

World Trade Forum  
University of Bern, Switzerland  
25–26 October 2019

## PROGRAMME

# Multilateralism at Risk

UniS, University of Bern, Schanzeneckstrasse 1, 3012 Bern, Switzerland



## Day 1: Friday, 25 October 2019

9:00–9:30 Registration for delegates Foyer

9:30–9:40 Welcome and opening remarks A003  
Joseph Francois, World Trade Institute  
Bernard Hoekman, European University Institute

9:40–11:00 **Plenary Session I** A003  
***The future of international economic dispute resolution***

**Chair:** Isabelle Van Damme, Van Bael & Bellis

**Panellists:**

- Karen Alter, Northwestern University
- James Flett, European Commission
- Jae Sung Lee, UNCITRAL
- Gabrielle Marceau, University of Geneva
- Stephan Schill, University of Amsterdam

11:00–11:30 Coffee break Foyer

11:30–13:00 **Parallel Session A: Book Track** A-119

**Chair:** Claude Chase, Akin Gump Strauss Hauer & Feld LLP

**Panellists:**

- Kholofelo Kugler, Advisory Centre on WTO Law, “Considering arbitration as an alternative to WTO appellate review”
- Cornelia Furculiță, German University of Administrative Sciences, Speyer, “The time of PTAs dispute settlement mechanisms might have come: Assessing the risks”
- Tetyana Payosova, Van Bael & Bellis, Geneva, “Re-designing mediation in the future WTO dispute settlement governance”
- Sean Stacy, World Trade Institute, “WTO Dispute Settlement: ‘Will of the Strongest’ or ‘Rule of Law’?”

11:30–13:00 **Parallel Session B: National and international regulation on e-commerce and data flows** A201

**Chair:** Iza Lejárraga, OECD

- Panellists:**
- Mira Burri, University of Lucerne, “Introducing TAPED: A database on trade agreement provisions on e-commerce and data flows”
  - Erik van der Marel, European Centre for International Political Economy, “Digital Trade Restrictiveness Index (DTRI)”
  - Rahel Schär, University of Lucerne, “The privacy shield: Facilitating data flows to the US under the GDPR”
  - Quan Zhao, International Trade Centre, “China’s e-commerce and digital regulations”
  - Nicolas Köhler, International Trade Intelligence, “Industrial policy and national security dimensions of data flow regulations in China and India”

**Discussant:**

- Sebastian Klotz, World Trade Institute

11:30–13:00 **Parallel Session C: WTO reform (organised by Bertelsmann Stiftung)** A-122

**Chair:** Thomas Rausch, Bertelsmann Stiftung

- Panellists:**
- Mark Wu, Harvard University, “SOEs, subsidies and the trading system”
  - Robert Wolfe, Queens University, “Improving the use of ‘specific trade concerns’ in WTO conflict management”
  - Bernard Hoekman, European University Institute, “Competition policy lessons for trade rules”

**Discussants:**

- Eddy de Smijter, European Commission
- Arancha Gonzalez, International Trade Centre

13:00–14:00 Lunch Foyer

14:00–15:20 **Plenary Session II** A003  
***Climate change, trade and investment: Cross-regime learning?***

**Chair:** Thomas Cottier, World Trade Institute

- Panellists:**
- Marie Claire Cordonier Segger, University of Cambridge
  - Arancha Gonzalez, International Trade Centre
  - Jürgen Kurtz, European University Institute
  - Simon Lester, Cato Institute

15:20–16:50 **Parallel Session D: Book Track** A201

**Chair:** Tetyana Payosova, Van Bael & Bellis

- Panellists:**
- Karen Alter, Northwestern University, “Legalizing international economic dispute resolution”
  - Vyoma Jha, Stanford Law School, “The politics of renewables: Lessons for international economic dispute settlement from renewable energy-related disputes”
  - Malebakeng Forere, University of Witwatersrand, “No lessons from the crises in the international trade and investment dispute settlement mechanisms: the African Continental Free Trade Area”
  - Kathleen Claussen, University of Miami School of Law, “A future for trade agreement design after USMCA”

