

ANTITRUST

David J. GERBER

COURSE DESCRIPTION

This module is articulated in 4 parts. First, the different goals that underlie competition policy and law are discussed. While the negative welfare consequences of monopoly power justify the need for competition rules, economic efficiency is not the only possible goal of competition policy: rules of competition law may be inspired by other considerations, such as consumer welfare, defence of smaller firms, promotion of market integration and fairness. Second, an overview of the evolution of the thinking and approach to competition law will be provided: competition rules may be adapted as the underlying economic theory changes in both space and time, and accordingly the outcomes of competition law cases may be affected by changes in the underlying theory. The third part will then address the notion of market power and devote a critical analysis to the concept of relevant market, which forms the basis of the assessment of market power. The fourth part will contain an economic analysis of the substantive rules of competition law, including the prohibition of horizontal restraints, the regulation of vertical restraints and of abuses of dominant position.

Throughout the course, frequent comparisons between the US and the EU will be drawn. Since competition laws are often phrased in deliberately general terms, they get their precise meaning when competition authorities and courts interpret them. For this reason, leading cases from the EU and the US will be discussed.

credits

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DAVID J. GERBER is Distinguished Professor of Law and Co-Director of the Program in International and Comparative Law at the Chicago-Kent College of Law. He holds a bachelor's degree from Trinity College, a master's degree from Yale University and a law degree from the University of Chicago. He was formerly associated with the Frankfurt, Germany, law firm of Peltzer and Riesenkampff and the New York law firm of Casey, Lane & Mittendorf. He has taught law at the University of Pennsylvania, Northwestern University and Washington University in the United States, as well as at the University of Stockholm and the University of Uppsala in Sweden and at the University of Freiburg and the University of Munich in Germany. He also spent a year working with the Institute of International and Comparative Law at the University of Freiburg. He is a member of the International Academy of Comparative Law and has been a member of the executive committee of the American Society of Comparative Law. His book, *Law and Competition in Twentieth Century Europe*, was published by Oxford University Press in 1998.

COMPARATIVE ISSUES OF INTERGENERATIONAL TRASFER OF WEALTH

Alexandra BRAUN

COURSE DESCRIPTION

Succession law has undergone interesting and significant modifications as the result of socio-economic and cultural changes in our society, such as: increased life expectancy, changes in family structures and relations, higher divorce rates, as well as changes in the nature of family wealth. One of the trends that strongly emerge is that “estate planning” has acquired an increasing relevance for families and this has carried with it the importance of structuring the passage of property from one generation to the other. The aim of this lecture and seminar based course is a) to analyse these socio-economic changes and the way legal systems respond to them and b) to examine the different legal devices used to regulate the transfer of wealth from one generation to another. The course explores a variety of legal instruments from a comparative point of view, such as wills (single wills, mutual wills, gemeinschaftliche Testamente), trusts (inter vivos trusts, testamentary trusts, secret trusts), contracts (Erbverträge, patti di famiglia, ante-nuptial contracts), gifts (donations mortis causa and inter vivos gifts) and other legal devices such as life insurances, pension funds and foundations (Privatstiftungen). Attention will thus be paid to the legal tools that allow ‘lifetime transfers’ as well as to the instruments through which wealth is transferred upon death. Issues such as the tension between forced heirship and freedom of devolution, as well as the tension between freedom of testation and freedom of contract will be considered.

Students will gain: a) an understanding of the historical developments and modern trends of succession law within the major common and civil law jurisdictions, b) an appreciation of the points of contact between these legal jurisdictions and, c) a recognition of the changing role of inheritance law and its importance.

credits 2

ALEXANDRA BRAUN lectures at St. John's College, Oxford, where she has worked since 2004. Prior to this, she was an Assistant Professor at the University of Genoa. She received her BA degree, summa cum laude, from the University of Genoa and holds a PhD in comparative private law from the University of Trento. Her research interests lie in the field of Comparative Law, European Private Law and Legal History, Succession Law and the Law of Trusts.

