encourage the international flow of capital for productive investment."

Pauwelyn has described in the ASIL 2014 proceedings the modern phenomenon of regulating investment and trade together in the mega regionals. This should be seen not only as "convergence" of the two regimes, but actually as the *re-convergence* of trade and investment. By this I mean that, what used to be together (trade and investment) and later drifted apart, is coming back together again.

We are now moving beyond the initial coordination of trade and investment towards greater institutional influence. Recently, the European Union (EU) proposed an Investment Court System (ICS) inspired by the functioning of the WTO Dispute Settlement System, i.e. providing for two distinct instances of judicial review and control. The ICS is already being implemented in the concluded EU-Vietnam FTA and the Comprehensive and Economic Trade Agreement (CETA) and is being proposed by the EU in its Trans-Atlantic Trade and Investment Partnership (TTIP) negotiations with the United States (US). The institutional design features of these three emanations of the ICS are basically the same. They are all bilateral in nature with jurisdiction over investment disputes

arising out of the specific agreement and they all provide for a Tribunal of First Instance as well as a standing Appeals Tribunal. The proposed Tribunal of First Instance is composed of fifteen 'Members' of which five Members are nationals of each concluding party to the agreement and the other five members originate from third countries. Ideally, members of the court should be practicing judges. The appointment procedure stands in stark contrast with the party-autonomy-inspired process in traditional investor-state arbitration as the appointment process will no longer lie in the hands of the disputing parties (i.e. the filing investor and the responding state) but rather will be exercised through a Joint Committee composed of the state parties to the treaty.

The functioning and design of the standing Appeals Tribunal is said to be inspired by the WTO's Appellate Body. The ICS Appeals Tribunal extends the scope of competence to upholding, modifying or reversing a first instance award also on the basis of (i) manifest errors in the application of facts, including the appreciation of relevant domestic law, and (ii) errors in the application or interpretation of applicable law (as well as (iii) the annulment grounds set out in Article 52(1) of the ICSID convention). Both ICS instances will generally hear cases in a division of three randomly appointed Members and receive support from a Secretariat, the definite identity of which is not yet determined.

Interestingly, in the CETA, Canada and the EU commit to work towards the establishment of a multilateral investment tribunal and appellate mechanism – "The Parties shall pursue with other trading partners the

establishment of a multilateral investment tribunal and appellate mechanism for the resolution of investment disputes." This international investment court could even become the appellate mechanism of the Trans-pacific Partnership (TPP) which provides in Article 9.23.11 that "in the event that an appellate mechanism for reviewing awards rendered by investor state mechanism is developed in the future under other institutional arrangements, the parties shall consider whether awards under the TPP could be reviewed by this new appellate mechanism".

The proposed "International Investment Court" is another example of the potential cross-fertilisation of ideas between various agreements and the benefit brought by the WTO's rich experience and successful existence to these new arrangements.

It is clear that the new generation of mega regional agreements are models of coordination and cooperation between trade and investment based on old models, with contracting parties trying to learn from the 60 years of the multilateral trade regime. The treaty drafters, the arbitrators and the IIL community overall will have to adapt to a system in which public concerns play a larger role and where one can learn from the WTO's institutional framework in order to promote dialogue. Here I am referring not only to the WTO dispute settlement system but also to the WTO's governance work in its regular committees and councils that have gained an institutional maturity, in order to explore innovative trade and investment dialogue.

This is only one of the several fascinating issues that will be discussed at the next SIEL Bi-annual conference in the Johannesburg on 7-9 July. See you there!

Gabrielle Marceau

Publications by SIEL members

IEL Activities

- A. A. Annual WTO Conference
- B. Chinese-Australia Conference

Regional & Network Activities

- A. PEPA

Other Activities

- A. IEL Publisher Discounts
- B. New Positions/Titles
- C. SIEL Website
- D. Other

Publications by SIEL members

Jaime Tijmes "Who Wants What?—Final Offer Arbitration in the World Trade Organization." *European Journal of International Law* 26, no. 3 (2015): 587-606.

Jürgen Kurtz. *The WTO and International Investment Law: Converging Systems*. 2015.

