International Economic Law in Unsettling Times

SIEL Biennial Conference Washington, D.C.
American University Washington College of Law

July 12 - 14, 2018

PROGRAM SCHEDULE
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Thursday, July 12, 2018

10:00 - 11:00, Room C217, 2nd Floor, Capital Building
JIEL Editorial Board Meeting

11:00 - 12:00, Room Y404, 4th floor, Yuma Building
JWIT Editorial Board Meeting

12:00, Founders Lobby, Terrace Level, Yuma Building
Registration Opens

11:45 - 13:00, Room NT01, Terrace Level, Warren Building
TradeLab Showcase
Law Clinics to make WTO, Preferential Trade and Bilateral Investment Treaties work for everyone—TradeLab is a Geneva-based NGO, connecting students and experts via a network of law clinics to build lasting legal capacity for developing countries, SMEs and NGOs.

11:30 - 12:55, Light lunch for TradeLab Showcase participants

13:05 - 13:55, SIEL Networks Meetings
• International Investment Law Network; Room Y402, 4th floor, Yuma
• IEL and Development Network; Room Y403, 4th floor, Yuma
• International IP Law Network; Room YT17, Terrace Level, Yuma
• Sociolegal & IEL Network; Room Y115, 1st floor, Yuma

14:05 - 14:55, SIEL Regional Groups Meetings
• Australia & New Zealand IEL Interest Group; Room NT01, Terrace Level, Warren
• Asia IEL Network; Room Y403, 4th floor, Yuma
• ESIL International Economic Law Interest Group; Room YT17, Terrace Level, Yuma
• Africa IEL Network; Room Y115, 1st floor, Yuma
• RED Latinoamericana; Room N101, 1st floor, Warren
• South Asian Network; Room Y402, 4th floor, Yuma

15:15 - 15:30, Claudio Grossman Hall, Terrace Level, Yuma
Opening Remarks and Organization of the Conference

Padideh Ala’i, Professor of Law & Director of International & Comparative Legal Studies, American University Washington College of Law
Holger Hestermeyer & Shin-yi Peng, SIEL Co-Executive Vice Presidents

15:30 - 15:45, Claudio Grossman Hall, Terrace Level, Yuma
International Economic Law in Unsettling Times
Gabrielle Marceau, SIEL President, GSI Global Studies Institute UNIGE
15:45 - 16:30, Claudio Grossman Hall, Terrace Level, Yuma
Keynote Opening Lecture
Understanding International Economic Law in Unsettling Times: A Feminist Approach?
Hélène Ruiz Fabri, Director Max Planck Institute Luxembourg (Previous Dean University of Sorbonne I)

16:30 - 17:20, Claudio Grossman Hall, Terrace Level, Yuma
A Conversation on the WTO Appellate Body in Unsettling Times with:

Ricardo Ramírez-Hernández, Professor, National Autonomous University of Mexico; Member, ICSID Panel of Arbitrators; Former Chairman of the WTO Appellate Body
Jennifer Hillman, Professor, Georgetown Law School
Giorgio Sacerdoti, Professor, Bocconi University

Moderator: Padideh Ala’i, Professor of Law & Director of International & Comparative Legal Studies, American University Washington College of Law

17:30 - 18:45, Claudio Grossman Hall, Terrace Level, Yuma
The NAFTA state of play and the implications arising from new rules

Chair: Pablo Bentes, Managing Director, International Trade and Investment, Steptoe & Johnson
Rufus Yerxa, President, National Foreign Trade Council, Washington, D.C.
Jonathan Fried, Coordinator, International Economic Relations and Personal Representative of the Prime Minister for the G20, Head lawyer for Canada during the NAFTA negotiations
Ricardo Ramírez-Hernández, Professor, National Autonomous University of Mexico; Member, ICSID Panel of Arbitrators; Former Chairman of the WTO Appellate Body