COMPARATIVE LAW AND ECONOMICS OF TAXATION

Nicola SARTORI

COURSE DESCRIPTION

Tax is an important part of the business environment. With globalization and the expansion of cross border flow of investments, tax plays a major role in the decision making process. Therefore, this course is aimed at providing students with the ability to accommodate the distinctions of various tax systems around the globe and to understand the policy considerations behind them is what this course is aimed at. This course offers a comparative analysis of various solutions that were adopted by several tax systems as a response to increasing common tax problems of their income tax systems. First, the common core of tax systems of industrialized countries in relation to basic tax problems will be identified. Second, different tax models (and their circulation) among different countries will be analyzed. Finally, a closer look at the US and Italian tax mechanisms for the resolution of the tax problems discussed earlier in the course will be taken.

In the first part of the course, the theory and methods of comparative taxation (tax models, formants and common core in tax law) will be illustrated and the economic principles of taxation (efficiency, vertical and horizontal equity, simplicity) will be described so to critically analyze tax policy issues and compare different tax designs. Some of the specific issues and topics that will be covered in a comparative way during the course are: Definition, history and reasons of tax law; Progressive versus proportional tax systems; Ability-to-pay principle and new trade-off between efficiency and equity as a new way to introduce equity into models of tax analysis; Tax legislative process, constitutional limitations, power to make tax laws (distribution of tax-law-making power between the legislative and executive branches of government and division of tax powers between central and local governments); Tax procedure and litigation (regulations and rulings, tax returns and record keeping, audits, dispute settlement, recovery, refunds, penalties, litigation); Prevention of tax avoidance and evasion: enforcement tools; Definition of tax: income

credits

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NICOLA SARTORI specializes in International and Comparative Taxation and Tax Policy. He is experienced in both Italian and US Tax Law. He earned his degree in Law and Business Administration, *summa cum laude*, from Bocconi University, Milan, in 2003, and his PhD in Law (curriculum Tax Law) from the University of Milan Bicocca in 2008. He also holds an LLM in International Taxation from the University of Michigan, School of Law, where he is currently an SJD student. Before joining IUC Torino, he has been tutor professor of tax law and research assistant in Italian, International and Comparative Tax Law at Bocconi University, where he is a member of the International Technical Committee.

versus consumption taxes; Definition of taxable income: global versus schedular system and source versus accretion concept of income; Role of business in tax law: why tax corporations? Who bears the corporate tax? What is the relationship between corporate and individual level of taxes? International tax regime: international tax as international law (the benefit principle and the single tax principle); Principles of international taxation: taxation of multinationals and cross border investments; Use of tax law for delivering social policies.

credits

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COMPARATIVE LAW AND ECONOMICS OF THE PUBLIC SECTOR

Edoardo REVIGLIO

COURSE DESCRIPTION

The seminar will introduce students to the law and economics of the public sector in contemporary Western countries. The approach will be both comparative and historical, focusing on the evolution of public spending in the 20th century and the changing balance between public and private power in the passage from mixed economy and large welfare systems to privatization, open market economies and attempts to reduce the social role of the State. The course will be divided in three parts. The first part deals with the theoretical underpinnings of the law and economics of the public sector in an historical perspective. The second part deals with the comparative evolution of the welfare systems in major Western countries and the challenge of recasting a new Welfare State for the future. The third part studies the evolution of modern capitalism in the 20th century and the passage from mixed economy to market economy systems all the way to privatization and to its failure.

The welfare system, we will argue, is one of the greatest achievements in the history of civilization. Such a model has been under attack in the last 20 years due to the rise and dominance of neo-liberal ideologies. However, in the last 20 years there has been no reduction on the public spending/GDP ratio in any of the major European or American countries. At the end of the 20th century, many countries underwent massive privatization programs. Privatization was joined by deregulation and the introduction of competitive policies. The results of such a process will be studied from a critical perspective. There is today very convincing empirical evidence that privatization, deregulation and competitive regulation have not produced any benefit in terms of price and quality of services or any positive social and economic externalities for the economy and society as a whole. They have just produced a massive transfer of wealth from the poorest to the richest, and a heavy downgrading

credits

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EDOARDO REVIGLIO, Chief Economist and Head of Research and Strategy and of International Relations at "Cassa depositi e prestiti", Ministry of Economy and Finance (Rome), is the General Secretary of the Commission to reform the Public Property section of the Italian Civil Code, and a founding member of the Club of Long Term Investors, Paris (OECD, EIB, KfW, CDC and CDP). He is Professor of Finance and Banking and of International Economics at the University of Reggio Calabria. In the past he has covered various positions in the public sector, including: Chief Economist and Head of the Research Department at IRI (2000-2001); Member of the Council of Economic Advisers to the Italian Ministry of Economy and Finance (2001-2003); Head of Strategy and Research at Patrimonio dello Stato, Ministry of Economy and Finance (2003-2007).

