

# Behavioural Approaches to Contract and Tort: Relevancy for Policymaking

Annual report 2017

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# 1. Key Facts of 2017

- The Erasmus University Rotterdam Executive Board has approved the decision to offer Professor Christoph Engel a permanent position as of 1 April 2017. It is a wonderful prospect that Christoph Engel will be able to continue to make an invaluable contribution to BACT's research programme.
- Eleven PhD theses were defended.
- Since June 2017 Liesbeth Enneking is affiliated with the Civil Law section as holder of the 'Legal Aspects of International Corporate Social Responsibility' Chair.
- On the occasion of Professor Sharon Oded's Inaugural lecture 'Intoxication of Force: When Enforcement Undermines Compliance' on 26 June 2017, Erasmus School of Law held a symposium titled 'Compliance Programmes – Beyond mere symbolism'. Sharon Oded has been appointed Chair of Corporate Compliance and Enforcement.
- Starting in September 2017 and continuing for a period of five years, Prof. Xandra Kramer will conduct her ERC funded research project 'Building EU civil justice: challenges of procedural innovations bridging access to justice' that will contribute to effective and equal access to justice for EU citizens.
- On 27 October 2017, Professor Niels Philipsen held his Inaugural lecture 'Shifts in Private and Public Regulation – The Example of Work-Related Risks' at Erasmus University Rotterdam. Niels Philipsen has been appointed Chair of Shifts in Private and Public Regulation.
- On 1 December 2017, Professor Harriët Schelhaas held her Inaugural lecture 'Commerciële contractanten - consistentere differentiëren?' at Erasmus University Rotterdam. Harriët Schelhaas has been appointed Chair of Private Law.

## 2. Behavioural Approaches to Contract and Tort

### The Research Programme

The **Behavioural Approaches to Contract and Tort: Relevance for Policymaking (BACT)** research programme started in 2008.

The aim of the programme is to explicate what expectations related to human behaviour are embedded in legal instruments, in what ways these expectations are or are not met, and how behavioural insights can be incorporated in ameliorating legal instruments.

The overarching research question of the programme is how individual and/or group behaviour is affected by legal rules. The legal rules can pertain to contract and tort, as well as combined public and private legal instruments.

The central research question is addressed through different legal and behavioural approaches, primarily focusing on empirical and policy relevant research. Some of the behavioural approaches aim to test the tenability of presumptions of human behaviour underlying legal instruments. Other behavioural approaches use assumptions on human behaviour in order to predict how parties behave in legal settings.

The methodological approach of the research programme is interdisciplinary, and the research team includes legal scholars specialising in contract, tort, property and corporate law, and civil procedure, as well as scholars specialising in law and economics, and sociology or psychology of law. For a full description of the research programme, please visit [www.eur.nl/esl/bact](http://www.eur.nl/esl/bact).

### Organisation of BACT

#### **Directors**

Since 2013, professors Peter Mascini and Michael Faure lead the programme. In 2015 associate professor Pieter Desmet complemented the team of directors, as did Professor Siewert Lindenbergh in 2016. Together with Marianne Breijer, they are responsible for management and strategic decision-making.

#### **Coordinator BACT Research Excellence Initiative (REI)**

The EUR Research Excellence Initiative project 'Shifting from Welfare to Social Investment States: Privatisation of Work-Related Risk Control' started in 2015. This interdisciplinary project brings together researchers from ESL and ESSB to provide a multidisciplinary perspective on the project's theme. Prof. Michael Faure, Prof. Peter Mascini and Prof. Romke van der Veen lead the programme. As the coordinator of this project, Chris Reinders Folmer is tasked with progress reports, organising meetings and symposia, and (co)editing a book on the subject.

### Secretarial support team

The secretarial support team is responsible for compiling the newsletters and the annual reports, and they announce and facilitate the BACT meetings and seminars.

In 2017, there were a few changes in the Support Team. In April 2017, Aimée Steenstra Toussaint joined the team. In July 2017, Femke Ruitenbeek took over support tasks from Evelien Engelhard and Marnix Hebly. And in October 2017, Sanne Nordbjorn also joined the Support Team.

The BACT secretariat can be reached via [info.bact@law.eur.nl](mailto:info.bact@law.eur.nl) or (+31) (0)10 408 2360.

### BACT seminars

In BACT seminars, researchers from both BACT as well as from other institutions and universities present their work and ideas to the interdisciplinary group of BACT researchers as well as other interested scholars.

### BACT's connection to other institutes

BACT started in 2008 as a collaboration between the Rotterdam Institute of Private Law and the Rotterdam Institute of Law and Economics. This meant that legal scholars and economists dominated from the inception of the programme. Since then, the programme has broadened its scope by recruiting empirical scholars with psychological and sociological backgrounds as well.

Established in 2000, the Rotterdam Institute of Law and Economics (RILE) is set to carry out the task of promoting and furthering the development of Law and Economics both throughout the Netherlands and worldwide. A comprehensive training programme is offered to scholars ranging from undergraduate level to specialised teaching and the option for PhD studies. Furthermore, RILE aims to promulgate academic discourse on Law and Economics through organising conferences and workshops and through publications in books and leading journals. Currently, areas of study cover both Old Law and Economics (competition law and economic regulation) and New Law and Economics (constitutional law, contract law, tort law, insurance law and corporate law). Besides the analysis of rules of substantive law, there is also a focus on methodological problems of Law and Economics.

The European Doctorate in Law & Economics (EDLE) is one of the largest doctorate programmes in the field of Law and Economics. It is a joint doctorate programme involving four leading European universities: the Universities of Bologna, Hamburg, Rotterdam and Haifa. The stipend-based programme aims at addressing a new class of outstanding PhD researchers from all over the world. Prof. Michael Faure is managing director of the programme.

The RILE is also the leading partner in the Erasmus Mundus European Master in Law and Economics (EMLE) programme, a conglomerate of eleven partner universities across Europe and the world, including the University of Aix-Marseille III, the University of Pompeu Fabra Barcelona, the University of Bologna, the University of Ghent, Hamburg University, Haifa University, the Indira Gandhi Institute of

Development Research Mumbai, LUMSA University Rome, the University of Vienna and the University of Warsaw, in cooperation with the Law and Economics Center of the University of California at Berkeley. The programme prepares economists and lawyers for an academic career in an important research field, or for positions of responsibility in government, research organisations, and international consulting firms. Professor Alessio Paccès is Director and Erasmus Mundus coordinator of the EMLE programme.

The Rotterdam Institute of Private Law (RIPL) is committed to in-depth research performed by researchers from the Erasmus School of Law in the broad field of private law. The Institute fosters the research programme BACT as well as ESL's 'Lex Mercatoria'. The Institute's Board consists of Professors Siewert Lindenbergh (chair of Civil Law), Kid Schwartz (chair of Commercial Law), and Filip De Ly (chair of International Private and Comparative Private Law). The research input of the Institute is represented by staff members of the entire ESL Department of Private Law.

The Erasmus China Law Centre (ECLC) is part of Erasmus School of Law. Erasmus School of Law has been engaged for many years in a number of research and educational activities with Chinese law schools and other institutions. In order to further structuralise and strengthen these relations, the Erasmus China Law Centre expands the capacity of teaching and research on Chinese law, increases our competitiveness in initiating Chinese law-related projects, and strengthens the advisory work to the government and business community. The Board consists of Professors Fabian Amtenbrink, Michael Faure and Yuwen Li. Professor Yuwen Li is Director of the ECLC.

# 3. People

## BACT researchers in 2017

### **Professors**

Prof. R.J. Van den Bergh	<i>Chair of Law and Economics</i>
Prof. C.W. Engel	<i>Erasmus Chair for Experimental Legal Studies</i>
Prof. L.F.H. Enneking	<i>Special Chair on the Legal Aspects of International Corporate Social Responsibility (as of 1 June 2017)</i>
Prof. M.G. Faure	<i>Chair of Comparative Private Law and Economics</i>
Prof. K. Heine	<i>Chair of Law and Economics</i>
Prof. J.M. Klick	<i>Erasmus Chair of Empirical legal studies</i>
Prof. X.E. Kramer	<i>Chair of European Civil Procedure</i>
Prof. P.C. Leyens	<i>Chair of Empirical Legal Studies</i>
Prof. S.D. Lindenbergh	<i>Chair of Private Law</i>
Prof. P. Mascini	<i>Chair of Empirical Legal Studies</i>
Prof. S. Oded	<i>Chair of Corporate Compliance and Enforcement</i>
Prof. A.M. Paccès	<i>Chair of Law and Finance</i>
Prof. N.J. Philipsen	<i>Chair of Shifts in Private and Public Regulation</i>
Prof. J.J. Rachlinski	<i>Erasmus Chair of Empirical legal studies</i>
Prof. H.N. Schelhaas	<i>Chair of Private Law</i>
Prof. M.W. Scheltema	<i>Chair of Enforcement Issues in Private Law</i>
Prof. L.T. Visscher	<i>Chair of Legal Economic Analysis of Tort and Damages</i>

### **Associate Professors**

Dr. P.T.M. Desmet
Dr. A.M.I.B. Vandenberghe
Dr. R. Westrik

### **Assistant Professors**

Dr. P.D.N. Camesasca
Dr. K.K.E.C.T. Swinnen
Dr. A. Ontanu (as of September 2017)

### **Postdocs**

Dr. E. Kantorowicz – Reznichenko
Dr. C.P. Reinders Folmer
Dr. A.P.G.C.F. Biard (as of September 2017)
Dr. M. Fabbri

### **Scientific researchers**

Dr. J.P.B. de Mot (until June 2017)

Dr. J. Hoevenaars (as of September 2017)

Dr. E. Themeli (as of September 2017)

### **BACT PhD candidates in 2017**

Georgia Antonopoulou (RIPL)	<i>International Commercial Courts. A study on the London Commercial Court, the Netherlands Commercial Court and the German Chambers for International Commercial Disputes</i>
Paul Aubrecht (EDLE)	<i>The Arbitrability of Tort Claims: A Comparative Law and Economics Analysis</i>
Cheng Bian (ECLC)	<i>Comparative Study on National Security Review Systems Regarding Foreign Capital Mergers and Acquisitions in China, USA and EU</i>
Stephen Billion (EDLE)	<i>Regulating Retirement Savings: An Evolutionary Psychology Approach</i>
Yong-Fu Chang (EDLE)	<i>Constitutional Environmental Protection and Its Implementation: A Law and Economics Analysis</i>
Elena Demidova (EDLE/EM)	<i>Takeover Regulation in Developing Economies: The case of Russia</i>
Goran Dominioni (EDLE)	<i>Accuracy, Gender and Race in Tort Trials: A (Behavioural) Law and Economics Perspective</i>
Evelien Engelhard (RIPL)	<i>Improvement initiatives to the personal injury claims process in different jurisdictions. A search for success factors</i>
Jan Essink (EDLE)	<i>The perception on refugees and the implications on asylum policy</i>
Ayman Fouda (EDLE)	<i>The Diffusion of Innovation in Healthcare: Economic and Regulatory Perspectives</i>
Emma van Gelder (RIPL)	<i>Online dispute resolution (ODR) against the background of access to justice</i>
Marnix Hebly (RIPL)	<i>The Assessment of Damages and the Effect of Time</i>
Ifrah Jameel (EDLE)	<i>The Impact of Capital Regulation on Bank Involvement in Securitised Banking</i>
Chih-Ching Lan (EDLE)	<i>A Law and Economics Analysis of Policy Instruments to Prevent Deforestation and Forest Degradation in the Tropics</i>

Li Shu (EDLE/ECLC)	<i>Law and Economic Analysis of 3D Printing: Perspectives from Intellectual Property and Product Safety</i>
Wanli Ma (ECLC)	<i>Building Legitimacy through Resolving Controversies over Jurisdiction in Investor-State Arbitration</i>
Maria Fernanda Caporale Madi (EDLE)	<i>Challenges for antitrust policy in Brazil: a comparative study of vertical agreements</i>
Edoardo Martino (EDLE)	<i>Bail-in Beyond Unpredictability. Creditors Incentives and Market Discipline</i>
Tomasz Mielniczuk (EDLE/EM)	<i>Agency problems and solutions in anti-cartel enforcement</i>
Shaheen Naseer (EDLE/EM)	<i>The Policy Choices of Bureaucrats: An institutional analysis</i>
Bernold Nieuwesteeg (EDLE)	<i>The Law and Economics of Cyber Security – How university, government and industry can stimulate information diffusion</i>
Cintia Bezerra de Melo	<i>Administered Contracts for Petroleum Extraction in Brazil</i>
Pereira Nunes (EDLE/EM)	<i>Cross-Border Debt Recovery in the EU. A Comparative and Empirical Study.</i>
Alina Ontanu	<i>Diversity in Justice?</i>
Sarah van Os (RIPL)	<i>A Comparative, Interdisciplinary and Empirical Study into Legal Culture</i>
Shivans Rajput (EDLE/EM)	<i>Maximum Retail Price – A Law and Economics Analysis</i>
Priskila P. Penasthika (RIPL)	<i>The challenges in applying choice of law clauses in international commercial contracts: The study of Indonesia</i>
Kuang-Jung Peng (EDLE)	<i>Law and Economic Analysis of Financial Technology</i>
Renny Reyes (EDLE)	<i>Regulatory Governance Cycle: The proposal for Latin-American Countries</i>
Joé Rieff (EDLE/EM)	<i>Increased Fiscal Coordination between European Member States: A necessity to further market integration?</i>
Femke Ruitenbeek-Bart (RIPL)	<i>But what about the tortfeasor? Understanding the missing link in relational restoration of personal injury victims.</i>
Aster Schreuder (RIPL)	<i>The normative aspects of the assessment of damages</i>
Erlis Themeli (RIPL)	<i>Civil Justice Competition and Choice of Court in the EU</i>
Ilja Tillema (RIPL)	<i>Entrepreneurial Mass Litigation</i>

