

Curriculum Vitae Christian Häberli (PhD, Law)

Summary

Fellow at the World Trade Institute (WTI) (University of Berne) and Consultant for scientific research and outreach activities in Europe, Asia, Africa, and in the Americas. Over 70 publications on multilateral, regional and preferential trade and investment issues related to climate change, agriculture, food security and food safety, obesity and malnutrition, environment, human rights, employment and labour, ethics, WTO accession, Brexit, and equitable trade.

Special expertise and practice as adjudicator in trade dispute settlement: (i) as WTO Panellist and Arbitrator in 20 stages of 5 major dispute settlement cases (1996 – 2015 without interruption), and (ii) as Chairperson of the Arbitration Panel initiated by the EU on Ukraine's wood export ban (2019-20).

Graduation in 1977 with a Ph.D. about African Investment Law in Algeria and Ghana (Basel University). Additional university degrees in Development Sciences in Geneva (1975) and in Theology in Bern (2009). Professional career starting with the International Labour Organization (ILO) and with the Swiss Government, based in Madagascar, Thailand, and Nepal (1978 to 1986). Trade negotiator for Switzerland in the GATT and the WTO during the Uruguay and the Doha Rounds (1986 to 2007). Chair (every other year) of the Joint Committee of the Agriculture Agreement Switzerland–EU (2002 - 2007). Chair of the WTO Committee on Agriculture (Regular Sessions, 2005 - 2007).

Biodata

Date of Birth	11 October 1951
Place of Birth	Zürich (Switzerland)
Nationality	Swiss

Education

1964-70	Literargymnasium Zürichberg (Maturität A)
1970-73	Geneva University, Faculty of Law (Licence en droit). Special emphasis on international economic and social (humanitarian) law
1973-77	Basel University, Faculty of Law (Lizenziat and Ph.D.). Special theme: African investment law and economic instruments
1974-76	Graduate Institute of International and Development Studies, Geneva University, (Certificat d'Etudes at the Institut Universitaire d'Etudes du Développement). Special emphasis on ethics, development economics and analytical (economic impact) instruments as well as anthropology and sociology
2007-09	Bern University, Faculty of Theology (Minor Bachelor). Special emphasis on ethics in international trade

Professional Experience

2021-24	Research in the <i>Horizon 2020</i> Project "Making Agricultural Trade Sustainable" (MATS: https://sustainable-agri-trade.eu/)
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1986-	<p><u>Dispute Settlement Assignments and Expert Rosters</u></p> <ul style="list-style-type: none"> - WTO Trade Dispute Settlement: Panel Member, Arbitrator, and/or Chairperson <ul style="list-style-type: none"> o <i>EC - Bananas III</i> (1996-2001; 2007-08) o <i>Japan - Apples</i> (2002-03) o <i>EC - Biotech/GMO</i> (2004-06) o <i>China - Trading Rights/Audiovisuals</i> (2007-09) o <i>United States – Country of Origin Labeling (COOL)</i> (2010-15) - Bilateral Trade Dispute <ul style="list-style-type: none"> o Chairperson, Arbitration Panel on Restrictions applied by Ukraine on exports of certain wood products to the European Union (2019-2020) - Lists/Rosters of Arbitrators and Panellists: <ul style="list-style-type: none"> o Arbitrator nominated by Georgia for its Association Agreement (DCFTA) with the European Union o Arbitrator appointed by the European Union and Japan under the Economic Partnership Agreement (EU-Japan EPA) o Panellist and Arbitration Panel under the Comprehensive Economic and Trade Agreement between Canada and the European Union (CETA Chapters 23 and 24 on Sustainable Development, and Chapter 29 on Dispute Settlement) o Member, Canada – UK Trade Continuity agreement (TCA), Chapter 24 Panel of Experts Roster o Panellist appointed in accordance with Section A of Chapter 31 of the Canada-United States-Mexico Agreement (CUSMA) o List of trade and sustainable development experts in bilateral disputes under the EU trade agreements (https://policy.trade.ec.europa.eu/enforcement-and-protection/dispute-settlement_en) - Arbitrator, CPR Panel of Distinguished Neutrals, International Institute for Conflict Prevention & Resolution, New York, NY 10016 (USA) (https://www.cpradr.org/)
2007-	<p>Consultant, WTI Fellow, and Adjudicator/Arbitrator. Intergovernmental dispute settlement. Lectures, supervisory, research assignments and legal opinions on the nexus between sustainable development, ethics, societal values, trade and agriculture. Advisory services to governments, international, non-governmental and business organisations. Trade-related topics include WTO and FTA bilateral dispute settlement, regionalism, SPS/TBT, human rights, environmental, water, health and labour standards, and international trade negotiations. Trade, investment, environmental, and sustainability impact assessments, both <i>ex ante</i> and <i>ex post</i>, for treaties involving EFTA, EU, MERCOSUR, Australia/New Zealand (twice), Central America, Nepal, Switzerland, Turkey, and Vietnam. WTO accession consultancies for Azerbaijan, Iran, Laos, and Serbia – including institution-building and interest defense issues. Present research priority: climate change mitigation.</p>
1986–2007	<p>Federal Department of Economic Affairs, Education and Research EAER (Swiss Government)</p>