IEL Activities

A. 16th Annual Conference on WTO Law

The 16th Annual Conference on WTO Law will be held at the Graduate Institute Geneva and at the WTO, 10 to 11 June 2016. The Annual WTO Conference was originally established in 2000 through a partnership between the British Institute of International and Comparative Law (BIICL) and the Institute of International Economic Law (IIEL) at the Georgetown University Law Center, and is currently organised jointly by BIICL, IIEL, HEID and SIEL. The 16th Annual Conference will explore FTAs, tax reform, the Appellate Body and the WTO post-Nairobi. The Director-General of the WTO Roberto Azevêdo will chair a panel paying tribute to the late Professor John Jackson and Ambassador Julio Lacarte. More information [here](#).

B. Chinese-Australian Economic Law

UNSW Law's China International Business and Economic Law (CIBEL) Initiative is holding a conference on June 17-18 entitled "Chinese-Australian Economic Law Relations in the post-China Australia FTA ("ChAFTA") World". The conference program can now be viewed [here](#) where a registration link may also be found.

Regional and Network Activities

A. PEPA/SIEL

Since 2010, the Postgraduate and Early Professionals/Academics Network of the Society of International Economic Law (PEPA/SIEL) has been organising a yearly get-together where junior academics and practitioners present their work in an informal, yet constructive critical atmosphere, supported by senior SIEL commenters. So far, PEPA/SIEL has been hosted in Hamburg, Goettingen, Sao Paolo, Milan and Luxembourg. Should your university / department / institute be interested in hosting the next PEPA/SIEL conference scheduled for April 2017, please feel free to email the co-chairs [Freya Baetens](#) and [Jose Caiado](#) for more information. We hope to decide shortly after 10 July where the next SIEL/PEPA conference will take place, so please make sure to send us your proposal by that date. Moreover, PEPA is looking for a third co-chair to join the conference organization committee. The co-chairs are generally responsible for the PEPA/SIEL Network and work hand in hand with senior officers of SIEL and other institutions in order to organize the PEPA Conferences and design and implement SIEL's policies to promote international economic law among young academics and practitioners. If you are interested in joining PEPA, please contact the co-chairs for more information.



Other Activities

A. IEL Publisher Discounts

Since its inception, SIEL has negotiated SIEL member discounts with a wide variety of publishers, **including a new discount with KLUWER**, all of which have been very supportive of SIEL. More information on discounts available can be found [here](#).

B. New Positions/Titles

Jaime Tijmes is now Director of the newly created Universidad de La Frontera [Research Center on International Challenges](#)

Susan Isiko Strba is now Visiting Senior Research Fellow at the University of the Witwatersrand, Johannesburg

If you have any upcoming changes that you would like us to list, please email either [José](#) or [Freya](#) with the details.

C. SIEL Website

SIEL is happy to post IEL job advertisements, conference and calls, and similar material on the [News, Events and Jobs](#) section of the website. Material can be sent to [Lisa Toohey](#). Please send text that can be cut and pasted into our section. Please do NOT send files for uploading, but rather a hyperlink.

D. Other

SIEL seeks to **publicise IEL events** including conferences, calls for papers, IEL competitions, IEL programmes etc. Please send us such information for posting. To view a list of past SIEL posts, please visit the [SIEL website](#). As members of a member-run organization, please consider getting in touch with Meredith Lewis and Holger Hestermeyer, SIEL Executive Vice-Presidents, with specific ideas for SIEL projects and services. We are committed to expanding SIEL activities and services wherever appropriate - whether individual or in partnership with other IEL organizations around the world. Indeed, at the moment we are in the process of developing new projects and services and once they are finalized we will let you know.

Thanks for your support and interest.

Freya Baetens & José Caiado

Executive Council Members
SIEL Newsletter Editors



Society of
International
Economic
Law

SIEL Biennial Conference Johannesburg, South Africa 7-9 July 2016

DRAFT PROGRAMME

INTERNATIONAL ECONOMIC LAW
IN A DIVERSE WORLD?