Prof. Reviglio received his BA, Summa Cum Laude, from Yale College; was Research Fellow at the Mathematical Center V. Volterra (Università di Roma Tor Vergata, 1988-90); visiting Scholar at Yale University (Department of Mathematics, 1990-1992); Post Doctoral Fellow and Research Associate at the Imperial College, University of London (1992-1994). Among his books: *Assetti proprietari e mercati finanziari europei* (with G.M. Gros-Pietro and A. Torrisi, Il Mulino, 2001), *Privatization in Europe. A Brief History of European Capitalism in the XX Century* (Edindustria, 2002), and *Invertire*

of the quality of the long-term infrastructural basis of the economy.

The course will explore the effects of the present crisis in world economy and try to understand what kind of State intervention will emerge as a response to it. The challenge is that of reinventing the future according to a revised balance between private and public power, between the short-term view of private actors and the long-term view of public institutional actors. We believe that the latter should return at the centre of the stage. But how should we govern this political and structural change? That is where new ideas and visions are needed.

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la rotta. Idee per una riforma della proprietà pubblica (with U. Mattei and S. Rodotà, Il Mulino 2007); *I beni pubblici. Dal governo democratico dell'economia alla riforma di Codice civile* (with U. Mattei and S. Rodotà, Accademia dei Lincei, Edizione Bardi 2009); *La finanza locale nello scenario globale* (Il Sole 24-Ore, 2009); *Long Term Investments. The European Answer to the Crisis. Towards a New Policy of Value Creation for Future Generations: The "Marguerite" Network* (with F. Bassanini, Paris Conference for Long Term Value & Economic Stability, 2009).

GLOBAL CONSTITUTIONALISM

Gunther TEUBNER

For his courses at the IUC of Turin, Prof. Gunther Teubner was awarded a Jean Monnet “ad personam” grant from the EU Education, Audiovisual and Culture Executive Agency

For a biography of Gunther Teubner see the Foundations of the Comparative Approach course.

COURSE DESCRIPTION

Societal Constitutionalism Beyond the Nation State

Over the past few years, a series of political scandals have raised the ‘new constitutional question’. Multinational corporations violated human rights; the World Trade Organization made decisions that endangered the environment and human health in the name of global free trade; private intermediaries in the internet threatened freedom of opinion, and recently, with particular impact, the global capital markets unleashed catastrophic risks – all of these pose constitutional problems in the strict sense. At stake, here, are not just policies of state regulation, but foundational processes of social dynamics. Today’s constitutional questions are different, but no less important, than those of the 18th and 19th centuries. Then the concern was to release the energies of political power in nation-states and, at the same time, to limit that power effectively, according to the rule of law. In the new constitutional question, the concern is to release quite different social energies, and to limit these effectively. Today, these energies – productive and destructive – are unleashed in social spaces beyond the nation-state. This means that constitutional problems arise outside the limits of the nation-state in transnational politics and, at the same time, outside institutionalised politics, in the ‘private’ sectors of global society. The seminar will deal with the following topics of transnational constitutionalism:

- I. Rationality Conflicts in a Polycentric Global Society
The alternative to an economy-led form of globalisation is ‘polycentric globalisation’. The primary motor is an accelerated differentiation of society into autonomous social systems, each of which springs

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territorial confines and constitutes itself globally. Rationality maximisation engaged in by those different global systems is the underlying cause for severe conflicts between economic, political, scientific and technological rationality, which cloaks a considerable potential for the endangering of people, nature and society. The nation state is no longer in a position to control these developments and to resolve these conflicts. This is the background for the emergence of transnational constitutionalism.

