



Society of  
International  
Economic  
Law

AMERICAN UNIVERSITY  
WASHINGTON  
COLLEGE OF LAW

*International Economic Law in Unsettling Times*  
**SIEL Biennial Conference Washington, D.C.**  
American University Washington College of Law

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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-Hernandez**, *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-Hernandez**, *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*

**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

- **Katayoon Beshkardana** (*American University Washington College of Law*) Deference to National Governments' Determinations of Facts and Laws: A Closer Look at Article 17.6 of the WTO Anti-Dumping Agreement, Appellate Body Standard of Review and the U.S. Arguments

- **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
- **Aniekan 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:

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■ 20:15, Claudio Grossman Hall

Dinner

Sponsored by:

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■ 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*

**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*

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

• **Jarrold 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*

- A Critical Analysis of Amicus Curiae Decisions in Philip Morris v. Uruguay: Assessing Criteria for Better Coordination of Fragmented International Laws in ICSID Arbitration

**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**, *WVGB*

- 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:

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**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**

## 2018 SIEL CONFERENCE COMMITTEE

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International Economic Law in Unsettling Times  
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July 12 - 14, 2018