

Christoph Herrmann
Jörg Philipp Terhechte
Editors

2012

European Yearbook of International Economic Law

 Springer

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Christoph Herrmann • Jörg Philipp Terhechte
Editors

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Editors

Professor Dr. Christoph Herrmann, LL.M.
Chair for Constitutional
and Administrative, European Law
European and International Economic Law
University of Passau
Innstraße 39
94030 Passau
Germany
christoph.herrmann@eui.eu

Dr. Jörg Philipp Terhechte
Assistant Professor of Law
Chair of Public Law and European Law
University of Siegen
Hölderlinstr. 3
57068 Siegen
Germany
terhechte@techt.wiwi.uni-siegen.de

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Editorial

“All good things go by three”, the saying goes. As editors, we hope, firstly that readers will consider EYIEL to be “a good thing”, and secondly that EYIEL will not go by after this third volume.

Like volume two, Part I of EYIEL 3 (2012) focuses on two topics we considered to be of particular relevance for International Economic Law: 10 years of membership of the People’s Republic of China (PRC) in the WTO; and Global Energy Markets and their legal regulation under International Economic Law.

China’s accession to the WTO marked a milestone in the development of the WTO as a truly global institution, for many reasons. It expanded its territorial reach significantly and it brought the economy, which will pretty soon – presumably – not only be the world’s largest exporter but also the largest economy in the world, under the disciplines of the world trade regime. Whether the relationship between the traditional and remaining trade powers, in particular the US and the EU, on the one hand, and the PRC on the other hand will develop smoothly or will become more bumpy with tensions rising, remains to be seen. It will be a dominant factor for the overall development of International Economic Law at any rate. The contributions in Part I devoted to China’s tenth WTO birthday shed light on different aspects of China’s membership and of its trading relations – and conflicts – with other major WTO members, and they treat the problems from different perspectives.

Energy is one of the sources of life which is absolutely indispensable and at the same time potentially devastating. Long before the nuclear catastrophe of Fukushima and the re-assessment of nuclear energy, it was already clear that the regionally asymmetric availability of energy sources and their similarly asymmetric consumption patterns bring about particular difficulties for the regulation of trade in energy. The second thematic focus of Part I tries to give an overview of the quite diverse regulatory approaches being used to deal with energy trade, globally in the WTO, bi- or tri-regionally in the Energy Charter Treaty, regionally in the newly established Energy Community of the Balcan and – of course – in the European Union. It clearly demonstrates that the regulation of international energy markets touches

upon much more than just trade restrictions, namely investment protection, transfer of technology, competition law and network regulation.

The contributions in Part II deal with dispute resolution developments under NAFTA, with the Rule of Law in the regional integration process in sub-Saharan Africa and with the trends in the recent trade agreement practice of the European Union. The institutional reports in Part III treat the activities of the G8/G20, dispute settlement practice of the WTO, the WTO Doha negotiations, the new IMF financial structure and – as a novelty – the activities of the World Customs Organization (WCO). Customs law is the legitimate mother of International Economic Law but is often neglected by its offspring. We are very happy to re-unite “the family” by covering the WCO in the Institutions’ Part of EYIEL.

The publication calendar of EYIEL allows directing the attention already to the next volume. Vol. 4 (2013) will focus mainly on Global Competition law. With Vol. 4, Markus Krajewski will join us and complement the then editorial team with his particular competencies in the fields of WTO law, competition law and regulation of services of general interest.

Again, we would like to express our gratefulness to a great number of people without whom EYIEL could never be published. Firstly, we thank our reliable and cooperative contributors. EYIEL is first and foremost their work! Secondly, we are thankful for the support by our Editorial Advisory Board’s members. Dr. Brigitte Reschke of Springer was the extremely professional and supportive contact at the publisher we have got used to over the last years. Finally, we thank our academic and student assistant teams at the Universities of Passau and Hamburg respectively for their professional handling of the manuscripts. A particular gratitude goes to Christoph’s secretary, Ms. Liane Dobler for the formatting of most of EYIEL Vol. 3 (2012). All remaining omissions and errors are – of course – our sole editorial responsibility. We can only hope for having minimised their number.

Passau/Hamburg

Christoph Herrmann
Jörg Philipp Terhechte

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Contributors

Wolfgang Bergthaler is counsel at the International Monetary Fund's Legal Department, where he works on legal aspects of IMF financing operations, governance and financial issues, exchange system issues, financial sector issues, and corporate insolvency issues. Before joining the IMF in 2006, he practiced as an attorney in Vienna and Brussels. Wolfgang is a graduate of Karl-Franzens University Graz, Austria (Magister iuris and Doctor iuris), Georgetown University Law Center (LL.M.) and the Université Robert Schuman, Strasbourg (Certificate Erasmus). Wolfgang is admitted to practice in the State of New York and the District of Columbia and was admitted to practice in Vienna. He lectures on international financial law matters and publishes in the area of financial regulation.

