

Dr Thomas Cottier, LL.M

Emeritus Professor of European and International Economic Law, Senior Research Fellow,
World Trade Institute, University of Bern, Switzerland

Attorney at Law
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- Educated at University of Berne Law School, including bar examination at the Berne Supreme Court (1971-77). Research assistant in constitutional and international law (1978-80). LL.M student at the University of Michigan Law School (1980/82), PhD in law, University of Berne Faculty of Law (1982) and research fellow in constitutional and public international law (1982-1994); Visiting Fellow, Wolfson College, Cambridge (1984-86).
- Member of the Swiss negotiating team at the GATT Uruguay Round (1968-1993) and at EEA negotiations (1989-1992). Legal officer and head of legal services of the GATT Division, Department of Foreign Economic Relations, Berne (1986-89), Deputy Director-General, the Swiss Federal Intellectual Property Office, Berne (1989-1993). Responsibilities included negotiations on dispute settlement, subsidies, services, and in particular intellectual property, both in GATT and EEA negotiations. Head of governmental task force on patentability of life forms, chairman on drafting committee on Swiss internal market regulation, codifying *Cassis-de-Dijon principle* for domestic interstate commerce.
- Member and chair of various dispute settlement panels in WTO/GATT; *Chile v. EC on Dessert Apples* (1989), *US v. EC on Apples* (1989), *Canada v. US on Magnesium* (1993), *US et al v. EC on Bananas II* (1994), *EC v. USA on automobile taxes* (1994), *Costa Rica v. USA on textile restriction* (1996), *USA v. EC and Canada v. EC on Measures concerning Meat and Meat Productions (Hormones)*, including arbitration (1996/7, 1999), *USA v. India on patent pipeline protection* (1997); *Japan and EC v. Canada on feed-in tariff programs* (2012); *Canada v. China on antidumping measures on wood pulp* (2016), *Philippines v. Thailand on customs and fiscal measures on cigarettes*, Art. 21(5) (2018), *Philippines v. Thailand on customs and fiscal measures on cigarettes*, Art. 21(5) (2019), *China v. EU measures related to price comparison methodologies* (2017/18); *Australia, Brazil and Equador v. India on Measures Concerning Sugar and Sugarcane* (2019/2020). Appointed in July 2020 to the pool of ten arbitrators of the Multiparty Interim Appeal Arbitration Arrangement Pursuant to Article 25 of the DSU (WTO).
- Full Professor of European and International Economic Law at the University of Berne, Director of the Institute of European and International Economic Law (1994 -2015), Co-founder and Managing Director of the World Trade Institute and of the MILE Program (Master of International Law and Economics), the Summer Academy and external programs (1999 - 2014); Dean of the Faculty of Law of the University of Berne (2006-2008), Director of the NCCR *International Trade Regulation: From Fragmentation to Coherence* (2006-2014).
- Former lecturer in European and International Law at the University of St. Gall (1986-1989), Associate Professor of European Law at the University of Neuchâtel (1992-96); *Professeur invité*, Graduate Institute, Geneva (2001-2003); visiting professor, Europa Institut, University of Saarbrücken (2001-); Paris-I Sorbonne (2009/2010), Torino (2005-

today) Visiting professor, University of Wuhan, ROC (2005-today); visiting professor and adjunct professor of law, University of Ottawa Faculty of Law, Common Law Section (2016-2025).

- Honorary Professor, Amity University, Uttar Pradesh, India (2014), honorary doctorate, University of Lucerne (2020) honorary doctorate, University of Saarland (2021).
- Council and Member of Division I of the Swiss National Research Foundation (1997-2004); Member of the Board of Trustees, IPGRI (International Plant Genetic Resources Institute, Rome) (1997-2004); Chairman, ECSA Suisse (1999-2010); Chairman, International Law Association, Committee on Biotechnology (2003-2010), Rapporteur, International Law Association, Trade Law Committee (2000-2012); Chairman, Berne Law Society (2004-2006); Member of the Committee of Distinguished Advisors, Institute of International Economic Law, Georgetown University, Washington D.C.; Member of the Board of Trustees, Max Planck Institute for Intellectual Property, Competition and Tax Law, Munich; Member of the Advisory Board of CIGI (Center Centre for International Governance Innovation), Waterloo, Canada (2014-2020); Member of the Board of Editors in particular of *Journal of International Economic Law*, *Journal of World Trade*, *The WIPO Journal* and the *European Yearbook of International Economic Law*.
- Editor of World Trade Forum Series, Michigan University Press and Cambridge University Press (1997-2015); Cambridge International Trade and Economic Law Series (CITEL), Cambridge University Press (since 2009); Studies in Global Economic Law (Peter Lang (since 1999).
- Of Counsel, Baker&McKenzie, International Law Firm, Geneva, London, Brussels and Washington, WTO Practice Group (1998-2005). Director of several consulting and capacity building projects for the Swiss Government (Central Asia) (2002-2005); Head of legal team of the Economic Policy Programme (DFID, London School of Economics) (1999-2005), preparing internal legislation for Palestine and bilateral agreements with Israel and for Camp David agreements.
- Main research interests over time: Principle of legality in constitutional law (PhD), European constitutional and economic law, Swiss-EU relations, WTO law, with a particular focus on principles and on intellectual property; multilevel governance and constitutionalization of public international law, More recently, focus on trade and climate change and the emerging principle of common concern of humankind. In international law: focus on the role of equity as a legal method in the context of maritime boundary delimitation and in other areas of international economic law.
- Chairman, Swiss Section of the European League for Economic Cooperation (1999 – 2016), President, *La Suisse en Europe*, Association (2014-2016) (as of 2016) and of the Swiss chapter of the European League of Economic Cooperation (ELEC).
- Married to Silvia Cottier Holzer since 1974, with three adult children (Annie M., Samuel and Maurice) and five grandchildren (Gerson, Elias, Sophie, Margot, Emilie).
- Leisure: Literature, history, classical music, sailing, hiking, downhill and cross-country skiing.
- Colonel (Infantry), Battalion Commander, and Legal Service of Swiss Army Chief of Staff, retired.

Berne, November 2022