

Project no CIT3-CT-2005-513420

# **REFGOV**

## **Reflexive Governance in the Public Interest**

Integrated Project

Priority 7 – Citizens and Governance in a knowledge-based society

### **PART I :**

#### **Periodic Activity Report Y5** **June 2009 – May 2010**

Period covered	<b>from 1/06/2009 to 31/05/2010</b>	Date of preparation
Start date of project	<b>1/06/2005</b>	Duration <b>5 years</b>
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Project coordinator Organisation name	<b>CPDR (Centre de Philosophie du Droit) Université catholique de Louvain</b>	Revision

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## 1. Table of deliverables

This is the report on the scientific activities in the course of the last and fifth year of the REFGOV project.

The Consortium concluded its work and the project delivered the results in terms of publication and dissemination.

The main outputs are : the REFGOV common publication “Reflexive Governance: redefining the public interest in a pluralistic world”, J. Lenoble and O. De Schutter, (eds), 2010, Oxford, Hart, and “Democracy Law and Governance”, J. Lenoble and M. Maesschalck, (2010) Aldershot, Ashgate.

A final conference was held in Brussel on May 26-27-28 2010 at the Palais des Académies

Each subnetwork completed the final work and went on disseminating the results towards scientific, ngo's and policy makers respective environments.

Besides the description of the work performed within each workpackage relevant to the 5<sup>th</sup> year, the present report provides in the annexes the list of the outputs – publications and workshops – conferences listed per workpackages.

Work package No	Work package title	Lead contractor No	Person-month	Start month	End month	Deliverable
WP1.-SGI Final phase	Comparative study to reconstruct the historical perspective of 'Public Services' in Europe	9		18	60	D 43 – D83 WP-SGI-26 (on the website from 6/10/12 2010)
WP2 –SGI Final phase	Governance of Services of general interest in the Energy Field – Institutional recommendations  Contribution to Common publication  See other papers : WP-SGI-11; 15; 16;	25		18	60	D 44 final WP-SGI-17  D 92.3  All Delivered
WP3.2-SGI Final phase	Governance of Services of general Interest in the Health Care Field – Institutional recommendations  Contribution to Common publication  See other papers : WP-SGI-12;13;14;16;18;19;24	30		18	60	D 45 WP-SGI-20;21;22;23 D 92.4  All Delivered
WP4-SGI	Regulation of Public Sector  Contribution to Common publication	32		0	60	D 46 (final) WP-SGI-10 D 92.5  All Delivered
WP5-SGI	Collective actors	1		8	60	D 60 WP-SGI-25 Delivered
WP6-WP7-WP8-WP9-WP10-GPS	Workpackages Global Public Goods and Services Completed  Next WP on this theme: WP26-27-32					
WP11-IFM	Transversal activities  Contribution to Common publication  Policy Brief IFM	22		0	8	D24-D25 D84-D85  D 92.8  See WP-IFM-92

						All delivered
WP12.1/2 -IFM	Creation and governance of competitive mechanisms in the Network industries  Assessment of alternative arrangements for local services of economic general interest	23		0	60	D86 a –b continued  WP– IFM – 65 to 76  list publications
WP13-IFM	Self-Regulated-e-Communities	22		0	60	D87 Delivered see Book and Papers – list publications
WP14-IFM	Collective governance of quality in business networks - Analysis of franchise contracts	19		0	60	D89 1-2-3-4  GDelivered See publication list + WP-IFM-77-78-79
WP15-IFM	Intellectual Property Rights, incentives to invent, to accumulate knowledge and to circulate Intangibles	17		0	60	D54  See academic publications +  WP-IFM-80-81-82-84-85-86-87-92
WP16-IFM	Behaviors, contractual practices and the legal environment	20		0	60	D55  See academic publications +  WP-IFM-80-81-88-89-90
WP17-CG WP18-CG WP19-CG	Evolution of corporate governance codes and norms Impact of financialisation on employment and performance and Enterprise level case studies of impact of corporate governance norms	26-		0	60	D92.7
WP20-CG	Corporate governance and network relations	6-18		0	60	See three edited books publication
WP21-WP22- WP23 FR	Workpackages first phase Fundamental Rights completed			0		

Work package No	Work package title	Lead contract or No	Person-month	Start month	End month	Deliverable
WP24- 25-TNU	-Component 1: Theory of the Norm and theory of governance	1		0	60	See publication Delivered D92 .1 Delivered
WP27-GPS	Institutional architecture  See also  WP-GPS-18-19-20-21-22	1-8		20	60	3 Special Issues in journals Delivered
<i>Workpackages FR 28- 29-30-31-33 completed see WP 34</i>						
WP32-GPS	Synthesis WP for Institutional design Proposals  Contribution to Common publication	1		30	60	D-65.1 – D-65.2  D 92.2  Completed
WP34-FR	Synthesis WP phase 3 Fundamental Rights  Contribution to Common publication	1		36	60	D 70-72 Delivered WP-FR- 33 Academic publications D 92.6
WP35-CTS	Cross-thematic seminar	1		42	60	<b>D92 Common Publication</b>  COMPLETED

## 2. Workpackages Description

### 2.1 Workpackages Services of General Interest - SGI -

#### Work package 1 description – SGI

<b>Workpackage 1 Final</b>	SGI Historical Perspective	<b>Start date or starting event:</b> Month 49
<b>Participants</b>		Contractors 9, 2, 5, 25,26, 29, 30,11-32
<p><b><u>Objectives:</u></b></p> <p><i>General objectives</i></p> <ul style="list-style-type: none"> <li>- To contribute to a better knowledge of the modalities and historical steps of the building process of reflexive governance mechanisms within the services of general interest.</li> </ul> <p><i>Specific objectives</i></p> <ul style="list-style-type: none"> <li>- To produce national/sector contributions devoted to the historical steps in the establishment of reflexive governance mechanisms within the services of general interest.</li> <li>- To propose a framework to describe the historical perspective.</li> </ul> <p><b><u>Description of work:</u></b></p> <p>The research on the historical perspective is now accomplished. This research was built in three steps. Initially, the national teams of the SGI sub-network produced an analysis of key documents reflecting the transformations in the SGI - governance facing the neo-liberal critiques on the legitimacy and efficiency of the public intervention. In a second step, the national teams produced papers devoted to specific public sectors: Energy and Healthcare. The purpose was to give an account of narratives of the governance design evolution. Specifically, these papers focused on how the institutional design was conceived and justified. In a third step, the project was to confront these narratives of the governance technology and to point out how is configured the common knowledge of the services of general interest. To this end, based on a synthesis of the national teams' contributions, the research chose to focus on the role of the international comparisons in the national discourses, especially in the Healthcare sector. In reporting the transformation of the comparison methodology, it is possible to highlight the influence of the neo-liberal critiques in the way services of general interest are represented in Europe.</p>		
<p><b><u>Deliverables</u></b></p> <p><b>D 43-83</b> REFGOV-WP-SGI-26 Jérôme Porta, 2010, Justifications and the organization of services of general interest. Historical perspective on governance</p>		



### Work package 2 description – SGI

<b>Workpackage 2.Final</b>	SGI Energy	<b>Start date or starting event: 1</b>	Month 60
<b>Participants</b>	Lead contractor 25	2, 5, 29.	
<b><u>Objectives:</u></b> <i>Major Objectives</i> <ol style="list-style-type: none"> <li>1. To develop a set of interlocking case-studies on reflexiveness in different national energy systems</li> <li>2. To co-ordinate the case-studies with other work in SGIs, in particular healthcare</li> <li>3. To contribute to the historical study of reflexiveness and SGIs.</li> <li>4. To develop institutional proposals.</li> </ol>			
<b><u>Description of Work</u></b> <p>The work planned in the previous report has been completed. The detailed national reports were refined, and presented at the final conference; this included a major updating of the Hungarian report. Institutional proposals have been published in the website. The chapter for the common REFGOV publication was completed on time, and published for the final conference in May 2010. A number of other publications were produced; for example, the UK study contributed to Tony Prosser's discussion of deliberative regulation in <i>The Regulatory Enterprise</i> (Oxford University Press, 2010). It was not possible to complete a further article on land use planning due to uncertainties connected with the change of Government in the UK, and to the appointment of Helen Adlard as director of legal services of the Infrastructure Planning Commission, which prevented her publishing in relation to the Commission's work; however, further work will be carried out in this area when future policy becomes clearer. The German team published a number of pieces of work based on the REFGOV work, including a 400-page dissertation, and the Hungarian team published an article describing the case-study. Two sessions of the final conference were devoted to the findings of the teams, all of whom attended; these were discussed by invited rapporteurs and conclusions reported to the main conference.</p>			
<b><u>Deliverables</u></b> <p><b>D44</b> Final institutional proposals; delivered and available on the website. REFGOV-SGI-17  <b>D92 (3)</b> Chapter 'SGI Energy' for the common REFGOV publication; completed and published as Tony Prosser, Helen Adlard, Burkard Eberlein, Gabriele Britz and Karsten Herzmann 'Neo-Institutionalist and Collaborative-Relational Approaches to Governance in Services of General Interest: The Case of Energy in the UK and Germany' in Olivier De Schutter and Jacques Lenoble, eds., <i>Reflexive Governance: Redefining the Public Interest in a Pluralistic World</i>, (Oxford: Hart Publishing, 2010), 67-95.</p> <p><b>See all the outputs resulting from this research in Annex 1 : SGI outputs / Energy</b> attached to this annual report. They also are listed and posted (working papers ) on the website  <a href="http://refgov.cpd.r.ucl.ac.be/">http://refgov.cpd.r.ucl.ac.be/</a></p> <p><b>Papers resulting from this research group :</b></p> <ul style="list-style-type: none"> <li>- REFGOV-SGI-11, Changes in the Regulation of the Hungarian Electrical Energy Market - 2007-2010, by Navratil Szonja, (2010)</li> <li>- REFGOV-WP-SGI-15, Price Regulation in Hungary in the Electricity Market, by Gergely Barjusz and Zoltán Fleck (2010)</li> <li>- REFGOV-WP-SGI-16, The Changes of Regulatory Frameworks of Services of General Interests in Hungary by László Boros (2010)</li> </ul>			

**Milestones and expected result : All successfully completed.**

- Final draft of the institutional proposals.
- Final draft of contribution to common publication.
- Planning and presentations for the final conference May 2010

Work package 3 description – SGI

<b>Workpackage 3.Final</b>	SG I - Health care	<b>Start date</b>	Month 48
<b>Participants</b>	Lead contractor 30	5, 9	
<b><u>Objectives :</u></b>  <b>Main objectives</b> <ol style="list-style-type: none"> <li>1. To adapt the general themes of the research to the context of healthcare governance</li> <li>2. To ensure effective communication and an integrated approach between the national teams involved in the healthcare research.</li> <li>3. To coordinate the case studies with other works in SGI's, in particular energy;</li> <li>4. To develop institutional proposals-Final version</li> <li>5. To complete publications and carry further empirical research applying the REFGOV social learning approach with particular reference to the role of voluntary sector organisations (Rethink, Macmillan, Marie Curie) in healthcare governance in England.</li> </ol>			
<b><u>Specific objectives and Description of Work :</u></b> <ul style="list-style-type: none"> <li>• Final reports for the UK, Hungary and France were revised and submitted for publication on the project website. Revised versions of institutional proposals were completed by the UK and Hungarian teams to inform discussion at the final REFGOV conference in Brussels in May 2010. The institutional proposals of the French team were completed and posted on the website.</li> <li>• Further empirical work was undertaken as planned by members of the Leeds team, applying the REFGOV social learning approach with particular reference to the role of voluntary sector organizations in healthcare governance in England. A paper based on this work was completed and made available for the final conference: C. Mullen and P. Vincent-Jones, 'Reflexive Governance as Social Learning in Non-Governmental Organizations: Two Case Studies of the Genetic Approach'.</li> <li>• Members of the Leeds team have submitted a paper for consideration for publication by the UK journal, <i>Policy and Politics</i>: C. Mullen, D. Hughes, and P. Vincent-Jones, 'The Democratic Potential of Public Participation: Healthcare Governance in England'.</li> <li>• Members of the Leeds team are seeking funding for a research project developing the REFGOV perspective, 'Reflexive Governance as Social Learning: Investigating the Transformative Potential of NGOs in Health and Social Care Networks in England and Wales.'</li> </ul>			
<b><u>Dissemination</u></b> <b><u>Conference and workshop presentations (apart from REFGOV events) in year 5</u></b> <p>P. Vincent-Jones, 'Embedding Economic Relationships through Social Learning? The Limits of Patient and Public Involvement in Healthcare Governance in England', paper for Centre for Socio-Legal Studies workshop, <i>Socializing Economic Relationships – New Perspectives and Methods for Analysing Transnational Risk Regulation</i>, Oxford University, 15<sup>th</sup>-16<sup>th</sup> April 2010.</p> <p>D. Hughes, 'Social learning in recent UK health reforms and policy divergence in England and Wales', Faculty of Public Health, Naresuan University, Phitsanulok, Thailand. April 1 2010.</p>			
<b><u>Previous years but not yet reported</u></b> <p>D. Hughes, 'Choice or voice? PPI and the re-positioning of the state in England and Wales', University of Edinburgh, SDO Workshop (organiser, S. Peckham) with invited external speakers.</p>			

March 19-20, 2009.

D. Hughes, 'Divergence in UK health policy: the contrasting cases of England and Wales,' Open Lecture, Department of Healthcare Management, Hacettepe University, Ankara, Turkey. March 6, 2008.

D. Hughes, 'Policy divergence in the British NHS: the contrasting cases of England and Wales', Lezione Magistrale (Master Class) at Germaneto campus (Law and Economics Building), Magna Graecia University, Catanzaro, Italy. April 15, 2008.

D. Hughes, 'Divergence in UK health policy: the contrasting cases of England and Wales', Open Seminar, College of Public Health Sciences, Chulalongkorn University, Bangkok, Thailand. August 21, 2008.

D. Hughes, 'Economics, geography or institutions? Using neo-institutional theory to understand recent UK health policy', Invited presentation at: One day symposium: Making connections between medical sociology & organizational studies to explore the management of change in healthcare systems, National College for School Leadership (NCSL), Nottingham. December 11, 2008.

### **Deliverables SGI:**

**D45:** Sector Report on the general first outline of institutional proposals (month 52). See Working papers REFGOV-SGI-20 (Hungary); REFGOV-SGI-21(England); REFGOV-SGI-22(Wales); REFGOV-SGI-23 (France) <http://refgov.cpdr.ucl.ac.be/>

**D92 (4)** Chapter healthcare for the common REFGOV publication completed and published as Peter Vincent-Jones and Caroline Mullen 'From Collaborative to genetic Governance: The Example of healthcare Services in England' in Olivier De Schutter and Jacques Lenoble, eds., *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, (Oxford: Hart Publishing, 2010), 147-178.

Further empirical work by members of the Leeds team resulted in a paper made available to conference delegates, C. Mullen and P. Vincent-Jones, 'Reflexive Governance as Social Learning in Non-Governmental Organisations: Two Case Studies of the Genetic Approach'.

**See all the outputs resulting from this research in Annex 3/SGI – outputs** attached to this annual report. They are listed and posted (working papers) on the website : REFGOV WP-12; WP-SGI-14, WP- SGI-13; WP-SGI-18; WP-SGI-19; WP-16; <http://refgov.cpdr.ucl.ac.be/>

### **Milestones and expected result :**

In addition to providing revised reports and institutional proposals, the healthcare sub-group undertook to involve stakeholders in the two healthcare workshops at the final conference. The aim of engaging stakeholders in the workshop discussions was achieved.

Stakeholders invited to participate and who played an active role in the workshops included: Dr Jane Hartley, Head of Contracting and Performance, Heatherwood and Wexham Park Hospitals Trust; Dr David Rea, Associate Director of *Involving People*; Dr Jayne Taylor, of West Hertfordshire Hospitals NHS Trust and Hertsmere Commissioning Consortia; David Mathews, Co-chair of the *European Institute for Public Participation*; and Jeremiah Mwangi, Director of Policy and External Affairs, *International Alliance of Patients' Organizations*; and Professor Jonathan Tritter, formerly Special Adviser to government on PPI, *NHS Centre for Involvement*, University of Warwick.

Work package 4 description – SGI

<b>Workpackage 4</b>	SGI	<b>Start date</b>	Month 25
<b>Participants</b>	11-32		
<p><b><u>Objectives:</u></b></p> <p><b>Main Objectives</b>          The two final commitments have been completed on schedule :          - The revised and final version of an academic paper on reflexive governance and better regulation          - The chapter for the common publication. August 2009</p> <p>- To develop empirical analysis in the three domains of better regulation, higher education and prisons          - To ensure effective communication with the other parts of the sub-network and the theory group</p> <p><b>Specific Objectives</b></p> <p>To produce comparative reports on the three domains</p> <p>To develop and synthesise institutional proposals based on these reports.</p> <p>To compare these with the institutional proposals developed in other areas of the sub-network.</p> <p>To develop in publishable form a synthesis of the work and findings for publication and contribution to the common publication</p>			
<p><b>Description of work :</b></p> <p>The objective of the work-package addressing regulation of the public sector was to inquire into the extent, nature and potential of reflexive governance in the public sector through comparison of reflexive governance in the UK and Australia. Scoping work was undertaken in respect of regulation of prisons, higher education institutions and programmes of better regulation. Better regulation was selected for the empirical component of the research for a number of reasons. First there was evidence of a strongly reflexive element in supranational policy in the EU and in particular in the OECD. Second there was very limited evidence of reflexive governance in the regulation of prisons. Third, policies of better regulation have a high degree of importance within both EU and national regulatory policy. A programme of documentary research and interviews was undertaken within the UK and Australia and Ireland was added to the research because of the interested it added as a late mover on better regulation policies (a policy taker rather than a policy maker, in contrast to the UK and Australia).</p> <p>The outputs of the research include a substantial working paper which reports the empirical research, two further working papers addressing both theoretical and empirical results from the research, a chapter contribution to the project book on Reflexive Governance, addressing meta-regulation and reflexive governance in regulation generally, and a commissioned article for a journal special issue on democratic governance and better regulation.</p> <p>The research has found that whilst national policies on better regulation give prominence to more open and reflexive processes for shaping both objectives and instruments for regulation, the</p>			

implementation of the policies tends to be restricted to more mechanistic and narrow processes of regulatory impact analysis. The research highlights parallel policy processes in regulatory fields such as environmental regulation where there is greater evidence of reflexivity in regulatory governance and offers institutional recommendations for learning from such experience to deploy more reflexive governance modes as a more integral part of better regulation policies. Strong communication between the sub-group projects supported mutual learning and is reflected in the extensive cross-references in the chapter contribution to the project book. In this way the research effectively provides a synthesis of the theory, the empirical research and the institutional proposals.

