



ESIL International Economic Law Interest Group

**Online Workshop of the ESIL International Economic Law
Interest Group – 9 September 2020**

**International Economic Law between
Emergencies and Reforms**

9 September 2020 h. 09:30 - 17:00 CEST

Information on how to join the Online Workshop is available at the end of this programme

h. 09.30 – 9.45 Greetings

Opening Speech

Peter-Tobias Stoll, University of Göttingen

h. 9.45 – 11.15

Panel 1: Investment Law and COVID-19

Chair: Holger Hestermeyer, King's College London

State Positive Obligations under International Investment Law in Time of Health
Emergencies

Gian Maria Farnelli, University of Bologna

Investors' Rights in Times of Crisis: Justifying Anti-Pandemic Expropriatory Measures and the Frustration of Legitimate Expectations under International Investment Law

Giuliana Lampo, University Federico II Naples

International Investment Law after the Covid-19 Emergency: What Role for the Foreign Investment Contract?

Sondra Faccio, University of Trento

Covid-19 and Foreign Investment Policies: Stricter Control on Foreign Investment and China's Response

E-nuo Gu, Xi'an Jiaotong University & Lauterpacht Centre for International Law

COVID-19 Crisis and Screening of Foreign Direct Investments in EU Privatized Companies

Thomas Papadopoulos, University of Cyprus

Discussion

h. 11.15-11.30 Break

h. 11.30-13.00

Panel 2: Screening of Foreign Direct Investment

Chair: Catharine Titi, CNRS-CERSA, University Paris II Panthéon-Assas

COVID-19 and the Protection of Critical Assets: The Screening of Investment in Developing Countries

Gustavo Prieto, University of Turin

State-Owned Enterprises as Targets of the EU FDI Screening Regulation

Alexandr Svetlicinii, University of Macau

Missing Due Process in The EU FDI Screening Framework: A Purposeful Policy Choice or Cost of Compromise?

Wojtek Maciejewski, Squire Patton Boggs

FDI Screening in the European Union

Miguel Ceballos Baron, European Commission

Investment Screening and the Right to be Heard – The Role of Counter-Evidence Presented by Investors

Steffen Hindelang, University of Southern Denmark and Jens Hillebrand Pohl, Maastricht University

Discussion

h. 13.00 – 14.00 Break

h. 14.00-15.30

Panel 3: Trade Law and COVID-19

Chair: Marina Trunk-Fedorova, St. Petersburg State University

Kick-off Speech: Safeguard measures in WTO Law - Article XIX of the GATT and Coronavirus

Marc Bungenberg, Saarland University

Preparing for the Covid-19 Patent Lawfare: Compulsory Licensing and the Production and Trade of Novel Treatments and Vaccines

Geraldo Vidigal, University of Amsterdam

Local Working Requirements after Covid-19: Time to Clarify?

Gabriele Gagliani, Bocconi University & Case Western Reserve University

Pandemics and the Redefinition of Essential Security Interests in Trade Law

Regis Simo, University of the Witwatersrand

Food security as an essential security interest in time of pandemic: towards rethinking the concept of national security?

Viktoriiia Lapa, Bocconi University

COVID-19 disinformation as a trade barrier

Kelly Shang, World Trade Institute, University of Bern

Export restrictions to face critical shortages in times of Pandemics: the need for a new international governance framework in the WHO and WTO

Laura Puccio, Robert Schuman Centre for Advanced Studies (EUI) and *André Sapir*, Free University of Brussels

Discussion

h. 15:30 – 15:45 Break

h. 15.45 – 17.00

Panel 4: Reforming the Appellate Mechanism of the WTO System

Chair: Elisa Baroncini, *Alma Mater Studiorum* - Università di Bologna

Improving a necessary WTO Appellate Body as a complement to reforming an indispensable WTO dispute settlement system

Ravindra Pratap, South Asian University, New Delhi

The Appellate Body of the WTO: Inherent judicial spirit and necessary dynamic view – The case of the ‘measure’ in WTO law

Dr. Malorie Schaus, Centre for European Policy Studies (CEPS, Brussels)

Inherent and Implied Powers of WTO MPIA Arbitrators

Dr. Brian McGarry, Leiden University

Please, Reboot – Small Economies and the WTO Appellate Mechanism in Times of Trade War and COVID-19

Dr. Charlotte Sieber-Gasser, University of Luzern, Departement of Public Law (10 min)

The Future of State to State Dispute Settlement Mechanisms in Trade Agreements: More Legalized or rather Diplomatic

Cornelia Furculita, German University of Administrative Sciences Speyer

Discussion

Closing Remarks

Conveners

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

Prof. Holger Hestermeyer, King's College

Prof. Catharine Titi, CNRS-CERSA, University Paris II Panthéon-Assas

Prof. Marina Trunk-Fedorova, St. Petersburg State University

Prof. Peter-Tobias Stoll, University of Göttingen

TO JOIN THE ONLINE WORKSHOP

No registration is necessary. To attend, please use the Zoom link below:

<https://unibo.zoom.us/j/92409429015?pwd=WjRCQmwvNmZpSHRBRUg0YjRtSjJjdz09>

Meeting ID: 924 0942 9015

Passcode: 318672