

REPORT TO THE BOARD OF THE EUROPEAN SOCIETY OF INTERNATIONAL LAW INTEREST GROUP ON INTERNATIONAL ECONOMIC LAW (IEL IG) 2023 – 2024

ESIL IG Co-convenors:

Maria Laura Marceddu, King's College London
Anna Marhold, Leiden University
Marina Trunk-Fedorova, Kiel University
Patrick Abel, European University Institute / University of Passau
Gustavo Prieto, Ghent University

1. ACTIVITIES

A) A) WORKSHOP – ESIL RESEARCH FORUM IN NICOSIA (ONLINE)

Interactions between Legal Orders in International Economic Law

On 15 April 2024, the ESIL IEL IG organised an online workshop as a side-event to the 2024 ESIL Research Forum hosted by the University of Cyprus. The programme covered interactions between legal orders in international economic law across four thematic sessions (digital economy; challenges to investment law; challenges to trade law; climate and other contemporary issues).

The programme of the workshop is attached to this Report as Annex 1.

B) WORKSHOP – ESIL ANNUAL CONFERENCE IN VILNIUS (ONSITE)

Technology and the Future of International Economic Disputes

On 4 September 2024, the ESIL IEL IG held a workshop in Vilnius as a side-event to the 19th ESIL Annual Conference. The event featured a keynote address and two sessions focusing on the digital economy's implications for investment dispute adjudication and on technology-related international trade disputes.

The programme of the workshop is attached to this Report as Annex 2.

2. MEMBERSHIP

The current list of members is held by the ESIL Secretariat, and it counts 459 active members (as of 8 September 2024).

3. GOVERNANCE

During the period 2023–2024, the International Economic Law Interest Group was governed by—Maria Laura Marceddu (King's College London), Anna Marhold (Leiden University), Dr. Marina Trunk-Fedorova (Kiel University), Patrick Abel (European University Institute / University of Passau), and Gustavo Prieto (Ghent University). They coordinated the Interest Group's activities, administered its online presence, and organised the workshops listed above.

4. FUTURE ACTIVITIES

The ESIL IEL IG is exploring the organisation of workshops as side events to both the 2025 ESIL Research Forum and the 20th ESIL Annual Conference. Further information will be communicated once confirmed.

ANNEXES

- *Annex 1. Programme of the Workshop at the ESIL 2024 Research Forum in Nicosia*
- *Annex 2. Programme of the Workshop at the ESIL 2024 Annual Conference in Vilnius*



ESIL International Economic Law Interest Group

Workshop of the ESIL IEL IG

Side-event to the 2024 ESIL Annual Conference

Wednesday 04 September 2024
(12:30 – 15.30, CEST time)

**Technology and the Future
of International Economic
Disputes**

Onsite event – Registration required

If you are interested in attending the workshop, please register on the ESIL 24 website:
<https://www.esil2024vilnius.lt/>

Programme

h. 12:30-13:10

Opening remarks: *Gustavo Prieto (FWO - Ghent University)*

Keynote: Katia Fach Gómez - Legal actors and technology: regulation and future trends

h. 13:15 –14:20

SESSION 1. The Adjudication of Foreign Investment Disputes within the Digital Economy

Chair: Maria Laura Marceddu (King's College London)

The Changing Concept of Territoriality in International Investment Law: Stepping into the Digital Age - Bojana Ristić (Leiden University).

The Impact of Regulations of Data (or Lack Thereof) on International Investment Law - Magdalena Słok-Wódkowska (University of Warsaw).

Swiping Right: How Legal Tech 'Decides' the Fate of Arbitration - Agata Daszko (University of Göttingen).

h. 14:25 – 15:30

SESSION 2. Technology and International Trade Disputes

Chair: Marina Trunk-Fedorova (Kiel University)

AI-Driven Changes and the WTO norms: Developing a Supportive Relationship – Ravindra Pratap (South Asian University - A University of SAARC countries, New Delhi).

New Paradigm for Digital Governance at The WTO: A Legal Analysis Of The JSI On E-Commerce – Antoine Comont (University of Bordeaux & Laval University).

