

The Lauterpacht Centre for International Law

ANNUAL REPORT 2022



Annual Report 2021-22

This report gives an overview of activities and events held by the Lauterpacht Centre for International Law during the period 1 October 2021 - 30 September 2022.

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Appendix I: Visiting Fellows & Scholars

Appendix II: Lectures & Events

Established in 1983, the Lauterpacht Centre for International Law is the centre for the study of International Law at the University of Cambridge.

In this role, it seeks to provide both a framework and forum for critical and constructive thought about the function, content and working of law in the international community, as well as to develop an appreciation of international law as an applied body of rules and principles. A number of those associated with the Centre are actively involved in the practical development and application of international law.

The Centre is not involved in the formal teaching or supervision of students of the University; this is the responsibility of the Faculty of Law, of which the Centre is part.

The Director, Co-Deputy Directors and some of the other Fellows of the Centre, in their role as members of the Faculty, are actively involved in teaching and research supervision. The Centre provides a regular forum for lectures and seminars and other forms of small-group teaching.

The reception of visitors from around the world is a key aspect of the Centre's activity. Visiting academics and PhD candidates are welcomed for periods varying from one term to a year.



The specific objectives of the Centre are:

- to serve as a discussion forum for current issues by organising seminars, lectures and meetings aimed at developing an understanding of international law;
- to promote research and publication in international law, including the publication of core research materials;
- to provide, in Cambridge, an intellectual home for scholars of international law from all over the world who wish to pursue their research in an atmosphere that is stimulating and congenial to the generation and exchange of ideas;
- to provide education and training programmes of the highest quality to external institutions under special arrangements made with those institutions;
- to maintain a library of materials relating to International Law.

Director’s Foreword

At the beginning of this period the UK was still operating under COVID pandemic restrictions. Staff were allowed to return to work at the Centre on the proviso they adhered to the social distancing rules currently in place at that time. As a result, the Centre was able to accept a limited number of visiting fellows in person.

All Centre events and lectures remained online during this period which enabled us to continue to reach out to various audiences from around the world and without losing our local fellows and students. The Friday Lunchtime Lectures began with the annual Eli Lauterpacht Lecture 2021 with Dame Sally Davies, The UK Government’s Special Envoy on Antimicrobial Resistance (AMR) and Chair of the Trinity Challenge. Prof Ranganathan’s series of workshops – Law & Society in History: Mobilities, Scales, Methods (a joint initiative with the Centre for History and Economics, University of Cambridge and Harvard University) continued as hybrid events as restrictions began to be relaxed. The Art, Architecture and International Law seminar series chaired by Prof Sivakumaran continued online in Easter term. Student-led online lectures, as organised by PhD students of the Cambridge University Arbitration Society (CUArb) continued for a second year.

Building work on a new seminar room, adjacent to the Finley Library, was completed during the spring of 2022. The new space was made possible through a generous donation by Dr Ivan and Mrs Francesca Berkowitz, long-standing friends and benefactors of the Centre. An official opening of the seminar room is planned for 6 October 2022. The new room, which will be known as the Dr Ivan and Mrs Francesca Berkowitz Seminar Room, will benefit from new technology enabling the Centre to live-stream lectures and events from January 2023.

Despite the limited capacity and social distancing rules in place during the autumn of 2021, we are pleased to report that we were able to host 32 Visiting Fellows from around the world from 1 October 2021 to 30 September 2022. (see Appendix I).

In June 2022 we were also delighted to welcome Zarine Russell as Centre Coordinator. Zarine joins us from the Foreign, Commonwealth and Development Office and will work with Karen Fachechi and Vanessa Bystry to continue the administrative and practical service in the day-to-day running of the Centre. We are very grateful to the Law Faculty, in particular Laura Smethurst, Joseph Clements and Elizabeth Aitken, for their support and assistance following the retirement of Anita Rutherford in January 2022.