**Deliverables SGI regulation of the Public sector:**

**D 46** - Final version of academic paper 'Better or Meta in Regulatory Reform' Ciara Brown and Colin Scott commissioned for a special issue in European Public Law to be published in 2011, see REFGOV-SGI-10. <http://refgov.cpdr.ucl.ac.be/>

**D92- 6** – Chapter for the common REFGOV publication completed and published as Colin Scott 'Reflexive Governance, regulation and meta-regulation: Control or Learning?' in Olivier De Schutter and Jacques Lenoble, eds., *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, (Oxford: Hart Publishing, 2010), 43-63.

Work package 5 description – SGI

<b>Workpackage 5</b>	SGI 5	<b>Start date or starting event:</b>	Month 8
<b>Participants</b>		CPDR/UCL 1	
<p><b><u>Objective :</u></b></p> <p><i>Main objective :</i>          This research will be developed to highlight and reconstruct empirically the reflexivity of collective actors who have been involved in the debate on the recent transformation of SGI governance</p> <p>The present report concerns the last task of the final and interactive part of the third step - starting on month 49 up to month 60. As planned last year, the task was to organize a work seminar oriented to policy proposals in order to identify which criteria could be proposed to improve the governance of the sector, that is which criteria of self-capacitation (self-enabling), which according to our research hypotheses would improve the governance of this sector in the public interest.</p> <p>The research strategy we chose in that final state was to cooperate in organising the work seminar with actors of the civil society already recognized by the unions. We cooperated with the MOC-Mouvement Ouvrier Chrétien (Christian Workers' Movement) which is the political branch of one of the major unions involved in the sector (LBC-CNE). The MOC coordinates operations concerning the users of the electricity sector. We organized, with them, two major seminar sessions in November 2009 (month 55) and in January 2010 (month 57).          Following these work sessions it was decided to deepen some orientations in specific interviews distinguishing the new specific sectors constituting the former unified sector. Each representative wanted to be more precise on its specific file in order to make adapted proposals. These interviews were organized in February and March 2010 with the help of the MOC. The MOC also made possible a contact with other political actors more concerned by the situation of the consumers in the liberalized market. We decided to circulate our results in that context in order to get a larger echo to our propositions.</p> <p>In November 2009, the first session of the seminar helped to define a first set of criteria concerning the public governance of the sector:</p> <ul style="list-style-type: none"> <li>- condition of keeping record of a memory of the social consultation, dialogue and exchange of views of the sector, better information of the public, especially concerning payment of pensions</li> <li>- integration of a new type of worker: feminization of the sector, larger presence of professionals trained in a commercial perspective</li> </ul> <p>In January 2010, the second session was oriented the research towards a second group of criteria:</p> <ul style="list-style-type: none"> <li>- Identifying the new issues related to security in the sector</li> <li>- Integrating new and old status against a decrease of dynamics in the sector</li> <li>- Re-evaluating the public interest in the sector: public service obligation, guarantee of universal service, implying the contact of the worker with fragile consumers</li> </ul> <p>Related to the position of the actors, two visions:</p> <ul style="list-style-type: none"> <li>- Socio-legal architecture of the sector and political-financial issue for the civil society, global transformation of the worker population.</li> <li>- Technical issues in security, social interest for fragile consumers, real problem of collective</li> </ul>			



identity between old and new status decreasing the dynamics of the sector (unfair retribution)

To increase the level of information of the public governance, the last step of our research shows also the necessity of both taking into account these two perspectives and crossing them in a genetic dynamic of what we call *terceization*: generating a new positioning of these actors in order to better translate their perspectives into operational demand reinforcing their identity and helping a more adapted transformation of the sector as a dealing with a kind of public good demanding: secure management, best prices and social guarantee of access for fragile consumers, with well trained workers and with a clear idea of their social responsibility.

The institutional incentives which could help to improve SGI governance in that sector in such a way such as identified by the actors and developed in our concluding remarks (D60) :

- Restructuring internal cooperation in Training Funds, helping workers to identify and assume new requirements of their liberalized sector,
- Elaborating a code of conduct related to intervention concerning fragile users and integrating requirements of general interest,
- Greening the focus of the social dialogue concerning security and prevention (CPPT),
- Involvement in answering the social demand for collective control on prices (transparency).

#### **Deliverable SGI Collective actors:**

**D60:** Final report presenting Proposal of modality to enhance the reflexive capacity of the unions to play a role in new categories of regulatory relationships.

“A Case Study in Applying the Genetic Approach: The transformation of Collective Modes of Action by Labour organisations in the Context of Liberalisation of the Belgian Electricity Sector”  
 Marc Maesschalck (2010) (in French) WP-SGI-25

1. General result presented as a case study illustrating the genetic approach to governance, Published as part xx of the Book Democracy, Law and Governance
2. Complementary report: summary + annexes : syntheses, seminars, interviews and discussions

**Deviations:** no deviation from the initial goals such as presented in the technical annex



## 2.2 Workpackages Global and Public Services

### Work package 27 description – GPS

<b>Workpackage 27</b>	GPS 7	<b>Start date or starting event:</b> Month 20	
<b>Participant id</b>		IDDR/Paris 8 Paris X	CPDR/UCL as sub-network coordinator

#### **Objectives**

The objective of this third phase of the GPS research is to draw upon the insights of the institutional analysis done in component 1 (the first and second phase of the GPS research : WP6,7,8,9,10,26) to propose a specific institutional architecture for reflexive governance in a specific field of application of provision of environmental services (cf. description of the GPS network in the project proposal document). This architecture was discussed at a workshop, in order to improve on its feasibility, practicality and saliency. In a later stage (final workshop M56) the possible generalization of this institutional framework will be discussed.

#### **Description of work**

Planned publications completed :

A special issue on “Change in Forest Governance as a Learning Process” in *“Forest Policy and Economics”* 2010. In Press : available on Line.

A special issue on “The microbial commons” In the *“International Journal of the Commons”*, Vol 4, No 1 (2010) pp 390-527.

A special issue on “Learning on Change in Forest Governance in the Developing World’ in *“International Journal of the Commons”*, Vol 4, No 2 (2010): 683-757.

A paper was prepared by UCLON research assistant on the role of pluralism in legal system and its impact on the management of local customs and traditional knowledge. It presents investigation of the role of pluralism in Papua New Guinea and examination of the impact of traditional and colonial legal systems together on local management and legal practices. Development of literature survey and analysis of legal theory regarding legal pluralism and its role in Papua New Guinea. Development of survey methodology for application in context of Papua New Guinea. Generation of case study and application of case study of local practices and knowledge in the context of legal pluralism.

See S. Larcom (2010), The Impact of Legal Pluralism in Traditional Societies: The Case of Papua New Guinea. REFGOVWP- GPS -22

Other publications have been completed among them:

Sabine Weiland, 2010, Capacity building for the environment. Forest policy and management in Southeastern Europe. In: Alessandro Bonanno (ed.): Envisioning Prosperous Rural Futures in a Globalising World, pp.223-238

Sabine Weiland 2010, Sustainability transitions in transition countries. Forest policy reforms in Southeastern Europe. In: Environmental Policy and Governance, special issue on "Governance Innovation for Sustainability: Exploring the Tensions and Dilemmas", ed. by Liza Griffin, forthcoming.

Sabine Weiland 2011, Reflexive governance – a way forward in coordinated natural resource policy? In: Karl Hogl, Eva Kvarda, Ralf Nordbeck und Michael Pregernig (eds.): New Modes of Governance in Environmental and Natural Resource Policy: Analytical Perspectives and Empirical Insights, forthcoming.

(available as WP-GPS- 18-21)

More complete list in annexe 4

The case studies were presented at the following conferences see milestones :

## Milestones

### On local level governance

- **21-24 June 2009** Nancy (collaboration with the IUFRO (International Union on Forest Research Organisations)) : International multi-stakeholders conference on "Institutional Architecture for Reflexive Governance. Lessons from EU forest governance"

<http://www.iddri.org/Activites/Conferences-internationales/Change-in-Governance-as-Collective-Learning-Process/>

**17-21 August 2009**, ESRS - 2009, Between Adaptation and Social Learning: Forest management in Albania. Paper to be presented at the Working group "Towards Sustainable Forestry? Innovations for Institutional Adaptation in Forest Policy and Management" at the XXIII Congress of the European Society for Rural Sociology "Re-inventing the Rural: Between the Social and the Natural", Vaasa, Finland, 17-21 August 2009. Convenors of the working group: Eeva Primmer and Sabine Weiland

### On global level governance

- **28-29-30 June 2009**: second International multi-stakeholders conference of the European funded thematic network "COMMUNIA" in Torino, Italy. <http://www.communia-project.eu>

- **April 2010 Torino** Next 'Communia' conference

Work package 32 description – GPS

<b>Workpackage 32</b>	GPS 7	<b>Start date or starting event:</b> Month 30	
<b>Participant id</b>		8-24-27-22-30	CPDR/UCL as sub-network coordinator

### Objectives

The objective of this synthesis workpackage is to organize the dissemination of the results of the GPS research as a whole

### Description of work

The publications were finalized and the dissemination task was achieved as planned

Publications:

- the GPS (this thematic subnetwork) contribution to the common publication (see deliverable here after)
- 1 edited volume "Global Public Goods and Reflexive Governance" which gathers the main results of the different workpackages. We received the reviews organized by MIT of the collective volume on "Reflexive Governance for Global Public Goods" (Eric Brousseau, Tom Dedeurwaerdere, Bernd Siebenhüner (eds.)) Final agreement obtained and will be published in 2011
- 1 edited volume on "Global Environmental Commons: Institutions, Markets, Social preferences, and Political Games" (Eric Brousseau, Tom Dedeurwaerdere, Pierre-André Juvet, Marc Willinger, Pascal Gastineau (eds.)). Accepted for publication in 2011.

Articles

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Articles were published (for a complete list see Annexe 4 : were

Workshops and conference:

- A GPS stream will be organized at the REFGOV final conference, in order to present the results to the broader academic and policy community. See the programme of this specific thematic session at

<http://refgov.cpdr.ucl.ac.be/pdf/agendas/FP6-REFGOV-ThemConf-May2010-GPS-3.pdf>

- A special Session 5th ECPR General Conference 10 - 12 September 2009, Potsdam University on „Reflexive Governance and environmental politics. Conceptual and empirical achievements and perspectives“- Chair: Sabine Weiland, Catholic University Louvain, Belgium

### Deliverables GPS

**D65.1** Edited volume on "Global Public Goods and Reflexive Governance" final publication M60.Published

**D65.2** Edited volume on “Global Environmental Commons: Institutions, Markets, Social preferences, and Political Games”. Published

**D92 (2)** Chapter for the common REFGOV publication completed and published as Tom Dedeurwaerdere ‘The Contribution of network Governance in Overcoming Frame Conflicts: Enabling Social learning and Building Reflexive Abilities in Biodiversity Governance’ in Olivier De Schutter and Jacques Lenoble, eds., *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, (Oxford: Hart Publishing, 2010), 179-199.

### **Milestones and expected result**

- September 2009 -5th ECPR General Conference - Potsdam University special session on Reflexive Governance, Sabine Weiland and T. Dedeurwaerdere Academic) annexe 4

- May 27-28 2010 - Brussels GPS Stream at the Refgov - final conference. (Multi stakeholder)

The expected result of this workpackage is to obtain a consistent presentation of the overall work of the GPS sub-network and to assure broad international diffusion.

### 2.3 Workpackages Institutional Frames for Markets IFM

#### Work package 11 description – IFM

<b>Workpackage 11 IFM1</b>	<b>Start date or starting event:</b> Month 0	<b>Continued</b>
Lead contractor ParisX/ Economix 22, 23, 3-31, 17, 19, 20		
<b><u>Objectives:</u></b>  1° To provide the participants to the sub-network with an up-to-date synthesis on the applied and theoretical literature on the public vs. private regulation of competitive activities so as to guarantee consistencies among the applied researches 2° To disseminate these results in the Ref-Gov network and beyond 3° To synthesize the results of the applied researches carried out by the sub-network so as to provide the members of the sub-network and the theoretical unit with a synthesis of what has been achieved and understood, and to identify the question to be dealt with in the second phase of the program.		
<b><u>Progress towards objectives:</u></b>  Two international “by invitation only” workshops <ul style="list-style-type: none"> <li>• “Designing Markets: Politics, Law and Economics” to be held in Florence in June 2009; jointly organized by U. Paris X and U. Paris XI.</li> <li>• “Measuring Law and Institutions III” to be held in Barcelona in September 2009; jointly organized by UPF and by U. Paris X</li> </ul> These two workshops replaced the initially scheduled IFM dissemination/policy conference to be organized by U. Paris XI and the theoretical workshop to be organized by U. Paris X. Dissemination was indeed ensured by the final Ref-Gov conference organized by UCL in Brussels in May 2010. The two workshops were key-events leveraging the IFM’s members research by mobilizing an international network of scholars, inciting them to contribute to the objectives of the RefGov project. Without the specific dynamic of the IFM sub-network and of the Ref-Gov funded workshops, none of these scholars would have contributed.		
<b><u>Deviations:</u></b> No major deviations, while the publication of a symposium in a visible international journal on “Measuring Law and Institutions” is delayed, while on tracks. The book entitled “Manufacturing Markets: legal, political and economic dynamics” is completed and submitted for publication at Cambridge University Press. It was however impossible to complete the publication process before the end of RefGov		
<b><u>Deliverables IFM:</u></b> <ul style="list-style-type: none"> <li>• <b>D 24</b> Published as Brousseau, Eric and Nicita, Antonio (2010) « How To Design Institutional Frameworks for Markets: New Institutional Economics meet the needs of Industrial Organization », <i>Revue d'Economie Industrielle</i>, # 129-130, 1st trim</li> <li>• <b>D 25</b> Forthcoming as Brousseau, Eric and Glachant, Jean-Michel (2011) « Regulating Networks in the “New Economy”: Organizing Coopetition to Share Information and Knowledge », in <i>Governance, Regulations, Powers on the Internet</i>, edited by Eric Brousseau, Meryem Marzouki and Cécile Méadel, Cambridge University Press</li> </ul>		

- **D 84** Forthcoming Brousseau, Eric and Glachant, Jean-Michel (2011) "Manufacturing Markets: legal, political and economic dynamics", Cambridge University Press
- **D 85** Forthcoming as a Symposium entitled "Measuring Law and Institutions" to be edited by B. Arrunada and E. Brousseau in a significant journal (under discussion with journal editors)
- **D 92.8** Published as Brousseau, Eric and Glachant, Jean-Michel (2010) « Reflexive' Market Regulation: Cognitive cooperation in competitive information fora », in *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, edited by Olivier de Schutter and Jacques Lenoble , Oxford, Hart publishing
- **See WP-IFM-92 – Policy Brief for IFM**

**Milestones:**

The high level workshop on 'The dynamics of Institutions' organized in Oct 2008 led to the publication of two symposiums in top journals (Journal of Comparative Economics and Journal of Economic Behavior and Organizations). These two publications contribute to the development of the theory of institutions that is developed by several members of the IFM project (in particular by Arrunada, Brousseau, Glachant and Raynaud)

Work package 12 description – IFM

<b>Workpackage 12 (12.1/12.2)</b>	IFM2.1	<b>Start date or starting event:</b>	Month 0
<p><b><u>Objectives:</u></b></p> <p>General: To assess the main results of the competitive reforms in network industries (notably the competitive nature of regulation, market rules and industry structure as well as the economical and social benefits resulting for the customers and in the public interest) thanks to a mix of assessment of practices and theoretical developments on the building of appropriate institutional tools to manage competition and regulation in network industries.</p> <p>Specific applications to</p> <p>1° the analysis of competitive reforms in the electricity industry</p> <p>2° the analysis of the institutional and regulatory environment of local public services</p>			
<p><b><u>Progress towards objectives:</u></b></p> <p>Publication of essays and papers on the topics</p> <ul style="list-style-type: none"> <li>• The electricity team continued its work on regulatory reforms in the EU electricity industry</li> <li>• The Prague team concluded its research program on the complex and unexpected consequences of market liberalization processes in network industries</li> <li>• The local service team deepened its investigation on the assessment of contractual practices in various local public services</li> </ul> <p>This set of researches contributed significantly to the general synthesis on the institutional foundations of markets and the central role of “regulators” in the shaping of market activities. See the contributions in the “Manufacturing Market” book edited by E. Brousseau and J.-M. Glachant at Cambridge UP.</p>			
<p><b><u>Deviations:</u></b></p> <p>No significant deviation.</p>			
<p><b><u>Deliverables IFM:</u></b></p> <p><b>D 86 a-b continued</b> Several publications on network Industries (in particular by the Paris Sud-Florence team, by the university of Siena (see Belloc and Nicita 2010; Belloc et al, 2009), and by CERGE Prague).</p> <p>See REFGOV Working papers WP– IFM – 65 to 76</p> <p><a href="http://refgov.cpdf.ucl.ac.be/?go=publications">http://refgov.cpdf.ucl.ac.be/?go=publications</a></p>			

Work package 13 description – IFM

<b>Workpackage 13 continued</b>	IFM3	<b>Start date or starting event:</b> Month 0
Lead contractor Paris X -22		
<p><b><u>Objectives:</u></b></p> <p>The objective of this project is to deepen the analysis of the regulation of digital networks by focusing on on-line communities to highlight the various pattern of self-regulations and self-governance, to identify the paths along which these patterns emerge and differentiate, and to analyze the impact of these various modes of self-regulations on the performance of exchange or co-production process among them. We also seek to analyze how these self-regulations interact with public ones.</p> <p>While the open-source software communities have been extensively analyzed, other types of communities are less investigated. The additional goal of this project is to address that lack of knowledge</p>		
<p><b><u>Progress towards objectives:</u></b></p> <p>Publication the book “Governance, Regulations and Powers on the Internet” edited by Eric Brousseau (U. Paris X), Meryem Marzouki (CNRS) and Cecile Meadel (ENSMP) to be published by Cambridge UP.</p> <p>Preparation of a Symposium on platforms strategies in digital industries through the organization of two workshops held in Paris in January and June 2010</p>		
<p><b><u>Deviations:</u></b></p> <p>The publication of the book “Governance, Regulations and Powers on the Internet” was delayed by Cambridge UP, but is now programmed for 2011.</p> <p>The workshop entitled “Digital Business Models: Understanding Strategies” initially scheduled in January 2010 was delayed due to the availability of several speakers. Another workshop was organized in January on “Open Models of Innovation and of Information Goods Production and Distribution”</p>		
<p><b><u>Deliverables IFM:</u></b></p> <p><b>D87</b> Forthcoming as Brousseau, Eric, Marzouki, Meryem and Méadel, Cécile (eds) 2011 «Governance, Regulations, Powers on the Internet », Cambridge University Press also Marcello Basili, Antonio Nicita and Maria Alessandra Rossi, "Contracts and Motivation. The case of Open Source", Quaderni del Dipartimento di Economia Politica n.544, University of Siena</p>		
<p><b><u>Milestones:</u></b> Two high level workshops held in 2010</p>		



Work package 14 description – IFM

<b>Workpackage 14 Continued</b>	IFM4	<b>Start date or starting event:</b> Month 37
Lead contractor: Uni-Oviedo 19		<b>Other:</b> 20-17-23
<p><b><u>Objectives:</u></b></p> <p>The general objective for this period was to analyze how private business networks protect end-product quality, in order to assess if this self-regulation would improve the governmental regulations in the building of institutional frameworks for markets. Accordingly, following objectives have been accomplished:</p> <ul style="list-style-type: none"> <li>- We have first analysed how self-regulation solves asymmetric information problems within franchise networks, reaching homogeneous quality throughout the chain.</li> <li>- We have evaluated the consumers' difficulties in measuring hotel chains' quality on the internet sites.</li> <li>- We have also assessed how private mechanisms may be applied to improve the design of market institutions for promoting quality (Agrifood Markets).</li> </ul>		
<p><b><u>Progress towards objectives:</u></b></p> <p>Our unit has advanced in terms of deliverable publications related to the workpackage objectives, producing the planned number of essays. Specifically, we have contributed with the following articles/working papers:</p> <ol style="list-style-type: none"> <li>1. D89-1: "Delegation and autonomy in franchising". The results show that the franchisee's autonomy varies negatively with the franchisor's intangible assets and brand name and positively with the inter-firm trust and the franchisees' intangible assets. Finally, autonomy also varies negatively with the specific investments of the franchisees.</li> <li>2. D89-2: "Hotel quality appraisal on the Internet: A market for lemons?". Our results show that sale-websites (fee financing) provide an assessment of the quality of their hotels which is on average 7% higher than the assessment of advice-websites (advertisement financing). The main implications for tourists and hotel managers are outlined.</li> <li>3. D89-3: "Manufacturing Product Quality: The Diversity of Mechanisms of Governance in Agrifood Markets". We review first the main mechanisms used in order to obtain products' quality and then we disentangle alternative "families" of quality devices and rank them on a "public / private" continuum. More importantly, we analyze the interactions among these devices by describing some of their complementarities. We end with an attempt to operationalize the analysis by matching quality attributes and institutional solutions.</li> <li>4. D89-4: "The Governance of Quality through Geographical Indicators: The Case of Fresh Meat". We argue that the mechanism used for governing the supply chain is an essential factor in promoting quality.</li> </ol>		
<p><b><u>Deviations:</u></b></p> <p>No major deviation during the period.</p>		
<p><b><u>Deliverables IFM:</u></b></p> <p>D89-1-2-3-4 are available at REFGOV <a href="http://refgov.cpdr.ucl.ac.be/?go=publications">http://refgov.cpdr.ucl.ac.be/?go=publications</a> as IFM Working Papers (IFM-77-79) and Scientific Articles/Chapters in Books.</p>		

**Milestones:**

We have accomplished all the milestones that allowed us to advance the current research.

