

CURRICULUM VITAE

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Nationality Belgian

Family status married, two daughters, one son

Current Positions:

* Professor, International Law Section
Graduate Institute of International and Development Studies (*IHEID*), Geneva

* Co-Director, Centre for Trade and Economic Integration

* Senior Advisor, King & Spalding LLP, Washington DC

Former Positions:

2002-2007 Professor of Law (with tenure as of 2006)
Duke University School of Law
Director JD/LLM Program & Duke-Geneva Institute in Transnational Law

Spring term 2007 Visiting Professor, Georgetown University Law Center

Spring term 2006 Visiting Professor, Graduate Institute of International Studies, Geneva

2002 Legal Affairs Officer, Appellate Body Secretariat
World Trade Organization, Geneva

Fall term 2001 Emile Noel Fellow, New York University, School of Law
Visiting Scholar, Columbia Law School

2000-2001 Assistant Professor, University of Neuchâtel, Law Faculty

1996 – 2002 Legal Affairs Officer, Legal Affairs Division
World Trade Organization, Geneva

1995–1996 Associate, De Bandt, van Hecke & Lagae, Law Offices,
Brussels (litigation and public law departments)

Education:

- * Ph.D. in law, University of Neuchâtel, Switzerland
- * *Magister Juris*, University of Oxford, Corpus Christi College - *first class honours*
- * Master's degree in law (*Lic. Jur.*), Catholic University of Leuven (Belgium) - *magna cum laude*
- * Erasmus Scholar, University of London, Queen Mary and Westfield College
- * Bachelor's degree in law (*Cand. Jur.*), University of Namur (Belgium) - *cum laude*

Languages Dutch (mother tongue), fluent in English and French, some German and Spanish

Professional :

- * Co-Director of the Centre for Trade and Economic Integration, IHEID, Geneva
- * Regular Contributor, International Economic Law and Policy Blog, <http://worldtradelaw.typepad.com/ielpblog/>
- * Faculty Member, World Trade Institute (WTI), Master Program in International Law and Economics (MILE), Bern (Switzerland)
- * Member, International Trade Law Committee of the International Law Association
- * Member of the Board of Editors of the *Journal of International Economic Law*
- * Contributor to the Max Planck Encyclopedia of Public International Law
- * Member of the International Law Association (ILA), the American Society of International Law (ASIL) and the European Society of International Law (ESIL)

Awards :

- * 2005 Paul Guggenheim Prize (for book on Conflict of Norms in Public International Law)
- * 2006 Duke Law School Faculty Scholarship Award
- * 2009 Francis Deak Prize, American Journal of International Law (for article on Non-Discrimination)

Publications :

Books & Monographs

1. INTERNATIONAL TRADE LAW (Wolters Kluwer / Aspen Publishers, 2009) (with Andrew Guzman)
2. OPTIMAL PROTECTION OF INTERNATIONAL LAW: NAVIGATING BETWEEN EUROPEAN ABSOLUTISM AND AMERICAN VOLUNTARISM (Cambridge University Press, 2008)
3. APPEAL WITHOUT REMAND : A DESIGN FLAW IN WTO DISPUTE SETTLEMENT AND HOW TO FIX IT, June 2007, available at http://www.ictsd.org/issarea/dsu/resources/Pauwelyn_Remand.pdf
4. HUMAN RIGHTS AND INTERNATIONAL TRADE (co-edited with Thomas Cottier and Elisabeth Burgi), Oxford University Press, 2005
5. CONFLICT OF NORMS IN PUBLIC INTERNATIONAL LAW - HOW WTO LAW RELATES TO OTHER RULES OF INTERNATIONAL LAW, Cambridge University Press, 2003 (paperback edition, 2008) and translated & published in Chinese, Law Press China, 2005
6. THE NATURE OF WTO OBLIGATIONS, Jean Monnet Working Paper No. 1/02 (2002), NYU School of Law, Jean Monnet Centre, available at <http://www.jeanmonnetprogram.org/papers/02/020101.html>
7. TRADE IN ENERGY, WTO RULES APPLYING UNDER THE ENERGY CHARTER TREATY, ENERGY CHARTER Secretariat, Brussels, 2001