Yixin Xu (ECLC)	<i>An Institutional Design for Sustainable Foreign Forest Carbon Projects in Developing Countries</i>
Xiao Xun (ECLC)	<i>Director's Duties and Liabilities in Corporate Law in China</i>
Yayun Shen (ECLC)	<i>A Joint Use of Legal and Policy Instrument to Promote GB compliance</i>
Liam Wells (EDLE)	<i>Risk-Perception, Precaution and the Problem of Predisposition</i>
Nan Yu (EDLE/EM)	<i>Mandatory Dividend Regulations in the Stock Market: A Comparative Law and Economics Analysis</i>
Bo Yuan (ECLC)	<i>Foreign-Related Commercial Dispute Resolution in China, A Focus on litigation and arbitration</i>
Jinyue Zhang (ECLC)	<i>The Application of Law in Cross-Border Issuing and Trading of Securities between Europe and China</i>

## Other EDLE PhD candidates

- Ritchelle Albuero (EDLE/EM, Bologna), *Ownership Choice, Contracts and Regulation: Forestalling ownership irrelevance – A Law and Economics perspective*
- Maria Teresa Bartalena (EDLE, Hamburg), *The Impact of Distressed Debt Investments on Insolvency Proceedings*
- Danny Blaustein (EDLE/EM, Bologna), *Corporate Governance of Start-ups*
- Mulugeta Asefa Bogale (EDLE, Hamburg), *Labor Regulation, Informality and Economic Growth in SSA: An Empirical Analysis*
- Kan-Hsueh Chiang (EDLE, Haifa), *Does Information Cost lead to Medical Moral Hazard?- Evidence from Taiwan National Health Insurance*
- Salvini Datta (EDLE, Bologna), *Ex ante regulation and ex post liability in the pharmaceutical industry*
- Maria De Campos (EDLE, Hamburg) *Nudging – Long-term effectiveness and viability*
- Mostafa Talal Atef El Far (EDLE, Hamburg), *International Investment Law and Domestic Legislations in MENA region: Egypt, Jordan and Morocco*
- Thiago Favrelle (EDLE, Hamburg), *The Law & Economics of Judicial Performance: An empirical approach*
- Chiara Natalie Focacci (EDLE, Bologna), *Do active labour market work? The Youth Guarantee in Italy*
- Elena Ghibbellini (EDLE, Bologna), *Bank Crises Resolution Rules: What Impact on the Structure of the EU Banking Market?*
- Damiano Giacometti (EDLE, Bologna), *Essays on the Law and Economics of Credence Goods Markets*

- Laurenz Goldhahn (EDLE, Hamburg), *L&E of the Regulation of Executive Remuneration in Financial Institutions*
- Jian Jiang (EDLE, Haifa), *Vulnerabilities, Cybersecurity and the Role of Law & Regulation herein*
- Dirk Heine (EDLE/EM, Hamburg), *The general role of the Finance Ministry in environmental policy: Optimal institutional setup for environmental fiscal policy considering interaction effects with environmental law pursued by other, non-fiscal institutions*
- Gemelee Hirang (EDLE, Bologna), *Non-Tariff Barriers and Regional Integration: A Study on the Strengths and Weaknesses of the ASEAN Economic Blueprint*
- Bryan Kareem Khan (EDLE, Hamburg), *Optimal Scope of IP Rights for Broadcasting Organizations*
- Ekaterina Lomtadze (EDLE, Hamburg), *Constitutionalizing Social Rights: Public Choice Analysis*
- Unbreen Qayyum (EDLE, Hamburg), *Religious Cleavages and Electoral Violence*
- Eman Rashwan (EDLE, Hamburg), *The Impact of Political Transformations on Constitutional Reforms after Arab Spring: Case Study of Egypt and Tunisia*
- Carlos Riquelme Ruz (EDLE, Hamburg), *The evolution of institutional determinants of FDI in Chile: Property rights, domestic investment protection and international investment agreements (1960-2015)*
- Filippo Roda (EDLE, Bologna), *The Economic Analysis of the One-way fee-shifting Rule in Litigation*
- Manuel Rojas (EDLE, Hamburg), *The impacts of anti-drug legislation on judicial efficiency* (left the EDLE in June 2017)
- Denard Veshi (EDLE, Haifa), *The European management of refugees' movement*
- Akiva Weiss (EDLE/EM, Hamburg), *Institutional Solutions to Civil War*
- Orlin Yalnazov (EDLE, Hamburg), *Essays on Precedent and Statute*

## Appointments in 2017

### Professor Liesbeth Enneking

Introducing professor Liesbeth Enneking



Sneakers, fuel, coffee, smartphones. Many of our daily products and the commodities for manufacturing them are being produced abroad. Sometimes these production activities take place under conditions that we would consider unacceptable in the Netherlands. This raises ethical, political and legal questions. What is the scope of the social responsibility of the internationally operating business enterprises based in Western societies that have these products manufactured in less developed countries, often at low cost, and put them on the market here? Are they under an obligation to prevent their activities from causing damage to people and the planet in the host states involved? How far down into the supply chain does this obligation extend and what legal means do they have at their disposal to make sure that their local subsidiaries or supply chain partners live up to their responsibilities, as well? And if damage does arise, under what circumstances are these internationally operating business enterprises held liable before courts in their Western society home states?

Liesbeth Enneking joined Erasmus School of Law on 1 June 2017 and is the holder of an Endowed Chair on the Legal Aspects of International Corporate Social Responsibility, funded by the Erasmus Trustfonds. Enneking's main objective will be to set up and develop, over a period of five years, a research group at Erasmus School of Law that is a leading authority in the Netherlands and recognised internationally for its academic research on the legal aspects of international corporate social responsibility, sustainable development and business and human rights. In doing so, she will join forces with other legal researchers at Erasmus School of Law with recognised expertise in this field, as well as with other leading experts at Erasmus University Rotterdam and with aspiring researchers. Her work is closely linked to the 'Dynamics of Inclusive Prosperity' Initiative, which seeks to provide new, much-needed scholarly insights into the ways in which we can maximise the positive impacts and inclusiveness of our growing prosperity, while minimising its negative impacts on workers and communities in developing societies and on our planet. It also fits well within the BACT research programme, as it deals with the presumptions underlying the various regulatory initiatives that are currently being introduced in this context, as well as with their actual effects on the behaviour of the corporate actors involved.

Liesbeth Enneking studied Dutch private law and public international law at Utrecht University, and obtained a doctorate there in 2012 on the role of tort law in promoting international corporate social responsibility. After finishing her PhD, she worked at the Molengraaff Institute for Private Law and the Utrecht Centre for Accountability and Liability Law (both Utrecht University). Over the past ten years, she has published and presented widely on topics within her field of expertise and has been actively involved in legal and socio-political debates on corporate social responsibility, fair trade, and business and human rights. She has been involved in

research projects for organisations such as the European Commission, the Dutch Ministries of Foreign Affairs and Security & Justice, the Netherlands Organisation for Scientific Research (NWO), the insurance company AXA, and the Royal Netherlands Academy of Arts and Sciences (KNAW), and she participates in a number of multidisciplinary research projects. During the 2015-2016 academic year, she was holder of the TPR-Wisselleerstoel at the University of Leuven's Department of Law.

### **The 'Building EU civil justice' (ERC Consolidator grant) team**

Xandra Kramer was awarded an ERC Consolidator grant for the project 'Building EU civil justice: challenges of procedural innovations bridging access to justice' The project was launched on 1 September 2017. The ERC project team consists of three postdocs (Erlis Themeli, Alexandre Biard and Jos Hoevenaars) and two PhD candidates (Emma van Gelder and George Antonopoulou).

Access to civil justice is of paramount importance for enforcing the rights of consumers and businesses and protecting fundamental rights. Key issues in the current efforts to improve access to justice at the EU and national level are digitalisation of procedures, privatisation of justice (ADR), increased opportunity for self-representation, and specialisation of courts and procedures. This ERC Consolidator project investigates how digitalisation, privatisation, self-representation, and specialisation trends influence access to justice in the selected representative Member States, and what the repercussions are for the emerging EU civil justice system. Five important jurisdictions identified for this project are Germany, Italy, the Netherlands, Romania, and the United Kingdom (England and Wales).

#### ERC project team

##### **Erlis Themeli**



Erlis has been a member of the BACT group since 2012, as a PhD researcher on the competition of civil justice system (defense: 23 March 2018). He will be working on the postdoc project Digitalisation of Civil Justice (eJustice). His research interests are in the consequences of accessing justice through the digitalisation of justice, the significance of digitalisation for the future of civil procedure, and the challenges of using artificial intelligence in decision-making. Erlis graduated from the Faculty of Law, University of Tirana in 2006. From 2005 to 2007, he worked in the banking and litigation department of one of the largest law firms in Albania. Since 2006, he has been a member of the Albanian Chamber of Advocates, admitted to the bar in 2007. Between 2008 and 2011, Erlis worked for the High Council of Justice in Albania holding the position of head of the projects sector. He obtained his master degree in Comparative Private and International Private Law from the University of Groningen in 2012.

##### **Dr. Alexandre Biard**



Alexandre is a postdoc researcher working on the subproject 'Privatisation of Civil Justice' which aims to investigate the impacts of Alternative Dispute Resolution (ADR) mechanisms, and their consequences for access to justice in the EU. He holds master degrees from Sciences Po Paris (2009) and University Paris 1

Panthéon-Sorbonne (2010) and completed his Ph.D on collective redress and judicial behaviour at Erasmus School of Law, Bologna University and Hamburg University in 2014. Alexandre was admitted to the Paris Bar in 2015 and worked at the European Commission (Directorate General for Health & Consumers), and in the litigation and EU regulatory departments of several law firms in Paris and Brussels. He is also a volunteer fellow in the non-profit organisation The Good Lobby that promotes access to justice for civil society organisations through pro bono cooperation.

### **Jos Hoevenaars**

Jos is working on the postdoc project 'Self-Representation in Civil Justice'. The research will focus on mapping existing and future trends regarding self-representation and will include a significant empirical component analysing the practical effects of self-representation for the application of justice. He studied Sociology at the Erasmus University in Rotterdam and obtained his master degree in 2011. Since 2012 he has worked as a PhD researcher and lecturer at the Institute for Sociology of Law and the Centre for Migration Law of the Radboud University Nijmegen. From 2012 to 2017 Jos conducted his PhD research on private party litigation before the Court of Justice of the European Union (defense: 19 March 2018). Apart from his academic work, he also works as a musician, music producer and is the co-founder and editor of Rotterdam-based journal 'Het Potentieel'.



### **Emma van Gelder**



Emma is a PhD candidate, working on the sub-project Digitalisation of Civil Procedure (ODR). The research focuses on Online Dispute Resolution (ODR) for consumer redress against the background of Access to Justice within EU civil procedure. She graduated from Utrecht University with a master degree in Legal Research LLM (July 2017, cum laude). During her master studies, she worked as a student research assistant at Utrecht University and as a trainee at the European Court of Auditors in Luxembourg, where she was involved in research concerning the ECA as an accountability forum for European Enforcement Authorities.

### **Georgia Antonopoulou**

Georgia is a PhD candidate, working on the sub-project 'Court Specialisation'. The research will focus on international commercial courts and in particular the London Commercial Court, the Netherlands Commercial Court and the German Chambers for international commercial disputes. Through comparative and empirical research, the project aims to assess whether the institutional design and the conduct of proceedings before specialised courts facilitate access to justice for businesses. Georgia is a graduate of the Law School of the University of Athens (2011) with postgraduate studies in Civil Procedure and International Litigation Law at the same University (2015). She completed her LL.M. focusing on International Private Law and European Civil Procedure Law at the Albert Ludwigs University of Freiburg, Germany. She was admitted to the Athens Bar in 2014 and worked as an attorney at law specialising in compulsory enforcement law, insolvency law and estate law for several law firms in Athens.



## Visitors

### **Fatih Deyneli**

*Associate professor at the Pamukkale University Faculty of Business and Administration Department of Public Finance  
September 2017 – July 2018*

After his initial research in 2015, Dr. Fatih Deyneli joined BACT for the second time during the summer of 2016. In September 2017, he came to Rotterdam and will stay until July 2018. His research focuses on an international comparison of the impact of key performance indicators on the quality of judicial decision-making.

## 4. Output and Activities

### EGSL Review Day 2017



On 24 May, all first-year PhD candidates presented their work. Review Day marks the completion of the educational programme in the Graduate School's probationary year. One of the PhD candidates, Femke Ruitenbeek-Bart, is involved in the BACT-programme. In her ten-minute presentation, she presented the progress of her research to fellow PhD candidates, members of doctorate committees and to other Erasmus School of Law colleagues. Ruitenbeek's research focuses on the role of the tortfeasor in relational restoration in personal injury cases and will involve qualitative research among tortfeasors and liability insurers. The presentations were preceded by a speech by the Director of EGSL, Professor Klaus Heine and a key-note address given by Professor Kleis Broekhuizen, followed by a brief plenary discussion.

### The 'Our Land' vs. 'My Land' project. The Effects of Land Tenure Reforms on Trust, Cooperation and Conflictual Attitudes: an Experimental Investigation in Rural Benin.

Marco Fabbri's project investigates the issue of how legal and institutional changes affect beliefs and behavioural traits – such as trust, conflictual attitudes and cooperative behaviour – of the stakeholders affected. Understanding the effects of institutional changes on people's behaviour is an issue of primary importance and represents the current frontier of the literature. However, the complexity of our societal and institutional arrangements generally makes it impossible to identify these effects by simply observing the societies in which we live.

Marco Fabbri attempts to isolate the effects of institutions on people's beliefs and behavioural traits by conducting a series of laboratory experiments in a unique institutional environment. In Africa, customary land rights characterised by collectivistic property are predominant in rural areas. The project takes advantage of the first large-scale land rights reform implemented in rural Benin using a randomised-controlled procedure. A pool of villages was selected that shared a



customary land-rights regime and similar socio-economic characteristics. Then, in a randomly selected sub-sample of these villages, residents were given certificates of individual land ownership. The reform represents a major institutional change: certificates are legally recognised documents that confer presumption of ownership to the holder, making it possible to sell or use them as a collateral.

