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Newsletter editors

[Freya Baetens](#) and [José Caiado](#)

Should you wish to include an item in the next SIEL newsletter, please contact the editors.

A. SIEL 2014 Biennial Conference

While we are all still recharging our batteries after the 2012 Singapore Conference, arrangements for the 2014 Bern Conference have started to gain speed and will reach full pace in the coming months. In London, Australia, the US, Brazil, and throughout the globe, SIEL members are being assigned to working groups to assist our Officers in the organization of this sophisticated event. The World Trade Institute (WTI) of the University of Bern will host SIEL's

Fourth Biennial Global Conference on 10-12 July 2014, and is also on the move. The WTI has set up a homepage to share information to help participants orient themselves around Switzerland's capital. Several tips about the best connections to Bern, hotels with special rates for conference participants, and other topics can be found [here](#). More information will follow, both on the [WTI website](#), as well as in [Sielnet](#).

B. President's corner

SOEs! STEs! - SOS? The expanding international presence of emerging economies has increased our awareness of the state-owned enterprises (SOEs) and state-trading enterprises (STEs) that are frequently active in these economies, in particular in such sensitive sectors as energy and natural resources.

International economic law already extends beyond the traditional state, government, and IGO actors of public international law, to embrace relations between states and private commercial actors in investment, banking, and monetary matters. Today, STEs/SOEs' hybrid governmental/private nature challenges the limits of existing international IEL disciplines – as governments and the IEL public have begun to explore issues captured by the new buzzwords "state capitalism" and "competitive neutrality".

Critiques of state capitalism have examined existing rules on state responsibility and attribution in international trade and investment law, and view them as generally incapable of capturing or addressing distortions arising from SOE/STE activity. Last year, the WTO Appellate Body found that the WTO rules on subsidies do not govern benefits provided by an STE/SOE to other entities, unless the STE/SOE possesses, exercises, or is vested with governmental authority which requires that such STE/SOE "perform governmental functions"; but is a STE/SOE on energy performing governmental functions? Participants in on-going international economic negotiations (e.g. TPP, TISA and TTIP) are discussing concepts and potential rules adapted to economic competition in which STEs/SOEs and other hybrid entities respond to a mixture of private and state considerations since the economic choices of SOEs and STEs do not always correspond to those that would be made by private commercial entities.

In addition, SOEs/STEs operations are often said to be less transparent than those of States or commercial actors. Even assuming that more transparency is always beneficial to economic democracy, difficult questions are being raised as more comes to be known about the behaviour and effects of such hybrid actors in the world economy: Should SOEs/STEs be treated like States, or

SIEL GOVERNANCE

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Gabrielle Marceau (President); Meredith Kolsky Lewis & Colin Picker (Executive Vice-Presidents); Galina Zukova & Federico Ortino (Treasurers); Amelia Porges & Freya Baetens (SIEL Corporate Secretaries)

Executive Council

Lorand Bartels, Tomer Broude, José Caiado, Michael Ewing-Chow, Holger Hestermeyer, Locknie Hsu, Jurgen Kurtz, Andrew Lang, Nokuhle Madolo, Junji Nakagawa, Shin-yi Peng, Julia Ya Qin, Isabelle Van Damme, Tania Voon, Markus Wagner, Heng Wang

like private actors? Or both? And when one or the other? Would this interfere unacceptably with the sovereign right of emerging economies to govern their economies as they choose? Only a comprehensive approach to this debate, connecting it to experiences developed in all fields of IEL, can offer effective answers. This is the way IEL has always moved its agenda forward and evolved.



Gabrielle Marceau is Counsellor in the Legal Affairs Division of the WTO, and Associate Professor at the University of Geneva and Visiting Professor at the HEID where she teaches on WTO law and WTO dispute settlement. She was elected in Singapore as President of SIEL for the 2012/2014 term, and writes regularly on the "President's corner" about relevant topics of international economic law.

Call for Papers

- A. WTI Conference
- B. Nijhoff Investment Law Series
- C. UN Principles on Business and Human Rights in Spain
- D. LATAM

Regional Groups & Networks Activities

- A. Red
- B. AIELN
- C. PEPA/SIEL

Job Openings

- A. UNSW Law Research Fellow

Other Activities

- A. DISSETTLE
- B. IEL Publisher Discounts
- C. New Positions/Titles
- D. 2013 SIEL/CUP Essay Prize
- E. Other

Call for Papers

A. WTI Conference on State Arbitration and Investment Law

The WTI of the University of Bern invites the submission of original and unpublished papers and abstracts for its conference entitled “The Role of the State in Investor-State Arbitration”. Submission of interdisciplinary research in economics and political science is encouraged. The abstract must be between 300-500 words in length and should be accompanied by a short resume, and should be sent no later than 15 July 2013 to [Shaheez Lalani](#) or [Rodrigo Polanco](#). Selected papers are expected to be published. The conference will take place on 8 November 2013 at the WTI, Bern. For more information, please visit the WTI [website](#).

