



香港中文大學
The Chinese University of Hong Kong

Centre for Financial Regulation and Economic Development

金融規管與經濟發展研究中心



FACULTY OF LAW

A CFRED Lecture:

**MULTILEVEL GOVERNANCE OF INTERDEPENDENT PUBLIC
GOODS: CONSTITUTING, LIMITING, REGULATING AND
JUSTIFYING DEMOCRATIC GOVERNANCE IN TIMES OF
GLOBALIZATION**

by

Prof. Dr. Ernst-Ulrich Petersmann

European University Institute

Chaired by: Prof. Gonzalo Villalta Puig, Faculty of Law, The Chinese University of Hong Kong

19 September 2013, Thursday, 5:30-6:30 p.m.

The CUHK Graduate Law Centre, 2/F Bank of America Tower, 12 Harcourt Road, Central, Hong Kong

Globalization has transformed most national public goods (PGs) into transnational ‘aggregate PGs’ (like human rights, transnational rule of law, efficient financial, trading and environment protection systems) that states can no longer protect unilaterally. The more UN and WTO institutions fail to protect transnational PGs, the more becomes constituting, limiting, regulating and justifying multilevel governance of transnational ‘aggregate PGs’ the biggest policy challenge in the 21st century in order to protect human rights and consumer welfare more effectively. Can the ‘constitutional strategies’ for democratic governance of national PGs be extended to multilevel governance of transnational ‘aggregate PGs’? How can citizens and governments limit the ‘collective action problems’ of multilevel governance of the world trading system? Based on 35 years of practical experiences in multilevel governance, the books and other publications by Prof. Petersmann argue that – due to globalization and the universal recognition of human rights - ‘cosmopolitan constitutionalism’ is becoming the most coherent ‘cognitive frame’ for constructing legitimate authority in national and international law with due respect for the ever stronger interdependencies between national and international legal and governance systems. The ‘human rights revolutions’ and globalization challenge not only the ‘statist paradigm’ of Westphalian ‘international law among sovereign states’, but also the legitimacy of nationalist ‘big C Constitutionalism’ as well as of transnational ‘small c constitutionalism’ pursued in UN law. As human rights also protect individual and democratic diversity and ‘constitutional pluralism’, citizens have to ‘constitutionalize’ and limit the abuses of public and private power in international economic regulation ‘bottom-up’ by linking the governmental ‘duties to protect public goods’ to cosmopolitan rights, judicial remedies and other ‘accountability mechanisms’ promoting transnational rule-of-law for the benefit of citizens.

All are welcome!

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by 18 September 2013.

About the Speaker

Prof. Dr. Ernst-Ulrich Petersmann



Prof. Dr. Ernst-Ulrich Petersmann is Emeritus Professor of International and European Law and former head of the European University Institute Law Department (Florence) and former professor at the University of Geneva and its Graduate Institute of International Studies. For more than 35 years, he practised international economic law as former legal adviser in the German Ministry of Economic Affairs, German representative in European and UN institutions, legal advisor in GATT and the WTO, and former secretary, member or chairman of numerous GATT/WTO dispute settlement panels.

