



PAX ORBIS EX JURE

The World Jurist

BULLETIN OF THE WORLD JURIST ASSOCIATION

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National Legal Cultures in a Globalized World

24th Biennial Congress Report

The World Jurist Association's (WJA's) 24th Biennial Congress on the Law of the World was held October 23–28, 2011 in Prague, Czech Republic and brought together over 300 delegates from 50 countries. Our host committee was chaired by **Prof. Dr. Alexander Bělohávek** (Czech Republic), WJA First Vice President (newly elected President of the WJA). The following report provides a brief overview of the Congress, for detailed information on the program planned by our partners and work papers, please contact the WJA.

Sunday, October 23—Welcome Reception

Congress delegates and their guests were treated to a special sight-seeing tour of Prague, taking in the majesty and the history of such places as Prague Castle, the Charles Bridge and Danube River, Wenceslas Square, and the Astrological Clock. In the evening, delegates and guests networked while enjoying a sampling of local foods at a reception in the regal, neo-renaissance Žofín Palace, a symbol for Czech and international social, political, cultural and business events of exceptional importance.

Monday, October 24—Opening Ceremony

The Congress opened at the Prague Congress Center. The opening was presided over by WJA President, **Mr. Valeriy Yevdokimov** (Ukraine). The Czech Bar Association hosted a special one day program in conjunction with the WJA Congress and **Dr. Martin Vychopen**, President of the Czech Bar Association welcomed the international delegates gathered. **Ms. Karolina Peake**, Deputy Prime Minister and Chair of the Legislative Counsel Representative of the Senate of the Parliament of the Czech Republic warmly welcomed the delegates noting the Czech Republic's commitment to the Rule of Law, a central theme of the WJA's mission. Lastly, **Mr. Norman L. Eisen**, Ambassador of the United States to the Czech Republic represented the diplomatic community in Prague and spoke of the way in which international cooperation, such as that between the United States and Czech Republic, worked toward the greater understanding of national legal cultures in a globalized world, the theme of the Prague Congress. Prof. Dr. Alexander Bělohávek thanked the speakers, delegates and guests, as well as those who worked tirelessly to make the congress a success.

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From left: Ursula Bruegge, Margaret's niece; Veronica Kleffner, Margaret's daughter; Margaret's husband, Joseph Henneberry; and son-in-law, Jürgen Kleffner.

Paying Tribute to Margaret Henneberry

The 24th Biennial Congress was the final event which WJA founder and leader, **Mrs. Margaret Henneberry** (USA), had the opportunity to begin planning. This Congress was as much about a future for WJA as a celebration of the vision that Margaret had for the event, and her dedication and belief in the mission of the WJA. With many longtime friends, and the honor of having Margaret's family with us, the WJA paid tribute to our former Executive Vice President, who served the organization since 1967. Those attending the Congress for the first time were given an opportunity to get to know the woman who led us through four decades of the evolution of international law through a photo slide show. We'd like to take an additional moment to thank Margaret's family, **Joseph Henneberry, Veronica & Jürgen Kleffner**, and **Mannfred & Ursula Bruegge** for honoring us with their presence during the Congress.

President's Message



Dear Friends and Colleagues,

First of all, I would like to thank you for all your support of the 24th Biennial Congress in Prague, Czech Republic in October. It was largely successful as more than 300 legal professionals from 50 countries came together to promote the rule of law while celebrating their diverse National Legal Cultures.

Living in a turbulent time, like in the current period, calls for necessity to close ranks in all professions. Law has an advantage, being able to create a binding and enforceable framework, which may prevent crisis; crisis in all sectors, crises in all regions as well as on a global level. The traditional main tasks of the World Jurist Association are therefore still alive. Daily news in every broadcasting media are informing us constantly of new risks and crises. The lawyers have to create a group of people, who are not only following such news, but who try to prevent such risks and crises in an active manner. The WJA is a suitable platform for the exchange of ideas and solutions.

The WJA has not only the long standing traditions, but due its global nature provides the best platforms to enhance professional dialogue and exchange of ideas. This does not mean that we should not look for new ways and means to enhance international cooperation. The WJA will continue to intensify its contacts with other professional and international organizations. At the same time we welcome all proposals from our members, national presidents and friends and any ideas brought forth will be assessed in detail.

I am calling on all our National Presidents and regional representatives to propose any measure and events, which may be suitable to support the mission of the WJA. We will continue to welcome new members and hope that our joint efforts will increase the membership in countries and regions with missing or weakened memberships. The recent Prague Congress had a positive representation of members, and even though we had more than half of the delegates as new attendees, we hope that we can rely on their support for future WJA events. Please take this opportunity to join me and welcome them to be actively involved in the activities of the WJA, and invite them to share their ideas with us. We are happy that you have spent a week with us and will be more than happy, if you can attend our future events.

