



The Future of Trade Defence Instruments: Global Policy Trends and Legal Challenges

A conference jointly organized by the University of Passau,
the Europa-Institut Saarbrücken, the Institute of European and
International Economic Law & the World Trade Institute -
University of Berne, and Cleary Gottlieb Steen & Hamilton LLP

VENUE:

Offices of **Cleary Gottlieb Steen & Hamilton LLP**
Rue de la Loi 57, 1040 Brussels, Belgium

ORGANIZING COMMITTEE:

Prof. Dr. Marc Bungenberg LL.M. Prof. Dr. Christoph Herrmann LL.M.
Prof. Dr. Michael Hahn LL.M. Dr. Till Müller-Ibold LL.M.

30/31 March 2017

This conference is being organized against the backdrop of envisaged important modifications to the European Union's Trade Defence Instruments. The conference will (i) analyse Trade Defence Instruments in their socio-economic, political and legal contexts; (ii) describe the changing international environment, in particular as regards the WTO framework; (iii) look at the EU rules as they exist today, seven years after the entry into force of the Lisbon Treaty; and (iv) consider the envisaged changes to such rules. Finally, the conference will (v) contrast the EU's Trade Defence Instruments with other related legal instruments, such as competition law or regional trade agreements. In this context the implications for the future relationship with the UK after Brexit will also be analysed.

We are looking forward to seeing you in Brussels to discuss these exciting and timely topics.

**Marc Bungenberg
Michael Hahn**

**Christoph Herrmann
Till Müller-Ibold**

This conference is co-funded by the European Union, the ASKO Europa-Stiftung and Cleary Gottlieb Steen & Hamilton LLP.

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CONFERENCE PROGRAMME

THURSDAY, 30 MARCH 2017

12 a.m.	Coffee/Snacks upon arrival
1 p.m. – 1.30 p.m.	Welcome and Introduction Dr. Till Müller-Ibold LL.M., <i>Cleary Gottlieb, Brussels</i>
1.30 p.m. – 3:20 p.m.	Panel 1 – TDIs in Context (120 minutes) (presentations 20 – 25 min. max.) <ol style="list-style-type: none"> Economic Rationale and Relevance of TDIs – Global Trends and Empirical Evidence Prof. Dr. Gabriel Felbermayr, <i>Ludwig-Maximilians-Universität München, ifo Institut, Munich</i> The Politics of TDIs and the different views in EU Member States – Necessary Safety-valve or Luxurious Rent-seeking Device? Prof. Dr. Reinhard Quick, <i>Europa-Institut, Universität des Saarlandes, Saarbrücken</i> The Multilateral and EU Legal Framework on TDIs – an Introduction Prof. Dr. Michael Hahn LL.M., <i>Institute of European and International Economic Law & World Trade Institute, University of Bern.</i>
	Discussion
	Coffee Break (20 minutes)
3.40 p.m. – 5 p.m.	Panel 2 – TDIs in a Changing Global Framework (90 minutes) (presentations 25 – 30 min. max.) <ol style="list-style-type: none"> The WTO Law on TDIs and its Formation in Dispute Settlement Prof. Dr. Christian Tietje LL.M., <i>Halle University</i> The WTO and TDIs in a Changing World Jesse Kreier, <i>WTO, Geneva</i>
	Discussion
	Optional dinner

CONFERENCE PROGRAMME

FRIDAY, 31 MARCH 2017

9 a.m. – 10:30 a.m.

Panel 3 – TDIs in the EU Legal Order – de lege lata

(presentations 25 – 30 min. max.)

6. **TDIs after Lisbon – Institutional Changes and their Implications**
Philippe De Baere, *Van Bael & Bellis, Brussels*

7. **TDIs and Competition policy – antagonism or peaceful coexistence**
François-Charles Laprèvote, *Cleary Gottlieb, Brussels*

Discussion

Coffee Break (30 minutes)

11 a.m. – 1 p.m.

Panel 4 – TDIs in the EU Legal Order – de lege ferenda

(presentations 25 – 30 min. max.)

8. **A Neverending Story I – The EU's TDI Reform Agenda Status**
Dr. Wolfgang Müller, *EU Commission, DG Trade*

9. **A Finite Story? MES or NMES for China in EU-TDI**
Prof. Dr. Marc Bungenberg LL.M., *Europa-Institut, Saarbrücken*

10. **A Neverending Story II – TDIs, the CJEU and the (In)direct Effects of WTO Law**
Dr. Andrea Ott, *Maastricht University*

Discussion

1 p.m. – 2 p.m.

Lunch Break

2 p.m. – 4 p.m.

Panel 5 – TDIs in the Context of Special (Regional) Trading Relationships

(presentations 25 – 30 min. max.)

11. **Trading with the enemy: The U.S. Approach to Trade Defense Measures**
Bruce Malashevich, *Economic Consulting Services, LLC, Washington D.C.*

12. **TDIs and EU-FTAs – Is Past Experience an Indication for the Future? Implications for Brexit**
Dr. Till Müller-Ibold LL.M., *Cleary Gottlieb, Brussels*

13. **Which Role for TDIs Between the EU and UK After Brexit – A Trade or Competition Solution for a Future Problem?**
Prof. Dr. Markus Gehring, *CIGI*

Discussion

4 p.m.

Concluding Remarks

Prof. Dr. Christoph Herrmann LL.M., *University of Passau, Germany*

End of Conference

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REGISTRATION

Further information, registration and assistance with hotel reservations can be requested until 15 March 2017 by sending an email to the following address:

Brussels-TDI-workshop-2017@cgsh.com

Please state the following in your email: Name, Given Name(s), Academic/Professional Title(s), Institution, Address, Registration Fee Category. The total number of participants is limited to 80, requests for participation will generally be accepted, at the discretion of the organizers, on a “first come, first served” basis.

Registration Fees: €50 for students and Ph.D. researchers, €100 for AEI e.V. members and other full time academics, €200 for practitioners and other external participants. Payment must be received within 14 days of registration, but in any event before March 25, 2017.

Payments must be made to the following account of the organizers:

Account holder: Universität Passau

Bank: Sparkasse Passau

BIC: BYLADEM1PAS

IBAN: DE52 7405 0000 0240 2512 49

Communication: „Drittmittel - PO2112520“ and „[full name of participant]“

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