



Washington University in St. Louis

SCHOOL OF LAW

Washington University School of Law
Center on Law, Innovation, and Economic Growth
Workshop on International & Comparative Law

Friday, March 1, 2013

All presentations are in Seigle Hall except for the plenary session during Lunch

8:00 am	Continental Breakfast –Seigle Hall, Room 301, Rettner Classroom
8:30 am	Plenary Session—Seigle Hall, Room 301, Rettner Classroom Welcome by Professor Gerrit De Geest, Vice-Dean Melissa Waters, and Assistant Dean Peter Cramer
9:00 am	<p style="text-align: center;"><u>Room 111 (Chair: Professor Michael Faure, Maastricht University)</u></p> <p>Ran Chen, The Chinese University of Hong Kong <i>“Bureaucratization of the Judiciary, Chinese Style: A New Perspective for Understanding Chinese Judiciary”</i></p> <p>Alberto J. Cerda Silva, Georgetown University <i>“Identifying Supposed Infringers and Information Privacy”</i></p> <p style="text-align: center;"><u>Room 210 (Chair: Melissa Waters)</u></p> <p>Harry Borowski, Tulane University <i>“Weak States and Terrorist Organizations: A Proposed Model of Intervention”</i></p> <p>Parinaz Raisi, King’s College London <i>“The International Sources of Women’s Human Rights in Iran, Solutions or Obstacles?”</i></p> <p style="text-align: center;"><u>Room 208 (Chair: Assistant Dean Peter Cramer, Washington University)</u></p> <p>Marek Martyniszyn, Loyola University <i>“Foreign State Amici in U.S. Antitrust Cases”</i></p> <p>Xuanming Pan, Columbia University <i>“Toward Legal Empowerment: An Empirical Account of Paralegal Services by Grassroots Labor Organizations in China”</i></p>
10:00 am	Break—Seigle Hall, Suite 108, Detjen Seminar Room

10:30 am	<p style="text-align: center;"><u>Room 111 (Chair: Professor Michael Faure, Maastricht University)</u></p> <p>Chen Zhao, Washington University <i>"The Limitations of Comparative Law and Economic Analysis----Public Use As An Example"</i></p> <p>Yoshiaki Haraguchi, Stanford University <i>"A Comparative Study on Judicial Selection in the United States and Japan: Exploring the Relationship between Judicial Models and Public Confidence in the Courts"</i></p> <p style="text-align: center;"><u>Room 210 (Chair: Melissa Waters)</u></p> <p>Hyeyoung Lee, Indiana University <i>"Defining State for the Crime of Aggression: The UN General Assembly is the Editor for the ICC"</i></p> <p>Jorge Gonzalez, Harvard University <i>"The Human Rights Revolution and the Reshaping of Constitutional Thought: Argentina and Columbia in the 1980s"</i></p> <p style="text-align: center;"><u>Room 208 (Chair: Assistant Dean Peter Cramer, Washington University)</u></p> <p>René Reich-Graefe, Western New England University <i>"The Nonsense of Fiduciaries in Corporate Governance and (of) the Expressive Function of Corporate Law: A Comparative Analysis"</i></p> <p>Alessio Bartolacelli, University of Trento <i>"Legal Capital Vanishes? EU trends regarding almost-without-legal-capital private companies"</i></p> <p>Stijn De Dier, University of Leuven <i>"Challenging board decisions along the great divide. Qualitative risk assessment of the UK and continental European approach towards formal private company law enforcement"</i></p>
12:00 pm	<p>Lunch – Pick up box lunches in Room 320 Anheuser-Busch Hall Presentations- Room 310, Bryan Cave Moot Courtroom – Anheuser-Busch Hall</p> <p>Professor Michael Faure, Maastricht University <i>"Financial Compensation for Victims of Disasters – A Comparative and Economic Perspective"</i></p> <p>Professor Evert Verhulp, University of Amsterdam <i>"Comparative whistle blowing "</i></p> <p>Professor Gerrit De Geest, Washington University <i>"The Fahrenheit Fallacy in Comparative Law"</i></p>

