

From the Director From the Director

Global Governance and the Challenges of New Technology: What role for International Law?

LCIL Director Eyal Benvenisti

The law on global governance that emerged after the Second World War was grounded in irrefutable trust in international organisations and in an assumption that their subjection to legal discipline and judicial review would be unnecessary and, in fact, detrimental to their success. The law that evolved systematically insulated international organisations from internal and external scrutiny and absolved them of any inherent legal obligations – and, to a degree, it continues to do

Indeed, it was only well after the end of the Cold War that mistrust in global governance began to trickle through into the legal discourse and the realization gradually took hold that the operation of international organisations needed to be subject to the disciplining power of the law. Since the mid-1990s, scholars have sought to identify the conditions under which trust in global bodies can be regained, mainly by borrowing and adapting domestic public law precepts that emphasize accountability through communications with those affected. Today, although a 'culture of accountability' may have taken root, its legal tools are still shaping up and are often contested.

More importantly, these tools are ill-equipped to address the new modalities of governance that are based on decisionmaking by machines using raw data (rather than two-way exchange of information with stakeholders) as their input. The new information and communication technologies challenge the foundational premise of the accountability school – that 'the more communication, the better' – as voters-turned-users obtain their information from increasingly fragmented and privatized marketplaces of ideas that are manipulated for economic and political gain.

In the forthcoming Foreword article in the European Journal of International Law (forthcoming 2018), I describe and analyse how the law has evolved to acknowledge the need for accountability, how it has designed norms for this purpose and continues in this endeavour – yet how the challenges it faces today are leaving its most fundamental assumptions open to question. I argue that, given the growing influence of of the law of global governance is no longer limited to ensuring the accountability of global bodies, but is also

The Beginnings – Opacity and Complacent **Trust in International Organisations**

The basic layer of the international law of global governance, known as the law on international organisations, has taken shape after the Second World War through the jurisprudence of a Western-dominated ICJ. This law shared a utopian vision of international civil servants that, in the words of Jan Klabbers 'heralded [them] as the harbingers of international happiness, embodying a fortuitous combination of our dreams of "legislative reason" and the idea that everything international is wonderful precisely because it is

public and private global governance bodies on our daily lives and the shape of our political communities, the task to protect the very viability of the democratic state.

international.' This law asked us to have confidence in international decision-makers: their purported impartiality was presented as a proxy for selflessly working for the common good. It was entirely within the spirit of an era characterized by endemic problems of information asymmetry: people sought not to become better informed but to identify actors whom they could trust more than

Reflecting this trust in 'everything international' in the immediate post-World War II era – within a UN still dominated by the West and against Soviet opposition – the ICJ fleshed out a doctrine that was grounded in functional terms. The functional approach insulated the UN but also all international organisations from any external legal discipline or judicial accountability. It achieved this outcome by insisting on five principles:

- (a) International organisations have legal personality that is independent of the member states;
- (b) The powers of the organisation are defined by the treaty that sets it up, subject to the treaty's object and purpose, broadly defined and even implied, and subject also to subsequent practice of the organisation (the exact opposite to domestic public law doctrines of ultra vires or abuse of rights);
- (c) The external legal constraints on the organisation are those general rules of international law applicable to organisations as well as their international agreements;
- (d) The organisations enjoy immunity from domestic court review (and hence are subject only to judicial proceedings to which they agreed);
- (e) Member states that can operate through international obligations are rendered capable of 'laundering' their direct responsibility for the acts or omissions that are attributed to the organisation.

The widespread trust in 'everything international' was not questioned in academic literature. In fact, such trust was subsequently endorsed by the neoliberal school of international relations, which extolled the virtues of creating international organisations to promote the frequent exchange of information and mutual monitoring. Much like the firm as an institution of private law, the international organisation was seen as the response to endemic problems of transaction costs and collective action. If international organisations are created 'whenever the costs of communication, monitoring, and enforcement are relatively low compared to the benefits to be derived from political exchange, then their presence implies greater benefits to the members. While this depiction certainly reflected the practice of some institutions, particularly those involving small-scale management of boundary waters, the extrapolation of the argument was certainly dubious, if not self-serving.

Toward Accountability: The Rise of Global Administrative Law

The early part of the 1990s saw the proliferation of international organisations in their different forms and guises and the growing dependency on them. This brought home the understanding that powerful states and special interests were, in fact, steering them in favour of their own ends. The initial enthusiasm about a functioning UN Security Council was curbed by failures of multilateralism to ensure peace and human rights in Somalia, Rwanda, Srebrenica and later Kosovo, culminating in Security Council-authorised targeted sanctions regimes that failed to live up to accepted standards of due process in the protection of rights and liberties. Examples of incompetence and mismanagement, and even sheer disregard for the lives of those directly subject to the organisations' control, shattered the image of the impartial, competent international organisation. They also demonstrated that there is nothing inherently 'good' about international organisations and that their operation must be subject to the disciplining power of the law if the corruption of power is to be addressed.

It thus became clear that the immense growth and spread of international organisations had extended the executive command of the powerful states that controlled those institutions. Meanwhile, they further disempowered disparate domestic electorates, who could not benefit from the traditional constitutional checks and balances found in many democracies intended to limit executive discretion. At the same time, too few new checks and balances were created to compensate for the loss. Nowhere was the problematic experience with these organisations more pronounced than in Southern countries, as scholars from these regions ably pointed out, stressing the adverse consequences of Northern domination that was exerted through these global bodies.

The response has been efforts since the mid-1990s to identify the conditions under which trust can be regained. These efforts have consisted mainly of borrowing from domestic public law precepts (administrative law and constitutional law) to view international organisations as exercising public authority. As such, it follows that they should be subject to a strict discipline of accountable and inclusive decision-making, as elaborated by the path-breaking scholarship of Global Administrative Law associated with NYU School of Law and the Institute for Research on Public Administration in Rome, and other approaches such as the Max Planck Institute's project on International Public Authority. Perhaps responding to growing public and scholarly demands, the operators of various international organisations have begun to invoke the language of accountability to single themselves out from the crowd or to forestall criticism. A 'culture of accountability' has taken hold in public discourse.

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From the Director

From the Director

What characterizes the emerging literature on accountability in global governance is the emphasis on bi-directional communications between governors and the governed as the means to overcome the information asymmetry that lies at the root of popular mistrust of government. This literature suggests that obligations of transparency and participation, of the duty to hear and give reasons for decisions, will bridge the information gap and resolve the principal agent problem that is the source of mistrust.

Indeed, the establishment of the discipline of accountability through communication appears to have succeeded in reestablishing trust in global governance in some quarters. Slowly but resolutely, domestic regulators and courts have stepped into the global arena, pushing back against global pressures, citing the language of individual rights and of public accountability to justify their refusal to give effect to global regulation. The effort of the so-called Mega-Regional agreements to remove such domestic constraints by promoting global regulatory mechanisms and internationalized judicial review mechanisms may reflect the success of the domestic actors in limiting the capture of decision-making processes by interest groups.

But, as we know from domestic public law, the language of accountability can sometimes amount to no more than cheap talk. Going through the motions of communications can be meaningless, if not counterproductive, as decision-makers can, in fact, maintain and even increase preexisting or newly-formed pockets of discretionary space. Moreover, the same obligations to communicate – designed to limit the impact of special interest groups - have been utilized by those very groups to stall or block regulation that is likely to affect them adversely, by making excessive demands for information about planned measures and for voicing their own concerns. The rising economic power of the BRICS states, in particular China with its Asian Infrastructure Investment Bank (AIIB) that seeks to be 'nimbler' than the World Bank and use 'electronic communications' rather than serious participatory decision-making processes, pose their own challenges on the emerging culture of accountability.





BRICS leaders meet on the sidelines of G20 in China in September 2017

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Beyond Communications: Access to Data in the Age of ICT-Based Governance

While the bi-directional communications approach promoted by Global Administrative Law scholarship has broadly been accepted as the way to foster trust in the global governance sphere, and work to further develop it is on-going, it is already under threat of becoming obsolete if it is not readjusted to face new challenges. New technologies of governance, new actors involved in governance and new efforts by traditional actors to recreate information asymmetry by polluting or clogging the available channels of communication expose the limits of 'the more communication, the better' approach of the traditional accountability school.

At the heart of such challenges lie the new information and communication technologies (ICTs), which change the power dynamics between traditional actors (primarily state executives) and new entrants (primarily social media companies) and almost render superfluous the utility of bi-directional communications. ICTs generate big data – vast swaths of metrics about human activities and natural occurrences that enable humans and machines to learn about the state of the world, human behaviour and the human condition to shape and enforce public policies. The availability of big data and the fast and relatively cheap means to process it are prompting public and private governance bodies to regard the traditional bi-directional communications process as unnecessarily burdensome, if not superfluous. In addition, the same ICTs enable traditional actors (politicians, even heads of state) to spread confusion over the new and the traditional channels of communication and recreate information asymmetries that mislead disparate voters and lead them to mistrust government and vote against their own interests. Finally, the few for-profit private companies that own some of the key ICTs also

take part in global regulation of major human activities, but at the same time contribute to nudging their users to unwittingly modify their behaviour, even against their best interests. As a consequence, the utility of the bi-directional communications approach diminishes. With the rise of ICT-driven governance, grounded in the amassing and processing of big data by machines, the key to transparency and accountability of public and private governance lies instead in: securing access to the same precious resource – big data – independently of the governance bodies; protecting the channels of communications against manipulation and pollution; and insisting on the involvement of humans in computerized decision-making processes.

These challenges invites scholars of global governance to consider several questions, among them:

- (a) Governance by machines, namely predetermined algorithms or neural networks that form or implement public policies by learning from big data rather than relying on the input of stakeholders: should the law insist on a 'human in the loop' that could exercise discretion with an open mind and respect the humanity of those affected by the decision?
- (b) The prevalence of efforts to pollute, overload and fragment the new internet-based marketplaces of ideas, thereby recreating information asymmetries and deepening social divisions: could international lawyers agree on adapting the prohibition on foreign interference in domestic affairs to the new ICT era?
- (c) The rise of governance by private social media providers and other ICT companies that combine the data they accumulate, and their ability to manipulate the information to which they expose their users, to increase their profits and enhance their political power: should social media providers such as Facebook and Google be subject to legal disciplines of accountability? and;
- (d) How access to big data could be used to monitor global governance: Is there a general right to access such data, held by either public or private bodies? Can international law be instrumental also in bridging the 'big data divide' that leaves about half of the world's population disconnected?

