

LA REVUE DE L'INSTITUT | THE GRADUATE INSTITUTE REVIEW

# GLOBE

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| CLIMATE CHANGE  
| IS FINANCIAL  
GLOBALISATION  
HERE TO STAY?



**THE GRADUATE INSTITUTE** | GENEVA  
INSTITUT DE HAUTES ÉTUDES  
INTERNATIONALES ET DU DÉVELOPPEMENT  
GRADUATE INSTITUTE OF INTERNATIONAL  
AND DEVELOPMENT STUDIES

|                                                                                                       |           |
|-------------------------------------------------------------------------------------------------------|-----------|
| Sève d'automne   Rising Sap – <i>Philippe Burrin</i>                                                  | 1         |
| La campagne de recherche de fonds   The Fundraising Campaign – <i>Philippe Burrin</i>                 | 2         |
| <b>L'AGENDA INTERNATIONAL   THE INTERNATIONAL AGENDA</b>                                              | <b>4</b>  |
| Climate Change                                                                                        |           |
| Negotiating the Next Climate Treaty – <i>Liliana Andonova</i>                                         | 4         |
| The WTO: A Tool, Not a Weapon to Avert Carbon and Job Leakage – <i>Joost Pauwelyn</i>                 | 6         |
| From WCC-3 to Copenhagen – <i>Urs Luterbacher</i>                                                     | 8         |
| <b>VUES SUR L'AVENIR / THINKING AHEAD</b>                                                             | <b>9</b>  |
| Is financial globalisation here to stay?                                                              |           |
| Comment la crise financière a changé le passé – <i>Marc Flandreau</i>                                 | 10        |
| The International Financial System after the Crisis – <i>Charles Wyplosz</i>                          | 12        |
| Clarifier la situation des banques pour rétablir la confiance – <i>Cédric Tille</i>                   | 14        |
| Why the Economic Crisis is no Joke in the Developing World – <i>Jean-Louis Arcand</i>                 | 16        |
| <b>L'INVITE   THE GUEST</b>                                                                           | <b>18</b> |
| Reforming the IMF for the 21st century – <i>Kemal Derviş</i>                                          | 18        |
| <b>ALUMNI</b>                                                                                         | <b>20</b> |
| <i>Brad Smith</i> , Senior Vice President and General Counsel, Microsoft Corporation                  | 20        |
| <i>Philipp Hildebrand</i> , recently named Chairman of the Governing Board of the Swiss National Bank | 22        |
| Honouring Jean-Pierre Roth                                                                            | 23        |
| Institute Alumni in Wanshington, DC                                                                   | 25        |
| <b>LA VIE DE L'INSTITUT   INSTITUTE NEWS</b>                                                          | <b>26</b> |
| Les nouveaux professeurs   New professors                                                             | 26        |
| Nicolas Berman – Vincent Chetail – Stephanie Hofmann –                                                |           |
| Anabelle Littoz-Monnet – Elisabeth Prügl – Jorge Viñuales                                             |           |
| Les départs   Departing Faculty                                                                       | 32        |
| Vera Gowlland-Debbas et Peter Haggénmacher par Georges Abi Saab                                       |           |
| Les étudiants   Students                                                                              | 34        |
| L'Académie de droit international humanitaire et de droits humains                                    | 35        |
| La formation continue   Executive Education                                                           | 36        |
| La recherche   Research                                                                               | 38        |
| Global Gangs – <i>Dennis Rodgers, Jennifer Hazen</i>                                                  | 38        |
| Regional Voices in Global Health Governance – <i>Ilona Kickbusch</i>                                  | 40        |
| La jeunesse tamoule sri lankaise en Europe – <i>Philippe Gazagne</i>                                  | 42        |
| Swiss Network for International Studies                                                               | 43        |
| <b>LES COLLOQUES   CONFERENCES</b>                                                                    | <b>44</b> |
| <b>LES PUBLICATIONS   NEW PUBLICATIONS</b>                                                            | <b>48</b> |

# SÈVE D'AUTOMNE RISING SAP

Philippe Burrin, directeur | Director

Dans les établissements universitaires, c'est à l'automne que monte la sève. La rentrée 2009 de l'Institut en donne une belle illustration avec sa cohorte de nouveaux étudiants et sa demi-douzaine de nouveaux enseignants qui nous aideront les uns et les autres à faire pousser les fruits de l'avenir.

La campagne de recrutement d'étudiants a été cette année excellente. En janvier 2009, au moment de la clôture des inscriptions, nous avons reçu près de 1400 candidatures, soit 40% de plus qu'il y a trois ans. Au terme d'une sélection rigoureuse, 350 de ces étudiants nous ont rejoints pour entamer des études de master ou de doctorat. Nous leur souhaitons de faire dans notre maison cosmopolite la même expérience d'enrichissement intellectuel et d'élargissement des horizons qu'ont vécue leurs prédécesseurs au long des décennies passées.

L'Institut accueille également en cette rentrée 2009 de nouveaux professeurs qui vont opérer un rajeunissement et une féminisation très souhaités de notre corps enseignant. Nous comptons sur eux pour contribuer à accroître le dynamisme de l'enseignement et de la recherche et augmenter le rayonnement de l'Institut.

Dans les prochains mois, nous allons renforcer notre campagne de promotion de l'Institut, notamment par une participation accrue à des salons d'étudiants à travers le monde et une utilisation plus importante de l'Internet. Nous sommes également en quête de quelque six professeurs qui devront avoir, pour la plupart, une expertise sur les pays du Sud, ce qui nous positionnera plus fortement encore au croisement des relations internationales et des études du développement. Ainsi sera préparée la montée de la sève l'an prochain.

A new academic year can be likened to an autumnal rising sap. The start of the Institute's 2009 academic year illustrates this new beginning beautifully with its cohort of new students and half-a-dozen new teaching staff who together will help to ensure that our efforts bear fruit in the future.

This year's student recruitment campaign has yielded excellent results. In January 2009, the closing date for applications, we had received close to 1,400 applications, an increase of 40% over the figure from three years ago. Following a rigorous selection process, 350 of these students have now joined us to follow masters and PhD programmes. We hope that their stay with us in our cosmopolitan environment will contribute towards broadening their horizons and be as positive and intellectually enriching for them as for their predecessors of the last few decades.

At the start of the 2009 academic year, the Institute is also pleased to welcome new professors who will instil our faculty with a much needed youthful and feminine element. We are relying on them to contribute towards making our teaching and research even more dynamic and increasing the outreach of the Institute.

Over the next few months we will strengthen our efforts to promote the Institute; we plan to increase our participation in student fairs throughout the world and make greater use of the Internet. We also hope to appoint six professors, mainly with South country expertise, which will enable us to strengthen our position at the crossroads of international relations and development studies. All these activities will contribute towards creating a sense of renewed strength and vigour over the next year.



# LA CAMPAGNE DE RECHERCHE DE FONDS THE FUNDRAISING CAMPAIGN



Maison de la paix

L'Institut est engagé dans une active campagne de recherche de fonds pour soutenir ses projets de développement. L'objectif de cette campagne, annoncé au Conseil de fondation en mars 2008, est de 50 millions de francs suisses d'ici à 2012. Grâce au travail d'une équipe dynamique et au soutien de notre Comité de patronage, cet objectif sera atteint bien plus rapidement que prévu.

Pourquoi cette campagne? L'Institut vise l'excellence et ambitionne d'occuper l'une des premières places dans son domaine de spécialisation. La réalisation de cette ambition implique de recruter des professeurs et des étudiants de haut niveau, de développer des programmes de recherche qui répondent aux besoins d'expertise d'un monde confronté à de grands défis, de positionner l'Institut comme un carrefour intellectuel où l'accueil de visiteurs des quatre coins du monde produira un formidable enrichissement mutuel.

Cela implique encore que l'Institut se dote d'une infrastructure immobilière à la hauteur de l'avenir qu'il prépare. C'est la raison d'être de notre projet de Campus de la paix qui, de la place des Nations aux rives du lac, réunira des bâtiments neufs, répondant aux exigences du développement durable, et des villas historiques à rénover dans les prochaines années. Ainsi pourrons-nous renforcer notre capacité d'attraction et faire fructifier des compétences venues de partout.

Les premiers résultats de cette campagne sont très encourageants et témoignent d'une confiance réjouissante dans l'essor de l'Institut. Ils expriment le sentiment répandu que l'Institut représente une chance pour Genève et la Suisse, qu'il peut et doit contribuer à faire face aux défis de demain. Aujourd'hui, après les mécènes, nos efforts vont se porter vers une série de fondations et d'entreprises. Ils vont aller, encore et surtout, à mobiliser nos anciens étudiants et nos amis à travers le monde, dont le soutien à la fois moral et financier, quelle que soit l'importance de ce dernier, nous importe énormément. Nous comptons sur les uns et les autres pour nous aider à continuer sur notre lancée.

Philippe Burrin

<http://graduateinstitute.ch/fundraising>



L'Institut a reçu des marques importantes de soutien. Il remercie très vivement ses donateurs pour leur confiance.

### Immobilier



Don de Mme **Kathryn Wasserman Davis** pour la Maison de la paix (10 millions de dollars), en sus de son don annuel de quatre bourses doctorales de quatre ans chacune.

- Contribution de la **Fondation Wilsdorf** au financement de la Maison de la paix par l'achat des terrains nécessaires à sa construction; ceux-ci seront remis en droit de superficie gratuit à l'Institut pour cent ans.

### Chaires



Don de M. **André Hoffmann** pour une chaire d'économie de l'environnement (6 millions de francs, versés à la Fondation pour l'étude des relations internationales en Suisse – FERIS).



Don de M. **Nicolas Pictet** pour financer la chaire Pictet de droit international de l'environnement, occupée à partir de septembre 2009 par M. Jorge Viñuales (600 000 francs sur trois ans).

### Recherche



Don de M. **Yves Mirabaud** pour un projet de recherche du professeur Marc Flandreau.

- Don de la société **Mercuria** pour soutenir le «Think Ahead Programme on International Trade» du professeur Richard Baldwin (200 000 francs).
- Financement d'un an par la banque centrale de Norvège, **Norges Bank**, d'un fellow travaillant sous la direction du professeur Marc Flandreau (125 000 francs).

### Bourses

- Financement en l'honneur du professeur Alexandre Swoboda de trois bourses de quatre ans chacune par la **Banque nationale suisse, l'Association des banquiers privés genevois et l'Association des banques étrangères en Suisse** (600 000 francs).
- Financement annuel par la **Fondation Pierre du Bois** de deux bourses de doctorat, d'un Prix Pierre du Bois pour une thèse de doctorat et d'un colloque international.
- Financement par un généreux mécène conseillé par **Carigest** de cinq bourses pour l'année académique 2009-2010 (100 000 francs).
- Financement par le **Chapitre des anciens de Washington DC** d'une bourse de doctorat pour l'année 2009-2010.

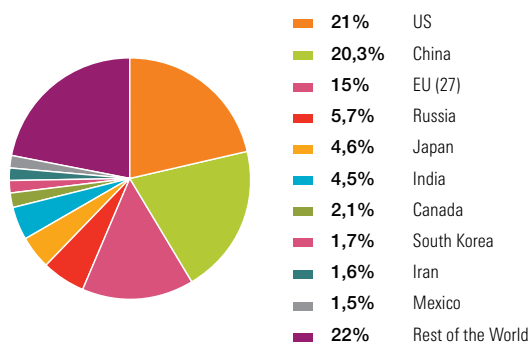
# L'AGENDA INTERNATIONAL THE INTERNATIONAL AGENDA CLIMATE CHANGE

## NEGOTIATING THE NEXT CLIMATE TREATY

Liliana Andonova, Associate Professor of Political Science

Climate change is one of the most pressing problems of our time. The International Panel on Climate Change anticipates that average temperature increases could range from 1,1 to 6,4 degrees C by 2099 compared to the previous century. The reality of melting glaciers, weather extremes, alterations of biological patterns, and their societal toll requires urgent action. Yet, climate cooperation is one of the most difficult issues to negotiate.

### Top ten contributors to global CO<sub>2</sub> emissions, percent of world total



Source: World Resources Institute

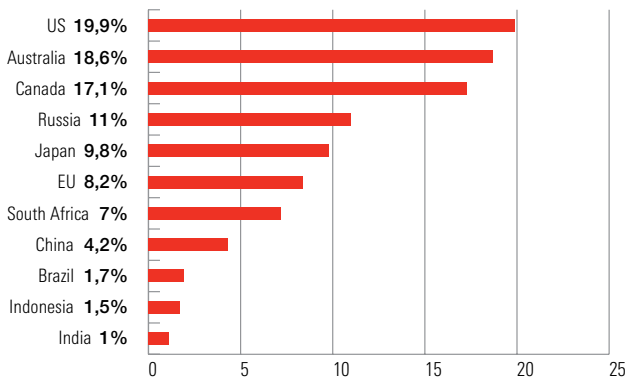
The top 10 emitters of CO<sub>2</sub> account for close to 80% of global emissions, among them the US (21%), China (20%), the European Union (EU) (15%), Russia (6%), India (4%),

and Japan (5). To avert a tragedy of the climate commons, these and other nations have to overcome significant collective obstacles to action. The temptation to free ride is strong. The benefits of cooperation will be spread across the globe and future generations, while mitigation affects key industries and requires massive changes in energy structures. Concerns about historical and distributional justice further complicate this political mix.

Developing countries maintain that their industrialised counterparts, whose per-capita emissions can be up to nineteen times as high as those of India, for example, need to settle their carbon debt first. The emissions from advanced developing economies, however, are rising fast and will soon outstrip those of industrialised states. In the absence of China or India, it will be politically difficult to secure commitment by other significant emitters such as the US and Russia. Negotiators face a daunting challenge to strike a truly global deal.

The road to Copenhagen, where the next climate treaty is to be negotiated this December, remains dogged by stalemate. At the preparatory meeting in Bonn in June, developing countries asked for steep reductions by the industrialised world (40% below 1990 levels by 2020 and 80% by 2050) along with significant increases in adaptation and technology funding. They offered little in terms

**Tons of CO<sub>2</sub> emissions per capita  
of selected countries, 2005**



Source: World Resources Institute

of commitments beyond the vaguely worded concept of 'taking nationally appropriate mitigation actions'. The draft negotiating document looks like a survey of emission reduction options, rather than a focal point of emerging consensus. At the G8 meeting in Italy, China and India further declined to set any emission targets.

Is there a way forward? Some developments raise hope for a global, albeit weaker, agreement in Copenhagen. Strong leadership by the EU and now by the US is critical for pushing the negotiations forward. The EU has committed to unilateral reductions of GHGs to 20% of 1990 levels by 2020, to 30% by 2020 *if other developed countries agree to similar measures*, and to 50% by 2050. The US House of Representatives adopted a climate bill requiring reductions of CO<sub>2</sub> emissions of 15% of 2005 levels by 2020, 83% by 2050, and the implementation of a cap-and-trade system. The bill still has to be approved by the US Senate, however. G8 leaders pledged to reduce their emissions by 80% by 2050 and to limit the average temperature rise to less than 2C compared to the past century.

Emerging economies have also taken positive steps. China and India have promoted the expansion of renewable energy, the use of cleaner coal technologies, and reductions in energy intensity. Brazil is a leader in bio-fuel technologies. These three countries have benefited

the most from technology investment through the Clean Development Mechanism (CDM) of the Kyoto Protocol. They are positioned to become substantial players in a billion dollar carbon market. Important domestic constituencies within developing countries will have an interest in joining a global agreement on caps, if participation in carbon markets and technology transfers is tied to verifiable national targets.