WJA is planning a conference on **Law and Technology: Privacy and Data Security in the Digital Age**, which will be held in Washington, DC USA from April 22-24, 2012. The Conference will be co-located with the International Municipal Lawyers Association's (IMLA's) mid-year conference at the Omni Shoreham Hotel. Mark your calendars and save the date! Details on this event will be announced shortly. We have a special conference committee that was created at the closing Board Meeting of the Congress and will immediately start preparing for upcoming conferences and congresses.

I look forward to working with all of you in the next two years, and seeing most of you at future events.

Warmest regards,

Prof. Dr. Alexander Bêohlávek

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2011–2013

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Special Membership Categories:

WJA offers 3 levels of lifetime membership to persons interested in supporting the mission of the organization. All lifetime members receive the full benefits of membership and additionally are recognized in the WJA official newsletter. Patron Membership is available upon donation of \$5000.00. President's Circle is available at \$15000.00. And Benefactor Membership is \$25000.00. Life members may upgrade their level of membership by donating the difference in fees. Donations made in the name of a deceased person allow for election posthumously.

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Judge Umaru Faruk Abdullahi, Nigeria

Ved P. Nanda, USA

* Deceased

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World Law Day Celebration

The importance of the Rule of Law was acknowledged during World Law Day. The celebration began with the reading of the Ecumenical Prayer for five major religions of the world. **Mr. Karol Efraim Sidon**, Chief Rabbi of the Czech Lands and of Prague represented the Jewish faith, **Archbishop Christopher**, Metropolitan of the Czech Lands and Slovakia represented the Christian faith, **Mons. Michael Slavik**, Archdiocese of Prague, the Catholic faith, **RNDr. Vladimír Sanka**, Islamic Community in Prague for Islam and the Hindu faith was represented by **Prof. Ved Nanda**, Past President of the WJA and Director of the International Legal Studies Program, University of Denver. Each spoke about the existence and necessity of law in daily personal life and its contributions to society, affirming that a society without the rule of law has no chance to thrive.

Panel Session: Legal Education

Panel Chair, **Prof. Marko Pavliha** (Slovenia), Head of the Law Department at the University of Ljubljana, discussed the significance of ethics in the modern world and how it might better be used in teaching new legal professionals. **Dr. Avnita Lakhani** (Hong Kong), Assistant Professor at the City University of Hong Kong, School of Law, spoke about how law schools shape legal culture in bringing up the new generation of lawyers, and how that education is failing to adapt to and provide appropriate skills for the changing global environment. **Prof. Dr. Edita Gruodytė** (Lithuania) from Vytautas Magnus University discussed the skills needed in today's world to ensure that new law students can become good lawyers.

Panel Session: Judicial Reform—Improving the Quality of Justice

The Judicial reform panel was chaired by **Pete Principe** (Philippines). **Tan Ling** (China), Senior Judge & Vice President of High People's Court of Guangdong Province, spoke about the new developments in tort law in China using a recent case as an example. **Leon Wolff** (Australia), Associate Professor at the Faculty of Law of Bond



Opening Ceremony (from left) Dr. Martin Vychopen, President of the Czech Bar Association; host committee chair, Prof. Dr. Alexander Bělohlávek (Czech Republic), WJA First Vice President (newly elected President of the WJA); WJA President, Mr. Valeriy Yeudokimov (Ukraine); Mr. Norman L. Eisen, Ambassador of the United States to the Czech Republic; and Ms. Karolína Peake, Deputy Prime Minister and Chair of the Legislative Counsel Representative of the Senate of the Parliament of the Czech Republic.

University, discussed the issues of gender and judicial independence in Japan.

Panel Session: Status and Independence of Arbitrators in Commercial Arbitration—A Comparative Perspective

Panel Chair, **Dr. Filip Černý** (Czech Republic), Associate at Law Offices Bělohlávek, presided over this topic whose speakers were **Mgr. Ivan Císár** (Czech Republic), **Dr. Rafał Morek** (Poland), **Matthew Hodgson** (Czech Republic), and **Maria Kostytska** (France).

Panel Session: International Cooperation With Respect to IP Infringement

Panel Chair, **Sanna Wolk** (Sweden) discussed one of the issues facing modern professors over the rights to recorded lectures. **Gregory R. Jones** (USA), Attorney at Law, discussed the state of patent law in dealing with conflicts outside of the country the patent was issued in, specifically from the US markets. **Jie Hua** (Hong Kong), PhD candidate at the University of Hong Kong, presented on infringement protection offered to internet service providers under Chinese law and similar laws of other developed states.

