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UNIVERSITÄT
BERN



Jean
Monnet
Chair

EU Constitutional Framework for
International Dispute Settlement
and Rule of Law

Program (as of 21 July 2023)

Conference (Invitation Only) on

(Open) Strategic Autonomy – Foundations and Tools

Hosted by Marc Bungenberg, Michael Hahn & Philipp Zurkinden

7 & 8 September 2023

9:00 – 18:00 / 9:00 – 13:00

DAY 1

8:45 Coffee

9:00 Welcome: Michael Hahn

Panel I: Foundations

Chair: Marc Bungenberg

9:15

The EU's "Open Strategic Autonomy" – the Commission Perspective

Ignacio Garcia-Bercero, DG Trade, EU Commission

The Open Strategic Autonomy Paradox

Inge Govaere, College of Europe, Bruges and Ghent University

The EU's "Open Strategic Autonomy": The EU from a "Conflicted Trade Power" perspective

Manfred Elsig, World Trade Institute

Origin and Legal Significance of "Open Strategic Autonomy"

Frank Hoffmeister, EEAS

11:00 Coffee Break

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Panel II: Investment Screening

Chair: Philipp Zurkinden

- 11:30 a.m. The EU FDI Tools: an Assessment after the first 3 Years
 Fabian Gehl, DG Trade, EU Commission
- The German Perspective on FDI Screening
 Franziska Krokutsch, German Federal Ministry for
 Economic Affairs and Climate Action
- FDI Screening: A Practitioner's Perspective on the Nordics
 Carolina Dackö, Mannheimer Swartling, Gothenburg
- FDI Screening: A short perspective of FDI in the EU
 Horst Henschen, Covington, Frankfurt

13:00 Lunch

Panel III: Raw materials, Value chains, and ESG

Chair: Jacques Bourgeois

- 14:00 The Multidimensional Challenges of Sustainable Supply Chains –
 a US perspective
 Kathleen Claussen, Georgetown University Law Centre
- The European Perspective
 Christian Tietje, University of Halle
- Tension between Law and Business – Increased Government
 Intervention in Supply Chains and the Scramble for Raw Materials
 Arnoud Willems, Baker McKenzie, Brussels
- Swiss vs. EU Supply Chain Due Diligence Legislation
 Nicolas Bueno, UniDistance Suisse

15:45 Coffee Break

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Panel IV: Anti-Coercion and Economic Sanctions

Chair: Marc Maresceau

- 16:15 (Anti-)coercion and the WTO Agreement.
Lothar Ehring, DG Trade, European Commission
- EU Sanctions in Practice – Need for Reform?
Isabelle Van Damme, Van Bael & Bellis, Brussels and College of Europe, Bruges
- The EU’s Russia Sanctions before the EU Court of Justice
Guillaume van der Loo, Ghent University
- Swiss Experience with Sanctions before and since the “*Zeitenwende*”
Erwin Bollinger, Swiss State Secretariat for Economic Affairs SECO, Bern & Geneva
- Due Process, Immunities, and Sanctions: the Rule of Law’s Bermuda Triangle?
Andrea Bianchi, Graduate Institute of International and Development Studies
- 18:00 End Day 1
- 19:00 Speakers’ Dinner

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DAY 2

Panel V: Foreign Subsidies Regulation

Chair: Peter van den Bossche

- 9:00 FSR: The EU Perspective
Eddi de Smijter, EU Commission
The Ever-Expanding Action of the EU Against Subsidies,
Except its Own
Edwin Vermulst, VVGB Advocaten, Brussels
The Role of Third Parties in the Enforcement of the Foreign Subsidies
Regulation
Lena Hornkohl, University of Vienna
FSR: An international practitioner's perspective
Wanjie Lin, Cleary Gottlieb Steen & Hamilton, Brussels

10:45 a.m. Coffee Break

Panel VI: CBAM

Chair: Andreas Ziegler

- 11:15 Climate Change: Can Unilateral Measures Respond to the WTO
Challenge of Equivalences, Subsidies and Finance
Gabrielle Marceau, WTO and University of Geneva
CBAM: A Swiss Perspective
Martin Lanz, Swiss State Secretariat for Economic Affairs
SECO
CBAM: Building Bridges or Barriers between Paris and Geneva?
Nicolas Lockhart, Sidley & Austin, Geneva

13:00 Conclusion and Farewell: Michael Hahn

13:15 Coffee and Sandwiches

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Registration by email to Ms. Sandra Joseph <sandra.joseph@iew.unibe.ch> by 21 August 2023; please indicate whether you plan to attend the entire conference or only parts. Also, please inform us, if your plans to attend change.

Please note that due to space limitations and demand your **registration is only valid upon confirmation** which you will receive at the latest by 25 August 2023.

Location

University of Bern
World Trade Institute, Auditorium Silva Casa
Hallerstrasse 6, Ground floor
3012 Bern
Switzerland

Organisation

Prof. Dr. Marc Bungenberg LL.M.

Chair of Public Law, Public International Law, European Law and International Economic Law, Saarland University; Jean Monnet Chair “EU Constitutional Framework for International Dispute Settlement and the Rule of Law”

Prof. Dr. Michael Hahn LL.M.

Institute for European and International Economic Law and World Trade Institute,
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