



The New Zealand Institute of International Affairs, Auckland Branch



*presents in association with
the Faculty of Law, University of Auckland; and
International Law Association, Auckland Sub-Branch*
Kathleen Claussen, University of Miami Law School
“Re-imagining Trade-Plus Enforcement”

DATE/TIME/VENUE

Date/Time

Monday 6 May 2019;

6.00 pm-7.30 pm

Venue

Lecture Theatre [102-G36]

Old Government House

Princes Street

University of Auckland

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Transport Options:

Bus Stops: Waterloo Quadrant,

Symonds Street, Britomart &

Wellesley Street

Carparks: Victoria Street; Owen

Glenn Building

Speaker’s Synopsis:

Free trade agreements (FTAs) were originally designed to enable greater trade on a reciprocal basis. They focused on removing tariff barriers to facilitate free trade in goods and services. In recent decades, FTAs have sought also to break down non-tariff barriers to trade by taking up new so-called “trade-plus” topics such as licensing, health and safety standards, and other types of domestic regulatory measures that could inhibit the movement of goods and services. Trade agreements also today frequently address consequences of free trade to labor and environment, or even the protection of gender or indigenous rights such as the inclusion of a provision preserving the pre-eminence of the Treaty of Waitangi in New Zealand. This talk will examine whether customary trade dispute resolution procedures are appropriate for disputes over “trade-plus” matters. A recent U.S. dispute suggests not and that one root of the problem, among others, is the lack of a theory as to how “trade-plus” matters can fit into a liberalized trade agenda.

The Speaker:

Kathleen Claussen is Associate Professor at the University of Miami School of Law. Prior to joining the Miami faculty in 2017, she was Associate General Counsel at the Office of the U.S. Trade Representative where she served as a legal advisor in trade negotiations, and represented the U.S. Government in trade disputes.

Previously, she served as Legal Counsel at the Permanent Court of Arbitration in The Hague, advising on disputes between countries, and on investment and commercial arbitrations. Following her graduation from the Yale Law School, she also served as a law clerk on the U.S. Court of Appeals for the Seventh Circuit. She is a member of the Executive Council of the American Society of International Law and serves on the program committee for the American branch of the International Law Association.