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# The European Union as hardening agent: soft law and the diffusion of global financial regulation

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support for the importance of domestic law in the global diffusion of soft law.

## ACKNOWLEDGMENTS

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## Notes

- 1 In terms of institutionalization, we follow Ruggie (1998: 2) who focuses on predictability of behavior structured in large part by organizational routines. He identifies international organizations with their bureaucratic capacities as the key mechanism of institutionalization. The networked nature of soft law, however, is not necessarily bureaucratic but network-based. See also Ruggie (2000) for a discussion of the network-based nature of soft law.
- 2 'The process of institutionalization' in the Council of Europe. The Council of Europe was established in 1949 and has since then been instrumental in the development of the Council of Europe's legal system. The Council of Europe's legal system is based on the principle of the rule of law. The Council of Europe's legal system is based on the principle of the rule of law. The Council of Europe's legal system is based on the principle of the rule of law.
- 3 We refer to the International Law Commission's work on the law of the sea. The International Law Commission's work on the law of the sea is based on the principle of the rule of law. The International Law Commission's work on the law of the sea is based on the principle of the rule of law.
- 4 Regulation (EC) No 1781/2006 of the European Parliament and of the Council of 19 October 2006 on the return of funds to victims of international terrorism. Regulation (EC) No 1781/2006 of the European Parliament and of the Council of 19 October 2006 on the return of funds to victims of international terrorism. Regulation (EC) No 1781/2006 of the European Parliament and of the Council of 19 October 2006 on the return of funds to victims of international terrorism.



5 <http://www.iasplus.com/en/resources/ifrs-topics/use-of-ifrs> (accessed 12 February 2014).

6 Prior to the financial crisis, ESMA was known as the Committee of European Securities Regulators (CESR).

7 [http://ec.europa.eu/internal\\_market/accounting/third\\_countries/index\\_en.htm](http://ec.europa.eu/internal_market/accounting/third_countries/index_en.htm)

8 See <http://www.esma.europa.eu/page/IFRS-Enforcement-0> (accessed 12 February 2014).

9 'About ISDA', available at <http://www2.isda.org/about-isda/> (accessed 26 January 2013)

10 Letter dated 30 October 2009 by Peter M. Werner of ISDA to Aleš Zalar, Minister of Justice of Slovenia, available at [http://www.isda.org/speeches/pdf/SVN\\_NettingLtr-Moj\\_v1.pdf](http://www.isda.org/speeches/pdf/SVN_NettingLtr-Moj_v1.pdf) (accessed 9 February 2013).

11 Interview with ISDA official.

12 See ISDA comment letters to jurisdictions at <http://www.isda.org/speeches/comments.html> (accessed 9 February 2013).

13 See A... the Council  
of 6 June

14 'ISDA... April 2008.

15 The 2... both rely  
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