**Please note that this programme is in draft form
and only indicative of the final version.
It may be subject to changes due to factors outside of SIEL's control.**

I. Conference Programme

THURSDAY, JULY 7th

12:00 Registration Opens

SIEL Network/Other IEL Organizations' Meetings/Panels

13:00-14:00	Development and International Economic Law Network
14:00-15:00	Africa IEL Network
14:00-15:00	SIEL Post Graduate/Early Professionals Association (PEPA) Meeting
14:00-15:00	Australia & New Zealand IEL
14:00-15:00	RED Latin America
15:00-16:00	Asia IEL Network
15:00-16:00	ESIL International Economic Law Interest Group
16:00-17:00	International Investment Law Network
16:00-17:00	International Intellectual Property Law Network
16:00-17:00	Sociolegal & IEL Theory Network
16:00-17:00	International Financial and Monetary Law Network

17:00-17:30 Tea/Coffee

17:30-18:30 OPENING REMARKS

Meredith Kolsky Lewis and ***Holger Hestermeyer***
SIEL Co-Executive Vice Presidents

INTRODUCTION TO THE CONFERENCE THEME

Name of host, Institution

18:30-19:45 INTRODUCTION TO THE OPENING KEYNOTE LECTURE

Name, Institution

OPENING KEYNOTE LECTURE: Africa and the Disciplines of International Economic Law: Taking Stock and Moving Forward

James T. Gathij, Wing-Tat Lee Chair in International Law and Professor of Law, Loyola University Chicago School of Law

19:45 KEYNOTE LECTURE RECEPTION

Brief Remarks by ***Gabrielle Marceau***, SIEL President

FRIDAY, JULY 8th

9:00-10:45 Panel Presentations

Panel I: Diversity of Approaches in Reforming the International Investment Law Regime: Where does Africa Stand?

Chair: Elisabeth Tuerk, United Nations Conference on Trade and Development (TBC)

Huiping Chen, Xiamen University
China's "One Belt One Road Initiative" and its implications for Africa

Makane Mbengue, University of Geneva
The "Africanisation" of International Investment Law

Jürgen Kurtz, University of Melbourne
Common Goals, Divergent Paths: Regionalism in ASEAN vis-a-vis Africa

Tony VanDuzer, University of Ottawa
TBD

Concurrent with

Panel II: International Financial Law

Chair: *Name*, Title

Carlo de Stefano, Bocconi University
Reforming Rule-making and Enforcement Mechanisms of International Financial Law

Julie A. Maupin, Max Planck Institute for Comparative Public Law and International Law
Why Developing Countries Should Take the Lead in Developing Regulatory Strategies for Cryptocurrencies and other Distributed Ledger Technologies

Bryan Mercurio, Chinese University of Hong Kong
Trouble Ahead, Trouble Behind: The IMF's Endorsement of Capital Controls and the Coming Clash with Trade and Investment Law

Veer Mayank, Sikiim University
Shadow Banking Regulation in India and Global Financial Order: A Case for Broadening the Horizons of Regulation

Concurrent with

Panel III: International Investment Law and Its Connections with Other Regimes

Chair: *Name*, Title

Gabriele Gagliani, Bocconi University
International Investment Disputes and Intellectual Property: The Technical Reasons of an Inappropriate Marriage

Murilo Lubambo, University College London
Entry Rights and Investments in Services: Convergence between Regimes?

Michael Ewing-Chow, National University of Singapore
Corporations as Investors: The Interaction of International Law and Domestic Corporate Law

Dylan Geraets, University of Leuven
Reconciling Trade and Investment Law with Environmental Concerns: The Case of Shale Gas Extraction Regulation

Concurrent with

Panel IV: TBT, SPS and Private Standards: Are Consumers and Enterprises Substituting Governments in International Regulation?

Chair: *Vera Thorstensen*, Fundação Getulio Vargas / São Paulo

Ulrich Hoffmann, United Nations Forum for Sustainable Standards / UNCTAD
Consultant
The Role of UNFSS in the Discussion of Private Standards

Joseph Wozniak, International Trade Center
Private Standard and Corporate Responsibility

Junji Nakagawa, University of Tokyo
Prospects and Limits of Private Standards in the Global Governance of Food Safety, Sustainability and Labor Conditions

10:45-11:30 Tea/Coffee & ~~Poster Presentations 1~~

11:30-13:00 Panel Presentations

Panel V: International Trade Law

Chair: *Name*, Title

Georgios Dimitropoulos, Max Planck Institute Luxembourg Procedural Law
Behavioural International Trade Law

Heng Wang, University of New South Wales
The Recent Trend of China's FTAs: A Paradigm Shift?

