Dr Luca Rubini calls on WTO Members to reform subsidy rules

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In late September 2012, Luca, Reader in International Economic Law at Birmingham Law School, spoke at two important venues in Geneva.

On invitation of the Rules Division of the WTO, Luca contributed to the panel on **'The Agreement on Subsidies and Countervailing Measures: Past, Present, Future' (http://www.wto.org/english/forums_e/public_forum12_e/public_forum12_e.htm)** at the WTO Public Forum on 26 September 2012 at the WTO Headquarters in Geneva. On 27 September, Luca spoke at the high-profile policy happening **'Bridges China Dialogue 2012' (http://www.bridges-china.com/en/events/bridges-china-dialogue-2012)** organized by the International Centre for Trade and Sustainable Development (ICTSD).

Both events were good opportunities to disseminate the results of his current research on the future regulation of climate change subsidies to a broad, world-wide non-academic and policy-oriented audience. Luca argued that the current rules on subsidies in the WTO, which were negotiated during the 1980s and 1990s, are not up to the challenges of the current times, and in particular may cause undue contraints for governments actions to fight climate change. He noted: "we have a legal scenario where the law is complex, unclear, and possibly even in conflict with best policy prescriptions. This – in my view – results in itself in a significant policy space constraint".

Some questions could in fact be solved through litigation and case-law before the WTO dispute settlement Panels and Appellate body. But this approach on its own is not sufficient and is not ideal. Luca concluded that "Members – not dispute settlement - should take the responsibility, go back to the negotiating table and craft their own justifications for climate change or more generally environmental/energy subsidies."

The programme of the two conferences, plus audio-postcasts and other background material can be found at:

- **http://www.wto.org/english/forums_e/public_forum12_e/public_forum12_e.htm (http://www.wto.org/english/forums_e/public_forum12_e/public_forum12_e.htm)**
- **http://www.bridges-china.com/en/events/bridges-china-dialogue-2012 (http://www.bridges-china.com/en/events/bridges-china-dialogue-2012)**

Some of the issues of Luca's speeches in Geneva have recently been published in the Journal of International Economic Law [**Abstract (http://jiel.oxfordjournals.org/content/15/2/525.abstract?sid=3771db26-40fe-4b50-9b93-b4b84acc19aa)** , **Full Text (/Documents/college-artslaw/law/iel/J-Int-Economic-Law-2012-Rubini-525-79-1.pdf)**] The final results of his research will be published in a monograph for Cambridge University Press in 2014.

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