- Papers quoted above were presented in several academic meetings obtaining very useful feedback to progress in the research (June 2009-May2010).
- A concluding working seminar was conducted on May 2010 with the researchers involved in the workpackage.

## Work package 15 description – IFM

<b>Workpackage 15</b>	IFM5	<b>Start date or starting event:</b>	Month 0
Lead contractor U. Siena 17		Other: 22	
<p><b><u>Objectives:</u></b></p> <p>1° To assess legal and economic aspects of the law and economics of property rights with reference to New Institutional Economics approach, with particular emphasis on the relationship between contractual agreements and market dynamics</p> <p>2° To assess legal and economic aspects of the governance of intellectual property in a contractual incompleteness perspective that takes into account institutional complementarity existing between innovative investments and property rights on intellectual assets. This include analysis of foundations of incomplete contracts and of economic approach to property rights.</p> <p>3° To analyze incentives to innovate according to alternative regimes devoted at the protection of intellectual property concerning patents, trademarks and copyright</p> <p>4° To study the application of competition policy and to assess possible trade-offs between competition law and property rights, with specific reference to IPRs and to the application of the essential facility doctrine</p> <p>5° To apply the compared analysis of alternative IPRs regimes to specific sectors such as that of multimedia products, the software or the biotechnology sector, with special emphasis on Open Source Projects</p> <p>6° To analyze the interdependence between the governance of intangibles and Corporate Social Responsibility as a tool to provide efficient incentives for innovation</p>			
<p><b><u>Progress towards objectives:</u></b></p> <ol style="list-style-type: none"> <li>1. Completion and Publication of an Edited volume on "Competition, Innovation and IPRs" (edited by A. Nicita, G. Ramello and M. Scherer, publisher: Routledge) with contribution by distinguished worldwide scholars – 9 on 11 chapters are now under referee process with the publisher;</li> <li>2. Nicita and M. Rossi "The Properties of Intellectual Property" (D54)</li> <li>3. S. Di Trocchio, A. Nicita (2009) "A Note on Commitments and Deterrence under European Antitrust Law"</li> <li>4. Ugo Pagano and Maria Alessandra Rossi, 2009, "The Crash of the Knowledge Economy" <i>Cambridge Journal of Economics</i>, 33, 665–683.</li> <li>5. Ugo Pagano and Maria Alessandra Rossi, 2010, "Property rights in the knowledge economy: an explanation of the crisis" (with Ugo Pagano), Quaderni del Dipartimento di Economia Politica n.586, University of Siena, and <i>forthcoming</i> in <i>The Global Crisis</i>, E. Braccaccio (ed.), Routledge, Londra.</li> <li>6. Filippo Belloc, 2010, "The Dark Side of Shareholder Protection: Cross-country Evidence from Innovation Performance", Quaderni del Dipartimento di Economia Politica n.583, University of Siena.</li> <li>7. Antonio Nicita and Simone Sepe, 2010, "Optimal Contract Design with Unilateral Market Option", Quaderni del Dipartimento di Economia Politica n.593, University of Siena (previous title was "Making Sense of the Hold-up Problem")</li> <li>8. Filippo Belloc and Ugo Pagano, 2010, "Knowledge Enclosures, Forced Specializations and Investment Crisis", <i>mimeo</i>, University of Siena.</li> <li>9. Massimo D'Antoni and Maria Alessandra Rossi, 2010, "Appropriability and incentives with complementary innovations", <i>mimeo</i>, University of Siena.</li> </ol>			
<p><b><u>Deviations:</u></b></p>			

The publications listed here are available WP-IFM-80 to 87 and 92  
The Edited volume on “Competition, Innovation and IPRs” (edited by A. Nicita, G. Ramello and M. Scherer, publisher: Routledge) has been completed and will be published by the end of 2010 or the beginning of 2011 at the latest.

**Deliverables IFM:**

- 1) Completion and Publication of an Edited volume on “Competition, Innovation and IPRs” (edited by A. Nicita, G. Ramello and M. Scherer, publisher: Routledge) with contribution by distinguished worldwide scholars – 9 on 11 chapters are now under referee process with the publisher;
- 2) Completion of A. Nicita and M. Rossi “The Properties of Intellectual Property” (D54) REFGOV WP-IFM-92

**Milestones:**

Completion and Dissemination of working papers at the Italian Society of Law and Economics, European Association for Law and Economics, American Association of Law and Economics, International Society for New Institutional Economics.

In particular special sessions were organized by the Siena Unit in:

2009 European Association for Law and Economics,

2009 the Italian Society of Law and Economics

Work package 16 description – IFM

<b>Workpackage 15</b>	IFM5	<b>Start date or starting event:</b>	Month 0
Lead contractor U. Siena 17		Other: 22	
<p><b><u>Objectives:</u></b></p> <p>1° To assess legal and economic aspects of the law and economics of property rights with reference to New Institutional Economics approach, with particular emphasis on the relationship between contractual agreements and market dynamics</p> <p>2° To assess legal and economic aspects of the governance of intellectual property in a contractual incompleteness perspective that takes into account institutional complementarity existing between innovative investments and property rights on intellectual assets. This include analysis of foundations of incomplete contracts and of economic approach to property rights.</p> <p>3° To analyze incentives to innovate according to alternative regimes devoted at the protection of intellectual property concerning patents, trademarks and copyright</p> <p>4° To study the application of competition policy and to assess possible trade-offs between competition law and property rights, with specific reference to IPRs and to the application of the essential facility doctrine</p> <p>5° To apply the compared analysis of alternative IPRs regimes to specific sectors such as that of multimedia products, the software or the biotechnology sector, with special emphasis on Open Source Projects</p> <p>6° To analyze the interdependence between the governance of intangibles and Corporate Social Responsibility as a tool to provide efficient incentives for innovation</p>			
<p><b><u>Progress towards objectives:</u></b></p> <p>10. Completion and Publication of an Edited volume on "Competition, Innovation and IPRs" (edited by A. Nicita, G. Ramello and M. Scherer, publisher: Routledge) with contribution by distinguished worldwide scholars – 9 on 11 chapters are now under referee process with the publisher;</p> <p>11. Nicita and M. Rossi "The Properties of Intellectual Property" (D54)</p> <p>12. S. Di Trocchio, A. Nicita (2009) "A Note on Commitments and Deterrence under European Antitrust Law"</p> <p>13. Ugo Pagano and Maria Alessandra Rossi, 2009, "The Crash of the Knowledge Economy" <i>Cambridge Journal of Economics</i>, 33, 665–683.</p> <p>14. Ugo Pagano and Maria Alessandra Rossi, 2010, "Property rights in the knowledge economy: an explanation of the crisis" (with Ugo Pagano), Quaderni del Dipartimento di Economia Politica n.586, University of Siena, and <i>forthcoming</i> in <i>The Global Crisis</i>, E. Bracaccio (ed.), Routledge, Londra.</p> <p>15. Filippo Belloc, 2010, "The Dark Side of Shareholder Protection: Cross-country Evidence from Innovation Performance", Quaderni del Dipartimento di Economia Politica n.583, University of Siena.</p> <p>16. Antonio Nicita and Simone Sepe, 2010, "Optimal Contract Design with Unilateral Market Option", Quaderni del Dipartimento di Economia Politica n.593, University of Siena (previous title was "Making Sense of the Hold-up Problem")</p> <p>17. Filippo Belloc and Ugo Pagano, 2010, "Knowledge Enclosures, Forced Specializations and Investment Crisis", <i>mimeo</i>, University of Siena.</p> <p>18. Massimo D'Antoni and Maria Alessandra Rossi, 2010, "Appropriability and incentives with complementary innovations", <i>mimeo</i>, University of Siena.</p> <p>19.</p>			
<p><b><u>Deviations:</u></b></p> <p>The publications listed here are available WP-IFM-80 to 87 and 92</p>			

The Edited volume on “Competition, Innovation and IPRs” (edited by A. Nicita, G. Ramello and M. Scherer, publisher: Routledge) has been completed and will be published by the end of 2010 or the beginning of 2011 at the latest.

**Deliverables IFM:**

- 3) Completion and Publication of an Edited volume on “Competition, Innovation and IPRs” (edited by A. Nicita, G. Ramello and M. Scherer, publisher: Routledge) with contribution by distinguished worldwide scholars – 9 on 11 chapters are now under referee process with the publisher;
- 4) Completion of A. Nicita and M. Rossi “The Properties of Intellectual Property” (D54) REFGOV WP-IFM-92

**Milestones:**

Completion and Dissemination of working papers at the Italian Society of Law and Economics, European Association for Law and Economics, American Association of Law and Economics, International Society for New Institutional Economics.

In particular special sessions were organized by the Siena Unit in:

2009 European Association for Law and Economics,

2009 the Italian Society of Law and Economics

## 2.4 Workpackages Corporate Governance - CG

### Work package 17 -18-19 description – CG

<b>Workpackage 17 -18-19</b>	CG1-2-3	<b>Start date or starting event:</b>	Month 0
<b>Participants :</b> U.Bristol, CBR/Camb, CPDR/UCL, U.Liège, Economix/U.Paris X, and CEU/Buda U.			
<p><b><u>Objectives:</u></b></p> <p>To study the evolution of corporate governance codes; to study the impact of financialisation on employment and performance; and to study the impact of changes in corporate governance codes and related rules on relations at enterprise level.</p>			
<p><b><u>Progress towards objectives:</u></b></p> <p>The final empirical stages of these three WPs were completed in the course of the final year. This involved further work mapping corporate governance norms and examining their impact through time-series and panel data analysis (WP17), examining the relationship between corporate governance and HRM through analysis of workplace level data (WP18), and carrying out case studies of the operation of corporate governance norms at company level with a particular focus on privatised and regulated firms (WP19). Additional work was also carried out on the theoretical framework for the project, in particular through the linking of economic- and legal-theoretical approaches, and on applied policy analysis. Findings from these WPs were disseminated to users at a conference in Cambridge in June 2009 and at international academic conferences including the SASE conference in July 2009 and the Strategic Management Conference in Washington DC in October 2009. There was liaison with the IFM group of REFGOV including the presentation of findings from the work measuring the impact of corporate governance norms at a workshop in Barcelona in October 2009. Academic dissemination included publication in leading journals including <i>American Journal of Comparative Law</i>, <i>Journal of Empirical Legal Studies</i>, <i>Journal of Corporate Law Studies</i>, <i>Journal of Law and Society</i>, <i>Law and Society Review</i>, <i>Journal of Corporation Law</i>, <i>Industrial Law Journal</i>, <i>Economy and Society</i> <i>Journal of Institutional and Theoretical Economics</i> and <i>Economics Letters</i>. The CG subnetwork also contributed a chapter to the cross-thematic REFGOV book. An internal workshop of the CG subnetwork was held prior to the final conference in Brussels in May 2010 and the members of the subnetwork took a full part in the plenary and parallel sessions of the final conference.</p>			
<p><b><u>Deliverables CG:</u></b></p> <p><b>D92 (7) Contribution to the Common publication</b> Deakin, S. and Koukiadaki, A. (2010) "Reflexive approaches to corporate governance: the case of Heathrow Terminal 5", in J. Lenoble and O. De Schutter (eds.) <i>Reflexive Governance: Redefining the Public Interest in a Pluralistic World</i> (Oxford: Hart Publishing).</p>			
<p><b><u>Milestones:</u></b></p> <p>A conference was held in Cambridge in June 2009 at which findings were disseminated to users in the business and financial communities as well as to an international audience of researchers. A workshop for the CG network prior to the final conference in Brussels in May 2010. At the final conference the members of the CG network took a full part in the plenary and parallel sessions.</p>			

Work package 20 description – CG

<b>Workpackage 20</b>	CG4	Start date or starting event: Month 0
Participants : EUI/Florence (06), U. Trento (18), CBR/Cam (26)		
<p><b><u>Objectives:</u></b></p> <p>To study the interaction between mechanisms of corporate governance and inter-firm network relations.</p> <p>The project teams completed the sectoral case studies on clusters and inter-firm networks in the wine industry (in Italy, France, Portugal, Hungary and England) and in television production (in the UK and Portugal). The findings from the wine sector research were presented to stakeholders and researchers in the field at a conference on 'Research on Trans-European Networks in the Wine Industry' in Brussels in March 2010, and to a conference on 'Interfirm Networks in the Wine Industry in Porto in May 2010. Members of trade associations in the wine industry and leading wine producers took part in these events.</p> <p>Three edited books from the wine project were published in the course of the year (<i>Le reti di imprese e i contratti di reti</i>; <i>Il contratto di rete: Commentario</i>; and <i>Contractual Networks, Interfirm Cooperation and the Small Business Act</i>). A paper based on part of the work is forthcoming in <i>Journal of Economic Geography</i>. Further work was carried out on the television industry and a paper based on that is currently under submission with <i>Socio-Economic Review</i>.</p>		
<p><b><u>Deliverables CG:</u></b></p> <p>D 90.c <b>Final</b> report for CG4 -WP 20 with results of the sectoral case studies</p>		
<p><b><u>Milestones:</u></b></p> <p>Team members took part in the conference held in Cambridge in June 2009 (month 49) and presented findings to users in the business and financial sectors at that event. The findings from the completed wine sector studies were presented at a conference in Brussels in March 2010. A further conference on networks in the wine industry was held in Porto in May 2010.</p>		



## 2.5 Workpackages Fundamental Rights - FR

## Work package 34 description – FR

<b>Workpackage 34</b>	FR7	<b>Start date or starting event: Month 37</b>		
<b>Participant id</b>	CPDR/UCL		IUE	

**Objectives**

This workpackage meant to take stock of the developments during the first two phases of the workprogramme, concerning respectively the hypothesis explored as to the improvement of the fundamental rights policy of the EU (first phase, M1-M12), and the testing of this hypothesis in four material fields (fundamental social rights, anti-discrimination, data protection and criminal law) (second phase, M13-M36). It built on the transversal studies prepared under WP33 (M13-M36). Its objective was to develop a set of policy proposals, on the basis of the findings of these preceding phases. This set of policy proposals addresses, but not be limited to : a) the allocation of competences between the EU and the Member States and principles of subsidiarity and proportionality; b) the relationship between the “social” and the “economic” constitutions of the EU ; c) the reliance on fundamental rights in the preparation of legislative proposals by the European Commission (and, under Title VI EU, by the Member States); c) other, non-legislative tools which could be relied upon in order to develop the fundamental rights policy of the EU. These policy proposals take into account i) the findings made in the specific materials fields investigated during the second phase of the research, ii) the general hypothesis developed in the REFGOV research, with a special attention given to the capacities of the actors involved in decision-making to question the background presuppositions of the positions adopted by the different actors involved.

**Description of work**

This workpackage, the completion of which represents the third phase of the research. This phase of the research developed a set of policy proposals, on the basis of the findings of the two preceding phases.

The recommendations take account of the full institutional setting in which the fundamental rights policy of the EU shall develop in the future, including the changes introduced by the Lisbon Treaty – especially the acquisition of legally-binding force by the EU Charter of fundamental rights –, the establishment of the Fundamental Rights Agency, the development of national institutions for the promotion and protection of human rights at national level, and the increased reliance on human rights impact assessments and similar tools. They address the following questions:

a) *Allocation of competences between the EU and the Member States and principles of subsidiarity and proportionality.* The emphasis here is on the process through which the issues on which initiatives might be required at EU level can effectively be identified, and particularly, on how the requirements of subsidiarity and proportionality could be redefined in a more ‘pro-active’ mode, taking into account – beyond the formal distinction between different levels of governance and the division of tasks between them – the influence policies pursued at each level (regional, national, European, global) exercise on all the other levels.

b) *The relationship between the ‘economic’ and the ‘social’ constitutions of the EU.* The economic constitution is the set of rules defining, for any single entity, the division of tasks between the political authorities and the market, i.e. the role of the State in the market. The object of our inquiry

was to determine whether this notion should not be complemented by that of a 'social' constitution, i.e. by the imposition of positive obligations imposed on the State to take action when inter-jurisdictional competition (between States) or the exercise of their economic freedoms by private actors (particularly freedom to provide services and freedom of establishment of undertakings) threatens to disrupt the balance between economic freedoms and social rights which is considered desirable.

c) *The legislative process: standard-setting in the area of fundamental rights.* Another set of questions concerned the preparation of legislative proposals; the role of the different actors in the legislative procedure; and the implementation of EU legislation by the Member States. We asked, in particular, whether current modes of consultation of stakeholders are satisfactory, which role impact assessments play in the legislative process, and how the reference to internationally recognized human rights plays a role in the formulation of proposals that relate to fundamental rights.

d) *Non-legislative tools which could be relied upon in order to develop the fundamental rights policy of the EU.* The role of the Fundamental Rights Agency and of open methods of coordination between the EU Member States, as they have emerged in a number of areas in the implementation of the Lisbon Strategy (2000-2010), have equally been discussed, and proposals have been made to improve the potential of these tools.