Focus on adaptation and national circumstances in the current negotiations will make it increasingly difficult for developing states to negotiate as a block to veto emission caps. The poorest countries, which contribute relatively low carbon emissions and have dire adaptation needs, are now considered in a separate category. Even among large players, preferences and negotiations strategies might differ. Brazil, Indonesia and India are keenly aware of the high climate vulnerability of essential domestic sectors, making a negotiations deadlock less attractive when compared to a global agreement. Forest-rich countries expect additional benefits from efforts to reflect the value of standing forests in the financial mechanisms of the next treaty. Compared to the polarised North-South structure of the Kyoto Protocol negotiations, there are more opportunities for coalitions, issue linkages, and creative institution building.

In the final analysis, modest carbon caps in the short term (but caps nonetheless!) could bring both developed and developing countries together. The EU has proposed 2020 targets for advanced developing countries of 15-30% below business-as-usual baselines. Such targets do not require immediate emission reductions and leave considerable space for growth, but set predictable emission caps and incentives through carbon trading for faster and smoother transition to carbon-lean economies. Developed countries' 2020 commitments are likely to fall short of the 25-40% reductions of 1990 levels tabled in the negotiating document. The reductions envisaged by the US bill are equivalent to 4% of 1990 levels by 2020. While falling short of scientific recommendations, a treaty with softer 2020 targets will have its silver lining if it brings about a truly global political commitment, a global carbon budget, and leadership by industrialised states for more meaningful 2050 cuts.

## THE WTO A TOOL, NOT A WEAPON TO AVERT CARBON AND JOB LEAKAGE

Joost Pauwelyn, Professor of International Law

The United States seems finally determined to tackle climate change. President Obama has made it one of his priorities. On 21 May 2009, the Energy and Commerce Committee of the US House of Representatives adopted the country's first comprehensive climate change bill. Although it still needs to wind its way through the US legislative process, the American Clean Energy and Security Act (ACES) could see a cap on total US greenhouse gas emissions as early as 2012, and the allocation to different US industries of tradable emission allowances.

While this would undoubtedly be a move in the right direction, US corporate competitiveness could prove a stumbling block. What if US firms have to pay for carbon, while their counterparts in other countries – China, for example – are exempt? Would this not, as opponents argue, result in US production moving overseas and with it jobs? Similarly, does it not run the risk of leaving US carbon emissions unchanged while increasing them abroad? The net result, according to detractors, could be job and carbon leakage.

This link has led some to hide behind World Trade Organisation (WTO) provisions and use trade-related protectionism as an excuse to not properly commit to tackling climate change.

Yet, this is a blinkered view. There is a strong argument to be made that WTO rules are flexible enough to deal with both carbon and job leakage. People should stop using the WTO as a weapon against climate change action. Even though the WTO should not stand in the way, fighting climate change will come at a cost so addressing carbon and job leakage in a cost-effective and administratively feasible way will not be easy. Rather than being a hindrance, WTO rules may actually

have a useful, positive role to play: to avoid wasteful protectionism that serves neither the environment nor American jobs.

Although carbon and job leakage are often exaggerated, they are a problem. So what should be the way forward? The first-best solution would be to conclude international agreements with countries such as China, India and Brazil that require those countries to also cut emissions. If this policy proves unsuccessful, there may still be two options. First, the US could soften the impact of climate change legislation on those sectors particularly exposed to carbon and job leakage (e.g., cement, steel or aluminium), by allocating to them free allowances. Second, the US could harden its stance on carbon-intensive imports by imposing a carbon fee on them to level the economic playing field and avoid carbon leakage. The most obvious mechanism within the framework of a cap-and-trade scheme would be the purchase by importers of emission allowances.

How does the WTO fit into such a scheme? Evidently, the first option – international agreements – would be preferable. However, the allocation of rebates or free allowances to US industries could result in a WTO challenge on the basis that free allowances for US cement or steel amount to unfair or trade-distorting subsidies in violation of the WTO subsidies agreement. Yet, if carefully calibrated, free allowances for carbon-intensive US industries could be drafted to comply with WTO subsidy rules. Imposing an allowance requirement on imports, on the other hand, could lead to a WTO challenge that such added costs prejudice imports in favour of domestic products (in violation of the national treatment principle) or prejudice certain countries (in violation of the most-favoured-nation clause). Here as well, however,



CHINA, Qianwei: A worker driving a tractor near a chimney-stack at a cement factory in China's southwestern county of Qianwei, in Sichuan province. How to reduce greenhouse gas emissions and prevent a climate catastrophe without seriously impacting on the global economy? AFP / LIU Jin

if carefully calibrated, carbon equalisation could be formulated to comply with WTO non-discrimination rules and/or environmental exceptions. However, administering such a system to limit the costs and risks of carbon leakage could become extremely complicated and result in all sorts of attempts at circumvention.

The recently passed ACES bill includes an interesting mix of both free allowances and border measures. If adopted, certain US industries would benefit from a rebate on required allowances equivalent to average US emissions in the sector until 2025. If the problem of carbon leakage persists, importers of certain primary products may have to buy carbon permits or allowances based on the difference between the carbon cost in the country of origin and that in the US. This 'nuclear option' would come into operation at 2025 at the earliest. This

leaves plenty of time for climate negotiators to strike a comprehensive international agreement and avoid the possible threat of border taxes.

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Professor Pauwelyn testified on this topic before the House Ways and Means Committee, a Congressional Committee investigating climate change action. The full text of the testimony is available on the web at:

<http://waysandmeans.house.gov/media/pdf/111/pauw.pdf>



## FROM WCC-3 TO COPENHAGEN

Urs Luterbacher, Professor of Political Science



José Romero

As the last consultation rounds were taking place at the World Meteorological Organisation ahead of the Third World Climate Conference (WCC-3), Dr. José Romero, President of the High-Level Segment of WCC-3 and Professor Urs Luterbacher, Professor of Political Science at the Graduate Institute, discussed the objectives of WCC-3 and its linkages with the 15th Conference of the Parties (COP 15) of the United Nations Framework Convention on Climate Change (UNFCCC), due to take place in Copenhagen in December. Over the last year, they have been collaborating on a project conducted by the Centre for International Governance on ways to improve communication between scientists and policy-makers (See *Globe 3*, p 39).

In addition to a series of highly technical issues, WCC-3 also addresses social needs for quality climate information. Its novelty lies in the interface created with users of climate services. Indeed, the Conference aims to achieve a better understanding of users' needs and identify competencies and institutional schemes to meet those needs.

The Conference Declaration under preparation at the time of writing seeks to garner unanimous support for the creation of a Global Framework for Climate Services. This is by no means an easy task, said José Romero, who

has been steering the negotiation process for the past 12 months. The creation of such a framework for climate services would require countries to devote resources and share information on existing climate information entities and networks, including satellite positioning. There is an indubitable geo-strategic dimension to it that explains some countries' lukewarm support for the Declaration and procrastinating negotiation strategies. Once again, getting major emerging countries on board is a challenge.

The political dimension of WCC-3 is, however, less obvious than Copenhagen's according to Urs Luterbacher. Indeed, COP 15 will endeavour to decide on future global climate policy and design the post-Kyoto architecture. Urs Luterbacher added that WCC-3 will feed into Copenhagen, along with other international meetings scheduled over the coming months. Although welcoming the multiplication of meetings on climate issues, José Romero stressed how important it is for negotiators to differentiate between negotiation processes which actually run in parallel, such as the WCC-3 and the UNFCCC. The WCC-3's primary focus is not only climate change, but also climate variability. Excessive entangling of the WCC-3 with COP 15 may lead to the integration of the UNFCCC principle of "common but differentiated responsibilities and respective capabilities" (art. 3.1.) in discussions at WCC-3, which in turn may have unexpected political consequences.

# IS FINANCIAL GLOBALISATION HERE TO STAY?

GREAT BRITAIN, London: Streets of London during the G20 summit. RIA Novosti



# COMMENT LA CRISE FINANCIÈRE A CHANGÉ LE PASSÉ

Marc Flandreau, professeur d'histoire et politique internationales et d'économie internationale

Jusqu'à récemment, nous autres économistes avions une certitude, résumée par les enseignements de ce que le président Kennedy appela dans une interview célèbre «Economics 101» — ou la science économique de base. Telle était cette certitude: la gravité de la crise de l'entre-deux-guerres n'avait rien de fatal, elle aurait pu être évitée.

Pour cela il aurait suffi de disposer des outils macroéconomiques adéquats: entendons par là soutien budgétaire et expansion monétaire. Il fallait aussi détenir une autre clé: un système de pensée du monde permettant d'utiliser de tels outils. Ces deux choses faisaient défaut dans l'entre-deux-guerres. Mais nous les avons développées depuis. Qu'on nous rejoue seulement la Grande Dépression, et l'on verrait bien!

Et puis c'est arrivé. En 2007, puis en 2008, une succession de craquements se sont produits dans le système financier international et ces craquements ont déclenché une crise de liquidité sans précédent: à savoir, le gel de portions entières du système financier international. Le dysfonctionnement des rouages économiques qui en a résulté a produit un rationnement du crédit et l'absence de liquidité s'est transformée en banqueroutes

soudaines — l'exemple de Lehman Brothers est le premier qui vient à l'esprit, mais il n'est pas le dernier.

Nous avons alors appliqué «Economics 101», dont les plans dormaient dans les tiroirs depuis un demi-siècle. Il ne restait plus qu'à attendre que les mesures jouent leur effet et rattrapent l'économie mondiale comme on rattrape par la manche quelqu'un qui est sur le point de tomber. Et si certains ont déclaré que la taille du stimulus fiscal laissait à désirer, au moins n'est-ce pas en comparaison du passé, car l'ampleur des moyens mis en œuvre est inédite. Les politi-

geants à la fin du printemps, certains observateurs ont parlé de pousses vertes. Mais il est vrai que l'empressement des économistes de banques à voir ces pousses un peu partout n'est pas sans évoquer la vie au pays d'Oz, où tout est couleur d'émeraude parce que les gens portent des lunettes teintées! La remontée des bourses doit beaucoup à l'inquiétude qui s'est emparée des investisseurs quant à l'inflation, les poussant à délaisser les marchés obligataires pour aller se procurer sur le marché des actions une assurance contre la hausse des prix. Est-ce réellement une bonne nouvelle?

**« Le plus important, c'est la façon dont la crise financière nous conduit à repenser le passé. »**

ques pouvaient souffler, prendre quelques pas de recul pour contempler leur œuvre et l'admirer. Le désastre de l'entre-deux-guerres attendrait. Ford avait donc raison quand il déclarait que «l'histoire, c'est du toc».

Reste à savoir si cela va marcher. Devant quelques signes encoura-

La réalité, bien sûr, est qu'on ne sait pas quel va être le résultat des décisions actuelles. Si les bons outils ont été utilisés, ils l'ont été sur une économie mondiale qui a absorbé des niveaux et des volumes de risque sans comparaison avec le passé. Schumpeter a écrit quelque part que l'amélioration de la vitesse

# LEHMAN BROTHERS

des automobiles doit plus aux progrès des systèmes de freinage qu'à ceux des moteurs. Autrement dit, il se peut que nous freinions beaucoup plus fort, mais la voiture allait aussi beaucoup plus vite. Quelle est la variation du risque d'accident? On le voit, les «leçons de l'histoire» sont parfois difficiles à tirer.

Peut-être le plus important, dès lors, c'est la façon dont la crise financière nous conduit à repenser le passé. Ainsi la dramaturgie de l'ensemble, avec ses thèmes récurrents, ses rythmes ternaires (levier, illiquidité, insolvabilité), etc., nous fait souvenir que la crise de l'entre-deux-guerres ne fut pas l'événement d'un jour. Il y eut 1929 et le Krach de Wall Street qui n'abattit pas totalement le moral des financiers. Puis l'année 1930, toute d'incertitude, 1931 et sa crise obligataire, puis 1933 et la crise bancaire. De même aujourd'hui, nombre d'observateurs ont remarqué ce côté d'«accident filmé au ralenti» que la crise a revêtu. La lenteur avec laquelle progresse cette catastrophe qui prend son temps est en soi un objet économique curieux qu'il faudra un jour expliquer.

Peut-être est-ce donc à plus d'humilité que les événements présents nous convient. Là où le blâme des



AUSTRALIE, Melbourne: Un bureau de la banque Lehman Brothers vide. Septembre, 2008. AFP/William WEST

prédécesseurs était aisé, nos propres hésitations nous font entrevoir à quel point la situation qu'ils ont eu à affronter était difficile et périlleuse, et leurs choix, à savoir appliquer les bonnes vieilles recettes d'orthodoxie financière de leur temps, sont peut-être en fin de compte assez

semblables aux nôtres. Comme nous, ils ont trouvé dans les croyances du temps le réconfort nécessaire à l'improvisation.

# THE INTERNATIONAL FINANCIAL SYSTEM AFTER THE CRISIS

Charles Wyplosz, Professor of International Economics

The global financial turmoil that started in August 2007 is not just the worst crisis since the 1930s. It is also a vivid demonstration of the disconnect between financial globalisation as it exists on the ground and the conduct of economic policies in the countries that have integrated themselves in the international financial markets. The Great Depression triggered historical changes, will the Global Crisis also lead to a new world that is far different from the one that we currently know? Many observers seem to believe so, I am much more sceptical. Changes were necessary then, they are even more so now, but most of them are mere details rather than big picture items and despite official words to the contrary, the political will to undertake radical reforms is clearly missing.

Let me start with the basic issue: why did this crisis happen in the first place? The short answer is that a disaster of that magnitude cannot have a single cause. Politicians and the media have focused the blame on banks, the greediness of their managers and the risks that they have taken and then passed on to unaware or unconcerned customers. This is largely true but hardly new and therefore easy to foresee. In fact, banks always take undue risk when they know for sure that

they will reap the rewards and pass the costs to others, usually the taxpayers. This is so well-known that banks and most other financial institutions as well, have long been regulated, in fact since the 1930s when the extent of their misbehaviour became obvious. Blaming the banks for the crisis is like blaming drivers for creating a car accident: sure they took unfathomable risks but were they not allowed to do so? Furthermore, what were the cops doing? Put differently, was bank regulation adequate and what did the supervisors do about possible transgression? Well, regulation was inadequate and supervisors looked the other way when the weak regulation was evaded. Whether we should be more resentful of the thief or of the failing policeman is a matter of personal choice, but wrong conclusions should be avoided.

Yes, financial systems are inherently unstable but no, there is no miracle solution to eliminate the spectre of recurrent financial crises. Yes, properly regulated banks would not have created the risk that some did but no, this does not call for more regulation, only for better regulation. Better regulation alone will not do, we also need to enforce the regulation. No, we do not need to improve the performance of the private credit agencies but yes,

**“The creation of the G20 is a sort of excuse from the rich countries for the global mess that they created.”**

we need our publicly-funded supervisors to effectively control the financial agencies and promptly sanction inappropriate behaviour.

The very reasons why we had poor regulation and supervision may prevent the necessary reforms. Many of these reasons are deeply linked to the international nature of financial systems. Regulators and supervisors must be tough cops, but they – or their paymasters, their governments – worry about not undermining their national banks with costly restrictions. Similarly, when the banks run into trouble, they are all too willing to provide them with expensive life-support arrangements. Knowing that, banks go for risky bets – this is how we got into this mess.