Panel Session: Costs in International Arbitration

Panel Chair, **Mr. Paweł Pietkiewicz** (Poland), spoke on the theme of the panel

as well as serving as the chair. The other presentations were given by **Ieva Kalnina** (Switzerland), **Dr. Tereza Kyselovská** (Czech Republic), and **Dr. Leonila Guglya** (France).

Tuesday, October 25

Panel Session: Law and Technology—Privacy and Data Security

The Panel was chaired by **Garry E. Hunter** (USA), WJA General Counsel. The first speaker was **Jeong Soo Lee** (Korea), Chief Prosecutor, Uiseong Branch of Daegu District Prosecutor's Office, Korea, reviewed the conflict between the ban on money laundering and protection of property rights, and personal information in Korea. **Cláudio Simão de Lucena Neto** (Brazil), Lecturer Private Law Department, Legal Sciences Center, Paraíba State University, Brazil, gave a lively presentation on the recent implementation of electronic lawsuits conducted completely without paperwork in the Labor Courts of Paraíba. **Ing. Václav Mach** (Czech Republic), Director of External Relationships, Microsoft s.r.o., discussed "Cloud" technology and other cutting edge technology issues that will increase efficiency and reduce costs. **Mr. Hunter** spoke last on the use of technology to invade personal privacy in the interest of collective security and posed the question to the audience of whether the end justified the means.

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Panel Session: Doing International Business within a Rule of Law Framework

Panel Chair **Andrea Johnson** (USA), Professor of Law and Director of the Center for Intellectual Property, Technology, and Telecommunications at California Western School of Law, presented on what Rule of Law means in the context of international economics. **Silvestre Eustáquio Rossi Pacheco** (Brazil), Professor at President Antonio Carlos University, spoke about the BRICS forum and its impact on global governance.

Panel Session: Bilateral Investment Treaties

Panel Chair **Alexandre Vagenheim** (France), Associate at Castaldi Moure & Partners, spoke about the interaction of investment treaty law with European law after the entry of the Lisbon Treaty as a growing concern not only for policy makers but also for investors and arbitral tribunals. **Joshua Fellenbaum** (Sweden), Associate at Mannheimer Swartling Advokatbyrå Ab, discussed the different approaches arbitral tribunals have used in defining the term 'investment' under Article 25 of the International Centre for Settlement Investment Disputes Convention. **Ieva Kalnina** (Switzerland), Associate at Lévy Kaufman-Kohlor, spoke about bilateral



Ernest Lim (Hong Kong) is Assistant Professor of Law at the University of Hong Kong.



Congress host, Prof. Dr. Alexander Bělohlávek (center), warmly greets (from left) Ethia Simba (Israel), Justice Ma Jianhua (China), and the Chinese delegation's translator just after the close of the Congress.

investment treaties and how legal disputes over them are handled.

Panel Session: Limits of Party Autonomy in Drafting Arbitration Agreement / Clause

The panel was chaired by **Professor Dr. Alexander J. Bělohlávek** (Czech Republic). The speakers were **Ilya Nikiforov** (Russia), Managing Partner, Egorov, Puginsky, Afanasiev and Partners, **Maciej Jamka** (Poland), Managing Partner K&L Gates Jamka sp.k., and **Jean-Christophe Honlet** (France), Partner, Salans.

Panel Session: Limits of Party Autonomy and Tribunal's Power in Procedural Matters

The panel was chaired by **Martin Valesek** (Canada), Norton Rose, chaired the panel with speakers **Dr. Vit Horáček** (Czech Republic), Partner Glatzova & Co., **David Goldberg** (United Kingdom), Partner White & Case, LL.P., **Dr. Beata Gessel-Kalinowska** (Poland), President of Lewiatan Court of Arbitration; Managing Partner, GESSEL Law Firm, and **Dr. Crenguta Leaua** (Romania), Leaua & Asociatii.

Panel Session: War, Tribal Conflicts, and Terrorism

The panel was chaired by **Prof. Ved Nanda** (USA) who discussed the various causes of terror, such as religion, economic status, political status and more. **Dr. Els De**

Busser (Germany), Head of Section for European Criminal Law at the Max Planck Institute for Foreign and International Criminal Law, presented on the issues surrounding international surveillance on financing for terrorist organizations. **Yehoshua Nener** (Israel), Attorney, Nener & Nener Law Offices, discussed the dangers of terrorism and in particular, the concern that weapons of mass destruction would find their way into terrorist organizations.

