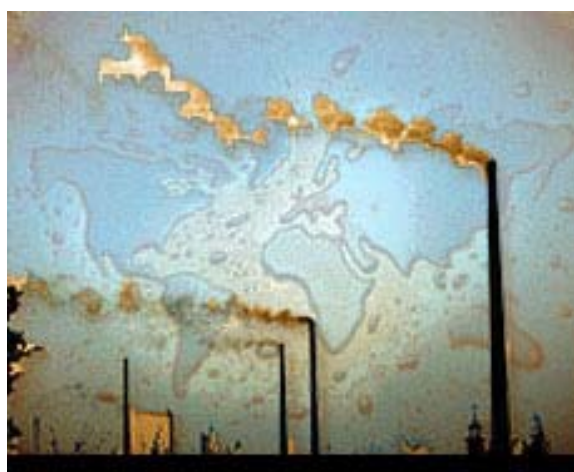


# Global Challenges at the Intersection of Trade, Energy and the Environment

22<sup>nd</sup> and 23<sup>rd</sup> October 2009



*A two-day conference  
organised and coordinated by*

**Centre for Trade and Economic Integration (CTEI) at  
the Graduate Institute of International and  
Development Studies, Geneva**

*with the collaboration of the*

**World Trade Organization**

*to be held at the*

World Trade Organization  
154, rue de Lausanne  
Geneva, Switzerland

Thursday, 22nd October, Room CRI. 9:15 to 19:30  
Friday, 23rd October, Room W. 9:30 to 13:00



## Conference Background & Goals

One of the greatest challenges of the 21st century is how to meet global energy demand in a way that respects both economic development and environmental concerns. This conference will examine how this challenge can be met consistent with international trade and investment rules (on, for example, tariffs, services trade, taxation, transit, transportation, transfer of technology, subsidies and pricing).

The goal of this conference is to gather energy industry experts, trade policy specialists and environmental policy authorities to review current rules of international cooperation, both within and outside the WTO framework, as they are gaining new relevance within the triangle of trade, energy and the environment. The conference seeks to identify practical issues faced by policy makers and businesses within this system of interaction and to determine where further clarification, research, changes or novel approaches are required to address current and future challenges.

A core objective of this exploratory conference is to initiate a dialogue between trade, energy and environmental experts whereby energy and environmental experts obtain better insight into the relevance and operation of international rules, WTO or otherwise, and trade experts gain a clearer understanding of the main concerns and outstanding debates in the energy and environment fields.

The key outcome of the conference will be the identification of core questions for further research and to construct a clearer framework to pursue future debates and cooperation at the intersection of trade, energy and the environment.<sup>1</sup>

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<sup>1</sup> The conference organisers would like to thank the following organisations for their support: Budin & Partners, Geneva; King & Spalding; Mercuria Global Energy Solutions, Geneva; Budin & Partners, Geneva; State Secretariat for Economic Affairs (seco).



## Conference Programme

Thursday, 22nd October 2009 (Morning Session)

### Welcome and Opening Statements

9:15-10:00

*Patrick Low*, Director, Economic Research and Statistics Division, WTO; and Adjunct Professor, Graduate Institute of International and Development Studies, Geneva

*H.E. Luzius Wasescha*, Ambassador, Permanent Representative of Switzerland to the WTO

*John Gault*, President of John Gault SA; formerly Managing Director, IEDConsultants SA and Chief Economist, International Energy Development Corporation (IEDC) (now part of Kuwait Petroleum Corporation)

### Panel 1: Setting the Stage: The Landscape of Existing International Cooperation

10:00-11:30

Chair: *Joost Pauwelyn*, Professor, Graduate Institute of International and Development Studies, Geneva, and Director, Centre for Trade and Economic Integration

- The WTO in the emerging energy governance debate  
*Gabrielle Marceau*, Cabinet of the Director General, WTO and Associate Professor, Faculty of Law, University of Geneva
- Beyond the WTO: Regional and bilateral rules affecting energy and energy investments  
*Lawrence L. Herman*, Partner, Cassels Brock, Toronto
- New rules for the environmental imperative: considerations for the energy sector and interaction with WTO rules  
*Ana Maria Kleymeyer*, Senior Advisor, Climate Change Negotiations, International Centre for Trade and Sustainable Development, formerly Secretariat of Environment and Sustainable Development, Argentina

### Panel 2: Import, Export and Production Restrictions on Energy Goods & Services

11:30-13:00

Chair: *Daniel Crosby*, Partner, Budin & Partners, Geneva

- Production restrictions, OPEC and the WTO  
*Ibibia Lucky Worika*, General Legal Counsel, OPEC
- The liberalisation of EGS trade and the need for a distinct EGSA  
*Thaddeus J. Burns*, Senior Counsel, Intellectual Property & Trade, General Electric Company
- The Challenges of Trading Alternative Energy  
*Géraldine Kutas*, Senior Advisor on International Affairs, UNICA, Sugar Cane Industry Association, Brazil
- Restrictions and Challenges in Trading Conventional Energy  
*Daniel Jaeggi*, Group Vice President and Head of Trading, Mercuria Energy Trading, Geneva



## Thursday, 22nd October 2009 (Afternoon Session, Part 1)

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### Afternoon Address

14:30-15:10

*H.E. Sheikha Lubna Al Qasimi*, Minister of Foreign Trade, United Arab Emirates

### Panel 3: Transport and Transit

15:15-16:45

Chair: *Matthias Finger*, Professor and Chair, Management of Network Industries, College of Management of Technology, Swiss Federal Institute of Technology, Switzerland