18:45, Claudio Grossman Hall, Terrace Level, Yuma
Welcome Reception

Sponsored by: Steptoe
Panels 9:00 - 10:40

Panel I: General and Theoretical Aspects of Investment Law, Room NT08, Terrace level, Warren
• **Stephan Schill**, *University of Amsterdam*
  • Applicable Law Provisions in Investment Treaties: An Empirical Take
  **Dafina Atanasova**, *Centre for International Law, National University of Singapore*
  • The Private Law Critique of International Investment Law
  **Julian Arato**, *Brooklyn Law School*
  • Allocation of Risks Between Foreign Investors and Host States during Economic Crises: Lessons from the Case Law of the Argentinian Crisis
  **Alberto Alvarez-Jimenez**, *University of Waikato, New Zealand*
  • The CETA Ratification Process Before the EU & National Parliaments: The State of Art of the Unprecedented Big Debate on Investment Issues Involving Civil Society
  **Elisa Baroncini**, *University of Bologna*

Panel II: International Economic Law and the Right to Regulate, Room NT07, Terrace level, Warren
• **Carolina Palma**, *Trade and Custom Leader for Central America, the Dominican Republic and Panama, Ernst & Young*
  • Making the right to regulate in investment agreements work for development: Reflections from the South African and Brazilian experiences
  **Fabio Morosini**, *Federal University of Rio Grande do Sul*
  • Compensable vs. Non-compensable States’ measures. Blurred picture and changing borderline under investment law
  **Maciej Zenkiewicz**, *Universidad Externado de Colombia*
  • Self-Embedded Liberalism: How a Proper Understanding of “Distortions to Trade” Can Reconcile Efficient Trade with WTO Members’ Freedom to Regulate Trade However They Want
  **Donald Regan**, *University of Michigan Law School*
  • Should standards be considered as a trade issue?
  **Henri Culot**, *Université Catholique de Louvain*

Panel III: Exceptions in Trade and Investment Law, Room NT01, Terrace level, Warren
• **Joost Pauwelyn**, *Graduate Institute of International and Development Studies*
  • Importing WTO General Exceptions into International Investment Agreements
  **Tania Voon**, *University of Melbourne*
  • Is Tobacco Killing Common Sense in Trade and Investment Agreements?
  **Bryan Mercurio**, *Chinese University of Hong Kong and Simon Lester, Cato Institute*
  • Tobacco Tactics and International Courts: Delay, Preempt or Weaken Regulations
  **Sergio Puig**, *University of Arizona*
  • The exception proves the rule? The role of public policy exceptions in trade and investment agreements
  **Caroline Henckels**, *Monash University*
Panel IV: Supply Chains and Services, Room YT17, Terrace level, Yuma

• Suresh Nanwani, *Australian National University*
  • Revolutionizing global supply chains one block at a time: Growing international trade with blockchain - are international rules up to the task?

**Tracey Epps, Trade Law Consultant, Chapman Tripp**
• Rules of Origin in Services: A New Approach for a Value-Chain World

**Daniela Gomez-Altamirano, World Bank**
• Services liberalization by federal entities: what approach to sub-central commitments?

**Johanna Jacobsson, IE University**
• Recent Preferential Trade Agreements' disciplines for tackling regulatory divergence in services: a step too far?

**Gabriel Gari, Queen Mary University of London**
• Blockchain: Creating and Eliminating Services

**Weiwei Zhang, Graduate Institute of International and Development Studies**

Panel V: Regulating Finance, Room 401, 4th floor, Yuma

• Christoph Hermann, *University of Passau*
  • The governance for international banking regulation in the face of plurality, interconnection and integration

**Matteo Ortino, University of Verona**
• The European banking authority and the evolution of the EU administrative system: the case of innovative payment services

**Elisabetta Cervone, World Bank, University of Milan**
• Enlisting internal and external financial gatekeepers: Problems of multiple centres of knowledge construction

**Andrea Minto, Utrecht University; Deutsche Bundesbank**
• Establishing International Standards for Anti-Money Laundering Regulation on Virtual Currencies

