

14th Annual Conference
13-15 September 2018

International Law and Universality

Programme

THURSDAY 13 SEPTEMBER 2018

(Venue: Renold Building, Manchester)

8.00 - 8.45: Breakfast meeting (Interest Group conveners and ESIL Board) (room D6)

9.00 - 10.30: ESIL Interest Group sessions

- Interest Group on Bio Law (room D2)
- Interest Group on International Courts and Tribunals (room E1)
- Interest Group on History of International Law (room E2)
- Interest Group on International Economic Law (room C16)
- Interest Group on Feminism in International Law (room F1)
- Interest Group on International Human Rights Law (room C2)
- Interest Group on Migration and Refugee Law (room F2)
- Interest Group on Business and Human Rights (room G1)
- Interest Group on International Environmental Law (room G2)
- Interest Group on International Organisations (room H1)

10.30 - 11.00: Coffee break (sponsored by Laws: an Open Access Journal by MDPI)
(exhibition space)

11.00 - 12.30: ESIL Interest Groups sessions

- Interest Group on Bio Law (room D2)
- Interest Group on International Courts and Tribunals (room E1)
- Interest Group on History of International Law (room E2)
- Interest Group on International Economic Law (room C16)
- Interest Group on Feminism in International Law (room F1)
- Interest Group on International Human Rights Law (room C2)
- Interest Group on Migration and Refugee Law (room F2)
- Interest Group on Business and Human Rights (room G1)
- Interest Group on International Environmental Law (room G2)
- Interest Group on EU as a Global Actor (room H1)
- Interest Group on Law of the Sea (room H2)

Welcome and start of the annual conference

8.30 - 13.00: Registration (exhibition space)

12.00 - 13.00: Lunch buffet (exhibition space)

13.00 - 14.00: Welcome and introduction (room C16)

- Welcome by KEITH BROWN, Dean of the Faculty of Humanities and Vice-President of the University of Manchester
- Welcome by LUIS HINOJOSA, President of the European Society of International Law
- Introduction of the conference theme by JEAN D'ASPREMONT, Chair of the Programme Committee of ESIL 2018 and co-director of the Manchester International Law Centre

14.00 - 15.00: Opening Discussion (room C16)

**Gender Boundaries and International Law
(Revisiting ‘The Boundaries of International Law’)**

Introduction by the *Women in International Law Network* (WILNET)

Moderator: RALPH WILDE (University College London)

- CHRISTINE CHINKIN (London School of Economics)
- HILARY CHARLESWORTH (Australian National University and Melbourne University)

15.00 - 15.30: Coffee break (exhibition space)

15.30 - 17.00: Fora 1 & 2

Forum 1: The Invention of Universality (room C2)

Chair: MATTHEW CRAVEN (SOAS)

- ONUMA YASUAKI (University of Tokyo) AND ISHII YURIKA (National Defense Academy of Japan)
 - FRÉDÉRIC MÉGRET (McGill University)
- JARNA PETMAN (University of Helsinki, University of Turku)

Forum 2: Universality in Practice (room C16)

Chair: MARY FOOTER (University of Nottingham)

- LARRY MARTIN (Foley Hoag LLP)
- HÉLÈNE RUIZ FABRI (Max Planck Institute Luxembourg)
 - CHRISTIAN TAMS (University of Glasgow)

17.00 - 18.30: Agorae 1-4

Agora 1: The Universal and the Particular (room C16)

Chair: ANDREA BIANCHI (Graduate Institute Geneva)

- MORTIMER N. S. SELLERS (University System of Maryland and University of Baltimore)
Reconciling the Universal with the Particular Through International Law

- PÅL WRANGE (Stockholm University)
Universalism and Hegemony

- GAIL C. LYTHGOE (University of Glasgow)
The Spatialities of Universality and Particularity: Alternatives to Hegemonic Spatial Thinking

- EKATERINA YAHYAOU KRIVENKO (National University of Ireland)
Competing Universalities and the Emergence of International Law: Sovereignty and Space Between Leibniz and Hobbes