Between January and February 2017, Marco coordinated a team of researchers that visited 32 villages in various Benin provinces. In each of the villages, the laboratory setting was reproduced and well-known experimental games aimed at eliciting specific behavioural preferences were run. The research team collected experimental and survey data from a sample of 535 participants.

A comparison of the data collected between selected and non-selected villages sheds light on the behavioural effects of a shift from collectivistic informal toward individual formal property institutions. Results suggest that the reform had a sizeable impact on the behavioural outcomes considered. However, the direction of the effects observed is somehow puzzling since it does not corroborate existing theories.



### Empirical Legal Studies workshop

As part of the newly established collaboration between EUR, University of Amsterdam and Leiden University, and with the support of BACT, Elena Kantorowicz-Reznichenko organised the *Empirical Legal Studies Workshop (EUR-UvA-UL)* at EUR, held on 24 May 2017. She brought together scholars from different universities in the Netherlands. The purpose of this cooperation is to promote the field of empirical legal studies in the Netherlands and to introduce advances in research designs.

The workshop opened with keynote speaker Dr. Keren Weinshall from Hebrew University who gave a talk on *Empirical Insights into Judicial Decisions Making*. It was followed by five presentations of early-career scholars and a lively discussion. The wide range of papers presented demonstrated the variety of empirical methods that can be used to answer legal questions.



### International Workshop on Environmental Law and Economics: How to Govern the Commons?



Jing Liu, who previously worked for BACT as a postdoc researcher and who was appointed last year as associate professor of environmental law at Wuhan university, organised an international workshop on environmental law and economics at the Research Institute of Environmental Law (RIEL), held on 20 and 21 October 2017.

The aim of the conference was to explore what law and economics, and more broadly, social sciences, can offer environmental law in governing the commons. In order to achieve this goal, environmental lawyers and scholars from a range of other disciplines who work in China and abroad, were invited to present their research.

The workshop was also attended by students from the department. There were sessions on environmental regulation, welfare and innovation, limits of deterrence-based environmental enforcement, setting environmental standards, and the transition from government to governance in addressing common pool resource problems. For example, former EDLE students Lu Mengxing (currently at China University of Political Science and Law) presented a law and economic analysis of corporate environmental responsibility and Hu Weiqiang (currently at Ocean University of China) presented a paper on strict liability in environmental tort. Michael Faure and Jing Liu presented a paper (with Peter Mascini as co-author) on the contribution private actors can make to the proper function of property rights in addressing common pool resource problems. Peter Mascini also presented four perspectives on understanding the transition from government to governance in addressing externalities of economic activity.



Before the workshop both Michael Faure and Peter Mascini also gave a guest lecture to RIEL students. RIEL, and particularly Jing Liu, offered warm hospitality and great opportunities for exchanging ideas and broadening research networks.

### Empirical Legal Studies (EUR-UvA-UL) workshop

In light of its past success, and with the aim to strengthen the ELS community in the Netherlands, the third Empirical Legal Studies Workshop (EUR-UvA-UL) took place on 25 October 2017. This edition was held in The Hague and was led by the Leiden University partners Dr. Jaroslaw Kantorowicz and Prof. Madeleine Hosli, in cooperation with Erasmus University Rotterdam (Dr. Elena Kantorowicz-Reznichenko) and University of Amsterdam (Prof. Giuseppe Dari-Mattiacci).

The workshop hosted two inspiring keynote speakers: Prof. Giuseppe Dari-Mattiacci (UvA), who demonstrated how various quantitative methods can be applied to answer questions of law; and Prof. Tom Delreux (UC Louvain) who spoke about his work on Delegation and Informal Governance in EU Legislative Policy-making: Trilogue Negotiators as Loyal Agents?

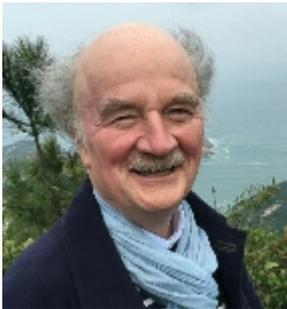


In addition, five early-career scholars presented very diversified and interesting work that utilises various qualitative and quantitative methods. Their presentations were followed by a stimulating discussion.

## Conferences

### VSR Annual Conference at Erasmus School of Law

On 19 and 20 January 2017, Erasmus School of Law hosted the annual conference of the VSR, the Association for the Social Scientific Study of the Law (*Vereniging voor de Sociaalwetenschappelijke bestudering van het Recht*). The theme of this year's conference was Empirical legal studies: fad, feud or fellowship? In this context, the conference sought to stimulate discussion on the relationship between empirical legal studies, socio-legal studies and legal research. The conference combined pioneering theoretical contributions, panel discussions and of course ample presentations of socio-legal research projects.



The conference commenced with a keynote lecture from Professor Hans-Wolfgang Micklitz (European University Institute). His lecture integrated a historical perspective on the origins of empirical approaches to law with a roadmap for its future, connecting empirical legal approaches to the grand challenges that face society and the world at large. The keynote lecture presented a compelling framework for the subsequent parallel sessions, in which a series of diverse research projects were presented on topics that include governance, judicial decision-making, assessment frameworks in law and empirical legal research methods. The discussion of the conference's theme was resumed in a spirited panel discussion in which Koen van Aeken (TU), Arno Akkermans (VU), Roland Eshuis (WODC), and Marijke Malsch (NSCR) all actively participated.

The conference featured several contributions from BACT's researchers. BACT director Peter Mascini was co-organiser of the conference and co-author of the project on discretion in the enforcement of occupational health and safety, presented by Karin van Wingerde. Marnix Hebly presented a quantitative and qualitative case law study (with Evelien Engelhard and Ilona van der Zalm) regarding the admissibility of so-called 'nervous shock claims' (*shockschade*) in criminal proceedings. BACT organised a session on apologies, which featured three experimental projects on the role, value and content of the apology in legal settings. Tessa Haesevoets presented research (with Chris Reinders Folmer and Alain van Hiel) on the effectiveness of economic compensation as a means of restoring competence and integrity-related violations. Chris Reinders Folmer presented a project (with Pieter Desmet and Willem van Boom) on victims' economic and relational needs after material or physical harm and the effectiveness of compensation and apology at redressing these harms. In conclusion, Chris presented a second project (with Peter Mascini and Joost Leunissen) examining the role of self-serving biases in understanding differences between the content that victims desire in an apology and the content of apologies provided by perpetrators.

### Colloquium on Judge Made Risk Regulation

On 9 and 10 February 2017, The Utrecht Centre for Accountability and Liability Law (Ucall) and BACT organised a two day colloquium on 'judge made risk regulation', financed by the Royal Netherlands Academy of Arts and Sciences (KNAW). This

colloquium started with the question of what is the potential and what are the limits of 'judge made risk regulation'? Central to the concept of judge made risk regulation is that the tort law system can generate norms and incentives that are not only relevant for the parties to the proceedings, but also for third parties. This means that the central question could also be formulated as: Does tort law adjudication provide an alternative risk regulatory instrument to governmental risk regulation? What the colloquium primarily made clear was how complex the answer to this question actually is.

First, what the role of tort law is, or ought to be for risk regulation, largely appears to be a matter of perspective or choice. For example, Marc Loth showed that it makes a fundamental difference whether one takes a national or transnational constitutional approach to tort law, a corrective or a distributive procedural approach, or a restraint or an activist attitude. Josephine van Zeven presented a law and economics perspective as an alternative to Marc Loth's legal normative evaluative framework. On the other hand, Liz Fisher made it clear that the role of law is embedded in legal tradition, for example, consisting of precedents, legal procedures, meta-regulations and constitutions. Matt Dyson showed that the rise of risk reasoning is not automatically compatible with the foundational concepts of private law (wrongfulness, fault, causation and damage/harm/loss). These three presentations suggested that there is an element of choice involved in what tort law is or ought to be for risk regulation, but it is a choice that is constrained by legal argumentation, shared legal premises and legal culture.



Secondly, several boundaries (e.g. between public and private law, individual and collective rights, perpetrators and victims and between facts and norms) are not sharp and fixed, but rather a matter of practice and therefore in constant flux. Maria Lee argued, for example, that science and law are mutually constitutive; law gives authority to scientific knowledge, while scientific knowledge legitimises judicial verdicts.

Thirdly, as Douglas Kysar showed, private law is part of a larger legal landscape. It both shapes this landscape and is shaped by it. Judge made risk regulation may have indirect effects such as making information available, problem articulation, norm amplification, intergovernmental signaling and legitimising action or inaction. This means that the legal and social contexts are inherently implicated in judge made risk regulation and this is also what makes it such a relevant phenomenon.

Fourthly, for example, Elbert de Jong made it clear that access to justice in the broadest sense and its unequal distribution are crucial for understanding the potential and limitations of judge made risk regulation. It is only when individuals or groups of actors decide to bring a case to court that judges can make a contribution to risk regulation, while the opportunities to bring a lawsuit are unequally distributed. Carl Cranor showed that the extent to which this is the case also depends on the structure of legal institutions, for example, rules of evidence and process barriers. He showed that in the US, the opportunities for ordinary people to challenge powerful actors have been constrained in recent years.

Finally, interest in the theme of the colloquium may not be accidental, but just how judge made risk regulation is to be understood as a sign of the times is a difficult to

answer. Of course, attention has been drawn to this theme because of high profile cases such as the Urgenda case. But perhaps a case like this signifies broader developments in public and private law's role in society. For instance, Alberto Alemanno who was on the programme but could not attend the colloquium, argued in a recent paper that the importance of experts and expertise in judge made risk regulation may be an indication of a trend whereby evidence-based requirements have become increasingly imposed on policy makers and judges alike. Jenny Steel talked about the rise of the ideas of uncertainty, the costs of security and the impact of these ideas on the distribution of responsibility for security in tort law. It became clear that the last word has not been said yet about how we are to understand judge made risk regulation as a sign of the times. And if we do, are we talking about general developments or, for example, do we have to take into account differences between common law and civil law countries?

The numerous different aspects and complexities involved in judge made risk regulation presented to the audience made the colloquium a very inspiring and enlightening event.

### Experiments at the Crossroads of Law and Economics Workshops

On 2 March 2017, the Erasmus School of Law (RILE) together with the Erasmus School of Economics organised a workshop on experiments in law and economics. This event was one of a series of bi-annual workshops that are meant to bring together legal and economics scholars who are interested in experimental research in the intersection of those two fields. Three speakers presented their work in this field: Jonathan Klick's (University of Pennsylvania Law School and ESL) 'The Role of Selection Bias in Estimated Racial Healthcare Disparities'; Job Harms' (ESE)- 'Free to



Help? An Experiment on Free Will Belief and Altruism'; and Elena Kantorowicz-Reznichenko's (ESL)-, 'Can Nudges Be Transparent and Yet Effective?' It was a very successful event with many participants, from both the law school and the school of economics. Their participation contributed to a lively discussion.

The second bi-annual workshop took place on 1 December and was organised by Dr. Elena Kantorowicz-Reznichenko, Prof. Christoph Engel (both ESL) and Prof. Robert Dur (ESE). Four interesting speakers – Dr. Anne Boring (ESE)-, Dr. Chris Reinders Folmer (ESL)-, Dr. Pieter Desmet (ESL)-, and Dr. Sergio Mittlaender (Max Planck Institute for Social Law and Social Policy, Munich) - presented their exciting experimental work on various legally relevant topics. Those topics included gender equality, policies of inclusiveness and the questions of compensation. The presentations were followed by a lively and stimulating discussion.



## Symposium 'Collectieve schadevergoedingsactie in perspectief'

On 1 November 2017, the conference 'Collectieve schadevergoedingsactie in perspectief' (Collective compensatory redress in perspective) took place in the Eye Filmmuseum in Amsterdam.

The conference was co-organised by Leiden University and Erasmus School of Law (Bart Krans, Siewert Lindenbergh and Ilja Tillema), and financially supported by *Stichting OCA*. The aim of the conference was to contribute to the Dutch debate on collective redress and focused on the legislative proposal on compensatory collective actions in civil proceedings (see *Kamerstukken II 2016/17, 34608*). The bill



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further extends the current collective action regulation by enabling representative organisations to bring a claim for damages on behalf of the aggrieved parties, such as Groningen citizens who have suffered damage because of the earthquakes. Such claims for damages are currently not possible in the Netherlands.

Daan Asser (Leiden University) chaired the conference and opened by discussing the outlines of the legislative proposal. Subsequently, a number of attorneys and academics discussed the bill from different perspectives: that of litigants, representative organisations, and judges. Pieter Huitema (De Haan Advocaten) and Jeroen Kortmann (Stibbe / University of Amsterdam) shared their experiences with the current system in practice, and discussed the advantages and disadvantages of the bill from the litigants' perspectives: that of the aggrieved parties and the defendants. Subsequently, Ianika Tzankova (Tilburg University) talked about representative organisations, professional litigation funders, and the high litigation costs and risks of collective actions. To ensure effective collective redress, she emphasised, entrepreneurial parties are a necessity. She additionally advocated balanced designs for costs sharing schemes and specific judicial training programmes. Ilja Tillema (Erasmus School of Law) discussed the role of the judge in assessing litigation costs and funding arrangements. She shed a comparative light on the proposal by discussing English experiences with entrepreneurial mass litigation, highlighting some 'incidents' that could serve as warning signals. Ton Hartlief (Supreme Court Advocate General / Maastricht University) then focused on the legislator's reserved yet ambitious perspective on judges. He argued, inter alia, that clear and/or clearer guidance is desirable for judges to deal with their increasingly complex task, such as assessing the various admissibility requirements and damage scheduling.

The conference concluded with a panel discussion featuring Paulien van der Grinten (Ministry of Justice and Security), Eddy Bauw (Utrecht University) and Albert Knigge (Houthoff), and chaired by Daan Asser. Several topics were discussed, including potential consequences of the bill on public interest litigation and the Dutch business climate. All in all, it was a successful conference with multiple very productive discussions.

