



INSTITUTE OF INTERNATIONAL  
ECONOMIC LAW  
GEORGETOWN UNIVERSITY LAW CENTER

**Georgetown Law & The Graduate Institute, Geneva**

# **G2 Annual Conference on WTO and Global Economic Regulation**

**7<sup>th</sup> & 8<sup>th</sup> June 2019**

## **Programme**

*Draft as of 10<sup>th</sup> April 2019*

**The Graduate Institute, Geneva  
Maison de la Paix  
Chemin Eugène-Rigot 2B, 1202 Genève**

*and*

**World Trade Organization  
Centre William Rappard (tbc)  
Rue de Lausanne 154, 1202 Genève**

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*This conference benefits from academic input and guidance from the Society of International Economic Law*

# Pre-conference activities at the Graduate Institute

**Wednesday, 5<sup>th</sup> and Thursday, 6<sup>th</sup> June 2019**

*Closed meetings, various rooms*

<b>John H. Jackson (formerly ELSA) Moot Court Competition on WTO Law</b> <ul style="list-style-type: none"> <li>• Final Oral Round, for 22 teams from around the world</li> </ul>	PLEADINGS HELD AT VARIOUS TIMES
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**Thursday, 6<sup>th</sup> June 2019**

*Closed meetings, Room S6*

<b>JIEL Board Meeting</b> <ul style="list-style-type: none"> <li>• Closed meeting for members of the JIEL Board</li> </ul>	14:00 – 15:00
<b>TradeLab General Assembly</b> <ul style="list-style-type: none"> <li>• Closed meeting for TradeLab members, representatives and invited guests</li> </ul>	15:30 – 17:30

**Friday, 7<sup>th</sup> June 2019**

*Public meeting, Auditorium Ivan Pictet A*

<b>TradeLab Showcase</b> <ul style="list-style-type: none"> <li>• A presentation of recent TradeLab projects</li> </ul> All welcome	10:00 – 11:30
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# Conference Programme

**Friday, 7<sup>th</sup> June 2019 (Held at the Graduate Institute, Maison de la Paix – Auditorium Ivan Pictet A)**

<b>Registration</b>	10:00 ONWARDS
SANDWICH LUNCH AVAILABLE, SERVED IN THE FOYER OF PETAL 1	11:30 – 12:15
<b>Welcome and Opening Remarks</b> <ul style="list-style-type: none"> <li>• <b>Joost PAUWELYN</b>, Professor of International Law, Graduate Institute, Co-Director CTEI and Visiting Professor of Law, Georgetown Law</li> <li>• <b>Christopher BRUMMER</b>, Professor of Law and Faculty Director, IIEL, Georgetown Law</li> </ul>	12:15 – 12:30
<b>Key-Note Intervention followed by Q&amp;A</b> <ul style="list-style-type: none"> <li>• <b>[Speaker To Be Confirmed]</b></li> </ul> <p>Introduced and moderated by <b>Richard BALDWIN</b>, Professor of International Economics, Graduate Institute, Geneva</p>	12:30 – 13:30
<b>Session 1. PANEL: Geopolitics &amp; National Security in Global Economic Regulation</b> <p>This panel will discuss national security in the light of the WTO panel report on <i>Russia – Measures Concerning Traffic in Transit</i> (DS512, filed by Ukraine), which is expected to be issued to the parties in the first quarter of 2019. National security and broader geopolitical questions play an increasing role also in US-China relations (think of the Huawei example), a revival of export controls and sanctions (e.g. US primary and secondary sanctions against Iran and Russia), and the regulation of foreign investment, including in the screening of FDI inflows (with recent changes in the US CFIUS law, and a brand new EU investment screening framework).</p> <p>Moderator: <b>Kathleen CLAUSSEN</b>, University of Miami</p> <ul style="list-style-type: none"> <li>• <b>Henrique CHOER MORAES</b>, Mission of Brazil to the EU, Brussels and Centre for Global Governance Studies, KU Leuven</li> <li>• <b>Nicolas LAMP</b>, Queen's University, Canada</li> <li>• <b>Viktoriiia LAPA</b>, PhD candidate, University of Bocconi</li> <li>• <b>Ted POSNER*</b>, Partner, Weil, Gotshal &amp; Manges and Adjunct Professor, Georgetown Law</li> <li>• <b>Yusuf Burak RENDE</b>, Deputy Permanent Representative of Turkey</li> <li>• <b>Cindy WHANG</b>, Fu Jen Catholic University, Taipei</li> </ul>	13:30 – 15:15
COFFEE BREAK	15:15 – 15:45