Dissemination was pursued by the members of this subnetwork:

- Participation in workshops by the researchers of the BIM who contributed to the WP 29 on antidiscrimination,
- Participation of Prof. A. Lo Faro to several meetings and congresses on Labour Law issues relevant to the FR sub theme "Fundamental Social Rights" (WP 28) among :

## Deliverables

**D70-72** see REFGOV WP-FR-33 Oliver De Schutter (2010), A New Direction for the Fundamental Rights Policy of the EU.

**D92 (5)** FR contribution to the Common publication REFGOV

De Schutter, O. (2010), "The Democratic Experimentalist Approach to Governance: Protecting Social Rights in the European Union" in O. de Schutter and J. Lenoble (eds), *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, Oxford: Hart Publishing, (2010), 115–143.

## 2.6 Workpackages Theory of the Norm Unit –TNU

Work packages 24 -25 description – TNU

Workpackage 24 - 25	TNU1	Start date or starting event:			Month 0
Participant id	1 CPDR/UCL	10 JWG Frankfurt	16 U.Catania		
<p><u>Objectives:</u></p> <p>The purpose of the workpackage <b>theory of the norm</b> was to explore and develop the most recent developments in <i>the theory of the norm</i> and their connection to theory of action, more particularly to show how the current debates in theory of law were narrowly linked to the developments in theory of governance.</p> <p>The purpose of this workpackage on <b>theory of governance</b> was to explore and develop the theory of governance in connection with the theory of learning (democratic experimentalism) and to question theories of learning which do not take into account the underlying notion of reflexivity.</p> <p>The research in theory of the norm (WP24) constitutes the background contribution to the genetic approach which has been developed in this project in theory of governance (WP25). The development the two researches are narrowly interconnected.</p> <p>The present report concerns the final step - starting from month 49 up to month 60 – of the WP 24-25. Its purpose was both to develop a genetic approach to the theory of governance in connection with the theory of learning (democratic experimentalism) and to question theories of learning which do not take into account the role of reflexivity in actor's identities transformation.</p> <p>The result of this research was published as a chapter of the RFGOV common publication Lenoble and De Schutter (2010): "Renewing the Theory of Public Interest: The Quest for a Reflexive and Learning-based Approach to Governance", in O. de Schutter and J. Lenoble (eds), <i>Reflexive Governance: Redefining the Public Interest in a Pluralistic World</i>, Oxford: Hart Publishing, (2010), 3–21**)** which present the current state of the genetic approach in relation to some significant case studies.</p> <p>Further contact were pursued with Legault in a seminar (September 2009) in order to organize in Sherbrooke (Ca) a new research program including case studies related to the genetic approach. A paper was delivered see (REFGOV-TNU-6) and a seminar was planned in April 2010. Unfortunately, prof Legault could not attend because of the problem of volcanic ash. His work was presented by members of the CPDR instead, and discussed at a seminar.</p> <p>Dissemination continued through participation and presentation of the research in other scientific environment (conferences and PhD seminars) and more specifically at the Forum International de Philosophie Politique et Sociale' (Social Philosophy Forum - FIPS) organized by Toulouse University (7th-10th July 2009). Researchers of the TNU-Unit organized two workshops: one about « Nouvelles formes de participation démocratique et intelligence collective » (New forms of democratic participation and collective intelligence) and another one about the Risk Society concept and the genetic approach. The purpose of these workshops was to bring to light the consequences that a genetic approach would generate in the frame of a collective action, and further on the manner to understand the requirements for participation in a collective management of risk.</p>					

From November to May a ten session seminar was organized to develop the hypothesis elaborated in the two FIPS workshops. The seminar gave researchers in social philosophy, in law and in economics the opportunity to reflect on the genetic approach proposed at the CPDR and the REFGOV research within their own disciplinary research and to discuss the objectives and benefits of this theoretical framework from the point of view of identity transformation and conditions for actors repositioning. The seminar received contributions from Vladimir Safatle (Université de Sao Paolo); Ricardo SALAS (Université Catholique de Temuco); Guillaume SIBERTIN-BLANC (GRM/Université de Toulouse); Andrea CAVAZZINI (GRM/Facultés univ. St. Louis/ Université de Venise); Franck BESSIS (Université de Lyon II); R. Gomez Pinheiro (Universidade Federal da Paraiba - Brazil).

The conclusion of this seminar is now planned to be published by the TNU-Unit, under the title: "Conditions de transformation des acteurs collectifs" (*The Conditions of transformation of collective actors*)... It is a collective work which brings together the contributions on the conditions of transformation of collective actors. It criticizes the subjection of subjects in the structures of empowerment and poses the question concerning the forms of specific emancipatory intervention which makes it possible to bring about more innovative behaviours when faced with tyrannical and imposed leadership. The work is accepted for publications by Polymétrica (Italy). (See the text on books)

The conclusions of this seminar are also to be discussed in the 2010 (10 -17 July 2010) Session of the FIPS (Forum International de Philosophie Politique et Sociale) in Toulouse, in a specific workshop presenting the most practical consequences of the genetic approach from the point of view of social interventions in the civil society. The workshop dedicated to that perspective will be co-organized by researchers of the TNU-Unit and members of the civil society (also involved in the SGI Actors research, WP 5). The theme of the 2010 (2<sup>nd</sup>) Forum was « Subjectivité, politiques, mémoires, affects, pratiques ». (International Forum of Political and Social Philosophy, "Subjectivity, Politics, Memory, Affects, Practices" (to be held at Toulouse, 10th-17th July 2010)

A doctoral research was also directly connected to deepen the genetic approach from an anthropological and phenomenological point of view allowing integrating better the subjective dimension of the collective identity transformation. This is a research work in radical practical phenomenology. Its concern is the contribution of such a phenomenological approach to the theory of action. It tries to show, from the point of view of a theory of affects, the resources that belong to and are available to concerned subjects in order to determine the modes of engagement capable of resisting their reification in the collective structures. The work is accepted for publication by Olms (Europaea Memoria).

Partner 10 - Johan W. Goethe U. Frankfurt - contribution to this workpackage in theory of the norm was, as announced, the work carried out on Habermas: "The Discourse Theory of Law and Democracy" written by Klaus Günther and Camil Ungureanu 2010 see (REFGOV-TNU-5)

Partner 16 - University of Catania participated in a scientific meeting : Congress "IX giornate tridentine di retorica", Trento and Milano, 12 – 14 June 2009 (Dr. Alessio Lo Giudice). The seminar was devoted to the analysis of legal-philosophical topics relevant for the framework of the project; In particular, the relevance of the political and legal question of legitimation of the European order has been analysed as a key issue in order to understand different models of governance within EU.

**Deliverables TNU:**

**D 91** Monograph based on the research carried out in the theory of the norm unit in WP 24 and 25 from the reflection on the “pragmatist turn and the concept of law” and from the “synthesis reports” revised contribution. The work was completed and published : “Democracy, Law and Governance”, by Jacques Lenoble and Marc Maesschalck, 2010, Aldershot, Ashgate

**D 92 (1)** Methodological contribution to the common publication REFGOV  
Jacques Lenoble and Marc Maesschalck (2010), “Renewing the Theory of Public Interest: The Quest for a Reflexive and Learning-based Approach to Governance”, in O. de Schutter and J. Lenoble (eds), *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, Oxford: Hart Publishing, (2010), 3–21.

**Milestones TNU**

- July 2010 Toulouse
- September 2009 meeting with C. Argyris –
- April 2010 workshop Louvain-la-Neuve on the study delivered by G.-A. Legault

## 2.7 Workpackage Cross- thematic seminar

### Work package 35 description – CTS

<b>Workpackage 35</b>	CTS	<b>Start date or starting event:</b>	Month 42
<b>Lead contractor : 1 CPDR UCL other 9, 22, 23, 25 , 26, 30</b>			
<p><b><u>Objectives:</u></b></p> <p>The purpose of this workpackage ensure the organization of the cross-thematic activities which put together the research results developed across the five thematic fields investigated in the REFGOV project : mainly the design and preparation of the REFGOV publication</p>			
<p><b><u>Progress towards objectives:</u></b></p> <p>The crossthematic activities resulted in two major outputs :</p> <ol style="list-style-type: none"> <li>1. The Common book was published with contribution from each thematic subnetwork and sub-groups : Theory of the Norm Unit-; Institutional Frames for Markets; Global Public Services ; Fundamental Rights; Corporate Governance and Services of General Interest's sub-groups Energy, Healthcare and Regulation of Public Bodies.</li> </ol> <p><u>Contributors:</u> H. Adlard, G. Britz, E. Brousseau, S.Deakin, T. Dedeurwardere, B. Eberlein, J.-M. Glachant, K. Herzmann, A. Koudiadaki, M. Maesschalck, C. Mullen, T. Prosser, C. Scott, P. Vincent-Jones.</p> <ol style="list-style-type: none"> <li>2. International conference in Brussels May 2010</li> </ol>			
<p><b><u>Deliverable</u></b></p> <p>D 92 2010 Common publication REFGOV – delivered</p> <p>O. De Schutter and J. Lenoble (eds) (May 2010) , <i>Reflexive Governance : Redefining the Public Interest in a Pluralistic World</i>, Oxford, Hart Publishing.,May 2010, 235 pp.</p>			
<p><b><u>Milestones CTS:</u></b></p> <ul style="list-style-type: none"> <li>- <b>Final Conference – International conference May 26-27-28 2010</b></li> <li>- <b>Common Publication</b></li> </ul>			

### 3. Dissemination

Dissemination activities were significant in the course of the fifth year. As described in each workpackages, and in the annexes (1 to 8) show the numerous publications on one side and, on the other, the organisation and/or participation in events whether conferences, workshops or seminars with various audiences. The appendix dissemination lists the relevant events and publications. Shortly, we can remind, besides the common publication and REFGOV international conference for year – (not exhaustive) and besides the numerous scientific publication shown in the annexes, the following events can be reminded:

#### Services of General Interest

- P. Vincent-Jones, 'Embedding Economic Relationships through Social Learning? The Limits of Patient and Public Involvement in Healthcare Governance in England', paper for Centre for Socio-Legal Studies workshop, *Socializing Economic Relationships – New Perspectives and Methods for Analysing Transnational Risk Regulation*, Oxford University, 15<sup>th</sup>-16<sup>th</sup> April 2010.
- D. Hughes, 'Social learning in recent UK health reforms and policy divergence in England and Wales', Faculty of Public Health, Naresuan University, Phitsanulok, Thailand. April 1 2010.

#### Global Public Services and Common Goods

- September 2009 -5th ECPR General Conference - Potsdam University special session on Reflexive Governance, Sabine Weiland and T. Dedeurwaerdere Academic) annexe 4

##### *On local level governance*

- 21-24 June 2009 Nancy (collaboration with the IUFRO (International Union on Forest Research Organisations)) : International multi-stakeholders conference on "Institutional Architecture for Reflexive Governance. Lessons from EU forest governance"  
<http://www.iddri.org/Activites/Conferences-internationales/Change-in-Governance-as-Collective-Learning-Process/>

17-21 August 2009, ESRS - 2009, Between Adaptation and Social Learning: Forest management in Albania. Paper to be presented at the Working group "Towards Sustainable Forestry? Innovations for Institutional Adaptation in Forest Policy and Management" at the XXIII Congress of the European Society for Rural Sociology "Re-inventing the Rural: Between the Social and the Natural", Vaasa, Finland, 17-21 August 2009. Convenors of the working group: Eeva Primmer and Sabine Weiland

##### *On global level governance*

- 28-29-30 June 2009: second International multi-stakeholders conference of the European funded thematic network "COMMUNIA" in Torino, Italy. <http://www.communia-project.eu>
- April 2010 Torino Next 'Communia' conference

#### Institutional Frames for Markets

Two international "by invitation only" workshops



- “Designing Markets: Politics, Law and Economics” to be held in Florence in June 2009; jointly organized by U. Paris X and U. Paris XI.
- “Measuring Law and Institutions III” to be held in Barcelona in September 2009; jointly organized by UPF and by U. Paris X

The two workshops were key-events leveraging the IFM’s members research by mobilizing an international network of scholars, inciting them to contribute to the objectives of the RefGov project. Without the specific dynamic of the IFM sub-network and of the Ref-Gov funded workshops, none of these scholars would have contributed

- Related more particularly to Workpackages 15 and 16 : special sessions were organized by the Siena Unit in: 2009 European Association for Law and Economics and in 2009 the Italian Society of Law and Economics

### **Corporate Governance**

- The work has been very widely disseminated to non-academic users and stakeholders including companies, NGOs and policy makers.
- Several members of the project team have provided advice, based on the REFGOV research, to governments, companies and other non-academic users of research.
- A Symposium was held with REFGOV support (co-sponsoring the event with the UK ESRC) at the Judge Business School in Cambridge in June 2009 in which over 100 participants took part. They included senior managers from leading global companies (Saint Gobain and McKinsey & Co.), senior academics in the corporate governance field (Professor Andrei Shleifer from Harvard University who was the keynote speaker), and policy-makers who have had a seminal influence on the development of the corporate governance field (Sir Adrian Cadbury).
- There was also extensive user participation from corporate governance practitioners in the final conference of the REFGOV project in Brussels in May 2010.
- The main findings from the wine studies were presented at a series of user workshops during 2009 and 2010, and two international conferences on the wine research were held with stakeholders, in Brussels in March 2010 and in Porto in May 2010. Those taking part included representatives of trade associations and firms in the wine production sector from several EU member states.

Recognition of the academic value and policy impact of the research has come from, among other things, the award of the European Corporate Governance Institute prize for legal research to working papers based on the REFGOV work in both 2009 and 2010.

### **Fundamental Rights**

Participation in workshops by the researchers of the BIM who contributed to the WP 29 on antidiscrimination, and

Participation in a number scientific and professional meetings by members of the “social fundamental rights team” Catania University. Among them :

Participation to Congress on “Il sindacato e i diritti sociali nell'Unione Europea. Dopo le sentenze nei casi Laval, Viking Rüffert, Lussemburgo”, Roma, 11 December 2009 (Prof. Antonio Lo Faro). In the seminar a member of the research unit has been invited to present a paper on the issues of fundamental social rights as opposed to economic freedoms in the internal market.

Participation to Meeting on “L'autonomia collettiva”, Brescia, 4 – 5 March 2010 (Prof. Antonio Lo Faro). The seminar was devoted to analyse the theoretical status of collective autonomy and on the role of social partner in the regulation of certain aspects of labour market and employment relations.



Participation to Scientific Meeting, Roma, 22 – 23 March 2010 (Prof. Sebastiano Bruno Caruso).

Participation to Scientific Seminar organized within the master programme in Droit Social européen et international, 28 – 29 April 2010, Bruxelles (Prof. Antonio Lo Faro). The seminar was aimed at analysing the developments of the Laval case after the decision of the Swedish court.

### **Theory of the Norm Unit**

- Scientific contacts are pursued with the University of Sherbrooke (Ca) for a new research program including case studies related to the genetic approach.
- Dissemination continued through participation and presentation of the research in other scientific environment (conferences and PhD seminars) and more specifically at the (Forum International de Philosophie Politique et Sociale' (Social Philosophy Forum - FIPS) organized by Toulouse University (7th-10th July 2009 and in July 2010). Researchers of the TNU-Unit organized two workshops: one about « Nouvelles formes de participation démocratique et intelligence collective » (New forms of democratic participation and collective intelligence) and another one about the Risk Society concept and the genetic approach.



## Annexe 1 - Common Publications and conference

O. De Schutter and J. Lenoble, (eds) (May 2010), *Reflexive Governance : Redefining the Public Interest in a Pluralistic World*, Oxford, Hart Publishing., May 2010, 235 pp.

### **International Conference**

"Reflexive Governance in the Public Interest Democratic Governance and Collective Action", 27-28 May 2010, Palais des Académies, Brussels

<http://refgov-conf.cpdf.ucl.ac.be/pages/1-international-conference>

## Annexe 2 - TNU Publications and Conferences

### Publications

#### ▪ **Books**

Lenoble, J. and Maesschalck, M., *Democracy, Law and Governance*, 2010, Ashgate, Aldershot, 268 p.

#### ▪ **Book chapters**

Jacques Lenoble and Marc Maesschalck (2010), "Renewing the Theory of Public Interest: The Quest for a Reflexive and Learning-based Approach to Governance", in O. de Schutter and J. Lenoble (eds), *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, Oxford: Hart Publishing, (2010), 3–21.

#### ▪ **Working Papers**

WP-TNU-5 Günther Klaus and Ungureanu Camil, (2010), *The Discourse Theory of Law and Democracy*.

WP-TNU-6 Legault Georges A., (2010), *L'éthique appliquée, la médiation et l'insuffisance du droit : enjeux de gouvernance*.

### Workshop –Conference

- Forum International de Philosophie Politique et Sociale' (Social Philosophy Forum - FIPS) organized by Toulouse University (7th-10th July 2009)

## Annexe 3 - SGI - Publications and Conferences

### Publications

#### ▪ **Books**

Tony Prosser, *The Regulatory Enterprise: Government, Regulation and Legitimacy*, Oxford University Press, 2010, 240 pp.

Karsten Herzman (2010), *Kooperative Maßstabskonkretisierung als Mittel effektiver Energieregulierung*, Tübingen, 2010, 400 pp

#### ▪ **Chapters in books - Articles**

Colin Scott (2010), "Reflexive Governance, Regulation and Meta-Regulation: control or Learning?", in O. de Schutter and J. Lenoble (eds), *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, Oxford: Hart Publishing, (2010), 43–63.

P. Vincent-Jones and C. Mullen, (2010), "From Collaborative to Genetic Governance: The Example of Healthcare Services in England" in O. de Schutter and J. Lenoble (eds), *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, Oxford: Hart Publishing, (2010), 147-178.

D. Hughes, C. Mullen and P. Vincent-Jones, (2009) "Choice versus Voice: PPI Policies and the Repositioning of the State in England and Wales", *Health Expectations* 12 (3), 237-250.