- II. **Constitutionalising Transnational Regulatory Regimes**
For centuries the law had followed the political logic of nation states and was manifest in the multitude of national legal orders, each with their own territorial jurisdiction. In the last fifty years, however, in a rapidly accelerating expansion, international regulatory regimes (e.g. World Trade Organization) established themselves as autonomous legal orders competing with the law of the nation states. The national fragmentation of law is now overlain by sectoral fragmentation. However, these regimes lack sufficient political legitimation, the rule of law and democratic accountability. As a response to massive constitutional conflicts, legal regimes begin to develop constitutional structures of their own.
- III. **Juridification of Transnational 'Private' Regimes**
The equally rapid growth in the numbers of non-statal 'private' legal regimes gives birth to a 'global law without the state'. The concept of law encompasses now private ordering operating beyond the legal sources of nation state and international law. The most prominent contemporary private legal regimes are the *lex mercatoria* of the international economy, the *lex digitalis* of the Internet and the internal rules of multinational corporations.
- IV. **Constitutionalism in Transnational 'Private' Regimes**
Following the decentring of politics at global level, the locus of constitutionalisation is shifting away from the system of international politics to different social sectors, which are establishing civil constitutions of their own. Regime constitutions are defined by their duplication of reflexivity. Secondary rule-making in law is combined with defining fun-

damental rationality principles in an autonomous social sphere.

V. Human Rights and the Multiplication of Expansive Social Systems

Since politics has become detached from the moral-religious-economic ties of the old European society, it has developed expansive tendencies. After long political conflicts, constitutional rights have emerged to protect areas of institutional or individual autonomy against their politicization. In both cases, constitutional rights set boundaries to the totalising tendencies of the political matrix of the nation state. Insofar as other specialised communicative media – money, knowledge, law, medicine, technology – gain autonomy worldwide, human rights cannot be limited to the relation between the nation state and the individual. Specific endangerment of individual and institutional integrity by a communicative matrix comes in principle from all those social sectors in world society that have expansive tendencies, from the world market as well as from the natural science, of psychology, the social sciences, technology, medicine, of the mass media and telecommunication.

credits

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GLOBAL RIGHTS, PUBLIC GOODS AND THE COMMONS

Rodrigo Míguez NÚÑEZ

COURSE DESCRIPTION

This course aims to foster a better understanding of sustainable solutions for the protection and development of natural and cultural resources as relevant fundamental rights, from two perspectives: the global and the local. The module offers both introductory practical skills and a basic knowledge of the commons, and related issues. The first part of the course explores international legislation and compares national legislations, the main theories, and the most representative collective actions exercised to promote and protect economic and social rights such as the access to food, water, health, housing, and land. The second part encourages the exchange of knowledge among diverse disciplines and local experiences. The course aims to discuss an appropriate long-term strategy of social organization to defend common resources and public goods. A partial list of topics includes: common property and common pool resources, tradable permits, public goods, land access and traditional property, and institutional arrangements. In addition to general lectures, students will be divided into small groups to prepare papers on given topics, which they will then present in a seminar session.

credits 2

RODRIGO MÍGUEZ NÚÑEZ holds a Ph.D. in Private Law from the University of Turin and a Ph.D. in Law and Social Sciences from the EHESS of Paris. As a Marie Curie EST Fellow (2006-2009), he studied common property in traditional legal systems at the Istituto di Scienze Umane (Florence), the Law Department of the London School of Economics and Political Sciences, CENJ of the EHESS (Paris), and most recently, as Lagrange Visiting Fellow, at the Law Department of the University of Turin. He is currently Research Fellow at the Department of Economics, “S. Cognetti de Martiis”, at the University of Turin. His specialist areas are the commons, land tenure, law and anthropology and comparative private law. Dr. Míguez studied law at the Catholic University of Concepción (Chile) and was then appointed Assistant Professor of Private Law in 1998. In 2003 he was admitted to the Bar. He was the Consulting Attorney of the Chilean National Commission of the Environment on the Chilean-Argentinean agreement for the protection of biodiversity (2005) and Junior Legal Counsellor for the Chilean Ministry of Justice (Legal Aid Clinic, 2002-2003). He has also published a number of articles on anthropology and law, private law, and the commons in Latin America and Europe.

ISSUES OF LAW AND FINANCE IN INDIA

Avi SINGH

COURSE DESCRIPTION

India's growth trajectory, whether real or hyped, likely needs no introduction. Both of the descriptions are indeed true. Parts of the economy have been deregulated, and globalised, and feature Indian companies that have become active players in international finance and trade. Other parts of the economy are still regulated, with different growth patterns. The patchwork of regulations is exemplified by the recent decision, extremely controversial, and politically opposed, to set up special economic zones, ostensibly outside either the regulations of the law, or the protections offered by it.

