

Call for Papers

Conference on Regional Trade Agreements: The Fragmentation of International Trade Law

Conference Sponsor: Inter-American Development Bank <http://www.iadb.org/>



Conference Academic Advisor: Prof. Bradly Condon, ITAM (Mexico)

The Conference on Regional Trade Agreements: The Fragmentation of International Trade Law will be held in Santo Domingo, Dominican Republic, Saturday, 29 May 2010. This conference will analyze several legal questions raised by a new generation of RTAs. The proceedings will be published on CD and on the website of the Centro de Derecho Economico Internacional of ITAM (<http://cdei.itam.mx>) and the “Publications” section of INTAL’s website (<http://www.iadb.org/intal/index.asp?idioma=ENG>).

Regional Trade Agreements (RTAs) are an exception to most-favoured-nation (MFN) treatment for trade in goods (under GATT Article XXIV) and services (under GATS Article V). The “Enabling Clause”, which permits special and differential treatment in favour of and among developing countries, also permits RTAs.

RTAs raise many concerns for the multilateral trading system. They create a complex web of overlapping trade rules that are difficult and costly for companies to navigate. They can divert trade from more efficient to less efficient producers, which can then stimulate investment based on the temporary advantages created by RTAs. They can create resistance to global trade liberalization, since less efficient producers are likely to be displaced in important markets if they lose the preferential treatment they enjoy under RTAs, reducing or even eliminating the viability of the RTA-induced investments. RTA dispute settlement systems can overlap with that of the WTO, increasing the cost of disputes and raising complex issues regarding the choice of dispute settlement forum.

RTAs can also lead countries with relatively little bargaining power to make concessions that they might not have made in WTO negotiations. Some RTAs have introduced stricter intellectual property rules than those set out in the TRIPS Agreement, which may increase the cost of medical care in their member countries. Many RTAs between developed and developing countries contain provisions regarding environmental protection, labour rights and other social issues, but the legal implications of these provisions is not clear. It is not clear which RTAs, or which aspects of specific RTAs, conform to WTO rules. To what extent do RTAs undermine the global trading system?

The research papers to be presented at the conference will analyze legal issues in the following areas: (1) WTO rules regarding RTAs; (2) Rules in RTAs that go beyond WTO rules (regarding intellectual property, investment, environment and competition); (3) Issues raised by overlapping dispute settlement systems in RTAs and the WTO; and (4) RTAs and Developing Countries.

Conference Date: May 28th – 29th, 2010

Conference Venue: Santo Domingo, the Dominican Republic

Conference Organiser: COLADIC-RD (www.coladic-rd.org)

Locally the Conference is Supported by: UNIBE and DICOEX

Conference information is available on www.elsamootcourt.org under “Final Oral Round” and “Conference”, as well as www.coladic-rd.org

We invite papers on the following topics and related topics:

(1) WTO rules regarding RTAs

- RTAs and Fragmentation of International Law
- RTA Exceptions: GATT Art. XXIV, GATS Art. V
- RTAs and Developing Countries: Enabling Clause
- EU RTA model versus US RTA model

(2) WTO+ in RTAs

- TRIPS+ in RTAs
- Investment Provisions in RTAs
- Environmental Provisions in RTAs
- Competition Law in RTAs

(3) RTAs and Dispute Settlement

- Choice of Forum between the WTO and RTAs
- The NAFTA Experience
- Dispute Settlement in EU RTAs
- Can RTAs require WTO panels to decline jurisdiction?

(4) RTAs and Developing Countries

- RTAs between Developed and Developing Countries (for example, NAFTA, US-Korea, Japan's FTA with Mexico, EU-Mexico FTA, RTAs under the umbrella of the EU EPAs)
- RTAs between Developing Countries (possible topics include the ones that have worked versus those that have not, MERCOSUR, Mexico's FTAs with other Latin American countries)
- RTAs in Latin America and the Caribbean (possible topics include CAFTA-DR, MERCOSUR, Chile's FTAs, Mexico's FTAs, recent FTAs between USA and Latin American countries)
- RTAs in Asia (possible topics include China's recent trade agreements/negotiations, ASEAN, Singapore's FTAs)

Papers should be 20-30 pages, double-spaced in 12 point type, use footnotes rather than references and provide an abstract of 150-200 words. Please submit proposals by **Monday, 12 April 2010** to Professor Bradly Condon (bcondon@itam.mx). The papers will be peer reviewed.

Sponsorships

Conference Speaker Sponsors:



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The authors of the papers are invited to solicit sponsorship of their institutions, organizations or enterprises to cover the costs of the participation at the Conference. The organizers have prepared a special Conference Speaker Sponsor benefits package which can be enjoyed by Your Institution. Please solicit the Proposal with the EMC² Academic Supervisor for the Americas – Ms Ieva Zebryte at zebrytei@yahoo.co.uk