\*invited

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**Friday, 7<sup>th</sup> June 2019 (Cont)**

<p><b>Session 2. PANEL: Trade Remedies When Markets Are “Distorted”: Non-Market Economy Status and Alternative Approaches</b></p> <p>This panel will assess the question of non-market economy status in light of the WTO panel report on <i>EU – Measures Related to Price-Comparison Methodologies</i> (DS516, filed by China), which is expected to be issued to the parties in the second quarter of 2019. Market “distortions” and how to deal with them when investigating dumping and subsidization have been a central theme also in other WTO disputes, recent reforms of trade defence instruments in the EU and domestic investigations.</p> <p>Moderator: <b>Stacey ETTINGER</b>, K&amp;L Gates &amp; Adjunct Professor, Georgetown Law</p> <ul style="list-style-type: none"> <li>• <b>Timothy BRIGHTBILL</b>, Wiley Rein &amp; Adjunct Professor, Georgetown Law</li> <li>• <b>Philippe DE BAERE</b>, Van Bael &amp; Bellis, Brussels</li> <li>• <b>Yujin Kim MCNAMARA</b>, Akin Gump, Washington DC</li> <li>• <b>James NEDUMPARA</b>, Jindal Global Law School, India</li> <li>• <b>Sherzod SHADIKHODJAEV</b>, KDI School of Public Policy and Management, Seoul</li> </ul>	15:45 – 17:00
TEA BREAK	17:00 – 17:30
<p><b>Session 3. PANEL: New Trends in Global Economic Regulation: In Search of Rule-Hegemony? From The New Financial and Digital Extraterritoriality to Regulatory Supervision and Recognition Agreements</b></p> <p>As the WTO is losing centrality, global trade and economic regulation do not stand still. Until recently, the choice or contrast presented was often between “multilateralism” and “regionalism”, or between the WTO and preferential trade agreements. Today, however, many attempts at global regulation are better classified as either “unilateral” (from US trade, national security and financial sanctions on China, Russia and Iran, to EU competition law enforcement, the EU’s General Data Protection Regulation and attempts to tax the digital economy) or “bilateral” (think of the US-EU Privacy Shield or contractual arrangements under China’s Belt and Road Initiative). Are we moving away from traditional international organizations and treaties based on (multilateral) rules and (hard law) dispute settlement, to looser economic cooperation and connections based on pragmatism, broad supervisory discretion and reciprocal, economic needs? What are some of the new initiatives and approaches out there? To what extent are they an improvement or a step back?</p> <p>Moderator: <b>Joost PAUWELYN</b>, Graduate Institute &amp; Georgetown Law</p> <ul style="list-style-type: none"> <li>• <b>Chris BRUMMER</b>, Georgetown Law</li> <li>• <b>Martina LODRANT</b>, European Commission, DG Trade</li> <li>• <b>Shin-Yi PENG</b>, National Tsing Hua University</li> <li>• <b>Pierre-Hugues VERDIER</b>, University of Virginia</li> <li>• <b>Heng WANG</b>, University of New South Wales, Australia</li> </ul>	17:30 – 19:15
CONFERENCE DINNER	19:30 ONWARDS

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**Saturday, 8th June 2019 (Held at the WTO, Centre William Rappard, Room W (tbc))**