The course will initially focus on the legal formants, and layers of formal law, and informal practice in India. Thereafter, it will focus on certain areas of the law, where old common law code, socialist-era remnants, are being contemplated and transformed with new globalised model regulations which are partly a response to, and partly a concession to the globalised sections of the economy, and the dichotomy that exists in the law between these sections of the economy, and the law that governs other economic and other activities. The law and economics movement has not been received wholesale in India. Indeed, an entirely different input from economics—from Marxist economics—has informed and inspired a vast zone of Indian legislation and jurisprudence—which is still the law today. Thus, the plurality of formants in India is not only a mix between more traditional and more modern layers, but also layers from different ideological engagement and reception. Recent decisions, such as Umadevi, will indicate that the efficiency principle is not paramount, but efficiency and equity interject at random.

To look at the plurality of extremes that Indian legal systems wrestle with, the seminar shall examine: Introduction to Indian system: Complexity of plurality in Indian - Hindu law, Islamic Law, Persian law, Common Law, Civil Law, Constitutional Law, Socialist Law, WTO/TRIPs.

credits

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AVI SINGH is a barrister who is admitted to practice law in California and India. Having studied in India, Netherlands, UK, and the US, Mr. Singh has extensive experience appearing before the international tribunals in the Hague and Arusha. Currently, Mr. Singh is practicing in New Delhi, India, where he specializes in white collar regulations, particularly those with cross-border implications.

The Indian Constitution: The Republic, pursuant to a constitutional amendment, never repealed, in the 1970s, is a socialist republic, a principle reaffirmed in constitutional decisions till recently. However, the rhetoric of development, economic growth, and market efficiency informs more recent constitutional decisions. The plurality is also found in the constitution, which both grants the right to conduct one's trade or business as part of the freedom of speech, and allows it to be restricted if such restrictions are reasonably related to the government's stated public purpose.

The patchwork of old "mixed economy" statist legislation and connected jurisprudence, such as the Essential Commodities Act, the Industries (Development and Regulation) Act, Foreign Exchange Management Act (FERA has been repealed).

Selected "new economy" regulatory statutes that have been recently implemented to regulate those "new economy" sectors which were deregulated in the 1990s. The deregulation was in itself sometime deliberate and often arbitrary executive decisions leading to unequal application of economic laws on different sectors in the country.

Competition Law: enabled by the Constitution, which envisions distribution of wealth, the competition law is slowly being implemented. Socialist laws and newer efficient market bestow significant advantage to existing institutional players, creating concentration of wealth at unprecedented levels.

Money Laundering Act

Increased introduction of market efficiency economics into judicial decisions, in particular, the rhetoric of development (Special Economic Zones, Foreign Direct Investment, Public Private Partnerships)

Property Law: Property rights were curtailed in the 1970s and have not enjoyed a full restoration, except where international obligations have enabled the government to legislate expansion in intellectual property concepts.

Tribunalisation of the system. The normal courts increasingly do not exercise primary jurisdiction over a host of issues that have been removed to the domain of administrative law, creating a two-tier judicial system, with wide disparities in efficiency and cost in favour of tribunals.

Right to Information Act, 2005 and Consumer Act, 2005: Substantive and procedural grant of new rights is creating new citizen involvement. In particular, the seminar will examine the recently introduced case attempting to use Consumer Protection Act and tribunals to achieve compensation for beneficiaries of food aid. Environmental laws and the Bhopal toxic cleanup case. The seminar will examine the panoply of environmental regulation through studying the Bhopal toxic cleanup case.

credits

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PATTERNS OF IMPERIALISM

Giovanna BORRADORI

COURSE DESCRIPTION

The theoretical debate on cosmopolitanism is examined through two of the most crucial challenges of the new millenium: (a) international terrorism after 9/11; (b) peace-keeping operations. The discussion of three essential topics will help: (1) foundations of international law; (2) legal definition of terrorist acts; (3) transitional justice.