Panel Session: Limits of Party Autonomy in Disposing of Their Material Rights and Limits of Tribunal's Autonomy When Deciding on the Applicable Substantive Law

The speakers for this panel were **Dr. Bohuslav Klein** (Czech Republic), Attorney at Law, Arbitrator, **Richard Chlup** (Russia), Senior Associate, Mannheimer Swartling, **Dr. Witold Jurcewicz** (Poland), Partner, White & Case, and **Przemysław Krzywosz** (Poland), P. Krzywosz Kancelaria Prawna.

Panel Session: The New ICC Rules of Arbitration

Panel Chair **Piotr Nowaczyk** (Poland), Partner, Salans. Panel speakers included **Andrzej Kakolecki** (Poland), Legal Consultant, ICC, **Vladimir Khvalei** (Russia), Partner, Baker & McKenzie, and **Dr. Galina Zukova** (France), Counsel, ICC International Court of Arbitration.

Panel Session: Duty of the Identification of the Client and His Assets and the Duty to Report this Versus Client Protection and the Role of Professional (Law) Organizations

Panel Chair **Georg Werner** (Netherlands), Attorney, presented on the whether the duty of the identification of the client and his assets creates a false feeling of security. **JUDr. Vladimír Jirousek** (Czech Republic), Attorney and Czech Bar Association ex-president, spoke about the establishment and development of Czech legislation concerning the lawyer’s duty to report in relation to the “anti-money laundering” law. **JUDr. Bohuslav Halfar** (Czech Republic), Attorney and head of the Department of law at the Faculty of Economics of the Technical University Ostrava, spoke about the breakthrough in lawyer and advisor in confidentiality duty.

Panel Session: Final Owner and Final Beneficiary

The Panel Chair was **JUDr. Daniela Kovářová** (Czech Republic), Attorney. **JUDr. Otakar Švorčík** (Czech Republic), Partner at the Associated Law Offices Všetěčka Zelený Švorčík Kalenský and Partners, spoke about how to ascertain the final owner and beneficiary. **JUDr. Ivana Burešová** (Czech Republic), Director of the Legal Section of UniCredit Bank Czech Republic, presented on the identification of owners of funds in the



The Panel on Protecting the Public: Local Law. (from left) Patricia Lynch (USA), Iris Jones (USA), Aashish Srivastava (Australia), Robert Alfion (USA), and Chair Benjamin Griffith (USA) led an engaging discussion on issues of cyber-bullying/stalking and labor unions.

lawyer custody accounts. **JUDr. Jan Bárta**, CSc. (Czech Republic), Director of the Institute of State and Law at the Academy of Sciences of the Czech Republic, discussed the matters involving the actual recipient (beneficial owner) and double-tax treaties.

Panel Session: Lawyer’s Liability for Breach of Duty of Identification and Duty to Report

Panel Chair **Alexander Bělohlávek** presented on the liability of the lawyer for breach

of duty versus the liability to the client. **JUDr. Bohuslav Sedlatý** (Czech Republic), Lawyer and Chairman of the CBA Appellate and Disciplinary Commission, spoke about the lawyers’ disciplinary responsibility for breach of duty to report and in relation to confidentiality duty concerning client matters.

Wednesday, October 26

On Wednesday, the entire Congress was hosted by the University of West Bohemia in the neighboring city of Plzen (Pilsen). Panel sessions and the Demonstration Trial were held in the Great Pilsen Synagogue (Velká Synagoga), the second largest synagogue in Europe. All enjoyed a concert of classical Jewish compositions for piano and cello performed by **Dominika Weiss Hošková** and her father, **Jiří Hošek**, before departing for a dinner reception at the world famous Pilsner Brewery.

Panel Session: Alternative Dispute Resolution

Mgr. Libor Ulovec (Czech Republic), Senior Associate, bnt–Pravda & Partner, s.r.o discussed the role of mediation in the Czech Republic. **Antonella Antonucci** (Italy), Full Professor of Law and Economics at the University of Bari, discussed ADR and how it is being used in both the US and EU.



Judicial Reform Panel, from left: Chair Pete Principe (Philippines), Tan Ling (China), and the Chinese Delegation interpreter discuss tort law in the Chinese courts while still managing to keep the mood light-hearted.

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Panel Session: Global Challenges, Global Health, and Climate Change

The global challenges panel was chaired by **Prof. Ved. Nanda. Mónica Grill** (Argentina), WJA National President, Professor of International Law, and Legal advisor at Environmental General Direction of Foreign Affairs Ministry discussed climate change and international responses for correcting it.

