

CALL FOR PAPERS

“THE TRANSNATIONALIZATION OF ANTI-CORRUPTION LAW”

Paris, France, 6-7 December 2018

The Anti-Corruption Law Interest Group of the American Society of International Law (ASIL), Sciences Po Law School, and the Zicklin Center for Business Ethics Research of the Wharton School of the University of Pennsylvania are organizing an international symposium on the “Transnationalization of Anti-Corruption Law.” The conference will take place at Sciences Po Law School in Paris, France, on Thursday and Friday 6-7 December 2018. The organizers are accepting paper proposals until 23 July 2018.

The purpose of the conference will be to look back at the evolution of anti-corruption law as it affects cross-border business, trade, and regulation, but without taking the standpoint of a particular jurisdiction. This retrospective review will seek to explore the mechanisms that have led to the development of modern “transnational” anti-corruption law and standards. The conference will also discuss current challenges and possible ways forward. It will undertake to achieve these goals through an interdisciplinary approach considering public international law and private international law methods, as well as comparative law, among other fields, while looking at the role and influence of a variety of actors. The conference will also explore the contribution of other disciplines such as economics, political science, psychology and anthropology to understand their impact on the development of anti-corruption standards and their implementation in the transnational context.

With this in mind, the conference will consider whether and how anti-corruption laws and standards should synergistically lean towards transnational harmonization, unification, or remain a multitude of overlapping and possibly at times conflicting regulatory and procedural regimes. Discussing possible adjustments in transnational anti-corruption norms would imply looking at the following issues, among others:

- What prompted the process of transnationalization in the area of anti-corruption?
- What does transnationalization mean in the anti-corruption context?
- Is there a normative hierarchy in anti-corruption standards?
- How are anti-corruption law, concepts, and practices transplanted?
- What is the role of international organizations, regulators, national courts, NGOs, civil society, private actors, and international tribunals in defining anti-corruption norms and standards?
- How should anti-corruption regulators cooperate?
- What is the effectiveness and legitimacy of transnational anti-corruption law?
- Can transnational anti-corruption law find a coercive authority?
- Should there be a world anti-corruption court?
- Has the transnationalization of anti-corruption law gone too far?
- What can be learnt from other disciplines when it comes to devising or implementing anti-corruption laws and policies?

Symposium Topics

The symposium will consider a broad range of topics, including the following non-exhaustive list.

1. The Role of International Law in the Anti-Corruption Context
 - a. The role of international law in shaping anti-corruption norms. Issues touching on the OECD, the UN, GRECO conventions, and other regional instruments will be considered.
 - b. International institutions (OECD, UN, IMF, Multilateral development banks, etc.). Is there a global administrative law approach to anti-corruption?
 - c. Trade agreements and bilateral investment treaties. The symposium will consider how anti-corruption considerations are taken into account in the negotiation of multilateral and bilateral trade agreements.
2. Jurisdictional Issues
 - a. The symposium will discuss different bases, theories, and practices for exercising jurisdiction in the field of anti-corruption. This will range from civil, administrative and criminal law questions to issues in international dispute settlement.
 - b. In particular, under this topic the conference will seek to understand the concept of extraterritoriality, as defined and applied in anti-corruption law. It will seek to identify differences between countries and how jurisdiction is asserted in the anti-corruption context more generally.
3. Domestication and Acculturation of Enforcement Instruments and Compliance Methods
 - a. Introduction of instruments akin to the U.S. deferred prosecution agreement into other municipal laws (e.g., U.K., French, possibly Canadian and Australian legislation, as well as examples from other jurisdictions)
 - b. National non-binding guidelines; other soft law regimes
4. Standardization, Certification and Corporate Benchmarking
 - a. International Organization for Standardization Guidance
 - b. Certification organizations and their regulation
 - c. Relevant corporate governance transplants
5. Transnational Enforcement & Global Litigation
 - a. Enforcement cooperation and policy coordination between authorities
 - b. Corporate monitorships
 - c. Anti-corruption considerations in international litigation and arbitration
6. Multidisciplinary Approaches (economics, politics, psychology, anthropology, and more broadly behavioral sciences, etc.)

Call for Papers

The organizers are soliciting abstracts from academics, practitioners, NGO representatives, policy makers and regulators, private sector representatives, as well as others who are engaged in activities related to the study or control of corruption. Abstracts should indicate which of the above-suggested topics they fall within, or if not within the above topics, how the proposed presentation relates to the overall theme of the conference.

Presentation Proposals Guidelines

Abstracts are due by Monday 23 July 2018. Please submit your abstract in PDF format (400-500 words at most), along with a short biography (no longer than 250 words containing name, affiliation, email and phone contact details and an overview of relevant activities/publications). Please send your proposal and biography to the conference email: conference.anticorruption@gmail.com.

Conference Timeline

- The deadline for submission of abstracts is **23 July 2018**
- Successful applicants will be informed no later than **3 September 2018**
- The deadline for submission of full papers is **16 November 2018**

Symposium Book

All authors who present their work at the conference will be invited to submit their paper for publication. The Organizing Committee is envisioning a collective book based on conference papers and published by an international publisher recognized in the field.

Organizing Committee

Professor Régis Bismuth, Sciences Po Law School

Professor Philip M. Nichols, Zicklin Center for Business Ethics Research of the Wharton School (University of Pennsylvania) and Chair of the ASIL Anti-Corruption Law Interest Group

Jan Dunin-Wasowicz, Associate at Hughes Hubbard & Reed LLP and Vice Chair of the ASIL Anti-Corruption Law Interest Group

Please submit your proposals and any question to: conference.anticorruption@gmail.com