Agora 2: Universality and Adjudication (room C2)

Chair: ERIKA DE WET (University of Pretoria)

- CHEAH W. L. (University of Singapore)
Assessing Culture and Individual Criminal Responsibility in International Criminal Law Trials

- MOSHE HIRSCH (Hebrew University of Jerusalem)
Universality Contested and then Accepted? International Regime Theory and the Application of Universal Human Rights Norms in International Investment Law

- ANDREAS KULICK (University of Tübingen)
Conceptual Universality vs. Pragmatic Particularity in International Adjudication

- ANTAL BERKES (University of Manchester)

The Universalisation of Regional Human Rights Law by UN Treaty Bodies

Agora 3: A European Tradition of Universality? (room D2)

Chair: DAPO AKANDE (University of Oxford)

- KATE MILES (University of Cambridge)

Depicting International Law as Universal: Image and Art as Propaganda

- MIRIAM BAK MCKENNA (Lund University)

*Localising the International: Comparative International Law and
the Challenge of Eurocentrism*

- CLARE FRANCES MORAN (Edinburgh Napier University)

The Question of Authority in International Criminal Law: the European Advantage?

- GLEIDER I. HERNÁNDEZ (University of Durham)

Inculcating International Law: The Textbook as Gateway

Agora 4: Universality over Time (room E1)

Chair: CHARLOTTE PEEVERS (University of Glasgow)

- ANDREW LANG (University of Edinburgh)

The Market as a Spectral Universal in International Law

- DOREEN LUSTIG (Tel Aviv University)

*Problematizing the Universality of Corporate Regulation in International Law: The
Struggle over the First Code of Conduct on Transnational Corporations, 1957–81*

- MARIA PICHOU (University of California)

*'If at First They Don't Succeed'... The Idea of Universality and the Responses of
Cosmopolitanism in International Law*

– MONA PINCHIS-PAULSEN (New York University)

The Contribution of the ITO Charter to Universality in International Investment Law

18.30 - 19.00: Walk to the Manchester Museum (transportation upon request)

19.00 - 21.00: Opening reception at the Manchester Museum (University of Manchester, Oxford Road)

(Canapes will be served with refreshments, for those wanting something more substantial both the Manchester Museum and the Manchester Academy are situated on Oxford Road, in proximity to a range of restaurants, bars, fast-food venues, and supermarkets.)

22.00: Cambridge presents International Law Rocks (Manchester Academy, Oxford Road)

FRIDAY 14 SEPTEMBER 2018

(Venue: Renold Building, University of Manchester)

8.00 - 9.00: Breakfast meeting: new members meet ESIL Board (room D6)

8.30 - 9.00: Welcome and coffee (exhibition space)

9.00 - 10.30: Agorae 5-8

Agora 5: Critique and Resistance to Universality (room C16)

Chair: PATRICK CAPPS (University of Bristol)

– SARAH DEIBLER (Harvard University)

Speaking for and as Women: International Experts and Local Victims Testifying to Sexual Crimes at the Extraordinary Chambers in the Courts of Cambodia

- ZINAIDA MILLER (Seton Hall University)

Ambivalent Oscillations

- MATTHEW NICHOLSON (Durham University)

Resistance to Universality: International Law's Post-Universal Moment

- RICHARD CLEMENTS (University of Cambridge)

How Managerial Practices Universalise the Particular

Agora 6: Universality and the Teaching of International Law (room C2)

Chair: OLIVIER CORTEN (Université Libre de Bruxelles)

- MICHELLE BURGIS-KASTHALA (University of Edinburgh) & Christine Schwöbel-Patel (University of Liverpool)

Decolonising the International Law Curriculum

- RIAN DERRIG (European University Institute)

Educating American Modernists: the Psychodynamic Jurisprudence of the 'New Haven School'

- ASTRID KJELDGAARD-PEDERSEN (University of Copenhagen)

Why International Lawyers would be Better off without (the Concept of) Personality

- NOAM ZAMIR (City University of Hong Kong)

Teaching International Law in Countries with International Law Crisis

Agora 7: Universality and Regions (room D2)

Chair: ANTHEA ROBERTS (Australian National University)

- FEMI AMAO (University of Sussex)

Universalism and African Union Law: an Uncomfortable Synthesis of Universalism and African Traditions?