We have come a long way since the days of blind trust in the impartiality and skilfulness of international organisations. Global governance bodies are no longer regarded as remote institutions with limited effect on our daily lives. We now understand the need to communicate with decision-makers, to deliberate collectively and to access data. However, the law of global governance is still framed by the initial approach that reflects blind trust in an impartial international civil service – an approach

that hampers the evolution of general law binding all international organisations. And just as we realize the need to require national and international regulators to secure the inclusiveness and openness of our collective channels of communication and sources of knowledge, we face partisan efforts among commercial and political actors to manipulate these crucial resources. Such efforts are either driven by old-fashioned profit-seeking or they are offensive manoeuvres to undermine public trust in those same public institutions that seek to protect open and reliable channels of communication. The very possibility of domestic and international cooperation for confronting collective challenges - which by its very nature depends on informed interaction – is thus threatened. For this reason, at the same time as it becomes increasingly clear what the major tasks of the law of global governance are likely to be, it also becomes questionable whether the law can, in fact, be further developed to fulfil those tasks. New technologies of governance that rely on raw data rather than on communicated information raise their own challenges but also offer possibilities for data-driven accountability.

These questions and doubts should not dissuade us from seeking responses. The need for an international law that is capable of addressing the new modalities of governance and regulating the fundamental problems of information asymmetry, the clogging or polluting channels of communications, and of access to data is more pressing than ever. Due to the growing influence of global governance bodies, private actors and rogue states on our daily lives and the shape of our communities, the primary task of the law of global governance is not only to ensure the accountability of global governance bodies but also to protect human dignity and the very viability of the democratic state.



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Centre holds symposium in memory of Sir Elihu Lauterpacht 1928 - 2017

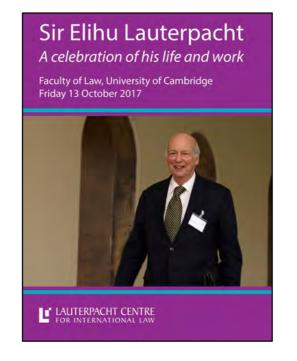
On Friday 13 October last year, the Centre organised a symposium to celebrate the life and work of Sir Elihu Lauterpacht CBE QC LLD, Honorary Professor Emeritus of International Law at the University of Cambridge, Fellow of Trinity College, and founder and Honorary Fellow of the Lauterpacht Centre for International Law, who died on 8 February 2017.

The well-attended symposium brought together Sir Eli's former colleagues, students and friends to remember his influence on the law and their lives, and to discuss how his vision for a thriving research centre for international law in Cambridge is still very much alive.

The Symposium Programme

Professor Richard Fentiman, Chair of the Faculty of Law, opened the symposium at the Faculty of Law with Professor Eyal Benvenisti, Whewell Professor of International Law at the University of Cambridge and Director of the Centre, and Dame Rosalyn Higgins, a former President of the International Court of Justice.

This was followed by the Inaugural Sir Eli Lauterpacht Lecture, 'A return to the Caroline Correspondence, 1838 – 1842', which was delivered by Professor Dino



Kritsiotis from the University of Nottingham.

In future years, the Sir Eli Lauterpacht Lecture will be the opening lecture of the Friday lunchtime lecture series.

The afternoon sessions of the symposium were divided into two panels:



The first session detailed Sir Eli's work. It was led by Professor Roger O'Keefe, UCL and speeches were given by Judge Stephen M Schwebel, former President of the International Court of Justice; Professor lain Scobbie, Manchester International Law Centre – University of Manchester; Penelope Nevill, 20 Essex Street & KCL and Judge Christopher Greenwood CMG QC, International Court of Justice; Joint Editor, ILR; Honorary Fellow of the Lauterpacht Centre and of Magdalene College, Cambridge.

The second session covered Sir Eli's work with the Lauterpacht Centre. This was led by Lesley Dingle, Squire Library, University of Cambridge and speeches were given by Judge James Crawford AC, International Court of Justice; Professor Robert Gustavo Volterra, Volterra Fietta & UCL; Emanuela-Chiara Gillard, Institute for Ethics, Law and Armed Conflict, University of Oxford & European University Institute, Fiesole; Dr Andrew Sanger, Volterra Fietta Junior Research Lecturer at Newnham College and the Lauterpacht Centre, University of Cambridge; Professor Philippe Sands QC, UCL & Matrix Chambers.

The symposium concluded in the evening with a dinner at Selwyn College.

You can listen to all the symposium speakers here on the LCIL website, and view the symposium programme here.







Symposium attendees fill the auditorium

The Eli Lauterpacht Fund

The Eli Lauterpacht Fund has been set up in memory of Sir Eli to support the work of the Lauterpacht Centre for International Law, which he founded, directed and inspired. We hope you will join us in remembering this extraordinary international lawyer and friend through donating to this Fund. During this current fund-raising drive, the Centre's ambition is to raise £750,000.

With your support the Fund will be used to strengthen the Centre not only generally but additionally for three new initiatives – the Cambridge International Lawyers' Archive, the Eli Lauterpacht Visiting Fellowships and the Eli Lauterpacht Events Fund. This will enable the Centre to become an even more vibrant place for research in international law, cementing its position as one of the field's leading research centres in the world.

The LCIL Cambridge International Lawyers' Archives

In collaboration with Cambridge University Library, LCIL is working to create an archive for the papers of international lawyers who have a strong connection to Cambridge, thereby attracting scholars from across the world who are interested in the history of international law. The library offers world-class archival facilities. In addition to Sir Eli's papers, these facilities presently include those of deceased former lawyers - Clive Parry, Derek Bowett and Robert Jennings. LCIL needs £250,000 for the cataloguing of the papers it has already received.

Eli Lauterpacht Visiting Fellowships

Eli loved welcoming scholars from across the world to the Centre. An *Eli Lauterpacht Visiting Fellowship* allows LCIL to invite each year a scholar, or a practitioner in international law, whose work is relevant to LCIL Fellows to spend at least a month at the Centre and join in research collaborations. £250,000 will endow one such fellowship.

Eli Lauterpacht Events Fund

Strengthening the Centre as a vibrant focal point for research in international law, the Eli Lauterpacht Events Fund will enable LCIL to convene seminars on a wide range of topics, welcoming leading scholars and practitioners from diverse backgrounds and regions.

This Fund will be used for covering the accompanying costs of travel, accommodation and hospitality – a characteristic that Eli himself is so well remembered for. The Centre hopes to raise £250.000 for the Events Fund.

Contributing to the Fund

The Centre welcomes gifts to the Eli Lauterpacht Fund either for the Centre's general use in developing facilities and promoting the study of international law, or for any of the three initiatives mentioned in this article.

The support received helps the Centre maintain its position as one of the leading research centres for international law in the world, consistent with Sir Eli's vision, and to ensure that the Centre is well placed to contribute to the development of the study of international law.

The Centre's Director, Eyal Benvenisti (Email: eb653@cam.ac.uk, Tel: +1223 335358), would be delighted to discuss your donation.



In 2006, Sir Eli wrote:

"The establishment of an archive has long been on the list of things that I have had in mind for the Centre ... I have a 55-year accumulation of documents ... which I would like to see placed in such an archive. ... I would be very happy to hand it over for safekeeping and ultimate use by researchers."

How you can contribute to the Fund

Contributions can be made in the following ways:

By Credit/debit card:

Please visit https://www.philanthropy.cam.ac.uk/give-to-cambridge/eli-lauterpacht-fund;

By cheque:

Please make cheques payable to the Lauterpacht Centre for International Law, and send to Mrs Anita Rutherford, 5 Cranmer Road, Cambridge CB3 9BL, UK;

By bank transfer:

University of Cambridge, Barclays Bank plc, St Andrews Street, Cambridge, CB2 3AA

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The Centre would like to thank the following people for their generous donations to the Eli Lauterpacht Fund:

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Mr Michael Lauterpacht

Lady Catherine Lauterpacht

Mr Conan Lauterpacht

Mr John Lehman

Mr & Mrs John Lewis

Professor Christoph Schreuer

Dr Anthony Sinclair



New corridor linking LCIL buildings officially opens

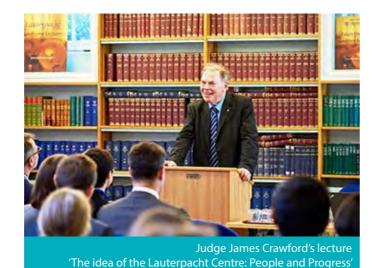
The opening of the new corridor linking the two buildings of the Lauterpacht Centre of International Law (LCIL) at nos 5 and 7 Cranmer Road (Bahrain House) took place on Friday 1 December 2017.

The 'Link' was officially opened by Professor Richard Fentiman, Chair of the Faculty of Law.

In symbolic recognition of linking no 5 to Bahrain House, as well as the launch of the Lauterpacht Linked partnership programme (see article on page 10), a ribbon was used to join the two buildings.

The ribbon was held by Judge James Crawford, International Court of Justice & Honorary Fellow of LCIL (pictured left) and Professor Eyal Benvenisti, LCIL Director (pictured right). Fellows, Law students, researchers and staff attended the event.

Judge James Crawford gave a lecture titled 'The idea of the Lauterpacht Centre: People and Progress', and Professor Christine Gray spoke about the Cambridge



tradition in international law.' Dr Sarah Nouwen and Dr Michael Waibel, LCIL Deputy Directors then introduced 'Lauterpacht Linked', the Centre's new partnership programme.

"The new link will improve communications and a freer flow of people around the Centre" said Professor Benvenisti.

