



ESIL International Economic Law Interest Group

Workshop of the ESIL IEL IG

Side-event to the ESIL 2021 Annual Conference in Stockholm

Wednesday 8 September 2021

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

Hybrid Workshop

h. 11:00 – 12:00

***Opening remarks:* Professor Peter-Tobias Stoll, Georg-August-Universität Göttingen**

PANEL ONE – AN OPEN, SUSTAINABLE AND ASSERTIVE TRADE POLICY: THE 2021 EU TRADE POLICY REVIEW

***Chair:* Dr. Anna-Alexandra Marhold (Leiden University)**

WTO Law: Pre-Existing Legal Framework and Normative Underpinnings for EU FTAs - Cédric Henet (UCLouvain)

Sustainable trade to the core: Towards a targeted approach in the EU's GSP scheme and TSD Chapters - Alessandra Arcuri, Sophia Paulini and Federica Violi (Erasmus University Rotterdam)

Informal Negotiating Practices in the WTO Decision-Making System and the Joint Statement Initiatives: The Case of an Investment Facilitation Agreement - Ana Peres (King's College London)

Discussion

h. 12:00 – 13:00: lunch break

h. 13:00 – 14:30

PANEL TWO - NEW ACTORS IN THE REGULATION OF FOREIGN INVESTMENT

Chair: Professor Dr. Marina Trunk-Fedorova (St. Petersburg State University)

Private Actors' Push for International Legal Status: How Should Investment Courts Respond? - Caroline E. Foster (University of Auckland)

Overcoming the Assumption of Inevitable Bias of Judges on the Multilateral Investment Court: Time for a Doctrine of Precedent? - Martin Jarrett (Max Planck Institute for Comparative Public Law and International Law)

Particularism and Universalism in ISDS: Limitations and Prospects of Recent Developments in the Methodology of Systemic Integration in Arbitral Practice - Diego Mejía-Lemos (Xi'an Jiaotong University)

The Meaning of Silence in Investment Treaties - Andrew Larkin and Simon Batifort (Curtis, Mallet-Prevost, Colt & Mosle LLP)

Discussion

h. 14:30 – 15:00: coffee break

h. 15:00 – 18:00

PANEL THREE - GOVERNANCE OF THE DIGITAL ECONOMY AND INTERNATIONAL ECONOMIC LAW

Chair: Dr. Federica Cristani (Institute of International Relations, Prague)

Electronic Commerce or Digital Economy – Who and How is Shaping New Regulatory Frameworks? - Magdalena Slok-Wódkowska (University of Warsaw)

Liberalizing Blockchain: What Role for International Rules on Trade in Services? - Leonardo Borlini and Marta Soprana (Bocconi University)

May a Cryptocurrency be a Protected Investment under Investment Treaties? - Zdeněk Nový (Masaryk University)

The Digital State Capitalism: A Game-Theoretic Perspective on Global Data Governance in Flux - Qingxiu Bu (Sussex University)

Cybersecurity Through Data Protection: Three Regulatory Approaches - Jens Hillebrand-Pohl (Maastricht University)

Discussion

PANEL FOUR - METHODOLOGICAL PLURALISM AND THE FUTURE OF INTERNATIONAL ECONOMIC LAW

Chair: Professor Elisa Baroncini (*Alma Mater Studiorum* - Università di Bologna)

Consent and the System of International Law: Challenges for the WTO and Investor-State Dispute Settlement Mechanisms - Nicola Strain (Pluricourts, University of Oslo)

On the Fragmentation that Never Happened - Patrick Wasilczyk (Westfälische Wilhelms-Universität Münster)

A Feminist Approach to the Interpretation of the WTO Agreements: Systemic Integration as a Gender issue - Anna Ventouratou (University of Oxford)

Why Corporate Social Responsibility is Problematic as a Model of Governance: The Case of International Investment Law - Ksenia Polonskaya (Carleton University)

Discussion

Closing Remarks: Dr. Gustavo Prieto (Ghent University)

Convenors

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