Is the coverage of the digital economy a source of "404 errors" for the link between treaty law and dispute settlement in trade and investment law? – Niels Lachmann (SDU-University of Southern Denmark).

Concluding Remarks

Patrick Abel (European University Institute / University of Passau)

Convenors

Maria Laura Marceddu, King's College London

Gustavo Prieto, FWO - Ghent University

Marina Trunk-Fedorova, Kiel University

Patrick Abel, European University Institute / University of Passau



Interactions between Legal Orders in International Economic Law

Side-event to the ESIL 2024 Research Forum in Nicosia

15 April 2024 (via zoom)
10:00 – 17.30, CEST time

Convenors



**Maria Laura
Marceddu**
King's College London



Anna Marhold
Leiden University



Gustavo Prieto
FWO, Ghent University



Patrick Abel
European University Institute / University of Passau



**Marina
Trunk-Fedorova**
Kiel University

1. International Economic Law and the Global Digital Economy



**José-Miguel Bello y
Villarino**
University of Sydney



Sunanda Tewari
Centre for Trade and
Investment Law, India



Niels Lachmann
University of Southern
Denmark



Jinyup Kim
Korea Intellectual Property
Protection Agency

2. Challenges to International Investment Law



Mattia Colli Vignarelli
University of Turin



Stanislava Nedeva
Cardiff University



**Niroshika Liyana
Muhandiram**
South Asian University, New
Delhi, India



Yuan Fang
Washington University
in St. Louis

Registration: https://universiteitleiden.zoom.us/join/registration/u5IpdOGuqTMiGdFp-Jy2KzxTphsMA_ygJLWd4#/registration





Interactions between Legal Orders in International Economic Law

Side-event to the ESIL 2024 Research Forum in Nicosia

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10:00 – 17.30, CEST time

3. Challenges to International Trade Law



Antonie Comont
University of University of
Bordeaux & Laval University



Elena Miolo
University of Trento



Cornelia Furculita
German University of Adminis-
trative Sciences Speyer,



Hans Lauschke
Mykolas Romeris University

4. Climate and Other Contemporary Challenges



Agnes Chong
The Chinese University of
Hong Kong



Camille Martini
Aix-Marseille University &
Laval University



Attila Nagy
Friedrich Schiller University
in Jena



**Alejandro García
Jiménez**
Independent post-doctoral
researcher



Charles Codère
Laval University

Registration: https://universiteitleiden.zoom.us/meeting/register/u5IpdOGuqTMiGdFp-Jy2KzxTphsMA_ygJLWd4#/registration





ESIL International Economic Law Interest Group
Workshop of the ESIL IEL IG
Side-event to the 2024 ESIL Research Forum in Nicosia

Monday 15 April 2024
(10:00 – 17.30, CEST time)

**Interactions between Legal Orders in
International Economic Law**

Online Event – Registration required (by 15 April 2024)

If you are interested in attending our workshop, please register using the following link by Monday, 15 April 2024:

https://universiteitleidn.zoom.us/meeting/register/u5IpdOGuqTMiGdFpJy2KzxTphsMA_ygJLWd4#/registration

Zoom link: the workshop will be held fully online via Zoom, the Zoom link will be sent upon registration.



Programme

h. 10.00-11.30

***Opening remarks:* Dr. Marina Trunk-Fedorova (Kiel University)**

SESSION 1. International Economic Law and the Global Digital Economy

***Chair:* Dr. Gustavo Prieto (FWO, Ghent University)**

Regulatory competition in the digital economy. A new view on market power for the regulation of AI – José-Miguel Bello y Villarino (School of Law University of Sydney / Senior Research Fellow ARC Centre of Excellence for Automated Decision Making and Society (ADM+S))

Interactions between international economic/environmental law and international human rights law by focusing on the use of DSI from the perspective of IPLCs – Jinyup Kim (Korea Intellectual Property Protection Agency)

Are international trade law and international investment law dispute settlement comparable in the perspective of data-based digital economy disputes? – Niels Lachmann (University of Southern Denmark, Odense)