Two methodological keys will inform the discussion:

- A) Exegetical: Which are the main opinions in contemporary cosmopolitanism? How has post-Kantian philosophy developed the notion of human rights? How do the different interpretations of this notion affect the definition of citizenship and democratic participation? Which are the possible notions of community?
- B) Critical: How did the different conceptions of cosmopolitanism (liberal, Kantian, Marxist, etc.) react to the two challenges in question (international terrorism and peacekeeping operations)? This question will be then extended to the other topics of human rights, citizenship, democratic participation and community.

credits

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GIOVANNA BORRADORI holds advanced degrees from the Universities of Milan and Paris. She is Professor of Philosophy at Vassar College (New York State), and specializes in Continental philosophy, aesthetics, and the philosophy of terrorism. A crucial focus of her work is to foster new avenues of communication between rival philosophical lineages, including the analytical and Continental traditions, liberalism and communitarianism, as well as deconstruction and critical theory. To invigorate this exchange, she pioneered the scholarly interview as a new philosophical genre. Giovanna Borradori is the editor of *Recoding Metaphysics: The New Italian Philosophy* (Northwestern University Press, 1988) and the author of two books: *The American Philosopher* (University of Chicago Press 1993) and *Philosophy in a Time of Terror: Dialogues with Jürgen Habermas and Jacques Derrida* (University of Chicago Press, 2003), a “philosophy best-seller” translated in ten languages.

RACE, LABOR AND THE ENVIRONMENT

Marybelle NZEGWU

COURSE DESCRIPTION

This class will explore the history and principles of the environmental justice movement and models for how the international community can achieve environmental justice and sustainable economic and labor systems. We will examine how social, political, and economic systems, both national and international, determine the distribution of environmental and labor burdens and benefits worldwide.

Inequalities in these systems actually exacerbate environmental degradation. Inequitable systems: (1) cause disproportionate levels of environmental harms to be borne by disadvantaged populations; and (2) limit the overall extent of environmental protection. We will study the disproportionate environmental burdens borne by disadvantaged communities worldwide and examine the ways our current systems prevent us from taking the actions necessary to protect human health and the environment.

Documenting the disparity

We will explore the tools social scientists employ to detect the presence, prevalence, and causes of environmental and labor injustices. We will read studies documenting disparate environmental impact and study specific cases, primarily from Africa and the US.

Power to the People.

We will learn the legal, political, economic and social tools available at both national and international levels to combat environmental injustice. We will discuss the *Principles of the Environmental Justice: From the Ground Up*. We will read and identify working models for the “green economy.”

Learning Outcomes.

Students will:

1. Learn to communicate definitions of race and racism that are consistent with analytical arguments regarding the racial bases of environmental inequalities;
2. Understand current social, political, and economic events in the context of the historical trajectory

credits

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MARYBELLE NZEGWU received a B.A. in Political Theory from UC San Diego and a J.D. from UC Hastings. At Hastings, she served on the Evans Constitutional Law Moot Court Team and as Executive Editor of the Constitutional Law Quarterly. She recently served as staff attorney and Director of the Civil Rights Project at the Center on Race, Poverty & the Environment in San Francisco, California, where she worked closely with Luke Cole. Ms. Nzegwu has practiced civil rights and environmental law working alongside low-income and minority communities to tackle environmental pollution facing these communities in California and across the U.S. Ms. Nzegwu’s cases include a lawsuit on behalf of Latino residents facing a birth defect cluster in Kettleman City, California and a landmark case against the California Air Resources Board to enforce the mandates of California’s Global Warming Solutions Act (“AB 32”). Ms. Nzegwu also served as a member of the Ford Foundation’s Skills Share delegation to Africa on Building Community Assets from 2007 to 2009.

credits

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- of the environmental justice movement as compared to the principles of capitalism, socialism, communism and sustainability;
3. Learn to determine who benefits from the status quo and connect the individual to his/her impact on the socio-political structure;
 4. Isolate strategies to empower disadvantaged communities and move systems toward the achievement of environmental justice (which includes social and economic justice) and greater environmental protection.

TRANSNATIONAL LITIGATION

Avi SINGH

For a biography of Avi Singh see the Issues of Law and Finance in India course.

COURSE DESCRIPTION

This course will examine using a comparative perspective the procedural problems that occur in disputes arising out of conflicts that cross national boundaries. The course will focus on some core issues that all legal systems must address. After exploring the theoretical context of the core issues, thereby enabling students to appreciate the complexity of the problem, the course will explore how achieving a resolution requires a balance of competing interests, and how different systems attempt to deal with these challenges. Topics covered include protective measures, personal jurisdiction, forum non conveniens, forum selection clauses, state immunity, state doctrine, service of process, gathering evidence abroad, choice of law, and recognition and enforcement of foreign judgments.

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