ESIL International Economic Law Interest Group - Call for Papers
2017 NAPLES ESIL Conference

Workshop of the ESIL IEL IG – 6 September 2017

At the Conference of the European Society of International Law taking place in Naples, Italy, the ESIL International Economic Law Interest Group will convene a full day workshop, which will take place on 6 September 2017.

Panels will be organized on the following topics:

1) “Fair trade” to promote global public goods? The legal dimensions
2) Commodities and international economic law
3) Brexit – how to get from the common market to international economic relations?
4) Investment law and the preservation of global public goods in detailed perspective

For each of the four panels of the workshop the ESIL IELIG invites papers in the working languages of ESIL, which are English and French. (For details of the submission and selection of papers and the timeline, see below).

1) “Fair trade” to protect global public goods? The legal dimensions

In order to promote and protect human rights, labour standards and the environment through trade, a number of civil society initiatives have been established. Sometimes, these initiatives are referred to as the “fair trade” movement. The term “free trade” has also been understood to cover trade controls established by the EU, the US and Australia in view of tropical timber, to name but one example. These developments raise several legal issues, which concern legal techniques to establish such mechanisms alongside the value chain, certification, labelling and potential trade restrictions and mainly, but not exclusively relate to international trade law. On a more general note, the
question arises, whether such initiatives will be effective in legal terms and what role measures of States or regional economic integration organizations play in this regard.

2) Commodities and international economic law

As recent WTO disputes and explicit provisions in WTO accession documents and in trade agreements indicate, commodities enjoy increasing relevance in international economic law. Such relevance is also witnessed by the European Union’s recent Raw Materials Initiative as well as by the debates on human rights, labour standards and environmental protection regarding extractive industries and commodity trade. Some fresh thought is thus invited and required to address related conceptual issues. These include the applicability and appropriateness of general trade law principles and exemption clauses, the relevance of commodity issues in investment law as well as the significance of the permanent sovereignty over natural resources, of sustainable development and of human rights, indigenous people’s rights and labour standards.

3) Brexit – how to get from the common market to international economic relations?

Since Art. 50 TEU has been triggered by the United Kingdom, Brexit is no longer a theoretical prospect but a crucial change in the membership of the European Union that is becoming real. Numerous questions arise, firstly, concerning the membership of the UK in the World Trade Organization that needs to be modified and adjusted according to the new circumstances. Secondly, the future character of the UK’s relationship with the EU, the ways of participation in and/or cooperation with the EU internal market, and the legal framework for these new relationships are more than unclear. Thirdly, future trade and investment relations between the UK and third countries also deserve to be explored (e.g. possible future relations with the current EU FTA partners such as Korea or Canada). Proposals can also be submitted on issues not expressly mentioned above, if they have a clear relevance to the general topic of this panel.

4) Investment law and the preservation of global public goods in detailed perspective

The international investment law and ... debate is not new but it has never been so topical. The protection of foreign investment, IIL’s primary objective, has sometimes clashed with public interests and the protection of public goods. In contrast with most other public law systems it interacts with, international
investment law is backed with a strong enforcement mechanism, investment arbitration, where investment interests can prevail over other considerations. The fourth panel of the ESIL IELIG Workshop will focus on the interactions between, on one hand, IIL and, on the other hand, public interests and public goods. While this question has been dealt with in general terms already, a detailed discussion of the various specific global public goods and cases has merit and can enrich and exemplify the general discussion. As examples one could consider global public goods such as human rights, cultural heritage, and access to water.

**PAPER SUBMISSION PROCEDURE**

The ESIL IG invites submissions from senior or junior scholars of unpublished papers, which are in an advanced stage of completion and ready for a possible inclusion in the ESIL SSRN Conference Paper Series or the ESIL Conference Proceedings. The convenors may also invite the presentation of papers already published.

Submission should contain:

- the author’s name, affiliation and ESIL IG IEL membership status,
- a short CV with relevant publications (separate file)
- an abstract with up to 800 words (separate file)

and should be sent to

- Jia Xu, University of Göttingen
- jia.xu@jura.uni-goettingen.de

**TIMELINE**

The deadline for the submission of abstracts is **Wednesday, 31 May**, midnight (CET).
Successful applicants will be informed by **16 June 2017**.
The deadline for the submission of papers of accepted abstracts is **1 August 2017**.
The Workshop will take place in Naples on **Wednesday, 6 September 2017**.
The deadline for the submission of final papers for publication is **1 November 2017**.

The convenors:
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