Left to Right: Judge James Crawford, International Court of Justice & Honorary LCIL Fellow (far left) holds the ribbon with Professor Eyal

The Lauterpacht Centre holds its first Linked Career Event

Building bridges between the Centre's Partners and Cambridge students

On 1 December 2017, the Lauterpacht Centre held the inaugural Linked Career Event in international law. The aim of this annual event is to allow selected students to meet representatives of Lauterpacht Linked partners in order to learn more about their practise in international law.

The event offered students the opportunity to discuss their career possibilities with participating Lauterpacht Linked partners (Shearman & Sterling LLP, Arnold & Porter Kaye Scholer, 4 New Square Chambers, Lindeborg, Shell and the Foreign and Commonwealth Office).

The initiative drew great interest from undergraduate, LLM and doctoral students with 39 applications submitted overall. The event received highly positive and enthusiastic feedback from both students and Linked Partners.

The Linked Career Event serves as a bridge between the Centre's academic community and Partners, with both groups benefitting from the interaction, while assisting Cambridge students to find their way into practice. Current PhD student, Emilija Leinarte, played a crucial role in organising the

"A central part of Lauterpacht Linked is an annual career event that allows Cambridge students to interact with the world of practice right here at the Centre and to receive advice on different career options in international law. The Centre is delighted about the success of this year's inaugural career event, and we thank our Lauterpacht Linked Partners for their support and participation."

Michael Waibel, Co-Deputy Director, LCIL





"The LCIL Linked event was a fantastic opportunity to speak to lawyers involved in the practice of international law, while getting a greater sense of different career avenues and opportunities within this area. I found it really valuable to talk to various professionals about their work and to gain a greater understanding of how I can build a career in international law."

Andrew Pullar (LLM student)

"Planning for a career in international law can be guite a daunting task, due to the lack of information in this field and the absence of a clear path to employment. That's why I am glad the Lauterpacht Centre organised the career event, which was tremendously helpful and enjoyable for the

Damien Charlotin, PhD student in international law at the Faculty of Law

"As a PhD student in my final year of study, I found that the Linked Career Event provided a great platform to discuss career opportunities with representatives from participating institutions. Through the event, I have succeeded in securing an internship with one of the Lauterpacht Linked partners. The event has created the much-needed bridge that can help connect graduate students looking to join legal practice with city law firms that have a strong international law focus."

Ridhi Kabra, PhD student in international law at the **Faculty of Law**

Lauterpacht Linked

The Partnership Programme of the Lauterpacht Centre for International Law

Lauterpacht Linked is a partnership programme of the Lauterpacht Centre for International Law (LCIL), which creates and consolidates strong relationships between practitioners and the Centre.

The programme was launched on 1 December 2017 at the Centre, and gives practitioners unique and exclusive access to people, events and research associated with the Centre, in exchange for their support to the Centre's infrastructure and activities.

Dr Michael Waibel, Co-Deputy Director: "The Linked partnership is designed to strengthen the bonds between LCIL fellows and practitioners in international law, and is deliberately open-ended and flexible. We look forward to welcoming our Linked Partner fellows in the very special community of international lawyers that is the Lauterpacht Centre."

The Lauterpacht Linked Programme deepens the relationship between a very select group of practitioners who support the Centre and its wider community.

Membership of the programme is by invitation only and open to fifteen to twenty select law firms, barristers' chambers, and major companies with an interest in International law and foreign ministries.

Financial support for LCIL

LCIL Partners financially support the Centre with £8,000 per year, thereby contributing to the development of its research activities and physical infrastructure.

For enquiries about the programme please contact Co-Deputy Director Michael Waibel (mww27@cam. ac.uk), +44 1223 748 765.



Exclusive benefits for LCIL Partners are:

- LCIL Partner firms, chambers and companies may nominate one representative to the position of LCIL Partner Fellow;
- LCIL Partner Fellows are invited to Centre lectures and dinners;
- LCIL Partner Fellows enjoy exclusive networking opportunities with LCIL fellows and other LCIL Partner Fellows;
- LCIL Partner Fellows can build strong relations with LCIL fellows working in their area of interest, fostering opportunities for collaboration in practice and in research;
- LCIL Partner firms, chambers and companies are invited to an exclusive annual 'Your Career in International Law' event, during which they can meet and present themselves to most promising graduate students (see careers event article on page 7);
- LCIL Partners are welcome to organise events at LCIL (at cost price and subject to availability)
- LCIL Partners can nominate members of their organisation to become practitioner in residence at the LCIL for a term, cultivating opportunities for collaboration with LCIL fellows:
- LCIL Partners can suggest executive education and training programmes for LCIL to organise in specific areas of international law (e.g. investment arbitration). Linked Partners are eligible for discounts of 20 percent for such training courses;
- LCIL Partners and LCIL Partner Fellows are acknowledged on the Centre's website.



"The Linked partnership is designed to strengthen the bonds between LCIL fellows and practioners in international law, and is deliberately open-ended and flexible. We look forward to welcoming our Linked Partner fellows in the very special community of international lawyers that is the Lauterpacht Centre."

Dr Michael Waibel, Co-Deputy Director of LCIL

Our Partners

We are grateful for the support of our current partners:





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Centre for International Law, Ministry of Foreign Affairs of the Kingdom of the Netherlands

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BRCS/ICRC Customary IHL project

The research team working on the **Customary International Humanitarian** Law (IHL) Project, a joint undertaking of the British Red Cross and the International Committee of the Red Cross (ICRC), continues to enjoy having its academic home at the Centre.

The research team at the Lauterpacht Centre updates the award-winning online ICRC Customary IHL Database with new practice. The Database covers the national **practice** of states from all over the world, from Afghanistan to Zimbabwe, as well as international materials from bodies such as the International Criminal

The research team updates national practice, while international material is currently being updated by a team of researchers based at Laval University in Canada.

The Database contains the 161 rules of customary IHL identified by the ICRC in their 2005 Customary IHL **Study** originally published by **Cambridge University Press** and the practice underpinning these rules. It covers a wide range of topics, including issues of current debate, for example the prohibition of attacks against civilians. This is significant as Customary IHL - which like all customary international law is established primarily by states - can fill gaps left by treaty law in international and, notably, in non-international armed conflicts (which constitute the vast majority of armed conflicts in the world today). In compiling such practice, the aim of the online Customary IHL Database is to provide upto-date, accurate, extensive and geographically diverse information in the field of international humanitarian law (IHL) and to make this information readily accessible to people and institutions interested in, or dealing with, IHL and armed conflict.

The formation of customary law is an on-going process. For this reason, practice is updated regularly on the Customary IHL Database. The work of the research team therefore allows the users of the Database to monitor current practice in the area of IHL and to assess the extent to which the rules of customary IHL contribute to the protection of victims of armed conflict and to the regulation of means and methods of warfare, whether by confirming or supplementing treaty IHL. For example, in December last year, state practice from Switzerland and the Democratic Republic of the Congo was updated. The new practice is marked in green throughout the Database.

At the end of 2017 the research team said farewell to Natália Ferreira de Castro, who had been with the project for five and a half years, first as a researcher and then, since 2015 as team leader, and to Jana Panakova, who had been with the project for almost four years, as they moved on to new endeavours. The research team is currently composed of Emilie Fitzsimons, Hannah Maley, Claudia Maritano and Jolien Quispel.

Further information about the Project: http://www.lcil.cam.ac.uk/projects/customaryinternational-humanitarian-law-project

ICRC Database:

https://ihl-databases.icrc.org/customary-ihl/eng/docs/



New Public International Law discussion group

Cambridge PhD students working on international law meet frequently – typically bumping into each other at LCIL Friday lunchtime lectures or in the PhD workspace, or grabbing drinks in small groups. But 31 October 2017, marked the first time that we met as a distinct academic group, without faculty supervision and with a deliberate non-social purpose, says current PhD student, Kaara Martinez.

This meeting, in the Old Library at the Lauterpacht Centre, was to explore the possibility of forming a public international law PhD student group. This is something Professor Benvenisti had been warmly encouraging for some time, and an idea that, somewhat surprisingly, I do not believe had existed among the Cambridge international law students in recent years. There was thus some novelty to the premise, and this first exploratory meeting in October allowed us to discuss collectively our vision and goals for such a group. We wanted to be sure it was something that we would take ownership of, would be of real benefit to us, and that we would want to commit to fully. And so our cohort began.

Our meetings are held every other Tuesday during term, with a format of structured informality where a

different PhD student leads each meeting and predetermines the substantive topic. Thus far, Luíza Leão Soares Pereira has examined scientific method in international law, drawing inspiration from Anne Orford's EJIL piece 'Scientific Reason and the Discipline of International Law' and relating it to her own research project on international lawyers and the making of international law, and Orfeas Chasapis-Tassinis has led a highly dynamic discussion of Anthea Roberts' new book Is International Law International?

But these types of academic exchanges are only a portion of the purpose and priorities of the group. At its core, the group is about creating a greater sense of cohesion among the PhD students. We all wanted to gain a deeper awareness of each other's thesis projects, to share ideas and insights, and, perhaps most importantly, to provide peer mentorship as we progress on our journeys as scholars in our own right.

The group is a friendly, safe space for us to think, discuss, vent, critique, and share our challenges and accomplishments, all still - and fittingly - within the hallowed walls of the LCIL. It is a modest and nascent endeavor, but I hope one that continues to build momentum and commitment so that, in time, PhD students can more fully assume our responsibility as an integral part of the Lauterpacht Centre community, and define our contribution there more vividly.



People @ the Lauterpacht Centre Fellows' news



Professor John Dugard

We are delighted to announce that Professor John Dugard, director of the Lauterpacht Centre from 1995 to 1997, has been appointed an Honorary Fellow in recognition of his many contributions to international law and to the Lauterpacht Centre when he served as the Director.



Lorand Bartels

This term Dr Bartels has testified on Brexit issues before the House of Commons Select Committee on International Trade, the Committee on Exiting the EU and the Public Bills Committee.