**Kuan-Chun Johnny Chang, National Chengchi University College of Law**

10:40 - 11:10, Founders lobby

Tea & Coffee
Panel VI: Domestic v International, Room NT08, Terrace level, Warren
• Fiona Smith, University of Leeds
  • Unilateral acts and state responsibility: situating domestic investment statutes within international law
  Jarrod Hepburn, Melbourne Law School
  • Competitive Neutrality of State-Owned Enterprises in International Investment Law
  Carlo de Stefano, Roma Tre University
  • Institutional diversity and the global trading system
  Andrew Lang, University of Edinburgh
  • Once Bitten, Twice Shy? How Disputes Affect Regulatory Space in Investment Agreements
  Alex Thompson, Ohio State University, Tomer Broude, Hebrew University of Jerusalem and Yoram Z. Haftel, Hebrew University of Jerusalem

Panel VII: Of Human Rights and Human Interests, Room NT07, Terrace level, Warren
• Susan Franck, American University Washington College of Law
  • Misaligned Lawmaking: Bargaining over Trade Liberalization and Adjustment Assistance
  Tim Meyer, Vanderbilt University Law School
  • Shifting Sands in the International Economic System: Arbitrage in International Economic Law and International Human Rights
  Diane Desierto, University of Notre Dame, Stanford Global Studies
  • A Turning-Point in Investment Arbitration Jurisprudence on Human Rights Treaties?
  Moshe Hirsch, Hebrew University of Jerusalem
  • The role of IEL dispute settlement bodies in reinforcing the sovereign rights of states: A case study of tobacco control policies
  Lukasz Gruszczynski, PAS Institute of Law Studies & HAS CSS Institute for Legal Studies

Panel VIII: The Governance of International Trade, Room NT01, Terrace level, Warren
• Hal Shapiro, Akin Gump
  • WTO Ministerial Conferences: the politics of outcomes
  Victor do Prado, Director, Council and TNC - WTO
  • Can’t We Be Friends? Economic Cooperation in Troubled Relationships
  Ching-Fu Lin, National Tsing Hua University, Taiwan, Chien-Huei Wu, Academia Sinica, Taiwan and Han-Wei Liu, Monash University, Australia
  • Governance as Balance: Comparing WTO and International Investment Law
  Chi Carmody, University of Western Ontario
  • The Transformation of EU External Economic Governance - Implications for International Economic Law in a Turbulent World
  David Kleimann, European Parliament
Panel IX: Latin America and China in Trade and Investment, Room YT17, Terrace level, Yuma

- **James Nedumpara**, Indian Institute of Foreign Trade, Jindal Global Law School
  - China Investments in Latin America - a critical perspective to the mainstream discourse of imperialism in the region
- **Douglas Castro**, Paulista University
  - Peru at ICSID: A successful story, but for how long?
- **Victor Saco**, Pontificia Universidad Católica del Perú
  - China’s SOE Reform: Using WTO Rules to Build a Market Economy
- **Weihuan Zhou**, University of New South Wales and **Henry Gao**, Singapore Management University
  - The Paradigm Shift of China’s Trade Approach: From Selective Adaptation to Selective Innovation?
- **Heng Wang**, CIBEL Co-Director, Faculty of Law, University of New South Wales

Panel X: ISDS, Room 401, 4th floor, Yuma

- **Lauren Friedman**, Kirkland & Ellis LLP
  - Addressing the Elephant in the Room: What Investment Tribunals are Doing (and what they should do) About Claims of Corruption
- **Krista Nadakavukaren Schefer**, Swiss Institute of Comparative Law
  - Does investor-state dispute settlement discriminate against nationals?
- **Christian Riffel**, University of Canterbury
  - Differences in Decision-Making between ISDS and an Investment Court: Insights from Social Psychology
- **Myriam Gicquello**, King’s College London
  - Legitimacy concerns of the Proposed (European) Multilateral Investment Court
- **Jose Manuel Alvarez Zarate**, Universidad Externado de Colombia

12:50 - 14:00, Founders Lobby
Lunch

13:10 - 14:00, Claudio Grossman Hall
A conversation on Security-Based Investment Restrictions with:

- **Sean Heather**, Vice President, the US Chamber of Commerce’s Center for Global Regulatory Cooperation
- **Jennifer Danner Riccardi**, Special Trade Advisor, Delegation of the EU to the US
- **Anne Salladin**, Special Counsel, Stroock & Stroock & Lavan