P. Allen, (2009) "Restructuring the NHS again: supply side reform in recent English Healthcare policy" (in press) in *Financial Accountability and Management*, *Financial Accountability and Management* 25 (4) 343-389

P. Allen, (2010 - under review) "New Labour's Public Participation in the English NHS: What was it Designed to Achieve?", under review by *Policy and Politics*.

P. Allen, W. Bartlett, V. Perotin, B. Zamora, and S. Turner, (2010 - under review) "New forms of Provider in the English National Health Service", under review by *Annals of Public and Cooperative Economics*.

Prosser, T., Adlard, H., Eberlein, B., Britz, G. and Herzmann, K. (2010), "Neo-Institutionalist and Collaborative-Relational Approaches to Governance in Services of General Interest: The Case of Energy in the UK and Germany" in Olivier de Schutter and Jacques Lenoble, (eds.), *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, Oxford: Hart Publishing, 2010, 67-95

Gabriele Britz, (forthcoming 2010/201), "Nachfragebezogene Energieeffizienzpflichten der Energieunternehmen im deutschen Recht", in: Britz/Eifert/Reimer, *Energieeffizienzrecht*

Gabriele Britz, (2010), Klimaschutz und Versorgungssicherheit durch Energieeffizienz - Neuerungen durch das dritte Energiebinnenmarktpaket, *ZUR* 2010, p. 124-129.

Gabriele Britz, Energierecht, in: M. Fehling/M. Ruffert (Hg.), *Regulierungsrecht*, Tübingen 2010, § 9, p. 429-499.

Gabriele Britz, Organisation und Organisationsrecht der Regulierungsverwaltung in der öffentlichen Versorgungswirtschaft, in: M. Fehling/M. Ruffert (Hg.), *Regulierungsrecht*, Tübingen 2010, § 21, p. 1148-1199.

Gabriele Britz, Verbundstrukturen in der Mehrebenenverwaltung: Erscheinungsformen, Funktion und verfassungsrechtliche Grenzen am Beispiel der europäischen und deutschen Energiemarktregulierung, *DV-Beiheft* Nr. 8 (2009), p. 71-100.

Bajusz Fleck, (2010), "Price Regulation in Hungary in the Electricity Market", *Annales Tomus* 20-10/1, 319-47.

Eberlein, B., (2010), "Experimentalist Governance in the Energy Sector", in: Charles F. Sabel and Jonathan Zeitlin (eds.), *Experimentalist Governance in the EU: Towards a New Architecture*, New York: Oxford University Press, (2010), 61-78.

Eberlein, B. and Radaelli, C.M., (2010 - forthcoming), "Mechanism of Conflict Management in EU Regulatory Policy", *Public Administration*, 2010, forthcoming.

Eberlein, B. and D. Matten, (2009), "Business Responses to Climate Change Regulation in Canada and Germany. Lessons for MNCs from Emerging Economies.", *Journal of Business Ethics*, 2009, Vol.86, supplement 2, 241-255.

## ▪ Working Papers

WP-SGI-10 Better or Meta in Regulatory Reform?, Brown Ciara and Scott Colin, (2009)

WP-SGI-11 Changes in the Regulation of the Hungarian Electrical Energy Market 2007-2010, Navratil Szonja, (2010)

WP-SGI-12	Healthcare Expenditure Control, Paul Anthelme Adele, Anne-Sophie Ginon et Jérôme Porta, (2010)
WP-SGI-13	Reflexive Governance and Health Policy. The Case of Hungary, Balázs Dobos and Sándor Gallai, (2010)
WP-SGI-14	Reflexive Governance as Social Learning in Non-Governmental Organisations: Two Case Studies of the Genetic Approach. Caroline Mullen and Peter Vincent-Jones, (2010)
WP-SGI-15	Price Regulation in Hungary in the Electricity Market, Gergely Barjusz and Zoltán Fleck (2010)
WP-SGI-16	The Changes of Regulatory Frameworks of Services of General Interests in Hungary, László Boros (2010)
WP-SGI-17	Institutional Proposals – Energy, Energy group, Dir. Tony Prosser (June 2009)
WP-SGI-18	The democratic potential of public participation: healthcare governance in England Caroline Mullen, David Hughes and Peter Vincent-Jones (2010)
WP-SGI-19	Embedding Economic Relationships through Social Learning? The Limits of Patient and Public Involvement in Healthcare Governance in England Peter Vincent-Jones (2010)
WP-SGI-20	Patient and Public Involvement in Healthcare Governance. Institutional Recommendations – <u>Hungary</u> , Sándor Gallai and Balázs Dobos
WP-SGI-21	Patient and Public Involvement in Healthcare Governance. Summary and Institutional Recommendations. <u>England</u> , Peter Vincent-Jones (2010)
WP-SGI-22	Patient and Public Involvement in Healthcare Governance. Summary and Institutional Recommendations. <u>Wales</u> , David Hughes (2010)
WP-SGI-23	Étude de cas . Le comité d'alerte sur l'évolution des dépenses d'assurance-maladie Paul-Anthelme Adele and Jérôme Porta (2010)
WP-SGI-24	Patient and Public Involvement in Healthcare Governance: <u>England and Wales</u> , Peter Vincent-Jones (2010)
WP-SGI-25	A Case Study in Applying the Genetic Approach: The transformation of Collective Modes of Action by Labour organisations in the Context of Liberalisation of the Belgian Electricity Sector, Marc Maesschalck (2010)
WP-SGI-26	Justifications and organization of services of general interest: Historical perspective on governance. Jérôme Porta

#### Conferences - workshops

- P. Vincent-Jones, 'Embedding Economic Relationships through Social Learning? The Limits of Patient and Public Involvement in Healthcare Governance in England', paper for Centre for Socio-Legal Studies workshop, *Socializing Economic Relationships – New Perspectives and Methods for Analysing Transnational Risk Regulation*, Oxford University, 15<sup>th</sup>-16<sup>th</sup> April 2010.
- D. Hughes, 'Social learning in recent UK health reforms and policy divergence in England and Wales', Faculty of Public Health, Naresuan University, Phitsanulok, Thailand. April 1 2010.

- D. Hughes, 'Choice or voice? PPI and the re-positioning of the state in England and Wales', University of Edinburgh, SDO Workshop (organiser, S. Peckham) with invited external speakers. March 19-20, 2009.
- D. Hughes, 'Divergence in UK health policy: the contrasting cases of England and Wales,' Open Lecture, Department of Healthcare Management, Hacettepe University, Ankara, Turkey. March 6, 2008.
- D. Hughes, 'Policy divergence in the British NHS: the contrasting cases of England and Wales', Lezione Magistrale (Master Class) at Germaneto campus (Law and Economics Building), Magna Graecia University, Catanzaro, Italy. April 15, 2008.
- D. Hughes, 'Divergence in UK health policy: the contrasting cases of England and Wales', Open Seminar, College of Public Health Sciences, Chulalongkorn University, Bangkok, Thailand. August 21, 2008.
- D. Hughes, 'Economics, geography or institutions? Using neo-institutional theory to understand recent UK health policy', Invited presentation at: One day symposium: Making connections between medical sociology & organizational studies to explore the management of change in healthcare systems, National College for School Leadership (NCSL), Nottingham. December 11, 2008.

## Annexe 4 - GPS Publications and Conferences

### Publications

#### ▪ Books

Reichman J., Dedeurwaerdere T. and Uhlir P., (forthcoming 2011), *Designing the Microbial Research Commons. Global Intellectual Property Strategies for Accessing and Using Essential Public Knowledge Assets*. Yale University Press

Brousseau, E., T. Dedeurwaerdere, and B. Siebenhüner(eds.), (2011) *Reflexive Governance and Global Public Goods*, Cambridge (MA): MIT Press (accepted for publication)

Brousseau, E., T. Dedeurwaerdere, P.-A. Juvet, and M. Willinger, eds., (2010), *Governing Global Environmental Commons: Institutions, Markets, Social Preferences and Political Games*, Oxford: Oxford University Press (accepted for publication).

Biermann, F. and Siebenhüner, B. (eds.) (2009), *Managers of Global Change. Explaining the Influence of International Environmental Bureaucracies*, Cambridge: MIT Press.

#### ▪ Articles - Book chapters

Dedeurwaerdere, T. (2010), "The Contribution of Network Governance in Overcoming Frame Conflicts: Enabling Social Learning and Building Reflexive Abilities in Biodiversity Governance" in O. de Schutter and J. Lenoble (eds), *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, Oxford: Hart Publishing, (2010), 179–200.

Dedeurwaerdere, T. 2009. Social Learning as a Basis for Cooperative Small-Scale Forest Management. *Small-scale Forestry* 8: 193-209.

Dedeurwaerdere, T. 2009. The role of law, institutions and governance processes in facilitating access to genomics research, in *Gene Patents and Clearing Models. From Concepts to Cases*, ed. G. Van Overwalle, Cambridge (UK) : Cambridge University Press : 365-380.

Dedeurwaerdere, T. 2010. Institutionalizing Global Genetic Resource Commons: Towards Alternative Models for Facilitating Access in the Global Biodiversity Regime. Under Review (*Ecological Economics*). On line at [www.ssrn.com](http://www.ssrn.com).

Brousseau, E., Dedeurwaerdere, T. and Siebenhüner, B. (2011) "Knowledge Matters: Institutional Frameworks to Govern the Provision of Global Public Goods", in *Reflexive Governance and Global Public Goods*, edited by Eric Brousseau, Tom Dedeurwaerdere and Bernd Siebenhüner, MIT Press (accepted for publication).

Brousseau, E. and Dedeurwaerdere, T. (2011) « Addressing the Governance of Global Public Goods », in *Reflexive Governance and Global Public Goods*, edited by Eric Brousseau, Tom Dedeurwaerdere and Bernd Siebenh ner, MIT Press (accepted).

Brousseau, Eric, Dedeurwaerdere, Tom, Juvet, Pierre-Andr  and Willinger, Marc (2011) « Global Environmental Commons: Analytical and Political Challenges in Building Governance Mechanisms », in *Governing Global Environmental Commons: Institutions, Markets, Social Preferences and Political Games*, edited by Eric Brousseau, Tom Dedeurwaerdere, Pierre-Andr  Juvet and Marc Willinger, Oxford University Press (accepted).

Stromberg, P., T. Dedeurwaerdere and U. Pascual, (2010) "Ex situ collections in microbial research: The contribution of public networks to knowledge accumulation", *Research Policy* (submitted for review).  
 Sabine Weiland, (2010), "Sustainability transitions in transition countries. Forest policy reforms in Southeastern Europe", in *Environmental Policy and Governance* 20(6), special issue on "Governance Innovation for Sustainability: Exploring the Tensions and Dilemmas", ed. by Liza Griffin.

Sabine Weiland, (2010), "Capacity building for the environment. Forest policy and management in Southeastern Europe", in Alessandro Bonanno, Hans Bakker, Raymond Jussaume, Yoshiko Kawamura, and Marc Shucksmith (eds.), *From Community to Consumption: New and Classical Themes in Rural Sociology Research*, Bingley: Emerald Publishing, pp. 223-238..

Sabine Weiland (2011- forthcoming), "Reflexive governance – a way forward in coordinated natural resource policy?", in Karl H gl, Eva Kvarda, Ralf Nordbeck und Michael Pregernig (eds.) *New Modes of Governance in Environmental and Natural Resource Policy: Analytical Perspectives and Empirical Insights*, Cheltenham: Edward Elgar.

Sabine Weiland (2011 - forthcoming). "Good Governance, Conditionality, and Learning? Forest Policy Reform in Albania", in G rard Buttoud (ed.) *Forest Policy and Economics* 13, special issue on "Change in Governance as a Collective Learning Process", (This article was taken out of the special issue edited by G rard Buttoud and will appear as a regular article of *Forest Policy and Economics* early 2011).

#### ▪ Working Papers

- WP-GPS-18 Weiland Sabine, (2010), Sustainability Transitions in Transition Countries. Forest Policy Reforms in Southeastern Europe, in: Liza Griffin (ed), *Environmental Policy and Governance*, special issue on "Governance Innovation for Sustainability: Exploring the Tensions and Dilemmas", (forthcoming see articles).
- WP-GPS-19 Weiland Sabine, (2011), Reflexive Governance — a Way Forward in Coordinated Natural Resource Policy?, in: Karl H gl, Eva Kvarda, Ralf Nordbeck and Michael Pregernig (eds.): *New Modes of Governance in Environmental and Natural Resource Policy: Analytical Perspectives and Empirical Insights*. Cheltenham: Edward Elgar, (forthcoming).
- WP-GPS-20 Weiland Sabine, (2011), Capacity Building for the Environment. Forest Policy and Management in Southeastern Europe, in: Alessandro Bonanno, Hans Bakker, Raymond Jussaume, Yoshio Kawamura und Mark Shucksmith (eds.): *From Community to New and Classical Themes in Rural Sociological Research*. Bingley: Emerald Publishing, (forthcoming).
- WP-GPS-21 Weiland Sabine, (2011), Good Governance, Conditionality, and Learning? Forest Policy Reform in Albania,
- WP-GPS-22 Shaun Larcom, (2010), The impact of Legal Pluralism in Traditional Societies: The Case of Papua New Guinea.

#### Conferences and workshops

##### *a. Participation to research seminars, conferences etc since 2009*

2009, Reflexive Governance as Governance in the Public Interest. Paper presented at the Westminster Forum Seminar, Centre for the Study of Democracy, Westminster University, 12 June 2009, London, UK.



2009, Forest Management in Albania — A Case of Policy Learning? Paper presented at the International Symposium "Change in Governance as Collective Learning Process: Management, Politics and Ethics in Forestry", 21-24 June 2009, Nancy, France.

2009, Reflexive Governance — A Way Forward in Coordinated Natural Resource Policy? Paper presented at the coordinated paper session "New Modes of Governance in Environmental and Natural Resource Policy: Conceptual Innovations and Empirical Insights", at the 15<sup>th</sup> International Symposium on Society and Resource Management (ISSRM 2009), 5-8 July 2009, Vienna, Austria.

2009, Between Adaptation and Learning: Forest Policy Reform in Albania. Paper presented at the working group "Towards Sustainable Forestry? Innovations for Institutional Adaptation in Forest Policy and Management", at the XXIII Congress of the European Society for Rural Sociology "Re-inventing the Rural: Between the Social and the Natural", 17-21 August 2009, Vaasa, Finland.

2009, Reflexive Governance as Good Governance? The Case of Forest Policy Reforms in Southeastern Europe. Paper presented at the Panel „Reflexive Governance and Environmental Politics. Conceptual and Empirical Achievements and Perspectives“, 5th ecpr General Conference, 10–12 September, Potsdam, Germany.

2010, Reflexive Governance and the Governance of the Commons. Evidence from European Multi-level Politics. Paper presented at the GOVERNAT Conference on "Governance of Natural Resources in a Multi-level Context", 19-22 January 2010, Leipzig, Germany.

#### *b. Organisation of panels on reflexive governance: since 2009*

- Panel „Reflexive Governance and Environmental Politics. Conceptual and Empirical Achievements and Perspectives“, 5th ecpr General Conference, 10–12 September 2009, Potsdam, Germany (with Peter H. Feindt)

- Panel "Reflexive Governance: Exploring the Concept and Assessing its Critical Potential", 5th Interpretive Policy Analysis Conference (IPA 2010), 23-25 June 2010, Grenoble, France (with Peter H. Feindt)

#### *c. Participation to stakeholder or policy related meetings since 2009*

- Analysing Patterns of Exchange and Use in the Global Microbial Commons Workshop, 18th-19th February 2009, Brussels, Belgium

- Analysing Patterns of Exchange and Use in the Global Microbial Commons Second Workshop, 25th-26th March 2009, Brussels, Belgium

## **Annexe 5 - IFM Publications and Conferences**

### Publications

#### ▪ **Books**

E. Brousseau & Jean-Michel Glachant (eds.) *Manufacturing Markets: legal, political and economic dynamics*, Forthcoming, Cambridge University Press. (see contents here after annexe 9)

A. Nicita, G. Ramello and M. Scherer, (eds.) (forthcoming end 2010), *Competition, Innovation and IPRs*, Routledge

Mravec Michal, (2010), *The Road to Efficient Liberalization of the EU Energy Markets: Some Obstacles and Consequences*, Center for Economic Research and Graduate Education Charles University Prague, 128p.

Book chapters

Brousseau, Eric, Marzouki, Meryem and Méadel, Cécile (2011) « Governance, Networks and Information Technologies: Societal, Political, and Organizational Innovations », in *Governance, Regulations and Powers*



on the Internet, edited by Eric Brousseau, Meryem Marzouki and Cécile Méadel, Cambridge University Press (forthcoming).

Brousseau, Eric and Glachant, Jean-Michel (2010) « 'Reflexive' Market Regulation: Cognitive cooperation in competitive information fora », in *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, edited by Olivier de Schutter and Jacques Lenoble, Oxford, Hart publishing, 23–41.

Brousseau, Eric and Glachant, Jean-Michel (2011) « Regulating Networks in the "New Economy": Organizing Coopetition to Share Information and Knowledge », in *Governance, Regulations, Powers on the Internet*, edited by Eric Brousseau, Meryem Marzouki and Cécile Méadel, Cambridge University Press (forthcoming).

Brousseau, Eric, Liarskaya, Natalia and Muniz, Carlos (2010) « Complementarities Among Governance Mechanisms: An Empirical and Theoretical Assessment of Cooperative Technology Agreements », in *Working Within the Boundaries of Intellectual Property*, edited by Rochelle Dreyfuss Diane L. Zimmerman, Oxford University Press

Brousseau, Eric and Saussier, Stéphane (2009) « Contracting with Governments », pp. 487-521, in *The Economic Institutions of Strategy*, edited by Jackson A. Nickerson and Brian S. Silverman, Emerald Group Publishing Limited, Advances in Strategic Management, Volume 26.

Brousseau, Eric and Pénard, Thierry (2009) « Assembling Platforms: Strategy and Competition », pp. 13-27, in *The Economics of Digital Markets*, edited by Gary Madden and Russel Cooper, Edward Elgar Publishing.

#### ▪ Articles

Brousseau, Eric, Garrouste, Pierre and Raynaud, Emmanuel (2011) « Institutional Changes: Alternative Theories and Consequences for Institutional Design », *Journal of Economic Behavior and Organization* (forthcoming).

Brousseau, Eric and Raynaud, Emmanuel (2011) « "Climbing the Hierarchical Ladders of Rules": A Life-cycle Theory of Institutional Evolution », *Journal of Economic Behavior and Organization* (forthcoming).

Brousseau, Eric, Schemell, Yves and Sgard, Jérôme (2010) « Constitutions, States and Development », *Journal of Comparative Economics* (September).

Brousseau, Eric and Nicita, Antonio (2010) « How To Design Institutional Frameworks for Markets: New Institutional Economics meet the needs of Industrial Organization », *Revue d'Economie Industrielle*, # 129-130, 1st trim.