UNITED KINGDOM, London, at the G20 summit on April 2, 2009. PHOTO: European Communities

What would be needed is an international agreement among all countries, at least those that host large banks and financial markets. The newly created Financial Stability Board is supposed to do just that, but the devil is in the details, when national interests clash and derail well-meaning reforms. In addition, banks and financial institutions will lobby hard to prevent agreements that could severely reduce profitability. Every day that passes, memories of bank misbehaviour fade away and the resolve to discipline them slowly evaporates. The “sea change” that was trumpeted by governments at a time of public outrage is becoming increasingly unlikely.

Then there is the creation of the G20, ostensibly as a response to the crisis,

a sort of excuse from the rich countries for the global mess that they created. For the G20 to have power, it would have to replace the G7, but no one has announced the end of the G7. How will these two non-institutions deal with each other? As far as financial matters are concerned, few of the non-G7 G20 members matter: the financial markets of India, China, Brazil and most others are not internationally significant as yet and are unlikely to be for at least one generation or two. So the decisions that will determine whether banks and financial institutions can carry on with risky bets paid for by taxpayers’ money will be made elsewhere than in the G20.

In its first meetings, the G20 tried to build itself up as the reformer of the

international financial architecture. It has endorsed more resources for the IMF, a very good thing, and made noises about reforming the Fund’s governance. The problem with IMF (and World Bank) governance is that giving more weight to one country comes at the expense of the other countries. It has taken years to redistribute a total of some 5% of voting rights, which has not changed the balance of power. More significant changes inevitably bump into the instinctive refusal by any country to give up power. Maybe the greatest achievement of the G20 is just its creation, which may be enough to give some informal influence to the large new emerging countries without reopening the Pandora’s Box of formal IMF reform.

# CLARIFIER LA SITUATION DES BANQUES POUR RÉTABLIR LA CONFIANCE

Cédric Tille, professeur d'économie internationale

Le secteur bancaire a été fortement mis à mal par la crise actuelle, aussi bien aux Etats-Unis, où la crise a commencé, qu'en Europe et en Suisse. Quelle est la nature de ce malaise, et comment les gouvernements peuvent-ils redonner quelques couleurs au système bancaire?

« Si les réactions des autorités américaines et britanniques peuvent être critiquées, elles sont plus avancées que celles des pays de la zone euro. »

Les banques sont particulièrement exposées à des problèmes de confiance car elles récoltent les fonds des épargnants pour financer des projets à long terme tout en gardant un peu de liquidité. Il y a donc une différence d'horizon: les épargnants peuvent retirer leurs avoirs sans préavis, mais

les actifs de la banque ne peuvent pas être vendus rapidement, ou alors à vil prix. Cette différence implique une vulnérabilité: tant que les épargnants conservent leurs avoirs à la banque (ou plus exactement que peu d'entre eux les retirent), tout va bien car la banque peut les payer en utilisant sa réserve de liquidité. Si toutefois un nombre important d'épargnants retirent leurs fonds, la banque doit vendre ses actifs. Comme cette vente se fait à bas prix, les autres épargnants s'aperçoivent que la banque ne pourra pas faire face à ses obligations et une panique s'ensuit, avec les gens faisant la queue devant les guichets de la banque.

Si cette vulnérabilité a conduit à plusieurs crises dans le passé, elle est bien comprise et a été domptée par les autorités. En effet, le problème reflète un manque de liquidité: la valeur des actifs de la banque n'est pas en cause, mais celle-ci manque de cash. Il suffit alors aux pouvoirs publics d'accorder un prêt à la banque qu'elle remboursera, avec intérêt, une fois la crise passée. Concrètement, la garantie que l'Etat apporte aux dépôts des particuliers prévient ces paniques.

Si la garantie publique des dépôts bancaires et les injections substantielles de liquidité par les banques

centrales ont prévenu une ruée du public sur les banques (à l'exception de Northern Rock, en Grande-Bretagne), cette garantie s'est avérée trop étroite. En effet, les banques ne représentent qu'une partie du système financier. En parallèle s'est développé un secteur bancaire «de l'ombre» où les acteurs investissaient dans des actifs à long terme en se finançant par des prêts à court terme. Conceptuellement, cela est identique à une banque classique, et donc sujet à la même vulnérabilité. Toutefois, la structure de régulation était en retard et aucune garantie publique ne couvrait ce marché. Dès que les prix des actifs adossés à l'immobilier ont baissé, les prêteurs sur le marché à court terme ont refusé de renouveler leurs engagements une fois ceux-ci arrivés à échéance, et une panique financière classique s'en est suivie.

Si toutefois le problème en était resté là, la situation aurait été gérable relativement facilement. Il ne s'agit en fait «que» d'un problème de liquidité, et les banques centrales peuvent créer de la liquidité sans problème.

La situation s'est toutefois muée en un problème de solvabilité beaucoup plus pernicieux. Dans ce cas, la banque n'a pas simplement un besoin temporaire de cash, mais la valeur de



ALLEMAGNE, Francfort: Jean-Claude Trichet, président de la Banque centrale européenne, lors d'une conférence de presse en mai 2009. DDP/ Martin OESER

ses actifs a dégringolé et elle est fondamentalement dans l'incapacité de faire face à ses obligations. Dans le contexte de la crise actuelle, le retournement du marché immobilier a fait chuter la valeur des actifs qui y sont adossés. Ces actifs sont souvent des produits complexes dont il est difficile d'évaluer la valeur. L'état exact du bilan des banques, lesquelles détiennent des montants substantiels de ces actifs, est alors incertain. Cela a entraîné un gel du marché interbancaire (le marché des prêts à court terme que les banques s'accordent entre elles). La banque A refuse de prêter à la banque B, car il se peut que celle-ci fasse faillite d'ici à l'échéance du prêt. Pire, la banque A elle-même n'est pas sûre de la qualité de ses propres avoirs, et conserve précieusement son cash au cas où un problème émergerait. Dans une telle situation, les banques se focalisent sur le nettoyage de leur bilan et sont moins enclines à prêter aux entreprises, avec pour conséquence la chute de l'acti-

vité économique que nous connaissons depuis l'automne 2008.

Débloquer la situation demande alors deux choses. Tout d'abord, la situation de chaque acteur doit être clarifiée, afin que l'on sache quelle banque est solvable et quelle banque ne l'est pas. Ensuite, il convient de liquider les banques insolubles. L'idée est d'éviter que des banques «zombies» insolubles empêchent les autres banques de prendre leur place pour financer l'activité économique, une situation que le Japon a connue dans les années 1990.

Ces deux étapes ont été plus ou moins suivies dans la pratique. En Suisse, les actifs problématiques d'UBS ont été mis à l'écart afin de diminuer les incertitudes sur l'état de la banque. Aux Etats-Unis, le gouvernement a conduit des *stress tests* comptables afin de déterminer quelles sont les banques à même de traverser la crise en l'état et quelles sont celles qui doivent lever

plus de capital auprès des investisseurs. Les autorités ont également proposé un mécanisme pour inciter les investisseurs à racheter les actifs problématiques des banques, avec un soutien public, lequel ne connaît cependant que peu de succès. Enfin, l'Etat est directement entré dans le capital de plusieurs banques. En Grande-Bretagne, le gouvernement a *de facto* nationalisé les plus grandes banques, afin d'éviter que leur manque de fonds propres ne les paralyse.

Si les réactions des autorités américaines et britanniques peuvent être critiquées sous bien des angles, elles sont plus avancées que celles des pays de la zone euro. La supervision des banques y demeure fragmentée parmi les Etats membres, et aucun équivalent des *stress tests* à l'américaine n'a été conduit. Tout cela malgré le fait que les banques européennes ont subi des pertes aux Etats-Unis et sont très exposées aux problèmes de l'Europe de l'Est.

# YOU CAN'T BE TOO CAREFUL OR WHY THE ECONOMIC CRISIS IS NO JOKE IN THE DEVELOPING WORLD

Jean-Louis Arcand, Professor of International Economics and Development Studies

In his 1941 novel *You Can't Be Too Careful*, H. G. Wells wrote that the "crisis of today is the joke of tomorrow". For much of the developing world that relies on capital from international financial markets to fund its growth, the joke tomorrow may be in extremely poor taste.

Though the exercise is naïve, it is useful to divide the developing world into two categories –globalisers and non-globalisers. For the latter, the response to the current crisis is often a slightly puzzled "What crisis?", as I have found on several recent occasions when talking to poor peasants in some West African countries. Being removed from global markets (both financial and commodity) may have inhibited their long-term growth prospects but at least it has insulated them from the worst effects of the crisis. For the former, on the other hand, the current mess is likely to have several serious repercussions.

The first, and most obvious, will be the availability of physical capital to finance investment. An important structural difference between these groups of nations, whose consequences have not been highlighted in the current crisis, lies in the fact that long-term growth in industrialised nations is essentially driven by increases in total

« Given the magnitude of the current crisis, we will soon be seeing a massive increase in child labour as well as a resurgence in diseases in globalising developing countries. »

factor productivity, while in the developing world, growth is driven by the accumulation of factors of production. It is therefore arguable, *ceteris paribus*, that a prolonged hiatus in investment in physical capital will have much more serious consequences in globalised developing countries than in their developed counterparts.

One possible positive outcome of this is that, since it is driven by accumulation, the growth of globalised developing countries will, after a very sharp blip, return to its previous levels. The same cannot be said of industrialised countries, which may have experienced a permanent shock to their long-term growth rates (which were already relatively low before the crisis).<sup>1</sup>

However, the income shocks experienced by poor households may have

permanent consequences for the accumulation of human capital (when economists talk about "human capital", they mean education and health). Faced with severe, albeit temporary income shocks, and lacking adequate insurance or mechanisms to compensate for loss of income, poor people pull their children out of school and send them to work. Even when the good times return, the children in question almost never return to school. Similarly, when their income is under pressure, the poor rarely take their children to doctors. As a result, temporary shocks can have devastating consequences on educational attainment and the health of the young (and ultimately on growth) in globalised developing countries. Given the magnitude of the current crisis, I would venture to argue that we will soon be seeing a massive



COLOMBIA: A boy sells records to drivers in the streets of Bogotá, 2009. AFP/Rafa SALAFRANCA

increase in child labour in the globalised developing world, as well as a resurgence in diseases that have hitherto been held in check.

Compounding this, credit rationing in globalised developing countries may become more severe, which will have knock-on effects on labour markets and thus on urban poverty. Investors in many developing countries are already starved for credit, and are increasingly being forced to fund part of their investment in physical capital from retained earnings. This may result in severe downward pressure on wages which, in countries without social safety nets and where organised

labour is non-existent, will exacerbate poverty in urban areas.

Finally, while growing poverty in urban areas may contribute to stemming rural-to-urban migration, increased protectionism in developed countries may reduce agricultural exports from globalised developing countries, producing the inverse effect. Though there are very few universal lessons from Development Economics, one that is accepted by most scholars is that a *sine qua non* of development is an increase in agricultural productivity. If developed countries succumb to protectionist pressure, we may witness

permanent effects on the growth of agricultural productivity in the developing world.

Reductions in investment in physical capital, increases in child labour, deteriorations in child health and education, collapses of agricultural productivity: the list does not make for pleasant reading. And let us not forget that H. G. Wells also wrote *The War of the Worlds*...

<sup>1</sup> In economics jargon, the argument would be that growth in globalised developing countries is Neoclassical (a shock to investment depresses GDP per capita but ultimately returns to the previous steady-state) while that in industrialised countries follows some sort of endogenous growth process.

# L'INVITÉ THE GUEST

## REFORMING THE IMF FOR THE 21st CENTURY

Kemal Derviş, Vice-President, Global Economics, the Brookings Institution, Washington, DC;  
Former Minister of Economic Affairs of Turkey and Former Head of UNDP

This article is based on the keynote lecture delivered at the Opening Ceremony on 23 September 2009. The lecture, entitled, *Global Economic Governance: From Bretton Woods to the Meetings of 2009*, was given by Kemal Derviş.

The great global crisis of 2008–2009 has echoes of 1929 and the Great Depression. As with its 20th century predecessor, there seems to be agreement that many of the causes of the current crisis are the result of failures of global economic governance. While the turmoil of the 1930s and 1940s led to the creation of the Bretton Woods Institutions, the financial crisis of 2008–2009 has renewed the debate on global economic governance and the international monetary system; with a particular focus on the role of the IMF. Yet, as recent events have revealed, if it is to fulfil its function as an effective and legitimate tool of global governance, reforms are needed to overcome three weaknesses.

First, the IMF must again become an institution involved in the world economy as a whole. Originally envisioned by Keynes as an “International Clearing Union” to manage a fixed exchange rate system and provide temporary financing to countries experiencing balance of payment difficulties, the IMF initially focused on industrialised nations. Then, after the collapse of the link between the dollar and gold and the fixed exchange rate system in the early 1970s, the Fund’s focus shifted to developing countries and to crisis finance; it became an institution overseeing developing countries, with no role to play with respect to the advanced economies. The great crisis of 2008–2009 underlined the need for global policy coordination and,

therefore, a truly global role for a renewed IMF. Second, the IMF’s governance failed to keep pace with changes in the global economic landscape, despite the growing weight of the emerging market economies. The fact that Belgium still has greater weight than Brazil on the IMF’s board is just one extreme example of the governance problem. Third, the IMF has to allow more policy space to its member countries and recognise the legitimacy of greater diversity in the policy mix countries adopt. This cannot mean that *any* policy should be endorsed. It does mean, however, that the balance between policies that restrict demand and policies that try to stimulate supply needs to be rethought, that the interests of creditors should not get absolute priority and that systemic recommendations for the world economy as a whole should not reflect the quasi-ideological views of one school of thought, but take into account diverse viewpoints. It was telling, for example, that right before the Asian Crisis of 1997, in which excessive volatility of private capital flows played an important role, the IMF was still recommending full capital mobility as desirable for development. These three areas in need of reform, global scope of the institution’s activities, governance which reflects 21st century realities and a formulation of policy advice and conditionality that recognises diversity and does not privilege one narrow school of thought or the interests of creditors, are interlinked. A truly global role will reinforce the legitimacy of the IMF. More balanced governance will encourage greater balance in economic analysis and the respect of more policy space. Policy advice that does not almost exclusively focus on restrictive demand management will in turn, generate greater acceptance



Kemal Derviş at the Special Commemorative Session of the UN General Assembly devoted to Chernobyl, 28 April 2006. PHOTO: United Nations

of partnership with the IMF and encourage a free and rich debate on optimal policies, with growth and better income distribution taking a stronger place beside the traditional concern of stabilisation.

The management and staff of the IMF have recognised these needs and the reform process has started. The G-20 meetings have strengthened the role of the IMF and led to proposals augmenting the resources at its disposal. If the momentum created by the crisis can be maintained, and if the advanced countries finally agree to real governance reform as well as a real global surveillance and policy

advisory role for the IMF, the institution could become a central instrument of global cooperation and economic governance. The great crisis of 2008–2009 has underlined the need for such a role. Let us hope the need is met and that better global economic governance can strengthen the recovery and diminish the chances of another devastating crisis.

# ALUMNI INTERVIEWS

## BRAD SMITH

Senior Vice President and General Counsel, Microsoft Corporation



Brad Smith

### **Can you briefly present your career path?**

After finishing my year in Geneva, I completed my law school education at Columbia University in New York and started a legal career. Seven years later, I became a partner at the firm of Covington & Burling, where I spent three years in Washington, DC and four years in London. I did a great deal of international work, including international arbitration, and focused on intellectual property and competition law issues.