Moderator: **Christopher Fonzone**, Sidley Austin LLP

14:05 - 14:50, Claudio Grossman Hall
Financial Policy and Practice in Unsettling Time

Chair: **Sarah Bloom Raskin**, Rubenstein Fellow, the Duke University, former US Deputy Secretary of the Treasury

- **Douglas W. Arner**, Kerry Holdings Professor in Law, University of Hong Kong
- **Sean Hagan**, Director, International Monetary Fund Legal Department
Panels 15:00 - 16:45

Panel XI: From Investor-State Arbitration to the Multilateral Investment Court: Understanding the Paths towards Change, Room NT01, Terrace level, Warren
• Federico Ortino, King’s College London
  • What’s Wrong with Investment Treaty Arbitration?
  Maria Laura Marceddu, King’s College London and Pietro Ortolani, Radboud University
  • The EU Reform
  Colin Brown, DG Trade, European Commission
  • International Investment Law and Arbitration: A Conceptual Framework
  Robert Howse, New York University
  • ISDS Reform Efforts: One Step Forward, Two Steps Back on Shifting Sands?
  Markus Wagner, University of Warwick

Panel XII: IP Panel, Room NT07, Terrace level, Warren
• Michael Palmedo, American University
  • The Third Generation of Access of Medication Issues under TRIPS
  Srividhya Ragavan, Texas A&M University
  • Intellectual Property and the Risks of Fragmentation
  Julian Rotenberg, University of Buenos Aires
  • Protection of Copyright and Accessing Education Materials at Low Prices: Finding a Sustainable Solution for Bangladesh
  Towhidul Islam, University of Dhaka and Moniruz Zaman, Eastern University
  • Protection and Quality of Patents (Harmonization of International Patent Filing Systems)
  Davis Francis, Republic of Tanzania

Panel XIII: Environment and Energy, Room NT08, Terrace level, Warren
• Gary Horlick, Georgetown University
  • From MC11 to MC12: The Road to Disciplines on Fisheries Subsidies
  Gregory Messenger, University of Liverpool
  • Sheltering Green Energy Subsidies beyond the WTO: Unpacking the Potential and Limitations of Preferential Trade Agreements
  Gracia Marin Duran, University College London and Ilaria Espa, USI Lugano and World Trade Institute
  • To Boldly Limp Where No-One Has Ever Gone Before: Towards an Integrated Approach of Fossil Fuel Subsidy Reform – What Role for the WTO?
  Anna Marhold, Tilburg University and Benedikt Pirker, Fribourg University
  • Using the WTO to Facilitate the Paris Agreement: A Tripartite Approach
  Antonia Eliason, University of Mississippi
Panel XIV: Digital Trade and Data Governance, Room YT17, Terrace level, Yuma
- Giulio Peroni, University of Milan
  - Is Digitization Disrupting Trade Rules? - The Case of Data Flows in Services Trade
- Ruosi Zhang, Counsellor, Trade in Services and Investment Division of the WTO
  - Regulating Digital Trade: Legal Challenges in the Age of IoT and Big Data
- Shin-yi Peng, National Tsing Hua University
  - Interests and Interests Groups in the Race to Adopt New Rules for the Digital Economy
- Simon Lacey, University of New South Wales
  - Data Governance in the Age of Artificial Intelligence
- Mengyi Wang, New Markets Lab

Panel XV: Public-Private Partnership (PPP) for the Diffusion of Voluntary Sustainability Standards (VSS), Room Y401, 4th floor, Yuma
- Junji Nakagawa, University of Tokyo
  - Public-private partnership (PPP) for the diffusion of VSS: The possible role of the UN Forum for Sustainability Standards (UNFSS) as regulatory orchestrator
- Sandra Cabrera Leicht, Advisor on Sustainability Standards and Value Chains at International Trade Centre
  - PPP for the diffusion of VSS: Experience of the Brazilian platform of VSS
- Vera Thorstensen, Fundação Getulio Vargas São Paulo
  - PPP for the diffusion of VSS: Prospects and challenges of a platform of VSS in South Africa
- Engela Schlemmer, University of the Witwatersrand
  - Commentator
- Akihiko Tamura, National Graduate Institute for Policy Studies