Joanna Gomula

Joanna organized a symposium on: 'The ASEAN Economic Community: integration without institutionalization' (October 2017), at which Dr Leonardo Borlini and Professor Claudio Dordi of the University of Bocconi presented their work on institutional aspects relating to the Association of Southeast Asian Nations (ASEAN) Community. She also organized a symposium on; 'State succession in respect of state responsibility' (February 2018) at which Professor Šturma, Special Rapporteur of the International Law Commission, presented his first report on the topic. Joanna spoke about WTO and jurisdiction at a workshop on Jurisdiction in International Law' held at Queen Mary College, University of London (November 2017). Joanna's annual contribution on the developments in WTO dispute settlement was published in the Global Community Yearbook of International Law and Jurisprudence (2016).



Sarah Nouwen

Sarah Nouwen published, together with Cambridge PhD candidate Mike Becker, a chapter on the Tadić case in Landmark Cases in Public International Law (see page 20). An earlier version of the chapter is available here. She also reviewed Philippe Sands's East West Street for the British Yearbook of International Law and blogged for EJIL Talk on a conference on Lviv, Lauterpacht and Lemkin.

On 30 November, she launched, together with Dr Adam Branch, Dr Njoki Wamai and Ms Surer Mohamed at POLIS, the research programme "Rethinking Transitional Justice from African Perspectives."

In the first half of 2018 she will be a Visiting Professor at the Graduate Institute in Geneva, teaching a new course Peacemaking: What's Law Got to Do With It?, designed on the basis of her eponymous research programme funded by the ESRC, Leverhulme Trust and Newton Trust.



Surabhi Ranganathan

Surabhi Ranganathan led the 2017 edition of the Transregional Academy of the Forum Transregionale Studien and the Max Weber Foundation in Berlin, August 2017, alongside five other colleagues from Germany (Jochen von Bernstoff, Phillip Dann, Isabel Feichtner), the UK (Celine Tan) and the USA (Arnulf Becker Lorca). Taking up the theme 'Redistribution and the Law in an Antagonistic World', the Academy played host to 22 fully-funded doctoral and post-doctoral researchers from all parts of the world. Through a series of lectures, reading groups, writing workshops and special seminars held over a 10 day period the Academy explored the law's role both in constituting and ameliorating critical global challenges of the present day. Also in August, Surabhi served as one of the five lecturers for the 30th Anniversary Summer Seminar at the Erik Castren Institute, Helsinki University. Organised under the title 'The Ideal of the International – Principles, Backlash and Resistance', the seminar offered a set of lectures and fireside chats on themes of Trusteeship (Ranganathan), Solidarity (Martti Koskenniemi), Humanitarianism (Anne Peters), Leadership (Jan Klabbers), and Rule of Law and Cooperation (Andrew Hurrell) to over 50 doctoral and post-doctoral researchers and practitioners from Europe and beyond. In September, Surabhi delivered a talk on her research on the global commons and the law of the sea at the invitation of the European Society of International Law, at the Society's annual meeting. She also delivered talks about her research at the Graduate Institute, Geneva, and Tübingen University, and is looking forward to a number of similar talks in the coming months, including this year's Earl Snyder Lecture at the University of Indiana. In other news, Surabhi also joined the Advisory Board of the new Centre on Law and Global Justice at Cardiff University, and is providing academic input towards the establishment of a new School of Transnational Affairs at the University of Delhi.



Andrew Sanger

Andrew Sanger was invited to present the paper "Everywhere and Nowhere: International Law's Partial Recognition of the Corporation" at the Stanford-Penn International Junior Faculty Forum."



Jamie Trinidad

Jamie's forthcoming book 'Self-Determination in Disputed Colonial Territories' was published on 15 February 2018 by Cambridge University Press.

Self-Determination in Disputed Colonial Territories addresses the relationship between self-determination and territorial integrity in some of the most difficult decolonization cases in international law. It investigates historical cases, such as Hong Kong and the French and Portuguese territories in India, as well as cases that remain very much alive today, such as the Western Sahara, Gibraltar, the Falkland Islands and the Chagos Islands. The book provides a comprehensive analysis of colonial territories that are, or have been, the subject of adverse third-party claims, invariably by their neighbouring states. Self-Determination in Disputed Colonial Territories takes a contextual, historical approach to mapping the existing law and will be of interest to international lawyers, as well as scholars of international relations and students of the history of decolonization.



Michael Waibel

Michael was a Scholar-in-Residence at WilmerHale in London, participated in the workshop 'The Dynamic Evolution of International Law' at Victoria University of Wellington and published 'Brexit and Acquired Rights' 111 (2017) AJIL Unbound 440-444.



Rumiana Yotova

Rumiana took up a position as a Fellow and Lecturer in Law at Gonville & Caius College. She presented her current research on 'The Right to Benefit from Science and International Biolaw' at the European Society of International Law's Interest Group meeting in Malaga and gave the keynote speech on 'International Law as It Should Be' at the Edinburgh Postgraduate Law Conference. Rumiana's paper on 'Opinion 2/15 of the CJEU: Delineating the Scope of the New EU Competence in Foreign Direct Investment' is due to be published in the Cambridge Law Journal's February issue. Her chapter on 'Integrating Environmental Considerations in the new EU Investment Agreements: A Brave New World?' is coming out in the Research Handbook on Environment and Investment Law (Edward Elgar, 2018), edited by Kate Miles.

New faces at the Lauterpacht Centre



Joel Dahlquist Cullborg

Joel's research is on the intersection between commercial arbitration and treaty disputes (on which he has published several journal articles) and he teaches international arbitration, private and public international law and international investment law at several universities. During his stay at LCIL, Joel is working on a monograph titled "The non-ICSID Arbitration of Investment Treaty Disputes".

In addition to his academic activities, Joel regularly consults with the Arbitration Institute at the Stockholm Chamber of Commerce and works as administrative secretary to arbitral tribunals. Joel is also a regular contributor to the site Investment Arbitration Reporter (currently on leave) and has previously clerked in a Stockholm court and interned with UNCITRAL Working Group II. Joel is also the co-host of podcast The Arbitration Station.



Craig Eggett

Craig holds an LL.B. (hons) from Durham Law School (UK), with ERASMUS exchange at K.U.Leuven; and LL.M. (cum laude) in International Laws from Maastricht University, with exchange at the Université Toulouse 1 Capitole (France). Prior to coming to Maastricht, Craig worked in the Extraordinary Chambers in the Courts of Cambodia.

At Maastricht, Craig teaches a range of international law courses at both undergraduate and postgraduate level, and coaches the Jessup and Nuremberg moot court competitions. His research interests include sources of international law (specifically general principles of law), international legal theory, and international criminal law.



Carlos Espósito

Carlos is a visiting fellow of LCIL and Clare Hall College, and the Herbert Smith Freehills visitor to the Faculty of Law in the University of Cambridge for the 2018 Lent term.

Carlos has been Counsel and Deputy Legal Advisor at the Ministry of Foreign Affairs of Spain (2001-2004) and a former member of the Executive Board (2010-2014) and Vice-President of the European Society of International Law (2011-2014). He co-directs a Forum of discussion on Arbitration and International Litigation at FIDE since 2007. He is co-editor of the ESIL Book Series to be published by OUP, a member of various editorial boards and the founder of the UAM Law School Journal in 2001. He is the author or editor of numerous books and articles and founder of aquiescencia.net, a widely read international law blog in Spanish since 2008.

Carlos is a Distinguished Fellow of the Law of the Sea Institute, UC Berkeley, where he was also a Visiting Professor of Law (1998). He has been invited to teach a course on "International Law and Technology" at the 2018 Session of the Hague Academy of International Law. Carlos studied law at the University of Buenos Aires (1989), and earned his PhD from the University Autónoma of Madrid in 1995.



Lucas Lixinski

Prior to joining UNSW Law, Lucas was a Postgraduate Fellow at the Bernard and Audre Rapoport Center for Human Rights and Justice at the University of Texas School of Law. He holds a PhD in Law from the European University Institute, and his research focuses primarily on the adjudication of international human rights law by regional and universal mechanisms, and critical approaches to international cultural heritage law.



Sergio Peña-Neira

Dr Peña-Neira is a Chilean national, Professor of Law (A), Universidad Mayor (UM)/Universidad Bernardo O'Higgins (UBO), Chile, with research in England, Mexico, Canada, Germany, Brazil, India, Chile, Japan, Malaysia in international comparative law and public policies (environment and sustainable development): climate change and biodiversity, traditional knowledge (public and private solutions based on normativity, particular legal rights and obligations); Philosophy of Law and Jurisprudence (base of International Law) and Science and the Law researching and publishing on these areas

In 2016, Dr Peña-Neira researched at King's College London under the sponsorship of Professors Raz and Zumbansen on lack of legal rules and before his PhD thesis (Convention on Biological Diversity, traditional knowledge, based on rights and obligations grounded in Kelsen, Hart, Raz and other jurists and philosophers). Member of Center for Research on Public Policies and Law School (UM) as well as Law School (UBO), line of research "International Rule of Law" of the National Autonomous University of Mexico, Chilean Society of International Law and Chilean Society of Public Policy. One of his article has been the ground for the research project on International Rule of Law financed by the National Autonomous University of Mexico. Former Fellow of CISDL and the Institute of Advanced Studies (UNU).



Mateja Steinbrück Platise

Her main research project deals with the Responsibility of International Organisations for Human Rights Violations. She is also Lecturer at the Law Faculty of the University of Heidelberg and at the Law Faculty of the University of Frankfurt, where she teaches human rights law and international dispute settlement. Before joining the Institute, she has worked for several years as Legal Officer at the European Court of Human Rights. Her other appointments include the Lectureship at the Law Faculty of the University of Hamburg and the Law Faculty of the Catholic University of Lille as well as research assistance at the European Studies Centre of the University of Oxford. She holds a PhD degree from the University of Ljubljana, which she obtained after her master studies in international law at the same University. She also holds M.Jur degree from the University of Oxford, where she has specialized in European and Comparative Law.



