

The EU and its Partners in Global Governance: Trade, Investment, Taxation and Sustainable Development

**Hong Kong June
14-15, 2018**

Conference location

**The Chinese University of Hong Kong (CUHK) “Graduate Law Center”
2/F, Bank of America Tower,
12 Harcourt Road,
Central, Hong Kong**

PROGRAM

Thursday, 14 June 2018

Introduction (9.00-9.30)

Professor Christopher Gane (Dean and Simon F.S. Li Professor, Faculty of Law, Chinese University of Hong Kong, Hong Kong): Welcoming remarks

Professor Julien Chaisse (Chinese University Hong Kong) and Professor Jan Wouters (University of Leuven): *The EU, its Partners and Policy Nexuses: How to link Trade, Investment, Taxation and Sustainable Development in Global Governance?*

Panel 1 (9.30-11.15), *Situating the European Union in the Governance of Global Trade and Investment*, Chair: Jan Wouters (University of Leuven), Discussant and Rapporteur: Dr. Magdalena Góra (Jagiellonian University)

David Kleimann (European University Institute): The Transformation of EU External Economic Governance – Implications for International Economic Law

Angelos Dimopoulos (Queen Mary University): The EU as a global investment actor

Fernando Dias Simões (University of Macao): The Future of Global Trade: European Lessons and Challenges

James Mittelman (American University): The Power of Algorithms in Global Governance

Antonios Vlassis (Liège University): The EU and the nexus 'culture-digital technologies': promoting new governance norms in the partnerships with Japan and China?

Coffee Break

Panel 2 (11.45-13.15), *The European Union's Trade and Investment Agreements: Policy Challenges, Legal Developments and Reforms*, Chair: Julien Chaisse (Faculty of Law, Chinese University of Hong Kong), Discussant and Rapporteur: Professor Stefano Pellegatta (Milano Bicocca)

Guillaume Van der Loo (Ghent University): The EU's trade and investment policy after Opinion 2/15: Exploring the scope, nature and architecture of the EU's future FTAs

Flavia Marisi (Chinese University of Hong Kong): Revolution, reform, or flash in the pan? EU New Generation Free Trade Agreements and Opinion 2/15: Shaping the relationship between sustainable development and investment

Gesa Kübek and Lulianna Romanchyshyna (Passau University): Trade and Sustainable Development Chapters in EU Free Trade Agreements after Opinion 2/15: Towards a more effective and lasting approach?

Gudrun Zagel (University of Salzburg) International Investment Agreements (IIAs) and Sustainable Development: Are the Reform Approaches in Global South IIAs a possible way out of the EU's IIA crisis?

Lunch Break

Panel 3 (14.30-16.15), *European Trade and Investment Agreements in Search of an Appropriate Global Arbitration System*, Chair: Professor Martino Zuberti (Milano Bicocca), Discussant and Rapporteur: Professor Angelos Dimopoulos (Queen Mary University)

Joanna Jemielniak & Shai Dothan (University of Copenhagen): Investment Court System as EU-driven Global Governance Project

Yong Liang (Fudan University of Law): The Developments of ISDS Mechanism Initiated by the EU Investment Tribunal System and China's Choice

G. Matteo Vaccaro-Incisa (IESEG School of Management Paris): The EU investment court and UNCITRAL's attempt to reform ISDS: a rocky path, and a fresh proposal

Güneş Ünüvar (University of Copenhagen): Building a Framework of Enforceable Investor Obligations in Investor Obligations in Investor-State Dispute Settlement

Doga Eralp (American University): European Union's Mediation Capacity between the Multilateral Trade Regimes and the US: the road ahead for the SDGs?

EUCROSS Network Meeting

(16.30-18.00)

Dinner (19.30)

Friday, 15 June 2018

Panel 4 (9.00.45-10.30), *Nexus between Trade, Investment and Sustainable Development: A New Approach to Global Governance?* Chair: Professor Sven Grimm (Deutsches Institut für Entwicklungspolitik), Discussant and Rapporteur Professor Radu Mares (Raul Wallenberg Institute)

Rafael Leal-Arcas (Queen Mary University): A new governance for trade and sustainable development

Irma Mosquera (Leiden University): Legitimacy of the EU standard of good governance and fair competition

Sophia Paulini (Erasmus University Rotterdam): Robust, comprehensive and binding? A critical analysis of the substantive environmental provisions in the chapters on trade and sustainable development of three EU FTAs

Diego Mejía-Lemo (University of Singapore): Transparency, Investor-State Dispute Settlement and Sustainable Development

Coffee Break

Panel 5a (11.00-12.30), (Inter-) Regional Cooperation in Economic, Financial and Innovation Governance, Chair: Professor Jyh-An Lee (Faculty of Law, Chinese University of Hong Kong); Discussant and Rapporteur Professor Sven Grimm (Deutsches Institut für Entwicklungspolitik)

Bas Hooijmayers (Fudan University Shanghai/KU Leuven): EU-Asia Multilateral Financial Services Cooperation

Magdalena Góra (Jagiellonian University): Boosting Sustainable Economic Governance in European Neighbourhood Policy. A lesson for other partners or a missed opportunity?