In 1993 I joined Microsoft. During my three-year tenure in Paris, I led the European Legal and Corporate Affairs group, before moving to the company's headquarters in Redmond, Washington, in the US. For five years I was responsible for all of the company's international legal and corporate affairs work. In 2002 I became the company's General Counsel, a position I still hold today. I lead the Department of Legal and Corporate Affairs, which has roughly 1,000 employees, including about 450 lawyers and 175 government affairs professionals. I also act as the secretary for the company's Board of Directors and serve as Microsoft's Chief Compliance Officer.

### **Why did you choose to study at the Graduate Institute?**

I had a friend from my undergraduate days at Princeton who had attended, and he raved about the experience. He described the opportunity to interact with students and professors from multiple countries and disciplines in an

intimate atmosphere. He praised the high quality of teaching and discussion. It was a compelling case, and in fact my own experience definitely lived up to this advance billing.

### **Which is the most striking memory from your years of study at the Institute?**

My wife and I attended together. We were both law students in the US, got married in 1983, and spent the first year of our marriage studying in Geneva. Our French skills were not great when we arrived, but they definitely improved during the year! There were a number of lively intellectual debates among the students, including about intermediate nuclear forces in Europe and the intervention by US troops in Grenada in 1984. This was part of what made the experience so enriching.

We couldn't afford a car, but we had two mopeds. I remember a January day when we rode up to the UN library in the middle of a huge snowstorm because we each wanted to finish some research. The security guard looked at us and said "You must be American. No one else would be this crazy!"

### **To what extent has your programme of study at the Graduate Institute been useful in your career?**

My year in Geneva definitely inspired me to pursue a career involving international legal issues. When subsequent opportunities arose to pursue international assign-

ments, I jumped at them. I benefited from working closely with some outstanding professors, and I still use today some of the intellectual frameworks they provided for analysing complex problems. More broadly, the multinational background of the students at the Institute required that one learn how to listen well to and understand diverse points of view from around the world. This has been an essential part of my work ever since. At Microsoft I interact regularly with government officials from around the world, and I lead what may well be the most globally diversified legal and corporate affairs department in any company in the world.

**What advice would you give to students at the Institute wishing to pursue a career in the private sector?**

We now live in what is obviously a much more global economy. Many companies now rank among the most genuinely global institutions on the planet. I have found that when well-run in a thoughtful way, global companies can deliver broad societal benefits based on sustainable business models and sound market economics. Yet there is a lot that the private and public sectors need to continue to learn about and from each other.

I've found that many of the initiatives that produce the broadest societal benefits in fact come from bringing these three groups together. The world needs talented individuals who can work at the intersection of the public,

non-governmental and private sectors. It also needs more academic research on new and emerging models for effective partnership across these types of boundaries. I believe that this type of work has great potential for spurring new advances in addressing some of the biggest challenges in the world today, from putting information technology to work for all people, improving global health outcomes, and coming to terms with climate change.

## ALUMNI MEMBERS SUCCEED ONE ANOTHER AT THE HELM OF THE SWISS NATIONAL BANK

### PHILIPP HILDEBRAND

Interview by Signe Krogstrup, Swiss National Bank and Adviser to Philipp Hildebrand



Philipp Hildebrand

Philipp Hildebrand, Vice-Chairman of the Swiss National Bank since 2007, will take up his new position on 1 January 2010, when the current incumbent, Jean-Pierre Roth, alumnus of the Graduate Institute retires. Philipp Hildebrand, also alumnus and former Visiting Lecturer at the Institute, calls for improved macro-prudential supervision and regulation of the financial sector to protect against impacts of future economic crises.

**When did you attend the Graduate Institute, which programme did you follow and what are your fondest memories from those years?**

I attended the Institute from 1988 to 1990 and graduated with a DES in International Relations. I have many fond memories from those years. What stands out most is probably the wonderful collegiality and friendship that characterised our class.

**How do you think your years at the Institute influenced your subsequent career path?**

My years at the Institute have influenced my career path in many ways. Most importantly, I became deeply committed to pursuing a professional path, be it academic or otherwise, with a firm focus on global issues.

**You will take over as Chairman of the Governing Board of the Swiss National Bank in January.**

**Do you expect that the international experience gained at the Institute will be useful to you in that role?**

I have always been deeply convinced that an international outlook is indispensable for policy-makers in small open economies such as Switzerland. The Swiss economy is strongly impacted by developments in the rest of the world.

The current crisis is a case in point, both in terms of its repercussions on our banking system and the recessionary fallout in the economy. One of the downsides of being small is that we cannot directly affect economic developments in other countries. Therefore, we have a tremendous interest in effective international economic governance and cooperation. In this respect, my previous international experience will hopefully be of service in my future position at the helm of the SNB.

**You mention the challenges brought about by the financial crisis. What were the most important causes of the crisis in your view?**

The causes that led to the current financial crisis are highly complex. And yet, there are many similarities with previous crises. To make a long story short, the crisis resulted from a combination of over-indebtedness of private households in the US, excessive leverage of financial institutions, a general and pervasive mispricing of risk, and the tremendous growth in the creation and worldwide distribution of highly complex and often totally opaque structured products based on US mortgages. When US house prices started falling in 2007, this triggered a surge in mortgage delinquency rates. The uncertainty as to who would bear the associated losses quickly eroded confidence in the financial sector.

The unfolding financial crisis subsequently took on a procyclical dynamic of its own. Deleveraging of financial institutions and the general increase in risk perception led to further declines in asset prices, which in turn led to even more losses in the financial sector, and so on.

### How can similar developments be avoided in future?

It is an illusion to think that we will ever be able to avoid financial crises. But we can learn from the present crisis in order to reduce the frequency, severity, or spill-over to the real economy of future financial crises.

One of the lessons that we have learned is that we need to strengthen the regulation of the financial sector, so that our banks will be more resilient to future shocks. But we also need to be better at monitoring and addressing potential systemic risks in the financial system. This means that we need to enhance macro-prudential supervision and regulation, as opposed to micro-prudential regulation, which is concerned with the stability and resilience of individual banks. The macro-prudential approach addresses the stability and resilience of the system as a whole. Here, central banks clearly have an important role to play in the future. We have to accept that a mere focus on price stability as measured by the headline CPI is too narrow a definition of what we should be doing.

We have already come a long way in strengthening capital and liquidity requirements here in Switzerland. But more needs to be done. For example, the crisis has made it clear that certain banks around the world have developed into such large and interconnected institutions that they cannot be allowed to fail without jeopardising the stability of the entire financial system. This too-big-and-interconnected-to-fail problem is of particular concern here in Switzerland and it has to be dealt with.

## Honouring Jean-Pierre Roth

**Globe pays homage to an alumnus  
of the Graduate Institute and to his  
distinguished career.**

Born in 1946, Jean-Pierre Roth received his PhD in economics from the Graduate Institute. He then went on to study at the Massachusetts Institute of Technology (MIT). Upon his return to Geneva he became a lecturer at the University of Geneva and the Institute.

He joined the Swiss National Bank (SNB) in 1979. On 1 May 1996, he was appointed Vice-Chairman of the Governing Board and on 1 January 2001 he became Chairman of the Governing Board and Head of Department I responsible for economics, international, legal and administrative affairs.

Jean-Pierre Roth has had an illustrious career. He is also a Governor of the International Monetary Fund and was Chairman of the Board of the Bank of International Settlements in Basel, until February 2009. In 2007 he was appointed Switzerland's representative to the Financial Stability Forum, an international financial body charged with overseeing regulation of the world financial system.

Jean-Pierre Roth will retire from the SNB on 31 December 2009. He will be succeeded by fellow colleague and Graduate Institute alumnus, Philipp Hildebrand.



Jean-Pierre Roth



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## INSTITUTE ALUMNI IN WASHINGTON, DC

Paul Mathieu, on behalf of the Chapter Steering Committee



Ernesto Hernandez-Cata at the National Press Club

Thanks to an active Alumni Chapter, the Institute today has strong links with friends across the Atlantic. Founded in March 2007, the Washington DC Alumni chapter now has over 100 alumni members and friends. It organises 3-4 events per year. Key to its success has been the support of the Swiss Embassy and the highlight of the year is undoubtedly the autumn reception at the Swiss Ambassador's residence.

### Recent Events

This year the Chapter created a scholarship. It also forged links with the local Alumni chapters of the Fletcher School of Law and Diplomacy, the George Washington University Elliot School of International Affairs, and the Institut de Sciences Politiques in Paris.

Among its other events, in May the Chapter hosted a discussion with Professor Baldwin on "Trade and the Global Crisis". He reviewed the origins of the current economic crisis, pointing to the lack of appropriate banking regulation in the US and UK as the main culprit. He suggested possible responses for the trading system, including a WTO standstill/surveillance mechanism, similar to that now agreed by the G20, aggressive deterrence of protectionism measures and revival of the Doha Round.

In June the Chapter met at the National Press Club. Institute alumnus and Cuban national, Ernesto Hernandez-Cata, spoke on *The Cuban Economy after Half a Century of Fidelismo: Time for Change*. A panel discussion followed with Marco Vicenzino (Global Strategy Project) and Guillaume Scheurer, Minister Counsellor at the Swiss Embassy, moderated by alumnus Flavius Mihaies.

### Chapter Scholarship Laureate

The scholarship created by the Chapter is intended to promote awareness of the Institute and encourage recruitment in the US. It is awarded to a first-year PhD student joining the Institute from a US university. This year's winner, Ms. **Olga Dios**, from Paraguay, has a Masters in International Legal Studies from Georgetown University, where she was a Fulbright Scholar. She has held several positions in government, at the WTO, and in various law firms. She was involved in Paraguay's negotiations of the Mercosur and NAFTA agreements.

Her intended thesis topic is "International trade law and energy in the light of the regional experience in South America: Treatment at the multilateral level and relationship with regional arrangements in the Americas".

<http://heialumnidc.blogspot.com;>  
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# LA VIE DE L'INSTITUT

## INSTITUTE NEWS

### LES NOUVEAUX PROFESSEURS

### NEW PROFESSORS

**NICOLAS BERMAN**

IMAGINER DES POLITIQUES D'INTÉGRATION  
COMMERCIALE ADÉQUATES



Nicolas Berman

**Pourquoi avoir choisi Genève et l'Institut aujourd'hui?**

Les raisons sont multiples. Elles tiennent d'abord à la qualité et à la pluridisciplinarité du corps enseignant de l'Institut. Ma recherche se situe à la frontière du commerce international, de la macroéconomie et de l'économie du développement; or, l'Institut regroupe des chercheurs spécialisés dans ces trois thèmes, ce qui offre de nombreuses et excitantes possibilités de collaboration. Ensuite, s'agissant de questions internationales, la localisation de l'Institut à Genève et ses interactions avec les différentes organisations internationales qui y sont implantées constituent également de fortes motivations. Le caractère relativement technique de la recherche en économie a souvent tendance à éloigner le quotidien des chercheurs de la réalité, d'où l'importance de pouvoir rester en contact permanent avec l'actualité internationale et d'être proche d'un environnement décisionnel. Enfin, les étudiants de l'Institut, dont l'intérêt et la diversité m'avaient frappé lors de ma venue, sont aussi pour beaucoup dans mon choix.

**Quels sont les enjeux que vous souhaitez particulièrement examiner avec vos étudiants?**

Mon domaine principal est le commerce international, mais ma recherche a des implications en macroéconomie ou finance internationale, ainsi qu'en économie du développement. En général, elle porte sur les déterminants et les effets des flux commerciaux. En particulier, j'ai souvent travaillé sur les liens entre système financier, commerce et

croissance, la plupart du temps de manière empirique, et de plus en plus au niveau de l'entreprise, en raison de la disponibilité croissante de données détaillées. A titre d'exemple, j'ai étudié, avec Vincent Rebeyrol, de l'Institut européen de Florence, comment le comportement des entreprises exportatrices affecte leurs contraintes de financement, leur innovation et leur croissance. Je me suis également intéressé, avec Philippe Martin, de Sciences Po Paris, aux effets de la crise financière actuelle sur le commerce des pays d'Afrique subsaharienne. Les enjeux de ce type de recherche sont nombreux: en connaissant la manière dont les pays commercent entre eux, les barrières auxquelles font face les entreprises, les éléments qui déterminent la dynamique d'exportation, on peut mieux comprendre la réelle nature des gains et pertes à l'ouverture, et imaginer en conséquence les politiques d'intégration commerciale ou de soutien à l'exportation les plus adéquates.

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**Nicolas Berman** est professeur assistant d'économie internationale. Il a passé un an à l'Institut européen de Florence en tant que *Max Weber fellow*. Il a obtenu un doctorat en économie de l'Université Paris I Panthéon-Sorbonne et a été chercheur au Centre de recherche en économie et statistique (CREST) et à la Banque de France à Paris. Il a aussi enseigné à l'Université Paris I et à Sciences Po Paris.

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## VINCENT CHETAIL

### LE RENOUVEAU DU DROIT INTERNATIONAL: UNE SOURCE DE RÉFLEXION INÉPUISABLE

#### Pourquoi avez-vous choisi de continuer votre carrière à Genève?

Les raisons sont nombreuses. Les plus évidentes tiennent au caractère interdisciplinaire de l'Institut et à sa réputation d'excellence dans le domaine du droit international. Mais je suis aussi particulièrement attiré par le potentiel unique et très stimulant qu'offre Genève pour la recherche et l'enseignement dans un domaine en pleine évolution: le droit international des migrations. Genève est le siège des principales organisations internationales consacrées à la question. Il suffit d'évoquer, par exemple, le Haut Commissariat des Nations unies pour les réfugiés, l'Organisation internationale pour les migrations ou encore le Bureau international du travail, avec lesquels je travaille régulièrement depuis une dizaine d'années. Ville cosmopolite et multiculturelle, Genève est aussi le lieu idéal pour réfléchir sur les grandes questions internationales de notre temps.

#### Quels sont vos principaux centres d'intérêt?

Mon principal domaine de recherche porte sur les relations entre le droit international général et ses branches nouvelles ou supposées telles. Je m'intéresse tout particulièrement au droit international des réfugiés et des migrants, mais aussi aux droits de l'homme en période de conflit armé, au droit international pénal ainsi qu'au maintien de la paix et de la sécurité collective. Ces domaines ont en commun de représenter ce que

Lauterpacht a appelé les «points de fuite du droit international». Ils interpellent le droit international dans son aptitude à constituer un corps de règles à la fois cohérent et effectif. Etudier les dimensions juridiques des migrations ou des conflits armés invite à la modestie et impose un questionnement permanent sur les enjeux politiques et métajuridiques du droit. Ma démarche s'inscrit dans une approche critique du droit international public, pour mieux comprendre ses points de rupture, son renouveau et la dynamique qui l'anime.



Vincent Chetail

Vincent Chetail a obtenu un doctorat de l'Université Paris II Panthéon-Assas. Il est professeur adjoint de droit international. Il est également directeur de recherche de l'Académie de droit international humanitaire et de droits humains (Genève) ainsi que directeur de recherche en droit international au *Programme for the Study of Global Migration*. Vincent Chetail est également éditeur en chef du *Refugee Survey Quarterly* (Oxford University Press) et éditeur des collections «Organisation internationale et relations internationales» et «Axes» chez Bruylant (Bruxelles).

## STEPHANIE HOFMANN

### PLAYING AN ACTIVE ROLE IN A COSMOPOLITAN COMMUNITY



Stephanie Hofmann

#### Why have you chosen to join the Institute?

I very much enjoy working in an international setting, where people bring different perspectives to the table and view social and political phenomena through cultural, national, and regional angles. The Graduate Institute provides just such an environment. As I begin my career, I look forward to engaging fully with the academic philosophy of the Graduate Institute and being an active member of a cosmopolitan community.