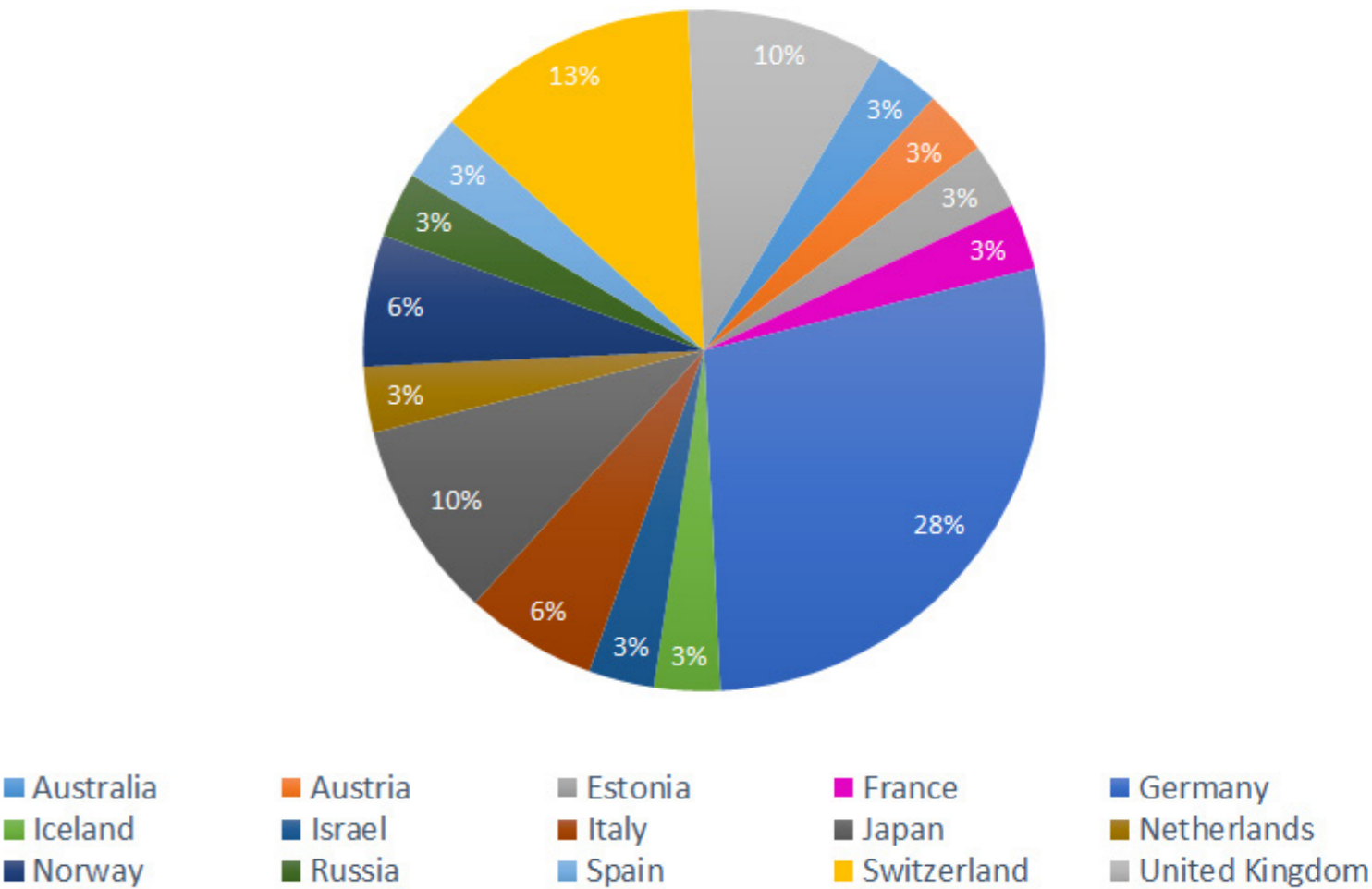
We are always grateful for comments and suggestions that help us improve our work.



Professor Eyal Benvenisti
LCIL Director



Visiting scholars by country of institution to the Lauterpacht Centre for International Law 2021 - 2022



Details of Visiting Scholars and their topic of research are available in Appendix I of this document.