Colin Brown is a lawyer in Unit F.2 (Legal Aspects of Trade Policy) of the Directorate General for Trade of the European Commission where he works on trade and energy and trade and environment issues as well as international procurement issues. He advises on bilateral trade negotiations and co-ordinates DG TRADE's legal work on bilateral negotiations. Colin is also responsible for institutional issues, including the roll-out of the changes to EU trade policy brought about by the Lisbon Treaty. Before joining DG Trade in October 2006 he served for 6 years for the Legal Service of the European Commission. Previously, he worked on trade law issues in private practice in Brussels. Colin has been chair of the Legal Advisory Committee of the Energy Charter Treaty since January 2004. He is visiting lecturer in WTO law at the Université Catholique de Louvain, Belgium. He holds an LL.B. (first class Honours) from the Faculty of Law of the University of Edinburgh, Scotland (1996), a Diploma in International Relations from the Bologna Center of the School of Advanced International Studies (SAIS), Johns Hopkins University, Bologna, Italy (1997) and an LL.M. in European Law from the College of Europe, Bruges (1998). He is a member of the New York Bar.

Julien Chaisse is Assistant Professor (Research) at the Faculty of Law, Centre for Financial Regulation and Economic Development, Chinese University of Hong

Kong (CUHK). He is the co-editor of the book entitled *Asia Expansion of Trade and Foreign Direct Investment* (Routledge: London 2009), and the author of several journal articles on international trade law and investment law such as ‘Sovereign Wealth Funds in the Making - Assessing the Economic Feasibility and Regulatory Strategies’ (Journal of World Trade, 2011). The article in this volume is part of the research entitled “the evolving international investment regime” led by Julien at the Faculty of Law of the Chinese University of Hong Kong and which aims to investigate the evolution of investment law across relevant agreements and to discern patterns of congruence and divergence across key issue areas, substantive disciplines and countries and regions.

Mireille Cossy is a Counsellor in the Trade in Services Division of the World Trade Organization (WTO) in Geneva. Her main areas of interest include the legal aspects of international trade in services, as well as the interface between the multilateral trading system and other policy areas, in particular environment, energy and public health. Since joining the WTO in 1995, she acted as a Secretary to various WTO bodies and dispute panels. Mireille regularly publishes on various WTO-related topics. Before joining the WTO, she carried out humanitarian missions with the International Committee of the Red Cross and worked for the Swiss Ministry of Economic Affairs. Mireille graduated in Law at the Universities of Lausanne and Geneva (Switzerland).

Christopher Dallimore is Senior Researcher in the Department of Customs and Excise at the University of Münster. He specializes in the legal implications of supply chain security measures as well as customs-related problems under European and international law. Christopher is also the Head of Studies of the Master of Customs Administration programme offered by the University of Münster and sub-editor of the *World Customs Journal*.

Katharina Gnath is a Ph.D.-student at the Berlin Graduate School for Transnational Studies, a joint programme of the Free University Berlin, the Hertie School of Governance and the Social Science Research Center Berlin (WZB). She holds a B.A. in Philosophy, Politics and Economics from the University of Oxford and an M.Sc. in European Politics and Governance from the London School of Economics. Katharina is an Associate Fellow of the German Council on Foreign Relations’ (DGAP) Globalization and World Economy Programme.

Ludwig Gramlich is Professor for Public Law and Public Economic Law at Chemnitz University of Technology since 1992. He received his doctorate in law (1978) and his Habilitation from the University of Würzburg (1983). His main fields of research are legal issues of networks and infrastructure (in particular telecommunications, postal affairs, banking and monetary law).

Adeline Hinderer has been working on trade relations between the EU and China in the European Commission since 2008. Prior to that, she was a negotiator for

investment and services, which included WTO multilateral and bilateral negotiations as well as OECD and G8 work. Before joining the European Commission, she worked for a federation of multinational companies. Adeline holds a Master Degree in European affairs from the College of Europe in Bruges and graduated from the Institut d'Etudes Politiques in Strasbourg. She also studied international relations at Georgetown University in Washington, D.C.

