

ELEVENTH ANNUAL WTO CONFERENCE

Organized in association with the Institute of International Economic Law at the Georgetown University Law Center, the Journal of International Economic Law, and the Society of International Economic Law.



This event is kindly sponsored by:



Location:

British Institute of International and Comparative Law,
Charles Clore House, 17
Russell Square, London WC1B 5JP

25th May 2011

DAY ONE: WTO DISPUTE SETTLEMENT

Subsidies in Many Shapes and Sizes

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| 8.15 – 8.45 | Registration with Tea & Coffee |
| 8.45 – 9.00 | Welcome and Opening Remarks: Sir Francis Jacobs, KCMG, QC, King's College, School of Law |
| 9.00 – 10.45 | PANEL 1: US-China Trade Relations - Disputes over "Subsidies" <i>On March 25, the Dispute Settlement Body adopted the Appellate Body report in the US – Antidumping and Countervailing Duties (China) dispute (DS 379), interpreting various aspects of the SCM Agreement as applied to China. The US has also filed two new disputes against China in the WTO (DS 413, 414), the second of which is a challenge to CVD actions by China taken pursuant to China's assertion that a 'Buy American' program amounts to a subsidy. In addition there has been a petition filed by the US steel trade union with the USTR, alleging, among other things, various illegal subsidies, including a general export subsidy in the form of "currency manipulation." A panel of experts will discuss the issues raised by these disputes.</i> Chair: Piet Eeckhout , King's College London Speaker 1: Matthew Yeo , Steptoe & Johnson LLP Speaker 2: Luca Rubini , University of Birmingham Speaker 3: Dominic Coppens , Institute for International Law, Leuven Centre for Global Governance Studies |

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| 10.45 – 11:15 | Tea & Coffee Break |
| 11:15 – 13:00 | <p>PANEL 2: China’s “Indigenous Innovation” Policy</p> <p><i>Various disputes have arisen that are related to China’s insistence on a policy of “indigenous innovation.” It has been claimed that the application of this policy has resulted in the formation of various non-tariff trade barriers, including the creation of local product standards that are inconsistent with pre-existing regional and global standards, barriers with respect to government procurement rules, export restrictions on raw materials, etc. The potential for serious friction is exacerbated by China’s failure to enter into the Agreement on Government Procurement. Such disputes as the electronic payments dispute and the export restrictions on “rare earths” will be considered.</i></p> <p>Chair: William Davey, University of Illinois</p> <p>Speaker 1: Gary Horlick, Law Offices of Gary Horlick</p> <p>Speaker 2: Longyue Zhao, Zhou Enlai School of Government, Nankai University (invited)</p> <p>Speaker 3: Julia Ya Qin, Wayne State University</p> |
| 13:00 – 14:15 | Lunch |
| 14:15 – 16:00 | <p>PANEL 3: US – “Zeroing”: The Impact of Persistent Litigation on the Role of “Precedent” in Dispute Settlement in the Trading System</p> <p><i>The United States has long persisted in asserting the legality of its use of “zeroing” in the calculation of dumping margins in several contexts, despite consistent Appellate Body rulings against it. It now appears that the US is abandoning that long held position: in a recent WTO panel proceeding the US essentially conceded defeat, and on 28 December 2010, the US Department of Commerce issued a proposed rule that, if adopted, would entail the abandonment of the “zeroing” methodology. While this may represent the end to an acrimonious era of US trade policy, the litigation of the “zeroing” policy, both at the WTO and through the NAFTA, also has led to the development of strong claims about the precedential value of Appellate Body decisions. The panel will consider various aspects of these developments.</i></p> <p>Chair: Mark E. Herlihy, Georgetown University Law Center</p> <p>Speaker 1: Meredith Kolsky Lewis, Victoria University of Wellington</p> <p>Speaker 2: Tania Voon, University of Melbourne</p> <p>Speaker 3: James Flett, European Commission</p> |
| 16:00– 16:30 | Tea & Coffee Break |
| 16:30 to 18.00 | <p>PANEL 4: WTO Disputes: A Year in Review and a Look Ahead</p> <p><i>Practitioners discuss 2009-2010 WTO panel and Appellate Body Reports, highlighting significant developments and implications for future WTO disputes, as well as implications for disputes under other bilateral and regional trade agreements. Among decisions considered will be: Boeing – Airbus; US – Poultry; EC –IT; Australia – Apples; and Thailand – Customs and Fiscal</i></p> |

