

Int.T.L.R Issue 1 of 2023

Table of Contents

Opinion

[Court's Finding: Internal EU GI Rules Apply to Exports of GIs](#)

Bernard O'Connor and Irina Kireeva

1

Abstract: Comments on European Commission v Denmark (C-159/20) (ECJ) on whether Denmark contravened EU law on protected designations of origin for food, by allowing producers to make cheese for export outside the EU which had the name "feta" but did not conform to Greek feta standards.

Articles

[Confidentiality of Arbitrations Under English Law: Sufficiently Sacrosanct to Warrant Legislative Shielding? A Critical Analysis from a Rumian Perspective](#)

Dr Doğan Gültutan

5

Abstract: Responds to the Law Commission's review of the Arbitration Act 1996, examining whether to amend the law to protect the confidentiality of arbitration, according to the Persian philosopher Rumi's principle of the wisdom of silence.

[Protectionism or Promotion: An Analysis of Seychelles' Approach to the Law on Foreign-Direct Investments](#)

Cheryl L. Dine

27

Abstract: Discusses whether the Seychelles legal framework for foreign investment offers attractive incentives to encourage investors, while providing appropriate protection for local investors and businesses as necessary for a small and vulnerable economy.

[The UK's Accession to the Comprehensive Progressive Trans-Pacific Partnership \(CPTPP\): Legal Obligations and Political Economy](#)

David Collins

44

Abstract: Reports on the legal framework and procedure for joining the free trade area under the CPTPP, and the accession negotiations which may give rise to controversial political issues in the UK.

Int.T.L.R Issue 2 of 2023

Table of Contents

Obituary

[Tribute to Mark Clough KC](#)

Jason Chuah

65

Abstract: Obituary of Mark Clough KC, Scottish lawyer and EU competition specialist, and an editor of Int. T.L.R.

Opinion

[Reforms to the Energy Charter Treaty: A Model for Rebalancing International Investment Law or a Step Too Far?](#)

Abstract: Considers the draft reformed modernised Energy Charter Treaty, focusing on reforms to international investment law to counter climate change.

Articles

[US Trade Policy and the Future of World Trade: Managed Trade, Protectionism, Distortions and Uncertainties](#)

Bryan Mercurio

69

Abstract: Criticises US trade policy for failing to support the World Trade Organisation and principles of liberalised international trade, and turning instead to subsidies and protectionism.

[The Merchantability Test as a Criteria for Fundamental Breach in Article 25 CISG—Has it Stood the Test of Time and Become a Fundamental Indicator of Fundamental Breach?](#)

Christy Taylor and Camilla Baasch Andersen

79

Abstract: Discusses the UN Convention on Contracts for the International Sale of Goods 1980 art.25 on the test for fundamental breach of contract, focusing on the test of whether the goods are still merchantable in a commercial market.

Int.T.L.R Issue 3 of 2023

Table of Contents

Articles

[Causation in the context of loss of chance damages](#)

Bruno Zeller

Abstract: Reviews cases on damages for loss of chance, the issue of causation and the "but for" test in the context of international sale of goods and commercial contracts. 97

[Moving towards paperless trade: what does the Law Commission offer?](#)

Alperen Furkan Tas

Abstract: Discusses the Law Commission's Electronic Trade Documents Bill 2022-23, focusing on the possession of electronic documents, and compares international law. 114

[Should China's negative lists be taken account of in the context of the TRIMS Agreement?](#)

Xiaoyang Zhang

Abstract: Discusses China's revised Foreign Investment Law 2020, its use of a "negative list" system of regulation, and whether this is compatible with its international obligations under the Agreement on Trade-Related Investment Measures 1994 (TRIMS). Reviews the relevant TRIMS obligations, the two negative lists involved, which close specific sectors to foreign investment, their relevance to China's free trade zones, and their potential implications. 126

[Blockchain, crypto-assets, tokenisation: myth or plur\(e\)ality?](#)

Franck Guiader

Abstract: *Reflects on the potential commercial effects of blockchain technology. Reviews the definition of "blockchain", and discusses key trends associated with its use, including its role in supporting technological migration, the emergence of crypto-assets in a range of economic sectors, and the "platformisation" of exchanges providing services on digital assets.* 133

[Convergences and divergences of TRIPS-plus provisions in the EU-Asia-Pacific trade agreements](#)

Su-Ju Kang

Abstract: *Examines whether EU-Asia Pacific trade partnership agreements demonstrate an element of regulatory harmonisation in their approaches to intellectual property (IP) protection. Discusses the relevance of TRIPS-related standards, and assesses the normative influences of the EU, China and the US on IP policy in the region, with reference to current diversities in areas including geographical indications, traditional knowledge and genetic resources.* 138

[Investment Arbitration and State-Driven Reform: New Treaties, Old Outcomes \(Publication Review\)](#)

Wolfgang Alschner

155