2:30 pm	<p style="text-align: center;"><u>Room 109 (Chair: Professor Michael Faure, Maastricht University)</u></p> <p>Juan Diego Alvarez, Tulane University <i>"Democratic Experimentalism in the Extractive Industries in Colombia An inclusive, adaptable and efficient model of regulation of the mining industry"</i></p> <p>Seda Gayretli, Golden Gate University <i>"WIPO's clean technology transfer policies compared to WTO's TRIPS Agreement"</i></p> <p>Gianluca Gentili, University of Siena <i>"Protecting Rights in a 'Worldwide Rights Culture': An Empirical Study of the Use of Foreign Case Law by the Supreme Court of Canada (1982-2010)"</i></p> <p style="text-align: center;"><u>Room 210 (Chair: Jing Geng)</u></p> <p>William Worster, The Hague University of Applied Sciences <i>"The Inductive and Deductive Methods in Customary International Law: Traditional and Modern Approaches"</i></p> <p>Jessica Peake, University of California, Los Angeles <i>"Managerial Judging in International Criminal Law: A Failure for Expediency but a Triumph for Hybridization?"</i></p> <p>Mohamed Arafa, Alexandria University, Indiana University <i>"President Musri's Egypt Arab Spring: Does Egypt Will Continue to be a Civil State or Under the Umbrella of Islamic (Sharie'a) Law and Islamism?"</i></p> <p style="text-align: center;"><u>Room 208 (Chair: Assistant Dean Peter Cramer, Washington University)</u></p> <p>Fei Jiao, Washington University <i>"Who Touched My "Genetic Resource": Patentability of Human Genetic Resources"</i></p> <p>Ahmed Eldakak, Washington University <i>"National Exhaustion as a Tool to Improve Access to Medicine"</i></p> <p>Lindsey Carson, University of Toronto <i>"Restoring Law in Comparative Law and Economics"</i></p>
4:00 pm	Break—Seigle Hall, Suite 108, Detjen Seminar Room

4:30 pm	<p style="text-align: center;"><u>Room 109 (Chair: Professor Michael Faure, Maastricht University)</u></p> <p>Lorian Hardcastle, University of Toronto <i>"Litigating Access to Publicly Funded Health Services"</i></p> <p>John Bruegger, Washington University <i>"Freedom and the Rule of Law"</i></p> <p style="text-align: center;"><u>Room 210 (Chair: Jing Geng)</u></p> <p>Zhandra Marin, Tulane University <i>"Venezuelan Orden Publico, American Public Policy and the Most Significant Relationship"</i></p> <p>Yueting Jiang, University of Kansas <i>"Bloc Voting – A New Voting System for the IMF"</i></p> <p style="text-align: center;"><u>Room 208 (Chair: Assistant Dean Peter Cramer, Washington University)</u></p> <p>Julia Ju, International Max Planck Research School for Competition & Innovation, Stanford University <i>"IP Protection and its influence on Innovation and Creativity - Evidence from the Fashion Industry"</i></p> <p>Anat Alon-Beck, Cornell University <i>"A Multi-Stakeholder Approach to Promoting Innovation in the USA (and the World?)"</i></p>
5:30 pm	Sessions end
6:30 pm	Dinner—Knight Center Dining Room

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Center on Law, Innovation, and Economic Growth Workshop on International & Comparative Law

Saturday, March 2, 2013

All presentations are in Seigle Hall

8:30 am	Continental Breakfast—Seigle Hall, Suite 108, Detjen Seminar Room
9:00 am	<p style="text-align: center;"><u>Room 109 (Chair: Professor Michael Faure, Maastricht University)</u></p> <p>Jurgen Goossens, Ghent University and Yale University <i>“Judicial Review of Administrative Action: Judicial Monism versus Pluralism”</i></p> <p>Yaniv Roznai, London School of Economics and Political Science <i>“The Theory and Practice of ‘Supra-constitutional’ Limits Upon the Constitutional Amendment Power”</i></p> <p>Diego Germán Mejía-Lemos, National University of Singapore <i>“The International Rule of Law and International Arbitration”</i></p> <p style="text-align: center;"><u>Room 208 (Chair: Professor Gerrit De Geest, Washington University)</u></p> <p>Aline Van Bever, University of Leuven <i>“The Fiduciary Nature of the Employment Relationship”</i></p> <p>Hao Jiang, Tulane University <i>“Autonomy of Contract v. Protection of State Interest Chinese Contract Law on Relative Nullity in Comparison with Western Civil Law Jurisdictions”</i></p> <p>Fernando Dias Simões, University of Macau <i>“International Contracts in the XXI Century: Harmonization of Rules or Standardization of Clauses?”</i></p>
10:30 am	Break—Seigle Hall, Suite 108, Detjen Seminar Room

11:00 am	<p style="text-align: center;"><u>Room 208 (Chair: Professor Gerrit De Geest, Washington University)</u></p> <p>Kevin Cope, Washington and Lee University, University of Virginia <i>“The Intermestic Constitution: Lessons from the World’s Newest Nation”</i></p> <p>Baskaran Balasingham, King’s College London <i>“A Comparison between the Interaction of Leniency Programmes and Private Anti-Cartel Enforcement in the US and the UK”</i></p>
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Room 210 (Chair: Jing Geng)

Caroline Kaeb, Northwestern University

“How the European Court of Human Rights Discovers the Missing ‘Person’ in the Corporation: The Comparative Dissonance between American and European Approaches to Corporate Personhood”

Kushtrim Istrefi, University of Prishtina, Max Planck Institute

“The United Nations Security Council Resolutions in the European Courts: The Quest for Regime Compatibility on Fundamental Rights”

12:00 pm	Lunch—Seigle Hall, Suite 108, Detjen Seminar Room
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