Digital Trade Rules, Intellectual Property Protection and the Possibility of Investment Claims: The Uncharted Territory – Sunanda Tewari (Centre for Trade and Investment Law, New Delhi, India)

Discussion

h. 11:30 – 11:45 coffee break

h. 11.45 – 13.15

SESSION 2. Challenges to International Investment Law

***Chair:* Dr. Maria Laura Marceddu (King's College London)**

The Energy Charter Treaty and the Pursuit of Change: the Potential and Limits of Systemic Integration – Mattia Colli Vignarelli (University of Turin)

Termination of the India- Sri Lanka BIT of 1997 and 'Survival' of Indian Investments in Sri Lanka: A Critical Study – Niroshika Liyana Muhandiram (South Asian University, New Delhi, India)

How Would it be Possible for China to Join the CPTPP: A Comprehensive Assessment – Yuan Fang (Washington University in St. Louis)

Interaction between international economic sanctions and arbitrators' duty to maintain impartiality and independence – Stanislava Nedeva (Cardiff University, School of Law and Politics)

Discussion

h. 13:15 – 14:15 lunch break

h. 14:14 – 15:45

SESSION 3. Challenges to International Trade Law

Chair: Dr. Anna Marhold (Leiden University)

Global Challenges and WTO Crisis: Should the Legal Doxa of the Pragmatic Isolation of WTO Law be Overturned? – Antoine Comont (International and European Center of Documentation and Research, University of Bordeaux & Research Chair on New Challenges of Economic Globalization, Laval University and)

The European Union's Anti-Coercion Instrument and the United States's Section 301 of the Trade Act: what did the European Union learn, and what does it still have to learn? – Elena Miolo (University of Trento)

A Common Approach for Non-Economic Values in Trade and Investment Agreements – Cornelia Furculita (Associate Research Fellow, German University of Administrative Sciences Speyer)

Harmonizing Employment Realities: Navigating ILO Recommendations, EU Directives and the Varied Terrain of Domestic Labor Systems in Europe – Hans Lauschke (Mykolas Romeris University)

Discussion

h. 15:45 – 16:00 coffee break

h. 16:00 – 17:30

SESSION 4. Climate and Other Contemporary Challenges

Chair: Dr. Patrick Abel (European University Institute / University of Passau)

Interactions of Climate Norms in the International Financial Regime – Agnes Chong (The Chinese University of Hong Kong)

From fact to applicable law: what role for the international climate change regime in investor-State arbitration? – Camille Martini (Aix-Marseille University and Laval University)

Harmonized Emissions Reporting: a Key for CBAM Compliance with WTO Law– Charles Codère (Postdoctoral researcher, Research Chair on New Challenges of Economic Globalization Laval University)

Interaction of Various International Economic Law Orders in Post-Conflict Societies – Attila Nagy (Friedrich Schiller University in Jena)

Arbitration in Cross-border Legal Regimes on Land Freight Transport Contracts – Alejandro García Jiménez (Independent post-doctoral researcher, Licensed to practice law in Spain, Ilustre Colegio de Abogados de Madrid and in Brazil, Ordem dos Advogados do Brasil)

Discussion

Concluding Remarks

Convenors

Dr. Anna Marhold, Leiden University

Dr. Gustavo Prieto, FWO, Ghent University

Dr. Marina Trunk-Fedorova, Kiel University

Dr. Maria Laura Marceddu, King's College London

Dr. Patrick Abel, European University Institute / University of Passau

REPORT TO THE BOARD OF THE EUROPEAN SOCIETY OF INTERNATIONAL LAW INTEREST GROUP ON INTERNATIONAL ECONOMIC LAW (IEL IG) 2024 – 2025

ESIL IG Coordinating Committee members:

Maria Laura Marceddu, ECIGL Edinburgh
Patrick Abel, University of Innsbruck
Gustavo Prieto, Ghent University
Carlo De Stefano, Roma Tre University
Ines Willemyns, Stanford University

1. ACTIVITIES

A) WORKSHOP – ESIL RESEARCH FORUM IN CATANIA (ONLINE)

International Economic Law in the Age of Permacrisis

On 17 March 2025, the ESIL IEL IG organised an online workshop as a side-event to the 2025 ESIL Research Forum hosted by the University of Catania. The programme addressed evolving approaches on good faith, environmental rights, and judicial responses to economic crises (session 1) and digital governance issues (dispute settlement, platform regulation and economic sovereignty).

