

**3<sup>rd</sup> Global Administrative Law Seminar, Viterbo, June 15-16, 2007**  
**Presentation and provisional program**

**PARTICIPATION OF PRIVATE ACTORS IN GLOBAL  
ADMINISTRATIVE LAW**

**1. Aims and issue**

Private actors are of pivotal importance in the emerging practice of Global Administrative Law.

On the one hand, individuals, private companies and NGOs are more and more affected by decisions taken by global administrations. GAL provides private parties with means of expression, by allowing them some influence on decisions taken by global administrations and by national agencies.

On the other hand, private actors are themselves shaping aspects of the law of global administration, and in some cases are conducting that administration themselves.

The aim of the Viterbo III conference is to discuss research on specific topics within this broader issue, and to develop key ideas as well as delineate areas requiring further investigation.

*1.1. Private Actors and global administration*

In most cases, GAL demands a multi-faceted involvement of private sector in global decision making processes (including determination of rights of specific persons, and rule-making). This occurs, for example, when an individual, a private company or an NGO:

- ✓ is included in the main organization of an international regime
- ✓ is entrusted with global administrative functions
- ✓ is allowed to attend to a meeting as an observer
- ✓ receives notice of a proposed action and an opportunity to comment or make representations before it is definitively taken
- ✓ receives access to information necessary to enable effective participation
- ✓ is given the chance to intervene during the judicial review process, acting as “amicus curiae” in the dispute

*1.2. Foreign private parties, foreign governments and domestic administration*

GAL multiplies the chances given to foreign parties and foreign government to have their voice on domestic choices. Again, to exemplify, this occurs when:

- ✓ a global norm requires national governments to consult with private parties (often irrespective of nationality)
- ✓ a global norm entitles private parties to challenge before global authorities the decisions adopted by national governments.

*1.3. Global and national*

- ✓ what is the impact of private parties on global decision making processes?
- ✓ does this lead to further changes?

The seminar will be held in Viterbo, at La Tuscia University (June 15-16, 2007).

## 2. Provisional program

### First session: Friday (15.00-19.00)

✓ Presentation of papers

Marco D'Alberti

(L. Dubin- R. Nogellou, *Public consultation in the decision making process in global administrative law*; M. Weimer, *The Role of Private Actors and Civil Society in the Application of the Precautionary Principle – Global Administration of Genetically Modified Products Between EU and WTO*)

Christian Tietje

(J. Green, *Hybrid Authority in the Clean Development Mechanism of the Kyoto Protocol*; T. Fidalgo de Freitas, *Participation, Proceduralization and Compliance: The Role of Private Actors in the Making of Standards and Recommended Practices by ICAO*; L. Dragomir, *Validation – an accountability mechanism for private actors' involvement in prudential regulation*)

Gregory Shaffer

(S. Gandhi, *Voluntary Environmental Standards: The Interplay Between Private Initiatives, Trade Rules And The Global Decision-Making Processes*; C.-H. Wu, *How Does TRIPS Agreement Transform Chinese Administrative Law?*)

✓ General discussion

### Second session: Saturday (9.30-12.00)

- ✓ Responses to Friday's comments by authors of the papers
- ✓ General discussion
- ✓ GAL Project: Agenda and Next Steps

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