

Postnational Rulemaking between Authority and Autonomy

20 & 21 September 2012

Bethaniënklooster, Baardesteeg 6b, 1012 BV Amsterdam

Organised within the framework of the project

[The Architecture of Postnational Rulemaking](#) at the University of Amsterdam, Faculty of Law

Programme

Thursday, 20 September	
9.00 – 9.30	Arrival
9.30 – 9.45	Opening: <i>Deirdre Curtin, University of Amsterdam</i>
9.45 – 11.15	<p>Panel 1 – Constructing Authority Chair: Nico Krisch, Hertie School of Governance</p> <ul style="list-style-type: none"> • <i>Nils Jansen, Wilhelms-Universität Münster:</i> Legal Systems and Informal Authorities • <i>Stephanie Law and Alexis Galán Ávila, European University Institute:</i> The Ever-Shifting Allocation of Authority • <i>Ingo Venzke, University of Amsterdam:</i> Between Power and Persuasion. On International Institutions' Authority in Making Law
11.15 -11.45	Coffee break
11.45 – 13.15	<p>Panel 2 – Legitimacy / Participation Chair: Jonathan Zeitlin, University of Amsterdam</p> <ul style="list-style-type: none"> • <i>Joana Mendes, University of Amsterdam:</i> EU Law and Global Regulatory Regimes. Hollowing Out Procedural Standards? • <i>Andreas Maurer, Universität Bremen:</i> Participation in the Making of Transnational Law. A Concept for Normativity and Legitimacy in Privately Created Norms • <i>Gautier Busschaert, Université Catholique de Louvain:</i> Between a Rock and a Hard Place. The Commission's <i>Soft</i> Consultation Regime
13.15 – 14.15	Lunch
14.15 – 15.45	<p>Panel 3 – Private Rulemaking Chair: Harm Schepel, Kent University</p> <ul style="list-style-type: none"> • <i>Peer Zumbansen, York University:</i> Transnational Private Regulatory Governance. Ambiguities of Public Authority and Private Power • <i>Fabrizio Cafaggi and Rebecca Schmidt, European University Institute:</i> Why Only Networks? The Nuanced Paths of Transnational Regulatory Cooperation • <i>Arkady Kudryavtsev, Maastricht University:</i> Private Standards and International Trade in Goods. Any Implications of WTO Law for Private Standard-Setting?
15.45 – 16.15	Coffee break

16.15 – 17.45	<p>Panel 4 – Judicial Rulemaking in the Postnational Setting Chair: Carol Harlow, London School of Economics</p> <ul style="list-style-type: none"> • <i>Emilia Korkea-aho, University of Helsinki:</i> In Reach of the EU Courts. Postnational Rulemaking in the Implementation of Chemicals Regulation • <i>Christina Eckes, University of Amsterdam:</i> Legal Reasoning in the Postnational Setting. The Case of the Court of Justice • <i>Chantal Mak, University of Amsterdam:</i> Fundamental Rights as Deliberative Principles in Transnational Private Law
18.30	Speakers dinner

Friday, 21 September	
9.00 – 9.30	Arrival, coffee and tea
9.30 – 11.00	<p>Panel 5 – New Sites of Authority Chair: Damien Chalmers, London School of Economics</p> <ul style="list-style-type: none"> • <i>Ramses Wessel, University Twente:</i> The Source of Authority in Informal International Lawmaking • <i>Chantal Bratschi, European University Institute:</i> Towards a Normative Compass. Tri-polar Analysis of Postnational Rulemaking • <i>Elaine Fahey, University of Amsterdam:</i> Authority and Law in the “Transatlantic Political Space”. In Between Legal Orders
11.00 – 11.30	Coffee Break
11.30 – 13.00	<p>Panel 6 – Rulemaking in Specific Fields Chair: Hans Lindahl, Tilburg University</p> <ul style="list-style-type: none"> • <i>Andrew Lang, London School of Economics:</i> Cognitive Determinants of Law Interpretation in the WTO • <i>Isabel Feichtner, Universität Frankfurt:</i> Processes of Transnational Lawmaking on Natural Resource Exploitation • <i>Tim Staal, University of Amsterdam:</i> Filling, Re-filling and ... Emptying? Development and Transformation of Environmental Treaties through Post-Treaty Instruments
13.00 – 14.00	Lunch
14.00 – 15.30	<p>Panel 7 – Private and Public Autonomy Chair: Andreas Føllesdael, University of Oslo</p> <ul style="list-style-type: none"> • <i>Paul Craig, University of Oxford:</i> Postnational Rulemaking. Conceptions of Legitimacy • <i>Daniela Caruso, Boston University:</i> The Baby and the Bathwater. The American Critique of European Contract Law • <i>Marija Bartl, University of Amsterdam:</i> On Democratisation of Expertise and European Private Law
15.30 – 16.00	<p>Views from International Public Law, European Public Law and European Private Law: <i>Deirdre Curtin, Martijn Hesselink, André Nollkaemper; University of Amsterdam</i></p>