	<ul style="list-style-type: none"> - 1998–2007: Federal Office for Agriculture (FOAG). Head of International Affairs (EU, WTO, ITC, OECD, Codex alimentarius, Int. Grains Council, and others. Sales and Quality Promotion including Organic agriculture and Geographical indications; Import regulation) - 1993-98: State Secretariat for Economic Affairs (SECO). Deputy Head, World Trade-WTO Division (General assignments: WTO Accession/Implementation of WTO commitments, Trade Policy Reviews. Special fields of competence: agriculture, market access for goods, investments, free trade agreements) - 1986-93: State Secretariat for Economic Affairs (SECO). Commodity Desk Officer and (from 1988) Head of Trade Section (in charge of UNCTAD, ITC, UNIDO, ITTO, Commodity agreements and sustainable development, environment and trade policy matters, UNCED Chief Backstopping Officer)
1982–1986	Swiss Agency for Development and Cooperation (SDC); Enterprise Promotion Expert (SME of marginalised and disadvantaged producers) in an Integrated Development Project in Nepal
1978–1982	<p>International Labour Organization (ILO)</p> <p>1980–82: Programme Officer (Small Enterprises and Technology Section) at the Regional Office for Asia and the Pacific in Bangkok, Thailand</p> <p>1978–80: Associate Expert at the Regional Office for Madagascar, Mauritius, Seychelles, Comoros and La Réunion in Antananarivo, Madagascar</p>
1977-1978	Swissair SA Genève, Air Transport Employee

Main publications (on agricultural trade, SPS/TBT, food security, climate change, international negotiations, regionalism (including Brexit), WTO dispute settlement, international employment law, health policies and WTO rules) incl. Blogs and Podcasts and some unpublished report parts, but NOT Radio and TV interviews.

Also cf. <https://www.wti.org/institute/people/44/haberli-christian/> and <http://ssrn.com/author=1380616>)

- Les investissements étrangers en Afrique. Dissertation, avec deux études de cas portant sur l'Algérie et le Ghana. Librairie Générale de Droit et de Jurisprudence, Paris/Nouvelles Editions Africaines, Dakar (1978)
- Das GATT und die Entwicklungsländer, in Thomas Cottier (ed.), GATT-Uruguay Round, Institut für Europa- und Wirtschaftsvölkerrecht, Bern (1995, pp.135-172)
- Market Access in Switzerland and in the European Union for Agricultural Products from Least Developed Countries (2008). NCCR Trade Regulation Working Paper 2008/5.
- Food security and WTO rules. in B. Karapinar and C. Häberli (Eds), Food Crises and the WTO, Cambridge University Press (2010), pp.297-322
- Binding Tariff Preferences for Developing Countries under Article II GATT (with Lorand Bartels). 13(4) *Journal of International Economic Law* (2010) 969–995
- Can the World Trade Organization Ensure that Food Aid is Genuine? (with Simone Heri) 1(1) *Developing World Review on Trade and Competition* 1-70. Gujarat National Law University, India (2011)
- Regional trade agreements and domestic labour market regulation (with Marion Jansen and José-Antonio Monteiro), ILO Employment Working Paper No. 120, 11