Elisa Baroncini, University of Bologna
Private Standards, Obligations of Governments, and Unresolved Questions in
WTO Law

Concurrent with

Panel VI: International Investment Law

Chair: *Name*, Title

André Nunes Chaib, Max Planck Institute Luxembourg for Procedural Law &
Franz Ebert, Max Planck Institute for Comparative Public Law and
International Law
The Role of International Financial Institutions' Accountability Mechanisms in
Fostering Human Rights Concerns: The Case of the World Bank Group

Dominik Moskvan, University of Antwerp
Square One: In Search of a Legal Taxonomy of Foreign Investment

Daniel Behn, University of Oslo & Malcolm Langford, University of Oslo
Managing Backlash: The Evolving Investment Treaty Arbitrator

Relja Radović, University of Luxembourg
Who Is the Dominant Lawmaker: Arbitrators' Perception of Dispute Settlement
Clauses as Substantive Rights in Investment Arbitration

Concurrent with

**Panel VII: Regulatory Convergence in a Diverse World or Regulatory
Diversity in a Converging World? Perspectives from Asia,
Latin America and the Atlantic**

Chair: *Hilton Zunckel*, Hilton-Lambert Practitioners of Trade Law

Claudio Dordi, Bocconi University
Regulatory Convergence and Coherence Issues in the Association of South-
East Asian Nations (ASEAN), the Asia-Pacific Economic Cooperation (APEC),

the Trans-Pacific Partnership (TPP) and the ASEAN Regional Economic Partnership (ARSEP)

Pierre Sauvé, World Trade Institute
A Bridge Too Far? Skeptical Ruminations on the Transatlantic Trade and Investment Partnership (TTIP)

Carolina Palma, University of Costa Rica
New Regionalism in Latin America: The Experience of the Pacific Alliance

Ilaria Espa, World Trade Institute
The European Union (EU) Approach to Regulatory Convergence and Coherence Issues in Regional Trade Agreements: Recent Evolutions

Concurrent with

Panel VIII: Regional or Domestic Approaches to International Investment Law

Chair: *Name*, Title

Cynthia Chikura
One BIT at a time: Reconciling the International Investment Protection Rules Regime with Domestic Law: The South African Case Study

Carlos Reyes Díaz, ___ & Daniela Gómez-Altamirano, World Bank Group
From investment protection to risk mitigation: The Brazilian new approach to address investor-State conflict

Locknie Hsu, Singapore Management University
Asian Approaches to Prevention and Settlement of Investment Disputes

Victor Saco, Pontificia Universidad Católica del Perú
Peru at ICSID: The Successful Experience of a Developing Country and the Lessons it is Possible to Learn from this Case

Dunia P. Zongwe, University of Namibia
Natural Resources for National Reconstruction: A New Generation of Investment Contracts in the Extractive Industry

13:00-14:00 Lunch
Potential Presentation by sponsor

14:00-15:30 Panel Presentations

Panel IX: WTO Trade Law as a Tool for Development: Leveraging WTO Trade Law to Access High-Value Developed Country Markets for Agricultural Products

Chair: *Scott Andersen*, Sidley Austin

Katrin Kuhlmann, New Markets Lab
Domestic Regulatory Environment and New Economic Opportunities

Kholofelo Kugler, Advisory Center for WTO Law
Agricultural Barriers and Developing Countries

Colette van der Ven, Sidley Austin
Trade Barriers in Agriculture and WTO-consistent Future Options

____, Representative from the International Trade Center (TBD)
Markets and Market Barriers for Small and Medium-Sized Enterprises

Concurrent with

**Panel X: International Economic Law and India's Regulatory
Autonomy: Challenges and Prospects**

Chair: *Federico Ortino*, King's College London

Prabhash Ranjan, South Asian University
India's Food Security Programme and the WTO: What Options does India
have?

Yogesh Pai, National Law University, New Delhi
India's Regulatory Autonomy and Pharmaceutical Patent Protection: 20
Years of TRIPS and Beyond

Aniruddha Rajput, National University of Singapore
Safeguarding India's Regulatory Autonomy in BITs: Analysis of the New
Model BIT

Deepak Raju, Sidley Austin LLP
Implications of India's Trade and Investment Obligations for the Energy Sector

Concurrent with

Panel XI: Transparency in Investment Arbitration

Chair: *TBD*, Title

Dimitrij Euler, University of Basel
Potentials and Limitations of the UN Transparency Convention and
UNCITRAL Transparency Rules

Ian A. Laird, Crowell & Moring

Transparency in Argentina, Australian, Canadian, Chilean, United States of America Perspective

