

14th Annual Conference
13-15 September 2018

International Law and Universality

Programme

THURSDAY 13 SEPTEMBER 2018

(Venue: Reynold Building, Manchester)

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

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 (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 TOBY SEDDON, Head of the School of Law
- 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

Chair: MATTHEW CRAVEN (SOAS)

- ONUMA YASUAKI (University of Tokyo)
- FRÉDÉRIC MÉGRET (McGill University)
- JARNA PETMAN (University of Helsinki)

Forum 2: Universality in Practice

Chair: CHRISTIAN TAMS (University of Glasgow)

- PAUL REICHLER (Foley Hoag LLP)
- HÉLÈNE RUIZ FABRI (Max Planck Institute Luxembourg)
- MAKANE MBENGUE (University of Geneva)

17.00 - 18.30: Agorae 1-4

Agora 1: The Universal and the Particular

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

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?

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

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)

Opening reception at the Manchester Museum (The University of Manchester, Oxford Road)

19.00 - 21.00: Reception & speeches

22.00: International law rock concert: special guests (Manchester Academy, Oxford Road)

FRIDAY 14 SEPTEMBER 2018

(Venue: Reynold Building, 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

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

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

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)

China’s Geolegal Sphere: Universalism, Pluralism and 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

Chair: CATRIONA DREW (SOAS)

– 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? On the Spatial-Temporal and Functional Aspects of International Seabed Authority Competence and Jurisdiction

– VALERIE SUHR (University of Hamburg)

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

– GUS WASCHFORT (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

Chair: ELIES VAN SLIEDREGT (University of Leeds)

– ALEJANDRO LORITE (University of Québec)

– JOHN DANAHER (NUI Galway)

– JEROME DE HEMPTINNE (Université Catholique de Louvain)

Forum 4: Universality and Global Health Governance

Chair: RHONA SMITH (Newcastle University)

- GEAROID O 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 D6)

12.45 - 13.30: ESIL Mentoring Event: How to start a career in international law (room D2)

13.30 - 15.00: Agorae 9-12

Agora 9: International Organisations and the Dream of Universality

(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

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

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

Chair: OZLEM ULGEN (School of Law, Birmingham City University)

- CARL LEWIS (Tilburg University)

The Concept of the Universal – Jullien, Laclau, Kant

- 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

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)

Melland Schill keynote speech by JAN KLABBERS (University of Helsinki)

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: Reynold Building, Manchester)

9.00 - 9.30: Welcome and coffee (exhibition space)

9.30 - 11.00: Fora 5 & 6

Forum 5: Universality beyond the European

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

Chair: RICHARD BARNES (University of Hull)

- LORAND BARTELS (University of Cambridge)
Trade Implications of Brexit
- PAULO PINTO DE ALBUQUERQUE (Judge at the ECtHR)
Human Rights Implications of Brexit
- JOSEPHINE VAN ZEBEN (University of Oxford)
Environmental Implications of Brexit

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)

12.30 - 13.30: Lunch (exhibition space)

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 SCOBIE)

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