- May 2012, and Book chapter in OECD/D. Lippoldt (Ed.), *Policy Priorities for International Trade and Jobs*, e-publication, available at <https://www.oecd.org/site/tadicite/policyprioritiesforinternationaltradeandjobs.htm><http://www.oecd.org/trade/icit> (2012, pp.287-326)
- Do WTO Rules Secure or Impair the Right to Food? *in* Melaku Desta and Joe McMahon (Eds), *Research Handbook on International Agricultural Trade*. Edward Elgar, Cheltenham/UK and Northampton/US (2012, pp.70-103)
 - What's wrong with WTO rules applying to food security? *in* Rosemary Rayfuse and Nicole Weisfelt (eds), *The Challenge of Food Security*. Edward Elgar, Cheltenham/UK and Northampton/US (2012, pp.149-167)
 - God, the WTO – and Hunger. *in* Krista Nadakavukaren Scheffer (Ed), *Poverty and the International Economic Law System: Duties to the Poor*, Cambridge University Press (2013, pp.79-106)
 - Food Security and Agri-Foreign Direct Investment in Weak States: Finding the Governance Gap to Avoid “Land Grab” (with Fiona Smith). *in* 77(2) *Modern Law Review* 189–222 (2014) at <http://onlinelibrary.wiley.com/doi/10.1111/1468-2230.12062/pdf>
 - Foreign Direct Investment in Agriculture: Land Grab or Food Security Improvement? *in* Thomas Eger, Stefan Oeter and Stefan Voigt (Eds), *Economic Analysis of International Law*. Mohr Siebeck, Tübingen (2014, pp.283-303) DOI <https://doi.org/10.1007/s10657-014-9461-0>
 - The Story of Community Preference for Food Security. Chapter 20 *in* Joe McMahon and Michael Cardwell (Eds.), *Research Handbook on EU Agriculture Law*. Edward Elgar, Cheltenham/UK and Northampton/US (2015, pp.437-462)
 - An International Regulatory Framework for National Employment Policies. *in* 50(2) *Journal of World Trade* 167–192 (2016) https://www.researchgate.net/publication/299983545_An_International_Regulatory_Framework_for_National_Employment_Policies
 - Potential conflicts between agricultural trade rules and climate change treaty commitments. *The State of Agricultural Commodity Markets (SOCO) 2018: Background paper*. Rome, FAO, 2018 (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3123036)
 - Land Grab and Human Rights: Mapping Multi-level Governance of Food Security and FDI in Weak States (with Fiona Smith). Paper for the SIEL Conference (July 2012)
 - Ethiopia's Food Reserve Policies and Practice. NCCR Trade Regulation Working Paper 2013/02 (February 2013) https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2369703
 - Land Grab v Food Security: can global regulation cope? (with Fiona Smith) *in* *Investment Treaty News*, International Institute for Sustainable Development (IISD, March 2013) <http://www.iisd.org/itn/>
 - After Bali: WTO Rules Applying to Public Food Reserves. FAO Commodity and Trade Policy Research Working Paper No.46 (June 2014, available at <http://ssrn.com/abstract=2556233>)
 - Seals and the Need for more Deference to Vienna by WTO Adjudicators. Fourth Biennial Global Conference of the Society of International Economic Law (SIEL) Working Paper No 22 (8 July 2014; electronic copy available at: <http://ssrn.com/abstract=2463680>)
 - The International Regulatory Framework for National Employment Policies: Examples from Bangladesh, Ethiopia, Ghana, Madagascar, South Africa, Switzerland and Viet Nam. r4d Working Paper 2015/8 (at https://www.wti.org/media/filer_public/e8/87/e887a672-f3d7-489b-a734-f3c86011ae9e/r4d_2015_8_ch.pdf) DOI: 10.13140/RG.2.1.1566.0649