Katalin Sulyok

Katalin Sulyok holds a degree in law and a bachelor degree in biology. She pursued her LLM studies at Harvard Law School (Class of '16) where she studied as a Fulbright Scholar. She is currently a PhD Researcher and an Assistant Professor at Eötvös Lorand (ELTE) Law School (Budapest), Department of International Law.

Katalin's main field of research concerns International and EU Environmental Law. She is also actively engaged in environmental policy-making since she serves as a Head of Department in a parliamentary agency, the Office of the Ombudsman for Future Generations, Hungary.



Luis Viveros-Montaya

Luis Viveros-Montaya is a Colombian attorney with litigation experience before the inter-American system of human rights; PhD Candidate UCL; Teaching Fellow UCL; Program Coordinator UCL Public International Law Pro Bono Project; former legal consultant at the Inter-American Court of Human Rights; my research areas of interest are reparations in international human rights law and the interaction between public international law and transitional justice.



Antje Wiener

Antje Wiener holds the Chair of Political Science, especially Global Governance at the University of Hamburg since 2009. She earned a PhD in Political Science at Carleton University, Canada (1996) and an MA in Political Science at the Free University of Berlin (1989).

Before coming to Hamburg, she spent 20 years abroad, teaching in Canada, the US and the UK where she held Chairs of Political Science and International Relations at Queen's University Belfast and the University of Bath.

Recent publications

Landmark Cases in Public International Law

Edited by Dr Eirik Bjorge, Senior Lecturer in Public International Law in the University of Bristol Law School and Cameron Miles, Barrister of Gray's Inn, practising from 3 Verulam Buildings in London.

At the close of 2017, Hart Publishing produced Landmark Cases in Public International Law—edited by Dr Eirik Bjorge at Bristol University and myself, Cameron Miles. The appearance of the book was cause for celebration, being as it was a continual pre-occupation of ours for some three years.

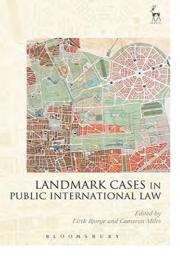
The idea of a public international law entry into Hart's excellent Landmark Cases series first occurred to Eirik and myself when we were comparatively junior academics (not that we're much more senior now!). Eirik was finishing tenure as the Shaw Foundation Junior Research Fellow at Jesus College, Oxford; I was a doctoral student at Trinity Hall, Cambridge. Both of us were working on what might be described as fairly niche areas of international law—the kind of thing that, unless carefully managed, has been known to obscure the forest for the trees. As such, the Landmarks project (as the project quickly became known) seemed like a way through which valuable perspective could be retained—the sort of work that would enable us to, in a way, rediscover what had led us into international law in the first place: the process by which international courts and tribunals dealt with difficult (and often diplomatically-charged) fact scenarios and equally problematic questions of international law, and the capacity for the resulting decisions to shape the structure of the system for generations to come.

It then occurred to us that other academics might also welcome the opportunity to step away from their own niches and reacquaint themselves with their favourite cases in international law—those decisions dealing with a particularly meaningful situation or problem in the law of nations. And it further occurred to us that we had an enviable resource at our disposal in this regard, namely the Lauterpacht Centre for International Law at Cambridge. Both of us had been associated with the LCIL in the past: I had been (and in fact, in 2015 still was) Professor James Crawford's research associate at the Centre; Eirik had had the opportunity to give the inaugural LCIL/CJICL Young Scholar Lecture there in 2015. As such, we had access to an array of world-class academics, who had either been fellows of the LCIL at some point or otherwise passed through its doors.

In approaching prospective authors for the book, we first prepared a list of cases that we thought were worthy of inclusion. We then attempted to match each case with an author or authors that we had wanted to work with. Beyond that—and an extremely skeletal—



Dr Cameron Miles



brief we relied on each individual to bring their expertise and personality to bear.

We were promptly overwhelmed with the enthusiasm of each person we approached. As we had suspected and true to the spirit of the Centre—the chance to reckon with the 'big cases' of the past 200 years in public international law proved irresistible. As a consequence, of the 23 chapters in Landmarks, 19 have been authored or co-authored by LCIL alumni—including current fellows Michael Waibel (Mavrommatis Palestine Concessions), Sarah Nouwen (Tadić v Prosecutor), Surabhi Ranganathan (the Nuclear Weapons Advisory Opinions), Sir Michael Wood (Certain Jurisdictional Immunities of the state) and Tom Grant (the Early United Nations Advisory Opinions). We were also pleased to be able to include two former Directors of the LCIL in Professor John Dugard (the Wall Advisory Opinion) and Judge James Crawford (the South West Africa Cases).

In the final balance, Eirik and I, as editors, are delighted with the quality of Landmarks as a book. We hope that, as editors, we have lived up to the uniformly high quality of the chapters that were submitted to us. But the book as a whole—at least so far as its virtues are concerned—stands as a monument to the Centre and the tradition of engaged and reflective international law scholarship it represents.

Cameron Miles studied Law at the University of Cambridge, gaining a PhD in 2017. He now works in London for 3VB.

More information:

https://www.bloomsburyprofessional.com/ uk/landmark-cases-in-public-internationallaw-9781849467889/

Justification and Excuse in Internationa Law - Concept and Theory of General **Defences**

By Federica Paddeu

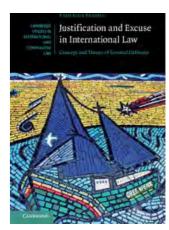
Cambridge University Press has published Justification and Excuse in International Law: Concept and Theory of General Defences by Dr Federica Paddeu as part of the Cambridge Studies in International and Comparative Law series.

The defences available to an agent accused of wrongdoing can be considered as justifications (which render acts lawful) or excuses (which shield the agent from the legal consequences of the wrongful act). This distinction is familiar to many domestic legal systems, and tracks analogous notions in moral philosophy and ordinary language.

Nevertheless, it remains contested in some domestic jurisdictions where it is often argued that the distinction is purely theoretical and has no consequences in practice. In international law too the distinction has been fraught with controversy, though there are increasing calls for its recognition.



Dr Federica Paddeu, Fellow



More information:

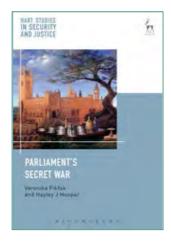
http://www.cambridge.org/gb/academic/subjects/ law/public-international-law/justification-and-excuseinternational-law-concept-and-theory-general-defences ?format=HB#QCIA2CDT7eyX1O5w.97

About Parliament's Secret War

By Veronika Fikfak

The invasion of Iraq in 2003, and the Coalition Government's failure to win parliamentary approval for armed intervention in Syria in 2013, mark a period of increased scrutiny of the process by which the UK engages in armed conflict.

For much of the media and civil society there now exists a constitutional convention which mandates that the Government consults Parliament before commencing hostilities. This is celebrated as representing a redistribution of power from the executive towards a more legitimate, democratic institution.





Dr Veronika Fikfak, Fellow

This book offers a critical inquiry into Parliament's role in the war prerogative since the beginning of the twentieth century, evaluating whether the UK's decisions to engage in conflict meet the recognised standards of good governance: accountability, transparency and participation.

The analysis reveals a number of persistent problems in the decision-making process, including Parliament's lack of access to relevant information, government 'legalisation' of parliamentary debates which frustrates broader discussions of political legitimacy, and the skewing of debates via the partial public disclosure of information based upon secret intelligence.

The book offers solutions to these problems to reinvigorate parliamentary discourse and to address government withholding of classified information. It is essential reading for anyone interested in war powers, the relationship between international law and domestic politics, and the role of the Westminster Parliament in questions of national security.

More information:

https://www.bloomsburyprofessional.com/uk/

Legal Tools for Peace-Making project set to conclude successful run

As the Legal Tools for Peace-Making project nears completion, the team has been making significant progress on ensuring its successful conclusion, including arrangements for the publication of an edited volume, a final project conference and the long-term maintenance of the Language of Peace research tool.

After several years of hard work on the project, the past few months have also seen the departure of Jake Rylatt, who has taken up the position of Pupil Barrister at No5 Barristers' Chambers in October 2017. The team would like to thank Jake for his years of dedicated work and excellent contribution to the project, and wishes him all the best in his new role.

One of the project's main outputs is an edited volume entitled International Law and Peace Settlements, bringing together academic and practitioner experts on the topic to (re-)assesses the relationship between international law and the burgeoning practice of peace-making. It does so by considering points of contact between the two (as in the case of transitional justice or human rights issues), as well as the fundamental cross-cutting aspects to this relationship, such as the ability of peace-making practice to contribute to the development of international law and the role of the various actors, with or without international legal personality, involved in peace-making. The book proposal for this volume has been accepted by Cambridge University Press, with publication expected in the course of 2019.

Preparations are also underway for a concluding project conference to be held in mid-April 2018 at the Lauterpacht Centre in Cambridge. The conference will mainly take the form of a workshop, allowing contributors to the edited volume to exchange views, engage in discussions on how peace settlement practice relates to international law and critically reflect on each other's contributions. In addition,

the conference will allow participants to discuss other project outputs, including the award-winning Language of Peace research tool – which houses about 1,000 peace agreements concluded since World War II, categorised article by article according to the issues they address and the case studies which have been prepared on the basis of this material.

In order to ensure the continued usefulness of Language of Peace to practitioners and academics around the world, arrangements are also being put in place to keep the research tool up to date after the project ends. As part of these arrangements, Andrea Varga of the Legal Tools team recently met with the project's collaborating partners at the Mediation Support Unit (MSU) of the UN Department of Political Affairs and PASTPRESENTFUTURE to discuss the particularities of such maintenance, and to provide training on the management of data in Language of Peace to the MSU team. Once the Legal Tools project concludes, it is envisaged that the MSU team will take on the task of updating the research tool with new agreements as they emerge.

Further information about the Project: http://www.lcil.cam.ac.uk/legal_tools/about-legaltools-peace-making-project

Language of Peace research tool: http://www.languageofpeace.org



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161	162	163	164	165	166	167	168	170	171	172

The International Law Reports

The International Law Reports have been reporting the decisions of national and international courts and tribunals on issues of public international law for over eighty years.