Articles

1. *Forum Shopping Before International Tribunals: (Real) Concerns, (Im)possible Solutions*, 42 CORNELL INTERNATIONAL LAW JOURNAL (2009) 77-118 (with Eduardo Salles)
2. *Non-Discrimination in Trade and Investment Treaties : Worlds Apart or Two Sides of the Same Coin ?*, 102 AMERICAN JOURNAL OF INTERNATIONAL LAW (2008) 48 (with Nicolas DiMascio)
3. *New Trade Politics for the 21st Century*, 11 JOURNAL OF INTERNATIONAL ECONOMIC LAW (2008) 559
4. *U.S. Federal Climate Policy and Competitiveness Concerns: The Limits and Options of International Trade Law*, Working Paper, Nicolas Institute for Environmental Policy Solutions, Duke University, April 2007, available at <http://www.nicholas.duke.edu/institute/internationaltradelaw.pdf>
5. *Adding Sweeteners to Softwood Lumber: The WTO-NAFTA 'Spaghetti Bowl' Is Cooking*, 9 JOURNAL OF INTERNATIONAL ECONOMIC LAW (2006) 1-10
6. *The Transformation of World Trade*, 104 MICHIGAN LAW REVIEW (2005) 1-70
7. *Rien ne Va Plus? Distinguishing Domestic Regulation from Market Access in GATT and GATS*, 4 WORLD TRADE REVIEW (2005) 131-170
8. *The Sutherland Report: A Missed Opportunity for Genuine Debate on Trade, Globalization and Reforming the WTO*, JOURNAL OF INTERNATIONAL ECONOMIC LAW (2005:2) 329-346
9. *Bridging Fragmentation and Unity: International Law as a Universe of Inter-Connected Islands*, 25 MICHIGAN JOURNAL OF INTERNATIONAL LAW (2004) 903-927
10. *Going Global, Regional or Both? Dispute settlement in the Southern African Development Community (SADC) and Overlaps with the WTO and Other Jurisdictions*, 13 MINNESOTA JOURNAL OF GLOBAL TRADE (2004) 231-304
11. *Environmental Risk, Precaution and Scientific Rationality in the Context of WTO/NAFTA Trade Rules*, RISK ANALYSIS (2004) 461-9 (with D. Crawford Brown and Kelly Smith)
12. *The Puzzle of WTO Safeguards and Regional Trade Agreements*, JOURNAL OF INTERNATIONAL ECONOMIC LAW (2004) 109-142
13. *A Typology of Multilateral Treaty Obligations: Are WTO Obligations Bilateral or Collective in Nature?* 14 EUROPEAN JOURNAL OF INTERNATIONAL LAW (2003) 907-952
14. *How to Win a WTO dispute based on non-WTO law: Questions of Jurisdiction and Merits*, JOURNAL OF WORLD TRADE (2003) 997-1030
15. *The Limits of Litigation: Americanization and Negotiation in the Settlement of WTO Disputes*, 19 OHIO STATE JOURNAL ON DISPUTE RESOLUTION (2003) 121-140
16. *WTO Compassion or Superiority Complex?: What to Make of the WTO Waiver for "Conflict Diamonds"*, 24 MICHIGAN JOURNAL OF INTERNATIONAL LAW (2003) 1177-1207
17. *The Use of Experts in WTO Dispute Settlement*, 51 INTERNATIONAL AND COMPARATIVE LAW QUARTERLY (2002) 325-364
18. *Cross-agreement Complaints before the Appellate Body: A case study of the EC – Asbestos Dispute*, 1 WORLD TRADE REVIEW (2002) 63-87
19. *The Role of Public International Law in the WTO: How Far Can We Go?*, 95 AMERICAN JOURNAL OF INTERNATIONAL LAW (2001) 535-578
20. *Enforcement and Countermeasures in the WTO: Rules are Rules – Towards a More Collective Approach*, 94 AMERICAN JOURNAL OF INTERNATIONAL LAW (2000) 621-633
21. *An Overview of the WTO Agreements On Health and Technical Standards and Their Impact On Communication*, ZEISCHRIFT FÜR DAS GESAMTE LEBENSMITTELRECHT (2000) 843-858
22. *Evidence, Proof and Persuasion in WTO Dispute Settlement, Who Bears the Burden*, JOURNAL OF INTERNATIONAL ECONOMIC LAW (1998) 227-258
23. *The WTO Agreement on Sanitary and Phytosanitary (SPS) Measures as Applied in the*

- First Three SPS Disputes: EC – Hormones, Australia – Salmon and Japan – Varietals*, JOURNAL OF INTERNATIONAL ECONOMIC LAW (1999) 641-664
24. *The Concept of a "Continuing Violation" of an International Obligation: Selected Problems*, BRITISH YEARBOOK OF INTERNATIONAL LAW (1995) 415-450