The programme of the workshop is attached to this Report as Annex 1.

B) WORKSHOP – ESIL ANNUAL CONFERENCE IN BERLIN (ONSITE)

Reconstructing International Economic Law

On 10 September 2025, the ESIL IEL IG held a workshop in Berlin as a side-event to the 20th ESIL Annual Conference. The event featured a keynote address on the role of rule-based adjudication of international economic disputes and two sessions. The sessions focused on various aspects related to the reconstruction of investment arbitration (session 1) and international trade law (session 2).

The programme of the workshop is attached to this Report as Annex 2.

2. MEMBERSHIP

The current list of members is held by the ESIL Secretariat, and it counts 472 active members (as of 6 October 2025). Membership numbers have increased as compared to 2024.

3. GOVERNANCE

The International Economic Law Interest Group held elections for Coordinating Committee members in November 2024, to replace outgoing members Anna Marhold and Maria

Trunk-Fedorova. Carlo De Stefano and Ines Willemyns were elected for a 4-year term. Gustavo Prieto was re-elected for a 4-year term.

During the period 2024–2025, the International Economic Law Interest Group was governed by Maria Laura Marceddu (ECIGL Edinburgh), Patrick Abel (University of Innsbruck), Gustavo Prieto (Ghent University), Carlo De Stefano (Roma Tre University) and Ines Willemyns (Stanford University). They coordinated the Interest Group's activities, administered its online presence, and organised the workshops listed above.

4. FUTURE ACTIVITIES

The ESIL IEL IG is exploring the organisation of workshops as side events to both the 2065 ESIL Research Forum and the 21st ESIL Annual Conference. Further information will be communicated once confirmed.

ANNEXES

- *Annex 1. Programme of the Workshop at the ESIL 2025 Research Forum in Catania*
- *Annex 2. Programme of the Workshop at the ESIL 2025 Annual Conference in Berlin*



ESIL International Economic Law Interest Group

Workshop

2025 ESIL Research Forum in Catania

Monday 17 March 2025
(15:00 – 17:00 CEST time)

**International Economic Law
in the Age of Permacrisis**

Online Event – Registration required

If you are interested in attending our workshop, please register using the following link by Monday, 17 March 2025:

<https://event.ugent.be/registration/CATANIAIEL>



Programme

h. 15.00-16.00

Opening remarks: Maria Laura Marceddu (ECIGL Edinburgh) & Gustavo Prieto (FWO-Ghent University)

SESSION 1. Evolving Approaches: Good Faith, Environmental Rights, and Judicial Responses to Economic Crises

Chair: Patrick Abel (University of Passau)

- *Rethinking Semiconductor Dispute Resolution: Lessons from the U.S.–China Phase One Agreement in an Age of Permacrisis*
Adrian Mak (Stanford University)
- *Platform Design for Digital Markets: Structuring Rule Complementarity between Antitrust Law and International Trade Law in the Age of Permacrisis*
Kwanghyuk (David) Yoo (Kean University College)
- *Economic Crises and Digital Rights in the Global South: Navigating Economic Sovereignty and Digital Governance in Times of Turmoil*
Marina Garcez (Universidade de Goiás) & Yasmin Winther Almeida (BRF Parcerias)

Coffee break 16:00—16:15

h. 16.00 – 17.00

SESSION 2. Digital Governance in a Permacrisis Era: Rethinking Dispute Resolution, Platform Regulation, and Economic Sovereignty

Chair: Carlo de Stefano (Roma Tre University)

- *'Greening' International Investment law through the Right to a Healthy Environment*
Nicolo' Andreotti (University of Padua)
- *Three Models of Judicial Adjudication of Property Rights in Economic Crises. A Comparative Public Law Perspective*
Daniela Dobre (University of Granada)
- *Good Faith In Exception Clauses*
Christian Riffel (University of Canterbury)

