



**center on
law & globalization**

A Partnership of the University of Illinois College of Law
and the American Bar Foundation

Annual Report of Activities

September 1, 2010 – August 31, 2011

Engaging Global Law-Makers



Participants of the Second Hague Colloquium on Systematic Sexual Violence and Victims' Rights which convened April 7-8, 2011

The Center brings the best social science to the most important issues confronted by global law-makers—health, terrorism, sexual violence, genocide, international trade, financial stability, money-laundering and rule of law. Repeatedly, since the Center's founding, international organizations have expressed their need for sophisticated advice and research on legal indicators, measurement of law in action and patterns of illegal activity. Again and again, social science concepts offer fresh and insightful perspectives for global law-makers confronted by often intractable challenges.

In the past year the Center has responded in meetings with the IMF and international financial institutions on financial stability; with the WHO and Geneva-based UN organizations on public-private partnerships; with the international criminal law tribunals at The Hague; with activists on systematic sexual violence against women; and with IOs and human rights leaders in China. on abuses against human rights lawyers.

Systematic Violence against Women

The Center and its partners convened the Second Hague Colloquium in April 2011 on systematic violence against women and victims' rights. More than two hundred participants—field activists, researchers, judges and lawyers from international tribunals, international criminal lawyers—joined in

this unique sharing of common interests. Leading researchers and activists reported on patterns of violence in Bosnia, Rwanda, Democratic Republic of Congo, Central African Republic, Darfur and Iraq. Judges, lawyers and observers reported on the uneven progress of international tribunals to prosecute and convict perpetrators for crimes of sexual violence. Others showed how the costs of violence to many victims continues for years of medical, psychological, social and community difficulties, leading to widespread depression, suicide and social isolation. The Trust Fund for Victims (International Criminal Court) reported on its many programs in Africa to provide reparations, medical interventions, counseling, jobs and re-building of communities. All agreed that research is fundamental to every facet of violence against women—predicting its onset, mapping its scope, demonstrating its long-term harms, and evaluating the effectiveness of post-conflict interventions.

The Center also fosters a network of scholars and activists working in the area of sexual violence as international crime through its social media platforms at Twitter and Linked-In and its electronic newsletter, *Sexual Violence and International Crime*. These platforms including the Center on Law and Globalization website will be used to create a general resource of case law, institutions, and people who are working in this area.

Public-Private Health Partnerships on the Global Stage

In May 2010 a Center Colloquium in Geneva took up the question of public-private partnerships in global governance. Well established international organizations (IOs) of states now find themselves increasingly engaged with powerful non-state actors. In international organizations, such as the World Health Organization (WHO) and World Trade Organization (WTO), nongovernmental organizations (NGOs) and philanthropies shape global standards. Significant private philanthropies, such as the Bill and Melinda Gates Foundation, have tremendous resources to advance the program aims consistent or in conflict with those of the WHO. International NGOs can raise public consciousness and help deliver public services in partnership or independently of international organizations of states or complicate the coherent delivery of public goods.

How can such public-private partnerships work harmoniously? In partnership with the University of Geneva's Department of Public International Law, the WHO and World Intellectual Property Organization (WIPO), the Center's Geneva Colloquium brought together scholars who specialize in global governance with senior officials who practice it.

WHO Legal Counsel, Gian Luca Burci said that state-centric multilateral organizations can no longer work alone. Yet no satisfactory new hybrid model of public-private partnership has yet emerged. WIPO Legal Counsel, Edward Kwakwa, and officials from the WTO, echoed their desire to find new models. The Center invited leading scholars from the US, UK, and Switzerland and the Organization for Economic Cooperation and Development (OECD) to consider emerging forms of governance. The Colloquium concluded that a new collaboration is needed between international organizations and academic specialists on governance. The Center is currently investigating the feasibility of a program where prominent IO scholars examine cases of IOs experimenting with public-private partnerships to determine if there are any issues and characteristics in common.

How to Measure Law's Impact on Financial Stability?

The Center's productive relationship with the International Monetary Fund Legal Department brought representatives from legal departments of major development banks to Washington, DC, in March 2010 to wrestle with a major problem for international financial institutions. How is it possible to measure law effectively? International financial institutions are charged with measuring whether the laws and legal institutions of countries conform to global standards. But with thirty or sixty or one hundred and fifty countries to cover, how can meaningful information be collected?

At the Center's Washington Roundtable, lawyers from the development banks—African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development, Inter-American Development Bank, and World Bank—described their instruments, their products and their challenges. Twelve social scientists from the United States and United Kingdom who specialize in measuring law in turn described their methods and offered comments.