## Research seminars and guest lectures

### BACT research seminars

In 2017, the following speakers held a seminar within our group:

Date	Speaker	Topic
7 Jan.	Laetitia Mulder	<i>The Effects of generally versus specifically formulated rules on compliance</i>
24 Feb.	Robert Dur	<i>Saliency of Law Enforcement: A Field Experiment</i>
17 Mar.	Marco Fabbri	<i>Our Land vs. My Land. Lab-in-the-field experiment in West Africa</i>
28 Apr.	Robert Knegt	<i>Working subjects and legal framings of labour relations</i>
8 May	Dan Esty	<i>From 20<sup>th</sup> Century Environmental Regulation to 21<sup>st</sup> Century Sustainability</i>
26 June	Sharon Oded & Dan Ariely	<i>The (Honest) Truth about Dishonesty</i>
29 Sept.	Erich Kirchler	<i>Tax Psychology: Audits, Fines and Trust</i>
16 Nov.	Xandra Kramer & Christoph Engel	<i>Perceived Access to Justice</i>
14 Dec.	Jantina Hiemstra	<i>Liability for defective medical devices</i>

## EDLE seminars

In 2017 the following EDLE-seminars took place:

12 Jan.	Steve Billion	<i>Stock Market Investing as a Current Consumption Activity and its Implications for Stock Market Regulation</i>
12 Jan.	Maria de Campos	<i>Nudging – Long-term effectiveness and viability</i>
2 Feb.	Maria Fernanda Caporale Madi	<i>Shadow Mergers and Acquisitions: A comparative study of the implication of outsourcing arrangements for merger control policies</i>
2 Feb.	Gemelee Hirang	<i>Non-Tariff Barriers and Regional Integration: A Study on the Strengths and Weaknesses of the ASEAN Economic Blueprint</i>
9 Feb.	Mostafa El Far	<i>International Economic Law and Domestic Legislations in MENA region: Egypt, Jordan and Morocco</i>
9 Feb.	Denard Veshi	<i>The European Management of Refugees' Movement</i>
2 Mar.	Renny Reyes	<i>Regulatory Governance Cycle: The Latin-American Developing Countries</i>
16 Mar.	Thiago Favrelle	<i>Judicial Efficiency</i>
22-24 Mar.		<i>EDLE Joint Seminar Maastricht</i>
12 Oct.	Yong-Fu Chang	<i>Economic Analysis of Constitutional Environmental Protection and Its Implementation</i>
26 Oct.	Eman Muhammad Rashwan	<i>The Impact of Political Transformations on Constitutional Reforms After Arab Spring; Case Study of Egypt and Tunisia</i>
2 Nov.	Kuan-Jung Peng	<i>Legal Issues with Financial Technologies</i>
2 Nov.	Kan-Hsueh Chiang	<i>Does Information Cost Lead to Medical Moral Hazard? – Evidence from Taiwan National Health Insurance</i>

16 Nov.	Joé Rieff	<i>Presentation: Social Identity and Centralization of Public Goods</i>
23 Nov.	Ayman Fouda	<i>Innovative healthcare &amp; regulations offered</i>
30 Nov.	Elena Ghibellini	<i>Bank Crises and State Aid</i>
30 Nov.	Eduardo Martino	<i>Bail-in Beyond Unpredictability. Creditors Incentives and Market Discipline.</i>
7 Dec.	Shu Li	<i>Rethinking Intellectual Property Law in the Age of Disruptive Technology: 3D Printing and Its Implications</i>
14 Dec.	Jian Jiang	<i>Vulnerabilities, Regulation and Cybersecurity</i>

## PhD Defences

### **Stephan Michel (EDLE), 19 January 2017**

*The Process of Constitution-making: A Law and Economics analysis*

Promotors: Prof. Stefan Voigt and Prof. Klaus Heine

### **Enmanuel Cedeño-Brea (EDLE), 2 March 2017**

*The Legal Structure of Commercial Banks and Financial Regulation – Does organizational form matter for the design of bank regulation?*

Promotors: Prof. Wolfgang Drobetz and Prof. Klaus Heine

### **Min Lin (EDLE), 30 March 2017**

*Law and Economics of Security Interests in Intellectual Property*

Promotors: Prof. Thomas Eger and Prof. Michael Faure

### **Maximilian Kerk (EDLE), 31 March 2017**

*Cooperation and Conflict: A Law and Economics Analysis of Meta-Organizations*

Promotors: Prof. Marco Casari and Prof. Klaus Heine

### **Miriam Buiten (EDLE), 8 June 2017**

*Harmonisation and the EU Internal Market: A Law and Economics Approach*

Promotors: Prof. Neil Rickman and Prof. Roger Van den Bergh

**Bo Yuan (ECLC), 29 September 2017**

*Foreign-related Commercial Dispute resolution in China: A focus on litigation and arbitration*

Promotors: Prof. Michael Faure and Prof. Yuwen Li

**Alina Onțanu, (RIPL), 2 November 2017**

*Cross-Border Debt Recovery in the EU. A Comparative and Empirical Study*

Promotors: Prof. Xandra Kramer and Prof. Christopher Hodges M.A., F.S.A.L.S

**Marco Baudino (EDLE), 30 November 2017**

*Urbanization and Growth: A Law and Economics analysis of migration patterns in the P.R of China*

Promotors: Dr. Alfredo Gaetano Minerva, Dr. Antonio Minniti and Prof. Klaus Heine

**Etleva Gjonca (EDLE), 30 November 2017**

*European Competition Policy in Financial Services: Rules and Empirical Insights*

Promotors: Prof. Elena Argentesi and Prof. Roger Van den Bergh

**Ahmed Arif (EDLE), 11 December 2017**

*Deciphering Securitisation and Covered Bonds Economic Analysis and Regulations*

Promotors: Prof. Alessio Paccas and Prof. Sergio Pastorello

**Giulia Barbanente (EDLE), 11 December 2017**

*The Relation between Large-Scale Land Acquisition and Rural Households: evidence from Ethiopia and Tanzania*

Promotors: Prof. Emma Aisbett and Prof. Michael Faure

## Awards, Distinctions and Other Evidence of Reputation

### Personal

#### **Caporale Madi, M.F.**

Maria won the prize for Best Poster Presentation at the New Year's Reception of Erasmus School of Law 2017.

#### **Engel, C.W.**

In 2017, Prof. Christoph Engel received an honorary doctorate from the Hebrew University of Jerusalem. The Hebrew University awards honorary degrees to persons who have distinguished themselves by academic or creative achievement, who have rendered outstanding service to the University, or whose activities have been of notable benefit to humanity, the State of Israel or the Jewish People.

#### **Heine, K.**

In 2017, Prof. Klaus Heine contributed to the VSNU project '*Digitale Samenleving*'. His main focus is on the influence of digitalisation on the judicial system. He discusses how new technologies, such as 3D printing, might affect legal rules, regulations and the fiscal system. On 23 November 2017, the VSNU presented the final report of the Digital Society Research Agenda during the VSNU-Impactfestival. The aim of this agenda is to give the Netherlands a leading international position in the field of people-oriented information technology and to find solutions to global challenges.

In 2017, Klaus contributed to the German '*Fachforum Autonome Systeme*'. On 20 March 2017 the *Fachforum* handed over its report on Autonomous Systems to Chancellor Merkel on the occasion of the Cebit in Hannover. Klaus is one of the researchers who worked on the draft of the report. The report is part of the German government's High-Tech Strategy. Germany's Federal Government launched the High-Tech Strategy in 2006, the first interdisciplinary German research and innovation policy strategy. As of 2018, Klaus is also a policy advisor in the Platform Learning Systems of the German government. The aim is to promote the design of learning systems for the benefit of individuals, society and the economy. The Platform Learning Systems will improve people's quality of life, strengthen good work performance, secure growth and prosperity and promote the sustainability of the economy, transport systems and energy supply.

#### **Leyens, P.C.**

Leyens, P.C. (2017). 1st place academic award, Deutsches Aktieninstitut, Awarded for a monograph on '*Informationsintermediäre des Kapitalmarkts*'.

#### **Onțanu, E.A.**

Nominated as a member of the European Commission Expert Group on Modernisation of Judicial Cooperation in Civil and Commercial Matters (December 2017).

#### **Scheltema, M.W.**

Martijn Scheltema has been appointed chair of the Dutch Garment Accord Complaint Mechanism at a meeting of the Dutch Social Economic Board in The Hague on 4 July. The Dutch Garment Accord Complaint Mechanism has jurisdiction

over complaints filed against signatories to the accord and its decisions are binding upon these signatories. If they do not comply with its decisions, this non-compliance may be addressed through arbitration at the Dutch Arbitration Institute. It is a unique mechanism as it has a global reach governing the signatories' behaviour. It also has a broad scope in terms of substance. It covers issues concerning labour conditions and occupational safety, freedom of association, human rights, environment and animal welfare.

***Swinnen, K.K.E.C.T.***

Koen Swinnen was awarded the prestigious TPR Research Chair 2017-18, which he will hold at the North-West University (Potchefstroom, South-Africa). He will be closely involved in Prof. Wian Erlank's Property Law teaching and will conduct comparative research on the 'clash' between Property Law and all kinds of new technologies (big data, e-books, bitcoins, online games, etc.).

***Tillema, I.***

Research mentioned by BNR ([www.bnr.nl/podcast/juridische-zaken /10330860/nederland-centrum-voor-massaclaims](http://www.bnr.nl/podcast/juridische-zaken/10330860/nederland-centrum-voor-massaclaims)).

## Grant Applications and Funding – Awarded

### Personal

***Caporale Madi, M.F.***

- Erasmus Flagship Initiative (€10,000) 2017
- Erasmus Trustfonds (€15,000) 2017
- Co-application for the organization of the first Erasmus Early-Career Scholars Conference, to be held on 11-13 April 2018
- ATLAS Agora Programme 2017  
Selected to participate with a scholarship for the ATLAS summer course at Queen Mary University of London, United Kingdom.

***Desmet, P.M.***

- Grant for the project: 'Long-term Effectiveness of Nudges: an Experimental Investigation' (€2,982), Behavioural Approaches to Tort and Contract (BACT) research programme and the Innovation Programme, Erasmus School of Law, Erasmus University Rotterdam, The Netherlands. A joint project with Maria Campos and Elena Kantorowicz-Reznichenko (Erasmus University Rotterdam).
- Erasmus Graduate School of Law Open Competition (2017): funded four-year PhD project for candidate Ms. Sarah van Os (€178,000). Co-supervisor (with prof. H.N. Schelhaas and Dr. C.W Reinders Folmer).

***Dominioni, G.***

- June 2017: Erasmus Trustfund Grant for visiting research period at Cornell Law School (coverage 40%).

***Engelhard, E.***

- September 2017: Grant for PhD-project to cover expenses for research on the 'Michigan Model' (a model for settling medical liability claims) in Detroit (€ 3,300), Personenschade Instituut Verzekeraars (PIV).

***Kantorowicz-Reznichenko, E.***

- Grant for the project 'Perceived Risk of Terrorism and its Implications for (Counter-Terrorism) Communication Strategies' (€30,000), Leiden-Delft-Erasmus Strategic Alliance, the Centre for Safety and Security (LDE-CSS). A Principal investigator in a joint project with Dr. Gerdien de Vries (Delft University of Technology), and Dr. Jaroslaw Kantorowicz (Leiden University).
- Grant for the project: 'Is there a Trade-off between Nudges' Transparency and their Effectiveness?' (€5,200), Institute for Research in Economic and Fiscal Issues, France.
- Grant for the project: 'Long-term Effectiveness of Nudges: an Experimental Investigation' (€2,982), Behavioural Approaches to Tort and Contract (BACT) research programme and the Innovation Programme, Erasmus School of Law, Erasmus University Rotterdam, The Netherlands. A joint project with Maria de Campos and Pieter Desmet (Erasmus University Rotterdam).

***Kramer, X.E.***

- Action grant European Commission (JUST-AG-2016-02) 'Informed Choices in Cross-Border Enforcement', consortium partner, in collaboration with a number of institutions including the Max Planck Institute on Procedural Law Luxembourg and Freiburg University (total amount €975,886)

***Mascini, P.***

- Grant WODC 'Evaluatie van de Wet hervorming herziening ten voordele' of which Joost Nan and Nina Holvast are the main applicants and project leaders and in which Peter Mascini is involved as consultant (€67,000).

***Reinders Folmer, C.P.***

- Erasmus Graduate School of Law Open Competition (2017): funded four-year PhD project for candidate Ms. Sarah van Os (€178,000). Co-supervisor (with prof. H.N. Schelhaas and Dr. P.T.M. Desmet).

***Schelhaas, H.N.***

- Erasmus Graduate School of Law Open Competition (2017): funded four-year PhD project for candidate Ms. Sarah van Os (€178,000). Co-supervisor (with dr. C.P. Reinders Folmer and Dr. P.T.M. Desmet).

## Scientific publications

In this section, we list the main publications in 2017 of our researchers. Minor publications, editorials, and case notes are omitted.

	Scientific publications	Professional publications*	Total
3.76 FTE Professor	93	28	121
1.49 FTE UD/ UHD	7	4	11
15.28 FTE PhD	12	11	23
<b>Total</b>	<b>107</b>	<b>48</b>	<b>155</b>

\* Professional publications are listed under 'ValoriSation'.

### **Biard, A.P.G.C.F.**

- Biard, A. & Alemanno A. (2017). *L'enseignement clinique du Droit: une réponse aux nouveaux défis de nos sociétés*. La Semaine Juridique – édition générale, no 21.

### **Buiten, M.**

- Heine, K. & Senftleben, M.R.F. & Kerk, M. & Buiten, M.C. (2017). *New Rights or New Business Models? An Inquiry into the Future of Publishing in the Digital Era*. International review of intellectual property and competition law (print), 48 (5), 538-561. doi: <https://doi.org/10.1007/s40319-017-0605-y>.
- Heine, K. & Senftleben, M.R.F. & Kerk, M., Buiten, M.C. & Lachman, N. (2017). *Nieuwe rechten voor nieuwe businessmodellen in de uitgeefsector*. Informatierecht AML. Tijdschrift voor Auteurs-, Media- en Informatierecht, 2017 (1), 5-15.

### **Caporale Madi, M.F.**

- Caporale Madi, M.F. (2017). *'Transaction Cost Economies and Governance Structures: rethinking Williamson's approach to market failures'*. In: M.A. Madi; M. Kennet & K. Bellord (Ed.) Values, Valuation and Valuing. The Green Economics Institute Publishing House.