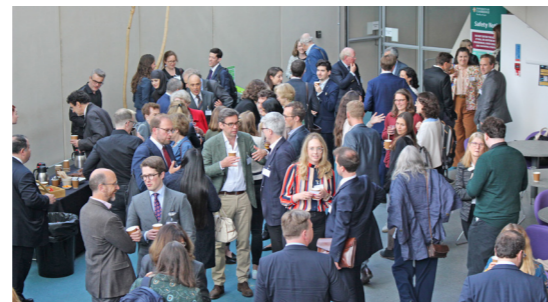
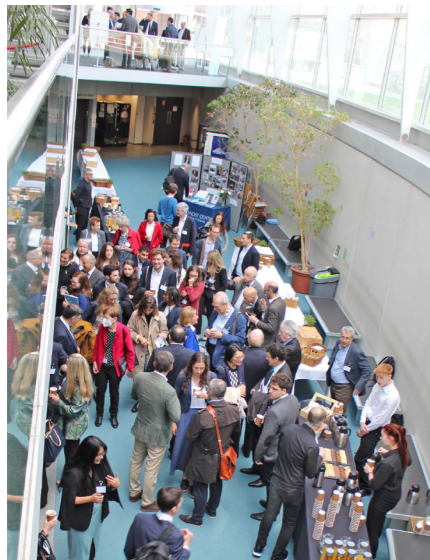
2021 –22 Highlights

Memorial Conference: Judge James Crawford

A memorial conference for HE Judge James Crawford titled *Teacher, Scholar, Lawyer, Judge: Celebrating James Crawford* was held on Sunday 29 May 2022 at the Faculty of Law.

James served as a Judge at the International Court of Justice, a member of the International Law Commission, as a Whewell Professor of International Law at the University of Cambridge, and as a Director of the Lauterpacht Centre of International Law from 1997 to 2003 and from May 2006 to September 2010.

The conference was organised by the Lauterpacht Centre in collaboration with the Law Faculty. Over 160 participants from the field of international law attended and the event concluded with a BBQ Reception in the Centre's gardens.



Teacher, Scholar, Lawyer, Judge: Celebrating James Crawford

Conference Programme

Sunday 29 May 2022

OPENING REMARKS: 09.30 – 10.30am

Stephen J Toope | President Joan Donoghue | Mark Elliott
Ambassador Matthew Neuhaus | Freya Baetens
Emily Crawford | Christine Gray | Eyal Benvenisti

Chair: Sandesh Sivakumaran

Refreshments: 10.30 – 11.00am

Panel 1: James the Scholar

11.00am – 12.15pm

Martti Koskenniemi | Guglielmo Verdirame QC
Susan Marks | Karen Knop

Chairs: Fernando Lusa Bordin and Surabhi Ranganathan

Lunch: 12.15pm – 1.30pm

Panel 2: James at the ILC

1.30pm – 2.45pm

Christian Tams | Cecily Rose | Pierre Bodeau-Livinec

Chairs: Federica Paddeu and Andrew Sanger

Refreshments: 2.45pm – 3.15pm

Panel 3: James the Advocate, Judge and Arbitrator

3.15pm – 5.00pm

Shaheed Fatima QC | Audley Sheppard QC | Sir Michael Wood | Christine Chinkin | Kate Parlett | Thomas D Grant

Chair: Rumiana Yotova

READING: MICHAEL WAIBEL

BBQ Reception 5.30 pm – 7.30 pm

The Lauterpacht Centre, 5-7 Cranmer Road, Cambridge, CB3 9BL

Building of new seminar room completed

The new seminar room at the Lauterpacht Centre was completed in the spring of 2022. It was a continuation of Sir Eli's vision to increase the capacity of the Centre to host lectures and events.

The new space includes a moveable divide separating the new build from the current Finley library so that both spaces can be utilised as standalone rooms if required.

The new seminar room was made possible through a generous donation by Dr Ivan and Francesca Berkowitz, a long-standing friend and supporter of the Centre. An official opening of the seminar room is planned for 6 October 2022. The new room will be known as the *Dr Ivan and Mrs Francesca Berkowitz Seminar Room*.



