

Global Challenges – Global Law

*A Symposium on the Future of International Law and Global Governance*

Swansea University

6th – 7th June 2013

Co-Sponsored by Swansea University School of Law; Rutgers School of Law – Camden; the Institute for Law and Philosophy, Tufts University Fletcher School of Law and Diplomacy; University of Turku Faculty of Law

*Symposium Theme*

This is a conference focused primarily on Joel Trachtman’s new book, *The Future of International Law: Global Government,* published by Cambridge University Press this year. It also extends the idea of the future of international law to the areas of private international law and transnational commercial law. Many of the most significant challenges we face now and will face in the future do not respect national borders and defy solution through state law alone. International law will need to step up and expand to address these challenges. Whilst this might mean that international law will expand in scope, it will still have to link to a number of other institutions that address these challenges, including transnational law, the law merchant, private international law, and harmonisation of state law. This symposium addresses these and other concerns as they are addressed in Professor Trachtman’s book. Coverage is partial and selective, with the aim of promoting discussion.

*Day 1*

Lunch (12.00-13.30)

Opening Remarks: Prof John Linarelli (Swansea Law, Head of School) (13.30-13.45)

**Panel 1: Global Law - Global Government? (13.45-15.15)**

This panel deals with questions such as: can there be a global government? What role will international law play? Is international law evolving into a global scheme of co-operation with a system of rules and institutions and a political conception of a global society in need of a global government? Is an international constitutional order in the making? This panel will set the stage for the symposium.

Chair: Dr Helen Quane (Swansea)

Prof Joel Trachtman (Tufts/Swansea)

Prof Dennis Patterson (Rutgers/ EUI/Swansea)

Prof Jukka Snell (Turku/Swansea)

Coffee (15.15-15.30)

**Panel 2: Transnational Commercial Law: Intersecting Private Norms with Public Law (15.30-17.00)**

The state either does not produce or has a supporting role in producing many of the norms of international commerce. These norms are the product of standard form contracts in longstanding use, interpreted by courts and arbitral tribunals, resulting in a rich set of norms to govern commercial transactions. These systems of rules often use English or New York law to fill gaps. What will be the role of this law in the future?

Chair: Prof Baris Soyer (Swansea)

Prof Peter Winship (SMU)

Prof Andrew Tettenborn (Swansea)

Prof Jan Dalhuisen (Kings/Berkeley)

**Evening**

Dinner, Castellamare (18.30-20.30) <http://www.castellamare.co.uk/>

(transport provided)

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*Day 2*

Coffee (8.30-9.00)

**Panel 3: Finance and Economics (9.00-10.30)**

Globalisation is pervasive in capital markets, international trade and foreign investment. The most recent global economic crisis was a stark illustration of the problems of externalities in financial markets. There are a number of global public goods in international finance, which are benefits to be shared by states. On the trade side, economic liberalisation continues apace, though its prominent structural characteristics seem to be trending towards the regional and away from the multilateral, at least for the time being. Getting these institutions right is of major consequence to many, and most importantly for the world’s poor.

Chair: Dr Andrew Iwobi (Swansea)

Prof John Linarelli (Swansea)

Dr Fiona Smith (UCL)

Prof Tuomas Mylly (Turku)

Coffee (10.30-10.45)

**Panel 4: The Environment (10.30-12.00)**

As Professor Trachtman states in his book, ‘The greatest unaddressed environmental threat of our time is climate change’. A sustainable climate is a global public good. As well, we face related global challenges associated with a variety of other challenges

including depletion of the ozone layer, endangered species, decreasing biodiversity, the priority of trade and economics over the environment and a host of issues associated with depleting oceans resources. Global cooperation is essential for effective protection of the environment.

Chair: Prof Karen Morrow (Swansea)

Prof Simon Caney (Oxford)

Prof Duncan French (Lincoln)

Prof Mark Stallworthy (Swansea)

Dr Rebecca Bates (Brunel)

Lunch (12.30-14.00)

**Panel 5: The Future of Private International Law? (14.00-15.30)**

How would a global government work with national governments? States have played a primary role in providing legal infrastructure. Is harmonisation of law through international conventions really possible to any appreciable extent? Or should we be relying on private international law? In both cases, municipal courts are essential in deciding disputes between private persons and in enforcing judgments and arbitral awards.

Chair: Prof Trey Childress (Washington & Lee/Pepperdine)

Prof Chris Drahozal (Kansas University)

Mr Simon Baughen (Bristol)

Dr Alex Mills (UCL)

Prof Catherine Rogers (Penn State)

Coffee (15.30-15.45)

**Panel 6: Cybersecurity and Cyberterrorism (3.45 -5.00)**

Chair: Dr Stuart McDonald (Swansea)

Prof Thomas Chen (Swansea)

Dr Theo Tryfonas (Bristol)

Dr Madeline Carr (Aberystwyth)

**Evening**

Dinner, Norton House (18.30-20.30) <http://www.nortonhousehotel.co.uk/>

(transport provided)

**Conference Venue: Patti Pavilion Swansea**