Works in Collection

1. *Legal Avenues to "Multilateralise Regionalism": Beyond Article XXIV*, in *Multilateralising Regionalism, Challenges for the Global Trading System*, Cambridge University Press, 2009 (eds. Richard Baldwin and Patrick Low)
2. *The Unbearable Lightness of Likeness*, in *GATS and the Regulation of International Trade in Services*, Cambridge University Press, 2008 (eds. Marion Panizzon, Nicole Pohl and Pierre Sauvé)
3. *Fragmentation of International Law*, MAX PLANCK ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW, entry included in 2008
4. *The Future of the WTO – Consultative Board Report* in *WTO LAW AND PROCESS, THE PROCEEDINGS OF THE 2005 AND 2006 ANNUAL WTO CONFERENCES* (F. ORTINO AND S. RIPINSKY, EDS.), at 160
5. *Trade and Investment Disputes: Complement or Conflict?* in *WTO LAW AND PROCESS, THE PROCEEDINGS OF THE 2005 AND 2006 ANNUAL WTO CONFERENCES* (F. ORTINO AND S. RIPINSKY, EDS.), at 313
6. *The Promises and Limits of Treaty Interpretation*, in *Fragmentation : Diversification and Expansion of International Law*, Proceedings of the 34th Annual Conference of the Canadian Council on International Law, 2006, at 99.
7. *Europe, America and the "Unity" of International Law*, in *The Europeanisation of International Law, The Status of International Law in the EU and its Member States*, edited by J. Wouters, André Nollkaemper & Erika de Wet, T.M.C. Asser Press, 2008
8. *Non-Traditional Patterns of Global Regulation: Is the WTO 'Missing the Boat'?* in *Non-Traditional Sources of International Law* (eds. Ilias Bantekas and Ricardo Abello, forthcoming OUP 2006)
9. *Is the Vienna Convention Outdated?* in *WTO LAW AND PROCESS*, eds. Mads Andenas and Federico Ortino, British Institute of International and Comparative Law, 2005, 494-500
10. *Remedies in the WTO: 'First Set the Goal, then Fix the Instruments to Get There'*, in *WTO LAW AND PROCESS*, eds. Mads Andenas and Federico Ortino, British Institute of International and Comparative Law, 2005, 185-199
11. *The Use of Experts in WTO Dispute Settlement*, in *GEORGE BERMAN & PETROS MAVROIDIS (EDS.), HUMAN HEALTH AND SAFETY IN WTO DISPUTE RESOLUTION* (Cambridge University Press, forthcoming 2005)
12. *WTO Dispute Settlement: Of Sovereign Interests, Private Rights and Public Goods*, in *JEROME REICHMAN (ED.), INTERNATIONAL PUBLIC GOODS AND TRANSFER OF TECHNOLOGY UNDER A GLOBALIZED INTELLECTUAL PROPERTY REGIME* (Cambridge University Press, 2005) 817-830
13. *The Application of Non-WTO Rules of International Law in WTO Dispute Settlement*, in *P. Macrory, A. Appleton and M. Plummer (eds.), THE WTO: LEGAL, ECONOMIC AND POLITICAL ANALYSIS* (Springer, 2005, 3 Vols.), Vol. I, 1405-1426
14. *The Jurisdiction of the WTO*, in *PROCEEDINGS OF THE 98TH ANNUAL MEETING OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW* (March 31-April 3, 2004) 135-138
15. *A Comparative Analysis of Trade Remedies in the WTO* (translated in Japanese), in *ICHIRO ARAKI AND KAWASE TSUYOSHI (EDS.), SAFEGUARDS UNDER THE WTO AGREEMENT: ISSUES AND PROPOSALS FOR A MORE EFFECTIVE MECHANISM*, published by Toyo Keizai Shimpo Sha, Japan, 2004, 21-36