- Are there any successful policies and programmes to fight overweight and obesity? Contribution dated 21 June 2016 to the Global Forum on Food Security and Nutrition (FSN Forum - http://www.fao.org/fsnforum/activities/discussions/overweight_obesity) (with excerpts from a research assignment by IBRD/WHO entitled "How can trade rules help to prevent and mitigate overweight and obesity and to promote healthy diets?" (January 2016)
- Agricultural Trade: How Bad Is the WTO for Development? *in* Markus Krajewski (Ed) *Critical Perspectives of International Economic Law, in 7* (2016) *European Yearbook of International Economic Law* 103-117 (https://link.springer.com/chapter/10.1007/978-3-319-29215-1_5/fulltext.html)
- Labour Standard Enforcement through Economic Treaties. r4d Employment Project Working Paper (<https://www.wti.org/research/publications/1137/labour-standard-enforcement-through-economic-treaties/>) (Bern, 19 December 2017)
- Brexit without WTO-Problems – for UK and for EU and for Global Business? 12/3 *Global Trade and Customs Journal* 87-91 (March 2017) (<http://www.kluwerlawonline.com/toc.php?area=Journals&mode=bypub&level=5&values=Journals~~Global+Trade+and+Customs+Journal~Volume+12+%282017%29>)
- Adaptation of Agricultural Trade and Investment Rules to Climate Change. *in* Mary Jane Angelo and Anél du Plessis (Eds.), *Research Handbook on Climate Change and Agriculture Law*. Chapter 10 at pp. 274-314. Edward Elgar, Cheltenham/UK and Northampton/US (March 2017)
- Ex-ante study of the EU-Australia and EU-New Zealand trade and investment agreements - Final Report. Prepared by LSE Enterprise Ltd. (Multiple Framework Contract TRADE 2014/01/01 April – 2017). Available at <https://op.europa.eu/en/publication-detail/-/publication/50b71887-92b2-11e7-b92d-01aa75ed71a1/language-en>
- International Economic Law Might Improve Water Governance in Peru. *in* El derecho humano al agua, el derecho de las inversiones y el derecho administrativo. Cuartas Jornadas de Derecho de Aguas. Armando Guevara Gil, Patricia Urteaga y Frida Segura (Eds). Pontificia Universidad Católica del Perú. (2017, pp.265-287)
- The Enabling Clause. Chapter II.6 *in* Elgar Encyclopedia of International Economic Law (2017, pp.177-179). Edward Elgar Publishing Ltd
- The WTO Agreements on Agriculture, and Climate change adaptation in food and agriculture. Chapter III.51 *in* Elgar Encyclopedia of International Economic Law (2017, pp.468-470). Edward Elgar Publishing Ltd
- The Decision on Landlocked Developing Countries (LLDCs) and Net Food-Importing Developing Countries (NFIDCs). Chapter III.52 *in* Elgar Encyclopedia of International Economic Law (2017, pp.470-471). Edward Elgar Publishing Ltd
- Brexit – a Clock Ticking in Malaysia. *in* 2017/3 *Diplomatic Voice* 4-6. Institute of Diplomacy and Foreign Relations. Ministry of Foreign Affairs, Malaysia. https://www.idfr.gov.my/images/stories/DiplomaticVoice/DV3_2017.pdf (October 2017)
- Mehr Frieden dank WTO. *in* 2018/2 *Swiss Peace Supporter* 28, Ministry of Foreign Affairs, Berne. https://www.vtg.admin.ch/en/media/publikationen/swiss-peace-supporter.detail.publication.html/vtg-internet/en/publications/verwaltung/organisation/kdo-op/komp-zen-swissint/sps/2018_2_Swiss%20Peace%20Supporter.pdf.html (June 2018)
- Gestion de l'eau au Pérou : quel avocat mangeons-nous ? Sommaire de la présentation au 5e colloque interdisciplinaire du W4W (Genève, 20 mars 2018)