Demonstration Trial

The Demonstration Trial was entitled *International Drug Trafficking*. Set before the International Court of Justice, the case was between the State of Republic of Abbundia (Applicant), and United States of *Risquélia* (Respondent), concerning the treatment of Bruno Ruffian, claimed by Abbundia as its national. The Demonstration Trial was presided over by **Chief Justices Renato C. Corona** (Philippines), **Muhammadu L. Uwais** (Nigeria), **Abdul Salam Azimi** (Afghanistan), **Anwar Zaheer Jamli** (Pakistan), and **Hon. Justice Kashim Zannah** (Nigeria). Serving as counsel were **Ronald M. Greenberg** (USA), and **Ethia Simha** (Israel) representing the United States of *Risquélia*, and **Prof. Ved Nanda** (USA), and **Amir-UI Islam** (Bangladesh) represented the Republic of Abbundia. The moderator, **Garry E. Hunter** (USA) introduced the facts of the case:

Bruno Ruffian escaped prison from his home country of Idelia and fled to the neighboring state of Convenia. While in Convenia, Ruffian headed a drug trafficking cartel to the state of *Risquélia*. To evade Convenia's law enforcement authorities, Ruffian moved to the state of Abbundia, where he applied for and was granted naturalization. *Risquélia* requested the extradition of Ruffian on charges of drug trafficking which Abbundia declined. *Risquélian* authorities then abducted Ruffian and took him into custody but did not advise Ruffian of his Vienna Convention right to notify Abbundia's consulate of his detention. At trial, Ruffian claimed violation of the extradition treaty between Abbundia and *Risquélia*, adding that his abduction was a violation of international law. The *Risquélian* court rejected his claims, found him guilty and he was convicted.



Panel Session—Government in the Public Sector gave a municipal law perspective on ethical issues unique to government workers, illegal graffiti, and intergovernmental ADR. From left: Robert N. Hills (USA), Charles W. Thompson, JR. (USA), Susan Moore (USA), and Benjamin Griffith (USA)

Prof. Nanda and Mr. Islam argued that Abbundia was entitled to bring the claim on behalf of Ruffian because he is one of its nationals, that the United States of *Risquélia* violated the territorial and political independence in abducting Ruffian in violation of the extradition treaty, and that Ruffian must be given a new trial as he was not informed of his rights adequately in the first one because of *Risquélia's* violation of international law in not informing him of his right to notify his consulate.

The attorneys for *Risquélia*, Mr. Greenberg and Ms. Simha argued that *Risquélia* is not required to recognize Abbundia's claim on behalf of Ruffian as the circumstances of his naturalization do not provide a "genuine connection" as required under the standard set out by the Court in the ICJ *Nottebohm* case.¹ They added that Ruffian had violated many international treaties in his drug-trafficking business, which has had devastating effects within *Risquélia*, therefore *Risquélia* has jurisdiction over crimes that have substantial impact on its territory, and that since the Vienna Convention is a non-self-executing treaty under *Risquélian* law it requires legislative action before going into effect which has not yet occurred.

The Court held in favor of Abbundia stating that Abbundia was entitled to bring

the claim to the court on behalf of Ruffian, that *Risquélia's* actions violated international law in the abduction of Ruffian from Abbundian territory, and that the Vienna Convention was breached when *Risquélia* failed to inform Ruffian of his right to notify his consulate.

Thursday, October 27
Panel Session: The Role and Content National Law in the Context of International Legal Systems and Transnational Law

Panel Chair **David Sehnálek** (Czech Republic), Department of International and European Law, Faculty of Law, Masaryk University, discussed the external relations of the European Union—Negotiation, Implementation and Responsibility. **Dr. Janja Hojnik** (Slovenia), Faculty of Law at the University of Maribor, spoke about national cultures and to what extent they should be considered by the greater EU market laws. **Augusto Teixeira Garcia** (Macau), Associate Professor and Faculty of Law at the University of Macau, presented on the history and development of commercial codes in Macau.

Panel Session: Protecting the Public—Local Law

Benjamin E. Griffith (USA), Griffith & Griffith Attorneys at Law, Chaired this panel. The first speaker was **Robert Alfton** (USA), of counsel at Miller–O'Brien–Cummins, presented on the laws and rights regarding labor unions in the public sector.

¹ <http://www.icj-cij.org/docket/files/18/2674.pdf>

Aashish Srivastava (Australia), Lecturer at Monash University, discussed the new threat of cyberbullying and the potential legal response in Australia. **Iris Jones** (USA), President of the World Business Associates of the WJA and Founder & CEO of Alchemy Business Strategies, presented on the rise of new and sometimes transnational forms of harassment like cyberbullying and the need for a global response. **Patricia Lynch** (USA), Judge at the Reno Justice Court in Nevada, further discussed the topic of cyberbullying and cyberstalking and the impressions of the situation from a judicial perspective.