Concluding Remarks: Patrick Abel (University of Passau)

Convenors

Maria Laura Marceddu, ECIGL Edinburgh
Patrick Abel, University of Passau
Ines Willemyns, Stanford University
Carlo de Stefano, Roma Tre University
Gustavo Prieto, FWO - Ghent University



Reconstructing International Economic Law

Side-event to the ESIL 2025 Berlin

10 September 2025
15:00 – 18.00, CEST time

Keynote



Giorgio Sacerdoti
Bocconi University

**What Role for Rule-based Adjudication of International
Economic Disputes in a Fragmented World?**

Presenters



Nicola Strain
University of Oslo



Prabhash Ranjan
O.P. Jindal Global University



Melis Irem Kirkdisceoglu
University of Nottingham



Geraldo Vidigal
University of Amsterdam



Tamara Grigoras
Université de Fribourg



Łukasz Gruszczyński
Kozminski University



Shpresa Salihu
Université de Fribourg



Manu Misra
University of Exeter



Isha Das
University of Passau

Convenors



Maria Laura Marceddu
ECIGL Edinburgh



Gustavo Prieto
Ghent University



Ines Willemyns
Stanford University



Carlo de Stefano
Roma Tre University



Patrick Abel
University of Innsbruck



International Economic Law Interest Group

ESIL International Economic Law Interest Group

Workshop of the ESIL IEL IG

Side-event to the 2025 ESIL Annual Conference

Wednesday 10 September 2025

(15:00 – 18.00 CEST time)

Law Faculty, FU Berlin (Boltzmannstr. 3) - room TBD

Reconstructing International Economic Law

Onsite event – Registration required

If you are interested in attending the workshop, please register on the ESIL 25 website:

<https://www.esil2025.de/>

Programme

h. 15:00-15:40

Opening remarks: Ines Willems (Stanford University) & Carlo de Stefano (Roma Tre University)

Keynote: Giorgio Sacerdoti (Bocconi University)

What Role for Rule-based Adjudication of International Economic Disputes in a Fragmented World?

Chair: Carlo de Stefano (Roma Tre University)

h. 15:45 – 16:45

SESSION 1. Reconstructing Investment Arbitration

Chair: *Gustavo Prieto (FWO - Ghent University)*

- Nicola Strain (University of Oslo)
The Disputed Values of International Economic Law: Unpacking the Political and Sociological Factors of Arbitral Discretion
- Prabhash Ranjan (O.P. Jindal Global University)
Reconstruction of International Investment Law through Re-Legalization
- Melis Irem Kirkdisceoglu (University of Nottingham)
The White Shadow of International Investment Law – Systemic Reform, a Shadow-Chasing Light?
- Manu Misra (University of Exeter)
The Enforcement Paradox: Rethinking State Compliance and Justice in International Investment Governance

h. 16:55 – 17:55

SESSION 2. Reconstructing International Trade Law

Chair: *Patrick Abel (University of Innsbruck)*

- Geraldo Vidigal (University of Amsterdam)
The Great Trade Rearmament: Deconstructive and (Re)constructive Unilateralism in the International Trade Regime
- Łukasz Gruszczyński (Kozminski University)
The Shifting Sands of Global Trade: Reassessing the WTO in an Era of Geopolitical Rivalry
- Tamara Grigoras (Université de Fribourg) and Shpresa Salihu (Université de Fribourg)
Why Are We Getting It All Wrong? Rethinking the Role of Free Trade Agreements in the Protection of the Global Environment
- Isha Das (University of Passau)
From Rare to Regulated: Reconstructing WTO Law for Trade and Sustainability in the Age of Critical Minerals Hegemonies

Concluding Remarks: *Maria Laura Marceddu (ECIGL, Edinburgh)*

Convenors

Ines Willemyns, Stanford University
Maria Laura Marceddu, ECIGL Edinburgh
Gustavo Prieto, FWO - Ghent University
Patrick Abel, University of Innsbruck
Carlo de Stefano, Roma Tre University