



Institut suisse de droit comparé
Schweizerisches Institut für Rechtsvergleichung
Istituto svizzero di diritto comparato
Swiss Institute of Comparative Law



SVIR – Schweizerische Vereinigung für Internationales Recht SSDI – Société Suisse de Droit International

The Impact of Foreign and International Law on National Legal Systems Comparisons in Legal Development

26 – 27 April 2012

26 April 2012

- 0855 - 0900** **Welcome, *Christina Schmid*, Swiss Institute of Comparative Law**
- 0900 - 0915** **Opening Remarks**
Béatrice Métraux, Cantonal Councillor
- 0915 - 0945** **Opening Interventions**
Ergun Özsunay, President of the International Association of Legal Science (IALS),
Istanbul University
Christine Kaddous, President of the Swiss Association of International Law,
University of Geneva
Martin Wyss, President of the Swiss Society of Legislation, University of Berne

Session One: *International, Foreign and Comparative Law and Legal Reform*

Chair *Sabino Cassese*, Italian Constitutional Court

0945 - 1100 **First Panel: National and Regional Perspectives: Methods of Dealing with
International and Foreign Law**

The Impact of EU Law on National Legal Systems

Christine Kaddous, University of Geneva

Switzerland: Dealing with European and Comparative Law in Switzerland, an Overview

Peter V. Kunz, University of Berne

The Role of International and Comparative Law for Legal Development in Eastern Europe

Josef Skala, Swiss Institute of Comparative Law

The Role of International and Comparative Law for Legal Development in China

Lihong Zhang, East China University of Politics and Law

1100 - 1130 Break

1130 - 1230 Second Panel: Comparative Perspectives: The Role of International Institutions and Aid Agencies in Legal Reforms

Legal and Judicial Reform in Development: The Experience of the World Bank

Hassane Cissé, World Bank Group

The Role of International and Foreign Institutions for Legal Reforms in South America

Jorge L. Esquirol, Florida International University

Portugal: Legal Reforms as a Condition for Allocating Funds in the Context of the Financial Crisis

Dario Moura Vicente, University of Lisboa

1230 - 1300 Debate

1300 - 1430 Lunch

Session Two Case Study 1: Human Rights and Environmental Standards

Chair *Christine Kaddous, University of Geneva*

1430 - 1530 Third Panel: Human Rights

The Diversity of Human Rights Instruments and their Impact in Europe

Giorgio Malinverni, former judge at the European Court of Human Rights, University of Geneva

Human Rights and Legal Development in India

Upendra Baxi, University of Warwick

The Impact of International Human Rights Law in China

Harro von Senger, University of Freiburg i.Br., Swiss Institute of Comparative Law

1530 - 1600 Debate

1600 - 1630 Break

1630 - 1730 Fourth Panel: Environmental Standards

The Role of International Environmental Standards within the EU

Astrid Epiney, University of Fribourg

The Impact of International Environmental Standards in Africa

Patricia G. Kameri-Mbote, University of Nairobi

International water norms and principles - Impacts on water law and policy development in India

Philippe Cullet, SOAS, University of London

1730 - 1800 Debate

1800 - 1815 AiSDC award

1815 - 1900 Drinks

27 April 2012

Session Three: Case Study 2: International Business Law

Chair *Lukas Heckendorn Urscheler, Swiss Institute of Comparative Law*

0900 - 1030 Fifth Panel: Commercial Contracting

The impact of foreign and international law on the codification of the law of contracts in Latin America

Alejandro Garro, Columbia University

The Impact of International Trade Instruments on European Contract Law

Catherine Kessedjian, University of Paris II (Panthéon-Assas)

The Impact of International and European Standards on Swiss Contract Law

Franz Werro, University of Fribourg

Contracting with Public Authorities: International Public Procurement Standards

Michael Likosky, Institute for Public Knowledge, NYU

1030 - 1100 *Break*

1100-1200 Discussion

1200 - 1300 *Lunch*

1300 - 1400 Sixth Panel: Company Law

International and European Company Law Standards in Current Swiss Reform Debates

Walter Stoffel, University of Fribourg

The Impact of Foreign Legal Models on Company Law Reform in Russia

Alexander Komarov, Russian Academy of Foreign Trade, Moscow

The Impact of Foreign and International Law on the Development of Company Law in the British Virgin Islands

Martin Sychold, Swiss Institute of Comparative Law

1400 – 1420 **Discussion**

Session Four: Celebration 30 years SICL

1420 - 1430 Opening Address by the President of the Institute, *Michael Leupold, President of the Council of the Institute and Head of the Federal Office of Justice*

1430 - 1445 30 years of access to foreign law for legal reforms and legal research

Sadri Saieb and Lukas Heckendorn Urscheler, SICL

1445 - 1500 Address by the Federal Councillor Simonetta Sommaruga, Head of the Federal Department of Justice and Police

1500 – 1530 *Break*

Session Five: Conclusions

Chair *Mauro Bussani, University of Trieste, IALS*

**1530 - 1700 Panel Discussion:
International and Foreign Factors in Legal Reform: Risks and Opportunities**

Speakers *Patrick Glenn, McGill University*

Michael Bogdan, University of Lund

Martin Wyss, University of Berne, Federal Office of Justice, Swiss Society of Legislation