### **De Mot, J.P.B.**

- Dalla Pelligrina, L. & Mot, J. de & Faure, M.G. & Garoupa, N. (2017). *Litigating Federalism: An Empirical Analysis of Decisions of the Belgian Constitutional Court*. European Constitutional Law Review, 13 (2), 305-346. doi: <https://doi.org/10.1017/S1574019617000050>.
- Mot, J.P.B. de & Faure, M.G. & Visscher, L.T. (2017). *TPF and its alternatives: An economic approach*. In: W.H. van Boom (Ed.), Litigation, costs, funding and behaviour: Implications for the law (pp. 31-54). London/New York: Routledge.

### **Dominioni, G.**

- Dominioni G. & Marasco A. & Romano A. (2017). *A Mathematical Approach to Racial Groups Interactions: Deterministic Modeling and Scenario Method*. Quality & Quantity.
- Dominioni G. & Romano A. (2017). *Trial (Implicit Biases)*. The Encyclopaedia of Law and Economics, Springer.

### **Engel, C.W.**

- Engel, C. & Chmura, T. & Englerth, M. (2017). *At the Mercy of a Prisoner. Three Dictator Experiments*. Applied Economics Letters 24 (2017) 774-778.

- Engel, C. (2017). *The Hidden Cost of Compensation*. Journal of Institutional and Theoretical Economics 173 (2017) 106-109.
- Engel, C. & Heine, K. *The Dark Side of Price Cap Regulation. A Lab Experiment*. in: Public Choice 173 (2017) 217-240.
- Engel, C.W. & Zhurakhovska, L. (2017). *You Are In Charge. Experimentally Testing the Motivating Power of Holding a (Judicial) Office*. Journal of Legal Studies, 2017 (46), 1-50. doi: <http://dx.doi.org/10.2139/ssrn.2214525>.
- Buijze, R. & Engel, C. & Hemels, S. *Insuring your Donation. An Experiment*, in: Journal of Empirical Legal Studies 14 (2017) 858-885.

#### **Enneking, L.F.H.**

- Enneking L.F.H. (2017). *Paying the price for socially irresponsible business practices? – Corporate liability for violations of human rights and the environment abroad*. Aktuelle Juristische Praxis 2017/8, 988-997 [special issue of this Swiss legal journal on Business & Human rights.

#### **Fabbri, M.**

- Fabbri, M. & Carbonara, E. (2017) '*Social Influence on Third-Party Punishment: an Experiment*.' Journal of Economic Psychology, 62: 204-230.
- Fabbri, M. & Gerard, D. (2017) '*Distributive Justice and the Comparison of Legal Rules: Quantify the Price of Equity*' (with Diogo Gerard). Review of Law & Economics. <https://doi.org/10.1515/rle-2016-0005>.

#### **Faure, M.G.**

- Faure, M. (2017). *Harmonisation of private law in Europe*. In: J. Klick (Ed.), *The law and economics of federalism*. (pp. 30-54). Cheltenham: Edward Elgar Publishing. <http://dx.doi.org/10.4337/9781786433602>.
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- Hebly, M.R. case note Gerechtshof 's-Hertogenbosch 21 February 2017, ECLI:NL:GHSHE:2017:584, *Jurisprudentie Aansprakelijkheid* 2017/58 (Verjaring, Doorbreking, Verborgene schade).
- Hebly, M.R. case note Hoge Raad 10 February 2017, ECLI:NL:HR:2017:208, *Jurisprudentie Aansprakelijkheid* 2017/56 (Abstracte schadevaststelling, Schadebegroting, Total loss).

#### **Verweij-Hoogendijk, J.H.G.**

- Verweij - Hoogendijk, J.H.G. (2017). Noot bij: Rechtbank Den Haag 25 January, 2017-42. ECLI:NL:RBDHA:2017:587.

#### **Kolacz, M.K.**

- Kolacz, M.K. & Verheyen, W. (2017). *Horizontale samenwerking in de logistiek*. Weg en wagen: een visie op het nationaal en internationaal wegvervoerrecht, 31 (81), 16-22.

#### **Kramer, X.E.**

- Kramer, X.E. (2017). *Legal Aid*. In J. Basedow, G. Rühl, F. Ferrari & P.A. de Miguel Asensio (Eds.), *Encyclopedia of Private International Law* (pp. 1089-1094). Cheltenham: Edward Elgar.
- Kramer, X.E., *'Editorial: NIPR: on Dutch, European and global PIL'*, NIPR 2017-3, p. 409-410.
- October 2017: Blogpost for Conflict of Laws on "Dutch collective redress dangerous? A call for a more nuanced approach".
- 10 October 2017: Opinion in Het Financieel Dagblad on the Netherlands Commercial Court ("Commercial Court" is uitkomst voor complexe internationale handelszaken", together with Prof. Eddy Bauw).

### **Lindenbergh, S.D.**

- Lindenbergh, S.D., case note Dutch Supreme Court 27 September 2016, *NJ* 2017/88.
- Lindenbergh, S.D., case note Dutch Supreme Court 4 October 2016, *NJ* 2017/89.
- Lindenbergh, S.D., case note Dutch Supreme Court 8 July 2016, *NJ* 2017/112
- Lindenbergh, S.D., case note Dutch Supreme Court 25 November 2016, *NJ* 2017/113
- Lindenbergh, S.D., case note Dutch Supreme Court 23 December 2016, *NJ* 2017/133
- Lindenbergh, S.D., case note Dutch Supreme Court 10 February 2017, *NJ* 2017/134
- Lindenbergh, S.D., case note Dutch Supreme Court 24 June 2016, *NJ* 2017/139
- Lindenbergh, S.D., case note Dutch Supreme Court 14 February 2017, *NJ* 2017/140
- Lindenbergh, S.D., case note Dutch Supreme Court 8 July 2016, *NJ* 2017/262
- Lindenbergh, S.D., case note bHvJEU 20 September 2016, *NJ* 2017/349.

### **Onțanu, E.A.**

- Onțanu, E.A., Velicogna, M. & Contini, F. (2017). *Something Good? In Search of New Practices to Improve the Quality of Justice in EU*. Bologna: IRSIG - CNR Bologna.
- Contini, F., Onțanu, E.A. & Carnevali, D. (2017). *Handle with Care: Assessing and Designing Methods for Evaluation and Development of the Quality of Justice*. Bologna: IRSIG - CNR Bologna.
- Contini, F., Onțanu, E.A. & Carnevali, D. (2017). 'The common research methodology for the analysis of the quality of justice at national level', in F. Contini (ed.), *Handle with Care: Assessing and Designing Methods for Evaluation and Development of the Quality of Justice*, (available at [www.lut.fi/hwc](http://www.lut.fi/hwc)).

### **Paccès, A.M.**

- Paccès, A.M. & Nabilou, H. (2017). *Law and Economics Shadow Banking*. (blog). Faculty of Law, University of Oxford. (available: 16 Mar 2017).
- Paccès, A.M. (2017). 'Law and Economics of Hedge Fund Activism', in *Ethical Boardroom*, (108-110).

### **Ruitenbeek-Bart, F.M.**

- Ruitenbeek - Bart, F.M. (2017). Noot bij: Regionaal Tuchtcollege voor de Gezondheidszorg Amsterdam. (4 July 2017), *Tijdschrift voor Gezondheidsrecht* 2017-8, (Uitspraken over tuchtrechtelijke aansprakelijkheid voor schadeafwikkeling door aansprakelijkheidsverzekeraars). p.668-687. ECLI:NL:TGZRAMS:2017:77-ECLI:NL:TGZRAMS:2017:78.
- Ruitenbeek-Bart, F.M., Case Note Court of Appeal The Hague 4 July 2017, *Jurisprudentie Aansprakelijkheidsrecht* 2017/127.
- Ruitenbeek-Bart, F.M. 'De verhaalspositie van de WAM-verzekeraar bij hoofdelijke medeaansprakelijkheid van zijn verzekerde; zelfstandig of afhankelijk?' *Tijdschrift voor Vergoeding Personenschade* 2017, p. 88-92.

### **Schelhaas, H.N.**

- Schelhaas, H.N. (2017). 'Een vierluik over onbevoegde vertegenwoordiging', *AA* 6, p. 508-515.
- Schelhaas, H.N. Case note Supreme Court 25 November 2016 (Condor-case), *Tijdschrift Ondernemingsrecht* 2017/10-11, p. 498-502
- Schelhaas, H.N & Stam, J.K. (2017). *Rechtsvraag Commercieel contractenrecht*, *Ars Aequi* 4, p. 348.

- Schelhaas, H.N. (2017). *Bewerking art. 6:91 tot en met 6:94*. In: R.J.Q. Klomp & H.N. Schelhaas (red.), *Groene serie Verbintenissenrecht*, Deventer: Wolters Kluwer.
- General Editor of a Comparative Case Note Issue in the *European Review of Private Law* 2017/1, p. 169-272
- Schelhaas, H.N. & Stam, J.K. (2017). (Br)exit? Beantwoording rechtsvraag (347). *Ars Aequi*, 12, 1029-1033.
- Schelhaas, H.N. (2017). *De markt op met de Nederlandse rechtsorde*. *Nederlands Tijdschrift voor Burgerlijk Recht (NTBR)*, 3, 73-75.

#### **Schreuder, A.I.**

- Schreuder, A.I. (2017). Noot bij: Hof Amsterdam. (15 November 2016), Ja 2017-2. ECLI:NL:GHAMS:2016:4635.
- Schreuder, A.I. (2017). '*Schuld en schadevergoeding*', *Maandblad voor Vermogensrecht* p. 236-242.

#### **Stam, J.K.**

- Schelhaas, H.N. & Stam, J.K. (2017). (Br)exit? Beantwoording rechtsvraag (347). *Ars Aequi*, 2017 (12), 1029-1033.
- Schelhaas, H.N. & Stam, J.K. (2017). Rechtsvraag Commercieel Contractenrecht. *Ars Aequi*, 2017 (4), 348.

#### **Van der Zalm, I.**

- Zalm, I. van der (2017). Noot bij: Rechtbank Den Haag. (7 December 2016) Ja 2017-2, (Annotatie bij Rechtbank Den Haag 7 December 2016, ECLI:NL:RBDHA:2016:15321 [Overlijdensschade. Vaststellen schadevergoeding. Derving van levensonderhoud.]). ECLI:NL:RBDHA:2016:15321.

#### **Visscher, L.T.**

- Kerkmeester, H.O. & Visscher, L.T. (2017). Rechtseconomie. *Ars Aequi KwartaalSignaal*, 2017 (145), 8526-8527.
- Kerkmeester, H.O. & Visscher, L.T. (2017). Rechtseconomie. *Ars Aequi KwartaalSignaal*, 2017 (143), 8387-8388.

#### **Westrik, R.**

- Westrik, R. *De rechter en verborgen privaatrecht*, *TREMA*, September 2017, jaargang 40/7, p. 251-255.

## Lectures, presentations and contributions to the academic forum

### **Biard, A.P.G.C.F.**

- 11 July 2017: Blogpost for Conflict of Laws on 'Mandatory Mediation Procedures v Effective Access to Courts: CJEU Sets Down Criteria'.
- 3 October 2017: Blogpost for Conflict of Laws on 'Dutch collective redress dangerous? A call for a more nuanced approach'.
- 12 October 2017: Presentation at the ERA Annual Conference on Consumer Law on the Recommendation of the European Commission on Collective Redress, European Law Academy, Trier, Germany.
- 15 December 2017: E.M. van Gelder & A. Biard, Functioning of the ODR Platform: EU Commission Publishes First Results, [conflictolaws.net](http://conflictolaws.net).

### **Billion, S.**

- 24 May 2017: Presentation of the results of his online experiment at the 'Empirical Legal Studies Workshop' in Rotterdam.

### **Caporale Madi, M.F.**

- March 2017: 'Women @ Competition Conference: Contemporary Competition Developments', Brussels.
- May 2017: Conference 'Online Markets and Offline Welfare Effects', University of Oxford.
- June 2017: 'ASCOLA (Academic Society for Competition Law) Conference 2017', University of Stockholm.
- June 2017: 'Inaugural Conference of the Association of Transnational Law Schools', Queen Mary University of London.
- June 2017: 'Competition Assessment in developing countries: Policy challenges after the global crises'. World Economic Association Online Conference.
- June 2017: 'Shadow mergers and acquisitions: collaborative agreements and the challenges for antitrust policies in Brazil'. ATLAS Annual Conference. Queen Mary University.
- June 2017: 'Competition Assessment in developing countries: Policy challenges after the global crises'. World Economic Association Online Conference.
- September 2017: 'Antitrust enforcement of commercial agreements: a comparative approach'. Maastricht University (NL): METRO Seminars.
- September 2017: 'Antitrust enforcement of commercial agreements: a comparative approach'. Erasmus University Rotterdam: EDLE Seminar – Introductory Lecture.
- September 2017: Competition Law Scholars Forum, at University of Amsterdam.
- October 2017: 'Antitrust enforcement of commercial agreements: a comparative approach'. Instituto Empresa (IE) in Madrid (Spain): Research Seminar on Competition Law.
- November 2017: 'Commercial agreements in the digital market and the challenges to antitrust enforcement'. Mackenzie University in Sao Paulo (Brazil). International Conference on 'Competition and Innovation'.
- November 2017: 'Antitrust enforcement of commercial agreements in Brazil as an Interest-Driven Process'. University of Bologna: EDLE Seminar.