When the series started, under the name of the Annual Digest, it was possible to fit all of the relevant decisions for a two year period into a single volume. It is a mark of how international law has developed in the succeeding years that we now publish six volumes a year (vols 167–172 will have been published in 2017) to enable the series to capture the full range of judgments and awards on issues of international law from the increasing number of international courts and tribunals while expanding our coverage of national judgments. As well as still being available online from Justis, the series is also now available electronically via Cambridge Law Reports.

The range of international tribunals covered in volumes 167–172 includes arbitration tribunals, the International Court of Justice, the European Court of Human Rights, the Court of Justice of the European Union, the International Criminal Court, the Inter-American Court of Human Rights, the African Court on Human and Peoples' Rights, the East African Court of Justice, the United Nations Human Rights Committee and the World trade Organization. These volumes also include judgments from the courts of Australia, Belgium, Brazil, Canada, England, Italy, Poland, Slovenia, South Africa, Uganda and the US.

Details of the contents of the latest published volume, ILR 170, can be found online. A Consolidated Index and a Consolidated Table of Treaties for volumes 1-160 were published in July 2017.

Volume 174, which was delivered to our publishers, Cambridge University Press, in July 2017, contains the 2013 order and 2014 judgment of the International Court of Justice in Whaling in the Antarctic (Australia v. Japan), the Grand Chamber judgments of the European Court of Human Rights in Murray v. Netherlands and Hutchinson v. United Kingdom, and the views of the United Nations Human Rights Committee in Ilyasov v.



Kazakhstan and Leghaei v. Australia. It also contains decisions from the courts of Austria (Swiss National Bank Immunity), the Czech Republic (Conflict of International Treaty Obligations and Popper's Villa). England (Al Attiya and R (Bashir)) and Estonia (Non-Profit Associations Act).

Any recommendations of cases for publication would be welcome, particularly from jurisdictions which may have been neglected in the past.

We would be grateful if you could send any such recommendations to Maria Netchaeva, ILR Editorial Assistant, ilreditorial@cambridge.org.

More information: http://www.lcil.cam.ac.uk/ publications/international-law-reports

LCIL Workshop: 'Complicity and Exclusion from Asylum'

On Friday, 29 June 2018, the Lauterpacht Centre for International Law will host the above Workshop. This follows a related event: 'Terrorism and Asylum' organised by the Refugee Law Initiative (RLI) which was held in December 2017 and co-organized by Dr James C Simeon, visiting LCIL Fellow from York University, Toronto. The following article on this event by Dr Simeon provides a useful background to the upcoming June LCIL Workshop.

Two of the most pressing issues and concerns confronting the international community today are the global refugee crisis and the threat of terrorism. Both have had an enormous impact on states and the United Nations (UN) and other international organizations' statutes, policies and practices.

Since the world's worst modern terrorist incident on **September 11, 2001**, the UN and its member states, and, in particular, the United States, have pursued a securitization agenda to deal with the escalating threat of **terrorism**. Often what has resulted has been a conflation between these two terms, terrorism and asylum, especially, within the mass media and the public mind, within and across states. This was, then, one of the prime motivations for holding a **Workshop on "Terrorism and Asylum;"** that is, to consider this important topic in depth and in **detail**.

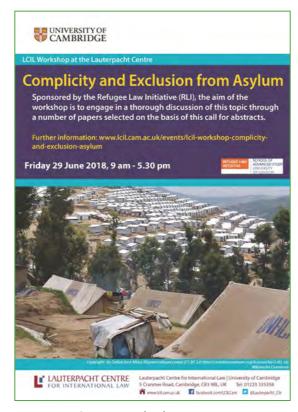
Working with the Director of the Refugee Law Initiative (RLI), School of Advanced Study, University of London, Dr David James Cantor, and, Dr Sarah Singer, Lecturer in Refugee Law and the Programme Director for the MA in Refugee Protection and Forced Migration Studies, the "Terrorism and Asylum Workshop" was held on Friday, December 8, 2017 at the RLI in London, England.

The workshop featured three panel sessions that covered the following key topics: Securitisation, terrorism and asylum; Anti-terrorism measures and asylum; and, Terrorism and exclusion from asylum. A total of twelve original papers were presented at the workshop, with nearly 40 people in attendance. Given the nature of the topic and the degree of interest, all the participants at the workshop were highly engaged in the discussions that followed each of the paper presentations.

Securitisation, terrorism and asylum

A consensus emerged from the four papers that were presented and discussed during this panel session on securitization, terrorism and asylum. It was agreed that there is an obligation on the part of researchers in the field of refugee law and forced migration studies to point out the false association(s) between terrorism and asylum.

It was noted further that the threat of terrorism, which is real, has been used to justify highly restrictive public policy measures against refugee claimants and other forced migrants who may be fleeing from extreme violence and terrorist ideologies from their own countries' of nationality. It was asserted by some that one possible consequence of the securitization of migration has been to create injustices that have resulted in greater radicalization among those within the affected



communities. Consequently, there is an apparent pressing need for more creative and constructive means for addressing security concerns through the protection of fundamental human rights, especially, for all those who are seeking asylum.

Anti-terrorism measures and asylum

Terrorism poses real challenges to Governments who have resorted, in knee jerk fashion, to greater restrictions on those seeking asylum.

The most common restrictive measures appear to be "push back" policies, accelerated asylum procedures, removal, and detention. Politicians have utilized the fear of the "terrorist threat" to advance their own, frequently, right-wing political agendas. In some instances, states have adopted, repeatedly, highly restrictive measures against asylum seekers.

Terrorism and exclusion from asylum

The third panel session reviewed statistics that show that both terrorism and asylum are fundamentally rooted in non-international armed conflict or civil war. It follows that if we are to address seriously terrorism and forced displacement, then, we need to address its "root cause", non-international armed conflict.

There is presently an international crime of forced displacement that includes deportation, forced expulsions and transfers and what the courts have interpreted as "arbitrary displacement."

What is needed is a further criminalization of forced displacement to include "non-arbitrary displacement" for all those who are trapped in a war zone and who must flee to save their lives, security and liberty.

The courts also have established that the exclusion of refugee claimants on the basis of their involvement in terrorism, whether direct or indirect, requires the establishment of "intent" and a "significant contribution." Membership in a terrorist organization alone is insufficient to exclude an applicant from refugee protection.

Conclusions

The Workshop identified at least three areas for further research on "terrorism and asylum." The conflation of terrorism and asylum is patently wrong and this false association needs to be "called out" at every opportunity. Clearly, restricting access to asylum as a strategy for enhancing security not only violates international law, but, has proven to be a highly ineffective strategy for maintaining secure borders. New research is required to identify possible creative and constructive ways of addressing terrorist security concerns while, at the same time, upholding fundamental human rights and, especially, the right to seek asylum.

The statistical evidence demonstrates that the incidents of both forced displacement and terrorism correlate highly with protracted armed conflict. Obviously, non-combatants can never live safe or secure lives within the midst of a war zone and, thus, are ever forced to flee these life threatening conditions. It is recognized that protracted armed conflict creates the conditions for all manner of heinous crimes,



Image copyright:www.flickr.com. Photo: Ben White/ CAFOD, October 2015. Attribution-NonCommercial-NoDerivs 2.0 Generic (CC BY-NC-ND 2.0) including, terrorism. Consequently, it stands to reason, that further research is needed into the most effective peacebuilding, peacemaking and peace sustaining methods available and how these can be most effectively applied and implemented in those situations where mass forced displacement is occurring.

Mere membership in a terrorist organization alone, as noted previously, is insufficient to exclude an asylum applicant from refugee protection. What is required is reliable and trustworthy evidence that establishes that the applicant had both the "intent" and made a "significant contribution" to the alleged terrorist offense. Further research is required to determine whether the evidentiary standard and the "voluntary and significant contribution" standard are being applied in those cases where asylum applicants have been alleged to be involved, either directly, as perpetrators, or indirectly, as accomplices, in terrorist activities.

In an effort to generate more research and further critical reflection and assessment of this important topic, a selection of the papers presented at the "Terrorism and Asylum" Workshop will be published in a Special Edition of the Refugee Law Initiative Working Papers Series.

Building on the highly successful "Terrorism and Asylum Workshop" held last year, the LCIL will study and examine the wider complex legal issues and public policy concerns related to complicity and exclusion from refugee protection.

Further information on our forthcoming workshop on 29 June 2018 is available on the website: http://www.lcil.cam.ac.uk/events/lcil-workshop-complicity-and-exclusion-asylum.

Call for Abstracts LCIL Workshop

'Complicity and Exclusion from Asylum'

Friday 29 June, 9 am - 5.30 pm

Finley Library, LCIL

Sponsored by the Refugee Law Initiative (RLI), the aim of the workshop is to engage in a thorough discussion of this topic through a number of papers selected on the basis of this call for abstracts.

Further details available here

Abstract deadline: Friday 30 March 2018

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Governance and Global Risk -An interview with John Barker

Dr John Barker is a Fellow of the Lauterpacht Centre and founding Director of Cambridge Governance Labs, one of the recently established multidisciplinary centres at Hughes Hall.



LCN: What is Cambridge Governance Labs?

JB: In a nutshell, it's a platform to facilitate collaboration among scholars and practitioners to promote good governance and enhanced public decision-making. We believe this will help strengthen local and international efforts to address global risks.

LCN: How does it do that?

JB: The principal strategy is to develop tools that promote forms of public decision-making that are more structured, accountable, evidence-based, ethical, strategic and inclusive – elements that any emerging right of citizens to 'responsible' decision-making might entail. The other side of the coin is to better understand the most powerful drivers of suboptimal public decision-making, such as the nexus between wealth capture and various forms of state capture. We are seeking, ultimately, to reduce decision-making risk as a driver of global risk.

LCN: Are you suggesting that decision-making risk is a global threat like climate change?