<p><b>Session 4. ROUNDTABLE: Update and Assessment of Negotiations, Explorations and Reform Discussions in the WTO</b></p> <p>This panel will present a critical overview of negotiations, explorations and reform discussions ongoing in the WTO, ranging from fisheries subsidies and e-commerce to investment facilitation, transparency and dispute settlement.</p> <p>Moderator: <b>Gabrielle MARCEAU</b>, University of Geneva &amp; WTO Secretariat</p> <ul style="list-style-type: none"> <li>• <b>Amb. Zhanar AITZHANOVA</b>, Permanent Representative of Kazakhstan</li> <li>• <b>Kichang CHUNG</b>, Senior Foreign Attorney, Lee &amp; Ko, Seoul, Korea</li> <li>• <b>Amb. J.S. DEEPAK</b>, Permanent Representative of India</li> <li>• <b>Amb. Junichi IHARA</b>, Permanent Representative of Japan</li> <li>• <b>Merit JANOW</b>, Dean, School of International and Public Affairs, Columbia University</li> <li>• <b>Patrick LOW</b>, Adjunct Professor, University of Hong Kong</li> <li>• <b>Amb. Dennis SHEA</b>, Deputy USTR and Permanent Representative of the USA</li> <li>• <b>Amb. David WALKER</b>, Permanent Representative of New Zealand</li> </ul>	09:00 – 11:00
COFFEE BREAK	11:00 – 11:30
<p><b>Session 5. ROUNDTABLE on “Trade-Wars”: Causes, Consequences &amp; How To Respond?</b></p> <p>This roundtable will build on a forthcoming special issue of the <i>Journal of International Economic Law</i> that seeks to take stock of the current trade wars, provide an explanation of their causes and conditions of possibility, and offer reflections on the best responses to them, both in the short term and looking further ahead. Starting from the premise that the structure of the international economic order may be at a point of inflection, it aims both to set this moment in context; and to offer ideas for what international economic law could and should look like looking ahead. Topics for discussion will include: How does the current set of trade wars compare to similar periods in history? Has the political economy of protectionism and liberalisation changed? If the friction today relates to different models of economic and political organization (e.g. between the US and China), how has the global economic order dealt with institutional diversity of this kind before? Trade wars are now bound up with larger geopolitical struggles involving economic, technological and national security dimensions. How has this changed the politics and dynamics of the current trade wars? How will it affect their potential resolution? Contributors to the <i>Special Issue</i>, and others, will be invited to present their work. Practitioners will join the Roundtable to provide context and comments.</p> <p>Moderator: <b>Jennifer HILLMAN</b>, Georgetown Law</p> <ul style="list-style-type: none"> <li>• <b>Simon EVENETT</b>, University of St. Gallen</li> <li>• <b>Andrew LANG</b>, University of Edinburgh</li> <li>• <b>Julia QIN</b>, Wayne State University</li> <li>• <b>Anne VAN AAKEN</b>, University of Hamburg</li> <li>• <b>Amb. Marc VANHEUKELEN</b>, Permanent Representative of the European Union</li> <li>• <b>Alan WOLFF</b>, Deputy Director General, WTO</li> </ul>	11:30 – 13:15
LUNCH	13:00 – 14:00

*Final of the John H. Jackson (formerly ELSA) Moot Court Competition on WTO Law at 14:00*

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## The 2019 Conference Committee

The Conference Committee is comprised of people from the two host institutions plus a number of individuals appointed by SIEL to provide academic guidance for the conference.

### Conference Chairs

**Christopher BRUMMER**, Professor of Law and Faculty Director, IIEL, Georgetown Law; Editor-in-Chief, Journal of International Economic Law

**Joost PAUWELYN**, Professor of International Law, Graduate Institute of International and Development Studies, Geneva, and Visiting Professor of Law, Georgetown Law; Editor-in-Chief, Journal of International Economic Law

### Academic Committee

**Jan BOHANES**, Senior Counsel, Advisory Centre on WTO Law; and Visiting Lecturer at the Graduate Institute of International and Development Studies, Geneva

**Jennifer HILLMAN**, Professor from Practice, Georgetown University Law Center

**Gabrielle MARCEAU**, Associate Professor, Faculty of Law, University of Geneva; and Senior Counsellor, Legal Affairs Division, WTO

**Shin-Yi PENG**, Professor of Law, National Tsing Hua University; Executive Vice-President of SIEL

**Peter L.H. VAN DEN BOSSCHE**, Director of Studies, World Trade Institute, University of Bern; Professor of International Economic Law, Faculty of Law, University of Bern; President, Society of International Economic Law

**Markus WAGNER**, Associate Professor, University of Wollongong, Australia; Executive Vice-President of SIEL

### Organising Committee

**Dr Theresa CARPENTER**, Executive Director, Centre for Trade and Economic Integration, Graduate Institute of International and Development Studies

**Maria Florencia SARMIENTO**, PhD Candidate in International Law, Graduate Institute of International and Development Studies

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