



Call for Papers

Workshop of the ESIL International Economic Law Interest Group

International Economic Law *'In The Making'*: New Actors and Policies

Abstract submission deadline: midnight 23 April 2021 (CET)

The ESIL Interest Group on International Economic Law organises a Workshop on **International Economic Law 'In The Making': New Actors and Policies** as a side-event to the ESIL 2021 Annual Conference in Stockholm. The Workshop will take place on September 8, 2021.

The workshop will address the following topics:

- 1) An Open, Sustainable and Assertive Trade Policy: the 2021 EU Trade Policy Review
- 2) New Actors in the Regulation of Foreign Investment
- 3) Governance of the Digital Economy and International Economic Law
- 4) Methodological Pluralism and the Future of International Economic Law (IEL)

1) An Open, Sustainable and Assertive Trade Policy: the 2021 EU Trade Policy Review

On 18 February 2021, the European Commission issued its Communication for an open, sustainable and assertive trade policy, accompanied by a relevant annex devoted to the WTO reform process. We invite proposals on the enforcement of the sustainability chapters through the bilateral dispute settlement mechanisms of EU FTAs; on the other enforcement tools and practices developed or in the process of being developed by the EU (e.g. the new Enforcement Regulation, the proposal for a new anti-coercion instrument, the involvement of the business community and civil society in the Single Entry Point initiative, and the role of the newly created Chief Trade Enforcement Officer); on the EU proposals for WTO plurilaterals; on the EU green agenda for the WTO, and the Trade and Health Initiative; on the improvement of transparency and notification mechanisms at the WTO; on the revision of the WTO Subsidies Agreement, the reform of the dispute settlement mechanism, and the reconsideration of WTO Members entitled to special and differential treatment.

2) New Actors in the Regulation of Foreign Investment

The regulation of foreign investment has grown in complexity in the last year. We could highlight two developments. First, new complex negotiations of investment treaties have emerged, such as EU new treaties or The Regional Comprehensive Economic Partnership between ASEAN's and five Asia-Pacific countries. A second development is the fragmented evolution of investment screening mechanisms, both in developing and developed countries.

We invite proposals that analyze, but are not limited, to the following topics:

- Regional and supranational actors as negotiators of international investment agreements;
- Current developments on Investment Screening mechanisms;
- New developments on the reform of the ISDS system;
- The standing of State-Owned Enterprises in international economic law regimes;
- Codes of conduct for international economic adjudicators;
- The implementation of the CETA investment Court;
- The impact of multilateral organizations, such as the OECD and UNCTAD on international law on foreign investment.

3) Governance of the Digital Economy and International Economic Law

The digital economy's rapid growth is transforming the global trade and investment systems at least in two ways. First, there is a creation of new entirely digital markets that connect with few jurisdictions but whose reach is global. Second, by changing how traditional economic transactions are being negotiated, performed, recorded, and executed. Thus, the digital economy brings an ontological challenge to international economic law that needs to apply to new developments, the treaties, and concepts intended for the analogue era.

We invite proposals that examine, but are not limited, to the following topics:

- International law and the governance of blockchain technology;
- Data governance and international economic treaties;
- Foreign investment and crypto-assets;
- International trade and the aggregation of machine-readable information;
- Digital technology and the settlement of international economic disputes;
- Cyber-attacks and the protection of economic actors;
- Digital evidence in international economic adjudication;
- Artificial intelligence and international trade.

4) Methodological Pluralism and the Future of International Economic Law (IEL)

The current system of treaties that regulate the global economy was drafted and negotiated within the so-called 'Westphalian system' that implies that states controlled the international lawmaking process. Today, new actors and networks have emerged, creating norms regulating or affecting how global investment and trade are performed. In addition, there are growing concerns about the legitimacy of international economic law (IEL) by sectors of society that have contested the authority of international economic adjudication bodies.

These changes demand a theoretical assessment regarding the identity and justification of 'international economic law' as a discipline. Thus, we invite any reflections regarding, but not limited, to the following topics:

- Feminist approaches to IEL;
- Constitutionalism and multilevel governance in IEL;
- Conceptual approaches to Sovereign debt in international law;
- Transnational networks and legal pluralism;
- IEL approaches to human rights;

- Sustainability-oriented models of economic governance;
- Tensions between particularism and universalism in IEL;
- Systemic integration and IEL.

Paper submission procedure

Abstracts may be submitted in English or French in accordance to the timeline as set out below.

Submissions must not exceed 800 words, and have to be submitted to the following mail addresses:

elisa.baroncini@unibo.it; pstoll@gwdg.de; mfedorova@law.uni-kiel.de;
a.a.marhold@law.leidenuniv.nl; gustavo.prieto@ugent.be ; cristani@iir.cz

In addition to the abstract, each submission should contain a separate file containing information on:

- The topic of the call for papers for which the abstract is submitted;
- The author's name and affiliation;
- A short (one page) author's CV, including a list of relevant publications;
- The author's contact details, including email address and phone number;
- Whether the author is an ESIL member and the date of affiliation;
- An expression of interest in competing for the ESIL Young Scholars Prize.

Timeline

The deadline for the submission of abstracts is **midnight 23 April 2021 (CET)**.

We expect to be able to inform successful applicants by 30 April 2021.

The deadline for the submission of the papers of accepted abstracts is 15 August 2021.

Please note that the Interest Group is unable to provide funding for travel and accommodation. See the ESIL website for information about ESIL Travel Grants (<https://esil-sedi.eu/travel-grants/>) and ESIL Carers' Grants (<https://esil-sedi.eu/carers-grants-copy/>).

ESIL Young Scholar Prize (YSP)

Papers accepted for this interest group workshop will be eligible for the ESIL YSP. More details about the prize, eligibility and procedure can be found [here](#).

Convenors

Prof. Elisa Baroncini, *Alma Mater Studiorum* - Università di Bologna

Dr. Federica Cristani, Institute of International Relations, Prague

Dr. Anna Marhold, Leiden University

Dr. Gustavo Prieto, Ghent University

Prof. Peter-Tobias Stoll, Georg-August-Universität Göttingen

Prof. Marina Trunk Fedorova, St. Petersburg University