Panel Session: Interaction Between Law and Economy

Professor **Dr. Alexander Bělohlávek** chaired this panel. Speakers included **Vladimír Týč** (Czech Republic) from the Department of Law, Faculty of Economics, VSB-Technical University of Ostrava, presented on the difficult creation of the EU patent, **JUDr. Marie Scikalová** (Czech Republic), Ph.D. Silesian University in Opava, who spoke about the state administration of state employment policy, and **Tomáš Wroblowský** (Czech Republic) from the Department of Economics, Faculty of Economics, VSB-Technical University of Ostrava.

Panel Session: East-West Business Forum 2011: Competitiveness Strategy and New Export Strategy (2012-2020) of the Czech Republic

Valdimír Šiška (Czech Republic), Executive Director of ICC Czech Republic and First Deputy Minister of Labour and Social Affairs of the Czech Republic; **Martin Tlapa** (Czech Republic), Deputy Minister of Industry and Trade of the Czech Republic; and **Petr Jonák** (Czech Republic), Marketing and Communication Director of AWT Group, all discussed the new competitiveness and export strategies of the Czech Republic.

Panel Session: International Legal Cooperation in Legal Matters

Panel Chair **Ronald Greenberg** (USA), Past President of the WJA and Senior Counsel at Dykema, presented on the recognition of foreign countries civil judgments in the United States.

Dr. Amir Khoury (Israel), Senior Lecturer, Faculty of Law, Tel Aviv University, spoke about global access to patented medicines along with the legal implications and regulations associated with them.

Panel Session: Governance in the Public Sector

Philip Sparkes (USA), Assistant Professor and Director at the NKU Chase Local Government Law Center, presented on the unique ethical issues that confront legal workers in the government. **Charles W. Thompson, Jr.** (USA), General Counsel and Executive Director of the International Municipal Lawyer Association (IMLA), and **Robert N. Hills** (USA), Executive Director of the National Council to

Prevent Delinquency, discussed the issues surrounding illegal graffiti for municipal level governments. **Susan Moore** (USA), General Counsel at the Georgia Municipal Association, presented on the new methods of alternative dispute resolution being used to settle issues between county and municipal level governments.

Panel Session: Interaction Between Law and Economy

The Panel Chair was **Vladimír Týč** (Czech Republic), Department of Law, Faculty of Economics at the VSB-Technical University of Ostrava. **Pavel Godický** (Czech Republic), Department of Law, Faculty of Economics at the VSB-Technical University of Ostrava, spoke about the notice of termination to the employee in the bill of labour code amendment.

Kristýna Chalupěcká (Czech Republic) and **Damian Czudek** (Czech Republic), Faculty of Law at Masaryk University, presented a comparison of tax control in the Czech Republic and Poland.

Panel Session: East-West Business For 2011: Trade and Investment Opportunities for Exporters in Perspective Asian and Latin American Countries

This presentation was given by **H.E. Vicente Espeche Gil** (Argentina), Ambassador of Argentina to the Czech Republic; **Erwin Feldhaus** (Mexico), Regional Director of ProMéxico; **Ana Maria Pomar Diamant** (Peru), Minister Counselor in Charge of Economic Affairs at the Embassy of Peru in the Czech Republic; **Wan Azhamuddin Jusoh** (Malaysia), Trade Commissioner at MATRADE; and two representatives from Indonesia and Thailand.

Panel Session: Stewardship, Sustainable Use & Development of Land and Resources

Edward Sullivan (USA), Partner at Garvey Schubert Barer, presented on the use and protection of forests in Oregon. **Timothy S. Hollister** (USA), Partner at Shipman & Goodwin, presented on the rise of more environmentally friendly building practices and the current situation of the green building movement worldwide. **Benjamin E. Griffith** (USA), from the International Municipal Lawyers Association, discussed fracking, a process of removing natural gas from shale by breaking it with high-pressure

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From left, WJA Officers: Prof. Igor Trunov (Russia), Chair of the Election Committee and WJA National President; Dr. Franklin Hoet-Linares (Venezuela), WJA President for Americas and past WJA President; Ronald Greenberg (USA), past WJA President; and Valeriy Yevdokymov (Ukraine), outgoing WJA President.

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water, and the need for legal regulation at national and international levels.