The increased space and capacity has significantly increased the Centre's ability to host a larger audience for lectures and events



The Eli Lauterpacht Lecture 2021|Online

'Global Governance for Health - why has it failed?'

Dame Sally Davies, The UK Government's Special Envoy on AMR and Chair of The Trinity Challenge

8 October 2021



In this lecture Dame Sally explored global governance for health using the two pandemics of COVID-19 and Antimicrobial Resistance (AMR) as exemplars highlighting the importance of data and innovation.

Dame Sally Davies is the 40th Master of Trinity College, Cambridge University, the UK Government's Special Envoy on AMR and the chair of The Trinity Challenge, which she set up in May 2020.

Hersch Lauterpacht Memorial Lectures 2022

This lecture series normally takes place in March each academic year. However, due to COVID restrictions and speaker availability this was unable to take place in March 2022.

Lectures will now take place 29 November - 2 December 2022. The speaker will be Benedict Kingsbury, NYU School of Law.

Speakers for 2023, 2024 and 2025 have also been secured.

LCIL Summer Party

On 27 June 2022 the Centre held a summer reception in the gardens for staff, Fellows, Visiting Fellows and guests.



Lectures & Events

Due to the COVID pandemic, the Centre's lectures and events for the 2021/2022 academic year were held online for a second year. This enabled more academics, practitioners and students from the UK and around the world to attend.

The lecture series held by the Centre (or jointly held with another University institution) for the 2021/2022 year included the:

- Friday lunchtime lecture series
- Art, Architecture and International Law seminar series
- Law & Society in History: Mobilities, Scales, Methods (part of the Global Legal Histories Series, Joint Centre for History and Economics, University of Cambridge and Harvard University and the Lauterpacht Centre for International Law)
- Student-led Cambridge University Arbitration Society lecture series.

Many of the Centre's lectures and events were recorded and made available on the University Streaming Service.

Friday lunchtime lecture series

The Centre's regular Friday lunchtime lecture series on topical issues in international law by leading academics and practitioners continued on Zoom.

Art, Architecture and International Law seminar series

This lecture series is designed to bridge the worlds of art, architecture and international law. It explores the different ways in which art and architecture and international law intersect. It also demonstrates that international law exists well beyond the written word.

The lecture series is organised by Centre Co-Deputy Director, Prof Sandesh Sivakumaran.

Law & Society in History - Mobilities, Scales, Methods

This lecture series is part of the Global Legal Histories Series, Joint Centre for History and Economics, University of Cambridge and Harvard University and the Lauterpacht Centre and co-organised by Prof Surabhi Ranganathan.

Law & Society in History: Mobilities, Scales, Methods puts a spotlight on exciting new research that interrogates confluences and encounters between law, society and history, drawing law and society, legal history, and international law scholars into discussion about methods, mobility, and scales.

Each seminar invites authors to place their new work in conversation with ongoing debates about the social and political dimensions of law, about appropriation, subversion, translation and transformation, and about the relationship between law and human behaviour. The focus is on elaborating over the series a range of conceptual and methodological contributions to these debates.

Cambridge University Arbitration (CUArb) series

The Cambridge University Arbitration (CUArb) series aims at promoting the study of international commercial and investment arbitration amongst students, academics, alumni and law practitioners. It seeks to serve as both an educational and networking platform to facilitate discussions on emerging topics in international arbitration and connect students with practitioners.

The student-led CUArb society runs a series of lectures each term in cooperation with the Lauterpacht Centre. These lectures discuss the current hot topics in both international commercial and investment arbitration.

Periodically, CUArb organises discussion panels to address some of the pressing issues in international arbitration. These lectures and panels are given by academics, judges, arbitrators and practitioners. The CUArb also organises an annual conference besides the Cambridge Arbitration Day each year.

Details of all the Centre's lecture programmes for the academic year 2021–22 are available in Appendix II of this document.



