

SEALS 2020 Meeting

Covid-19 as an opportunity to the role of EU Law in global learning, teaching and researching?

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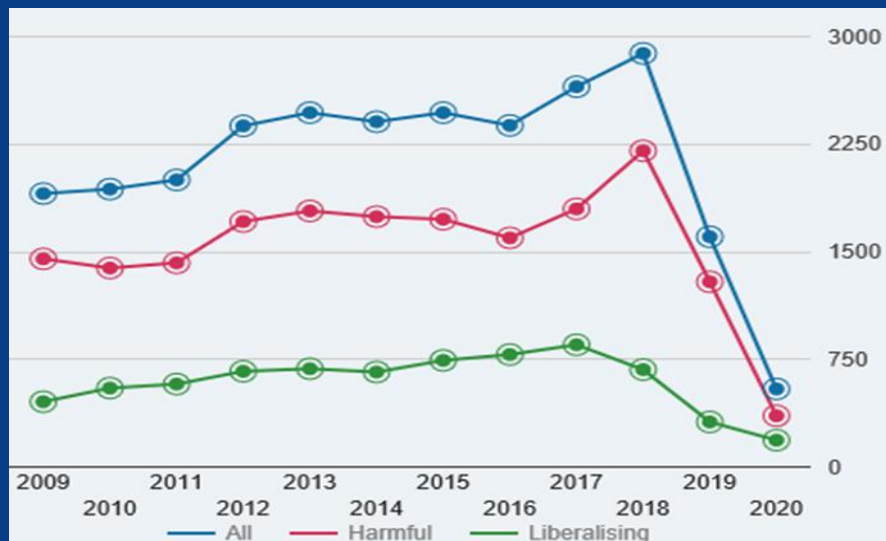
Pre-Covid-19 stage

The paralysis of the Doha Round, neo-protectionism and the EU's most aggressive stance on international trade

The multilateral approach to international trade is paralysed:

- i) The Doha round is frozen;
- ii) Return of protectionist measures since the 2008 financial crisis (see below);
- iii) Symbolic aspects:
 - a) US blocked the appointment of judges to the WTO Dispute Settlement Body;
 - b) Roberto Azevedo left the WTO;

* The number of protectionist measures has been increasing worldwide since 2009:



* Source: https://www.globaltradealert.org/global_dynamics

Phase pre and during Covid-19

Bet on bilateralism by the EU?

- * More aggressive EU stance towards international trade?
- * In view of the paralysis of a multilateral approach, the EU has developed a network of new generation bilateral trade agreements:
 - * [CETA](#) (Canada);
 - * [JETA](#) (Japan);
 - * [EU/Mercosul](#);
 - * [Other agreements closed](#) or being closed (v.g. [India](#));
- * New legal instruments aim at ensuring reciprocity in world trade:
 - * Examples:
 - * [IPI \(International Procurement Instrument\)](#);
 - * [Regulation 2019/452 concerning foreign direct investment](#) (FDI);
 - * The latest [annual report on the implementation of trade agreements \(2020\)](#) shows that many of the provisions of EU trade agreements are not respected (eg protection of geographical indications, access to public contracts, non-tariff barriers, workers' rights, etc.);
 - * In February 2020, the position of [Chief Trade Enforcement Officer](#) of the EU was created (“will ensure compliance with the provisions in the agreements concerning the environment, climate and workers’ rights.”);

Covid-19 Phase

EU and multilateralism

- * The EU faces some internal issues:
 - * i) [Brexit](#) - negotiations have progressed little since the [exit agreement](#);
 - * ii) Issue of migrants / refugees;
 - * iii) Clarification of [role of the European Central Bank](#) (Articles 123 and 127 (1) of [TFEU](#)) - recent decision by the [German Constitutional Court](#);
 - * iv) Completion of [Economic and Monetary Union](#); [Banking Union](#) and [Capital Market Union](#);
 - * v) The need to provide the EU with competence at the level of [public health](#);
 - * vi) Production of “strategic goods” in the EU - eg, personal protective equipment; medicines; vaccines;
 - * vii) Creation of “[european champions](#)”?;
 - * viii) Relations with Russia ([Crimean issue](#));
 - * ix) [Defense of fundamental values](#);
 - * X) Possible [accession of new states](#);