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| | <p><i>Measures on Cigarettes. These decisions raise some interesting issues particularly on the question of subsidies; applicability of Article XX of the GATT to other agreements; the standard of review under the SPS Agreement; and the standard of treatment and methodology of calculation under the Customs Valuation Agreement.</i></p> <p>Chair: Lorand Bartels, University of Cambridge</p> <p>Speaker 1: Sybilla Fries, Sidley Austin LLP</p> <p>Speaker 2: Thomas Sebastien, Allen & Overy LLP</p> <p>Speaker 3: Vasiliki Avgoustidi, Berwin Leighton Paisner LLP</p> |
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26th MAY 2011
DAY TWO: BROADER WTO ISSUES
*The Global Financial Crisis and its Impact on
International Regulation Inside and Outside the WTO*

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| 8.45 - 9.00 | Tea & Coffee |
| 9.00 - 10.30 | <p>PANEL 1: The Doha Round: Current Prospects</p> <p><i>In the Doha Round negotiations, the Chairs of the various negotiating groups recently completed a process of capturing the level of progress in each area through the tabling of draft compromise texts. This exercise revealed that significant issues remain to be resolved before the Doha Round can be brought to even a minimally successful conclusion. A panel of experts will discuss the prospects of successfully concluding the Round by the end of 2011, in what some are calling the “last window of opportunity” for the Doha Development Agenda.</i></p> <p>Chair: Federico Ortino, King's College London</p> <p>Speaker 1: John Cooke, TheCityUK</p> <p>Speaker 2: Fiona Smith, University College London</p> <p>Speaker 3: David Hartridge, White & Case</p> |
| 10.30 – 11.00 | Tea & Coffee Break |
| 11.00 – 12.30 | <p>PANEL 2: After the Financial Crisis</p> <p><i>The global financial crisis has exposed numerous systemic problems that have yet to be resolved. A distinguished panel of experts will discuss the problems posed by “too big to fail” institutions, and the difficulties of managing global systemic risk in the financial sector. The role of the G20 and the IFIs in regulating the system on an international level will be explored, along with the role of the supervisory institutions and multinational political entities such as the European Union. Issues posed by bail-outs, subsidies, and continued state aid to financial institutions will also be discussed, as well as the persistent problem of the cross-border resolution of failing multinational financial</i></p> |

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| | <p><i>institutions.</i></p> <p>Chair: Jane Welch, British Institute of International & Comparative Law</p> <p>Speaker 1: Charles Randell, Slaughter & May</p> <p>Speaker 2: Robert Thompson, Georgetown University Law Center</p> <p>Speaker 3: Jan Wouters, Katholieke Universiteit Leuven</p> <p>Speaker 4: Rosa Lastra, Queen Mary University of London</p> |
| 12.30 – 13.45 | Lunch |
| 13.45 – 15.15 | <p>PANEL 3: Relationship between Trade and Finance</p> <p><i>The global financial crisis has reawakened awareness of the deep connections that exist between global finance and world trade. The effects of national monetary policies on trade imbalances have led to a variety of proposals for new exchange rate mechanism enforcement, some of which call for the involvement of the WTO as well as the IMF. Under the GATS agreement, the WTO is potentially involved in cross-border financial services issues, and the interplay between the potential liberalization of such services and the stability of the financial system requires examination. Finally, the question of whether the potential of a global financial crisis requires the formation of a global financial authority will be discussed, as will the question of whether the success of the WTO offers any lessons about the possibility of such global financial authority.</i></p> <p>Chair: Rosa Lastra, Queen Mary University of London</p> <p>Speaker 1: Kern Alexander, University of Zurich</p> <p>Speaker 2: Mike Gadbow, Georgetown University Law Center</p> <p>Speaker 3: Gabriel Gari, Queen Mary University of London</p> <p>Speaker 4: Patrick Holzer, Senior Legal Adviser, Delegation of Switzerland to the WTO</p> |
| 15.15 – 15.45 | Tea & Coffee Break |
| 15.45 – 17:00 | <p>The Doha Round: The View from the Secretariat: WTO Deputy Director-General Alejandro Jara</p> |
| 17:00 – 17:30 | <p>Closing Remarks:</p> <p>Andrew Lang, London School of Economics</p> <p>John H. Jackson, Georgetown University Law Center</p> |