Brousseau, Eric, Garrouste, Pierre and Raynaud, Emmanuel (eds) 2011. « The Dynamics of Institutions in Perspective », *Journal of Economic Behavior and Organization* (special issue) (forthcoming).

Brousseau, Eric and Greif, Avner (eds) 2010. « Dynamics of Institutions and Development », *Journal of Comparative Economics* (special issue) (September).

Saguan Marcelo, Perez Yannick & Glachant Jean-Michel, (2009), L'architecture de marchés électriques : l'indispensable marché du temps réel d'électricité, *Revue d'économie industrielle*, n° 127.

Marcello Basili, Antonio Nicita and Maria Alessandra Rossi, "Contracts and Motivation. The case of Open Source", *Quaderni del Dipartimento di Economia Politica* n.544, University of Siena

Fernandez Barcala Marta, Gonzalez-Diaz Manuel & Prieto-Rodriguez Juan, (2010), "Hotel quality appraisal on the Internet: A market for lemons?", *Tourism Economics*, Volume 16, Number 2, pp. 345-360(16)

Brousseau Eric & Nicita Antonio, (2009), How to Design Institutional Frameworks for Markets", *Revue d'Economie Industrielle*, n. 128.

Magazzini Laura, Pammolli Fabio, Riccaboni Massimo & Rossi Maria Alessandra, (2009), "Patent disclosures and R&D competition in pharmaceuticals", *Economics of Innovation and New Technologies*, 18(5), 467–486.

Manganelli Antonio, Nicita Antonio & Rossi Maria Alessandra, (2010), "Multilevel governance of competition policy in Europe", forthcoming in *Manufacturing Markets*, Eric Brousseau and Jean Michel Glachant (eds.),

Cambridge University Press, London.

Nicita Antonio & Rizzolli Matteo, (2009), "The Case for the Virtual Strike", *Portuguese Economic Journal*, 8(2).

Nicita Antonio & Winkler Matteo, (2009), "The Cost of International Accidents: Lessons from Bhopal and Amoco", *Journal of World Trade*, 43(4).

Nicita Antonio & Sepe Simone, "Incomplete Contracts and Competition. Another look at Fisher Body/General Motors?", forthcoming in *European Journal of Law and Economics*.

Pagano Ugo & Rossi Maria Alessandra, (2009), "The Crash of the Knowledge Economy", *Cambridge Journal of Economics*, 33, 665–683.

Pagano Ugo & Rossi Maria Alessandra, (2010), "Property rights in the knowledge economy: an explanation of the crisis" (with Ugo Pagano), *Quaderni del Dipartimento di Economia Politica* n.586, University of Siena, and forthcoming in *The Global Crisis*, E. Braccaccio (ed.), Routledge, Londra.

Arruñada Benito, (2009), "Specialization and Rent Seeking in Moral Enforcement: The Case of Confession", *Journal for the Scientific Study of Religion* 48(3): 443–461

Arruñada Benito, (2009), "Protestants and Catholics: Similar work ethic, different social ethic", *The Economic Journal*.

Arruñada Benito, (2009), "Reforming responsibility in Spain. Heavy lifting ahead", *IESE insight* issue 3, Fourth quarter 2009

Arruñada Benito, (2009), "How doing business jeopardizes institutional reform", *European Business Organization Law Review*, 10(4), 555-574.

Arruñada Benito, (2010), « Una reforma virtual del entorno de la empresa », in M. Bagüés, J. Fernández-Villaverde y L. Garicano (eds.), *La Ley de Economía Sostenible y las reformas estructurales: 25 propuestas*, FEDEA, Madrid, pp. 42-47.

Arruñada Benito, (2010), "Leaky title syndrome?", *New Zealand Law Journal*, 115-120.

Arruñada Benito, (2010), "Mandatory accounting disclosure by small private companies", *Eur J Law Econ*, forthcoming.

Arruñada Benito, Vazquez Luis & Zanarone Giorgio, (2009), "Institutional Constraints on Organizations: The Case of Spanish Car Dealerships", *Managerial and Decision Economics*. 30: 15–26

Casari Marco & Luini Luigi, (2009), "Cooperation under alternative punishment institutions: An experiment.", *Journal of Economic Behavior & Organization*, Volume 71, Issue 2, August 2009, Pages 273-282

#### ▪ Working Papers

- WP-IFM-65 Ahner Nicole, Glachant Jean-Michel & de Hauteclocque Adrien, (2010), Legal Feasibility of Schengen-like Agreements in European Energy Policy: The Cases of Nuclear Cooperation and Gas Security of Supply.
- WP-IFM-66 Cepeda Mauricio, Saguan Marcelo & Virginie Pignon, (2008), Adequacy and transmission interconnection in regional electricity markets: Deffects of large amount of wind power capacity
- WP-IFM-67 de Hauteclocque Adrien & Rious Vincent, (2009), Reconsidering the regulation of merchant transmission investment in the light of the third energy package: The role of dominant generators, EUI working paper RSCAS 2009/59.
- WP-IFM-68 Glachant Jean Michel & Hallack Michelle, (2010), The gas transportation network as a 'lego' game: how to play with it? EUI RSCAS 2010/42

WP-IFM-69	Jones Christopher & Glachant Jean-Michel, (2010), Why and how the European Union can get a (near to) carbon-free energy system in 2050? MIT-CEEPR (Series); 10-002WP
WP-IFM-70	Lévêque, François; et. al., (2009), Academic Opinion of Economic Scholars on Champsaur Commission's Paper, EUI working paper RSCAS; 2009/38
WP-IFM-71	Obersteiner Carlo & Saguan Marcelo, (2010), Parameters influencing the market value of wind power – a model-based analysis of the Central European power market, Euro. Trans. Electr. Power (2010)
WP-IFM-72	Rious Vincent, (2009), The Design of the Internal Energy Market in Relation to Energy Supply Security and Climate Change, EUI working paper RSCAS; 2009/37
WP-IFM-73	Rious Vincent, (2010), What type(s) of support schemes for storage in island power systems?
WP-IFM-74	Rious Vincent, Glachant Jean-Michel, Perez Yannick & Dessante Philippe, (2009), The role of transmission investment in the coordination between generation and transmission in the liberalised power systems, published in 32nd IAEE International Conference, San Francisco, SAN FRANCISCO : United States (2009)
WP-IFM-75	Rious Vincent, Usaola Julio, Saguan Marcelo, Glachant Jean-Michel & Dessante Philippe, (2008), Assessing Available Transfer Capacity on a Realistic European Network: Impact of Assumptions on Wind Power Generation, presented, 1st International scientific conference "Building Networks for a Brighter Future", 2008, Rotterdam, Netherlands
WP-IFM-76	He Xian & Delarue Erik, (2010), Business model for aggregating the value of storage, work in progress.
WP-IFM-77	Fernandez Barcala Marta, Gonzalez-Diaz Manuel & Raynaud Emmanuel, (2009), Manufacturing Product Quality: The Diversity of Mechanisms of Governance in Agrifood Markets, presented at the workshop "Manufacturing Markets: legal, political and economic dynamics", Florence, June 2009.
WP-IFM-78	Fernandez Barcala Marta, Gonzalez-Diaz Manuel & Raynaud Emmanuel, (2010), The Governance of Quality through Geographical Indicators: The Case of Fresh Meat.
WP-IFM-79	López-Fernández Begoña & López-Bayón Susana, (2010), Delegation and Autonomy in Franchising
WP-IFM-80	Belloc Filippo, Nicita Antonio & Rossi Maria Alessandra, (2009), Whither Broadband Policy? In Search of Selective Intervention, Quaderni del Dipartimento di Economia Politica n. 567, Università di Siena.
WP-IFM-81	Belloc Filippo, (2010), The Dark Side of Shareholder Protection: Cross-country Evidence from Innovation Performance, Quaderni del Dipartimento di Economia Politica n.583, University of Siena.
WP-IFM-82	Belloc Filippo & Nicita Antonio, (2010), Partisan Liberalizations. A New Puzzle from OECD Network Industries?, Quaderni del Dipartimento di Economia Politica n.588, University of Siena and European University Institute wp RSCAS 2010/28.
WP-IFM-84	Benedettini Simona & Nicita Antonio, (2009), Deterrence, Incapacitation and Enforcement Design. Evidence from Traffic Enforcement in Italy, Quaderni del Dipartimento di Economia Politica n. 564, Università di Siena.
WP-IFM-85	D'Antoni Massimo & Rossi Maria Alessandra, (2010), Appropriability and incentives with complementary innovations, <i>mimeo</i> , University of Siena.
WP-IFM-86	Nicita Antonio & Sepe Simone, (2010), Optimal Contract Design with Unilateral Market Option, Quaderni del Dipartimento di Economia Politica n.593, University of Siena.
WP-IFM-87	Nicita Antonio & Vatiello Massimiliano, (2009), Incomplete Contracts, Irreversible

Investments and Entry Deterrence, Quaderni del Dipartimento di Economia Politica n.566, University of Siena.

- WP-IFM-88 Arruñada Benito, (2009), Property titling and conveyancing, UPF Economics and Business Working Paper No. 1177
- WP-IFM-89 Arruñada Benito, Vazquez Luis (2009), Behavioral Assumptions and Management Ability, Economics and Business Working Paper Series No. 1157
- WP-IFM-90 Arruñada Benito, (2010), Institutional Support of the Firm: A Theory of Business Registries, Economics Working Paper No. 1195
- WP-IFM-91 Eric Brousseau (2010), REFGOV-IFM Policy Briefs: The legal, political and economic dynamics of market regulations
- WP-IFM-92 Antonio Nicita and Maria Alessandra Rossi (2010), The Properties of Intellectual Property.

### Conferences and workshops 2009-2010

- Event 1 : Manufacturing Markets: legal, political and economic dynamics, Florence, Villa Finaly, June 11-13, 2009, Organizers : Eric Brousseau (EconomiX, U Paris X) & Jean-Michel Glachant (ADIS-GRJM, U. Paris XI)

<http://economix.u-paris10.fr/fr/activites/ws/?id=92> – (see detailed programme annexe 9)

- Event 2: Measuring Law and Institutions III: Analytical and Methodological Challenges: Organized by Benito ARRUNADA and Eric BROUSSEAU, Barcelona / October 2-3, 2009 (see detailed programme annexe 9)

- Event 3: Open Models of Innovation and of Information Goods Production and Distribution Workshop held in Paris, January 15th, 14:00-18:00

- Event 4: Digital Business Models: Understanding Strategies, workshop, Paris, June 25-26, 2010.

## Annexe 6 - CG Publications and Conferences

### Publications

#### ▪ **Books**

Cafaggi, F. (ed.) (2010) *Il contratto di reti. Commentario* (Bologna: Mulino)

Cafaggi, F. (ed.) (2010) *Contractual Networks, Interfirm Cooperation and the Small Business Act* (Cheltenham: Edward Elgar), forthcoming.

Iamiceli, P. (ed.) (2010) *Le reti di imprese e contratti di rete* (Turin: Giappichelli).

Whittaker, D. and Deakin, S. (eds.) (2009) *Corporate Governance and Managerial Reform in Japan* (Oxford: OUP).

#### ▪ **Chapters in books**

Deakin, S. and Koukiadaki, A. (2010) 'Reflexive approaches to corporate governance: the case of Heathrow Terminal 5', in J. Lenoble and O. De Schutter (eds.) *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, Oxford: Hart Publishing, 2010, 97–114.

Buchanan, J. and Deakin, S. (2009) 'In the shadow of corporate governance reform? Change and continuity in managerial practice in listed companies in Japan' in D. Whittaker and S. Deakin (eds.) *Corporate Governance and Managerial Reform in Japan* (Oxford: OUP).

#### ▪ Articles

Armour, J., Deakin, S., Lele, P. and Siems, M., (2009), "How do legal rules evolve? Evidence from a cross-country comparison of shareholder, creditor, and worker protection", *American Journal of Comparative Law*, 57: 579-630.

Armour, J., Deakin, S., Mollica, V. and Siems, M., (2009), "Law and financial development: what we are learning from time series evidence", *Brigham Young University Law Review*, 1435-1500.

Deakin, S. and Koukiadaki, A., (2009), "Governance processes, labour-management partnership and employee voice in the construction of Heathrow Terminal 5", *Industrial Law Journal*, 38: 365-389.

Turner, S., (2009), "Networks of learning within the English wine industry" *Journal of Economic Geography* doi:10.1093/jeg/lbp053.

Cankar, N., Deakin, S. and Simoneti, M., (2010), "The reflexive properties of corporate governance codes: the reception of the 'comply or explain' approach in Slovenia", *Journal of Law and Society*, 37: 501-25.

Deakin, S., Demetriades, P. and James, G., (2010), "Creditor protection and banking system development in India", *Economics Letters*, 108: 19-21.

Konzelmann, S., Fovargue-Davies, M., and Wilkinson, F., (2010), "Governance, regulation and financial market instability: the implications for policy", *Cambridge Journal of Economics* doi:10.1093/cje/bep086; presented to REFGOV conference, Brussels, May 2010.

Lourenço, A., (2010), "Autopoietic social systems theory: the coevolution of law and the economy", *Australian Journal of Legal Philosophy*, forthcoming.

Siems, M. and Deakin, S., (2010), "Comparative law and finance: past, present and future research", *Journal of Institutional and Theoretical Economics*, 166: 120-140.

Johnston, A. (2010) 'Varieties of corporate governance and reflexive takeover regulation' in U. Bernitz and W.-G. Ringe (eds.) *Company Law and Economic Protectionism: New Challenges to European Integration* (Oxford: OUP) forthcoming.

Xhaufclair, V., Pichault, F. and Maesschalck, M. (2010) 'Partenariats inter-organisationnels et nouvelles formes de gouvernance: les conditions d'un compromis équilibré et pérenne', *Management & Avenir*, forthcoming.

#### ▪ Working Papers

WP-CG-41 The Evolution of Ownership Disclosure Rules Across Countries, Schouten Michael C. and Siems Mathias M., (January 2010).

WP-CG-42 The Web of Creditor and Shareholder Protection in 25 Countries: A Comparative Legal Network Analysis, by Siems Mathias M., (2010).

WP-CG-43 Convergence in Corporate Governance: A Leximetric Approach, Siems Mathias M., (2010).

WP-CG-44 Competition and public service broadcasting: stimulating creativity or servicing capital? Turner Simon and Lourenço Ana, (2010).

WP-CG-45 How Do Legal Rules Evolve? Evidence from a Cross-Country Comparison of Shareholder, Creditor and Worker Protection, by Armour John, Deakin Simon, Lele Priya and Siems Mathias, (2008)

WP-CG-46	Law and Financial Development: What We Are Learning from Time-Series Evidence, by Armour John, Deakin Simon, Mollica Viviana and Siems Mathias, (2009).
WP-CG-47	System and evolution in corporate governance, CBR Working Paper No. 391; ECGI Law Working Paper No. 150/2010, Deakin, S. and Carvalho, F., (2010).
WP-CG-48	Varieties of liberalism: Anglo-Saxon capitalism in crisis?, CBR Working Paper No. 403; presented to REFGOV CG workshop, Brussels, May 2010, Konzelmann, S., Fovargue-Davies, M. and Schnyder, G., (2010).
WP-CG-49	Autopoietic Social Systems Theory: The Co-Evolution of Law and the Economy, by Lourenço Ana, (2010).
WP-CG-50	Flexible or not? The comply-or-explain principle in UK and German corporate governance, by Sanderson Paul, Seidl David, Krieger Bernhard and Roberts John, (2010).
WP-CG-51	Institutional Evolution in Corporate Governance: The Case of Hedge Fund Activism in Japan, by John Buchanan, Dominic Chai and Simon Deakin (May 2010)
WP-CG-52	Employee Ownership in the European Company: Reflexive Law, Reincorporation and Escaping Codetermination, by Wanjiru Njoya
WP-CG-53	Corporate Governance, Gender Equality and Family-Friendly Practices in British Firms, by Dominic Chai, Simon Deakin and Colm McLaughlin (May 2010)
WP-CG-54	Applying the 'comply-or-explain' principle: Conformance with codes of corporate governance in the UK and Germany, by David Seidl, Paul Sanderson and John Roberts
WP-CG-55	Does workers' information benefit from stock market disclosure requirements? An empirical analysis on French linked employer-employee data, Corinne Perraudin, Eloïse Petit and Antoine Reberieux (May 2010)
WP-CG-56	The Global Economic and Financial Crisis: Which Way Forward? Ajit Singh and Ann Zammit (May 2010)
WP-CG-57	Inter-organizational partnerships and new forms of governance: the conditions for balanced and sustainable compromises. by Virginie Xhaufclair, François Pichault and Marc Maesschalck (2010)

### Conferences – workshop

- A Symposium was held with REFGOV support (co-sponsoring the event with the UK ESRC) at the Judge Business School in Cambridge in June 2009 in which over 100 participants took part. They included senior managers from leading global companies (Saint Gobain and McKinsey & Co.), senior academics in the corporate governance field (Professor Andrei Shleifer from Harvard University who was the keynote speaker), and policy-makers who have had a seminal influence on the development of the corporate governance field (Sir Adrian Cadbury).
- There was also extensive user participation from corporate governance practitioners in the final conference of the REFGOV project in Brussels in May 2010.
- The main findings from the wine studies were presented at a series of user workshops during 2009 and 2010, and two international conferences on the wine research were held with stakeholders, in Brussels in March 2010 and in Porto in May 2010. Those taking part included representatives of trade associations and firms in the wine production sector from several EU member states.



## Annexe 7 - FR Publications and Conferences

### ▪ Books

De Schutter, O. and Moreno Lax, V (eds) (2010) *Human rights in the web of governance: Towards a learning-based fundamental rights policy for the European Union*, Brussels, Bruylant, 321 pp.

De Schutter, O. (ed.) (2010), *The European Social Charter. A Social Constitution for Europe*, Brussels, Bruylant, 2010, 192 pp.

De Schutter, O., and Ringelheim, J. (ed.) (2010), *Ethnic Monitoring. The processing of racial and ethnic data in anti-discrimination policies : reconciling the promotion of equality with privacy rights*, Brussels, Bruylant, 190 pp.

De Schutter, O. (forthcoming), *Fundamental Rights in the European Union*, Oxford, Oxford University Press (forthcoming)

### ▪ Articles – Chapters in books

De Schutter, O., (2010), "The role of evaluation in experimentalist governance : learning by monitoring in the establishment of the area of freedom, security and justice", in Sabel and Zeitlin (eds), *Experimentalist Governance in the European Union: Towards a New Architecture*, Oxford, Oxford University Press, 2010, pp. 261-296

De Schutter, O. (2010), "Introduction – Institutions Equiped to Learn " in O. de Schutter and J. Lenoble (eds), *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, Oxford: Hart Publishing, (2010), xv–xxx.

De Schutter, O. (2010), "The Democratic Experimentalist Approach to Governance: Protecting Social Rights in the European Union" in O. de Schutter and J. Lenoble (eds), *Reflexive Governance: Redefining the Public Interest in a Pluralistic World*, Oxford: Hart Publishing, (2010), 115–143.