### ***Desmet, P.***

- Pieter Desmet has been invited to write a monthly column on Behavioural Insights for nrc.nl. His most recent column, on power and power abuse can be found here: <https://www.nrc.nl/nieuws/2017/11/21/wie-blind-eeen-autoriteit-volgt-krijgt-eeen-verkeerd-beeld-van-macht-a1581932>. His first column, on the behavioural effects of poverty, can be found here: <https://www.nrc.nl/nieuws/2017/10/17/doorbreek-de-armoedecyclus-met-wetenschap-a1577588>.
- 1 December 2017: Reinders Folmer, C.P., Desmet, P.T.M., & Van Boom, W. (2017). It's not about the money? Victim needs and their restoration through financial and relational compensation in physical and material harm. Presentation (by Chris) at the workshop Experiments at the Crossroads of Law and Economics at Erasmus University Rotterdam, the Netherlands.
- 1 December 2017: Desmet, P.T.M., Gerhards, L., & Weber, F. Compensation is Fine: The Willingness to pay Compensation vs. fines. Presentation (by Pieter) at the workshop Experiments at the Crossroads of Law and Economics at Erasmus University Rotterdam, the Netherlands.

### ***Dominioni, G.***

- 2 March 2017: tutor of the undergraduate-level course 'Behavioural Approaches to Private Law' for the academic track Social & Behavioural Sciences of Erasmus University College.
- 26 April 2017: Presentation at the 'EGSL Lunch Lecture' on 'Gender/Race Based Statistical Tables in European Tort Trials: A Comparative/Behavioural Perspective'.
- 11 May 2017: Presentation at the 'EDLE Seminar' on 'Gender/Race Based Statistical Tables in European Tort Trials: A Comparative/Behavioural Perspective'.
- 24 May 2017: Invited to 'Innovate4Climate Conference' – CPLC shipping workshop (organised by the World Bank Group, Barcelona).
- September 2017: Presentation World Bank Group BBL Seminar hosted by the Climate Change Group and Transport GP, World Bank Group, Washington D.C., (USA) paper: Regional Carbon Pricing for International Maritime Transport: Challenges and Opportunities for Global Geographical Coverage.
- October 2017: Blog post published by Carbon Pricing Leadership Coalition: Dominioni G., Enhancing Carbon Emissions Mitigation through Behavioural Insights: Some Thoughts from the Carbon Forum North America 2017: <https://www.carbonpricingleadership.org/blogs/2017/11/1/enhancing-carbon-emissions-mitigation-through-behavioural-insights-some-thoughts-from-the-carbon-forum-north-america-2017>.
- October 2017: Discussant – 12th Annual Conference on Empirical Legal Studies, Cornell Law School, Ithaca, (USA).
- October 2017: Presentation – 12th Annual Conference on Empirical Legal Studies, Cornell Law School, Ithaca, (USA) paper: The Fundamental Attribution Error in Trial Settings: Situational and Contextual Determinants.
- November 2017: Presentation - The Berger International Speaker Series, Cornell Law School, Ithaca, (USA) paper: Inter-Institutional Trust Interactions Across European Countries.
- August – December 2017: Visiting researcher Cornell Law School (sponsored by Professor Jeff Rachlinski), Ithaca (USA).
- July – August 2017: Intern, World Bank Group, Carbon Markets and Innovation Unit, Washington D.C. (USA).

- December 2017: Consultant, World Bank Group, Macro & Fiscal Management Unit, Washington D.C. (USA).

***Engel, C.W.***

- March 2: (Co)organised the bi-annual Workshop on Experiments at the Crossroads of Law and Economics (together with Professor Robert Dur from ESE and Elena Kantorowicz-Reznichenko from ESL).
- 15 May 2017: Presentation at the Max Planck Institute for Research on Collective Goods of the new project 'Perceived Access to Justice' (together with X.E. Kramer).
- 16 November 2017: Presentation at the Erasmus School of Law of the vignette study on how laypeople navigate the maze of the law, together with X.E. Kramer.

***Enneking, L.F.H.***

- 29 June 2017: several appearances in media regarding the law suit filed against Shell by the Nigerian widows, regarding violations of human rights by the Nigerian military regime mid '90 (Broadcast BNR Nieuwsradio and article in NRC).
- 17 July 2017: participated in meeting of the Dutch Ministry of Foreign Affairs with a Chilean delegation regarding human rights and corporate social responsibility.
- 26 September and 3 October 2017: participated in PhD defence by Lieselot Verdonck on 'The international legal framework on Business and Human Rights and its domestic operationalisation - Strategic litigation on mining and a healthy environment in South Africa' at Gent University.
- 10 October 2017: interview for Business News Radio on American SLAPP-suit against Greenpeace (with Tess van der Linden).
- 8 November 2017: Dies Natalis Pop up Lecture in the centre of Rotterdam ('Kun je nog wel onbezorgd shoppen?').
- 24 November 2017: Organised workshop on 'legal aspects of international corporate social responsibility', including a presentation on 'legal aspects of international corporate social responsibility: the journey so far and the road ahead'.

***Fabbri, M.***

- Jan 2017 – March 2017: Research project in West Africa, two months of fieldwork, successfully completed.
- Jan 2017: referee for International Review of Law and Economics.
- Jan 2017: referee for Public Finance Archive.
- Feb 2017: article 'Ride Your Luck! Lotteries Against Free-Riding: a Field Experiment' (principal investigator, with Maria Bigoni and Paolo Barbieri) revised and resubmitted at Management Science.
- March 2017: presentation at Erasmus Statistic Day research project 'Our Land vs. My Land. Lab-in-the-field experiment in West Africa'.
- April 2017: Presentation at HEIRS Conference Rome, LUMSA University on 'How Institutions Shape Culture'.
- May 2017: Presentation of paper 'The Role Model Effect: field and survey-experimental evidence' (with Sven Hoeppe) presented at the American Law and Economics annual conference (Yale Law school).
- 14 September 2017: Paper presentation 'The Risk of Dancing in the Dark: Towards a 'constitution' for Behavioural Policy-making', (with Michael Faure), EALE London.

- 25 October 2017: Paper presentation 'How Institutions Shape Preferences' at the "Empirical Legal Studies Workshop" (EUR- UvA-UL Network). Leiden University,

**Faure, M.G.**

- 21 April 2017: Chair at 16<sup>th</sup> Annual conference on European Tort Law, Vienna, Austria.
- 22 May 2017: Lecture on "Limits and Challenges of Criminal Justice Systems in Addressing Environmental Crime", University of Vienna, Austria.
- 1 June 2017: Visit to Central University of Finance and Economics (CUFE), Beijing China.
- 14 September 2017: Paper presentation 'The Risk of Dancing in the Dark: Towards a 'constitution' for Behavioural Policy-making', (with Marco Fabbri), EALE London.
- 15 September 2017: Paper presentation 'Data Breach Notification Laws: Carrots, Sticks and Thresholds' (with Bernold Nieuwesteeg), EALE London.
- 19 September 2017: Paper presentation 'Smart Mix against Unsustainable Tropical Logging: Towards an Integrated Approach' (with Chih-Ching Lan), at the IUFRO 125th Anniversary Conference, Freiburg-im-Breisgau, Germany.
- 6 October 2017: Lecture on 'Which Instruments to remedy Historical Pollution? A Law and Economics Perspective', at the Conference 'The Problem of Historical Pollution: Looking for Remedies in the Italian Legal System', at the University Catholica del Sacro Cuore, Milano, Italy.
- 16 October 2017: Lecture on 'Economic Analysis of Environmental Law and Policy' at the Research Institute of Environmental Law at Wuhan University China.
- 17 October 2017: Lecture on 'Investor-state Arbitration: A Law and Economics Perspective' at the Conference 'Reforming the Investor-state Dispute Settlement System: EU and Chinese Perspectives' at Wuhan University China.
- 21 October 2017: Paper presentation 'Private Certification Matters, also for the Protection of Property Rights: the Case of Fisheries' with Liu Jing and Peter Mascini, at the International Workshop on Environmental Law and Economics: How to Govern the Commons? at Wuhan University School of Law, China.

**Hebly, M.R.**

- Marnix Hebly is now member of the editorial office of the journal *Letsel & Schade*.
- 19 January 2017: 'De shockschadevordering en het strafproces', Workshop Jaarcongres Vereniging voor de Sociaalwetenschappelijke bestudering van het Recht (VSR) 2017, Rotterdam, the Netherlands.
- 8 February 2017: 'Tort law and the law of damages (introduction)', Behavioural Approaches to Private Law, Erasmus University College, Rotterdam, the Netherlands.
- 15 February 2017: 'Loss assessment and time', Erasmus Graduate School of Law (EGSL) PhD lunch lecture.
- 4 July 2017: lunch lecture on 'Loss assessment and time', Houthoff Buruma, Amsterdam, The Netherlands.
- 17 July 2017: participated in a working group on the application of prescription rules in asbestos cases, Institute for Asbestos Victims, The Hague, The Netherlands.
- 18 September 2017: Lecture Minor Dood en Letsel 'Asbest, aansprakelijkheid en verjaring, Erasmus School of Law.

- 15 December 2017: '*Een 'gratis' telefoon of een transparante markt voor mobiele telefonie?*', Seminar Privaatrecht in Werking (master course Erasmus School of Law)

**Heine, K.**

- 22 June 2017: Presentation 'The Legal Challenges of Industry 4.0: The Iconic Case of 3D-printing' at the Inaugural Conference of the Association of Transnational Law Schools (ATLAS), Queen Mary University, London.
- 3-6 September, 2017: Shaheen Naseer and Klaus Heine presented the paper 'Bureaucratic Identity and the Shape of the Public Policy: A Game Theoretical Analysis' at The Verein für Socialpolitik Annual Conference 2017: 'Alternative Structures for Money and Banking', which took place at the University of Vienna.

**Hoevenaars, J.**

- 22 November 2017: Presentation at the Erasmus-Queen Mary Dialogues meeting on the ERC project, Queen Mary University London.

**Kantorowicz-Reznichenko, E.**

- 2 March 2017: Presentation '*Can Nudges be Transparent and Yet Effective?*' at the Workshop on Experiments at the Crossroads of Law and Economics (ESE and ESL)
- 2 March 2017: (Co)organised the bi-annual Workshop on Experiments at the Crossroads of Law and Economics (together with Professor Robert Dur from ESE and Professor Christoph Engel from ESL and Max Planck Institute in Bonn).
- Referee for the *Review of Law and Economics*.
- External expert consultant in a project of the Israeli Ministry of Finance on alternative sanctions to imprisonment.
- 15 September 2017: 'Income-Dependent Punitive Damages', 34th Annual Conference of the European Association of Law and Economics (EALE), London, UK.
- 18 September 2017, Topical Seminar "Publication Strategies" for ESL PhD candidates.
- 22 October 2017: Invited Speaker in an Expert Panel on Empirical Legal Studies, The Empirical Legal Research Starters Kit Workshop, Maastricht University, The Netherlands.
- 25 October 2017: Co-organisation of the third Empirical Legal Studies Workshop (EUR-UvA-UL), University of Leiden, The Hague campus.
- 26 October 2017: 'Economics of Regulation', Guest Lecture, Master in International Relations and Diplomacy (MIRD), Leiden University, the Netherlands.
- November-December: teaching the course 'Public Law and Economics' in the European Master in Law and Economics.
- 1 December 2017: Jointly organised the 'Experimental Law and Economics Bi-Annual Workshop' (Erasmus School of Law and Erasmus School of Economics, Erasmus University Rotterdam).

**Klick, J.M.**

- February 2017: George Mason University, Philosophy, Politics, and Economics Workshop.
- February 2017: UCLA, Law and Economics Workshop.
- March 2017: Villanova University Law School Workshop.

- March 2017: Erasmus University Rotterdam, Experiments at the Crossroads of Law and Economics.
- June 2017: Conference on Empirical Legal Studies Asia, Advanced Empirical Methods.
- June 2017: Journal of Institutional and Theoretical Economics Conference.
- September 2017: Penn Law Faculty Workshop.
- October 2017: The Distribution of Regulatory Impacts in the US, Penn Program on Regulation.
- October 2017: Health Disparities in Medicare Bundled Payments, Bloomberg Government.
- November 2017: Washington & Lee Journal of Civil Rights and Social Justice Symposium.

***Kramer, X.E.***

- 5-7 April 2017: Presentation at the Joint meeting ELI-Unidroit of the Horizontal working group on structure, Rome, Italy.
- 15 May 2017: Presentation at the Max Planck Institute for Research on Collective Goods of the new project 'Perceived Access to Justice' (together with Prof. dr. Christoph Engel), Max Planck Institute for Research on Collective Goods, Bonn, Germany.
- 23 June 2017: Presentation at the Wiesbaden Conference 'Digital Single Market: Bausteine Eines Digitalen Binnenmarktes' on 'Digitalization at full speed: Innovating justice in the Netherlands', EBS Law School, Wiesbaden, Germany.
- 7 September 2017: Presentation at the ELI Annual Conference on the progress of the ELI-UNIDROIT joint project 'European Rules of Civil Procedure', Vienna, Austria.
- 19 September 2017: Workshop at the Inhouse workshop of Stadermann Luiten on international tort and contract law, Stadermann Luiten, Rotterdam.
- 21 September 2017: Presentation at the BACT annual meeting, introduction ERC project 'Building access to justice'.
- October 2017: Blogpost for Conflict of Laws on 'Dutch collective redress dangerous? A call for a more nuanced approach'.
- 10 October 2017: Opinion in Het Financieele Dagblad on the Netherlands Commercial Court ('Commercial Court' is uitkomst voor complexe internationale handelszaken', together with Prof. Eddy Bauw).
- 12 October 2017: Presentation at the ERA Annual Conference on Consumer Law on Dutch collective settlements and the pending bill on collective compensatory actions, European Law Academy, Trier, Germany.
- 14 October 2017: Lecture and workshop at the Eurojuris Meeting Litigation & Contracts on new developments in the area of international commercial litigation and ADR in Europe and consequences of Brexit for international litigation in Europe, Brussels, Belgium.
- 16 November 2017: Presentation at the Erasmus School of Law of the vignette study on how laypeople navigate the maze of the law, together with Christoph Engel.
- 16-17 November 2017: Presentation at the Joint meeting ELI-Unidroit of the first consolidated draft of the European rules of civil procedure, Vienna, Austria.
- 22 November 2017: Presentation at the Erasmus-Queen Mary Dialogues meeting of the ERC project, Queen Mary University London.