Filip Boras, Independent

Transparency in Central, Eastern European, and Central Asian Perspective

Jackson Shaw Kern, Addis Law Group

Beyond Transparency in Investment Arbitration

Mamadou Hébié, Grotius Centre for International Legal Studies

Transparency in Diverse African Democracies

Concurrent with

Panel XII: International Trade Law

Chair: Victor do Prado, World Trade Organization (TBD)

Alexia Herwig, University of Antwerp

A Theory of the Purpose of GATT Article XX

Monica Oliveira, University of Florida

Argentina – WTO, OECD and Harmful Tax Competition

Marios C. Iacovides, Uppsala University

Assessing WTO Members' diverse public policy goals: The methodological convergence through a more economic approach to infringements and justifications

Michelle Limenta, Universitas Pelita Harapan

Disabling Labeling: The Indonesian Mandatory Halal Labeling Law and WTO Consistency

Emily Reid, University of Southampton

Article 2.2 TBT: Market Access and Legitimacy in the Balancing of Trade Liberalisation and Non-Economic Objectives in WTO Law

Altagracia E Cuevas Arthur, University of Barcelona & Olga Bogurina

Kovalkova, University of Barcelona, Art. XXI GATT in the XXI'st Century: From Security Exceptions to Commitments' Detraction?

**15:30-16:15 Tea/Coffee Break sponsored by ___ & Poster Presentations
2**

Uma Kollampambil, ___

Assessing the Impact of BRICS on South Africa's Bilateral Trade: A Random Coefficient Gravity Model Analysis

Eduardo Cavalcanti, ___

The Spratly Islands and regional arrangements: new perspectives for joint development in the South China Sea

Alebe Linhares Mesquita, ____
Can Environmental Challenges be tackled through Trade? A comparative analysis of the environmental regulation in the TPP, TTIP and RCEP

Camilla Targino, ____
The UNESCO's Convention on Cultural Diversity and WTO as mechanisms to safeguard the cultural creations

Leonie Reins, University of Leuven
Diverging Interests and Law-Making in the WTO: Exploring Avenues for Future Multilateral Trade Cooperation

Vicky Heidemann, Rhodes University
Transformation and social redress as a reflection of public morals: should Article XX GATT and Article XIV GATS allow for undisguised protectionist measures?

Charmika Samaradiwakera Wijesundara, University of the Witwatersrand
The Commodification of Rights: Transformation and Education

Edith Kiragu, University of the Witwatersrand
Reconciling the Environmental Goods Agreement Agenda with Local Content Requirements in Renewable Energy Programmes

Federico Lupo Pasini, Queen's University Belfast
The Emergence of a Common Regulatory Regime in Cross-Border Bank Resolution

Jason Houston-McMillan, University of Cape Town
A Critical Analysis of the Legitimate Regulatory Distinction Test as Developed by the Appellate Body in the 2012 TBT Disputes: US – Clove Cigarettes, US – Tuna II and US – Cool and its Effect on TBT Jurisprudence

16:15-16:30 **INTRODUCTION TO THE ROBERT HUDEC LECTURE**
Colin Picker, University of New South Wales

16:30-17:30 **ROBERT HUDEC LECTURE: International Trade Law and International Investment Law: Sub-sets of International Law or Self-contained Regime?**
Donald McRae
Professor of Law, University of Ottawa
____ (additional title?)

17:30-18:15 **Sponsorship Event**

19:00 **CONFERENCE DINNER**

___ (include name / location)

19:15-19:25

Welcome on behalf ___
Title and **Name**

20:00-20:10

Platinum Sponsor Speech
Name, Organisation

SATURDAY, JULY 9th

9:15-11:00 Panel Presentations

Panel XIII: Trade in Services

Chair: Werner Zdouc, World Trade Organization (TBD)

Tania Voon, University of Melbourne
Liberalisation of Trade in Services – New Beginnings

Johanna Jacobsson, European University Institute
Preferentialism in Services Trade: An Interpretation of the WTO Rules and their Application to the European Union's Trade Agreements in the Field of Services

Shin-yi Peng, National Tsing Hua University & Han-Wei Liu, National Tsing Hua University
The Legality of the Data Localization Requirements – The TPP and Beyond

Concurrent with

Panel XIV: Regionalism

Chair: Name, Title

David Kleimann, University of Passau
Reconciling Structural Diversity and Deep Integration Objectives: Towards an EU – ASEAN Economic Partnership Agreement