15:20–16:50 **Parallel Session E: Investment and labour relations** A-119

**Chair:** Alessandro Guasti, London School of Economics and Political Science

- Panellists:**
- Matthew Amengual, University of Oxford, “Can sourcing help enforce global labour standards? Evidence from the Gap Inc. supply chain”
  - Patrick Bigler, World Trade Institute, “Trade–labour linkages and international investment: Protectionism in disguise?”
  - Patrick Wagner, World Trade Institute, “Unintended consequences: spillover of decent work from outward investment locations in Brazil”
  - Damian Raess, World Trade Institute, “The demand-side politics of China’s global buying spree: Managers’ attitudes towards Chinese inward FDI flows in comparative perspective”

15:20–16:50 **Parallel Session F: Data collection on international investment agreements and its implementation** A-122

**Chair:** Roberto Echandi, World Bank

- Panellists:**
- Diana Rosert, UNCTAD, “Introducing the International Investment Agreements Navigator, and the Investment Dispute Settlement Navigator”
  - Daniel Behn, Queen Mary University of London and University of Oslo, “Introducing PluriCourts Investment Treaty Arbitration Database (PITAD)”
  - Rodrigo Polanco, World Trade Institute and Wolfgang Alschner, University of Ottawa, “Introducing EDIT – An Electronic Database of Investment Treaties”

**Discussant:**

- Krista Nadakavukaren Schefer, Swiss Institute of Comparative Law

16:50–17:10 Coffee break Foyer

17:10–18:30 **Plenary Session III** A003  
***Clash of economic models: China and the multilateral trading system***

**Chair:** Christian Bluth, Bertelsmann Stiftung

- Panellists:**
- Kathleen Claussen, University of Miami
  - Lionel Fontagne, University Paris 1 Panthéon-Sorbonne
  - Kurt Haerri, Schindler
  - Monika Rühl, economiesuisse
  - André Sapir, Université libre de Bruxelles

18:30–20:00 Apéro riche at Restaurant Grosse Schanze (Parkterrasse 10, 3012 Bern)

## Day 2: Saturday, 26 October 2019

9:00–10:30      **Parallel Session G: Book Track**      A022

**Chair:** Nicolas J.S. Lockhart, Sidley Austin LLP

- Panellists:**
- Krzysztof J. Pelc, McGill University, Montreal, “Authorship of rulings at the WTO: Does It matter who holds the pen?”
  - Lauge Poulsen, University College London, “A world without ISDS? Costs and benefits”
  - Stephan Schill and Geraldo Vidigal, University of Amsterdam, “Investment dispute settlement à la carte: Vision for the UNCITRAL reform process?”
  - Daniel Behn, Malcolm Langford and Runar Lie, University of Oslo and Queen Mary University of London, “Who writes arbitral awards? A stylometric analysis of investment treaty arbitration”

9:00–10:30      **Parallel Session H: Realising Europe's Soft Power in External Cooperation and Trade – RESPECT**      A-122

**Chair:** Matteo Fiorini, European University Institute

- Panellists:**
- Miriam Manchin, World Trade Institute, “Assessing the effects of non-trade provisions of trade agreements”
  - Mattia Di Ubaldo, University of Sussex, “The impact of trade policy uncertainty removal in the EU GSP scheme”
  - Kamala Dawar, University of Sussex, “Do EU export credit agencies comply with international norms?”
  - Hugo Rojas Romagosa, World Trade Institute, “The effectiveness of the EU's impact assessment and consultation mechanisms”