B. Nijhoff Investment Law Series

Martinus Nijhoff Publishers has announced a new book series: the *Nijhoff International Investment Law Series*. The series covers international investment law in a relatively broad sense, including research both on its substantive aspects and the dispute settlement aspects, i.e., international investment arbitration. The Series also covers research on interactions between international investment law and other areas of international law and domestic law, both private and public, including international economic and trade law, general public international law, international commercial law and arbitration, international environmental law, human rights, or domestic constitutional and administrative law. It is open to doctrinal analysis as well as theoretical, conceptual, and interdisciplinary approaches to international investment law, including law and economics analysis, empirical analysis, historical analysis, political science analysis, or normative analysis. Proposals may be submitted to the Senior Acquisitions Editor [Marie Sheldon](#).

C. UN Principles on Business and Human Rights in Spain

The International Conference on the Implementation of the UN Guiding Principles on Business and Human Rights in Spain is calling for paper proposals related to the themes of the conference. More information can be found [here](#).

D. Latin American Journal of International Trade Law (LATAM)

LATAM’s Editorial Team is pleased to announce that Volume 1 Issue 1 is already available [here](#). The Journal welcomes contributions in English and/or Spanish on the various aspects of international economic law and international commercial arbitration. Deadline is 31 July 2013. For more information, please visit the [website](#).

Regional and networks activities

A. Red Latinoamericana de Derecho Económico Internacional

RED’s 2013 biannual conference will take place in Lima, Peru. More information can be found [here](#).

B. Asian International Economic Law Network (AIELN)

The 3rd Biennial Conference of AIELN will be held in Seoul, Korea from 18-19 July 2013. The theme of the Conference is “The WTO at 20 and the Future of the IEL on Trade, Investment and Finance”. For more information, contact [Professor Won-Mog Choi](#).

C. 2013 PEPA/SIEL Publication

Selected papers presented at the PEPA conferences in Hamburg will be published by Brill as a volume titled *Frontiers of international economic law: legal tools to confront interdisciplinary challenges*, Edited by Freya Baetens and José Caiado.

Job openings

A. UNSW Law Research Fellow Position

The School of Law seeks to appoint a research fellow to work with Professor Ross Buckley, on his Australian Research Council project entitled “Systemic Responses to Global Financial Instability: New Thinking and Measures by Which Australia Can Address the Challenges of Globalised Capital”. The project will explore a range of regulatory measures such as bank levies and a financial transactions tax, and measures to address the too-big-to-fail problem and to enhance the reliability of credit ratings. The aim of the project is to develop more effective measures to regulate financial systems and promote their long-term stability. Salary Level: AUD 88,359 – AUD 104,163 per year (plus superannuation and leave loading). This is a full-time fixed term position available for three years. Applications close: 14 August 2013. Information on the position will be posted on the UNSW Law website on 12 July 2013. For further information about the position, please contact [Professor Ross Buckley](#), phone (61) 413455044.

Other activities

A. Dispute Settlement in Trade: Training in Law and Economics (DISSETTLE)

DISSETTLE research project and training programme, a Marie Curie Initial Training Network, has just launched a [new website](#).

B. IEL Publisher Discounts

Since its inception, the SIEL has negotiated SIEL member discounts with a wide variety of publishers, all of whom have been very supportive of the SIEL. More information on discounts available from individual publishers can be found [here](#).

C. New Positions/Titles

Dr. Freya Baetens is now Associate Professor of Law and LUC Director of Studies at Leiden University.

D. 2013 SIEL/CUP Essay Prize

A prize has been established by SIEL and Cambridge University Press (CUP) for the best essay submitted on any topic in any field of international economic law. The competition is open to all current undergraduate and graduate students of any university or other tertiary education institution, and those who have graduated from a university or other tertiary education institution no earlier than five years before the submission deadline (ie those who graduated prior to 30 September 2008 are not eligible for the 2013 Prize). The essay must not have been previously published. The prize consists of £200, as well as £300 of CUP book vouchers and a three year subscription to the World Trade Review (WTR). The winning essay will be submitted to the WTR for publication. For clarification, essays with a focus on international commercial arbitration or EU law will not be considered for this Prize. Any queries should be addressed by email to Dr. Lorand Bartels, University of Cambridge (lab53@cam.ac.uk). The deadline for submission is 30 September 2013 (17:00 GMT). Essays may be submitted from 7 September 2013. Other details can be found [here](#).

E. Other

SIEL seeks to publicize IEL events – be they conferences, “calls for papers”, IEL competitions, IEL programmes and so on. Please send us such information for posting. To view a list of past SIEL posts, please visit the [SIEL website](#). As members of a member-run organization, please consider getting in touch with Meredith Lewis and Colin Picker, SIEL Executive Vice-Presidents, with specific ideas for SIEL projects and services. We are committed to expanding SIEL activities and services wherever appropriate - be it alone or in partnership with other IEL organizations around the world. Indeed, at the moment we are in the process of developing new projects and services and once they are finalized we will let you know.

Thanks for your support and interest.

Freya Baetens & José Caiado
Executive Council Members
SIEL Newsletter Editors