Jumoke Oduwole, University of Lagos & Adetola Onayemi, Policy Bank Centre
A New Trade and Investment Policy Direction for Africa in a Changing Highly Globalised World: Proposals for Nigeria's Future Trade Policy

Gabrielle Marceau, World Trade Organization & Victor Do Prado, World Trade Organization
From Regional to Multilateral: Parameters for the Future

Chieh Huang, Oxford Brookes University
Engaging Private Actors in Trade Disputes in China

Concurrent with

Panel XV: Trade Dispute Settlement

Chair: Jayant Dasgupta, Lakshmikumaran & Sridharan

Chenxi Wang, University of New South Wales

Institutional Thoughts on China's Participation in the WTO Dispute Settlement Mechanism

Lisa Toohey, University of New South Wales
Dispute Settlement and Diversity: New Conditions, New Models?

Lorand Bartels, University of Cambridge
Jurisdiction and Applicable Law in the WTO Dispute Settlement System: The Functions of WTO Panels

Concurrent with

Panel XVI: Renewable Energy / Climate Change

Chair: *Name*, Title

Vyoma Jha
Trade, Investment and Climate Change: How International Economic Disputes in Renewable Energy are Shaping New Norms of Regime Interaction

Gonzalo Villalta Puig, Chinese University of Hong Kong & Mandy Fang, Chinese University of Hong Kong
Renewable Energy Goods in International Trade Law

James Munro, ____
The Implications of the Paris Climate Agreement for the International Trade and Investment Regime

Christian Häberli, World Trade Institute
After Paris (COP21) and Nairobi (MC10): international rules for agricultural trade and investment preventing climate change mitigation and adaptation

Natasha Anastasia Georgiou, University of Reading
EU-Russia Energy Relations: The Gaps in the Legal Framework Regulating Energy Trade from an Investment Protection Perspective

11:00-11:30 Coffee/Tea & ____ Book Launch

11:30-13:00 Panel Presentations

Panel XVII: Trade and Public Health Debate: New Developments and Perspectives

Chair: Name, Title

Lukasz Gruszczynski, Polish Academy of Sciences
The WTO and FCTC Dispute Settlement Systems: Friends or Foes?

Marina Foltea, Trade Pacts: Global Trade and Investment Advisors
New Tobacco Products under WTO Law: Are these “like” Cigarettes?

Markus Wagner, University of Warwick
Regulatory Autonomy under the SPS Agreement

Enrico Bonadio, City University London
Global Brands and Packaging: Can the Use of IP Assets be Restricted to Promote Healthy Behaviours

Concurrent with

Panel XVIII: Title

Chair: Name, Title

Ify Ogo, Maastricht University
The Impact of Institutional Development on African Economic Performance

Davis Francis, The Judiciary of United Republic of Tanzania
Implementation of the Bali Agreement on Trade Facilitation among Least Developed Countries (LDCs): Risk Management in Single Window System (Case Study Of Tanzania)

Iwa Salami, University of East London
GATS and Financial Stability Implications of Cross Border Banking in Africa: Which Regulatory Approach?

Susan Isiko Strba, University of the Witwatersrand
African Development Agendas and Intellectual Property

Concurrent with

Panel XIX: What Future for IIL?

Chair: Name, Title

Laurence Boule, ___ & Franziska Sucker, University of the Witwatersrand
Language, Empowerment and Disempowerment in Trade and Investment: Challenging the Discourse of Trade and Investment

Bhushan Satish, University of Geneva & Graduate Institute of International and Development Studies
Building a Case for Primary Host State Claims in Investment Treaty Arbitration

Fuad Zarbiyev, Graduate Institute of International and Development Studies
Public International Law in Investment Treaty Arbitration: A Paradigm in Action

Amokura Kawharu, University of Auckland
Joint Commissions – A ‘Regime’ Analysis of an Investment Treaty Reform Idea

Concurrent with

Panel XX: International Economic Governance: From Local to Mega-Regionals

Chair: *Name*, Title

Timothy Meyer, Vanderbilt University
Local Responsibility in International Economic Law

Ohio Omiunu, De Montfort University
Incoherence on the Role of Subnational Actors in the Evolving Mechanisms for International Trade Interactions: A Comparative Analysis of Belgium and Canada

Charlotte Sieber-Gasser, World Trade Institute
New Challenges for Low Income Economies: Mega-Regional Trade Agreements, Regulatory Convergence and How Special and Differential Treatment is (Un)Able to Tackle Them

Prapanpong Khumon, University of the Thai Chamber of Commerce
Development of Rule-Based Investment Protection Provisions in Mega-FTAs: A Manifestation or a Negation from Customary International Law Principles?