- KANAD BAGCHI & MILAN TAHRAOUI (Max Planck Institute for Comparative Law and International Law)

The Chinese Belt and Road Initiative: Strengthening or Challenging the Universality of International Law?

- MALCOLM JORGENSEN (Berlin Potsdam Research Group)

From Universal Order to Geolegal Orders: Fragmentation in The International Rule of Law

- ALICE PANEPINTO (Queen's University)

Localising the International Law Framework of Transitional Justice in Muslim-Majority Societies: Concepts and Methods

Agora 8: Assumptions of Universality in International Regimes (room E1)

Chair: RUSSELL BUCHAN (University of Sheffield)

- ALISON DUXBURY (University of Melbourne)

Universality and the Law of International Organizations

- DUNCAN FRENCH (University of Lincoln) & RICHARD COLLINS (University College Dublin)
A Guardian of Universal Interest or Increasingly Out of its Depth? On the Spatial-Temporal and Functional Aspects of the International Seabed Authority

- VALERIE SUHR (University of Hamburg)

*Universality in International Criminal Law –
Between Human Rights Protection and Neo-Colonialism?*

- GUS WASCHEFORT (University of Essex)

*The Dichotomy of Normative Universality and Pan-African Political Ideology:
the Case of International Humanitarian Law and International Criminal Law in Africa*

10.30 - 11.00: Coffee break (exhibition space)

11.00 - 12.30: Fora 3 & 4

Forum 3: Beyond Boundaries – Universality and the Non-Human (room C16)

Chair: ELIES VAN SLIEDREGT (University of Leeds)

- ALEJANDRO LORITE (University of Québec)
- JOHN DANAHER (NUI Galway)
- REGIS BISMUTH (Sciences Po Law School)

Forum 4: Universality and Global Health Governance (room C2)

Chair: RHONA SMITH (Newcastle University)

- GEARÓID Ó CUINN (Lancaster University)
- GIAN LUCA BURCI (Graduate Institute Geneva)
- MARK ECCLESTON TURNER (Keele University)

12.30 - 13.30: Lunch break

12.30 - 13.30: Lunch (exhibition space)

12.45 - 13.30: Lunch meeting of the Editors of Law Journals (room F2)

12.45 - 13.30: ESIL Mentoring Event - The Turning Point of my Career (featuring Professors Robert McCorquodale, Christian Pippan, Catherine Redgwell and Elies van Sliedregt, only 50 places – prior registration required) (room D2)

13.30 - 15.00: Agorae 9-12

Agora 9: International Organisations and the Dream of Universality (room C16)

(Convened by the ESIL Interest Group on International Organisations)

Chair: CATHERINE BRÖLMANN (University of Amsterdam)

- NIGEL WHITE (Nottingham University)

Drafting for Universality

– GUY FITI SINCLAIR (Victoria University)

Common Law Constitutionalism in Public International Law: A Dream of Universal Progress

– LORENZO GASBARRI (University College London)

Universal Legal Systems

– SCARLETT MCARDLE (University of Lincoln)

*International Responsibility and the Pluralist Global Order:
Stunting the Move towards International Organisations?*

Agora 10: Questioning Universality in International Regimes (room C2)

Chair: MARIA GAVOUNELI (National & Kapodistrian University of Athens)

– MALCOLM LANGFORD (University of Oslo) & DANIEL BEHN (University of Liverpool)

*Does Nationality Matter? Arbitral Background and the Universality of
the International Investment Regime*

– MAIKO MEGURO (University of Amsterdam)

A Retreat from Universality in International Environmental Law?