Gary Clyde Hufbauer has been the Reginald Jones Senior Fellow since 1992, was the Maurice Greenberg Chair and Director of Studies at the Council on Foreign Relations (1996–1998), the Marcus Wallenberg Professor of International Finance Diplomacy at Georgetown University (1985–1992), senior fellow at the Institute (1981–1985), deputy director of the International Law Institute at Georgetown University (1979–1981), deputy assistant secretary for international trade and investment policy of the US Treasury (1977–1979), and director of the international tax staff at the Treasury (1974–1976). Gary has written numerous books on international trade, investment, and tax issues, including *Figuring Out the Doha Round* (2010) and *US Taxation of Foreign Income* (2007).

Roland Ismer holds the chair for tax law and public law at the University of Erlangen, Germany. He has master's degrees in law from the University of Munich and in economics from the London School of Economics as well as a PhD and a habilitation in law, both from the University of Munich. His research focuses on (international) tax law, legal aspects of climate change and economic analysis of law.

Claudia Kemfert is Professor of Energy Economics and Sustainability at the Hertie School of Governance in Berlin and Head of the department of Energy, Transportation, Environment at the German Institute of Economic Research (DIW Berlin) since April 2004. Her research activities concentrate on the evaluation of climate and energy policy strategies. She studied economics at Oldenburg, Bielefeld (Germany) and Stanford University (USA). Claudia worked for the Fondazione Eni Enrico Mattei (FEEM) (Italy) and Stuttgart University (Institute for Rational Energy Use). She gave lectures at the universities of St. Petersburg (2003/04), Moscow (2000/01) and Siena (1998, 2002/03). Claudia was Associate Professor and headed a PhD research group at Oldenburg University. She has been awarded the most prestigious prize from the German Science Foundation ("Elf der Wissenschaft 2006"). Claudia advised EU president José Manuel Barroso in a "High level Group on Energy", and is member of the advisory group on energy of the European Commission (DG Research). She acts as scientific advisor of the Austrian Institute of Economics (WIFO), the EUREF Institute and of the Energy Institute at University of Linz.

Edwini Kessie is Regional Coordinator for African Countries in the Institute for Training and Technical Cooperation, WTO. Previously, he was Counsellor in the Council & Trade Negotiations Committee Division of the WTO. He holds a Doctorate Degree in Law from the University of Technology, Sydney, Australia,

Masters' Degrees in Law from the University of Toronto, Canada and the University of Brussels and a Bachelor's Degree in Law from the University of Ghana. He is admitted as a solicitor to the Supreme Courts of England & Wales, New South Wales, Australia and Ghana. He is also a part-time lecturer in international trade law at the World Trade Institute (Berne), the University of Lausanne, the University of Technology (Sydney) and at the Universities of Pretoria and Western Cape in South Africa. His principal areas of interest are dispute settlement, trade and development, regional integration and legal aspects of international trade.

Markus Krajewski is Professor of public and international law at the University of Erlangen-Nuremberg (Germany) and a visiting professor at the World Trade Institute in Berne. Previously he held positions at the universities of Bremen and Potsdam and at King's College London. His research interests include international and European law, in particular constitutional and institutional issues of WTO law, trade in services, external relations of the EU and the treatment of public services under European and international law. He is a regular consultant on international trade law for governmental institutions and non-governmental organisations. In the academic year 2009/2010 he directed a capacity building project at the Faculty of Law of Addis Ababa University in support of Ethiopia's accession to the WTO. Since 2011 he is a member of the Committee on International Trade Law of the International Law Association (ILA).

Andreas Krallmann is a First Secretary in the WTO unit of the Permanent Mission of Germany to the Office of the United Nations and other International Organisations in Geneva, Switzerland. Andreas studied law at the Free University Berlin, where he graduated in 2000. In 2001, he obtained an LL.M. in International Commercial Law from the University of Nottingham, UK. After taking his bar exam in Germany (Berlin, 2003), he worked in the European departments of the German Federal Ministry of Finance (2004–2006) and the Federal Ministry of the Economy and Technology (2006–2007). In 2007, the latter seconded him to his current posting in Geneva. Andreas is currently chairing the WTO Committee on Subsidies and Countervailing Measures.

Robert MacLean is a partner at Squire Sanders Brussels office (Competition, Trade & EU Regulatory) and his particular expertise covers international and EU trade law and customs law. He has been involved in a large number of the EU's trade defence investigations initiated by the European Commission. Many of these investigations have been high-profile ones raising novel aspects of EU trade policy and, in some instances, have involved litigation in the European Courts. He is also recognised as a leading international trade practitioner by many of the publications ranking lawyers including Chambers Global, the Legal 500 EMEA and European Legal Experts. Robert received his legal education at the University of Glasgow (LL.B. (Hons., 1985), Diploma (1986), Ph.D. (1995)) and the University of Alberta (LL.M., 1988).