Challenges of international cooperation post-Covid-19

* Questions:

- * From hyperglobalization to deglobalization? Crisis of globalization and global governance?
 - * Return to protectionism post Covid-19?
 - * Production of strategic goods nearshoring (eg sanitary equipment);
 - * Attempt to national / regional reindustrialization;
 - * A new multipolar economic order?
 - * China / USA / European Union? Access to 5G technology as a case-study;
 - * Emergence of regional economic areas (Europe (EU); Asia (China))?
 - * US self-exclusion;
- * But,
- * The Covid-19 crisis is:
 - * A symmetrical, transversal and global crisis;
 - * Health, financial, food and values crisis? The biggest global crisis since World War II;
 - * Crisis as a wake-up call or turning point to the world?
 - * In this crisis there can be no winners or losers;
 - * There are no national solutions to global problems ...

Challenges of international cooperation post-Covid-19

* Required:

- * To revisit history - the solution has always been in multilateral approaches (eg [World War I](#); [World War II](#));
- * Prevent irrationality from overriding rationality and selfishness from overcoming solidarity;
- * Promote international cooperation to gradually resume multilateralism?
 - * Positive signs in international health cooperation:
 - * Partnership between Europe and Developing Countries for Clinical Trials ([EDCTP](#)): between the EU, 14 European countries and 16 African countries;
 - * Role of [WHO](#) - [encouraged by the EU](#);
 - * The relaunch of a multilateral approach must begin with the deepening of regional economic integration (eg Mercosur);
 - * Ensure the sharing of information between States;
 - * Promote effective global solidarity, particularly with developing countries:
- * Guarantee universal access to technology (eg cell phones; computers and internet network);
- * Role of organizations international financial institutions (eg [world Bank](#) and [IMF](#));

