

When private actors contribute to public interests

A PhD roundtable forum on law and governance

Where: VU University Amsterdam, main building 11th floor, room 11-02

When: Friday afternoon 19 April 2013

Registration: Free registration via nilg.nl/roundtable-forum is required

The Netherlands Institute of Law and Governance (NILG) is organizing a supportive, interdisciplinary roundtable forum, specifically aimed at young researchers. Several PhD students will discuss their research on the interaction between private actors and public interests. This forum also provides opportunities to meet each other informally, during drinks afterwards.

Arguably, there is an increasing shift from ‘government’ to ‘governance’ as a means to adequately balance conflicting individual (private) interests and communal (public) interests. Taking this as a point of departure, the general theme of the discussions will be centred on the various ways in which private actors collectively contribute to the protection of public interests instead of or in addition to public actors. Relevant examples are bankers (not) ensuring the stability of financial markets, private networks of shopkeepers collectively ‘blacklisting’ shoplifters, the provision of essential public services by private actors, involvement of consumer associations in the enforcement of consumer law, private experts in criminal proceedings, self-regulation of the internet by ICANN and IETF, voluntary benchmarking regarding European employment strategies (i.e. the Open Method Co-ordination).

Ultimately, a number of fundamental questions arise here: Where does the legality and legitimacy for alternative modes of governance come from? To what degree is public-private interaction desirable in certain policy areas? To what extent can we expect private parties to safeguard or promote the public interest? Is our legal system capable of protecting individual citizens against abuse of power conducted by these private actors? What form of regulation leads to the optimum securing of public and private interests? How can the coherence of the law be guaranteed in all these developments? Fourteen PhD students will examine these issues in their specific research, while also senior researchers will address these issues in a more general sense.

The roundtable forum is organized by PhD students for PhD students. It offers a wonderful chance to share, discuss and compare your research with other students in a pleasant environment



Programme

- 11.30** **Welcome/lunch**
Main building 11th floor
- 12.15** **Opening Plenary**
Room 11-02
- Introduction to the forum*
Prof. dr. Sjoerd Zijlstra (VU University Amsterdam)
- Private Actors and Public Interests*
Adam McCann (University of Groningen)
- 12.45** **Parallel Session 1**
- (A) Energy and Sustainability*
Room 11-06
- (B) Criminal justice*
Room 11-10
- 14.15** **Tea/Snack Break**
- 14.45** **Parallel Session 2**
- (A) Commercial and Corporate Practices*
Room 11-06
- (B) EU and International law*
Room 11-10
- 16.15** **Closing Plenary**
Room 11-02
- Governance in Legal Research*
Dr. Richard Neerhof
- General reflections on the sessions/forum*
Dr. Antenor Hallo de Wolf
- 16.45** **Drinks**



Parallel session 1

(A) Energy and Sustainability

Chair: Suryapratim Roy (University of Groningen)

Private Governance in Nature Conservation: Translation of Public Law Values
Yun Ma (Erasmus University Rotterdam)

The Legal Practice of Public Participation in EIA in China: A Field Research
Huanlin Lang (University of Groningen)

*Realizing Universal Access to Modern Energy Services: Models for Private/Multi-Actor
Accountability in International Law and Global Governance*
Marlies Hesselman (University of Groningen)

(B) Criminal justice

Chair: dr. Sjoerd Bakker (VU University Amsterdam)

Euthanasia: A Law and Governance Perspective
Adam McCann (University of Groningen)

*The Constitutionality of Punitive Damages: A European Perspective on the Enforcement
of Criminal Law by Private Actors*
Daniël Overgaauw (University of Groningen)

Private Powers for Public Order
Mandy van Rooij (VU University Amsterdam)

Parallel session 2

(A) Commercial and Corporate Practices

Chair: Suryapratim Roy (University of Groningen)

Semi-public institutions and the applicability of substantive public law standards
Niels Jak (VU University Amsterdam)

Internal performance of SGIs in liberalised markets: a paradox
Willem Janssen (Utrecht University)

Governance of Companies of public interest
Jelle Nijland (Leiden University)



(B) EU and International law

Chair: Laurens Ankersmit (VU University Amsterdam)

Private Regulation as a form of New Governance in the European Union: How to Ensure Accountability and what Role for Courts?

Paul Verbruggen (Radboud University Nijmegen)

Regulating Remix Culture. The Reproduction Right in International and European Copyright Law

Hein Scholtens (VU University Amsterdam)

Changing Boundaries of Traditional Secrecy: Private Actors in the 'Wikileaks World'

Vigjilenca Abazi (University of Amsterdam)