- 24 November 2017: Workshop at the Ius Commune Annual Conference on 'Civil Procedure: KEI and eJustice', Aristo Utrecht, the Netherlands.
- Reviewer European Law Review.
- Reviewer Utrecht Law Review.
- Reviewer Informatics.
- Expert Evaluator directorship Max Planck Institute Hamburg.
- Expert Evaluator University of Macau, China.
- 2017: Member LDE Leading Fellows Panel.
- 2017-2018: Member NWO Vidi Committee.

### ***Lan, Chih-Ching***

- 19 September 2017: Paper presentation 'Smart Mix against Unsustainable Tropical Logging: Towards an Integrated Approach' (with Michael Faure), at the IUFRO 125th Anniversary Conference, Freiburg-im-Breisgau, Germany.

### ***Leyens, P.C.***

- 2<sup>nd</sup> trimester 2016/2017: Corporate Law and Economics, Erasmus University Rotterdam, School of Law, European Master in Law and Economics, 2 hours/week.
- 19 January 2017: Die unionsrechtliche Haftung von Ratingagenturen nach Art. 35a VO (EU) 462/2013, Universität Erfurt.
- 19 January 2017: Die bürgerlich-rechtliche Expertenhaftung zwischen Vertrag und Delikt, Universität Erfurt.
- 2 February 2017: Der Vertrag mit Schutzwirkung zugunsten Dritter in Österreich – ein Haftungsinstitut zwischen subjektivem und objektivem Zivilrecht, Johannes Kepler Universität Linz.
- 2 February 2017: Voreilige Selbstverbesserung im österreichischen Gewährleistungsrecht, Johannes Kepler Universität Linz.
- 21 July 2017: Family Offices unter Regulierungsdruck: Herausforderungen und Chancen der Umsetzung von MiFID II, Universität Liechtenstein, Vaduz.
- Summer 2017: Bürgerlich-rechtliche Expertenhaftung, Humboldt University Berlin, 2 hours/week.
- Summer 2017: Corporate Law and Economics, Humboldt University Berlin, 2 hours/week.
- Summer 2017: Gesellschaftsrecht, Humboldt University Berlin, 2 hours/week.
- Summer 2017: Handels- und Gesellschaftsrecht, Humboldt University Berlin, 2 hours/week.
- 18 October 2017: Shareholder Information vs. Market Disclosure: The EU Shareholder Rights Directive 2017, Fordham University, New York.
- 7 December 2017: Geschäftsleiterhaftung zwischen Zivil-, Kartell- und Strafrecht, Bucerius Law School, Hamburg.
- Winter 2017: Bürgerlich-rechtliche Informationshaftung, Humboldt University Berlin, 2 hours/week.
- Winter 2017: Corporate Governance, Humboldt University Berlin, 2 hours/week.
- Winter 2017: Europäisches Gesellschaftsrecht, Humboldt University Berlin, 2 hours/week.
- Winter 2017: Handels- und Gesellschaftsrecht, Humboldt University Berlin, 2 hours/week.

### **Lindenbergh, S.D.**

- 4 January 2017: voordracht cursus specialisatieopleiding advocatuur Ernstige Gewelds- en Zedenmisdrijven, Utrecht, the Netherlands.
- 9 February 2017: Werkgeversaansprakelijkheid, Post Academische Leergang Arbeidsrecht, Rotterdam, the Netherlands.
- 23 February 2017: Tranen met duiden, Voordracht Vereniging Young Professionals in Personal Injury, Rotterdam, the Netherlands.
- 3 March 2017: Het landschap van schadeverhaal, voordracht Commissie Schadefonds Geweldsmisdrijven, The Hague, the Netherlands.
- 7 March 2017: Verzilveren van letselschade, lunchlezing Gerechtshof Den Bosch, Den Bosh
- 10 March 2017: opposition promotion Thy Pham, Erasmus University Rotterdam, the Netherlands.
- 30 March 2017: Voorzitter expertmeeting Zorgschade, De Letselschade Raad, The Hague, the Netherlands.
- 30 March 2017: Compensatie, genoegdoening, erkenning, Lezing studiegezelschap Suum Cuique, Universiteit Leiden, the Netherlands.
- 13 April 2017: Bezieling in het recht, opening lustrumcongres Lothgenoten, Rotterdam, EUR
- 9 May 2017: Actualiteiten personenschade, Grotius Opleiding
- 11 May 2017: Actualiteiten aansprakelijkheids- en schadevergoedingsrecht, Holla Advocaten, Den Bosch
- 17 May 2017: Actualiteiten aansprakelijkheids- en schadevergoedingsrecht, Vereniging Letselschade Advocaten, Dalfsen
- 21 June 2017: voordracht expertmeeting zorgschade, Achmea Personenschade, Apeldoorn
- 30 June 2017: Compensatie van personenschade in en buiten rechte, voordracht Summerschool Victimology, Utrecht
- June 2017, Chair selection committee EGSL 2017 annual recruitment round
- 4 September 2017: Blog 'Vergoeding van affectieschade' for Schadefonds Geweldsmisdrijven (<https://schadefonds.nl/blog-vergoeding-van-affectieschade/>).
- 8 September 2017: Werkgeversaansprakelijkheid, Post Academische Leergang Arbeidsrecht, Amsterdam.
- 22 September 2017: Zien is (er)kennen, Key note speech Conferentie Niet Aangeboren Hersenletsel, Leeuwarden.
- 12 October 2017: Schade na een terroristische aanslag, Deelname (op uitnodiging) aan expertmeeting Ministerie van Veiligheid & Justitie, Den Haag.
- 8 November 2017: Schade en schade van derden, Grotius Opleiding Personenschade, Utrecht.
- 16 November 2017: Schadevergoeding of genoegdoening, gastcollege UvA, Amsterdam.
- 16 November 2017: De toekomst van de letselschade, voordracht De Letselschade Raadsdag, Zeist.
- December 2017: Participated in a documentary on NPO 2, which is part of the television series *Teken fan libben* ('teken van leven' / sign of life), produced by Omrop Fryslân.

**Martino, E.**

- 21 June 2017: Law & Economics of Bank Corporate Governance in the Bail-in Era -A Virtuous Circle? EDLE Hamburg Conference, Hamburg Institute for Law & Economics, Hamburg, Germany.
- 27 March 2017: First notes on Banks Corporate Governance in the Shadow of Bail-in Regulation -A Virtuous Circle? 1st Year EDLE Workshop, Department of Economics of the University of Bologna, Bologna, Italy.
- 16 February 2017: Subordinated Bonds under Bail-in Threat (Poster Presentation). EMLE Mid-Term Meeting, University of Ghent, Ghent, Belgium.

**Mascini, P.**

- 6 January 2017: Presentation Rechterlijke besluitvorming, at the seminar 'Duik in het diepe', Studiecentrum rechtspleging, Utrecht, the Netherlands.
- 19-20 January 2017: Co-organizer of the VSR-Jaarvergadering at the Erasmus University, Rotterdam, the Netherlands.
- 19 January 2017: Van Wingerde K, Mascini P, Barth J-W *Risico-gestuurd handhaven in de praktijk: Een empirisch onderzoek naar taakuitvoering door ISZW inspecteurs bij de handhaving van de arbeidsomstandigheden*. Paper presented at the VSR-jaarvergadering, Rotterdam.
- 20 January 2017: Reinders Folmer C, Mascini P & Leunissen J *The Apology Mismatch: Subjective Transgression Experience in Victims and Perpetrators*. Paper presented at the VSR-jaarvergadering, Rotterdam.
- 20 January 2017: 'De koers van Recht der werkelijkheid.' Presentation at the VSR-jaarvergadering, Rotterdam.
- 20 January 2017: Empirical Legal Research: Fad, Feud, or Fellowship? Moderator panel discussion at the VSR-jaarvergadering, Rotterdam.
- 9-10 February 2017: Co-organizer and co-chair of the international author conference Judge Made Risk Regulation, Utrecht, the Netherlands.
- 15 February 2017: Participant diner pensant, meeting between professors and members of the Inspectieraad about monitoring and oversight as science, Utrecht, the Netherlands.
- 1 March 2017: Guest lecture Behavioural Approaches to Private Law: A paradigmatic perspective, Erasmus University College Rotterdam, the Netherlands.
- 22 March 2017: Peter Mascini and Michiel van der Wolf 'Methods of Empirical Legal Research', guest lecture Research Lab, EGSL.
- 20-21 April 2017: Discussant paper Erik Herber (RUL) Lay judge sentencing in Japan and Marijke Roosen (VUB) Discretion of monitoring officers, at the seminar Discretion & Decision Making Seminar Vrije Universiteit Brussel, Brussel.
- 25 May 2017: Discussant paper Daniel Blocq (RUL) Decision-Making in Contexts of Legal Pluralism: The Role of Social Pressure at the symposium Empirical Legal Studies, Erasmus University Rotterdam.
- Member selection committee recruitment postdoc researcher Xandra Kramer's ERC consolidator grant 2017.
- June 2017: Member selection committee EGSL 2017 annual PhD recruitment round.
- 15 June 2017: Co-organizer and chair of an author conference for the special issue 'Recht als probleemoplossing' of Recht der Werkelijkheid, Utrecht.
- 21 June 2017: Guest lecture Streng zijn of overleg voeren for the course Rechtssociologie, Erasmus School of Law Rotterdam, the Netherlands.
- 23 June 2017: Member inner committee PhD defence Suzanne Rutz 'Practicing Reflexive Regulation'. (iBMG/ Erasmus University Rotterdam, the Netherlands).

- 8 September 2017: 'Judges' Use of Discretion: A Socio-Legal Approach'. Chapter presented at the authors' conference 'Discretion and the Quest for Controlled Freedom', All Souls College, Oxford, UK.
- Reviewer Journal of Ethnic and Migration Studies
- Reviewer Regulation & Governance
- 2 October 2017: Chair and discussant of the session Does Government Trust Its Citizen? at the international conference Tax and Trust, Rotterdam.
- 12 October 2017: Member inner committee PhD defence Nadine Raaphorst, 'Uncertainty in Bureaucracy: Toward a Sociological Understanding of Frontline Decision Making', ESSB, Erasmus University Rotterdam, the Netherlands.
- 18 October 2017: Comparing Assumptions Underlying Regulatory Inspection Strategies. Guest lecture Research Institute Environmental Law, Wuhan, China.
- 20-21 October 2017: Governing negative externalities of economic activity: from government to governance. Paper presented at the workshop Environmental Law and Economics. How to Govern the Commons? Wuhan, China.
- 4 December 2017: Judges' use of discretion: A socio-legal approach. Sectie lunch meeting Burgerlijk Recht.

***Nieuwesteeg, B.F.H.***

- 15 September 2017: Paper presentation 'Data Breach Notification Laws: Carrots, Sticks and Thresholds' (with Bernold Nieuwesteeg), EALE London.
- 21 December 2017: '*Alle hacks voorkomen? Niet tegen elke prijs*' in NRC Handelsblad.

***Nunes, C.***

- April-June 2017: Internship at the Legal Office of the International Tribunal for the Law of the Sea, Hamburg.

***Oded, S.***

- 8 December 2017: Presentation: 'When Your Lawyer Advises you to Remain Silent, at the Enforcement Seminar 2017', Conference organised by De Brauw Blackstone Westbroek, Amsterdam (with Richard van Staden ten Brink)

***Onțanu, E.A.***

- 15-17 June 2017: How many cases? Assessing the comparability of EU Judicial datasets (in collaboration with Marco Velicogna and Francesco Contini, IRISG-CNR), *Ius Dicere in a Globalised World*, XXIV Colloquio biennale dell'Associazione Italiana di Diritto Comparato (AIDC), Napoli, Italy.
- 5-7 July 2017: EU Justice Scoreboard: A Three-Pillar Approach to Justice Quality Evaluation, ICON-S 2017 Annual Meeting - Courts, Power, and Public Law, Copenhagen, Denmark.
- 28 September 2017: Expert meeting, Handle with Care: Assessing and Designing Methods for Evaluation and Development of the Quality of Justice, , Brussels, Belgium
- 2 November 2017: PhD Defence, Cross-Border Debt Recovery in the EU, Erasmus School of Law, Rotterdam, the Netherlands.
- 10 November 2017: Expert meeting, Handle with Care: Assessing and Designing Methods for Evaluation and Development of the Quality of Justice, Utrecht, the Netherlands.

- 13 November 2017: The European Account Preservation Order, Conference on English Legal Terminology in the Application of Instruments of EU Law, Ljubljana, Slovenia.
- Research collaboration for the Action Grant study on The application of the Brussels I (recast) in the legal practice of EU Member States awarded to a consortium led by T.M.C. Asser Instituut (JUST/2014/JCOO/AG/CIVI/7754).

***Pacces, A.M.***

- 11-13 May 2017: Paper presentation 'The Law and Economics of Shadow Banking' at Yale Law School-American Law and Economic Association, Yale Law School, New Haven, USA.
- 25-26 May 2017: Paper presentation 'Procedural and substantive review of Internal Decision making on Related Party Transactions' at Oxford Law School, Oxford, UK.
- 7 June 2017: Invited speaker at Seminar 'Bescherming: Nederland op slot?', Loyens & Loeff, Amsterdam, the Netherlands
- 19 July 2017: 'Hedge Fund Activism and the Revision of the Shareholder Rights Directive', in Harvard Law School Forum on Corporate Governance and Financial Regulation, Harvard University, Cambridge, USA.
- 14-15 September 2017: Paper presentations 'The Law and Economics of Shadow Banking' (with Hossein Nabilou) and 'Hedge Fund Activism and the Revision of the Shareholder Rights Directive' at EALE, London, UK.
- 22 September 2017: Paper presentation 'The Role of Hedge Fund Activism in Corporate Governance' at Seminar at LUISS Graduate School Rome, Italy.
- 21-22 September 2017: Guest lecture 'The Law and Economics of Corporate Governance – Takeovers and Activism', Master in Corporate Finance, LUISS Business School Rome, Italy.
- 26-27 September 2017: Guest lecture 'Economic Rationales for Banking Regulation', Master in European Banking Law, University of Luxembourg, Luxembourg.
- 27-28 October 2017: EURO-CEFG PhD Workshop University of Wroclaw, Poland.