#### What is the main focus of your research and which challenges would you like to share with your students?

My current research focuses on regime complexity and burden-sharing among international organisations such as NATO, and the EU's European Security and Defence Policy. I am particularly interested in the ways in which institutions operating in the same policy space both enable and interfere with one another. Why is there institutional overlap? How does this overlap affect policy decisions? What are the problems of inter-institutional burden-sharing in global crisis management?

The study of regime complexity demonstrates that all political phenomena are constituted of multiple layers that cannot be studied in isolation from one another. I would like my students to take on the challenge of addressing the wider environment surrounding the politics and policies of their chosen fields of interest.

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**Stephanie Hofmann**, PhD Cornell University, is Assistant Professor of Political Science. Prior to taking up her post at the Graduate Institute, Stephanie Hofmann was a Jean Monnet Fellow at the European University Institute, Italy. She has published in several academic journals and is currently working on a book on transatlantic security relations and the creation of an autonomous European security institution. Her current research focuses on regime complexity and burden-sharing among international organisations.

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## ANNABELLE LITTOZ-MONNET

### A PERFECT FIT FOR MY RESEARCH INTERESTS

#### Why have you chosen the Institute?

When I came across the Institute's announcement for an assistant professor in 'European History and Politics', I thought I had found 'my' ideal job – all that was left was to convince the selection committee! Having grown up near Geneva, I was aware of the Institute's excellent reputation. So, the opportunity to join a prestigious faculty and teach among such an intellectually and nationally diverse group of students was a career dream come true. I am delighted to take on the challenge and to join the International History and Politics Unit.

#### How will your research fit with your new department at the Institute?

I have a PhD in Political Science. I have specialised in European Union politics. My research to date has focused on European cultural policy from a historical perspective and European integration theories more generally. I am now at a turning point in my research career. While maintaining a watching brief on the EU and cultural developments, I plan to initiate new research on the politics of European identity-building and memory in the context of European integration and more specifically on the role played by governments and historians. In other words, I will meld the disciplines of history and politics. Joining a 'History and Politics' department is a match made in heaven! I look forward to interacting with my historian colleagues whom I believe will add new and precious insights to my own approach as a political scientist.

#### Could you tell us a bit more about your background and experience?

I graduated from the *Institut d'Etudes Politiques* in Lyon in 1998. Subsequently, I went to the UK for 'a year abroad'. I stayed for five years! After completing my MA in European Studies at Loughborough University, I was invited to pursue a PhD in Politics at Oxford University. This was a chance to combine my interest in cultural policies with the question of European integration. Following my UK research experience, Brussels seemed a logical destination to test my academic experience. I am not sure how useful my research was for Brussels, but Brussels certainly helped my research. After a stint with the BBC and the Royal Institute I decided to return to academia and accepted a lectureship in European Studies at the Central European University in Budapest. Post-EU enlargement Eastern Europe was a very exciting place. It is the cradle of many new ideas about European identity.



Annabelle  
Littoz-Monnet

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#### Annabelle Littoz-Monnet, PhD from Oxford

University, is Assistant Professor of International History and Politics. Between 2005 and 2009, she has been Assistant Professor in European Studies at the Central European University, Budapest. She has also worked as a Research fellow at the Royal Institute of International Relations, Brussels (2004-2005). Her research focuses on EU cultural policy, European integration theory, European citizenship and constitutional patriotism, and the politics of European identity. Her book *The European Union and Culture: between economic regulation and European cultural policy* was published by Manchester University Press in 2007.

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## ELISABETH PRÜGL

### BRIDGING THE DIVIDES IN OUR MINDS



Elisabeth Prügl

#### Why have you chosen to join the Institute at this stage in your career?

I have a long-standing interest in international organisations, having previously worked on the ILO and European Union. This interest has recently led me to explore the relationship between activists and experts, specifically feminist activists and the emerging profession of “gender experts”. Activists and scholars have sometimes viewed expertise, professionalisation and engagement with (inter) governmental institutions as “selling out”. However, they do recognise that expertise is a tremendous source of power in international policy-making. Environmentalists have drawn on such power with the help of scientists, but for feminists, the notion of “expertise” is new. This raises questions about the nature of gender expertise, the way in which it is acquired, its standards of justification, and how it becomes an instrument of power. Geneva and the Institute are great places to explore these issues. I firmly believe in the value of interdisciplinary study; indeed, much of my own work has drawn widely from social sciences and humanities. The Institute encourages this cross-disciplinary approach.

#### What is the scope/place of Gender Studies in International Studies and Political Science, particularly in Europe? How does the situation in Europe compare to that in the United States where you also teach?

Gender Studies are a late but vibrant addition to International Studies and Political Science. Insights and findings from Gender Studies are slowly being included in textbooks and courses. I think Gender Studies are more

firmly institutionalised in the US than in Europe, but European diversity must not be underestimated. Gender approaches are visible in Political Science and International Studies in the UK, while the EU’s gender-mainstreaming policy has strengthened Gender Studies at universities across Europe.

#### What is the main focus of your research and which challenges would you like to share with your students?

My research is about gaining a better understanding of the “other”. This includes women, but also people marked by race, ethnicity, sexual difference, religion, etc. I wish to challenge my students to bridge divides, not only disciplinary and linguistic, but those we carry in our minds with regard to otherness. This is the key to an international education – ability to understand and communicate with others.

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**Elisabeth Prügl** is Professor of Political Science. She previously taught at Florida International University and she co-directed the Miami-Florida European Union Center of Excellence. Her research focuses on gender in International Relations articulated around global governance, women’s labour, the European Union and constructivism. She has written widely on gender and her articles have appeared in several feminist journals. She has authored and contributed to numerous books and serves on the editorial boards of several academic reviews.

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## JORGE VIÑUALES

### A FIRST-RATE EDUCATION IN ENVIRONMENTAL LAW

#### Why did you choose the Institute?

I think that any international lawyer would agree that the Institute is an ideal place to teach and research international law. Its law department is one of the best in the world, strengthened by its commitment to interdisciplinary analysis. Moreover, its location at the very core of international Geneva is a tremendous asset. The Institute's cosmopolitan student body with its great diversity of backgrounds and experience is also particularly appealing. I will do my best to fulfil students' academic and professional expectations. On a more personal note, as an alumnus of the Institute, I am very honoured to be the first holder of the Pictet Chair in International Environmental Law, and I can honestly say that the Institute shaped my life both personally and professionally.

#### What is your main field of research and what issues would you like to explore in your teaching and research?

I will specialise in international environmental law and related matters, including natural resources and energy law. Environmental issues have never been so pressing, and they raise challenges of unprecedented regulatory complexity. Take the example of biofuels. Initially viewed as a possible alternative to fossil fuels, the world has now realised the huge opportunity costs involved in their production, particularly in terms of water resources. As a response, there are now attempts to use biotechnology to produce crops that need less water or even organisms that could serve as biofuels' raw material. From a regulatory standpoint, this raises issues of climate change, water allocation and biosafety, all at the same time.

Another example is the recent "scramble for the seabed", i.e. claims for natural resource-rich portions of the seabed filed by States parties to the 1982 Montego Bay Convention. If poorly managed and regulated, they could well result in a new "Tragedy of the Commons", as described in Garrett Harding's famous article. New generations of international lawyers need at a minimum a solid grasp of the laws developed to tackle these and other challenges. My ambition is to build on the existing environmental expertise of the Institute and offer students a first-rate legal education in this field, in order to facilitate their development as responsible and competent professionals.



Jorge Viñuales

Jorge Viñuales has a PhD from Sciences Po, Paris and a LL.M from Harvard University. A member of the faculty since 2009, he is an Assistant Professor in International Law. In September 2009, he was appointed the first Pictet Chair in International Environmental Law, a three-year position.

In addition to his academic responsibilities, he is Counsel with the Geneva law firm Lévy Kaufmann-Kohler and the Executive Director of the Latin American Society of International Law.

He specialises in environmental law, international investment law and arbitration. He has worked in the public and private sectors. He has written widely on his areas of legal interest and his articles have been published in several leading law journals.

# LES DÉPARTS

## DEPARTING FACULTY

### VERA GOWLLAND-DEBBAS ET PETER HAGGENMACHER

PAR GEORGES ABI-SAAB

Propos recueillis par Marcelo Kohen, professeur de droit international



Vera Gowlland

Deux professeurs de droit international partent à la retraite en 2009. Georges Abi-Saab, professeur honoraire, évoque leur passage à l'Institut en tant qu'étudiants puis l'évolution qu'ils y ont suivie tous les deux en tant qu'enseignants.

#### Quel est votre premier souvenir de Vera?

Son nom et une bibliographie! Pour passer les examens interdisciplinaires de licence, les étudiants devaient choisir un sujet et présenter une bibliographie que le professeur signait. Contrairement aux autres étudiants qui avaient pour habitude de venir demander si la bibliographie était juste, s'ils devaient ajouter quelque chose, Vera n'est pas venue personnellement. C'est le secrétaire qui m'a demandé de signer une bibliographie pour une certaine Mlle Debbas. J'étais un peu étonné, mais elle était excellente, alors j'ai signé. Des années après, j'ai compris qu'à ce moment-là Vera travaillait et faisait ses études en même temps. Et elle a continué à travailler tout en poursuivant ses études de doctorat, mis à part le fait qu'entre-temps elle s'est mariée et a eu des enfants. Mais rien ne pouvait freiner sa soif et ses ambitions académiques. Son parcours est digne d'admiration.

#### Vos souvenirs d'elle comme étudiante?

Vera a participé comme auditrice à l'un de mes séminaires sur «le tiers monde et le développement du droit international» en doctorat. Elle s'intéressait beaucoup aux aspects dynamiques du droit international. Et quand elle a choisi comme sujet de thèse le traitement de la question de la Rhodésie au sein des Nations unies, sous la direction du professeur Michel Virally, j'étais le second lecteur de son mémoire de thèse; nous avons beaucoup discuté des questions qu'elle soulevait. C'est comme cela

que j'ai commencé à voir qu'elle se développait en une très bonne juriste, saisissant les évolutions du droit international surtout à travers les Nations unies. Juste après sa soutenance, le professeur Virally est malheureusement décédé. Vera m'a donc demandé d'écrire la préface. J'ai essayé de saisir sa pensée et ce qu'elle a pu démontrer d'intéressant et d'important, car sa thèse révèle de manière excellente que le système international, ne se basant pas sur un pouvoir centralisé, a dû développer une stratégie indirecte face à l'illégalité, avec la politique de non-reconnaissance des violations des normes fondamentales et la *nuisance value* qui accroît le prix du maintien de l'illégalité. C'est effectivement ce qui s'est passé non seulement en Rhodésie, mais aussi en Afrique du Sud. Malheureusement, cela n'a pas été le cas ailleurs, ou peut-être pas encore.

#### Comment a-t-elle commencé à enseigner à l'Institut?

Vera, comme Peter d'ailleurs, a subi les conséquences d'une certaine réticence de l'Institut à engager des personnes formées en son sein. Elle enseignait à Webster University, elle était invitée ailleurs, mais pas à l'Institut. Ce fut une bataille assez difficile pour intégrer le corps enseignant. On lui demandait un enseignement, mais on ne lui donnait pas la possibilité de briguer un poste. Ce n'est arrivé que tardivement, à un moment où le nom de Vera était déjà bien établi en droit international.

#### Comment la décririez-vous?

Vera a énormément travaillé et est devenue une autorité reconnue, notamment dans la pratique des Nations unies. Je relève en particulier son projet de recherche sur les sanctions, un travail d'importance énorme dirigé avec

cinq grandes facultés de droit. Elle parle aussi à voix haute pour défendre des positions qu'elle estime justes et pour démontrer que le droit doit être pris au sérieux dans toutes les situations et non seulement quand cela convient aux puissants. Tant par ses prises de position que par son parcours, Vera est exemplaire. Car malgré tous les obstacles elle a su trouver sa place en droit international en travaillant durement, tout en s'occupant de sa famille grandissante. Malheureusement, les femmes connaissent des conditions plus difficiles que les hommes dans notre métier – et même dans tous les autres. Vera est aussi très sociable et aime travailler avec les autres. Elle est très loyale envers ses amis et ses étudiants qu'elle encourage et soutient énormément.

### Et votre premier souvenir de Peter?

Je me rappelle le plan du travail de Peter dans mon séminaire «Problems of Jurisdiction in International Law and Organisation», en 1968. Vraiment excellent! Ce jeune homme était un *scholar*-né. Il voulait toujours aller jusqu'au fond du sujet et travaillait d'une manière très pénétrante et exhaustive, quelquefois approfondie et raffinée au point d'en devenir presque agaçante! Du reste il avait déjà un penchant pour l'histoire. Une très grande partie de son travail de séminaire portait sur l'Etat et la souveraineté chez Vattel; il faisait des *flash backs* à Grotius et puis il disait «Ah, mais ce n'est pas le premier à dire cela!», et ainsi de suite.

### Comment a-t-il commencé à travailler l'Institut?

Peter a commencé à travailler comme assistant de recherche sur le répertoire thématique des plaidoiries devant la Cour permanente de Justice internationale. Un grand projet, sous la direction du professeur Guggenheim.

Peter s'est aussi attelé à sa thèse sur Grotius et la notion de guerre, un gouffre dont il n'arrivait pas à se sortir! On a dû lui faire douce violence pour qu'il la termine. Sa thèse s'étalait sur environ 2000 pages, mais il considérait qu'il y avait encore des choses à dire! La veille de sa soutenance, un dîner réunissait les grands savants qui composaient le jury, les meilleurs du monde en matière d'histoire du droit international. Je dois dire que j'ai été étonné de les voir faisant acte de soumission intellectuelle devant cette thèse. Ils venaient de trouver quelqu'un qui les dépassait. Immédiatement la thèse s'est imposée comme un *locus classicus* et Peter comme un grand savant de l'histoire du droit international et de la pensée juridique.

Afin de pouvoir le nommer chargé de cours, on a dû encore lui faire violence pour qu'il publie une étude sur le droit international actuel. Il a fini par écrire un «article» d'une centaine de pages sur les deux éléments de la coutume, également un classique.

### Une caractéristique de Peter?

Peter n'est jamais satisfait de ce qu'il fait. Il cherche la perfection, qui n'est pas atteignable. Mais tout ce qu'il a fait est hors pair et il est un des meilleurs, sinon le meilleur au monde dans son domaine. Peter ne travaille pas en équipe. Il est très amical, mais il veut faire son travail à sa manière. C'est un *lone wolf*. Il a tout de même donné un cours en commun avec un professeur d'histoire, mais il s'agit toujours de l'histoire...



Peter Haggemacher

# LES ÉTUDIANTS STUDENTS

## THE GRADUATE INSTITUTE IN THE EUROPAEUM NETWORK

Laurent Neury, Academic Adviser



Since the 1990s, the Institute has been an active member of Europaevum, an association of 10 leading universities. It has a dual mission: to promote excellence in research and teaching and to act as an open academic network. In order to fulfil its mission Europaevum organises exchanges of faculty members and students, symposia and lectures, summer schools and graduate workshops, and joint academic programmes.