9:00–10:30	<b>Parallel Session I: GVCs, investments and PTAs (co-organised with OECD)</b>	A201
<b>Chair:</b>	Manfred Elsig, World Trade Institute	
<b>Panellists:</b>	<ul style="list-style-type: none"> <li>• Iza Lejarraga, OECD, “The rationale of a new GVC-database in trade agreements”</li> <li>• Selina Hauser, World Trade Institute, “Coding GVC provisions in PTAs”</li> <li>• Marietta Angeli, World Trade Institute, “Coding RoO provisions in PTAs”</li> <li>• Julien Gourdon, OECD, “The rationale for better RoO data”</li> </ul>	
<b>Discussant:</b>	<ul style="list-style-type: none"> <li>• Joseph Francois, World Trade Institute</li> </ul>	
10:30–11:00	Coffee break	Foyer
11:00–12:30	<b>Plenary Session IV <i>Revisiting special and differential treatment for developing countries</i></b>	A003
<b>Chair:</b>	Michael Hahn, Institute of European and International Economic Law / World Trade Institute	
<b>Panellists:</b>	<ul style="list-style-type: none"> <li>• Sean Doherty, World Economic Forum</li> <li>• Roberto Echandi, World Bank</li> <li>• David W.F. Huang, Délégation culturelle et économique de Taipei à Berne</li> <li>• Sergio Toro, Permanent Mission of Chile to the WTO</li> <li>• Cherise Valles, Advisory Centre on WTO Law</li> </ul>	
12:30–13:30	Lunch	Foyer

13:30–15:00 **Parallel Session J: Book Track** A022

**Chair:** Marina Foltea, Trade Pacts

- Panellists:**
- Gabrielle Marceau, University of Geneva, “Current crisis of WTO dispute settlement”
  - Simon Lester and Huan Zhu, Cato Institute, “Innovation in the enforcement of international economic law: Can the United States make auto-interpretation work?”
  - James Flett, European Commission, “Keep calm and carry on litigating”
  - Philippe Lionnet, SECO, “International economic dispute settlement and digital trade – new legal challenges in substance and concerning choice of forum?”

13:30–15:00 **Parallel Session K: Challenges of establishing an international framework for investment facilitation (organised by DIE)** A-122

**Chair:** Axel Berger, German Development Institute / Deutsches Institut für Entwicklungspolitik (DIE)

- Panellists:**
- Ali Dadkhah, Curiak Consulting, “Economic impacts of a potential investment facilitation agreement – quantifying investment facilitation: Introducing the Investment Facilitation Index”
  - Matthew Stephenson, World Economic Forum, “The practitioner’s perspective: insights on investment facilitation from global firms and from projects in Cambodia and Ghana”
  - Malebakeng Forere, University of Witwatersrand, “The WTO Facilitation Framework without Africa: Unpacking the conundrum”
  - Lauge Poulsen, University College London, “UK investment policy post-Brexit: A role for investment facilitation?”

**Discussant:**

- Colette van der Ven, Pro Bono Initiative, Sidley Austin LLP



13:30–15:00 **Parallel Session L: Research collaboration and communication beyond the ivory tower (organised by SNIS)** A201

**Chair:** Raymond Saner, CSEND

- Panellists:**
- Bernhard Fuhrer, SNIS, “Why do research funding organisations insist on new communication formats?”
  - Petru Dumitriu, UN Joint Inspection Unit, “How can we improve the influence of academic research in policy making and how can we make research more palatable in international organisations?”
  - Christophe Gironde, IHEID, “Designing effective and efficient joint academic–policy maker–practitioner research proposals”
  - Mirko Winkler, Swiss TPH, “What value added for multimedia productions as part of the research output”
  - Ruxandra Stoicescu, SNIS, “How to be heard and seen; ‘advertising’ research results to the broader public”

15:00–15:30 Coffee break Foyer

15:30–16:45 **Plenary Session V** A003  
***The ILO at 100, the fourth industrial revolution, trade and employment***

**Chair:** Damian Raess, World Trade Institute

- Panellists:**
- Dorothee Baumann-Pauly, University of Geneva and NYU Stern Center for Business and Human Rights
  - Jean-Jacques Elmiger, SECO
  - Renate Hornung-Draus, Confederation of German Employers’ Associations
  - Sangheon Lee, ILO
  - Esther Lynch, European Trade Union Confederation

16:45–16:50 Closing remarks A003  
Peter Van den Bossche

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