Panel Session: Interaction Between Law and Economy

Pavel Godický (Czech Republic), Department of Law, Faculty of Economics at the VSB–Technical University of Ostrava, served as the Panel Chair. **Dana Bárková** (Czech Republic), Assistant Professor, Faculty of Law of the University of West Bohemia in Pilsen, discussed teaching economics for lawyers. **Ivo Martiník** (Czech Republic), Faculty of Economics at VSB–Technical University of Ostrava, and **František Schulman** (Czech Republic) gave a joint presentation on modern technology and the law. The last speaker of the panel was **Lenka Kauerová** (Czech Republic), Faculty of Economics at VSB–Technical University of Ostrava.

Panel Session: East-West Business Forum 2011: ICC Rules for International Trade

Miroslav Šubert (Czech Republic), Author of INCOTERMS 1990 and 2000 Czech translation, Member of the INCOTERMS 2010 Drafting Group, Member of the ICC Commission on Commercial Law and Practice, and Member of the ICC Commission on Transport and Logistics, presented on INCOTERMS 2010 and the model international sales contract. **Zuzana**



ICC Panel

Rollováb (Czech Republic), Bank Guarantees Specialist at UniCredit Bank Czech Republic, presented on the uniform rules for demand guarantees (URDG 758).

Panel Session: Importance of Regional Integration in Achieving World Peace and the Role of Civil Society and International Organizations

Prof. Ved Nanda chaired this panel, and began the discussion comments on the interactions and convergences between NGOs and Civil Society. He also spoke about The International Criminal Court, using landmines as an example

of the complex matters brought before the court. **Micah Rachel Thorner** (The Netherlands), Acting Director at the International Centre for Judicial Studies & Technical Assistance, presented on the new problems facing modern international organizations.

Panel Session: Human Rights Charters—Is it the Time to Harmonize? Substantive Differences and Differences in Application, The Role of the Judiciary in the Protection of Human Rights + Emerging Issues in Human Rights

Panel Chair, **Prof. Dr. Karel Klima** (Czech Republic) WJA National President and Prof of Law & Vice Dean of the University of West Bohemia, discussed Constitutional Democracy and Slovenian case law. **Ernest Lim** (Hong Kong), Assistant Professor of Law at the University of Hong Kong, presented on anti-discrimination laws and the possible exceptions to them on religious grounds. **Dr. Ciril Ribičič** (Slovenia), Professor of Constitutional Law, University of Ljubljana and **Prof. Dr. Hab. Boguslaw Banaszak** (Poland), University of Wroclaw also made presentations on constitutional law.

Panel Session: Stewardship, Sustainable Use & Development of Land and Resources

Benjamin E. Griffith (USA), Griffith & Griffith Attorneys at Law, chaired this



Demonstration Trial—The presiding justices (from left) Hon. Justice Kashim Zannah (Nigeria), Hon. Justice Muhammadu L. Uwais (Nigeria), Chief Justice Renato C. Corona (Philippines), and Chief Justice Abdul Salam Azimi (Afghanistan) deliberate over the ruling for the international drug trafficking case.

panel. The first speaker was **Julian Grant** (USA), Assistant Attorney General for the Texas Attorney General, spoke on the rights of the public and legal issues concerning coastline property. **Steven R. Meyers** (USA), Principal at Meyers Nave, presented on the partnerships between the public and private spheres in building infrastructure projects. **Dwight H. Merriam** (USA), FAICP, Robinson & Cole LLP, spoke about the rising trend of private communities, their causes, and their impacts.

Panel Session: Interaction Between Law and Economy

This panel was chaired by **Vladimír Týč** (Czech Republic), Department of Law, Faculty of Economics at VSB–Technical University of Ostrava. **Tereza Pudlová** (Czech Republic), Student at the Faculty of Economics at VSB–Technical University of Ostrava, spoke about various codes of ethics. **Adam Ptašník** (Czech Republic), Department of Law, Faculty of Economics at VSB–Technical University of Ostrava, discussed the economic impacts of legal fees. **Martina Krügerová** (Czech Republic), Department of Law, Faculty of Economics at VSB–Technical University of Ostrava, spoke about the economic impacts of insurance fraud on the insurance market.

Friday, October 28

Panel Session: Constitutional Law: Limits of the Powers of National Constitutional Courts + Competencies of National Constitutional Courts

Panel Chair **Igor Trunov** (Russia) presided over the panel speakers **Prof. Dr. Karel Klíma** (Czech Republic), Professor of Law and Vice Dean of the University of West Bohemia, and **Dr. iur. PhDr. Petr Mlsna** (Czech Republic), Deputy Minister of Justice of the Czech Republic.