***Philipsen, N.J.***

- 11-12 May 2017: Participant in SoLar Launch (European Network on Soft Law Research), University of Helsinki, Helsinki, Finland.
- 15-17 May 2017: Organization ESR Selection Meetings EIPIN Innovation Society (European Intellectual Property Institutes Network), University of Alicante, Spain.
- 17-18 May 2017: Organizer of TRANSMIC Conference 'Migration, Rights and Citizenship: Coming Full Circle in an Challenging Environment', European University Institute, Florence, Italy.
- May/June 2017: Master Course '*State Aid and Public Procurement in the EU*' at Maastricht University, School of Law. Coordinator of the part on State Aid, including economics of State Aid, regional aid and goals of EU State Aid policy.
- 1 June 2017: Co-organizer/Chair/Speaker at 'International Seminar on Private Regulation and New Fields of Regulation', CUFE, Beijing, China.
- 2 June 2017: Co-organizer/Speaker at the conference 'Reconsidering the Law-Finance Nexus in a Post-Crisis World', CUPL/UM, Park Plaza Beijing Science Park.
- October-December 2017: Coordinator, lecturer and teacher of the Master Course 'Law and Economics' at Maastricht University, School of Law, Maastricht, the Netherlands.
- 13-17 November 2017: Joint coordinator, lecturer and teacher of the Master Course 'Competition Law' at China-EU School of Law, Beijing, China

- 15 November 2017: Guest lecturer '*Smart Mixes of Regulation: A Law and Economics Approach*' at the China University of Political Science and Law (CUPL) School of Law, Beijing, China.

**Reinders Folmer, C.P.**

- 12 January 2017: Discussant of chapter presentation of research project 'Social norm or default: a nudge for now or forever? Effect persistence in a public goods game' by Maria de Campos, EDLE Winter seminar series, Erasmus School of Law, Rotterdam.
- 20 January 2017: Reinders Folmer, C.P., Desmet, P.T.M., & Van Boom, W. (2017). It's not about the money? Victim needs and their restoration through financial and relational compensation in physical and material harm. Presentation at the VSR (Association for the Social Scientific Study of Law) Annual Conference at Erasmus University Rotterdam, the Netherlands.
- 20 January 2017: Reinders Folmer, C.P., Mascini, P., & Leunissen, J.M. (2017). The apology mismatch: subjective transgression experience and mismatches in apology content. Presentation at the VSR (Association for the Social Scientific Study of Law) Annual Conference at Erasmus University Rotterdam, the Netherlands.
- 18 January 2017: Interview for EditieNL (RTL4) on the (claimed) merit of apologizing less.
- 25 April 2017: Interview for EenVandaag (NPO Radio 1) on the ethics of TV shows based on controversial psychological research.
- 24 May 2017: Discussant of the paper 'Social Distance to Law and Society: Evidence of Concealed Distrust Against Judges Among Under- Investigated Participants, and Social Distance and Legitimacy of Judges among Litigants in the Courtroom' by Liesbeth Hulst, Empirical Legal Studies Workshop, Erasmus School of Law, Rotterdam, the Netherlands
- 2 November 2017: Discussant of chapter presentation of research project 'Does Information Cost Lead to Medical Moral Hazard: Evidence from Taiwan National Health Insurance' by Kan-Hsueh Chiang, EDLE Fall seminar series, Erasmus School of Law, Rotterdam, the Netherlands
- 1 December 2017: Reinders Folmer, C.P., Desmet, P.T.M., & Van Boom, W. (2017). It's not about the money? Victim needs and their restoration through financial and relational compensation in physical and material harm. Presentation at the workshop Experiments at the Crossroads of Law and Economics at Erasmus University Rotterdam, the Netherlands.

**Ruitenbeek – Bart, F.M.**

- 4 September 2017: Lecture Minor Dood en Letsel 'Verdieping aansprakelijkheidsrecht', Erasmus School of Law, Rotterdam, the Netherlands.
- 17 November 2017: Lecture on Personal Injury Law, Haagse Orde van Advocaten (with R.D. Leen), The Hague, the Netherlands.

**Schelhaas, H.N.**

- 9 February 2017: Lecture 'Verdieping Contractenrecht voor de Rechterlijke Macht (SSR)'
- 23-25 February 2017: attended the conference 'Research in Private and Market Law Challenges for the 21st Century' and gave a presentation on 'The interpretation of international contracts', at Hong Kong City University, People's Republic of China.

- 7 April 2017: Course 'Remedies for Breach of Contracts', Law Firm School, Utrecht
- 11 May 2017: Course 'Interpretation of Contracts', Postacademische Leergang Verdieping Contractenrecht, Leiden University, the Netherlands.
- 29 May 2017: Lecture 'Openbreken van contracten', at La Gro Law Firm
- 21 September 2017: Lecture 'Verdieping Contractenrecht voor de Rechterlijke Macht (SSR).
- 16 November 2017: Lecture 'Algemene Voorwaarden' at Stibbe.
- 1 December 2017: Inaugural lecture 'Commerciële contractanten - consistentere differentiëren?', Erasmus University Rotterdam, the Netherlands.
- 4 December 2017: Member of the outer PhD Committee ('grote commissie') of Mr. Do Giang Nam, 'Control of Standard Terms in Consumer Contracts in Vietnamese law', Utrecht University, the Netherlands
- 21 December 2017, Member of the Reading Committee ('leescommissie') of Ms. S.H.L. Niessen, 'The Legal Position of Terminal Operators in Hinterlands Networks', Erasmus School of Law.

**Scheltema, M.W.**

- 26 January 2017: Martijn Scheltema participated as member in the meeting of the Community of Practice of the European Commission on self- and co-regulation in Brussels, Belgium. He has especially contributed on the assessment of effectiveness of self- and co-regulation in the CSR/Business Human Rights arena and the need to not only assess the self-regulation itself but also its effects and performance in the broader (public) regulatory landscape. Self- and co-regulation are intertwined with the public regulatory landscape and therefore their effectiveness will be influenced by the broader also public regulatory landscape.
- 4-5 April 2017: an academic network on (transnational) multistakeholder initiatives is launched at a conference at Occidental College in Los Angeles, United States of America. Multistakeholder initiatives include stakeholders from different constituencies, for example non-governmental and civil society organizations, business (representatives) and often also governments and work on public interest issues such as (business and) human rights, environmental issues and climate change. Martijn Scheltema is a member of the steering board of this network.
- 19 May 2017: presented his paper '*contractual mechanisms to enhance human rights compliance in supply chains*' at the UCall 2017 conference in Utrecht.
- 29 September 2017: Bo Yuan. Foreign-Related Commercial Dispute Resolution in China: A focus on litigation and arbitration' (member of the inner committee, EUR).
- 3-8 October 2017: contributed as chair of the CSR committee of the International Bar Association to the Annual IBA-Conference, Sydney, Australia.
- 17-18 October 2017: presentation 'Protection of victims of human rights violations by investors under international investment agreements' at conference at Wuhan University, China.
- 20 October 2017: presentation "Protection of victims of human rights violations by investors under international investment agreements' at seminar at East China University, Shanghai, China.
- 21-22 October 2017: presentation 'Human rights due diligence in mergers and acquisitions' at conference organised by SUFE (Shanghai, China).
- 24 November 2017: Workshop at the Lus Commune Annual Conference on International Responsible Business Conduct Agreements.

- 27-29 November 2017: attended, moderated and participated in two panels (regarding Arbitration and Human Rights and the Access to Remedy Fund; more info: [www.l4bb.org](http://www.l4bb.org)) at the UN Forum on Business and Human Rights in Geneva, Switzerland.
- 1 December 2017: keynote speech at the international NILG Conference 2017, on the expanding multi-layered transnational legal order and the role of transnational private regulation therein, Amsterdam, the Netherlands.

***Swinnen, K.K.E.C.T.***

- 24 November 2017: presentation of report "Fitting Digital Assets into Belgian Private Law" at the annual meeting of the Association for the Comparative Study of Belgian and French Law. The report covers contract law, liability law and property law issues regarding digital assets like self-driving cars, robots and big data. The venue of the meeting is the KU Leuven Law Faculty's building.

***Themeli, E.***

- 28 May 2017: Presentation at Transformation of Civil Justice: Unity and Diversity Conference on A survey on the choice of court in the EU: Implications for the competition of civil justice systems, Dubrovnik, Croatia
- 26 September 2017: Guest lecturer Arbitration and Business Law Master, Erasmus School of Law, Rotterdam, the Netherlands.
- 24 November 2017: Workshop at the Ius Commune Annual Conference about 'Digitalisation of Justice 1.0', Aristo Utrecht, the Netherlands.

***Tillema, I.***

- 11 September 2017: Participation in expert meeting 'Enforcement of Consumer Rights', organised by Tilburg University and the Dutch Authority for Consumers & Markets.
- 3 October 2017: Biard, A., Kramer, X. & Tillema, I., 'Dutch collective redress dangerous? A call for a more nuanced approach', [Conflictoflaws.net](http://Conflictoflaws.net).
- 1 November 2017: Co-organization of symposium 'Collectieve schadevergoedingsactie in perspectief'.
- 1 November 2017: Presentation 'Naar een goed geolied mechanisme. Over kostenvergoeding en de rol van de rechter' at symposium 'Collectieve schadevergoedingsactie in perspectief', EYE Amsterdam, the Netherlands.
- 15 November 2017: Participation in the expert consultation for the Claimcode amendment.

***Van den Bergh, R.***

- 30 October 2017: Lecture for "Erasmus Honours Law College", Erasmus University Rotterdam, the Netherlands.

***Van Gelder, E.M.,***

- 22 November 2017: Presentation 'Insights on digitalization of justice', Ius Commune Conference, Utrecht University.
- 24 November 2017: Workshop at the Ius Commune Annual Conference about "Civil procedure: Online dispute resolution", Utrecht University, the Netherlands.
- 10 December 2017: E.M. van Gelder, Digitalisering in buitengerechtelijke geschiloplossing, [KElduidelijk.nl](http://KElduidelijk.nl).
- 15 December 2017: E.M. van Gelder & A. Biard, Functioning of the ODR Platform: EU Commission Publishes First Results, [conflictflaws.net](http://conflictflaws.net).

**Noortwijk, K. van,**

- 12 June 2017: Short paper 'Automatic Document Classification in Integrated Legal Content Collections', submitted to the "ICAIL 2017 Workshop on AI in Legal Practice", London, UK.
- 8 November 2017: Lecture 'Open Source Software Licenses in App development', part of Masterclass of the 'Octrooigilde' (Patent law organization). The Hague, the Netherlands.
- 30 November and 14 December 2017: Post-graduate course "Masterclass Privacy, Data Governance and the GDPR" (offered by Erasmus Academie). Course will be given a second time in March 2018.

**Vandenberghe, A.**

- 19 July 2017: Paper presentation 'The wage guarantee: a case of 'no work, yet pay' or a social investment?' at the Scholar's colloquium, University of Chicago Law School, discussant Richard A. Epstein. Chicago, USA.
- 8 September 2017: Guest lecture 'De rechtseconomische analyse van het arbeidsrecht', master Arbeidsrecht, Erasmus School of Law, Rotterdam, the Netherlands.
- 8 September 2017: Guest lecture 'De rechtseconomische analyse van het ondernemingsrecht', master Ondernemingsrecht, Erasmus School of Law, Rotterdam, the Netherlands.

**Visscher, L.T.**

- Membership Supervisory Committee of the Nationaal Platform Verzuim en Letselschade (NPVL).
- January 2017: lectures Law and Economics for Academy of Legislation, The Hague, the Netherlands.
- February 2017: lecture Law and Economics for Erasmus University College, Rotterdam, the Netherlands.
- 18 February 2017: three presentations for the 'mr.drs.-programma voor economie en rechten' at the Erasmus University Open Day for an audience of in total 440 high school students and parents.
- 31 March & 7 April 2017: module 'Rechtseconomie' within the ESL Honours Programme, Erasmus University Rotterdam, the Netherlands.
- May 2017: Participated in the meeting of the Supervisory Committee of a WODC research into legal aid.
- May 2017: three lectures in (and coordination of) the ESL-course 'Rechtseconomie voor mr.drs.-studenten'.
- July and November 2017: Participated in the meeting of the Supervisory Committee of a WODC research into 'advanced payment damages' (Voorschotregeling Schadevergoedingsmaatregelen).
- 28 September 2017: Lecture 'Economische analyse van aansprakelijkheid en schadevergoeding' in de minor Dood en letsel, Erasmus School of Law, Rotterdam, the Netherlands.
- 9 October 2017: Guest lecture 'EMLE Game Theory', Erasmus School of Law, Rotterdam, the Netherlands.
- 9 and 23 October 2017: Lecture for 'Erasmus Honours Law College', Erasmus University Rotterdam, the Netherlands.
- 21 October 2017: three presentations for the 'mr.drs.-programma voor economie en rechten' at the Erasmus University Open Day for an audience of in total 775 high school students and parents.

- 26 October 2017: Presentation 'the Law and Economic perspective on financial compensation for victims of natural disasters' at the LDE Colloquium Natural Hazards, The Hague, the Netherlands.
- November/December: EMLE course Tort Law and Economics
- 24 November 2017: Paper presentation: 'Smart instrument mixes': A law & economic approach to lawful products and services that are potentially threatening to human health', Ius Commune Conference, Utrecht, the Netherlands.



### **Yu, N**

- 1-2 June 2017: attended conference "Financial Regulation in China", at China University of Political Science and Law, Beijing, China
- June 2017: Participated in Reconsidering the Law-Finance nexus in a Post-Crisis World, China University of Political Science and Law.
- July 2017: Presented at Annual Conference of German Law and Economics Association, Philipps University Marburg.
- August 2017: Presented at Annual Conference of European China Law Studies Association (ECLS), University of Leiden.
- August 2017: Participated in European China Studies Association (ECLS) Young Scholars Workshops. November 2017: Presented at Annual Conference of French Association of Law and Economics, Aix-Marseille School of Economics.
- 15-17 November 2017: Participated in The Second Shaanxi Province Silk Road Forum of Young Scholars, Xi'an China.