Throughout 2009, faculty and students from the Institute participated in several important Europaevum projects and events. Among some of these events, it is worth mentioning the following. On 12 February, Prof. Vera Gowlland-Debbas delivered a lecture in Oxford, on "The Middle East and the Challenges for International Law". On 13 May, Prof. Margaret MacMillan, Warden of St Antony's College, delivered a lecture in Geneva on "Lessons for Peacemakers from 1919". Ms Fiona Le Diraison, a PhD student of International Law was awarded the Geneva-Oxford bursary and was able to spend the month of May studying at Oxford University. At the same time, Roham Alvandi, a PhD student from Oxford University, visited the Institute where he was able to engage with prominent scholars and diplomats. Finally, in May 2009, Dominic Eggel, PhD student of International History and Politics participated in a graduate workshop held in Oxford on "Europeanisation". In September, three students from the Institute will participate in the Europaevum Summer School in Paris 1 Panthéon-Sorbonne, organised around the interdisciplinary topics of "Ethics and Policy-Making".



### Fiona Le Diraison

PhD student of International Law

"Every day, I cycled across Magdalen Bridge, up the high street to the Refugee Studies Centre, and then down to the

Bodleian Law Library, where I blissfully read articles, books, archives from the Second World War and other literature I was lucky to stumble across. After only three weeks in Oxford, I was able to write an important chapter of my PhD thesis. Upon my return to Geneva I presented my research to members of the Law Faculty and other PhD students during the monthly doctoral seminar. This bursary has allowed me to make substantial progress in my research and writing."



### Dominic Eggel

PhD student of International History and Politics

"The workshop took place at Oxford and brought together a series of confirmed as well as junior scholars from several Oxford Colleges and Europaevum member institutions such as the University of Leiden, the Jagiellonian University of Krakow and the Charles University of Prague. The aim of the workshop was to examine how common identities were created and fractured, in different places and at different times, in European history from the 15th to the 20th century. As a doctoral student of the Graduate Institute I was offered the opportunity to present my own research on the idea of *Europe in Classical Weimar* and collect some precious feedback."

# L'ACADÉMIE DE DROIT INTERNATIONAL HUMANITAIRE ET DE DROITS HUMAINS

## PROTÉGEONS LA DIGNITÉ UN AGENDA POUR LES DROITS HUMAINS

Andrew Clapham, directeur, et Aline Baumgartner, coordinatrice de projets

L'Académie de droit international humanitaire et de droits humains, a été créée conjointement par l'Université de Genève et l'Institut. Elle a reçu pour mandat l'enseignement, la recherche de haut niveau ainsi que la coordination de projets dans les domaines du droit international humanitaire, des droits humains, du droit pénal international et du droit relatif aux réfugiés et aux personnes déplacées.

Son programme de master, unique au monde, allie l'étude des différentes branches du droit international à la pratique. Il attire un grand nombre d'étudiants d'horizons divers. Un pôle de recherche complète celui de l'enseignement. Il propose notamment un site Internet dont l'ambition est de rendre compte de la mise en œuvre par les Etats du droit applicable dans les situations de conflit armé: «Rule of Law in Armed Conflicts Project» ([www.adh-geneva.ch/RULAC](http://www.adh-geneva.ch/RULAC)), qui constitue un des projets phares de l'Académie.

L'Académie se profile également sur de nouveaux terrains. Dès janvier 2008, elle a reçu du Département fédéral des affaires étrangères un mandat de coordination d'une initiative suisse d'envergure internationale. Durant plusieurs mois, un panel de huit personnalités éminentes a mené une réflexion commune sur les défis à relever dans le domaine des droits humains. L'aboutissement de cette réflexion a pris forme dans le document *Protégeons la dignité: un agenda pour les droits humains*.

Ce document a été lancé en décembre 2008, à l'occasion du 60<sup>e</sup> anniversaire de la Déclaration universelle des droits de l'homme, en présence notamment de Micheline Calmy-Rey, conseillère fédérale, de Martin Ihoeghian Uhomobhi, président du Conseil des droits de l'homme, du corps diplomatique et des représentants de la Ville et du Canton de Genève.



60<sup>e</sup> anniversaire de la Déclaration universelle des droits de l'homme, décembre 2008 avec, de gauche à droite, de bas en haut: Paulo Sérgio Pinheiro; Micheline Calmy-Rey; Mary Robinson; Hina Jilani; Pregs Govender; Theodor Meron; Bertrand Ramcharan; Saad Eddin Ibrahim; Manfred Nowak; Martin Ihoeghian Uhomobhi – Photo: ADH

Durant l'année 2008, le panel a également identifié huit thèmes qu'il souhaite approfondir, soit: la dignité humaine, la prévention, la détention, la migration, l'apatridie, le droit à la santé, le changement climatique et les droits humains, et la création d'une cour mondiale des droits de l'homme.

Enfin, l'année 2009 est consacrée à la promotion à travers le monde des idées contenues dans l'agenda. Celles-ci ont été présentées au sein de différentes instances internationales, notamment aux Nations unies à New York et à l'Organisation des Etats américains (OAS) à Washington. D'ici à la fin de l'année, des événements liés au projet sont encore prévus en Asie, en Afrique ainsi qu'au Moyen-Orient.

[www.adh-geneve.ch](http://www.adh-geneve.ch)  
[www.udhr60.ch](http://www.udhr60.ch)



# LA FORMATION CONTINUE EXECUTIVE EDUCATION

## INTERVIEWS

### RISING DEMAND FROM ASIAN PROFESSIONALS

Alexandre Dormeier Freire, Lecturer and Academic Coordinator for Asia, International Master of Advanced Studies in Development Studies (IMAS)



Alexandre Dormeier Freire

**Could you give us an overview of executive education in the South-Asian region and its recent developments?**

The increasing needs of emerging Asian economies for flexibility, cognitive skills, professional behaviour and competencies have altered the context over the last two decades. Along with these socio-economic transformations, education systems have been liberalised through national reform policies and the signing of international agreements like the GATS (General Agreement on Trade and Services) by Vietnam, Thailand, China, Indonesia and other Asian countries. Consequently, an important market for executive education has emerged over the last two decades. Institutions like the Asian Institute of Technology (AIT), our IMAS partner, an international academic institution with its headquarters in Bangkok, have opened branches throughout the region (Vietnam, Pakistan, Indonesia) to meet the growing demand for executive education. Short training courses, summer schools, diplomas, executive masters and even professional doctorates are now becoming popular across a diversity of fields. It is probably accurate to describe the context as active, changing and competitive.

**We noticed rising demand from Asian students and professionals seeking to participate in the executive programmes. How do you explain this new trend?**

Fast growing and emerging Asian economies like Vietnam and China have huge needs in terms of human resources development and capacity-building. In a globalised world, development and quality of human resources stand out as key factors for economic growth and industrialisation

processes. They will also be crucial to helping face new challenges such as climate change and sustainable development. At the same time, emerging Asian countries are gradually mirroring global trends more closely. In such a context, knowledge of development studies and international relations and related skills become an important part of the Asian executive's toolbox. This explains the growing popularity of the Institute's Summer Programmes, the IMAS and the INP among students from the Mekong region, and South and South East Asia.

**What opportunities exist for collaboration and executive training in these regions? Do you think the Institute is well-suited to respond to rising demand?**

The Institute is already collaborating with important regional academic institutions thanks to programmes like the IMAS. This collaboration makes our executive products attractive and provides a good platform on which to build new regional executive education activities. Thanks to the Institute's reputation for academic excellence, we are now able to offer training courses designed for professionals seeking an interdisciplinary approach, which are increasingly sought after in the region. There is also room for new executive education products in a region which is striving to achieve quality education and where professional skills are still lacking. In August, I participated in the South Asian Ministers of Education Organisation Conference which addressed quality, branding, and international collaboration in education and training.

<http://graduateinstitute.ch/executive/imas>



## I DISCOVERED DIFFERENT VIEWS OF THE WORLD

Leng Shuai, Attorney at Law, China, participant in the Institute's Summer Programme on International Affairs and Multilateral Governance, June 2009

### Why did you decide to take part in the Summer Programme on International Affairs and Multilateral Governance?

I came to Geneva to enhance my knowledge. The Summer Programme is wonderful. Participants come from all over the world and from different backgrounds including the UN, NGOs, academia, the diplomatic corps, etc. Some have already obtained their Masters or even PhDs. I not only learned from the lectures, but have been able to expand my international networks both in Geneva and in other countries, such as Brazil, Afghanistan, Senegal, etc.

### What is the added-value of the Graduate Institute for your professional training?

Several international and development topics were discussed at length in the lectures delivered by first-rate professors and lecturers. Moreover, the Institute offers additional lectures which are also worth attending. I discovered different views of the world. In addition to lectures, the visits to international organisations, including WHO, ICRC, UN and WTO were of tremendous benefit to my colleagues and myself. Making personal visits inspired me to want to join these organisations and contribute towards their goals.

I also came to see whether the Institute might be the right place to pursue a PhD. It is an amazing place to undertake research on subjects such as sustainable development, humanitarian issues, international trade and the WTO, global integration, etc. Furthermore, the Summer Programme will certainly enrich my current career as a young international lawyer.

During our leisure time we enjoyed a *fondue* in the old town of Geneva. We travelled to Lausanne and took in the breathtaking views of the Swiss Riviera from the lakeside vineyards.

<http://graduateinstitute.ch/summer>



Leng Shuai

# LA RECHERCHE RESEARCH

## GLOBAL GANGS ARE TODAY'S GANGS SO DIFFERENT FROM THOSE OF THE PAST?

Dennis Rodgers and Jennifer Hazen, Research Fellows, Centre on Conflict, Development and Peacebuilding

Images of gangs as the embodiment of modern-day barbarism are commonplace in policy-making circles, among law enforcement officials, and the general public. Often depicted as a pathological form of brutality, gangs are ubiquitously associated with senseless destruction, making them popular bugbears the world over. This is perhaps especially the case in contemporary Central America, where gangs – known as *pandillas* and *maras* – are widely perceived as the most important actors within a post-Cold War panorama that is characterised by levels of violence surpassing those associated with the region's revolutionary conflicts during the 1970s and 1980s.

*Pandillas* and *maras* have been portrayed as a critical security threat in present-day Central America, a “new urban insurgency” whose violence extends beyond the region, in particular to the USA and Canada. There have even been attempts to link them to global terrorism, most notably with unproven and sensationalist claims about alleged meetings between gang members and representatives of Al Qaeda. Not surprisingly, public policy responses to gangs have been brutally repressive. Today it is probably no exaggeration to talk of a veritable “war on gangs” having been declared against them.

Such developments are of course by no means new. Similar processes occurred in the US during the late 1960s, and can also currently be observed in France, where President Sarkozy's recently announced anti-gang initiatives bear an uncanny resemblance to the repressive measures characteristic of Central America. In many ways, though, this replication is not unexpected, as gangs are long-standing features of almost every society on the planet, even if they clearly vary across space and time.

The term “gang” is used to describe phenomena ranging from organised crime syndicates to prison-based associations to more or less ephemeral groups of youths who engage in “anti-social” behaviour linked to adolescent rebellion. Ultimately, though, gangs have to be seen as belonging to a volatile continuum, with the youth gangs of today often becoming the drug posses and organised crime groups of tomorrow, sometimes even transforming into ethnic militias or vigilante groups.

Seen from this perspective, understanding the logic and dynamics of gangs is a critical issue, yet it is one that has been underexplored by both conflict and development studies. Most investigations adopt a security or criminological perspective. While often insightful, such studies tend to be limited in relation to the social, economic, and political ramifications of gangs. Moreover, very little of the existing literature engages in comparative research, with most studies tending to focus either on a specific gang in a particular neighbourhood or on gangs within a single country.

In response to this lacuna, the *Centre on Conflict, Development and Peacebuilding* hosted a workshop on 14-15 May 2009, bringing together experts from around the world in order to explore the similarities and differences between gangs across contexts. The keynote speaker, Professor John Hagedorn of the University of Illinois at Chicago, one of the world's foremost experts on gangs, and author of the recently published *A World of Gangs*, opened the proceedings by tracing the evolution of gang research from its origins in 1920s Chicago to the more global focus of the present. Twelve experts with primary research experience on gangs then compared



Gang members showing off their tattoos, Managua, Nicaragua, 2002 Photo: Dennis RODGERS

and contrasted the nature and trajectories of gangs in Brazil, China, El Salvador, France, India, Indonesia, Mexico, Nicaragua, Nigeria, Russia, Sierra Leone, South Africa, the UK and the US.

Participants focused on three questions: (1) how and why do gangs emerge as major social, economic, and political agents; (2) how have gangs evolved over time; and (3) how are gangs situated within broader panoramas of violence. Issues that emerged as key to understanding gang dynamics across contexts included the nature of the state, the role of drugs, the presence of other armed actors, marginalisation, urbanisation, and gang institutionalisation. The workshop organisers, Dennis Rodgers and Jennifer Hazen, will be preparing an edited collection based on participants' papers, and an overview report will shortly be published on <http://graduateinstitute.ch/ccdp>.

transform into a legal community organisation during the 1960s. A panel of experts from the workshop participated in a public debate on gangs and society following the film, highlighting similarities and differences between the 1960s and today, noting in particular how the two periods constitute immensely different historical moments, and suggesting that this is a key issue to take into account when thinking about the possibilities for similar initiatives today.

➤ <http://graduateinstitute.ch/ccdp>

The workshop was also associated with a public viewing of "Lord Thing", a recently re-discovered documentary film about the (in)famous Chicago Vice-Lords gang's attempt to

## REGIONAL VOICES IN GLOBAL HEALTH GOVERNANCE

Ilona Kickbusch, Professor and Director of the Global Health Programme

The Graduate Institute's Global Health Programme has been a catalyst for setting new agendas in the field of global health. In preparation for the 3rd high-level Symposium on Global Health Diplomacy, the Global Health Programme is turning its attention to the increasingly important role of regional organisations in global health.

### Health governance for a new era

We are already a solid decade into what Kaul, Grunberg and Stern (1999) dubbed a *new era of public policy*—an era defined by increasing overlaps between domestic and foreign policy and national and international interest as well as by a widening range of new actors at the local, national, regional and international levels. Global health is one example of the new generation of policies requiring an interdisciplinary approach and cross-border collaboration. Today policy-makers frequently find that working within the confines of traditional sectoral divisions is no longer sufficient. Just as individual nation states have found it increasingly necessary to meet at the supranational level to address common problems and goals, in order to tackle 21st century challenges policy professionals must increasingly step outside of traditional policy silos to collaborate with colleagues across both thematic and geographical divides. The result is an increase in the number and variety of topics being brought to regional forums for debate and reconciliation.

Not only do a growing number of regional agreements in other sectors such as trade and the environment impact on population health, health *itself* is increasingly part of the deliberations of regional bodies such as the European Union, Association of Southeast Asian Nations (ASEAN), the African Union and the Organization of American States (OAS). Particularly since the BSE, SARS and avian flu outbreaks regional bodies have included health in the

functional areas of their cooperation and have explored how to jointly approach regional and global health threats. In addition, more compact regional unions that began primarily out of trade concerns are expanding their areas of activity. For example, the Andean Community is now working to coordinate the Common Foreign Policy of its four member states, while in May 2009 the Arab Maghreb Union (AMU) held a gathering of health ministers from its five member states to discuss swine flu preparedness.

### An old bottle, yes, but is there new wine?

Governance institutions that bring together multiple actors for collective action and decision-making at the regional level are not new. In this context in which single nation states lack the capacity and incentive to address global challenges on their own, regional bodies are increasingly the platforms where international consensus is formed and commitments made. Regional actors are a tool of supranational organisation, they evolve to take on new forms and new competencies which are required to be re-examined with new eyes. Regional organisations should now be recognised not only in their traditional roles but also as key *global health actors*.