Panel Session: Inclusive Development of Minorities, Ethnic Groups, and Indigenous Peoples

Prof. Ved Nanda chaired this panel. **Hon Justice M. M. Igbetar** (Nigeria), President of the Customary Court of Appeals, discussed how customary law in Nigeria affects the constitutional rights of women's property ownership. **Zou Bihua**

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Justices from the National Judicial Institute (NJI) delegation from Nigeria



Left: Delegates enjoyed a relaxing dinner reception at the world famous Pilsner Brewery.

Right: Ms. Karolina Peake, Deputy Prime Minister and Chair of the Legislative Counsel Representative of the Senate of the Parliament of the Czech Republic gives a welcome address on behalf of the government of the Czech Republic at the start of the congress.



Above: Dr. Natia Kintsurashvili (Georgia), WJA National President, and Dr. Paata Tsnobiladze (Georgia), Second Vice President of the WJA.

Right: Delegates arrive at the welcome receptions



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(China), President of the Primary People's Court of Changning District of Shanghai Municipality, spoke about the use of standard form contracts and their regulation to assure fair usages.

Closing Session: The Impact of Globalization on the Rule of Law

Dr. Avnita Lakhani (Hong Kong), Assistant Professor, City University of Hong Kong, School of Law chaired this panel and presented on nationality in a new global world and the possibility of a concept of inter-nationality. **Tang Hongpei** (P. R. China), Secretary-General of the China Association of Judges, who discussed the lasting impression national culture has on legal culture and the spread of legal cultures from one area to another. **Ma Jianhua** (P. R. China), Senior Judge and Vice President of the High People's Court of Jilin Province, discussed the current trend of globalization and its impact on the development of further international law.

Closing Ceremony

In a brief Closing Ceremony the WJA adopted key resolutions based on the discussions that took place during the Congress. **Prof. Ved Nanda** (USA) chaired the Resolutions Committee. Other members included **Justice Teresita Leonardo De Castro** (Philippines), **Dr. Ivo Greiter** (Austria), Chief Justice (ret.) **Muhammadu L. Uwais** (Nigeria) and **Garry Hunter** (USA).

Following the unanimous adoption of the resolutions, **Prof. Igor Trunov** (Russia), Chair of the Election Committee and WJA National President for Russia, announced the results of the Board of Governors elections. Other committee members included **Natia Kintsurashvili**, WJA National President for Georgia and **Sona Pancholy**, WJA Executive Vice President. **Mr. Valeriy Yevdokimov**, outgoing President of the WJA gave a speech thanking all members and Board of Governors for their support during his tenure. Accepting the presidency and expressing his appreciation of the membership's confidence in him, **Prof. Dr. Alexander Bělohávek** officially brought the Congress to a close.



Acknowledgements

The World Jurist Association wishes to thank **Prof. Dr. Alexander Bělohávek** and his staff at the Czech Republic, **Lenka Němeková**, **Tereza Profeldova**, **Filip Cerny**, **Jana Peterkova** and **Bettina Baga Freudenthaler**, for their tireless efforts in bringing this congress to you. We also wish to thank each speaker, moderator and the Chief Justices, Hon. Justices and Attorneys that participated in the Demonstration Trial whose expertise ensured the success of our program. We particularly wish to thank **Prof. Ved Nanda** for preparing the Demonstration Trial materials. We also thank our sponsors and partners (listed below) whose valued contribution enhanced the success of our 24th Biennial Congress. Finally, we thank the WJA staff & Volunteers—**Jennifer Gardiner**, **Sona Pancholy**, **Folake Ogunyemi**, **Christopher Nicholas Keen**, **Gita Pancholy**, **Marita Tola Ayodele**, **Natalie Kim**, and **Christine McCartney**.

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The World Jurist Association is proud to announce that our next conference will be held in Washington, DC, USA in partnership with the International Municipal Lawyers Association (IMLA). The DC Conference will be on Law and Technology: Privacy and Data Security in the Digital Age. We hope you'll join us!

Law and Technology: Privacy and Data Security in the Digital Age

April 22–24, 2012 • Washington, DC USA

Registration and program information will be provided shortly.

Visit www.worldjurist.org for updates.

Call for Speakers!

The Program Committee of the 2012 DC Conference on *Law and Technology: Privacy and Data Security in the Digital Age* is now accepting proposals from qualified speakers. All proposals should include a brief abstract of the paper, a short description of the 15-20 minute oral presentation that will be delivered at the Conference. Please submit your proposals and include a short professional bio via e-mail to wja@worldjurist.org. For a tentative program and list of current topics please visit www.worldjurist.org.

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