16. *Proposals for Reform of Article 21 of the DSU*, in E.-U. PETERSMANN, IMPROVEMENTS AND CLARIFICATIONS OF THE WTO DISPUTE SETTLEMENT UNDERSTANDING, WTO NEGOTIATORS MEET ACADEMICS (European University Institute, 2002) 67-80
17. *Does the WTO Stand for "Deference to" or "Interference with" National Health Authorities when Applying the (SPS) Agreement on Sanitary and Phytosanitary Measures?*, in THOMAS COTTIER & PETROS MAVROIDIS (EDS.), THE ROLE OF THE JUDGE IN INTERNATIONAL TRADE REGULATION (Michigan University Press, 2003)
18. *A World Environment Court*, in UN UNIVERSITY, INSTITUTE OF ADVANCED STUDIES, INTERNATIONAL ENVIRONMENTAL GOVERNANCE, GAPS AND WEAKNESSES, PROPOSALS FOR REFORM, Working Paper, 2002 (36 pages)
19. *MFN-Unconditionality: A Legal Analysis of the Concept in View of its Evolution in the GATT/WTO Jurisprudence with Particular Reference to the Issue of "Like Product"*, co-authored with William, J., Davey, in THOMAS COTTIER & PETROS MAVROIDIS (EDS.), REGULATORY BARRIERS AND THE PRINCIPLE OF NON-DISCRIMINATION (University of Michigan Press, 1998) 13-50
20. *Applying SPS in WTO disputes*, in DAVID ROBERTSON & AYNLEY KELLOW, GLOBALIZATION AND THE ENVIRONMENT, RISK ASSESSMENT AND THE WTO (2001) 63-81

Shorter Articles & Book Reviews

1. *La Sélection des Juges à l'OMC, et Peut-Etre celle d'un Chinois, Mérite Plus d'Attention*, Le Temps, 16 November 2007 available at <http://www.letemps.ch/template/economie.asp?page=9&article=219460>
2. *Faut-il Pénaliser les Importations « Sales » ?*, Le Temps, 28 September 2007
3. *A Carbon Levy on Imports to Fight Climate Change*, Telos, September 2007, available at http://www.telos-eu.com/en/article/a_carbon_levy_on_imports_to_fight_climate_change
4. *Blood Diamonds' Many Facets*, Op-ed, News & Observer, 11 January 2007, available at <http://www.newsobserver.com/559/story/530965.html>
5. *The U.S.-Canada Softwood Lumber Dispute Reaches a Climax*, ASIL Insight, November 30, 2005 at: <http://www.asil.org/insights/2005/11/insights051129.html>
6. *The UNESCO Convention on Cultural Diversity, and the WTO: Diversity in International Law-Making?*, ASIL Insight, November 15, 2005 at: <http://www.asil.org/insights/2005/11/insights051115.html>
7. *Just Trade*, Book Review of *Trade, Inequality and Justice: Toward a Liberal Theory of Just Trade* by Frank J. Garcia (2003), 37 GEORGE WASHINGTON INTERNATIONAL LAW REVIEW (2005) 559-571
8. *WTO Softens Earlier Condemnation of U.S. Ban on Internet Gambling, but Confirms Broad Reach into Sensitive Domestic Regulation*, American Society of International Law (ASIL) Insight, April 2005, at <http://www.asil.org/insights/2005/04/insights050412.html>
9. *An Insider's Guide to the WTO's Problems* (with Andrew Guzman), 9 BRIDGES 2005 (January) at p. 7 (published by the International Centre for Trade and Sustainable Development (ICTSD))
10. *WTO Condemnation of U.S. Ban on Internet Gambling Pits Free Trade against Moral Values*, American Society of International Law (ASIL) Insight, November 2004, at www.asil.org/insights/2004/11/insight041117.html
11. *The Appellate Body's GSP decision* (with Lorand Bartels, Steve Charnovitz, Robert Howse, Jane Bradley and Donald Regan) 3 *World Trade Review* (2004) 239-266
12. *Recent Books on Trade and Environment: GATT Phantoms Still Haunt the WTO*, 15 EUROPEAN JOURNAL OF INTERNATIONAL LAW (2004) 575-592
13. *WTO Victory over Steel Hides Deficiencies*, THE JURIST, 23 January 2004, at <http://jurist.law.pitt.edu/forum/Pauwelyn1.php>
14. *Iraqi Reconstruction Contracts and the WTO: "International law? I'd better call my lawyer"*, THE JURIST, 19 December 2003, at <http://www.jurist.law.pitt.edu/forum/forumnew133.php>

15. *L'Organisation Mondiale Du Commerce et la Propriété Intellectuelle, Pourquoi Et Comment?*, 39 L'OBSERVATEUR DE BRUXELLES (October 2000) 40-45
16. *Towards Liberalization of Trade in Basic Communications: Negotiations in the World Trade Organization*, 10 SOCIÉTÉ DE DROIT INTERNATIONAL ECONOMIQUE (SDIE) BULLETIN (1997) 6-8
17. *Book Review: Regionalism and Multilateralism After the Uruguay Round - Convergence and Interaction* (by Demaret, Bellis and Jiménez (eds.), 1997), JOURNAL OF WORLD TRADE (1999) 182-187