



JOINT WORKSHOP of WTI and YNU 2008

Final Programme

Sustainable Development and WTO Dispute Settlement

Wednesday, November 5, 2008

Auditorium Anna Nussbaum, World Trade Institute, Berne, Switzerland

Background

This year marks the second Joint Workshop between the Yokohama National University, Japan ([YNU](#)) and the World Trade Institute (WTI). The main purpose of this workshop is to provide opportunities for researchers and students of both institutions to present parts of their current research projects, and to exchange their ideas. The previous workshop entitled 'Sustainable Development and the WTO' was held in February 2007 at the WTI, and several articles written by the YNU participants were published by the Yokohama Journal of Social Sciences (e.g. [here](#)).

The year's Workshop, entitled 'Sustainable Development and WTO Dispute Settlement', will be divided into two Sessions in accordance with the presenters' research interests. The main focus of the first Session will be on the keyword 'sustainable development' particularly in the WTO context. General discussion will follow and be led by a discussant. The second Session will focus on issues in relation to WTO Dispute Settlement especially from legal and procedural perspectives. In addition, the focus will be on regionalism and the legitimacy of the WTO. Students who are going to present in the second Session will limit their presentations to **20-25 minutes** to enable the remaining time to be used for discussions with the audience.

Programme

Time	Speaker	Subject
9:00 -	Prof. Thomas Cottier <i>Director of the World Trade Institute, University of Bern</i>	Welcome and Opening Remarks
Session 1. SUSTAINABLE DEVELOPMENT, WTO AND FTA		
9:10- 9:50	Von Ryan Ferrera <i>Master's Course Student Yokohama National University</i>	The Japan-Philippines Economic Partnership Agreement: Controversies and Realities
9:50- 10:30	Eiji Hatano <i>Ph.D. Student Yokohama National University</i>	Evolutionary Interpretation and Its Scope for Environmental and Human Rights Protection in the WTO
Coffee Break		
10:50- 11:15	Katja Gehne <i>Alternative Leader (NCCR IP4)</i>	Sustainable Development in International Environmental Law
11:15- 11:40	Misaki Kodama <i>MILE 9 Ph.D. Student, Nagoya University</i>	Developing Countries in the WTO: S&D Negotiation in the DDA
11:40- 12:10	General Discussion: Comments by Elisabeth, Bürgi Bonanomi <i>Ph.D. Student, University of Bern (NCCR IP5)</i>	
Lunch Time		
Session 2. WTO DISPUTE SETTLEMENT AND POLITICS		
14:00- 14:40	Dr. Marion Panizzon <i>Alternative Leader (NCCR IP8) World Trade Institute</i>	The Politics of Principles in WTO Dispute Settlement Practice: The Case of Good Faith
14:40- 15:20	Yoshimichi Ishikawa <i>Ph.D. Student University of Bern</i>	Scope of the Burden of Proof in the 'Fact Intensive Case'
15:20- 16:00	Marina Foltea <i>Ph.D. Student University of Bern</i>	The Institutional Sensitivity of the WTO: International organizations in the adjudication of trade disputes
Coffee Break		
16:20- 17:00	Mustafa Moinuddin <i>Ph.D. Student Yokohama National University</i>	Regionalism Sans Frontiers: Theoretical Perspectives
17:00- 17:40	Schneller Lena <i>Ph.D. Student, University of Bern NCCR Democracy</i>	The Impact of the WTO on Democracy in its Member States
17:40-	Prof. Ichiro Araki <i>Yokohama National University</i>	Concluding Remarks

Personal Profile (Yokohama National University):

Prof. Ichiro Araki

Ichiro Araki teaches international trade law at the Yokohama National University in Japan. After graduating from the Faculty of Law, University of Tokyo, he obtained a Master of Laws from the University of California (Boalt Hall) School of Law, Berkeley (1988) and Master of Policy Science from the National Graduate Institute for Policy Studies (1994). He joined the Ministry of International Trade and Industry (MITI, later METI) in 1983. From 1995 to 1998, he served as legal affairs officer at the Legal Affairs Division of the World Trade Organization, a division primarily devoted to settlement of disputes among WTO Members. Upon his return to Japan, he was involved in the negotiations on China's accession to the WTO as MITI's Director for Trade Policies Review. From 2001 to 2003, he was the Director of research at the Research Institute of Economy, Trade and Industry (RIETI). He gave a MILE lecture on the Trade Policy in Asia in 2007.

Eiji Hatano (Ph.D. Student)

Eiji Hatano is a doctoral candidate in International Economic Law at the Yokohama National University in Japan. This is the second time he has attended the Joint Workshop. He is writing his doctoral thesis on International Environmental Law and International Water Law, especially on the utilization of natural resources. He obtained his Bachelor's degree in Political Science from the Meiji Gakuin University in 2003, and his Master's degree in International Relations Law from the Graduate School of Social Science, Yokohama National University in 2005. In addition to several articles on the WTO and International Environmental Law, he also attended the Summer Programme on the WTO, International Trade and Development held at the Graduate Institute in Geneva this year.

Mustafa Moinuddin (Ph.D. Student)

Mustafa Moinuddin is currently writing his doctoral dissertation on regional integration at the Yokohama National University in Japan. This is the second time he has attended the Joint Workshop. He is particularly interested in issues related to the law and economics of international trade, regionalism and international relations theories, international security, and sustainable development. He was on the sixth MILE Programme of the WTI. He attended the Academy of International Trade Law in Macau, China, in 2007. He received his Master's degree in International Relations from the University of Dhaka in 1998. Prior to going to the WTI he worked as a Research and Communication Officer at the Embassy of Switzerland in Bangladesh. He was a Visiting Scholar at the Program in Arms Control, Disarmament and International Security (ACDIS) at the University of Illinois at Urbana-Champaign, where he pursued research on water security in Bangladesh. His publications include occasional papers on water security, journal contribution on regional integration, and a number of newspaper articles on issues such as sustainable development, migratory workers, and food security.

Von Ryan Ferrera (Master's Course Student)

Von Ryan Ferrera is currently writing his Master's Thesis at the Yokohama National University in Japan, focusing on regional integration in East Asia and the Philippine-Japan Economic Partnership Agreement. He is particularly interested in issues related to theories about governance as well as the law and economics of international trade, regionalism, and international relations. He graduated with a Bachelor's degree in Political Science from the University of the Philippines in 1998. Prior to studying in Japan, he worked at the Philippine Department of Trade and Industry as an Investment Specialist while pursuing a law degree at the same time. As a representative of the Yokohama National University, he was recognized as the Best Orator at the 6th ELSA Moot Court Competition held earlier this year in Taiwan.

Misaki Kodama (MILE 9 and Ph.D. Student at the Nagoya University)

Misaki Kodama is a Ph.D. candidate at the Graduate School of International Development, Nagoya University, Japan, and currently enrolled in the ninth MILE Programme of the WTI. The theme of her current research is about "Revitalization and Rejustification for S&D through a Theoretical and Practical Approach", exploring the WTO S&D provisions from the legal and economic perspective. She contributed an article on Article XVIII of the GATT reviewing the current negotiations in the Doha Development Agenda and discussing how it can be revitalized, to the *Yearbook of International Economic Law* 2008 published by the Japan Association of International Economic Law (forthcoming).