Moreno Lax, V., (2010-forthcoming), "Already There? Extraterritorial Entry Controls and Extraterritorial *Non-Refoulement* in EU law", in Ph. De Bruycker et al. (eds.), *The External Dimensions of EU Asylum and Migration Policy*, Bruylant, Bruxelles (forthcoming)

### ▪ Working Papers

WP-FR-28 Searching Responsibilities and Rescuing Rights: Frontex, the Draft Guidelines for Joint Maritime Operations and Asylum Seeking in the Mediterranean, by Violeta Moreno Lax (2009)

WP-FR-29 International Environment Pollution and some other PIL–Issues of Transnational Corporate Social Responsibility, by Veerle van den Eeckhout (2010)

WP-FR-30 The External Dimension of the CEAS after Stockholm. In Need of a Comprehensive Approach to Access International Protection in the EU., by Violeta Moreno Lax (2010)

WP-FR-31 Beyond *SAADI v UK*: The "Necessity" Requirement for Administrative Detention of Asylum Seekers in the EU., Violeta Moreno Lax (2010)

WP-FR-32 Confiance mutuelle et droits de l'homme. La Convention européenne des droits de l'homme et la transformation de l'intégration européenne. by Olivier De Schutter and Françoise Tulkens (2010)

WP-FR-33 A New Direction for the Fundamental Rights Policy of the EU. by Olivier De Schutter (2010)

### Conferences – Meetings

Related to 'Fundamental social rights':

- Participation to Scientific seminar of International and comparative labour law "Pontignano XXVI", Pontignano (Siena), 14 – 20 July 2009, (Dr. Elisa Saccà). The seminar was devoted to the analysis of the topic of collective bargaining from an International, European and comparative perspective. The Right of collective bargaining and action is a fundamental tool to improve democracy in the European society in general and, specifically, inside the enterprises so it needs to be deeply developed in the context of a research project as REFGOV.
- Participation to Congress on "Il lavoro subordinato fra diritto interno e diritto sopranazionale", Roma, 1 October 2009 (Prof. Antonio Lo Faro, Prof.ssa Anna Alaimo, Dr. Loredana Zappalà). The seminar was devoted to an analysis of the main issues of EU social law in the light of the new Treaty.
- Participation to Congresso CNEL on "La partecipazione dei lavoratori fra realtà e prospettive", Roma, 21 October 2009 (Prof.ssa Anna Alaimo). The congress was devoted to the analysis of the topic of workers' rights in the enterprises. This topic has been strongly influenced by the European Policies to guarantee to workers a more democratic participation in the management of the enterprise.
- Participation to Congress on "Il sindacato e i diritti sociali nell'Unione Europea. Dopo le sentenze nei casi Laval, Viking Rüffert, Lussemburgo", Roma, 11 December 2009 (Prof. Antonio Lo Faro). In the seminar a member of the research unit has been invited to present a paper on the issues of fundamental social rights as opposed to economic freedoms in the internal market.
- Participation to Meeting on "L'autonomia collettiva", Brescia, 4 – 5 March 2010 (Prof. Antonio Lo Faro). The seminar was devoted to analyse the theoretical status of collective autonomy and on the role of social partner in the regulation of certain aspects of labour market and employment relations.
- Participation to Scientific Meeting, Roma, 22 – 23 March 2010 (Prof. Sebastiano Bruno Caruso).
- Participation to Scientific Seminar organized within the master programme in Droit Social européen et international, 28 – 29 April 2010, Bruxelles (Prof. Antonio Lo Faro). The seminar was aimed at analysing the developments of the Laval case after the decision of the Swedish court.

Related to 'Anti discrimination': Participation in meetings in London and Rome



## **Annexe 8 - IFM Detailed programme of events**

**IFM- Contents : Manufacturing Markets: legal, political and economic dynamics**  
**Eric Brousseau (EconomiX, U Paris X) & Jean-Michel Glachant (ADIS-GRJM, U. Paris XI)- CUP**  
**Cambridge University Press**

Eric Brousseau, Jean-Michel Glachant, Manufacturing Markets: but what does it mean? and why it matters.

Aashish Velkar, Measurement Systems as Market Foundations Perspectives from historical markets

Marta Fernandez Barcala, Manuel Gonzalez-Diaz and Emmanuel Raynaud, How to Manufacture Quality: The Diversity of Institutional Solutions and how they Interact in Agrifood Markets

Benito Arruñada, The law of impersonal transactions

Terry L. Anderson, Ragnar Arnason, Gary D. Libecap, Manufacturing Markets": The Efficiency Advantages of Grandfathering Allocations over Auctions

Denny Ellerman, The creation of a market for retail electricity supply

Eshien Chong, Carine Staropoli and Anne Yvrande-Billon, Auction versus Negotiation in Public Procurement: Looking for Empirical Evidence

John Joseph Wallis, Why Competitive Markets Aren't Self-Actuating: The Political Economy of Limited Access

Stephen Littlechild, The creation of a market for retail electricity supply

Antonio Manganelli, Antonio Nicita, and Maria Alessandra Rossi, The institutional design of European competition policy

Yannis Karagiannis and Adrienne Héritier, Politics and the manufacturing of a transatlantic market for civil aviation (1944-2007)

Witold J. Henisz, Bennet A. Zelner, The Cycling of Power Between Private and Public Sectors: Electricity Generation in Argentina, Brazil, and Chile

Victor Nee and Sonja Oppen, Governing Financial Markets

Jérôme Sgard, Money Reconstructed: Argentina and Brazil after Hyperinflation

Larry Neal, The Microstructure of the First Emerging Markets in Europe in the 18th Century

Craig Pirrong, Exchanges: The Quintessential Manufactured Markets

Michel Aglietta and Laurence Scialom, For a renewal of financial regulation

[Event 1 : Manufacturing Markets: legal, political and economic dynamics, Florence, Villa Finaly, June 11-13, 2009, Organizers : Eric Brousseau \(EconomiX, U Paris X\) & Jean-Michel Glachant \(ADIS-GRJM, U. Paris XI\)](#)

<http://economix.u-paris10.fr/fr/activites/ws/?id=92>

Manufacturing institutional frameworks organizing markets fostering an efficient provision of all kind of private and public goods has been becoming a major challenge for contemporary economic policies. First, political processes of transition to a market economy, or movement of economic integration — like the one that is occurring at the EU level—, or technical change and innovations, have been leading to create and organize all kinds of new markets. Second, the design of efficient markets has been becoming an essential policy tool. Until the 1980's, the usual remedy to the so-called "market failures" was either the public provision of services, or the design of command and control regulations. The resulting bureaucratic and political failures led to create more sophisticated markets. These innovations even led to run "pure" public policies, as environmental protection or limitation of climate change, through the design of ad-hoc markets. Third, as pointed out by the sophistication, the intertwining, the fluidity, and the stakes of some markets (e.g. finance, energy, information, technology) the issues of crisis management, security of markets and in the end trust in institutional capabilities, has been renewed.

Significant progresses have been made in the understanding of the building of institutional frameworks, and in the analysis of the impact of institutions on economic performances. Despite developments in institutional economics, in law and economics and in political economy, there is however a lack of integration of the

knowledge necessary to design and run institutional policies aimed at building relevant and efficient frameworks for markets.

Contemporary economics made major progresses in departing from the traditional vision of the discipline in which institutions were exogenous in the analysis, and most of the time given. However, the dominant vision today is still a "mechanical" one. Market institutions are seen as turnkey tools available on the shelves. It is often assumed that a given institutional tool should produce a given economic outcome, with little understanding of implementation constraints and interplay between various tools. More "biologic" visions remain also too crude. Evolutions are too often seen through the lenses of efficient processes of selection of the fittest, and of cumulative learning. In the same time, analyses at the frontier of other disciplines (in particular law and political science) have been highlighting the various logics are at play in the dynamic of institutions. In a nutshell, economic institutions result from the interplay among the economic quest for efficiency, the political fights for strength and rewarding positions, and the legal constraints of security and stability.

It seems therefore relevant to build a framework to analyze the interplay between the economy, the politic and the law.

At least three "levels" of analysis could be relevant to understand the process of market manufacturing. The first one is the one of "markets rights" by which economic agents can access to resources, use them and trade through the combination of "property rights", "market design" and "market regulations". Above this level, the "governance" one is the one at which "market rights" are implemented through negotiation and strategic games among various kind of economic, politic and social actors. The third level of analysis correspond to the "Institutional foundations" that set-up the basic rules according to which the "governance" game is played.

Six categories of actors play a fundamental role in these games. The economic arena is structured by the conflicting interests of the users (both consumers and professional users), of the innovators (innovative firms and new entrants) and of the incumbents. The institutional arena is structured by a conflict of logics between policy makers (with a dichotomy between the executive branch and the parliament), the judiciary, and the "market authorities" (i.e. the regulators and the competition authorities, which are characterized by different levels of discretionary and rule making power).

The complexity draws from the fact that all these actors play simultaneously on the three levels, while they do not necessarily rely on the same logic in each arena.

The goal of the workshop is to take stock of the knowledge accumulated over the past years, both about the strategic reactions and games played around regulatory reforms, and about the interplay between political competition, economic life and the law. Contributors will propose synthesis and new developments aimed at contributing to the design of a renewed tool-kit and guidelines for market policies. It will necessitate analytical advances on the governance of markets. Four lines of analysis shall be developed

1. Most of the market manufacturing interactions described above are driven by interacting logics, namely efficiency, collective interest, stability and security, and rent seeking. It is worth to better understand the factors leading one of these logics to be dominant in various contexts (i.e. different combinations of actors at various levels of institutional design).
2. The dynamic of market manufacturing comes both from top-down movement of institutional reforms and from bottom-up streams of institutional innovation. It is essential to deepen our knowledge on the interplay between these complementary logics of change.
3. In the course of market manufacturing, strategies are unstable because the various players learn (both the outcome of a given governance regime and the dynamic of given process of change). It is important, especially to drive reforms, to learn how to benefit from this accumulation of knowledge, and to take into consideration the evolving capabilities of actors.
4. On the one hand, institutions framing markets are characterized by stability because many feedback loops tend to maintain existing equilibrium. On the other hand, these institutions can be understood as simultaneous equilibria among various games played in interdependent spheres (in the spirit of Aoki), which can be entirely destabilized by an "external" shock. Getting a better understanding of the dialectic between stability (at least, path dependency) and risks of systemic crisis is essential both to understand the strong constraints framing any policy of market manufacturing, and to identify opportunities and paths of reform.

#### PROGRAM

Thursday, 11 June

#### Afternoon session: 14h00-19h00

**14h00 – 14h45: J r me Sgard** (CERI/Sciences-Po)

*"Hyperinflation and the evolution of monetary institutions: Argentina and Brazil, 1990-2002"*

Discussants: **Céline Bigneat** (INRA) and **Witold Henisz** (The Wharton School)

**14h45 – 15h30: Craig Pirrong** (University of Houston)

*"Financial Exchanges: The Quintessential Manufactured Markets"*

Discussants: **Laure Athias** (IDHEAP / University of Lausanne) and **Victor Nee** (Cornell University)

**16h45 – 17h30: Mark Thatcher** (London School of Economics and Political Science - LSE)

*"The dynamic of regulatory norms in the EU: a political perspective"*

Discussants: **Adrienne Héritier** (European University Institute) and **Ashish Velkar** (London School of Economics)

**17h30 – 18h15: Victor Nee** (Cornell University) and Sonja Opper (Lund University)

*"Markets for Innovation in China"*

Discussants: **Maria Alessandra Rossi** (University of Siena) and **Jérôme Sgard** (CERI/Sciences-Po)

### Friday, 12 June

#### Morning session: 9h00-13h15

**9h00 – 9h45: John Joseph Wallis** (University of Maryland)

*"Why competitive markets aren't self actuating: the political economy of open access"*

Discussants: **Yannick Perez** (EUI & University of Paris XI) and **Larry Neal** (University of Illinois)

**9h45 – 10h30: Terry L. Anderson and Gary Libecap** (University of California, Santa Barbara)

*"The Allocation and Dissipation of Resource Rents: Implications for Fishery Reform"*

Discussants: **Raphaël Soubeyran** (INRA) and **Tom Dederwaerdere** (Université Catholique de Louvain)

**11h00 – 11h45 : Benito Arrunada** (Pompeu Fabra University)

*"Formalization institutions: Why, When and How?"*

Discussants: **Claudine Desrieux** (University of Paris I) and **John Joseph Wallis** (University of Maryland)

**11h45 – 12h30: Denny Ellerman** (Massachusetts Institute of Technology)

*"Constructing Air Emission Markets: US SO2 and EU CO2"*

Discussants: **Freddy Huet** (University of Nice Sophia-Antipolis) and **Gary Libecap** (University of California, Santa Barbara)

**12h30 – 13h15: Tom Dederwaerdere** (Université Catholique de Louvain)

*"Analyzing formal and informal institutions in the life sciences commons"*

Discussants: **Sophie Harnay** (University of Paris Ouest) and **Denny Ellerman** (Massachusetts Institute of Technology)

#### Afternoon session: 14h30-19h00

**14h30 – 15h15: Ashish Velkar** (London School of Economics)

*"Measurement Systems as Market Foundations: The role of mensuration in generating economic knowledge"*

Discussants: **Eric Brousseau** (University of Paris Ouest) and **Manuel Gonzales-Diaz** (Universidad de Oviedo)

**15h15 – 16h00: Marta Fernández-Barcala** (Universidad de Oviedo), **Manuel González-Díaz** (Universidad de Oviedo) and Emmanuel Raynaud (INRA)

*"The governance of quality"*

Discussants: **Jean-François Sattin** (IAE - Valenciennes) and **Céline Bigneat** (INRA)

**16h30 – 17h15: Antonio Nicita** (University of Siena)

*"Multilevel competition policy in Europe"*

Discussants: **Laurence Scialom** (University of Paris Ouest) and **Laure Athias** (IDHEAP / University of Lausanne)

**17h15 – 18h00: Howard Shelanski** (University of California, Berkeley)

*"American vs European logic in competition policy"*

Discussants: **Adrien de Hauteclocque** (University of Paris XI) and **Antonio Nicita** (University of Siena)

**18h15 – 19h00: Michel Aglietta and Laurence Scialom** (University of Paris Ouest) (University of Paris Ouest)

*"A systemic approach in financial regulation – European perspective"*

Discussants: **Claudine Desrieux** (University of Paris I) and **Mark Thatcher** (London School of Economics and Political Science - LSE)

### Saturday, 13 June

#### **Morning session: 9h00-13h15**

**9h00 – 9h45: Witold Henisz** (The Wharton School)

*"The Death of DAD (Decide Announce Defend) and the Potential Rise of a Bottom-Up Interdisciplinary Process Approach to Manufacturing Markets"*

Discussants: **Freddy Huet** (University of Nice Sophia-Antipolis) and **Benito Arrunada** (Pompeu Fabra University)

**9h45 – 10h30: Larry Neal** (University of Illinois)

*"The Microstructure of the First Emerging Markets in Europe in the 18th Century"*

Discussants: **Sophie Harnay** (University of Paris Ouest) and **Steven Littlechild** (Judge Business School, U. of Cambridge)

**11h00 – 11h45 : Adrienne Héritier** (European University Institute)

*"The Liberalization of Transatlantic Air Services and Regulatory Convergence"*

Discussants: **Anne Yvrande-Billon** (CAE and University of Paris I) and **Leigh Hancher** (Tilburg University)

**11h45 – 12h30: Leigh Hancher** (Tilburg University)

*"Are the foundations of (EU-energy) market driven by regulation or competition policy?"*

Discussants: **Adrien de Hauteclocque** (University of Paris XI) and **Howard Shelanski** (University of California, Berkeley)

#### **Afternoon session: 13h30-17h00**

**13h30 – 14h15: Steven Littlechild** (University of Birmingham and University of Cambridge)

*"The creation of the UK market for retail electricity supply"*

Discussants: **Carine Staropoli** (University of Paris I) and **Victor Nee** (Cornell University)

**14h15 – 15h00: Eshien Chong** (University of Paris XI), **Carine Staropoli** (University of Paris I) and **Anne Yvrande-Billon** (CAE and University of Paris I)

*"Auctions: an efficient tool to boost competition and build sustainable markets?"*

Discussants: **Leonardo Meeus** (Leuven University & EUI) and **Yves Smeers** (Université Catholique de Louvain)

**15h30 – 16h15: Frank A Wolak** (Stanford University)

*"How Do Firms Exercise Unilateral Market Power?"*

Discussants: **Marcelo Saguan** (EUI & University of Paris XI) and **Craig Pirrong** (University of Houston)

**16h15 – 17h00: Gauthier de Maere d'Aertrycke** (Université Catholique de Louvain) and **Yves Smeers** (Université Catholique de Louvain)

*"Complexity and diversity of actual Goods resulting in Market incompleteness and coordination failures"*

Discussants: **Eshien Chong** (University of Paris XI) and **Frank A Wolak** (Stanford University)

Institutional analysis has been suffering from a deficit of measurement. In some areas, systematic measures have already been developed but in others theories are still waiting for systematic measurement. Microanalytical studies have been successful in measuring how economic agents coordinate in a given institutional environment. However, they often emphasize certain dimensions of organizational performance and focus on single transactions and cases, which makes their conclusions hard to generalize. Moreover, since many of them take institutions as given, they sideline the measure of institutional performance. On the other hand, the use of measurement in "macro" analyses of institutions has been essential in redefining research and policy agendas but many of the measures are often seen as too general. They are claimed to reduce complex institutions into oversimplified categories, such as legal origins, the rule of law or political regimes, establishing links with macroeconomic performance without paying due attention to "transmission" mechanisms between institutional features and alleged consequences.

Two related workshops have already been held in Paris in December 2006 and 2007. The first gathered representatives of organizations producing institutional indicators—such as the WB, OECD, ILO, EU (see <http://economix.u-paris10.fr/en/activites/colloques/?id=23>). In the second, prominent scholars presented works based on these indicators, which were then discussed by NIE and law and economics scholars (<http://economix.u-paris10.fr/en/activites/ws/?id=52>). These workshops allowed evaluation of the achievements and drawbacks of these initiatives, indicating the relative absence of theoretical foundations in many of the indicators and identifying the strong influence of policy issues on methodologies and databases.

Taking stock of these experiences, the Workshop will focus on *how New Institutional Economics may inform these quantitative approaches to institutions*. It aims at identifying the key methodological problems and evaluating the different solutions available, examining both the role of theory in measurement and the role of measurement in policy. In particular, the Workshop will explore how to overcome the difficulties for (1) implementing institutional measures, (2) capturing institutional structure, (3) enriching the range of measured institutional outcomes and (4) producing useful measures for management and policy.