Marcin Zubek (Jagiellonian University): Patterns of Contestation of the EU Global Governance in the European Parliament

Panel 5b (11.00-12.30), WTO Rules and the many Nexuses of Global Trade: Investments, Carbon Emissions and Pharmaceuticals, Chair: Professor James Mittelman (American University), Discussant and Rapporteur Professor: Rafael Leal-Arcas (Queen Mary University)

Michelle Q Zang (University of Oslo): Governance through communication: interaction between the WTO and ISDS adjudicators

Diheng Xu (Singapore Management University): Interactions between China's tax incentives and WTO subsidy rules

Wei Zhuang (Praximondo, Geneva): Positive Integration of Commitments to Provide Carbon Emission Reduction Incentives into the WTO: A Response to the Paris Climate Agreement

Yoshiko Naiki (Osaka University) and Akiko Kato (Nihon University): Trade, Patents, and Global Health Governance: How to Address the Access to Medicines and Healthcare in the Era of SDGs

Lunch Break

Panel 6a (14.15-15.45), Rising Powers: (Non-) Cooperation in Global Trade, Investment and Economic Governance, Chair: Professor David McArdle (University of Stirling); Discussant and Rapporteur: Dr. Kalyani Unkule (O.P.Jindal Normal University)

Sergey Afontsev (Primakov National Research Institute of World Economy and International Relations): Russia's vision of the current trends in global economic governance and the consequences of Russia-EU (non-) cooperation

Andre Reis Da Silva (Federal University of Rio Grande do Sul): From Dilma to Temer: transformations in recent Brazilian foreign policy

Gabrielle W. Cusson (Liège University): EU-Brazil in Global Governance: The Case of Biofuels

Panel 6b (14.15-15.45), *The Global Governance of Finance, Investment and Taxation: International regimes and emerging practices*, Chair: Professor Xu Yan (Chinese University of Hong Kong), Discussant and Rapporteur: Dr. Niovi Vavoula (Queen Mary University)/Professor Kolja Raube (University of Leuven)

Randall Henning (American University): International Regime Complexes in Crisis Finance: Lessons from the Troika and the Euro Crisis

Radu Mares (Raul Wallenberg Institute): Mandatory disclosure to protect human rights transitionally: regulatory strategy and evidence from global value chains

Jacob Schwab (Deutsches Institut für Entwicklungspolitik): Pathways to international tax governance: Has the German G20 Presidency made a difference?

Vatsal Vasudev (World Trade Organization/Harvard University): Bilateral Investment Treaties & Municipal Taxation Measures: What is India up to?

Coffee Break

Concluding session and findings of the rapporteurs (16.15-16.45), Professor Kolja Raube (University of Leuven)

Dinner (18.00) and End of Conference

The EUCROSS Network

The Jean Monnet Network 'The European Union at the Crossroads of Global Order' (EUCROSS), comprising 12 academic partner institutions from Europe, the United States, Brazil, China, India and Russia, investigates the challenges and opportunities that the European Union ('EU' or 'Union') and its main international partners face in times when our conventional understanding of the global order is put into question and multilateralism is facing severe challenges. EUCROSS brings together international and interdisciplinary expertise and conducts research on the mutual relationship of the EU and its key international partners, with a specific focus on the opportunities and challenges that these partnerships face in the context of an international system that is increasingly seen as being 'out of order'.

Conference Theme

While global trade and investment have been reiterated as core interests in the European Commission's 2017 reflection paper 'Harnessing Globalization' as well as in its communication 'Trade for All', the EU's 2016 Global Strategy claims that 'prosperity must be shared [globally] and requires fulfilling the Sustainable Development Goals worldwide'. Moreover, the Commission's 2016 communication 'an External Strategy for Effective Taxation' proposed a framework to support developing countries in improving their domestic capacity for tax collection, in line with the Addis Ababa Action Agenda and the 2030 Agenda for Sustainable Development.

The present international conference, co-organized by the Chinese University of Hong Kong and the Leuven Centre for Global Governance Studies of KU Leuven, investigates how the EU can seek new partnerships to implement these critical objectives.

To this end, **invited paper-givers** analyze the interrelationships of investment, trade, tax and sustainable development policies. The idea is to better understand the ways in which the EU and its international partners are involved in the governance of investment, trade, tax and sustainable development: what are areas of convergence and divergence? How do the EU's efforts towards good global governance resemble or differ from those of its partners? How (and what) can the EU learn from its partners, and *vice versa*? What areas allow for significant global governance opportunities, and will the EU (and/or its international partners) seize these opportunities? Does the current political climate prevent the EU from playing a leading role in the global governance of investment, trade, tax and sustainable development?

Practical information

The Conference Venue

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Central, Hong Kong

Directions:

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2/F, Bank of America Tower, 12 Harcourt Road, Central, Hong Kong
香港中環夏慤道12號美國銀行中心2樓

MTR Admiralty Station Exit B, Central Station Exit L/J3
金鐘港鐵站B出口, 中環港鐵站L/J3出口

Bus Route 巴士路線:

The Bank of China Tower station 中環大廈站 -

1,5,5B,5S,5X,10,11,15,25,26,37A,75,90,90C,97,101,104,113,373A,690,811,905,914,960,961

Queensway Plaza station 金鐘廊站 -

1,2,5,5B,5C,5S,6,6A,6X,10,11,15,23,23B,25,26,40,40M,66,103,104,111,115,182,260,307,373,

511,601P,603,603P,619,621,630P,680X,681,681P,690,692,720,720A,722,930,930A,960P,961P,969B,982X,A11,E11



And the links you can find here <http://www.law.cuhk.edu.hk/en/contact/faculty.php>

How to get to GLC-CUHK

The Bank of America Tower is a 38-floor 146 m (479 ft) skyscraper located in the Admiralty area of Hong Kong Island
Coordinates 22.2813°N 114.16303°E