

# **Roundtable on Regulation in the 21<sup>st</sup> Century**

**15 February 2021**

**2 p.m. – 5.30 p.m.**

**Videoconference**

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There is a paradigm shift under way in how international regulation works in the 21<sup>st</sup> century. International regulation today increasingly includes new instruments, new actors as well as newly emerging subject areas. In the context of rapid technological and societal change, soft law instruments - i.e. non-legally binding texts that nevertheless contain some degree of normative character – have gained in importance. While offering key advantages such as conclusion, flexibility, and adaptability, their growing importance raises legitimate questions in terms of their elaboration and adoption. For more than 70 years, the Council of Europe has been advancing democracy, human rights, and the rule of law in Europe. With its long-standing experience and expertise in these areas, the Council of Europe offers the ideal platform for an exchange on the development and impact of international regulation in the 21<sup>st</sup> century.

The roundtable is jointly organised by the Delegation of the European Union and the Permanent Representation of Switzerland to the Council of Europe, under the auspices of the German Chairmanship of the Committee of Ministers. Its purpose is to foster a better understanding of how international regulation works in the 21<sup>st</sup> century while contributing to the international discussion on the development and impact of new forms of regulation. To this end, the first panel will examine the nature, function, and effectiveness of these new forms of regulation and offer the various perspectives of the Council of Europe, the OECD, the EU and Switzerland. The second panel will focus more specifically on the challenges set by these new forms of regulation as well as their impact on human rights, democracy, and the rule of law.

## Programme

14:00-14:05	<i>Welcome</i>	<b>Amb. Rolf MAFAEL</b> German Chairmanship of the Committee of Ministers of the Council of Europe
14:05-14:10	<i>Introduction</i>	<b>Amb. Roger DUBACH</b> International Law Directorate, Swiss Federal Department of Foreign Affairs
14:10-14:25	<b>Keynote speech</b>	<b>Mr Robert SPANO</b> President of the European Court of Human Rights
14:25-15:50	<b><i>New forms of regulation in the 21st Century; the case of Soft Law</i></b>  <u>Moderator:</u> <b>Ambassador Meglena KUNEVA</b> Head of the Delegation of the European Union to the Council of Europe	<b>-Amb. Corinne CICÉRON BÜHLER</b> Director, Directorate of International Law, Swiss Federal Department of Foreign Affairs  <b>-Ms Josée FECTEAU</b> Director for Legal Affairs <i>ad interim</i> , OECD  <b>-Mr Lucio GUSSETTI</b> Principal Legal Adviser Legal Service, European Commission  <b>-Mr Jörg POLAKIEWICZ</b> Director of Legal Advice and Public International Law, Council of Europe
15:50–15:55	<i>Break</i>	
15:55 –17:20	<b><i>Challenges of these new forms of regulation for the rule of law and democracy</i></b>  <u>Moderator:</u> <b>Ambassador Roger DUBACH</b>	<b>-Mr Boriss CILEVIČS</b> PACE member, Chairperson of the Committee on Legal Affairs and Human Rights  <b>-Prof. Martin KUIJER</b> Judge at the Supreme Court of the Netherlands, Substitute member of the Venice Commission  <b>-Ms Alina OROSAN</b> Chair of CAHDI, Director General, Department for Legal Affairs, Ministry of Foreign Affairs of Romania  <b>-Prof. Anne PETERS</b> Director, Max Planck Institute for Comparative Public Law and International Law
17:20 –17:30	<i>Wrap-up</i>	<b>Amb. Meglena KUNEVA</b>