The format of the contributions to the Barcelona Workshop is relatively open, including methodological analyses, surveys, positions papers. The papers deal either with the whole or some part of the following sequence: Theory → Measurement → Test → Policy

### Goals

The aim of this third workshop is to study new theoretical developments in the understanding of institutions and the law. In particular, it will examine (1) how these developments could encourage more appropriate methodologies to measure the structure and impact of institutions, especially thanks to a better understanding of transmission mechanisms; and (2) which types of institutional variables are more amenable to theory- and policy-relevant measurement. To put it another way, the aim of this third workshop is to exploit recent advances in (new) institutional economics to explore what should be done in quantitative approaches to institutions.

### PROGRAM

#### Friday, 2 October

#### Session 1: Navigating the sequence theory-measures-policy

Chair: **Scott E. Masten** (University of Michigan)

**9h00 – 9h30: Gary D. Libecap** (USCB) and Dean Lueck (University of Arizona)

#### **"The Demarcation of Land and the Role of Coordinating Institutions"**

This paper examines the economic effects of the two dominant land demarcation systems: metes and bounds (MB) and the rectangular system (RS). Under MB property is demarcated by its perimeter as indicated by natural features and human structures and linked to surveys within local political jurisdictions. Under RS land demarcation is governed by a common grid with uniform square shapes, sizes, alignment, and geographically-based addresses. In the U.S. MB is used principally in the original 13 states, Kentucky, and Tennessee. The RS is found elsewhere under the Land Ordinance of 1785 that divided federal lands into square-mile sections. We develop an economic framework for examining land demarcation systems and draw predictions. Our empirical analysis focuses on a 39-county area of Ohio where both MB and RS were used in



adjacent areas as a result of exogenous historical factors. The results indicate that topography influences parcel shape and size under a MB system; that parcel shapes are aligned under the RS; and that the RS is associated with higher land values, more roads, more land transactions, and fewer legal disputes than MB, all else equal. The comparative limitations of MB appear to have had negative long-term effects on land values and economic activity in the sample area.

**9h30 – 10h00:** Benito Arruñada (Pompeu Fabra University), **Dean Williamson** (US Department of Justice) and Giorgio Zanarone (Colegio Universitario de Estudios Financieros)

**“The Influence of Interest Groups on Institutions: Evidence from the American State Courts”**

Previous work has posed a supply-side hypothesis on the nature of judicial decisions in American courts: the civil law origin of some states led them to constrain judicial independence, thus diminishing the quality of their courts. We introduce a complementary hypothesis: entrenched economic interests may use their de facto political power to constrain the supply of judicial decisions. We test the hypothesis by demonstrating that firms representing large, out-of-state economic interests have a low opinion of courts in states dominated by intra-state interests. Further, once controlling for the impact of intra-state interests, a state's legal origin has no significant effect on court output.

**10h00 – 10h30: Robert C. Ellickson** (Yale Law School)

**“Property Law and Residential Mobility: Differences Between the United States and France”**

In a given year, a resident of the United States is roughly twice as likely as a resident of France to move to another permanent dwelling. This essay contends that differences in the property laws of the two nations — in particular, land use laws, landlord-tenant laws, and housing assistance policies — have significantly contributed to this disparity in residential mobility. The essay also puts forward a normative framework for analyzing the desirability of population movement. Legal policies that foster residential moves can enable individuals to better match themselves with, among others, a job, a dwelling, a set of housemates, a tenure arrangement, a neighborhood, and a municipality (à la Tiebout). A decision to move, however, may give rise to negative neighborhood externalities, such as the erosion of local social capital. In theory, although rarely in practice, people thus can move too often.

**11h00 – 12h30 : Roundtable discussion**

Introduced by **Richard Messick** (The World Bank) and **Jérôme Sgard** (Sciences-Po / CERI)

Session 2: Collecting and using available data

Chair: Gary D. Libecap (USCB)

**14h00 – 14h30: Eric Brousseau** (EconomiX – University Paris Ouest), Sophie Harnay (EconomiX – University Paris Ouest) and Jean-François Sattin (University of Valenciennes)

**“Building institutional indicators: Some theoretical perspectives and methodological propositions”**

As empirical assessments of institutions through composite indexes have become one of the most dynamic trend of research in institutional economics, some contributors still worry about their lack of theoretical leakage and about the robustness of the computational technics mobilized. This paper first defines the gap between the institutional theory and the ones mobilized in institutional indicators. Precising what should be assessed by institutional measures, it derives then from the aggregation literature some propositions in order to check the validity of institutional composites.

**14h30 – 15h00: Philip E. Keefer** (The World Bank)

**“Interpreting Polity: Collective action and credibility as central determinants of the Polity measures of political institutions”**

The subjective political measures of the Polity database have been central to quantitative political economy research. In nearly all cases, researchers have based their interpretations on the variable definitions from Polity itself. This analysis compares the Polity measures with four objective measures from the Database of Political Institutions: of electoral competitiveness, political checks and balances, and two proxies of the ability of rulers and political competitors to make credible commitments: the age of the governing party at the beginning of a ruler's term and the years of continuous competitive elections. Three conclusions emerge. First, the subjective measures of political institutions are significantly related to objective measures of credible commitment. Second, alternative interpretations may be warranted for key results in the literature: Polity-based measures of the size of the electorate may capture instead the *ability* of citizen coalitions to act collectively; factionalized partial democracies may simply be those partial democracies in which ethnic tensions have emerged. Third, the analysis bears on the debate surrounding the proposition that only *de jure* institutions can be measured, while institutions associated with enforcement cannot. However, the objective measures of credible commitment discussed here are central to enforcement.

**15h00– 16h00: Tom Ginsburg** (University of Chicago Law School), **José Antonio Cheibub** (University of Illinois) and **Zachary Elkins** (University of Texas)

### **“Beyond Presidentialism and Parliamentarism: On the Hybridization of Constitutional Form”**

The presidential-parliamentary distinction is a foundational one in the comparative study of law and politics, at the center of a large theoretical and empirical literature. This paper examines the categories themselves and their internal coherence. Though some debate has concerned the conceptualization of presidentialism, parliamentarism and semi-presidentialism, relatively little attention has focused on measurement. We use new data from a comprehensive survey of constitutions to develop measures of similarity across constitutions. We then examine whether provisions on executive-legislative relations are similar for constitutions within each of the classic categories. Although we find that within-type cohesion is low (at least by our expectations) for all three categories, we find measureable variation in cohesion across type, with presidentialist constitutions being the least cohesive of the three categories. The results also tell us a great deal about the structure of semi-presidentialism, a highly suspect intermediate category in some quarters of the literature. We find semi-presidentialism to be as internally consistent as parliamentarism, but also learn that constitutions in the semi-presidential category bear no noticeable difference from those in the parliamentary category. The measurement exercise thus has important implications for the conceptualization of political systems.

### **16h30 – 18h00: Roundtable discussion**

Introduced by **Stefan Voigt** (Marburg Center for Institutional Economics) and **Erik Jensen** (Stanford Law School)

[Saturday, 3 October](#)

### [Session 3: Building data through experiments](#)

Chair: **Benito Arruñada** (Pompeu Fabra University)

**9h00 – 9h30:** Benito Arruñada (Pompeu Fabra University) and **Marco Casari** (Univesita di Bologna)

### **“How enforcement institutions affect impersonal exchange”**

In an experiment we study market outcomes under alternative incentive structures for third-party enforcers. Our transactions resemble anonymous credit transactions where lenders can give loans and borrowers can repay them. When borrowers default, judges are free to enforce repayment but are themselves paid differently in each of three treatments. First, paying judges according to lenders' votes maximizes surplus and the equality of earnings. In contrast, paying judges according to borrowers' votes triggers insufficient enforcement, destroying the exchange opportunities and producing the lowest surplus and the most unequal distribution of earnings. Lastly, judges paid the average earnings of borrowers and lenders achieve results close to those based on lender voting. We employ a steps-of-reasoning argument to interpret the performances of different institutions. When voting and enforcement rights are allocated to different classes of actors, the difficulty of their task changes, and arguably as a consequence they focus on high or low surplus equilibria.

**9h30 – 10h00: Jean Ensminger** (California Institute of Technology)

**“Getting to the Bottom of Corruption: An African Case Study of Decentralized Participatory Development”**

Decentralized, participatory development is a rapidly growing mechanism for donor aid delivery. Put simply, this model (also referred to as community driven development), promises the empowerment of communities at the bottom of the development food chain. Communities are responsible for choosing projects, selecting leaders, implementing, and fiscally managing projects. This design promises to leverage the power of local information and better aligned incentives to more effectively monitor agents and deliver the most of development aid. Virtually all major donors (bilateral country aid, NGOs, and the World Bank) have adopted this mechanism design. Yet despite the proliferation of this model of project delivery, questions remain regarding its efficacy.

This paper reports on a case study from a rural African community where we have access to unusual detail regarding the individual-level demographics and social networks of participants in one community driven development project. We are able to follow the money throughout the community and learn what socio-demographic variables are correlated with leadership in the project and level of economic benefit from the project. The data from this project point to losses on a scale sufficient to render virtually any project dysfunctional. This study attempts to provide insights into the corrupt workings of a flawed system by examining where transparency and accountability break down, how embedded networks of collusion are able to flourish, and why the much touted community monitoring of this mechanism design fails to function.

**10h00 – 10h30: Roberto Galbiati** (EconomiX – CNRS)

**“Prison Conditions and Recidivism”**

This paper examines the impact of prison conditions on future criminal behaviour. The analysis is based on a unique dataset on the post-release behaviour of 25,000 Italian former prison inmates. We use an exogenous variation in prison assignment as a means of identifying the effects of prison overcrowding, deaths in prison, and degree of isolation on the probability of re-offending. We don't find compelling evidence of (specific) deterrent effects of prison severity. The measures of prison severity do not affect negatively the probability of recidivism. Instead, all point estimates suggest that harsh prison conditions increase postrelease criminal activity, though they are not always precisely estimated.

**11h00 – 12h30 : Roundtable discussion**

Introduced by **Pablo T. Spiller** (University of California, Berkeley) and **Giorgio Zanarone** (Colegio Universitario de Estudios Financieros)

[Session 4: Testing theories](#)

Chair: **Pablo T. Spiller** (University of California, Berkeley)

**14h00 – 14h30:** John Armour (University of Oxford), **Simon Deakin** (University of Cambridge), Viviana Mollica (University of Cambridge) and Mathias Siems (University of East Anglia)

**“Law and Financial Development: What We are Learning from Time-Series Evidence”**

The legal origins hypothesis is one of the most important and influential ideas to emerge in the social sciences in the past decade. However, the empirical base of the legal origins claim has always been contestable, as it largely consists of cross-sectional datasets which provide evidence on the state of the law only at limited points in time. There is now a growing body of data derived from techniques for coding cross-national legal variation over time. This time-series evidence is reviewed here and is shown to cast new light on some of the central claims of legal origins theory. Legal origins are shown to be of little help in explaining trends in the law relating to shareholder protection, although the classification of legal systems into English-, French- and German-origin “families” has greater explanatory force in the context of creditor rights. The widely-held view that increases in shareholder rights foster financial development is not supported by time-series analyses. More generally, the new evidence casts doubt on the suggestion that legal origins operate as an “exogenous” force, independently shaping both the content of laws and economic outcomes. It is more plausible to see legal systems as evolving in parallel with changes in economic conditions and political structures at national level.



**14h30 – 15h00: Scott E. Masten** (University of Michigan)

**“Assessing Institutions: Lessons from the Empirical Analysis of Organizations”**

The economic analysis of institutions and the economic analysis of organization have developed in parallel, with much of that development occurring within the New Institutional Economics. Especially on the theoretical side, the issues and concerns in these two literatures exhibit many overlaps and commonalities. The empirical literatures, however, have followed somewhat different paths. Whereas empirical research on institutions has tended to focus on measuring the performance implications of institutional alternatives, usually political and legal systems, the earliest and vast majority of empirical analyses of organizations have sought to explain observed variation in organizational form, particularly firm boundaries and contractual arrangements. The difference in focus is partly phenomenal: Organizations are generally less complex, more numerous, and less persistent than institutions, yielding both more variation and more data with which to explain it. My goal in this paper is to compare the approaches taken in these two literatures, with an emphasis on the insights and lessons that the now sizeable empirical literature on economic organization might offer for the empirical analysis of institutions.

**15h00– 15h30: Henry E. Smith** (Harvard Law School)

**“Modularity In Property, Intellectual Property, and Organizations”**

This paper argues that property, intellectual property, and organizations all employ modular structures in order to manage complex interactions between economic actors, and draws out the implications of a modular architecture for the measurement of institutions in the New Institutional Economics. Modularization involves breaking complex systems of interactions among actors into constituent parts, within which interactions are intense but between which defined interfaces constrain the flow of information. The right to exclude in the law of trespass is the most basic and familiar example. This paper combines and extends an information-cost theory of property and a modularity-based theory of the firm to explain the property-like aspects of organizations—asset partitioning, legal personality, stability and flexibility over time, team production and the residual claim—as stemming from modular structures that go beyond the familiar “nexus of-contracts.” Similarly, intellectual property can achieve information-cost savings through the indirectness and simplicity of basic exclusion rules. Especially with a nonrival resource like information, the right mixture of exclusion, governance, and open access remains an empirical question, but intellectual property, like property and organizational law, can be seen as a second-best solution of a complex coordination problem of attributing outputs to inputs. Rather than an exclusive focus on the economic effects of individual rules, their modular architecture requires an assessment of emergent properties of property and related systems.

**16h00 – 17h30 : Roundtable discussion**

Introduced by **Andrew Schrank** (University of New Mexico) and **Jean François Sattin** (University of Valenciennes)

**Event 3: Open Models of Innovation and of Information Goods Production and Distribution**

Workshop held in Paris, January 15th, 14:00-18:00

PROGRAM**14:00 - 15:00** Keynote Lecture**Paul A. David**, (Stanford University, Department of Economics ; Chaire Orange)*"What Do We Know and What Should We Be Trying to Learn about Community Based Production of Libre Software?"***15:20 - 18:00** : Papers**15:20 - 16:00****Thierry Pénard** (CREM, U. Rennes 1); **Michael Arnold** (University of Delaware)*"Sponsored Links and Keywords Competition: How Do Firms Interact on Search Engines?"***16:00 - 16:40****Eric Darmon** (CREM, U. Rennes 1); **Dominique Torre**, (GREDEG, U. Nice-Sophia Antipolis)*"Hybridization and Dual Licensing with Competition between Open Source and Proprietary software"***16:40 - 17:20**Maya Bacache (Télécom Paris-Tech); **Marc Bourreau** (Télécom Paris-Tech) ; **François Moreau** (GREG, CNAM)*"Does Digitization Spur Innovation? The Case of Self-production in the Recorded Music Industry"***17:20 - 18:00**Héla Masmoudi (Université Pierre et Marie Curie,); Quentin Peigné (Université Pierre et Marie Curie,); Claude de Loupy (Syllabs, et MoDyCo, Université Paris Ouest); Matthijs den Besten (Ecole Polytechnique); **Jean-Michel Dalle** (Université Pierre et Marie Curie)*"Peeling the Onion: Analyzing The Core and The Periphery of The Firefox Community with Text-Mining Methods"*

Organizers: Eric Brousseau (EconomiX, U. Paris X) &amp; Thierry Pénard (CREM, U. Rennes 1) (see detailed programme annexe 9)

The aim of the workshop is to understand the strategies and dynamics of digital business models . The workshop will gather a set of scholars working on these issues and will address in particular the following topics:

- the strategic interdependency among the provision of matching, assembling and knowledge management services
- the most relevant features characterizing demand — e.g. heterogeneity in users preferences, willingness to pay for quality, organized solidarity among users, etc —
- the dynamic capabilities to be developed by competitors in an industry characterized by permanent innovation and a 'winner-takes-all' race that lead to permanently enrich and renew supply
- the inherent difficulty in managing innovative capability and commercial image, when the supply of services is continually being extended to new domains (that require new capabilities and the evolution of commercial practice)

**June 25, 2010 Chair: Alain Vallée****Session 1 Innovation, Externalities and Pricing**

- 9h-10h05 Michael Zhang (Hong Kong University of Science and Technology)=> "Innovation Incentives for Information Goods"-
  - o Discussants: Marianne Verdier and Paul Belleflamme
- 10h05-11h10 Edward Steinmueller (SPRU, University of Sussex)=> "Competing for Dominance on the Cloud"
  - o Discussants: Eric Darmon and Marshall Van Alstyne

- 11h40-12h45 Marc Bourreau (Telecom Paris Tech) and François Moreau (CNAM) => "Digitization and Entrepreneurship: Self-releasing in the Recorded Music Industry."
  - o Discussants: Raphael Suire and Anyndia Ghose

### **Session 2 The economics of Platforms**

- 14h00-15h05 Paul Belleflamme (CORE, University of Louvain) => "An empirical and theoretical analysis of crowdfunding"
  - o Discussants: Michael Arnold and Jean-Michel Dalle
- 15h05-16h10 Marianne Verdier (University of Paris X, EconomiX) => "Interchange fees and inefficiencies in the substitution between debit cards and cash"
  - o Discussants: Nicolas Jullien and Michael Zhang
- 16h40-17h45 Mashall Van Alstyne (Boston University, MIT) => "Innovation, Openness and Platform control"
  - o Discussants: Inna Lyubareva and Marc Bourreau
- 17h45-18h50 Eric Brousseau (University of Paris X, EconomiX), Thierry Pénard (University of Rennes 1) and Li Zhiwen (University of Rennes 1, CREM) => "The economics of matchmaking and assembling platform" (to confirm)
  - o Discussants: Avi Goldfarb and Godefroy DangNguyen

### **June 26, 2010 Chair: Joelle Tolédano**

### **Session 3 Social networks**

- 9h-10h05 Anyndia Ghose (New York University) => "Estimating Demand in the Hotel Industry by Mining User-Generated and Crowdsourced Content"
  - o Discussants: Kevin Mellet and François Moreau
- 10h05-11h10 Alexia Gaudeul (Friedrich Schiller University) => "Reciprocal Attention and Norm of Reciprocity in Blogging Networks"
  - o Discussants: Raphael Suire and Edward Steinmueller

### **11h10-11h40 Coffee Break**

- 11h40-12h45 Jean-Michel Dalle (University of Paris 6) => "Tags in Wikipedia"
  - o Discussants: Inna Lyubareva and Sylvain Dejean

### **Session Online advertising**

- 14h-15h05 Avi Goldfarb (Rotman School of Management, University of Toronto) => "Advertising Bans and the Substitutability of Online and Offline Advertising"
  - o Discussants: Alain Rallet and Alexia Gaudeul
- 15h05-16h10 Michael Arnold (University of Delaware), Thierry Pénard (University of Rennes 1, CREM) and Eric Darmon (University of Rennes 1, CREM) => "To Sponsor or not to Sponsor: Sponsored Search Auctions with Organic Links and Firm-dependent Click-through-rates"
  - o Discussants: Eric Avenel and Nicolas Curien