- **Transport and Transit under the Energy Charter Treaty**  
*Vladimir Rakhmanin*, Deputy Secretary General, Energy Charter Secretariat, Brussels
- **Energy Transport and Transit in the WTO**  
*Mireille Cossy*, Counsellor, Trade in Services Division, WTO
- **Natural Gas - The Problem Child of Energy Transport and Transit**  
*James T. Jensen*, Jensen Associates and advisor to the Energy Charter Secretariat
- **An Industry Perspective on Transport & Transit**  
*Monica Senanu*, Head, Legal Services, Gridco, Ghana



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**Thursday, 22nd October 2009 (Afternoon Session, Part 2)**

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**Panel 4: Environmental Issues in the Trade and Energy Context**

16:45-18:15

Chair: *Claude Martin*, Vice chairman International Institute for Sustainable Development - IISD, former Director General WWF-International

- **Tackling Climate Change and Competitiveness: The Relevance of WTO**  
*Patrick Low*, Director, Economic Research and Statistics Division, WTO and Adjunct Professor, Graduate Institute of International and Development Studies, Geneva
- **Are Current Trade Rules Sufficient for Regulating Trade in Emissions Permits?**  
*Liz Bossley*, CEO, Consilience Energy Advisory Group
- **Implications of Climate Change Policies for Trade and Investment in Energy-Intensive Industries**  
*Vincent Mages*, Climate Change Initiatives VP, Lafarge
- **Challenges at the Intersection of Trade, Energy and the Environment for the African Continent**  
*Pat Naidoo*, Senior General Manager of Transmission, ESKOM, South Africa
- **A Chinese perspective on trade and climate change**  
*Heng Wang*, Associate Professor, School of International Law, Southwest University of Political Science and Law, Chongqing, China

**Keynote Address and Questions**

18.30-19.30

*Pascal Lamy*, Director General, WTO

**Reception**

19:30-20.30

**Friday, 23rd October 2009**

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**Panel 5: Subsidies and Pricing**

9:30-11:00

Chair: *Gary Horlick*, Attorney at Law

- Subsidies in the Traditional Energy Sector  
*Ronald Steenblik*, Senior Trade Policy Analyst, OECD Trade & Agriculture Directorate
- Is energy price stability desirable? Achievable?  
*Christof Rühl*, Chief Economist, BP
- Dual Pricing  
*Reinhard Quick*, Geschäftsführer, Verband der Chemischen Industrie
- Incentives to Stimulate Renewable Energy  
*Stephen J. Orava*, Partner, King & Spalding LLC

**Closing Session: Thinking Ahead & Framing an Agenda for Future Action and Research**

11:00-13:00

Chair: *André Schneider*, Managing Director and Chief Operating Officer, World Economic Forum

Panel members:

*George Abi Saab*, Former WTO Appellate Body member and Professor Emeritus, Graduate Institute, Geneva

*Richard Baldwin*, Professor, Graduate Institute, Geneva, and Director, Centre for Trade and Economic Integration

*John Gault*, John Gault SA

*Patrick Low*, Director, Economic Research and Statistics Division, WTO and Adjunct Professor, Graduate Institute, Geneva

*Gabrielle Marceau*, Cabinet of the Director General, WTO and Associate Professor, Faculty of Law, University of Geneva

*Joost Pauwelyn*, Professor, Graduate Institute of International and Development Studies, Geneva, and Director, Centre for Trade and Economic Integration

*Ernst-Ulrich Petersmann*, European Institute, Florence



## Conference Organising Committee

*Richard Baldwin*, Professor, Graduate Institute of International and Development Studies, Geneva, and Director, Centre for Trade and Economic Integration

*Theresa Carpenter*, Executive Director, Centre for Trade and Economic Integration at the Graduate Institute, Geneva

*Daniel Crosby* Partner, Budin & Partners, Geneva

*John Gault* John Gault SA

*Patrick Low*, Director, Economic Research and Statistics Division, World Trade Organization and Adjunct Professor, Graduate Institute of International and Development Studies, Geneva

*Joost Pauwelyn*, Professor, Graduate Institute of International and Development Studies, Geneva, and Director, Centre for Trade and Economic Integration

## Conference Sponsors



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## Institutions

### World Trade Organization – WTO

The World Trade Organization (WTO) is the only global international organization dealing with the rules of trade between nations. It provides a framework for negotiating and formalising trade agreements, and a dispute resolution process aimed at enforcing participants' adherence to WTO agreements. The goal is to help producers of goods and services, exporters, and importers conduct their business. The WTO has 153 members, representing more than 95% of total world trade; and 30 observers.

### The Graduate Institute, Geneva

The Graduate Institute of International and Development Studies is an institution of higher education and research dedicated to the cross-cutting disciplines of international relations and development studies. The Institute, keen to draw on the synergies offered by its two fields of specialisation, offers independent and rigorous analyses of current and emerging global issues with a view to promoting international cooperation and making a contribution to the development of less fortunate societies. This small and selective institution that owes its reputation to: the quality of its cosmopolitan faculty, the strength of its core disciplines (Economics, History, Law, Political Science and Development Studies), its policy-relevant approach to international affairs, and its bilingual English-French education programmes.

### Centre for Trade and Economic Integration – CTEI

The Centre for Trade and Economic Integration (CTEI) is the Graduate Institute's Centre of Excellence for research on international trade. Established in February 2008, the interdisciplinary Centre brings together the research activities of eminent professors of economics, law and political science in the area of trade, economic integration and globalisation. The Centre serves as a vehicle for disseminating research results within the “real world” and enables discussion and dialogue between the global research community, including the Institute student body and research centres in the developing world. A core goal for the future is to foster genuine, interdisciplinary research and to work across disciplines on solutions-orientated studies that address the big societal questions of our day.

<http://graduateinstitute.ch/ctei>