16:45 - 17:45, Founders Lobby and The Commons
Tea & Coffee

16:45 - 17:45, Founders Lobby and The Commons
Poster Presentations
- Martin Björklund (University of Helsinki) The Perils of Proportionality - Revealing Values at the WTO
- Alexandra Esmel (Emery Mukendi Wafwana & Associates, P.C) Benefiting from the Harmonisation of International Investment Law in Africa
- Meng Fang (The Chinese University of Hong Kong) Green and Not-Green Subsidies: Time to Revisit the SCM Agreement
- Kun Hui (University of Ottawa) The Unsettled ICSID Awards Recognition and Enforcement in the US: How to Reconcile the US FSIA with the ICSID Convention?
- Rebecca Khan (Central European University) Environmental Protection and Amicus Curiae Participation: Evaluating the Promises of Transparency in Trade and Investment Disputes
- Michelle Limenta (Universitas Pelita Harapan) The Extraterritoriality of Members’ Right to Regulate: Invoking the WTO Exceptions under Article XX to Save the Earth - The EU’s Ban on Palm Oil by 2020
• Gabriel Lochagin (University of São Paulo) International Arbitration and Sovereign Bonds: Implications of the Abaclat Case
• Clara Maria Lopez Rodriguez (King’s College London) Overlap between International Investment Law and Indigenous Peoples’ Rights: Extractive Industries in Peru
• Sarah Morganna Matos Marinho (University of São Paulo Law School) Using Legal Institutionalism in the Study of International Investment: Suggestions from the Expansion of Brazilian Multinational Corporations
• Veer Mayank (Sikkim University) Cryptocurrency and Global Financial Regulation: IMF Digital Currency as Global Reserve Currency
• Anastasia Medvedskaya (Qualified lawyer at the Paris Bar) and Etienne Marque (Paris Bar School) Indigenous peoples’ rights in Africa and investment law: from fragmentation to synthesis
• Tibisay Morgandi (Queen Mary, University of London) Bilateral Energy Agreements in International Law
• Hadas Peled (Tsinghua University) and Marcia Don Harpaz (Hebrew University of Jerusalem) Innovation as Catalyst in the China-Israel Investment Relationship: The China-Israel BIT and the Prospective FTA
• Nivedita Sen (Graduate Institute of International and Development Studies) Data Flows, the Digital Economy, and the Role of the WTO: Taking the Liberalization or the Regulatory Autonomy Path?
• Nanying Tao (McGill University) Can China Cross the River by Feeling the Stones: An Observation of the Empirical Law-making Process in the ‘One Belt One Road’ Initiative
• Tsotang Tsietsi (Centre for Comparative Law in Africa of the University of Cape Town) Trade Facilitation in the Southern African Development Community: Prospects for Improvement by the World Trade Organisation’s Trade Facilitation Agreement
• Aniekun Ukpe (University of Antwerp) What Lessons Does Differentiation Hold for a More Effective Application of Special and Differential Treatment in the WTO?
• Cees Verburg (University of Groningen) Global Trade Governance in the 21st Century: Drafting Treaties of Byzantine Complexity to Reconcile Seemingly Opposing Objectives
• Cindy Whang (Fu Jen Catholic University) The Diverging Path: Changes in Dual-Use Export Control Regime for the United States and the European Union and its Implications
• Simon Weber (King’s College London) The failure of the concept of moral damages in international investment arbitration
• Ines Willemyns (KU Leuven, GGS) GATS classification of digital services - does ‘the Cloud’ have a silver lining?
• Jörg Zimmermann (University of St. Gallen) International Investment Regulations: Strategic Decisions in a Comparative Legal Context
• Ying Zhu (Yale Law School) Trapped Transparency: Reconciling Conflicting Transparency Standards in International Investment and Environmental Law

16:45 - 17:15, The Commons, Outside YT16
Journal of World Investment and Trade, Meet the Editors

17:15 - 17:45, YT16, Terrace level, Yuma
Trade Law Guide Demo
17:45 - 18:00, NT01, Terrace level, Warren
Announcement of the SIEL/HART Prize winner
Announcement of the SIEL/JIEL/OUP Prize winner

