



Young Researchers Workshop University of Rennes 1 4-7 June 2019

THE NEW GENERATION OF EU FTAs: EXTERNAL AND INTERNAL CHALLENGES

Call for papers

The Jean Monnet Network LAwTTIP, a partnership between the University of Bologna, King's College London and University of Rennes 1 granted by the Jean Monnet Program of the EACEA, holds its third Young Researchers Workshop in Rennes from the 4th to the 7th of June 2019. The Workshop is organised by the Institut de l'Ouest: Droit et Europe (IODE UMR CNRS 6262) (Western Institute: Law and Europe) on behalf of the LAwTTIP Network and will take place at Rennes' Faculty of Law and Political Science

In view of this event, the LAwTTIP Jean Monnet Network issues the present call for papers and invites submissions by young researchers.

Aim and proceedings of the Workshop

This four-day workshop will consist of a training school aiming to help young researchers and doctoral students to write and publish a paper. Each participant, selected on the basis of the present call for papers, which will be circulated through the network website and the Jean Monnet virtual community, will send a draft paper that will be presented during the workshop and discussed by two senior academics playing a tutoring role.

After the workshop, the young researcher will receive appropriate advice to finalize his/her final paper. Depending on the quality of the paper and after a review by key staff members of the network, the paper will be published online as part of a dedicated issue of the LAwTTIP working paper series (lawttip.eu/lawttip-working-papers).

The event will start with an opening lecture and close with a concluding lecture, given by distinguished scholars.

Scientific objectives of the Workshop

A new generation of free trade agreements (NGFTAs) is at the forefront of the external economic action of the European Union (EU). Not many have been concluded yet, but several are provisionally applied or currently being negotiated. Their main purpose is to address and eliminate illegitimate non-tariff barriers to trade and investment. As such, they are likely to deeply interfere with several public policies. However, as its *Trade for all* communication indicates, the European Commission conceives these agreements as key instruments for the conduct of a comprehensive and balanced common commercial policy. In this regard, EU NGFTAs are supposed to allow taking into consideration non-economic interests and values, and to be consistent with the internal policies of the EU when being implemented. To what extent is this really the case?

In keeping with the study of the political and legal challenges raised by the negotiation and implementation of the EU NGFTAs, the *Institut de l'Ouest: Droit et Europe (IODE, UMR CNRS 6262)* invites young researchers and doctoral students to pursue the analysis from this original perspective. The scientific aim of the Workshop is to deepen the legal reflexion generated by these international agreements by focusing on the way – if any – they comply with the consistency requirement of the EU's external action, both with regard to its other strands and with the EU's internal policies.

Two main lines of research could be followed to this end. The first one would be twofold. It should, on the one hand, serve to identify the legal means by which the EU NGFTAs are articulated with other legal instruments of international law. It should, on the other hand, consider whether the NGFTAs are actually relevant instruments for the promotion of the rule of law in the international legal order.

Examples of research themes:

- NGFTAs and the most favoured nation principle. New legal challenges.
- Taking into consideration and/or promoting non-economic values and interests through NGFTAs. Methodology and limits.

- Deepening multilateral commitments through bilateral negotiations. Reflexion from selected topics (Trade facilitation, Rules of origin, Intellectual property rights...)
- NGFTAs as a way to reinforce the normative impact of international standards/soft law
- Promoting the rule of law in investment arbitration. State of play of the UNCITRAL discussions on the reform of the investor-state dispute settlement mechanisms.
- The articulation of dispute settlement mechanisms in the international legal order.

The second line of research should be much more inward looking. In other words, it should be directed to the analysis of the internal – constitutional, institutional and substantial – effects of the implementation of EU NGFTAs on the EU legal order. Again, this line of research would be twofold. It could, firstly, be focused on the effectiveness of the external action's consistency requirement with the internal policies of the Union, at least with their external aspects, as prescribed by Art. 21(3) TFEU. This could include the study of the impact of EU NGFTAs on fundamental principles of the EU legal order, such as for instance the equality of treatment / non-discrimination principle. Secondly, it might also serve as a good opportunity to review the autonomy concern that they create in light of the Opinion 1/17 procedure.

Examples of research themes:

- NGFTAs and the autonomy concern. New developments in light of Opinion 1/17.
- NGFTAs and the democratic concern. Joint Committees, Delegation of public power and democratic control.
- Reshaping internal decision-making through good regulatory practices and regulatory cooperation commitments?
- The effects of the international transparency commitments on the internal decisional procedures
- The equality of treatment / non-discrimination principle in the framework of the external action.
- The impact of EU NGFTAs on the fundamental rights within the EU legal order
- Effects of selected chapters of EU NGFTAs on the European internal policies (customs matters, sanitary and phytosanitary measures, technical barriers to trade, competition, government procurement, social and environmental policies...)

Submission and publication information

Submission

Draft papers of 3,000 to 5,000 words should be submitted in English to Pr. Isabelle BOSSE-PLATIÈRE (isabelle.bosse-platiere@univ-rennes1.fr), Pr. Cécile RAPOPORT (cecile.rapoport@univ-rennes1.fr) and Nicolas PIGEON (nicolas.pigeon@univ-rennes1.fr) by **April 1st 2019**.

Please include your name, email address and one-page curriculum vitae up to date with your paper.

Contributors will be selected by the scientific committee and will be notified at the beginning of May.

The conference organisers cover transportation and accommodation costs of participants.

Publication

After the Workshop, contributors will send a final English version of their contribution to be published online as part of the LAWTTIP working paper series. Please note that although two working languages (French and English) might be used during the Workshop, the results of the conference will be published in English only.

Final English written version of the paper (max. 10 000 words) will be due by **July 10th 2019** for the publication process.

Scientific Committee

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