– TILMANN ALTWICKER (University of Zurich)

Non-Universal Arguments in International Human Rights Adjudication

– JORGE CONTESSE (Rutgers Law School)

Universality Narratives in Regional Human Rights Courts

Agora 11: Transcendent Principles and Pluralism in International Law (room D2)

(convened by the ESIL Interest Group on International Legal Theory and Philosophy)

Chair: OZLEM ULGEN (Birmingham City University)

– CARL LEWIS (Tilburg University)

The Concept of the Universal: Negotiating Human Rights

- MARK RETTER (Lauterpacht Centre for International Law)

Human Rights After Virtue: Mediating Universal Rights and Moral Pluralism

- EVAN CRIDDLE (William and Mary Law School)

Mandatory Multilateralism

- HIROFUMI OGURI (Kyushu University)

Pacta Sunt Servanda as the Intersubjective but Universal Principle:

Oppenheim's Common Consent within the Family of Nations

Agora 12: Universality and the Working Languages of International Law (room E1)

Chair: BINXIN ZHANG (Xiamen University)

- ELISABETH ROY-TRUDEL (Concordia University)

Analysing Images to Question the Universality of International Law's Language

- PETER TZENG (Foley Hoag LLP)

Legal Grammatical Constructions in the Six UN Languages

- JACQUELINE MOWBRAY (University of Sydney)

The Universal, the National and the Imperial: Three Approaches to the Relationship

Between International Law and its Working Languages

- MARKUS P. BEHAM (University of Passau)

German 'Dogmatik'– An Untranslatable Concept if Ever There was One

15.00 - 15.30: Coffee break (exhibition space)

15.30 - 17.00: General Assembly, with elections of new Board members (room C16)

17.00 - 17.15: Break

17.15 - 18.00: Melland Schill Keynote speech (room C16)

Introduction and discussant: SURYA SUBEDI (University of Leeds)

Keynote speech by JAN KLABBERS (University of Helsinki)

Epistemic Universalism

20.00: Conference dinner at Old Trafford (Manchester United) (*ticket-holders only*)

- 19.00 - 20.00: Coach transfer to Old Trafford
- 20.00 - 20.30: Drinks
- 20.30 - 22.00: Conference dinner
- 22.30 - 23.00: Coach transfer back to Manchester city centre

SATURDAY 15 SEPTEMBER 2018

(Venue: Renold Building, University of Manchester)

9.00 - 9.30: Welcome and coffee (exhibition space)

9.30 - 11.00: Fora 5 & 6

Forum 5: Universality beyond the European (room C2)

Chair: ISABEL FEICHTNER (University of Würzburg)

- LILIANA OBREGÓN (Universidad de los Andes)
- MOHAMMAD SHAHABUDDIN (University of Birmingham)
 - MASHOOD BADERIN (SOAS)

Forum 6: Brexit and International Law (room C16)

Chair: RICHARD BARNES (University of Hull)

- LORAND BARTELS (University of Cambridge)
- PAULO PINTO DE ALBUQUERQUE (Judge at the ECtHR)
 - JOSEPHINE VAN ZEBEN (University of Oxford)

11.00 - 11.30: Coffee Break (exhibition space)

11.00 - 11.30: Conversation with ESIL Book Prize winner (room C2)

11.30 - 12.30: The Gillian White Annual Lecture on International Economic Law (room C16)

Introduction: YENKONG HODU (University of Manchester)

Keynote speech by LAURENCE BOISSON DE CHAZOURNES (University of Geneva)

International Economic Law and the Universality Curse

12.30 - 13.30: Lunch break

12.30 - 13.30: Lunch (exhibition space)

12.30 - 13.30: 'How to Turn Your Thesis into a Book' Tips and Guidance event by Tony Mason (Senior Commissioning Editor, Manchester University Press) (room D6)

13.30 - 14.30: Closing session (room C16)

'Seven Philosophers in Search of Universal Society'

by PHILIP ALLOTT

(Followed by a conversation between PHILIP ALLOTT, ROSALYN HIGGINS and IAIN SCOBBIIE)

14.30 - 15.00: Farewell, announcement of the elections results and presentation of the next conference in Athens

15.00: End of the 14th Annual Conference

15.30: The Salon