

FABIO C MOROSINI

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CURRENT ACADEMIC POSITIONS

Federal University of Rio Grande do Sul School of Law, Porto Alegre, Brazil

Professor of Law (tenured), 2011-present

Assistant Professor of Law, 2008-2011

Joint appointment with the Graduate Program in International Relations.

VISITING PROFESSORSHIP

University of Michigan Law School, Ann Arbor, USA

Visiting Professor, Winter 2020

Course taught: Law and Policy of Trade and Foreign Investment in Latin America

EDUCATION

University of Texas at Austin, Austin, TX

Ph.D. in Latin American Studies, 2007

Dissertation: The MERCOSUR and WTO Retreaded Tires Dispute – Rehabilitating
Regulatory Competition in International Trade and Environmental
Regulation

Honors: CAPES Foundation Fellowship, 2000-2004.

University of Paris 1 Pantheon-Sorbonne/Sciences Po, Paris, France

DESS in Law and Globalization, 2004

Honors: *Mention Assez Bien*.

University of Texas School of Law, Austin, TX

LL.M. in U.S. Law, 2001.

Federal University of Rio Grande do Sul, Porto Alegre, Brazil

LL.M. in International Law, 2000, Highest Honors.

Catholic University of Rio Grande do Sul, Porto Alegre, Brazil

LL.B., 2000

FELLOWSHIPS

FGV School of Law, Sao Paulo, Brazil

2018-2019

FAPESP Visiting Research Professor

Research project: The role of law in Chinese investments in Brazil

Fabio Morosini

Curriculum vitae

- New York University School of Law**, New York, NY 2015-2016
Hauser Global Research Fellow
Research project: Reconceptualizing Trade and Investment Law from the Global South.
- Ministry of Science and Technology**, Brasilia, Brazil 2015-present
Research Fellow
Research project: Right to Regulate in International Economic Law
- World Trade Organization**, Geneva, Switzerland 2009-2010
Postdoctoral Fellow
Research project: Trade Regulation and Climate Change.

SELECTED PUBLICATIONS IN ENGLISH

Edited volumes

RECONCEPTUALIZING INTERNATIONAL INVESTMENT LAW FROM THE GLOBAL SOUTH (Fabio Morosini & Michelle Sanchez Badin eds., Cambridge University Press) (2018).

Reviewed in:

- (2019) Journal of International Economic Law
- (2018) Cambridge International Law Journal
- (2018) Chinese (Taiwan) Yearbook of International Law and Affairs
- (2018) International Affairs

Articles and essays

Forum non Concurrence: The Resolution of Investment Treaty Disputes, 110 ASIL PROC., 51 (2016) (co-authored).

The Brazilian Approach to Its South-South Trade and Investment Relations: The Case of Angola, 43 DENV. J. INT'L L & POL'Y, 489 (2015) (co-authored with Michelle Sanchez Badin).

Trade and Climate Change: Unveiling the Principle of Common but Differentiated Responsibilities from the WTO Agreements, 42 GEO. WASH. INT'L L. REV., 713 (2010).

The MERCOSUR Trade and Environment Linkage Debate: The Disputes over Trade in Retreaded Tires, 44 J. WORLD TRADE, 1127 (2010).

Globalization & Law: Beyond Traditional Methodology of Comparative Legal Studies and an Example from Private International Law, 13 CARDOZO J. INT'L L. & POL'Y 541 (2005).

Chapters in edited volumes

Rethinking the Right to Regulate in Investment Agreements: Reflections from the South African and Brazilian Experiences, in GLOBALIZATION REIMAGINED: A PROGRESSIVE

Date prepared: June 4, 2020

AGENDA FOR WORLD TRADE AND INVESTMENT LAW (Alvaro Santos, Chantal Thomas & David Trubek eds. Anthem Press, 2019).

Brazil in the Shadow of Mega-Regional Trade and Investment Standards: Beyond the Grand Debate, Pragmatic Responses (co-authored with David M. Trubek and Michelle Sanchez Badin), in *Mega-Regionalism after TPP* (Benedict Kingsbury & Richard Stewart eds., Oxford University Press, 2019).

Petrobras in Bolivia: Is There a Rule of Law in the Primitive World?, in *GLOBAL PRIVATE INTERNATIONAL LAW: ADJUDICATING WITHOUT FRONTIERS* (Horatia Muir Watt & Diego Fernandez Arroyo eds., Elgar Publishers) (2019) (co-authored with Michelle Sanchez Badin).

Navigating between Resistance and Conformity with the Global Investment Regime: The New Brazilian Agreements on Cooperation and Facilitation of Investment (ACFIs), in *RECONCEPTUALIZING INTERNATIONAL INVESTMENT LAW FROM THE GLOBAL SOUTH* (Fabio Morosini & Michelle Sanchez Badin eds., 2017) (co-authored with Michelle Sanchez Badin).