18:00 - 18:15, NT01, Terrace level, Warren
Introduction to the Robert Hudec Lecture
Isabelle Van Damme, Van Bael & Bellis

18:15 - 19:30, NT01, Terrace level, Warren
Robert Hudec Lecture
The Robert Hudec Legacy: Trade, Domestic Regulation, and Globalization
Joel Trachtman, Professor of International Law, The Fletcher School of Law and Diplomacy

19:30 - 20:15, Founders Lobby and The Commons
Robert Hudec Reception
Sponsored by: VAN BAEL & BELLIS

20:15, Claudio Grossman Hall
Dinner
Sponsored by: SIDLEY

20:30 - 20:40, Sponsor speech
Andrew Shoyer, Sidley Austin LLP
Panels 8:40 - 10:20

Panel XVI: The Future of International Economic Integration: The Embedded Liberalism Compromise Revisited, Room NT08, Terrace level, Warren

- Lisa Toohey, Newcastle Law School
  - The Embedded Liberalism Compromise in the making of the GATT and Uruguay Round Agreements

Meredith Kolsky Lewis, University at Buffalo School of Law, State University of New York
- Universal human rights in the Embedded Liberalism Compromise

Gillian Moon, University of New South Wales
- The WTO’s Purpose, Regulatory Autonomy and the future of the Embedded Liberalism Compromise

Emily Reid, Southampton Law School
- Embedded Liberalism à la WTO and International Investment Law

Catharine Titi, French National Centre for Scientific Research
- Embedded Liberalism à la WTO and International Investment Law

Panel XVII: China and Asia, Room NT01, Terrace level, Warren

- Peter-Tobias Stoll, Göttingen University
  - Requiem for a deal, or the end of American influence in the investment chapters of Asia-relevant FTAs?

Elsa Sardinha, National University of Singapore and Vincent-Joël Proulx, National University of Singapore
- Is the European Union’s Backyard Drifting towards China?

Ljiljana Biukovic, Peter A. Allard School of Law
- One Belt One Road Initiative: How to Regulate Chinese Dragon in Central Asia

Alisher Umirdinov, Nagoya University of Economics
- The Regulatory Responses of the EU and US towards Sovereign Investment: Issues, Directions, and Implications on Chinese State Capitalism?

Wei Yin, Southwest University of Political Science and Law
- The Regulatory Responses of the EU and US towards Sovereign Investment: Issues, Directions, and Implications on Chinese State Capitalism?

Panel XVIII: Procedure in Investment and Trade, Room YT17, Terrace level, Yuma

- Jarrod Wong, The Global Center University of the Pacific, McGeorge School of Law
  - Renegotiation of Investment Treaties as a Mean of Internalization

John Tobing, Universitas Katolik Parahyangan
- Discerning Norms of Evidence in International Trade Law

Kathleen Claussen, University of Miami School of Law and Mark Wu, Harvard Law School
- Changing treaties, changing jurisprudence? The impact of treaty design evolution on precedential reasoning in investment arbitration

Wolfgang Alschner, University of Ottawa

Pei-Kan Yang, National Chengchi University
Panel XIX: Centripetal Norms in Centrifugal Times - Rethinking the ‘Trade-Related’ Aspects of IP in Today's Global Economy, Room 401, 4th floor, Yuma

- **Antony Taubman**, *IPD, WTO*
  - The Impact of TRIPS in Legal Reform
- **Susan Isiko Strba**, *University of the Witwatersrand*
- **George Yorke**, *RIAA, former US TRIPS representative*
- **Lucinda Longcroft**, *WIPO Office, New York*
- **Christine Farley**, *American University*

9:15 - 10:15, Room NT07, Terrace level, Warren
SIEL Post Graduate / Early Professionals Association (PEPA) Speed mentoring session

Panels 10:35 - 12:35

Panel XX: The Multilateral Trading System Post-Brexit, Room NT01, Terrace level, Warren