- Water Management in Peru: What Avocados are we Eating? *in* Proceedings of the Fifth Interdisciplinary Colloquium in the Workshop for Water (W4W) on Education, Gender Partnership, Finance: decisive keys to combat water stress? (Geneva 2018)
- Might WTO Law Prevent Climate Change Mitigation Affecting Agricultural Trade? Guest Post on the International Economic Law and Policy Blog dated 21 April 2019. Available at <https://worldtradelaw.typepad.com/ielpblog/>
- Gestion de l'eau au Pérou : quel avocat mangeons-nous? Sommaire *in* Education, Partenariat Hommes/Femmes, Finance : des clés décisives pour lutter contre le stress hydrique ? 5ème colloque interdisciplinaire organisé par le W4W (pp. 29-30) (<https://boris.unibe.ch/126951/>)
- Right to Food and Right to Water: Are They the Same Challenge? *in* Benoît Girardin and Evelyne Fiechter-Widemann (Eds), *Blue Ethics: Ethical Perspectives on Sustainable, Fair Water Resources Use and Management*. Geneva: Globethics Network (2019, pp.45-50). Available at www.globethics.net/publications
- Please Make Avocados Sustainable Again! *in* International Affairs Forum (Online Journal published by Center for International Relations, Washington D.C. www.ia-forum.org and <https://core.ac.uk/display/222976833>) Special Themed Issue: Food and Water Security. June 2019, pp. 44-47.
- Responding to the impact of the COVID-19 outbreak on food value chains through efficient logistics. Blog post for the Global Forum on Food Security and Nutrition by FAO (<https://www.wti.org/research/publications/1283/responding-to-the-impact-of-the-covid-19-outbreak-on-food-value-chains-through-efficient-logistics/>)
- Can Panels Save WTO? WTI Working Paper updated 17 February 2021 (<http://ssrn.com/abstract=3787577>)
- Ending child labour in agriculture. Blog dated 14 May 2021 for the Global Forum on Food Security and Nutrition (FAO). Available here <http://www.fao.org/fsnforum/comment/10411>
- WTO and Agriculture: Consequences of Doha for Developing Countries. Podcast Interview 26 May 2021 with André Loscher und Jonas von Pfister from the Master Class at Humboldt Universität, Berlin, Prof. Dr. Peter Feindt (https://www.dropbox.com/sh/y916ne52mi0lkmb/AACOHTZpSCP5C9qD0UY3B8gS_a?dl=0)
- Carbon Border Adjustment Mechanism + WTO = Impasse Totale? Policy Brief published by the Jean Monnet Network on Transatlantic Trade Politics (<https://carleton.ca/tradenetwork/research-publications/> - December 2021)
- Sustainable Agriculture and Trade. Panagiotis Delimatsis and Leonie Reins (Editors), *Trade and Environmental Law Encyclopedia*, Chapter 93, pp.692-703 (January 2022; by Edward Elgar Publishing Ltd) (<https://www.elgar.com/shop/gbp/trade-and-environmental-law-9781783476978.html>)
- Food Crises (Cont'd): What's Wrong with Trade and Investment Rules? *in* 13/2 *Trade, Law and Development* 264-316 (January 2022) National Law University, Jodhpur (India) <http://www.tradelawdevelopment.com/index.php/tld/article/view/194/230>
- IP in EU Agriculture: Geographical Indications. ECIPE Blog April 2022, available at https://ecipe.org/blog/ip-in-eu-agriculture-geographical-indications?mc_cid=204c9f9634

Executive Positions at the International Level

- Swiss Representative to the International Tropical Timber Organisation (1987–93)
- Chairperson, WTO Committee on Agriculture (2005-07)
- Member of the Editorial Steering Group of the *State of Agricultural Commodities* 2018 (SOCO 2018)