Role of the EU in post-Covid 19

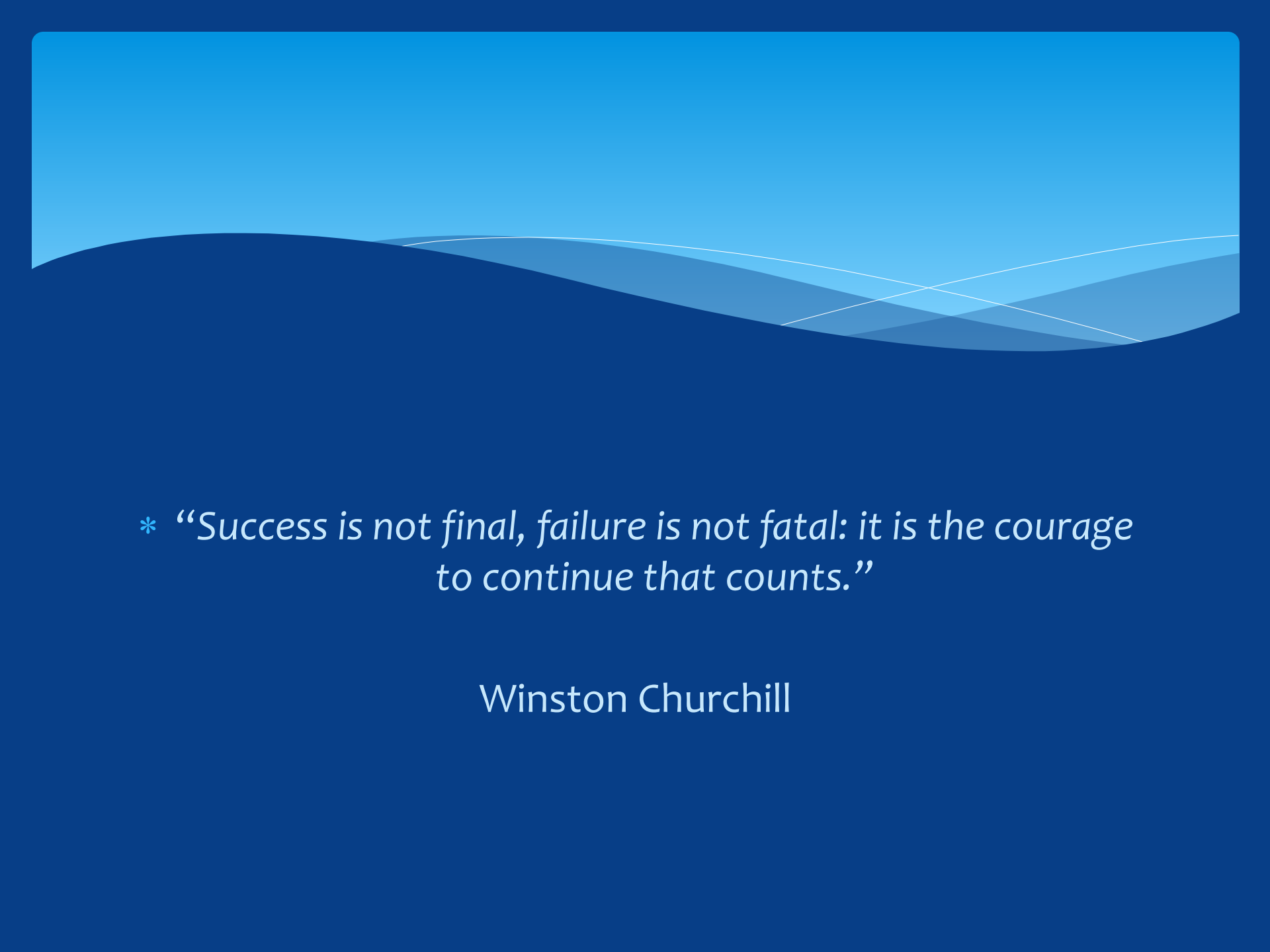
- * The EU is the world's largest multilateralism laboratory: 27 Member States;
- * Regional economic area (EU) can serve as a model for other areas:
 - * Deepening of Mercosur? Recent signs of [remoteness from Argentina...](#);
- * EU strategic objectives reflected in the global response to the Covid-19 crisis (see next slide):
 - * [2030 Agenda for Sustainable Development](#) UN - EU committed;
 - * [New Green Agreement](#) (*New Green Deal*);
 - * [Digital single market](#);
 - * Cfr. [political objectives of Ursula Von der Leyen](#);
- * The EU reaffirmed the defense of a [coordinated and global response](#) the Covid-19 crisis through the United Nations; international financial organizations; G7 and G20;
- * The EU should avoid giving in to [protectionist temptations](#) post-Covid-19 (see slide 3);

Role of the EU in post-Covid 19

- * Coronavirus: [EU's global response to fight the pandemic](#) (April 8, 2020);
 - * *«The virus knows no borders. This global challenge requires strong international cooperation. The EU is working tirelessly to combat the pandemic. We all know that only together can we stop the worldwide spread of the coronavirus. »*
 - * Ursula von der Leyen, President of the European Commission
- * *“(...) The joint appeal of the IMF and the World Bank for a debt moratorium on the poorest countries, with the granting of soft loans by the International Development Association (IDA), aims to reduce the debt burden to official creditors bilateral. The EU supports this coordinated response, worldwide. ”*
- * [See Communication on the EU's global response to the COVID-19 outbreak.](#);
- * Ten [EU responses](#) the Covid-19 crisis;

Challenges and opportunities for teaching pos-Covid-19

- * New learning, teaching and researching methods:
 - * Webinars – distance is no longer a barrier;
 - * Electronic access to learning materials – gradual approach from Law to other social sciences (v.g. Economy);
- * Global solutions to global problems:
 - * Gradual harmonization in National's Law (v.g. healthcare; data protection)?;
 - * Globalization of EU Law (v.g. competition law; data protection; international trade; environmental protection; human rights; “rule of law”)? Is EU Law a commodity that can be exported?
 - * More international cooperation:
 - * Role of the ELPIS network ;
 - * Role of the EU Law – Jean Monnet's Program. Worldwide institutions and Professors can have access to EU finance support;

The background is a solid dark blue color. At the top, there is a lighter blue gradient bar. Below this, there are several overlapping, wavy, semi-transparent shapes in various shades of blue, creating a layered, wave-like effect.

* *“Success is not final, failure is not fatal: it is the courage to continue that counts.”*

Winston Churchill

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Thank you

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