- **Chad Bown**, *Peterson Institute for International Economics*
  - Brexit and domestic regulation
- **Lorand Bartels**, *University of Cambridge*
  - Trade Policy Regimes and Firm Exporting Decisions: Evidence from the Brexit referendum
- **Meredith Crowley**, *University of Cambridge*
  - The Brexit Transition Period - What does it hold in store for the UK, the EU and third-parties?
- **Jennifer Hillman**, *Georgetown Law School*
  - Deep integration and U.K.-EU trade relations
- **Michele Ruta**, *World Bank*
  - Brexit, Parliamentary Democracy and New Free Trade Agreements - Challenges for the UK
- **Holger Hestermeyer**, *King’s College London*

Panel XXI: The Evolution of Investment Law, Room NT07, Terrace level, Warren

- **Debra Steger**, *University of Ottawa*
  - The Less-Preferred Clause: Evolution of MFN clauses in IIAs
- **Junianto James Losari**, *Allen & Overy*
  - Talking across the boundaries: engagement between WTO and ISDS adjudicators
- **Michelle Q Zang**, *PluriCourts, University of Oslo*
  - Mind the Gap! Can the Transitory Mechanism Regulating Extra-EU Bilateral Investment Treaties Remedy Uncertainty concerning Investment Protection in EU Member States?
- **Freya Baetens**, *PluriCourts Centre of Excellence, Oslo University*
  - The Protection of Portfolio Investment in International Investment Law: Just a Matter of Consent?
- **Giorgio Risso**, *Cleary Gottlieb Steen & Hamilton LLP*
  - Against Balancing: a law and economics proposal to reform investment treaties
- **Jonathan Bonnitcha**, *University of New South Wales*
Panel XXII: WTO Dispute Settlement, Room NT08, Terrace level, Warren
• Giorgio Sacerdoti, Bocconi University
  • The Escalation and Settlement of Disputes in the WTO Committees
Inu Manak, Georgetown University
• The Appellate Body’s Power to Interpret the WTO Agreement and WTO Members’ Power to Disagree with the Appellate Body
Yuka Fukunaga, Waseda University
• Westphalia Strikes Back? Coping with Conflicts of Conceptions in WTO Dispute Settlement
Geraldo Vidigal, University of Amsterdam
• The Functions of the WTO’s Dispute Settlement Body: A Distinctive Voice Mechanism
Joshua Paine, Max Planck Institute Luxembourg for Procedural Law
• Crisis at the Appellate Body: Towards more or less consent in WTO adjudication?
Clément Marquet, UNIGE

Panel XXIII: Competition, Anti-Dumping, Tax, Room YT17, Terrace level, Yuma
• Jorge Miranda, King & Spalding
  • The compliance of the EU Commission’s new proposal with WTO law
Kiliane Huyghebaert, VVGB
  • Time for the WTO to Consider Trade and Competition Again?
Sungjin Kang, Kim & Chang
  • In Defence of Market-Oriented Cost Adjustments in Dumping Calculations under WTO Anti-Dumping Law
Sherzod Shadikhodjaev, KDI School of Public Policy and Management
  • Trade Remedies and the Andean Community: Rethinking Regionalism in the Americas in Unsettling Times
Sebastian Vallejo, Colombian Ministry of Trade
  • Exploring the impact of Investor-State Dispute Resolution systems on the domestic Competition law and policy
Vikram Naik, Georgetown University

Panel XXIV: Interesting Times: “Trade and” the Future of the WTO? Room 401, 4th floor, Yuma
• Mark Wu, Harvard Law School; WTO Chairs Programme Advisory Board Member
  • Trade and Food Security – Beyond Economic Gains - An Existential Issue
Michael Ewing-Chow, National University of Singapore
  • Trade and Environment: How WTO Law Promotes Evidence-Based Environmental Policies
Bradly Condon, ITAM
  • Trade and Agri Standards: WTO as a Discipline for Fairness and Market Access
Valentina Delich, Flacso and University of Buenos Aires
  • Trade and Competition: Time to embrace the complementarity and interdependence
Pinar Artiran, Istanbul Bilgi University
  • Commentator
Henry Gao, WTO Chairs Programme Advisory Board Member
12:35 - 14:00, Founders lobby
Lunch

13:00 - 13:50, Room YT17, Terrace level, Yuma
The new protectionism: What role can international trade agreements and institutions play?