- Chairman (every other year), Joint Committee of the Agriculture Agreement Switzerland–EC (2002 to 2007)
- Head of the Swiss Delegation to various GATT and WTO Negotiation and Standing Committees (Agriculture, SPS, TBT, Market Access, Regionalism, Investment, PSI, Trade Facilitation)
- Head of Delegation in the following OECD Bodies: Committee on Agriculture (1998–2007). Earlier on: Working Party of the Trade Committee, High Level Group on Commodities
- Executive Director for Switzerland, Austria, Portugal and Turkey to the Common Fund for Commodities (1991–93)
- Director of the Swiss–UN Association (1986–2009)
- Society of International Economic Law (SIEL), Public Sector Member since 2008

Teaching and Consulting Assignments

- Agricultural Negotiations in the WTO (Ministry of Agriculture, Antananarivo, Madagascar, 2001)
- Agrarpolitik und Ethik, Zürich University (2002)
- Las negociaciones sobre la agricultura a la OMC (Ministerio del Comercio Exterior, La Habana, Cuba, 2003)
- Preparing, Drafting and Negotiating Regional Trade Agreements, Attorney-General’s Chamber of Malaysia (Kuala Lumpur, May and July 2008; July 2016)
- Food Crisis, Master of Advanced Studies in International Organisations (MASIO Programme) in Zurich University (September 2008)
- WTO Accessions:
 - o Advisor to the Government of Azerbaijan on WTO Accession in the Area of Domestic Support in the Agricultural and Food Sector (2015)
 - o Advisory Services and Reports on WTO Accession Processes for Iran, Serbia and Uzbekistan (confidential)
- Trade rules for overweight and obesity prevention and healthy diets (contribution to a IBRD and WHO publication on obesity and malnutrition in the East Asia and the Pacific regions, 2016)
- Climate Change Adaptation with Better Agricultural Trade and Investment Rules (Addis Ababa and Warwick 2015, Berne 2016 and 2020, Rome/FAO 2018)
- Trade and Development, Trade Policy Training Centre in Africa (Arusha/Tanzania, and Dakar/Senegal <http://trapca.org/>), various courses in English and French, and master thesis supervisions (2009 to present)
- Climate-Smart AND WTO-compatible? Keynote Lecture at the 2019 Summer Symposium of the International Agricultural Research Consortium (IATRC): Trading for Good: Climate Change and Agriculture. Seville (Spain), 23-25 June 2019

Other Lectures and Consultancies

- Abidjan, 2014; Addis Ababa, 2012 and 2015; Ahmedabad (India), 2011 and 2013; Antwerp, 2015; Arusha/trapca, 2009 to present; Baku (Azerbaijan), 2015; Bali, 2005; Bern/WTI, 2002 to present; Brasilia, 2013 and 2014; Buenos Aires, 2011 and 2013; Cancún (MC4), 2003; Chatham House (London), 2008, 2014 and 2015; Colombia (Bogotá and Cali), 2017; Dublin, 2014; Doha, 2018; Hanoi, 2009, 2013, 2015 and 2017; Jakarta, 2013 and 2014; Kathmandu, 2010 and 2017; Kuala Lumpur, 2008, 2012, 2013, 2016, and 2017; Lima, 2011, 2013 and 2016; London, 2018; Lucerne, 2014; New Delhi, 2013 and 2015; Nice, 2012; Ramallah, 2012 and 2014; Rome, 2014 - 2018; Salzburg, 2007; Samara (Russia), 2013; Santiago de Chile, 2012, 2013 and 2016; Sevilla (Spain), 2019; Tokyo, 2012; Toronto, 2004;

UNCTAD Global Commodities Forum, 2011 and 2012; Warwick, 2015; Wye (UK) 2006.

Language skills

- Fluent in German (mother tongue), French, and English
- Fair knowledge of Spanish, Italian, Thai, Malagasy, Nepali, and Rumantsch
- Studies in (ancient) Greek, Latin, and Hebrew