Participants from the development banks reported that the one-day discussion had value, but more intensive discussions would be most constructive if tied to actual methodologies or reviews. The Center is responding with a unique pilot collaboration between the IMF Legal Department and specialists on evaluating anti-money laundering Reviews of Observance of Standards and Codes (ROSC) – diagnostic instruments in which the IMF and the Financial Action Task Force (FATF) evaluate the quality of national programs to combat money laundering and the financing of terrorism.

Forging Collaboration and Building Networks

These efforts at partnership between international civil servants who make and measure global law and academics who specialize in globalization each advance a central goal of the Center—to provide an empirical grounding for the policy choices that shape global norm-making and governance.

About the Center on Law and Globalization

A partnership of the American Bar Foundation and the University of Illinois College of Law, the Center on Law and Globalization was created in 2007 to advance social scientific understanding of global law, global legal institutions and global legal behavior. The Center focuses on international human and legal rights issues, notably justice and security, the international economy and marketplace, and health.

The Center on Law and Globalization aims explicitly

- to benefit international legal agencies, such as the United Nations Commission on International Trade Law, the Hague Courts, and the International Monetary Fund;
- to advance the research and scholarly frames available to global leaders;
- to enable national legal professions to catch a vision of the contributions they can make to advance participatory democracy;
- to help global and local leaders better understand the constraints, ideologies, and difficulties of advancing global agendas in a world of nation-states; and
- to provide concrete recommendations to better society and help global leaders advance the proper use of law and justice based on interdisciplinary research and findings.



Second Hague Colloquium on Systematic Sexual Violence and Victims' Rights Keynote Speakers Elisabeth Rehn, Minister of State of Finland and the Chair of the Board of Directors at the Trust Fund for Victims of International Criminal Court, and Ambassador Lionel Veer, Dutch Ambassador for Human Rights

Center on Law and Globalization Colloquia

The Second Hague Colloquium: Systematic Sexual Violence and Victims Rights

April 7–8, 2011, The Hague, The Netherlands

The Center and its partners convened the Second Hague Colloquium in April 2011 on systematic violence against women and victims' rights.

Organized in collaboration with the Grotius Centre for International Legal Studies, Leiden University; The International Victimology Institute Tilburg (INTERVICT), Tilburg University, and the Dutch Foreign Ministry.

The Public-Private Challenge for Governance of Multilateral Institutions: Issues in Health, Development and Trade

May 31 – June 1, 2010, Geneva, Switzerland

This Colloquium addressed how the increasingly hybridized system of markets and regulation create special challenges for such leading institutions as the World Trade Organization and the World Health Organization.

Measuring Law: How to do it Right in Real-World Circumstances

March 23, 2010, Washington, DC

Held in collaboration with the International Monetary Fund Legal Department, this colloquium brought together both scholars and leaders of international financial institutions to discuss the current challenges facing IFI legal departments.

Regional Colloquium on Globalization of Law, International Organizations, and International Law

September 25–26, 2009

Hosted in conjunction with International Organization and International Law Working Group, this Colloquium examined the globalization of law in the contexts of international human rights, finance, and organizational governance.

Affiliated Faculty

The Center informs its understanding of issues by drawing on a network of scholars from its partner institutions -- the University of Illinois College of Law and the American Bar Foundation.

Karen Alter

Associate Professor of Political Science
Northwestern University
Visiting Faculty, American Bar Foundation

John L. Comaroff

Harold H. Swift Distinguished Service Professor of Anthropology
University of Chicago
Research Professor, American Bar Foundation

William J. Davey

Guy Raymond Jones Chair in Law (retired)
University of Illinois College of Law

Matthew W. Finkin

Albert J. Harno and Edward W. Cleary Chair in Law
University of Illinois College of Law

Bryant Garth

Dean
Southwestern University School of Law
Director Emeritus, American Bar Foundation

Nuno Garoupa

Professor of Law
H. Ross and Helen Workman Research Scholar
Co-Director, Illinois Program on Law, Behavior and Social Science

Daniel W. Hamilton

Associate Dean for Academic Initiatives
Professor of Law and History
University of Illinois College of Law

James Heckman

Henry Schultz Distinguished Professor of Economics
University of Chicago
Research Professor, American Bar Foundation

Carol Heimer

Professor of Sociology
Northwestern University
Research Professor, American Bar Foundation

Patrick Keenan

Professor of Law
University of Illinois College of Law

Jay P. Kesan

Professor of Law
Director, Program in Intellectual Property and Technology
Mildred Van Voorhis Jones Faculty Scholar
University of Illinois College of Law

Robert M. Lawless

Professor of Law
Co-Director, Illinois Program on Law Behavior and Social Science

Peter B. Maggs

Clifford M. and Bette A. Carney Chair in Law
University of Illinois College of Law

Alberto Palloni

Board of Trustees Professor of Sociology
Northwestern University
Research Faculty, American Bar Foundation