Taking into account environmental, social and cultural concerns through the objective of sustainable development: Perspectives from the WTO Jurisprudence on General Exception, in *EFFECTIVENESS AND NORMATIVITY OF THE 2005 UNESCO CONVENTION OF DIVERSITY OF CULTURAL EXPRESSIONS* (Lilian Richieri Hanania ed., 2014).

The Status of Sustainable Development in the Law of the World Trade Organization, in *ARBITRAGEM E COMÉRCIO INTERNACIONAL: ESTUDOS EM HOMENAGEM A LUIZ OLAVO BAPTISTA [ARBITRATION AND INTERNATIONAL TRADE: STUDIES IN HONOR OF LUIZ OLAVO BAPTISTA]*, 529 (Umberto Celli Junior et al., 2013) (co-authored with Gabrielle Marceau).

Other

Strengthening Cooperation in the International Investment Regime: The Brazilian Model, *COLUMBIA FDI PERSPECTIVES* (2019) (co-authored with Nicolas Perrone and Michelle Sanchez Badin)

Making the Right to Regulate in Investment Law and Policy Work for Development: Reflections from the South African and Brazilian Experiences, *92 INVESTMENT TREATY NEWS* (2018).

The Brazilian Agreement on Cooperation and Facilitation of Investment (ACFI): A New Formula for International Investment Agreements?, *INVESTMENT TREATY NEWS* (2015) (co-authored with Michelle Sanchez Badin).

The MERCOSUR and WTO Retreaded Tires Dispute: Rehabilitating Regulatory Competition in International Trade and Environmental Regulation (Dec. 7, 2007) (unpublished Ph.D. dissertation, University of Texas at Austin).

The Interplay between the Electricity Sector and the Environment under NAFTA, *2 OIL, GAS & ENERGY LAW INTELLIGENCE* (2004), <https://www.ogel.org/article.asp?key=1112>.

SELECTED PRESENTATIONS

American Society of International Law, Miami, FL 2020

International Economic Law Interest Group Biennial Conference

Paper presented: *The Role of Law in Chinese Investments in Brazil: The Case of the Energy Sector*

Peking University Law School, Beijing, China 2019

Paper presented: *The Role of Law in Chinese Investments in Brazil: The Case of the Energy Sector*

Harvard Law School, Cambridge, MA 2018

Rethinking Trade and Investment Law Workshop

Paper presented: *Making International Investment Agreements Work for Development*

United Nations, New York, NY 2017

UN Audiovisual Library of International Law

Paper presented: *The Promotion of Health and Environmental Policies in the Jurisprudence of the WTO.*

American Society of International Law, Washington, DC 2016

International Economic Law Interest Group Biennial Conference

Paper presented: *Brazil in the Shadow of TPP: Between a Rock and a Hard Place.*

United Nations University, Tokyo, Japan 2016

Workshop on Contested Megaregulation: The Transpacific Partnership (TPP)

Paper presented: *Brazil in the Shadow of TPP: Between a Rock and a Hard Place.*

American Society of International Law, Washington D.C. 2016

110th ASIL Annual Meeting

Paper presented: *Forum non Concurrence in the Resolution of Investment Treaty Disputes.*

New York University School of Law, New York, NY 2016

Hauser Global Fellows Forum

Paper presented: *The New Brazilian Agreements on Cooperation and Facilitation of Investment (ACFIs): Navigating between Resistance and Conformity with the Global Investment Regime.*

McGeorge Law School, Sacramento, CA 2016

Investment Treaty Dispute Settlement Symposium on ISDS in and beyond the TPP and T-TIP

Paper presented: *Is There Life after ISDS? The Case of Brazil.*

New York University Law School, New York, NY 2015

Law and Development Colloquium

Paper presented: *Macunatima Looking for a Place in the African Savannas: What*

Lies behind Brazil-Angola Investment Regulation.