JB: Yes, in fact it is arguably the greatest risk of all because most anthropogenic threats can be traced back to deficient collective decision-making, almost by definition. We tend to concentrate on policies, laws and institutions to guide and channel decision making, hoping against the evidence that they are sufficient to overcome a much wider range of forces – both internal and external – that decision-makers in every jurisdiction and at every level are subjected to. Some of these forces are less visible but are highly influential in determining outcomes and multiplying global risks. And so we urgently need to understand them better.

LCN: What are the barriers to understanding them?

JB: Important insights into the invisible drivers of public decision-making are scattered across many disciplines such as administrative law, behavioural economics, management science, neuroscience, social psychology, anthropology and political science. This fragmented knowledge needs to be drawn together to develop and test innovative practical tools, such as dashboards and governance literacy initiatives, that progressively and respectfully nudge decision-making behaviour in a positive direction. The name Labs refers to building and testing these tools.

LCN: As an international lawyer, how did you come to focus on this approach?

JB: Early in my career I lived and taught in one of the poorest countries in the world, Malawi. The authoritarian style and human rights abuses were often explained by reference to the eccentricities of the dictator in power at the time, Hastings Banda. Less visible, and intentionally so, was the close link between autocratic rule and wealth capture which led to his personal acquisition of a significant part of the economy. International legal norms and diplomatic interventions had relatively little impact on choices made by the regime, especially on predatory practices such as the misuse of monopolies and purchasing agents, transfer pricing and other techniques that perpetuated poverty and translated it so starkly into high infant and maternal mortality rates. The resource conflict and land grabs that we see in other parts of Africa are further manifestations of this form of governance failure.

Later on, being drawn into the political transition process from dictatorship to multi-party system afforded me more opportunities to observe the relative impact of internal and external forces on public decision-making processes at virtually every level. It was clear that the behaviour of the state in its external dimension was largely dictated by the same internal drivers that determined its behaviour toward its own citizens. Even when leaders were aware of their international legal obligations, local pressures and the needs and dictates of their domestic power base carried considerably more weight. These local considerations included rules, both written and unwritten, that ultimately determined the distribution of wealth in society. These experiences led me to a more focused interest in good governance and the nexus between wealth capture and forms of state capture.

LCN: By state capture, do you mean a coup?

JB: Not necessarily in that extreme, almost theatrical, form. I believe less obvious and more damaging forms of state capture can be found where there is a significant democratic deficit, such as when political leaders hold on to power against the democratic wishes of citizens through voter manipulation and fraud, or in violation of

the term limits stipulated in their Constitutions. Another more subtle form is a lack of genuine and informed voter choice, which tends to be based on identity rather than competing policies. In this case, elections are reduced to a periodic squabble among elites over whose turn it is to rule (and sometimes plunder) the country. But I submit that the most insidious and dangerous of all forms of state capture is policy capture.

LCN: What do you mean by policy capture?

JB: I mean the excessive influence or control over a nation's domestic and foreign policy by private actors. I would suggest that this, more than anything, is the principal driver of the serious global threats facing our planet, such as global warming and the increasing divide between rich and poor. It explains why some governments are unable to act swiftly enough to address serious problems which are moving faster than we are. In particular, the influence of paid lobby groups and large political party funders representing special interests such as pharma, tobacco, oil, financial services and the military industrial complex is extensive enough in some countries to subvert the public interest and undermine the democratic process. In that scenario, citizens are reduced to the role of plankton barely subsisting at the bottom of the food chain.

LCN: But lobbying and large political donations are often legal – why are they not consistent with good governance?

JB: Legalised or not, it is difficult to conceive of a more extreme and costly form of corruption. And to understand why these are legal, look no further than whose needs are met by the purchase and sale of influence. It is the zone where the public interest is most seriously compromised, auctioned off to bidders who make massive investments precisely to create and preserve harmful policies that underpin monopolies and private commercial advantage. Those advantages dwarf the cost of lobbying, funding, public relations and organised repudiation of established scientific facts. Citizens pay with shredded future prospects and with their lives. How sound policies consistent with the long-term public interest could possibly emanate from such practices is difficult to imagine. When good governance is compromised by forms of policy capture linked to wealth capture, one can expect a betrayed citizenry and foreign policies that ignore and actively undermine our international rules-based system.

LCN: So you regard good governance to be an underpinning of international law?

JB: Absolutely. Law on the international plane and good governance on all levels are interdependent, albeit asymmetrically. Good governance requires, among other things, binding rules. However, without adequate governance structures and processes in place, no rules-based system, national or international, has much chance of prevailing over the 'might is right' modus of powerful interests. This is especially so when our economic, political and

accounting systems treat wealth capture as an acceptable substitute for wealth creation, while failing to track forms of cost externalisation that place unsustainable burdens on others. These issues cannot be addressed effectively without a cross-disciplinary approach.

Moreover, many problems that present globally are generated locally. Given the dominance of internal forces over the influence of external rules, the most effective lever to achieve a responsible rules-based international order is to promote good governance at the domestic level. Greater attention to internal governance processes would go a long way toward addressing pressing issues that impact the international community as a whole, and so is of growing interest to academics and practitioners alike.

We have a pretty stark choice. Either we innovate to strengthen a principled, rules-based system that protects the public interest, or we will be driven off a cliff by a few who are permitted to place their short-term interests ahead of everyone else. Admittedly, there are many worthy people in political positions and this dynamic is more nuanced than I have portrayed in the time available, but a core question for citizens to their political leaders in the global North as well as the global South is 'Whose interests are you really representing and who are you sacrificing?'

LCN: So citizens hold the key?

JB: Yes. We are building a coalition of citizens and experts, including international lawyers, to promote wider governance literacy, frame more penetrating questions, understand the mechanics of wealth capture and develop governance tools that help to identify, track and challenge negative drivers such as perverse incentives, conflicts of interest and breaches of fiduciary duty. Only then can citizens recognise and call out policies and mechanisms that are detrimental to the public interest and to future generations.

As the great scientist Werner Heisenberg noted, 'what we observe is not nature itself but nature exposed to our method of questioning. We only see what we are equipped to see through the conceptual tools we have at our disposal, and by the methodologies we develop. The international community has some way to go to develop tools and lines of enquiry that root out the underlying causes of global threats, although some progress is being made. At Cambridge Governance Labs we are helping to map out strategies that empower decision-makers and citizens to see those underlying causes more clearly, thereby enabling them to align their decisions with the long-term public interest. Colleagues at the Lauterpacht Centre and in the Law Faculty, as well as in other Departments, have contributed enormously to that effort and I look forward to further collaboration.

For information on current Cambridge Governance Labs projects, see **www.governancelabs.org**

LCIL Event: 'Global Trust: Sovereigns as Trustees of Humanity'

On 27 January 2018 Eyal Benvenisti, LCIL Director, convened a workshop to take stock of his ERC-funded research project "GlobalTrust: Sovereigns as Trustees of Humanity", as it was coming to the end of its five-years term.

The workshop began with a keynote lecture given by David Luban, University Professor at Georgetown Law, titled "Nationalism, Human Rights, and the Prospects for Peace." In his talk, Professor Luban expressed the concern that at a time when the gravest threats to peace – and to human rights – require an internationalist response, politics increasingly tilts toward nationalism. Nationalism seems attractive precisely because of the threats and confusion we see around us. Yet he emphasized that nationalism was a symptom of those ailments, not their cure. Instead, the cure is adopting the standpoint of humanity, and inventing political and legal institutions to make it real. He therefore argued that reimagining state sovereignty as trusteeship for humanity was our best hope for peace.

Other presentations included scholars associated with the GlobalTrust team as graduate students, post-doctoral fellows and visiting fellows. One presentation featured Dr. Sivan Shlomo-Agon (Bar-llan University) work on "The Law of Strangers: The Form and Substance of Other-Regarding International Adjudication," which described the ways in which the Appellate Body of the WTO had compelled states to take the interests of disregarded strangers into account, and opened its own doors to the

strangers affected by their judgments. Alon Jasper (Tel-Aviv University), discussed in his "Participation of Foreigners in Environmental Decision-Making and the Aarhus Convention" a trend he identified in the practice of the state parties to the convention to increase over time the representation of non-citizens in environmental decision-making. Neli Frost, a Cambridge University LL.M., analysed in her "Old'Vs. 'New' Governance Regulatory Mechanisms to Prevent Human Trafficking" types of national legislation to prevent human trafficking globally, and argued that such legislation reflected a commitment to take foreigners' interests into account. Other papers were presented by Marka Peterson (Tel Aviv University graduate), who examined the US Federal Reserve's efforts to help rescue the global economy during and after the financial crisis of 2008, Dr. Surabhi Ranganathan (Cambridge University) who explored the legal construction of the ocean, and Dr. Shai Dothan (iCourts and the University of Copenhagen) who spoke about shaming states as a new way of imposing reputational sanctions on states that fail to comply with judgments of the European Court of Human Rights.



LCIL Event: 'Human Rights: Past, Present and Future'

In February, the Centre played host to two of the most influential thinkers in the field of international human rights law, Payam Akhavan of McGill University (far right) and Samuel Moyn from Yale Law School. Richard Clements, PhD student at Cambridge University reports on this event.





The pretext for the discussion was the recent publication of Akhavan's autobiographical work, In Search of a Better World and Moyn's forthcoming book, Not Enough: Human Rights in an Unequal World.

Both books revolve around the notion of global justice. Yet, the two books are not only tailored to different audiences, but are also guided by radically different assumptions about human rights and its history. This provided fertile soil for a fruitful discussion on the past, present and future prospects of the field.

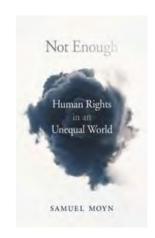
For Akhavan, global justice broadly emerged in the 1990s with the creation of an international criminal jurisdiction. Conversely, Moyn considers this understanding of global justice to have been a much-diluted version of an earlier concept rooted in the era of decolonisation and the prospect of material equality. For Moyn, the rise of neoliberalism in the 1970s marked the death of equality and the beginnings of a narrow conception of global justice as the international criminal justice we are left with today.

