

Non-State Actors as Standard Setters: The Erosion of the Public-Private Divide

Conference, February 8-9 2007, Hilton Hotel Basel (Switzerland)

Day 1 (Thursday February 8 2007)

08:15–09:00 *Registration, Coffee and Pastries*

09:00–10:15 **Opening plenary**

Chair and welcoming remarks

Prof Dr Mark Pieth

Department of Criminal Law and Criminology, University of Basel; President, Basel Institute on Governance, Switzerland

Keynote speeches

Mal Nuhu Ribadu

Chairman, Economic & Financial Crimes Commission, Nigeria

Prof Dr Edith Brown Weiss

Chairperson, Inspection Panel, World Bank; Francis Cabell Brown Professor of International Law, Georgetown University Law School, USA

Philippe Montigny

President, Ethic Intelligence; Chairman, Working Party on the Prevention of Corruption, French Council of Investors in Africa; Executive Director, International Development & Strategies, France

Daniel Kaufmann

Director Global Program, World Bank Institute (tentative)

10:15–10:30 **Coffee Break**

10:30–12:30 ***Culture, trust and the constitution of state public norms (Plenary 1)***

Chair

Prof Dr Till Förster

Institute of Social Anthropology, University of Basel; Member of the Board, Basel Institute on Governance, Switzerland

Speakers

Ambassador Dr Paul Seger

Director, Directorate of International Law, Switzerland

Prof Dr Amadu Sesay

Department of International Relations, Obafemi Awolowo University, Nigeria

Fostering regulation? CSR in countries with weak regulatory capacity

Prof Dr Tanja Börzel or **Prof Dr Adrienne Héritier**

Otto Suhr Institut f. Politikwissenschaft, Freie Universität Berlin/European University Institute, Germany

The relevance of state law in the context of international migration: a case study of child adoption in Tanzania

PD Dr Urike Wanitzek

Institute of African Studies, University of Bayreuth, Germany

12:30–13:30 **Lunch**

13:30–15:30 **Pluralisation of norms and actors: consequences for governance (Plenary 2)**

Chair

Prof Dr Mark Pieth

Department of Criminal Law and Criminology, University of Basel; President, Basel Institute on Governance, Switzerland

Speakers

Dr Julia Black

Law Department, London School of Economics and Political Science, UK

Erwin B Koch, LL.D., MBA, PhD

Central Banking Studies, Bank for International Settlements, Basel, Switzerland

The erosion of the public-private divide and the rise of integrated governance: the case of CSR

Prof Doreen McBarnet

Centre for Socio-legal Studies, Oxford University, UK

Accountability of transnational actors: is there scope for cross sector principles?

Monica Blagescu

Accountability Programme, One World Trust, UK

15:30–16:00 **Coffee Break**

16:00–18:00 **Workshop A: Shifting perspectives: the scope of 'boundary' actors and arenas**

What's new? Local and regional non-state actors at the margins of public policy in Africa

Prof Dr Dieter Neubert (Chair)

Department of Sociology of Development, University of Bayreuth, Germany

Speakers

Le conseil des églises chrétiennes de Madagascar et l'engagement politique

Prof Dr Solofo Randrianja

Faculté des Lettres, Université de Tamatave, Madagascar

The role of non-state actors in standard setting processes for US-foreign policy: the example of the International Religious Freedom Act

Jeannette Schade

Associate Fellow, Institut für Entwicklung und Frieden, Germany

Environmental standards courtesy of Northern financial institutions - Insular phenomenon or the future of standard-setting in the South?

Marcus Schaper

Department of Government and Politics, University of Maryland, USA

Workshop B: Public-Private Partnerships (PPPs)

Prof Dr Laurent Goetschel (Chair)

Director, Swisspeace, Switzerland

Speakers

Business and public-private regulation of global public goods: beyond corporate social responsibility?