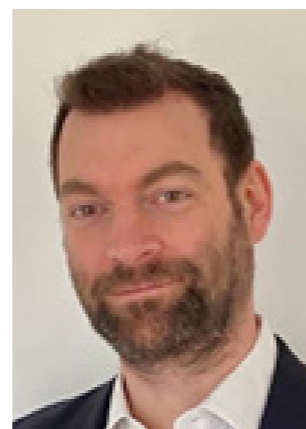
Awards & Scholarships

Centre Fellow Jamie Trinidad receives Round Table Peter Lyon Prize

Jamie Trinidad, Fellow and Director of Studies in Law at Wolfson College, and Fellow of the Centre, was awarded the prestigious Round Table Peter Lyon prize for his article “Self-determination and contested peoplehood in Gibraltar: separating the law from the rhetoric”, published in the June 2021 issue of *The Round Table: The Commonwealth Journal of International Affairs*.

Founded in 1910, *The Round Table* is the oldest English-language international affairs journal, and provides analysis and commentary on all aspects of international relations. The journal is the major source for coverage of the policy issues concerning the contemporary Commonwealth, with occasional articles on themes of historical interest.

The Peter Lyon prize is an annual prize for the best policy-oriented article on a theme of significance for the contemporary Commonwealth published in the journal each calendar year.



Andrew Sanger wins Cambridge Student Union Award for Teaching

Associate Professor of International Law and Centre Fellow, Andrew Sanger, was the recipient of an award from the Cambridge Students Union Student-Led Teaching Awards (SLT) earlier this year.

The SLT awards exist to reward outstanding teaching and student support across Cambridge. This year, the SU received just under 400 nominations, which truly is a testament to all the amazing work done by university staff and clearly demonstrates the gratitude felt by students.



Brandon Fellowship

The Brandon Research Fellowship was funded by a generous gift in 2009 by the late Mr Michael Brandon and his son, Mr Christopher Brandon.

The successful candidate for the Brandon Fellowship this year is Dr Carlo de Stefano from Roma Tre University, Italy. The title of his research is *A human rights-based perspective on State immunity from Execution*. He will visit the Lauterpacht Centre in 2023.

Polonia Scholarship

The Polonia Scholarship is funded by a private gift to the Centre and is open to scholars of Polish and Israeli citizenship, especially those who are in the early years of their career. The successful candidate for 2021-2022 was Dr Omri Sender who visited the Centre in January 2022 to carry out independent research on *Assembling a repository of analysis and information on both the law and practice of two recognised international dispute settlement means: arbitration and judicial settlement*.

Snyder Scholarship

The Snyder Scholarship runs along side the Snyder Lectures which are held in memory of Dr Earl Snyder, a 1947 Indiana University law graduate, and form a special partnership between the University of Cambridge and the Indiana University Maurer School of Law.

The successful candidate for the Snyder Scholarship 2022 is Ms Kacey Bengel, from Maurer Law School, University of Indiana. Kacey will visit the Lauterpacht Centre in the Michaelmas Term 2022 and will carry out research relating to *asylum law*.

Bohdan Winiarski Scholarships

The Bohdan Winiarski scholarships are funded by the Embassy of the Republic of Poland in the United Kingdom of Great Britain and Northern Ireland, and named after the Polish Judge and international lawyer, Bohdan Winiarski.

The successful candidates for the Winiarski Scholarships 2021-2022 are:

Mr Paolo Marshyn, a PhD student from the Belarusian State University, who will visit the Centre in September 2022. His research topic relates to *Attribution of Conduct of Non-State Actors to the State in International Law*.

Dr Tamás Hoffmann, senior research fellow at the Hungarian Academy of Sciences Centre of Excellence, Budapest, Hungary who will visit the Centre in 2023. His research topic relates to *Domestication of International Law in Action: The Hybridization of International Criminal Norms*.

Dr Farid Turab Ahmadov, assistant professor at the ADA University, Baku, Azerbaijan who will visit the Centre in 2023. His research topic relates to: *The Concept of Compelling Reason in the Advisory Proceedings of the International Court of Justice*.