Chair: **Andrew Shoyer**, *Sidley Austin LLP*

**Rufus Yerxa**, *President, National Foreign Trade Council, Washington D.C.*

**Kirsten Hillman**, *Canada’s Deputy Ambassador to the US*

14:00 - 14:50, Claudio Grossman Hall
Annual General Meeting of SIEL

Laudatio for Gabrielle Marceau

**Colin Picker**, *Dean, University of Wollongong, SIEL founding executive vice president*

Panels 15:00 - 16:45

Panel XXV: International Economic Law as an Aid to Development? Room NT07, Terrace level, Warren

- **Michelle Egan**, *American University*
  - Sustainable Development: Legal challenges for Investor - State Relations

- **Srilal Perera**, *American University*
  - Increasing Infrastructure Investments in Africa Through Agricultural Exports: The Bui Dam Scenario

- **Dunia Prince Zongwe**, *University of Namibia*
  - Making Trade Preferences Work for Structural Transformation

- **Katrin Kuhlmann**, *New Markets Lab* and **Colette van der Ven**, *Sidley Austin LLP*
  - Revisiting the Economic Community of West African States: A Socio-legal Analysis

- **Olabisi D. Akinkugbe**, *Schulich School of Law*

Panel XXVI: Exceptions in Trade: Security and Necessity, Room NT01, Terrace level, Warren

- **Isabelle van Damme**, *Van Bael & Bellis*
  - National Security before the WTO: The history of Art. XXI in the GATT

- **Jan Bohanes**, *Advisory Centre on WTO Law*
  - On Fissionable Cows and the Limits to the WTO Security Exceptions

- **George Dian Balan**, *Legal Service of the European Commission*
  - General Exceptions in BITs: Is a WTO-style “necessity” test workable?

- **Deepak Raju**, *Sidley Austin LLP*
  - Self-declaration in the age of fake news: How to tell if an essential security interest is real

- **Hal Shapiro**, *Akin Gump*
Panel XXVII: The Value of International Economic Law History in Unsettling Times, Room NT08, Terrace level, Warren
• **Padideh Ala’i**, *American University*
  • From “Market Disruption” to a New International Division of Labour? Structural Adjustment and International Trade Law

**Nicolas Lamp**, *Queen’s University*
• The Contribution of the ITO Charter to Universality in International Investment Law

**Mona Pinchis-Paulsen**, *University of California*
• From concession agreements to investment protection - internationalising the framework

**Andrea Leiter**, *Melbourne University*
• Politicized Dispute Settlement in the Pre-Investment Treaty Era: The French Experience in the Ex-Colonies

**Jason Yackee**, *University of Wisconsin*

Panel XXVIII: Digital Trade: The Development Opportunities, Room YT17, Terrace level, Yuma
• **Joshua P Meltzer**, *Brookings Institution*
  • The Digital Trade Agenda in Unsettling Times

**Amy Porges**, *Porges Trade Law*
• How Internet Technologies are Changing Trade

**David Weller**, *Google*
• The Future of Digital Trade: Exploring Multilateral and Autonomous Strategies for Digitally Driven Economic Development in Sub-Saharan Africa

**Selma Joao Matsinhe**, *Baker Mckenzie South Africa*
• What Are We Talking About When We Talk About Digital Protectionism?

**Susan Aaronson**, *George Washington University*

16:45 - 17:05, Claudio Grossman Hall
Plenary reception

Sponsored by: **Hughes Hubbard & Reed**

17:05 - 17:20, Claudio Grossman Hall
Introduction to Plenary Keynote

**Dean A. Pinkert**, *Hughes Hubbard & Reed*

17:20 - 18:30, Claudio Grossman Hall
Plenary Keynote

Special Economic Zone - A Catalyst for International Trade and Investment in Unsettling Times?
**Teresa Cheng**, *SC Secretary for Justice, Government of the Hong Kong Special Administrative Region*

18:30, Claudio Grossman Hall
Conference Closing Remarks and Announcement of Next SIEL Venue
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