Ljiljana Biukovic, University of British Columbia
The Long and Winding Silk Road: China’s “One Belt, One Road” as a Form of International Trade Governance

13:00-14:30 Lunch

Concurrent with

13:30-14:30 Informal Commentary by Distinguished IEL Experts on a “Burning Issue” in IEL (Participants & Topic TBA)

14:30-16:00 Panel Presentations

Panel XXI: Regulatory Autonomy in International Investment Law

Chair: *Stephan Schill*, Title (could also do substantive presentation)

Tomer Broude, Hebrew University

Who Cares about Regulatory Space in ISDS? An Empirical Analysis of BIT Renegotiation

Elizabeth Anne Sheargold, Melbourne Law School

Scheduling Regulatory Autonomy: The Use and Coverage of Non-Conforming Measures Clauses in Recent International Investment Agreements

Caroline Henckels, University of New South Wales

Protecting Regulatory Autonomy through Greater Precision in Defining States' Investment Treaty Obligations: the TTIP, TPP and CETA

Pushkar Anand, University of Petroleum and Energy Studies

South Asian Bilateral Investment Treaties and Regulatory Autonomy to Protect the Environment: Is there a Threat?

Concurrent with

Panel XXII: Trade Remedies

Chair: *Johann Human*, World Trade Organization

Jose Caiado, University of Hamburg

Flexibilities in the SCM Agreement: Using GATT XX or Remedies Rules for Subsidies?

Julia Ya Qin, Wayne State University & Tsinghua University

State Ownership and Market Benchmarks under WTO (and TPP) Subsidy Disciplines: Progress and Remaining Challenges

Ousseni Illy, Université Ouaga II

Trade Remedies in Africa

Juliana Feriato, State University of Maringá

The Developing and Least Developed Countries' Challenges on Countering Subsidies at the WTO

Weiwei Zhang, Graduate Institute of International and Development Studies

'Trade' Countermeasures under 'Trade' Agreements In View of the Evolving Concepts of 'Trade'

Concurrent with

Panel XXIII: Sovereign Debt Restructuring in a Diverse World

Chair: *Matthias Goldman*, Max Planck Institute for Comparative Public Law and International Law

Cephas Lumina, ____
TBD

Francis Chukwu, Clifford Chance & University of Amsterdam
Sovereign Debt Restructuring: A Contract Theory Perspective

Matthias Goldman, Max Planck Institute for Comparative Public Law and International Law & Goethe University Frankfurt
An Incremental Approach to Sovereign Debt Restructuring: The Principle of Sovereign Debt Sustainability

Diane a. Desierto, University of Hawaii
Mainstreaming ICESCR Compliance in Sovereign Debt Restructuring: Negotiation Agendas, Collaborative Processes, and Cooperative Outcomes

Daniel Bradlow, University of Pretoria
The Alternative Sovereign Debt Initiatives and Their Implications for Global Financial Governance

Concurrent with

Panel XXIV: Recalibrating International Investment Agreements: What Are the Contributions of the BICCS countries?

Chair: *TBD*, Title

This roundtable will debate the current transformation of investment law and policy in Brazil, India, China, South Africa and Chile. Participants are invited to explore three interrelated themes in their countries' investment agreements: 1) Its main features and drivers; 2) The balance between investor protection and regulatory space; and 3) Investment dispute settlement.

Michelle Ratton Sanchez Badin Fundação Getulio Vargas in São Paulo (FGV-EDESP) & Fabio Morosini Federal University of Rio Grande do Sul

Rodrigo Polanco, Universidad de Chile

James J. Nedumpara Jindal Global Law School
Vivienne Bath, University of Sydney

Malebakeng Agnes Forere, University of the Witwatersrand

—

Chair: *Name*, Title

16:00-16:30 **Tea/Coffee**

16:30 -17:30 **INTRODUCTION TO PLENARY KEYNOTE**
Name, Institution

PLENARY KEYNOTE: Dispute Settlement in a Diverse World

Laurence Boisson de Chazournes

Professor of Law at the University of Geneva

17:30-18:30 **Conference Closing Remarks followed by SIEL
Annual General Meeting**

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