Gregory C. Shaffer

Melvin C. Steen Professor of Law
University of Minnesota

Lesley Wexler

Professor of Law
University of Illinois College of Law

Cynthia A. Williams

Professor of Law
University of Illinois College of Law



Second Hague Colloquium Planning Committee Members (from left to right) Christine Schwöbel, Rianne Letschert, Renée Römkens, W.J.M. van Genugten, Charlotte Ku, Carsten Stahn, Anne-Marie de Brouwer, Terence Halliday, and John Hagan with the Colloquium's Keynote Speakers, Elisabeth Rehn and Ambassador Lionel Veer

Resources and Scholarship

To open public debate on global issues to a wide global audience, the Center hosts an interactive website at www.lexglobal.org, which provides easy access to ground-breaking research on its principal issues through its unique Smart Library where the best research has been transformed into easily accessible executive summaries. The Center website at www.lexglobal.org offers a rich range of research and teaching materials for all specialists in higher education, international organizations and international journalism.

In connection with the colloquium on Sexual Violence, the Center on Law and Globalization released its Smart Library on Genocide in June 2009. This library joins existing libraries on globalization

that includes materials on perspectives on law and globalization, sites and types of global lawmaking; and the global spread of law. The Smart Library covers issues that are critical in reporting regional crises and world news on genocide, civil war and systematic sexual violence. It shows how definitions of genocide have evolved and what evidence is needed by international courts to prove that genocide has taken place.

See www.lexglobal.org for these resources.

International Advisory Board

Gian Luca Burci

Legal Counsel
World Health Organization, Geneva

James H. Carter

Sullivan & Cromwell LLP, New York

Hilary Charlesworth

Australian National University, Canberra

Hans Corell

Chairman, Board of Trustees
Raoul Wallenberg Institute
Former Under-Secretary-General for Legal Affairs and
The Legal Counsel, United Nations, New York

Sean Hagan

General Counsel
International Monetary Fund, Washington, DC

Edward Kwakwa

Legal Counsel
World Intellectual Property Organization, Geneva

Antonio Mendes

Pinheiro Neto Advogados, São Paulo

Jernej Sekolec

Secretary
United Nations Commission on International Trade
Law, Geneva

Ex officio

Robert Nelson, Director, American Bar Foundation
Bruce P. Smith, Dean, University of Illinois College
of Law



*Dr. John Hagan, Center on Law and Globalization
Co-Director, discussing Government-Led Sexual
Victimization and Torture in Darfur and Pre-Invasion
Iraq at the Second Hague Colloquium at the Dutch
Foreign Ministry*

Directors

Ralph Brubaker

Co-director, Center on Law and Globalization
Professor of Law
Guy Raymond Jones Faculty Scholar
University of Illinois College of Law

Thomas Ginsburg

Co-director, Center on Law and Globalization
Leo Spitz Professor of International Law and
Professor of Political Science
The University of Chicago Law School
Research Professor, American Bar Foundation

John Hagan

Co-Director, Center on Law and Globalization
John D. MacArthur Professor of Sociology and Law,
Northwestern University
Research Professor, American Bar Foundation

Terence Halliday

Co-Director, Center on Law and Globalization
Research Professor, American Bar Foundation
Adjunct Professor of Sociology, Northwestern
University.

Charlotte Ku

Co-Director, Center on Law and Globalization
Professor of Law
Assistant Dean for Graduate and International
Legal Studies
University of Illinois College of Law

Center Staff

Allison Lynch

Development and Communications Associate
American Bar Foundation

Christine Renshaw

Assistant Director
Office of Graduate and International Legal Studies
University of Illinois College of Law

Lucinda Underwood

Director of Development and Communications
American Bar Foundation

For more information about the Center on Law and Globalization, see www.lexglobal.org or contact Charlotte Ku at chku@law.illinois.edu or +1-217-333-6066.



Center Supporters

The Center gratefully acknowledges the in-kind and financial contributions of its supporters.

University of Illinois College of Law

- Office of the Dean
- Office of Communications
- Office of Graduate and International Legal Studies

American Bar Foundation

- Office of the Director
- Office of Communications, Development, and Operations

The City of The Hague

Dutch Foreign Ministry

The Grotius Centre for International Legal Studies,
Leiden University

The International Victimology Institute Tilburg
(INTERVICT), Tilburg University

Mia Farrow

Carol Lee

Susan Vazzano

To support the work of the Center on Law and Globalization, please contact Charlotte Ku, Assistant Dean for Graduate and International Legal Studies, University of Illinois College of Law at chku@law.illinois.edu or Lucinda Underwood, Director of Communications, Development, and Operations, American Bar Foundation at lunderwood@abfn.org.



**A Partnership of the University of Illinois College of Law
and the American Bar Foundation**



750 North Lake Shore Drive
4th Floor
Chicago, IL 60611, USA
www.lexglobal.org