New York University Law School, New York, NY 2015
 Workshop on the Markets and the Transformation of Regulation under the New
 Megaregional Agreements — Impacts, Governance and Third Party Interests
 Paper presented: *Interactions between TPP, TTIP and Regional Systems – The
 Brazilian Experience in Latin American Context.*

Harvard Law School, Cambridge, MA 2015
 Institute for Global Law and Policy Annual Conference
 Paper presented: *Macunaíma Looking for a Place in the African Savannas: What
 Lies behind Brazil-Angola Investment Regulation.*

American Society of International Law, Denver, CO 2014
 Biennial Research Conference: Reassessing International Economic Law and
 Development – New Challenges for Law and Policy
 Paper presented: *The Brazilian Approach to Its South-South Trade and Investment
 Relations: The Case of Angola.*

FGV Direito SP, São Paulo, Brazil 2013
 Conference on Global Law and Development
 Paper presented: *Law and Sustainable Development in the WTO.*

American Society of International Law, Washington D.C. 2012
 106 ASIL Annual Meeting
 Paper presented: *Trade and Natural Capital: Ecosystems and Export-led
 Agricultural Strategies.*

World Trade Organization, Geneva, Switzerland 2010
 WTO Colloquium
 Paper presented: *Trade and Climate Change: Unveiling the Principle of Common
 but Differentiated Responsibilities from the WTO Agreements.*

Society of International Economic Law, Geneva, Switzerland 2008
 SIEL Inaugural Conference
 Paper presented: *The MERCOSUR and WTO Retreaded Tires Dispute:
 Rehabilitating Regulatory Competition in International Trade and
 Environmental Regulation.*

SELECTED PROFESSIONAL EXPERIENCE

FGV Center for Global Trade & Investment, São Paulo, Brazil 2017-2019
Senior Fellow
 Area of practice: international economic law and policy
 Advised governments and private sector on matters concerning trade and
 investment law.

International Court of Arbitration of the ICC, Paris, France 2004
Summer Law Intern
 Area of practice: International commercial arbitration.

Baptista da Silva Advogados, Porto Alegre, Brazil 2000
Associate
Area of practice: Civil and consumer litigation.

Formatted: Norwegian (Bokmål)

Federal Court of Appeals for the Fourth Circuit, Porto Alegre, Brazil 1998
Law Intern
Area of practice: Tax matters of federal interest.

PROFESSIONAL MEMBERSHIPS

Indian Journal of International Economic Law
Member of the Advisory Council, 2020-present

Texas International Law Journal
Member of the Alumni Board, 2018-present

Independent International Legal Advocates
Member of the Advisory Board, 2018-present

Society of International Economic Law
Member of the Nominating Committee, 2018-present

International Law Association - Brazil Branch
Member of the Board of Directors, 2014-present
Represented the Brazilian branch of the ILA before the committee on International Law on Biotechnology (2009-2010), the committee on International Trade Law (2011-2014), and currently before the committee on Trade and Sustainable Development in the Green Economy (2015-present).

Latin American Network of International Economic Law
Member of the Executive Council, 2011-present.

BAR ADMISSION

Admitted to the bar in Rio Grande do Sul, Brazil.

SELECTED ACADEMIC EXPERIENCE

United Nations, New York, NY
Teaches at the Regional Courses in International Law to government officials and junior academics from Latin America and the Caribbean, Apr. 2016-present
Course taught: International Trade Law.

International Law Association-Brazil Agendas – an international law blog
Editor-in-chief, 2020-present.

UFRGS Post-graduate Program in Law Law Review

Editor-in-Chief, 2019-present.

Brazilian Environmental Law Review

Member of the Editorial Board, 2013-present.

AUSTRAL – Brazilian Journal of International Relations

Member of the Editorial Board, 2011-present.

Brazilian Journal of Oil, Gas and Energy

Member of the Editorial Board, 2013-present.

Federal University of Rio Grande do Sul, Brazil

Member of the Graduate Program in Law Committee, 2014-2017.

Vice-chair of the Graduate Program in International Relations, 2014-2015.

Chair of the School of Law Research Committee, 2013-2015.

Chair of the School of Law Community Outreach Committee, 2011-2013.

TEACHING AND RESEARCH INTERESTS

International trade law; international investment law; international financial law; international dispute settlement; international business transactions; international sales of goods; international arbitration; law in the Global South; Latin American law; Brazilian law; legal methods.

LANGUAGE SKILLS

Fluent in English, Native Portuguese speaker, proficient in French and Spanish.

SELECTED RESEARCH GRANTS AND FUNDING

STATE OF RIO GRANDE DO SUL RESEARCH FOUNDATION, Porto Alegre, Brazil. Grant to conduct research about the impact of China's economic order on selected developing countries: trade, investment and finance (2020 – 2022).

NATIONAL COUNCIL OF TECHNOLOGICAL AND SCIENTIFIC DEVELOPMENT, Brasília, Brazil. Grant to conduct research on environmental damages in American private international law (2008 – 2010).

STATE OF RIO GRANDE DO SUL RESEARCH FOUNDATION, Porto Alegre, Brazil. Grant to conduct research on environmental protection and WTO law (2008 – 2010).