### Europe as a global health actor

The European Union is the most advanced organisation for regional integration. It has a major influence on global health. The EU includes the world's largest trading bloc and, taken together, its countries are the largest donor of development assistance. It has many centres of excellence in training and research for health with close ties to countries of Africa and Asia and its political, legal and social systems provide examples for the world. The European Union provides a structure for governance of common concerns and has responded to the desire of member states and other European countries to take a leading role



Speech by José Manuel Barroso, President of the European Commission, at the opening of the 2008 high level conference on Africa's development needs, at the UN. PHOTO: European Communities

in improving global health. If these advantages can be linked in a coherent manner, European commitment, consistency and coherence in the arena of global health will be greatly strengthened without losing the effectiveness of Europe's diversity and multi-faceted approach.

Regional organisations have become instrumental in the field of global health and the Global Health Programme investigates the different approaches to such regional cooperation. The 3rd Symposium on Global Health Diplomacy on the theme *Negotiating Health in the 21st Century: Regional Voices in Global Health Governance* will, among others, explore the creation of new institutions and networks for health and their role with respect to existing regional bodies of multilateral organisation; the contribution of regional organisations to setting the global health agenda in global health organisations or in global summits; the dynamics of cooperation on health between regional bodies; the ways regional cooperation can address global health issues beyond disease surveillance; and will examine whether regional activities on health will increase fragmentation or support better coherence in the multilevel governance process. On the occasion of the symposium, the Global

Health Programme will launch *Global Health Europe*, a project hosted by the Global Health Programme (see page 44), and will release an updated edition of *European Perspectives on Global Health: A Policy Glossary* as a central resource of this newly created European think-tank.

#### Bibliography

Kaul, I., Grunberg, I. and Stern, M., 1999. *Global Public Goods: International Cooperation in the 21st Century*, Oxford University Press, New York.

<http://graduateinstitute.ch/globalhealth>



## LA JEUNESSE TAMOULE SRI LANKAISE EN EUROPE

Philippe Gazagne, chercheur, Programme for the Study of Global Migration



FRANCE, Paris, 2009. Philippe GAZAGNE

L'étude des pratiques transnationales des jeunes Tamouls du Sri Lanka en Europe met en évidence le rôle déterminant des obligations économiques dans leurs vies en migration. L'examen des modalités d'entraide financière qui les unissent permet de révéler la réalité des réseaux de solidarité.

Expression la plus concrète de la solidarité, les flux financiers (systèmes d'entraide rotative et transferts de fonds) fournissent un modèle d'analyse des réseaux sociaux et des rationalités multiples à l'œuvre dans leur fonctionnement. Ces pratiques illustrent les capacités d'imagination et d'adaptation des migrants. L'observation des mutations de mécanismes d'entraide et de sociabilités traditionnelles, depuis un «là-bas» où la proximité sociale est une norme dominante jusqu'à un «ici» composé de relations plus récentes, parfois anonymes, électives et circonstancielles, met en lumière leur souplesse en réponse aux contraintes vécues en migration.

L'examen des flux (de personnes, de biens, d'informations, etc.) est essentiel afin de décrire les situations et les lieux particuliers où s'exercent les activités socio-économiques

portées par les migrants, ainsi que les circonstances de négociations et d'interactions. De telles descriptions systématiques permettent de retracer les formes de solidarité effectives qui reposent à la fois sur les liens coutumiers et sur d'autres, plus récents et opportuns.

Des récits complémentaires d'expériences vécues d'ascensions et de chutes sociales livrent des matériaux pour apprécier comment ces mutations se sont opérées, selon les ressources et les contraintes que constitue l'appartenance (ou pas) à divers réseaux de confiance et d'obligations mutuelles.

Enfin, dans le contexte d'une migration caractérisée parfois par des processus relationnels précaires, comment se réaménagent la confiance et la fiabilité des liens sociaux? Les réseaux dans lesquels évoluent les migrants constituent un espace social à la fois de solidarité et de compétition. Alors que certains individus peuvent être très isolés, d'autres sont entourés de larges réseaux de confiance. Dans une perspective diachronique, une attention particulière est portée aux différences qui apparaissent entre les vagues de migration, en analysant des relations générationnelles parfois ambiguës, assemblage complexe d'assistance et de rapports hiérarchiques prononcés. L'étude conjointe de deux lieux d'accueil ou de transit (la Suisse et la France) permettra la mesure comparative de contextes contrastés d'opportunités et de contraintes.

Financé par le Fonds national suisse (FNS) de la recherche scientifique, ce projet de recherche est placé sous la direction d'Alessandro Monsutti, dans le cadre du Programme for the Study of Global Migration.

<http://graduateinstitute.ch/globalmigration>



# SWISS NETWORK FOR INTERNATIONAL STUDIES

## ACTIVITIES AND EVENTS

SNIS Team

2009 has been a busy and successful year for the Swiss Network for International Studies (SNIS). The transition from the former GIAN to the SNIS is now complete with the structures of the new Network established and the objectives of the SNIS fully defined.

In autumn 2009, the first annual SNIS conference will take place. This event, organised in collaboration with the Swiss Academy of Humanities and Social Sciences will bring together high-ranking speakers and eminent scholars from Swiss and European universities. Over a two-day period, they will debate and discuss European integration, international migration and Swiss foreign policies. (See page 45)

As part of its work, the SNIS offers two-year grants for the conduct of international studies-related research activities. Applicants submit projects which are then evaluated by the Scientific Committee. In 2009, the Call for Proposals process was simplified to a two-step selection procedure. Under this new process, applicants are invited to submit pre-proposals. Based on these, the Scientific Committee then invites a selection of applicants to submit full proposals. This new process has the advantage of reducing the burden on research teams as well as on the selection panel. It has proved to be highly successful. Of the one hundred pre-proposals submitted in January 2009, seventeen research teams have been invited by the Scientific Committee to submit full proposals. Final results of the applications and the Call for Proposals 2010 will be published on the SNIS website in October 2009.

Spring 2009 saw the launch of a new funding programme to assist with the organisation of international studies conferences in Switzerland. In 2009, the Governing

Committee provided support to the following conferences: *Regional Environmental Governance: Interdisciplinary Approaches, Theoretical Issues, Comparative Designs*, University of Geneva; *Critical Appraisals of Global Governance*, Universities of Lucerne and Lausanne; and *Legal Pluralist Perspectives on Development and Cultural Diversity*, University of Zurich.

In the near future, the Network will establish the SNIS Award to encourage young research scientists at the outset of their careers. The annual prize, open to all Swiss universities, will be given for the most outstanding PhD thesis in international studies.

Finally, the SNIS Director, Tobias Haller, who has not only directed successfully the transition, but also ensured the promising start of the newly created SNIS, is moving on to new challenges as an Assistant Professor at the Institute of Social Anthropology, University of Berne. He will be succeeded by Bernhard Fuhrer. A graduate of the University of Basel, Dr Fuhrer obtained his PhD in innovation studies from the University of Hamburg. He has had a research career to date in several universities in Switzerland and abroad including in Boston and Paris. Most recently, he has been a researcher and lecturer at the universities of Berne and Neuchâtel. He has also coordinated a pan-European research network.

[www.snis.ch](http://www.snis.ch)



Bernhard Fuhrer

# LES COLLOQUES CONFERENCES



## NEGOTIATING HEALTH IN THE 21<sup>st</sup> CENTURY REGIONAL VOICES IN GLOBAL HEALTH GOVERNANCE 3<sup>rd</sup> SYMPOSIUM ON GLOBAL HEALTH DIPLOMACY

15 October 2009

On the occasion of the establishment of Global Health Europe: a Platform for European Engagement in Global Health, the Global Health Programme at the Graduate Institute, is hosting a high level symposium to explore the emerging regional dimensions of global public health.

The symposium will address a variety of topics, including

- The different approaches to regional cooperation in health and the extent to which they involve pooling or loss of sovereignty
- The creation of new institutions and networks for health and their role with respect to existing regional bodies of multilateral organisations
- How regional organisations contribute to setting the global health agenda in global health organisations or in global summits such as the G20 forum
- The cooperation in health between regional bodies, in particular South-South cooperation
- Whether the increased regional activity in health will increase fragmentation or support better coherence in the multilevel governance process.

**globalhealth@graduateinstitute.ch**  
**<http://graduateinstitute.ch/globalhealth>**



## INTERNATIONAL MIGRATION AND SWISS FOREIGN POLICY SNIS ANNUAL CONFERENCE ON EUROPEAN INTEGRATION

15–16 October 2009, Berne

The Swiss Network for International Studies (SNIS) of which the Graduate Institute is one of the founding institutions, will host its first Annual Conference on 15 and 16 October 2009 in Berne. This event is being organised in collaboration with the Swiss Academy of Humanities and Social Sciences (SAGW).

This is the first event in a three-year project devoted to the question of European Integration and Switzerland.

The topic of this year's conference is migration. Approaching the issue from the perspective of International Studies in Switzerland, the conference will discuss current trends in migration patterns and strategies, examine existing policies, and take stock of academic research currently being undertaken around this increasingly important topic. In particular, the conference will seek to assess the role of academic institutions in policy drafting, and the importance of multi- and inter-disciplinary approaches to migration studies.



High-level speakers are due to attend the symposium, including outstanding scholars from Swiss and European universities and representatives of international organisations. This should contribute towards fostering synergies among academic disciplines and institutions.

Although registration for this year's conference is already closed, if you would like to attend this event or obtain a copy of the final report of the symposium, please contact the SNIS office.

**[info@snis.ch](mailto:info@snis.ch)**

**<http://www.snis.ch>**



## A L'OCCASION DU 20<sup>e</sup> ANNIVERSAIRE DE LA FIN DE LA GUERRE FROIDE ET DE LA DIVISION DE L'EUROPE, L'INSTITUT ORGANISE DEUX MANIFESTATIONS.



Aleksander  
Smolar

### La chute du Mur de Berlin, 20 ans après

5 novembre 2009

Table ronde organisée conjointement avec le quotidien *Le Temps*

Avec le professeur **Aleksander Smolar**, président de la Fondation Stefan Batory, et MM **Curt Gasteyger**, professeur honoraire, et **Pierre Hassner**, directeur de recherche émérite au Centre d'études et de recherches internationales et à la Fondation nationale des sciences politiques. Le débat sera animé par **Frédéric Koller**, journaliste au *Temps*.

**LE TEMPS**

MÉDIA SUISSE DE RÉFÉRENCE



Vladimir  
Tismaneanu

### The Revolutions of 1989 and their Legacies

26 November 2009

The *Pierre du Bois* Annual Lecture

With **Vladimir Tismaneanu**, Professor of Politics at the University of Maryland (College Park), USA and Chair of the Presidential Advisory Commission for the Analysis of the Communist Dictatorship in Romania. His most recent books include "Reinventing Politics: Eastern Europe from Stalin to Havel", "Fantasies of Salvation: Democracy, Nationalism, and Myth in Postcommunist Europe" and "Stalinism for All Seasons: A Political History of Romanian Communism".



# LES AMÉRIQUES LATINES HÉRITAGES ET MIRAGES DES INDÉPENDANCES (1810–2010)

18–19 mars 2010

Claude Auroi, professeur d'études du développement

Pour célébrer le 200<sup>e</sup> anniversaire des indépendances des pays d'Amérique centrale et du Sud, ce colloque se propose d'examiner, à la lumière de la situation actuelle, les héritages laissés par l'établissement de nouveaux Etats, l'évolution économique et sociale de ceux-ci, et ce qui reste des rêves institutionnels des « Libérateurs » José de San Martín et Simon Bolívar. Le colloque comprendra quatre parties principales.

## Évolution de l'Amérique latine dans la géopolitique mondiale et les relations internationales

D'importants changements ont eu lieu dans le statut international de l'Amérique latine, depuis le modèle colonial ibérique jusqu'à la situation de post-guerre froide. Va-t-on vers l'affranchissement définitif des tutelles extérieures? Seront aussi abordés les processus d'intégration régionale, les conflits et les rapprochements entre les Etats de la région.

## Évolution des institutions politiques et progrès de la gouvernance

Les systèmes présidentiels des Etats-nations centralisés et fédérés ont évolué par à-coups, révolutions et autoritarismes. Les processus électoraux mis en place à la fin du XX<sup>e</sup> siècle sont-ils gage de stabilité et de continuité? Les modèles de décentralisation introduits conduisent-ils à une participation élargie et une gouvernance plus démocratique des ressources?

## Évolution des modèles économiques et de développement

Considérée comme le continent des plus profondes inégalités sociales, l'Amérique latine montre aussi de forts taux de pauvreté parmi sa population. Les modèles économiques exportateurs de matières premières et de produits agricoles, tant du passé que du présent, sont-ils susceptibles de conduire à des sociétés plus égalitaires et des économies plus équilibrées et distributives?

## Des sociétés en mutation: identités culturelles et ethniques

Après la décomposition sociale entraînée par la conquête et accentuée par l'esclavage, les sociétés latino-américaines modernes se sont peu à peu recomposées et la « vision des vaincus » a ressurgi. Cette recomposition sociale va-t-elle mener à des « cultures hybrides » ou à une juxtaposition de cultures autonomes?

Ce colloque est organisé par l'Institut en collaboration avec la Société suisse des américanistes (SSA) et l'Association européenne des instituts d'enseignement et de recherche en matière de développement (EADI).

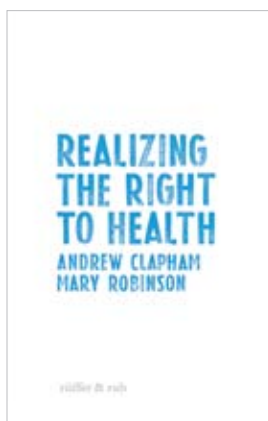
[perez.rodriquez@graduateinstitute.ch](mailto:perez.rodriquez@graduateinstitute.ch)



# LES PUBLICATIONS NEW PUBLICATIONS

## REALIZING THE RIGHT TO HEALTH WHOSE ROLE IS IT ANYWAY?

Andrew Clapham, Director and Claire Mahon, Senior Researcher  
Geneva Academy of International Humanitarian Law and Human Rights



—  
Edited by Andrew Clapham  
and Mary Robinson, co-edited  
by Claire Mahon and Scott Jerbi,  
published by Rüffer & Rub,  
Zurich, 2009.

Enjoyment of health is a fundamental human right, often taken for granted. Yet, huge numbers of people the world over do not enjoy good health, in many cases because the political will and infrastructure to make this right a reality are lacking. *Realizing the Right to Health*, Volume III in the Swiss Human Rights Book series, an initiative of the Swiss Federal Department of Foreign Affairs, co-edited by Professor Andrew Clapham and Mrs Mary Robinson, former UN High Commissioner for Human Rights, addresses these and other issues. It contains 40 chapters by 60 leading healthcare practitioners, human rights advocates, health officials, and other authorities in the international right to health movement.

The book describes how realising the right to health requires a strong focus on strengthening healthcare systems and transforming health systems for women. Taking a human rights approach to health means understanding the underlying social determinants of this right, as well as how to ensure it is realised in times of emergency and armed conflict, and for all groups in society, including migrants and refugees, LGBTI persons, prisoners and detainees, and others. In *Realizing the Right to Health*, leading international experts in human rights and health address issues such as access to essential medicine, HIV/AIDS, trade and health, SARS and malaria, and human rights approaches to other key health challenges. They address the role of governments, non-state actors and healthcare practitioners, the responses of multilateral institutions, and highlight some of the most promising strategies for making the right to health a reality.