Dr Manfred Elsig or **Dr Franck Amalric**

Senior Research Fellow, World Trade Institute, Bern, Switzerland / Director, Cancer Biology Department, Institut National de Cancer, Paris, France

Conceptualizing the use of public-private partnerships as a governing mechanism in critical information infrastructure protection

Dan Assaf

Faculty of Law, University of Toronto, Canada

Regulation the extractive sector in multistakeholder initiatives

Carola Kantz

Department of International Relations, London School of Economics and Political Science, UK

20:00

Dinner

Day 2 (Friday February 9 2007)

08:00–08:30 *Coffee and Pastries*

08:30–10:30 **Workshop C: Methods and methodology of capturing governance**

Fredrik Galtung (Chair)
Executive Director, Tiri, UK

Speakers

Prof Dr Till Förster

Institute of Social Anthropology, University of Basel; Board Member, Basel Institute on Governance

Deliberative governance across borders - democratic legitimacy and effectiveness through non-state actors and public-private cooperation in the great lakes-regime

Dr Andreas Klinke

International Policy Institute, King's College London, UK

Focus non-western forms of governance: a statement for equivalence functionalism in governance research in areas of limited statehood

Anke Draude

SFB 700, Freie Universität Berlin, Germany

Microgovernance in Bangladesh: an effective tool of good governance

Aynul Islam

Bangladesh Institute of International and Strategic Studies, Bangladesh

Workshop D: Market spaces and government practice: fragmentation or consolidation of public authority?

Prof Dr Rolf Kappel (Chair)

Director, Postgraduates Studies on Developing Countries NADEL, Swiss Federal Institute of Technology, Switzerland

Speakers

The myth of international standards: imposing or imitating responsibility?

Egle Svilpaite

Department of Public International Law, University of Basel, Switzerland

Investing up: FDI and the Cross-Country Diffusion of ISO 14001 Management Systems

Aseem Prakash or **Matthew Potoski**

Department of Political Science, University of Washington, USA/Department of Political Science, Iowa State University, USA

Public law values and the governance of marketization in Africa: can administrative law rescue the state from emasculation?

Dr Migai Akech

Faculty of Law, University of Nairobi, Kenya

Certification as a new system of non-state global forest governance system

Stéphane Guéneau

Institut du développement durable et des relations internationales (IDDRI), France

- 10:30–11:00 **Coffee Break**
- 11:00–12:00 **Reports from the workshops**
- Lucy Koechlin** (Chair)
Programme Manager, Development Policy and Research, Basel Institute on Governance, Switzerland
- Chairs from Workshops A-D and Discussion*
- Prof Dr Dieter Neubert**
Department of Sociology of Development, University of Bayreuth, Germany
- Prof Dr Laurent Goetschel**
Director, Swisspeace, Switzerland
- Fredrik Galtung**
Executive Director, Tiri, UK
- Prof Dr Rolf Kappel**
Director, Postgraduates Studies on Developing Countries NADEL, Swiss Federal Institute of Technology, Switzerland
- 12:00–13:00 **Lunch**
- 13:00–15:00 **Sovereignty and territoriality (Plenary 3)**
- Chair
Prof Dr Anne Peters
Department of Public International Law, University of Basel; Member of the Board, Basel Institute on Governance, Switzerland
- Speakers*
- Bilateral investment treaties, non-state authority, and Africa
Prof Dr A Claire Cutler
Institute of International Law and Relations, University of Victoria, Canada
- States and transnational actors: reasserting sovereignty?
Ass Prof Peter Hägel
Department for International and Comparative Politics, American University of Paris, France
- Private standards in the North - effective norms for the South?
PD Dr iur Eva Kocher
Department of Economy and Politics, University of Hamburg, Germany
- 15:00–15:15 **Coffee Break**
- 15:15–17:15 **Insecurity and contested monopoly on the legitimate use of force (Plenary 4)**
- Chair
Ass Prof Anna Leander
Department of Intercultural Communication and Management, Copenhagen Business School, Denmark

Speakers

Private Military Companies: international humanitarian law considerations affecting their regulation

Lindsey Cameron

Department of Public International Law and International Organisations, University of Geneva, Switzerland

Coping with Illicit Power Structures

Michael Miklaucic

Chief Operating Officer, Office of Democracy and Governance, USAID, USA

Africa's Double Challenge: responding to international security systems and regulating private military forces

Dr Francis K. Wairagu

Moi University, Kenya

The role of the private business sector in conflict management: lessons from Guatemala

Dr Ulrike Joras

Project Director Business and Peace, Swisspeace, Switzerland

17:15–18:00

Closing plenary

Chair

Gretta Fenner

Director, Basel Institute on Governance, Switzerland

Speakers

Prof Dr Mark Pieth

Department of Criminal Law and Criminology, University of Basel; President, Basel Institute on Governance, Switzerland

Prof Dr Anne Peters

Department of Public International Law, University of Basel; Vice-President, Basel Institute on Governance, Switzerland

Prof Dr Till Förster

Institute of Social Anthropology, University of Basel; Board Member, Basel Institute on Governance, Switzerland