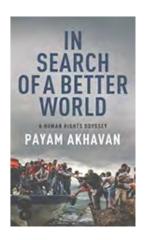
Despite this divergence, both discussants converged when diagnosing the state of human rights in 2018: an ideal under threat from populism and demagoguery. Their response, however, was split again. Akhavan advocated a 'populism of empathy' to challenge consumer capitalist culture and the 'superficial sentimentality' of showbiz human rights that is often characteristic of celebrity-led campaigns. Moyn was much less hopeful of appeals to empathy and called for the discourse to be linked again to broader notions of social justice in order to tackle deep global inequality.

Mediating the event, Sarah Nouwen probed the discussants on their different understandings of global justice as well as the role of academia and the role of politics in human rights. Both discussants cited ways in which academics can play their part. Moyn suggested that despite the lure of practice, there would always be a need for academics to exert pressure from outside the world of pragmatic politics in order to hold actors accountable. Academia also provides the opportunity to 'look before we leap', an es-

pecially important power if we are to debate such fundamental issues as human rights. Akhavan cited academia's contribution through scholarship, teaching and practice, but also by engaging with the public as he has sought to do in his most recent book. On the role played by politics in human rights, one was surprised to note a consensus concerning the necessity of politics. Moyn, in particular, reminded us of the constant need to rely on politics and law to continue the struggle for global justice.

On a personal note, the discussion recalled the need for scholars to more actively engage with each other's work despite the gulfs, whether real or imagined, that might exist between them. Both thinkers were considered and reflective throughout their discussion of each other's contributions. Indeed, the form of Akhavan's book – part-history, part-memoir – throws into stark relief the general paucity of academic interactions with the global public. While there are inherent risks to such an endeavour, not least the risk of engaging in a civilising mission for the 21st century, it evinces a rare attempt to push the boundaries of what might be called 'academic activism'. Yet it should not be forgotten that there will always be a need, perhaps now more than ever, for the kinds of radical reimaginations of international law Moyn provides, reminding (would-be) academics that there is more than one way to skin a cat, or indeed to better the world.





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LCIL Event:

Symposium on 'State Succession in respect of State Responsibility'

The aim of the symposium, held on 6 February 2018, was to explore the issue of state succession in respect of state responsibility in different fields of international law, in order to identify current trends and emerging rules.

The main speaker at the symposium was Professor Pavel Šturma, Charles University, Prague, Special Rapporteur of the International Law Commission (ILC) for the topic of 'State succession in respect of state responsibility'. The topic was placed on the Commission's current programme of work in May 2017.

Professor Šturma explained that traditionally the view had prevailed that the successor state had no responsibility in international law for the international delicts of the predecessor state. The ILC Draft Articles on responsibility of states for internationally wrongful acts, which were completed in 2001, did not address state succession.

In recent years, however, both practice and doctrinal views in this area had evolved. Professor Šturma presented the findings of his first report*, discussing, among others, cases of succession arising in the 1990s as a result of the dissolution of Czechoslovakia, Yugoslavia, the Soviet Union, and the unification of Germany. Professor Šturma emphasized that the traditional thesis of no succession in the field of state responsibility for internationally wrongful acts did not correspond to the current status of international law. However, the practice was not uniform enough to allow for the opposite conclusion that there was state succession in all cases. Each case had its specificities and it was difficult to identify a general principle guiding succession in respect of state responsibility. The work of the ILC on this topic will continue.

The second speaker, Professor Malgosia Fitzmaurice, Queen Mary College, University of London, analysed the decision of the International Court of Justice in the Gabčikovo-Nagymaros Project case, a dispute between Hungary and Slovakia, where succession of state responsibility as a result of the dissolution of Czechoslovakia was at issue. The Court recognized that Slovakia could be liable for compensation not only for its own wrongful conduct, but also for that of its predecessor state, and that it could seek compensation for damage sustained by itself and Czechoslovakia as a result of the wrongful conduct of Hungary.

The next speaker, Dr Martins Paparinskis, University College London, explored the problem of state succession in international arbitration. He discussed, among others, cases involving the Czech Republic and Slovakia, which

were based on investment treaties originally concluded by Czechoslovakia. Succession in these cases was generally not problematic and limited to the question as to when the investment treaty had entered into force after the dissolution of the predecessor state. Dr Paparinskis concluded that state practice and arbitral decisions generally supported succession to treaties by agreement. He pointed out that arbitral decisions provide little guidance to succession in respect of state responsibility.

Mr Luis Viveros, University College London, analysed the implications of state succession and state responsibility from the perspective of international human rights law. He used transitional justice's rationale to highlight the kinds of interests that are at play in state succession. He argued the inadequacy of the negative succession rule when explaining the conduct of Eastern European states and Germany visà-vis domestic frameworks implemented to provide restitution and compensation expropriated under predecessor states' regimes. He expressed the hope that in its work the ILC would take into account international human rights law.

Dr Tom Grant, LCIL, and Professor Photini Pazarztis, National & Kapodistrian University of Athens, commented on the above presentations, stimulating the debate that followed. Dr Joanna Gomula, LCIL, chaired the event.

The symposium was sponsored by the Lauterpacht's Centre International Law Events and Research Grants Fund.

*UN ILC Special Rapporteur Pavel Šturma 'First report on succession of states in respect of State responsibility' (31 August 2017), UN Doc A/CN.4/708.



Left to right: Dr Tom Grant (LCIL); Professor Pavel Šturma (Charles University, Prague) and Professor Malgosia Fitzmaurice (Queen Mary College



Another symposium on state responsibility, 'The principles of shared responsibility in international law', is scheduled to be held at the Lauterpacht Centre on Wednesday 6 June 2018.

Please check the LCIL website for further details: http://www.lcil.cam.ac.uk/events

LCIL Event: Symposium on 'The ASEAN **Economic Community: integration without** institutionalization'

On 26 October 2017, the Lauterpacht Centre hosted a symposium on 'The ASEAN Economic Community: integration without institutionalization'.

The main speakers, Dr Leonardo Borlini and Professor Claudio Dordi of the University of Bocconi, presented their work on the origins and institutional framework for the Association of Southeast Asian Nations (ASEAN) Economic Community (AEC).

The speakers emphasized ASEAN's significance as an economic institution. Established in 1967, it covers an area of 4.46 million square kilometres and a population of 622 million people, and was Asia's third and the world seventh market in 2014.

The AEC was established in 2015, with the aim to promoting further economic integration in the region. The speakers focused on ASEAN's institutional framework, set out in ASEAN's Charter, which entered into force in 2008. In comparison to the institutional frameworks of other economic integration arrangements, for example that of the European Union, the ASEAN system appears 'weak'. This is reflected, among others, in its decision-making based on consultation and consensus, and the lack of an



eft to right: Dr Joanna Gomula, Professor Winfried Huck, Di Ludovica Chiussi, Dr Claudio Dordi and Dr Leonardo Borlini

ASEAN court. However, these institutional weaknesses have not hindered economic integration in the region.

The other speakers at the symposium: Professor Winfried Huck (University of Ostfalia), Dr Ludovica Chiussi (University of Oslo/University of Bologna), and Dr Joanna Gomula (Lauterpacht Centre), commented on various aspects of regional integration in international

Events @ the Lauterpacht Centre

The Centre holds a variety of seminars, workshops and conferences throughout the year on topical issues in international law given by leading academics and practitioners. For the very latest up-to-date list of events please visit http://www.lcil.cam.ac.uk/events.

Friday Lunchtime Lectures

During the University term, the Centre holds lunchtime lectures which take place on a Friday from 1–2pm, with a sandwich lunch provided at the Centre from 12:30pm.

For information on this lecture series please visit: http://www.lcil.cam.ac.uk/events



The Friday lecture series is kindly sponsored by Cambridge University Press.





BRANDON RESEARCH FELLOWSHIP

IN INTERNATIONAL LAW 2018



The Lauterpacht Centre for International Law, University of Cambridge is pleased to invite applications for the 2018 Brandon Research Fellowship (Brandon Fellowship), funded by a generous gift in 2009 by Mr Michael Brandon MA, LLB, LLM (Cantab.), MA (Yale) (1923-2012) and by Mr Christopher Brandon in 2013.

BRANDON FELLOWSHIP 2018

The Brandon Fellowship is intended to cover a stay of a minimum of one acceptance period (approximately 11– 13 weeks) at the Lauterpacht Centre for International Law and has a maximum value of £4,500; any additional travel or other expenses will be the responsibility of the selected Fellow. The Fellowship is tenable between October 2018 and September 2019. Two awards may be made if the strength of the field warrants it.

The Brandon Fellow will undertake a project on some aspect of public or private international law or international arbitration while based at the Lauterpacht Centre. Candidates must specify a project in their application. Candidates working in areas connected to LCIL fellows' projects and activities are given particular consideration.

FULL FELLOWSHIP DETAILS ARE AVAILABLE HERE

Sir Hersch Lauterpacht **Memorial Lecture 2018**

The Changing Place of the Corporation in International Law

Professor Sundhya Pahuja (Melbourne Law School)



Main lecture (in three parts)

Tuesday 6, Wednesday 7 and Thursday 8 March 2018

All lectures start at 6pm

O & A session

Friday 9 March 2018

1pm (with sandwich lunch from 12.30pm)

Venue

Lauterpacht Centre for International Law

5 Cranmer Road, Cambridge, CB3 9BL

Further information: www.lcil.cam.ac.uk/events/sir-hersch-lauterpacht-memorial-lectures



The Sir Hersch Lauterpacht Memorial Lecture is an annual three-part lecture series given in Cambridge to commemorate the unique contribution to the development of international law of Sir Hersch Lauterpacht.

These lectures are given annually by a person of eminence in the field of international law and a revised and expanded version of the lectures is usually published in the Hersch Lauterpacht Lecture Series by Cambridge University Press.













Lauterpacht Centre for International Law

University of Cambridge 5 Cranmer Road Cambridge CB3 9BL

Tel: +44 (0)1223 335358 Fax: +44 (0)1223 761855