On 22 June 2009 the Graduate Institute hosted an international symposium to accompany the book launch focusing on the topic “Whose Role is it Anyway?” The Deputy UN High Commissioner for Human Rights, Mrs Kyung-wha Kang, delivered the keynote address, and a number of contributors and experts participated as panellists in the symposium, including Len Rubenstein, Professor Mary Crewe, Professor Eibe Riedel, Professor Lynn Freedman, Iain Byrne, Gian Luca Burci, Carole Presern, and Tido von Schoen-Angerer.

Panellists discussed the importance of strengthening national health systems, and the role of governments in building strong healthcare systems. They examined case studies where they have sometimes failed in this mission, for example in Zimbabwe where the government has overseen the collapse of the health system and the emergence of a large-scale health crisis. They also discussed the growing importance of new global health initiatives and public-private partnerships such as the Global Fund and GAVI. Panellists addressed the role of healthcare practitioners, as well as those of civil society, pharmaceutical companies, and global development donors. A key issue centred on how the World Health Organisation and other UN bodies should prioritise a rights-based approach to health and how to ensure more effective global governance in this area.

# INTERNATIONAL TRADE LAW

Joost Pauwelyn and Andrew Guzman

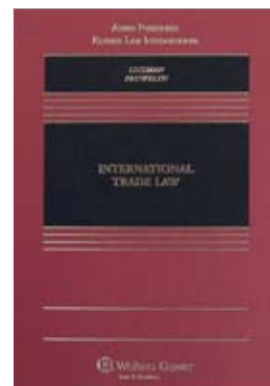
*International Trade Law*, by Joost Pauwelyn (International Law Unit, Graduate Institute of International and Development Studies) and Andrew Guzman (Berkeley Law School, University of California), is an outstanding textbook covering all the principal aspects of WTO Law.

After explaining the background economics, politics, institutional structure and history – which are essential to fully understand the reasoning behind the content and interpretation of specific trade law rules – this book then addresses the major WTO agreements, including the dispute settlement system; the General Agreement on Tariffs and Trade (GATT); trade remedies; sanitary and phytosanitary measures; technical or non-tariff barriers to trade; the General Agreement on Trade in Services (GATS); and the Trade-Related Aspects of Intellectual Property Rights Agreement (TRIPS). In its last chapter, the book also covers the multidisciplinary issue of development and the WTO's treatment of developing countries. All of these topics are illustrated with a careful selection of both classic and recent case-law and doctrine.

In addition, each chapter combines the US case law approach with core elements of the European textbook method, in order to explain major principles and rules. This book also includes concise summaries of key trade law concepts and core legal provisions. At the end of each section, practical problems or case studies are presented to stimulate class discussion and to improve the understanding not only of basic trade law, but also of certain cutting-edge WTO issues.

Any student or individual interested in international trade law, be it in universities, governments, international organisations or institutions, private practice, business, or NGOs will find this book very helpful for their studies and activities.

A *2009 Documents Supplement* complements this textbook. It features selected WTO documents, international agreements, declarations and national trade legislation.



Aspen Publishers, June 2009,  
720p.

## SMALL ARMS SURVEY 2009

### SHADOWS OF WAR



Cambridge University Press,  
July 2009, 352 p.

The Small Arms Survey is an independent research project hosted by the Graduate Institute which collaborates closely with the Centre on Conflict, Development and Peacebuilding (CCDP). It is considered the foremost research authority and source of information on small weapons. Its flagship publication, a global review of small arms issues and themes, has been published annually since 2001.

This year's report, sub-titled "Shadows of War", focuses on the challenges of ensuring security after the formal cessation of hostilities and features case studies on Aceh, Afghanistan and Southern Lebanon. In addition, it explores other issues such as small arms transfers, the increasing value of the authorised trade, national transfer controls and weapons tracing. The chapters are:

- **Sifting the Sources** Authorised Small Arms Transfers
- **Devils in Diversity** Export Controls for Military Small Arms
- **Revealing Provenance** Weapons Tracing during and after Conflict
- **Two Steps Forward** UN Measures Update
- **Man, the State, and War** The Three Faces of Small Arms Disarmament
- **Large and Small** Impacts of Armed Violence on Children and Youth
- **Securing the Peace** Post-Conflict Security Promotion
- **The Limits of DDR** Reintegration Lessons from Aceh
- **DDR in Afghanistan** When State-building and Insecurity Collide
- **Testing Received Wisdom** Perceptions of Security in Southern Lebanon

[www.smallarmssurvey.org](http://www.smallarmssurvey.org)



### The Small Arms Survey 2009—what they have said

"By providing informed reflection on recent developments in post-conflict security promotion, the Small Arms Survey 2009 makes an important contribution to efforts to assist war-affected societies secure lasting peace."

**Martti Ahtisaari**, Former President of Finland, 2008 Nobel Peace Prize laureate

"The Small Arms Survey 2009 underscores the terrible impact of conflict on children and youth. It highlights children's vulnerabilities, and in some cases, their resilience. It also explains how some children are drawn deeper into conflict as perpetrators of violence. I hope the Survey will embolden our efforts to stop the spread of the weapons that fuel such profound suffering."

**Graça Machel**, President, Community Development Foundation and Chairperson,  
African Centre for the Constructive Resolution of Disputes (ACCORD)

# LE CONSENTEMENT DES PARTIES À L'ARBITRAGE INTERNATIONAL

Ousmane Diallo

Mode juridictionnel privé de règlement des litiges, l'arbitrage offre une alternative à la saisine du juge. Qu'il soit interne ou international, l'arbitrage repose généralement sur le consentement des parties. C'est donc à juste titre que celui-ci a été qualifié de pierre angulaire de l'arbitrage. Effectivement, c'est sur ce consentement que la justice privée s'est longtemps appuyée pour justifier sa légitimité, revendiquer son autonomie et conquérir un nouvel espace de liberté.

Solidement porté par le consentement qui lui sert de fondement, l'arbitrage n'a cessé de se développer au point d'apparaître de nos jours comme le mode normal de règlement des litiges du commerce international. On le dit particulièrement adapté au règlement de telle ou telle catégorie de litiges, manière d'affirmer sa vocation à étendre son emprise. Parvenu à l'âge adulte, c'est donc tout naturellement que l'arbitrage cherche à s'affranchir du caractère exceptionnel que lui imprime sa subordination au consentement, lequel apparaît de plus en plus comme un fût de résistance à son expansion, sinon à son efficacité.

Première étude d'ensemble sur la question, le présent ouvrage, tiré de la thèse de doctorat que l'auteur a soutenue à l'ancien Institut universitaire de hautes études internationales, a le grand mérite d'exploiter au mieux la richesse qu'offre une approche comparative, non seulement pour retracer le rôle important joué par le consentement dans l'évolution de l'arbitrage, mais aussi, et surtout, pour mettre à nu les multiples tentatives en vue de son émancipation de la tutelle des parties. Il en résulte une éclipse momentanée du consentement, qui ravive les contestations de la compétence arbitrale et dévoile à nouveau sa subordination au consentement, facteur de légitimation par excellence de l'arbitrage. C'est dire que le consentement ne fait pas que survivre à ces assauts, il réussit même à prospérer.

Autant de questions aussi brûlantes qu'actuelles, sur lesquelles cet ouvrage offre une analyse détaillée et des solutions originales.



Genève: Institut de hautes études internationales et du développement;  
Paris: Presses Universitaires de France. À paraître.

## LES DROITS FONDAMENTAUX AU TRAVAIL ORIGINES, STATUT ET IMPACT EN DROIT INTERNATIONAL

Claire La Hovary



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Paris: Presses Universitaires de France.  
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L'apparition sur la scène internationale du concept de droits fondamentaux au travail et sa consécration par la Déclaration relative aux principes et droits fondamentaux au travail et son suivi adoptée au sein de l'Organisation internationale du travail en 1998 ont eu des conséquences sur la réglementation internationale du travail. Beaucoup y ont vu une tentative de l'OIT de mieux se positionner dans un contexte difficile de remise en question du droit international du travail, tout en notant que cette initiative pourrait affaiblir le droit international du travail.

Claire La Hovary, membre du Barreau du Québec depuis 1998, travaille elle-même à l'Organisation internationale du travail depuis 2006. Dans cet ouvrage, issu de la thèse de doctorat qu'elle a soutenue en 2006 à l'ancien Institut universitaire de hautes études internationales, elle propose une analyse approfondie du concept des droits et principes fondamentaux au travail, de la déclaration de l'OIT qui l'a scellé, ainsi que de son contenu conventionnel. Elle s'interroge en particulier sur le statut coutumier des droits fondamentaux au travail, sur la signification de la déclaration de même que sur sa place au sein du droit international, en insistant tant sur son importance pour l'OIT que sur ses effets hors de l'OIT. Il s'en dégage que même si la déclaration est indubitablement le reflet d'un contexte contemporain peu favorable à la réglementation du travail, elle constitue néanmoins une étape substantielle dans le travail de l'OIT pour promouvoir une paix universelle basée sur la justice sociale.

Etant donné qu'il n'existait pas d'évaluation globale de cette Déclaration dix ans après son adoption, ce livre vient donc combler un manque pour les étudiants et les chercheurs de langue française.

La collection des *Publications de l'Institut* développée en collaboration avec les *Presses Universitaires de France* propose des ouvrages en français portant sur les enjeux des relations internationales. Cette collection, entièrement remaniée en 2009, contribue à faire connaître les résultats de recherche sur la base d'une adaptation des meilleures thèses de l'Institut, en particulier en droit et en histoire, retenues à la suite d'un appel à contributions interne bisannuel. Les *Publications de l'Institut* gèrent également trois autres collections en partenariat avec des éditeurs européens ainsi que trois revues scientifiques, et développent des collections de publications électroniques.

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# VENTS D'EST, VENTS D'OUEST

## MOUVEMENTS DE FEMMES ET FÉMINISMES ANTICOLONIAUX

Sous la direction de **Christine Verschuur**

Si l'existence du champ de savoir «genre et développement» n'est plus niée, les apports théoriques et pratiques sont loin d'être reconnus comme ils le devraient. La construction de ce champ de savoir a été jusqu'à présent dominée par les chercheurs basés dans les pays occidentaux et situés en particulier dans le système académique, même si ce savoir s'est souvent nourri de l'analyse des pratiques et des réflexions critiques développées par des mouvements de femmes et des féministes de pays du Sud – et ce avant la mise en place de programmes de coopération.

L'ouvrage qui prolonge le colloque genre «Vents d'Est, vents d'Ouest: mouvements de femmes et féminismes anticoloniaux» s'inscrit dans la volonté de rompre la division du travail intellectuel entre les penseurs de l'Est et de l'Ouest. Le vent tourne, «l'autre» prend la parole, se représente soi-même. Comme l'écrivait Edward Said dans l'article «Representing the Colonized: Anthropology's Interlocutors», paru en 1989 dans *Critical Inquiry* (vol. 15, n° 2), «ce n'est que lorsque des personnes subalternes comme les femmes, les Orientaux, les Noirs et d'autres "indigènes" ont fait suffisamment de bruit que l'on s'est intéressé à eux et qu'on leur a demandé de parler» (p. 210).

Les actes du colloque donnent la parole à des chercheuses et à des organisations de femmes d'Inde, du Brésil, d'Iran, de Chine, d'Afrique du Sud, de Palestine, du Sénégal ou d'ailleurs encore. Celles-ci analysent l'histoire des luttes et des révoltes contre les inégalités entre hommes et femmes ainsi que la construction de la pensée sur le genre dans les pays du Sud, jusqu'à présent particulièrement sous-éclairées. Elles évoquent les apports des femmes aux transformations politiques, aux luttes anticoloniales, aux luttes pour des droits. Ce faisant, elles déconstruisent une certaine image coloniale de «la» femme du Sud, celle d'une femme démunie, impuissante, qui serait un objet construit, pour affirmer que les femmes du Sud sont diverses et se sont constituées en sujets de leur histoire.

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Le colloque «Vents d'Est, vents d'Ouest: mouvements de femmes et féminismes anticoloniaux» s'est tenu à l'Institut les 16 et 17 octobre 2008. Douzième édition du colloque international sur la problématique des inégalités de genre dans le développement, qui a vu le jour en 1994, il est mis sur pied par le Pôle genre et développement de l'Institut. A cette même occasion, l'Ecole doctorale suisse romande en études genre (2008-2011) a ouvert ses portes; financée par la CUS et le FNS, elle porte sur la problématique «Pratiques et perspectives de genre: les paradoxes de l'égalité». Les actes des colloques genre, publiés en 2009, sont disponibles au service des Publications de l'Institut ou en ligne.



Actes du colloque international genre, collection Yvonne Preiswerk, Genève: Institut de hautes études internationales et du développement; Berne: Commission nationale suisse pour l'UNESCO, 2009, 260 p.

## AUT DEDERE, AUT JUDICARE THE EXTRADITE OR PROSECUTE CLAUSE IN INTERNATIONAL LAW

Claire Mitchell



Claire Mitchell, 2009, Graduate Institute ePaper 2. 156 p.

The *aut dedere aut judicare*, or “extradite or prosecute” clause is shorthand for a range of clauses that are almost compulsory in international treaties criminalising conduct, obliging a State to either extradite or prosecute one accused of the crime the subject of the treaty. The obligation has become increasingly central in the emerging legal regime against impunity and has a role in States’ armoury of international criminal enforcement mechanisms. Yet there has been little academic consideration of the sources of the principle, including whether it exists as customary international law, and the scope and operation of the obligation. While the topic is currently being considered by the International Law Commission, this paper seeks to provide some of the empirical research that has to date been missing and to identify the sources and scope of the obligation to extradite or prosecute.

## L'AMOUR DU DROIT INTERNATIONAL PROPOS CROISÉS AUTOUR DE BRIGITTE STERN

Jean-Michel Jacquet (dir.), Andrea Bianchi, Laurence Boisson de Chazournes, Vincent Chetail, Vera Gowlland-Debbas, Peter Haggemacher et Eric Wyler.



Jean-Michel Jacquet (dir.), Andrea Bianchi, Laurence Boisson de Chazournes, Vincent Chetail, Vera Gowlland-Debbas, Peter Haggemacher et Eric Wyler. 2009. eCahier de l'Institut 1. 40 p.

«Pendant ces quelques années trop vite passées, Brigitte Stern a enseigné pour l'essentiel le droit de la responsabilité internationale de l'Etat et celui de la responsabilité pénale internationale, mais aussi le droit des différends économiques internationaux et, une année, le droit de l'OMC. [...] Les étudiants ont eu beaucoup de chance. Et ils ont su en profiter. Ses séminaires ont eu un immense succès. Cela est dû naturellement aux sujets traités. Mais pas seulement. [...] Brigitte Stern fait plus que cela: elle a la fibre pédagogique; elle a la passion de transmettre à ses étudiants, non seulement les éléments de connaissance les plus utiles, mais aussi les matériaux qui aiguisent l'intérêt et affûtent la réflexion critique.

Madame Brigitte Stern a été professeur à l'ancien Institut universitaire de hautes études internationales (HEI) de 2000 à 2007. Cet ouvrage fait suite au symposium «L'amour du droit international» organisé en l'honneur de son départ le 12 octobre 2007.



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Photo couverture: UNITED KINGDOM, London: Thousands of demonstrators take part in the "Put People First" march through central London, on March 28, 2009 before the G20 summit. AFP PHOTO/Leon NEAL

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