SUPERVISION

POSTGRADUATE STUDENTS CURRENTLY SUPERVISED

1. Matheus Gobatto Leichtweis, Democracia e direito internacional economico: um estudo a partir do Brasil [Democracy and international economic law: A study from Brazil] (Ph.D. dissertation, 2020-).
2. Laura Martins Muller, Direito internacional dos investimentos e mudancas climaticas [International investment law and climate change] (master thesis, 2020-)
3. Lucas Cardoso Martini, A delimitacao das excecoes brasileiras a transferencia internacional de dados: Uma analise comparada [Delimitation of Brazilian exceptions to the international data flow: A comparative analysis] (master thesis, 2020-)
4. Fabricio Jose Rodrigues Lemos, Direito internacional e pobreza [International law and poverty] (Ph.D. dissertation, 2017-).
5. Joao Rodrigues Chiarelli, O processo de integracao regional da China e sua construcao na governance global [China's regional integration in the context of global governance] (Ph.D. dissertation, 2019-).
6. Lademir Gomes da Rocha, A incorporação dos atributos-chave de resolução de disputas para instituições financeiras no sistema jurídico brasileiro [The incorporation of the key attributes of effective resolution regimes for financial institutions in the Brazilian legal system] (Ph.D. dissertation, 2016-).

POSTDOCTORAL FELLOWS SUPERVISED TO COMPLETION

1. Lucas da Silva Tasquetto, A regulacao dos servicos de educacao superior na OMC e nos Acordos Preferenciais de Comercio [The regulation of higher education services in the WTO and Preferential Trade Agreements] (2016).

POSTGRADUATE STUDENTSSUPERVISED TO COMPLETION

1. Rafael Rott the Campos Velho, Ordens juridicas transnacionais anticorrupcao: Impactos sobre a responsabilizacao da pessoa juridical no Brasil [Anticorruption transnational legal orders: Impacts on juridical persons' liability in Brazil] (Ph.D. dissertation, 2019).
2. Marina Sanches Wunsch, Empresas transnacionais e direitos humanos: Desafios juridicos e sociais a partir do direito internacional [Transnational corporations and human rights: Legal and social challenges from the perspective of international law] (Ph.D. dissertation, 2019).
3. Matheus Gobatto Leichtweis, O legado imperialista do direito internacional: um estudo critico sobre o imperialismo e a constituicao da ordem legal internacional contemporanea [The imperial legacy of international law: A critical study imperialism and the constitution of the international legal order] (master thesis, 2018).
4. Marcelo Borges Rodrigues, Resolução de disputas de investimento no Brasil [Investment dispute settlement in Brazil] (master thesis, 2016-2018).
5. Alexandre Luiz Schreiner, A contribuição dos países latino americanos na elaboração do TPP [The influence of Latin American countries in the making of TPP] (master thesis, 2016).
6. Ana Paula Olinto Yurgel, Arbitragem comercial como forma de resolução de controvérsias entre investidor estrangeiro e o estado brasileiro: Um comparativo com a arbitragem de investimento ICSID [Commercial Arbitration as a Forum for Investor-State Dispute Settlement: A Comparison with ICSID Arbitration] (master thesis, 2015).

7. Eduardo Bondarczuk. Brasil, Barreiras Técnicas e Desenvolvimento [Brazil, Technical Barriers to Trade and Development] (master thesis, 2015).
8. Luciano Vaz Ferreira, A Construção do Regime Jurídico Internacional Antissuborno e Seus Impactos no Brasil: Como o Brasil Pode Controlar o Suborno Praticado por Empresas Transnacionais? [The Making of the International Anti-bribery Legal Regime and Its Impact on Brazil: How Can Brazil Control Bribery committed by MNEs?] (Ph.D. dissertation, 2015).
9. Diego Trindade D'Ávila Magalhães, Globalizadores e a Globalização Comercial: a China é um país globalizador? [Globalizers and Commercial Globalization: Is China a Globalizer Country?] (Ph.D. dissertation, 2015).
10. Rafael Rott de Campos Velho, O Mercosul e a Regulação Ambiental: Entre Modelos, Fatos e Possibilidades [Mercosul and Environmental Regulation: Between Models, Facts and Possibilities] (master thesis, 2012).
11. Luísa Zuardi Niencheski, A Interface entre os Tratados Multilaterais Ambientais e as Regras de Comércio Internacional da OMC [The Intersection Between MEAs and the Rules of the WTO] (master thesis, 2013).
12. Matheus Linck Bassani, A Governança Internacional de Energia [International Energy Governance] (master thesis, 2014).

CONFERENCES ORGANIZED

Organizer, III Conferência da Rede Latino Americana de Direito Econômico Internacional [III Conference of the Latin American Network of International Economic Law], October 22-24, 2015.