New Fellows of the Centre

The Centre warmly welcomes the following new Fellows of the Centre:

Nafay Choudhury is a Junior Research Fellow at St. Catharine's College and Associate Member of the Centre for Global Knowledge Studies.

His research explores the fragmented and plural forms of order that exist within the state, alongside the state, and beyond the state. His current research looks at the role of market associations in providing normative order in fragile settings. As a socio-legal researcher, he is interested in understanding how global legal norms, such as those promoted by international organizations, take shape at the local level.

Nafay's research interests include socio-legal studies, legal pluralism, economic development, and the rule of law.



Orfeas Chasapis-Tassinis is a Research Fellow at Gonville and Caius College and an Associate Editor for the European Journal of International Law.

He holds law degrees from the Universities of Thessaloniki (LLB), Athens (LLM) and NYU (LLM), where he was awarded the Jerome Lipper Prize for International Law. In 2020, Orfeas completed his PhD as a WM Tapp and AHRC scholar at Caius. His thesis, entitled 'Revisiting the Theoretical Foundations of International Organizations in Public International Law', was awarded a Yorke Prize by the Faculty of Law in 2021. Before re-joining Cambridge as a Research Fellow, Orfeas was a Max Weber Fellow at the EUI.

He is currently working on a book project on the legal theory of international organizations, as well as an article on international lawyers' analytical modelling of customary international law.



Stefan Theil is the John Thornley Fellow in Law at Sidney Sussex College.

He completed his first degree in law at the University of Bayreuth (2011) in Germany. After brief stints working for a commercial law firm in Munich and for the Research Services of the German Bundestag in Berlin, Stefan earned an LLM from University College London (2013). Inspired to pursue a career in academia, he completed his doctoral work at the University of Cambridge (2018) and was the inaugural Research Fellow in Civil and Political Rights at Bonavero Institute, University of Oxford (2017-2021).



BRC/ICRC Customary International Humanitarian Law Project

The research team working on the Project on Customary International Humanitarian Law of the British Red Cross and the International Committee of the Red Cross (ICRC), which the Lauterpacht Centre has hosted since its start in 2007, has enjoyed another successful year at the Centre.

The project provides geographically diverse information in the field of international humanitarian law (IHL) by up-dating the practice part of the ICRC's *award-winning* online *Customary IHL Database*. The Database contains the 161 rules of customary IHL identified in the ICRC's 2005 seminal Study and the practice related to these rules. Its aim is to provide accurate and extensive information in the field of customary IHL and to make this information readily accessible online. The Database covers national practice of States from all over the world, from Afghanistan to Zimbabwe, as well as practice found in international materials. The research team at the Lauterpacht Centre focuses on the analysis of national practice, while, since 2014, researchers based at Laval University in Canada up-date international materials.

In the 2021–2022 academic year, the database was up-dated with new practice from five States: Georgia for the years 2015–2017, South Africa for the year 2014, Sri Lanka covering the years 2011–2014, Uruguay for the years 2008–2014 and Zimbabwe for the year 2016. While the practice section continues to make worldwide practice available in English, since December 2019, the rules section of the database has been available in six additional languages: Arabic, Chinese, French, Portuguese, Russian and Spanish. In 2021, the database was accessed over a million times, for the second year in a row.

The research team also engaged in dissemination activities, with presentations delivered to the Lauterpacht Centre visiting fellows and PhD students, as well as to British Red Cross colleagues. These represented valuable opportunities to promote the Database and the Study to the academic community and colleagues alike.

The year also brought some changes in the research team. In December 2021, the team said farewell to Natascha Kersting, who moved on to new endeavours after working on the Project for just under a year. The team also celebrated Juliano Simões-Ferreira's first anniversary with the Project, Antoana Marinova-Nedyalkova's second anniversary, as well as Emilie Fitzsimons' fifth anniversary. Finally, we are pleased to announce the addition of two new researchers to the team. These are Andrea Farrés Jiménez, who joined in September 2021, and Juliette Rémond Tiedrez, who came on board in February 2022.



Publications

Centre Publications

A number of leading publications in international law are edited at the Lauterpacht Centre. These include the International Law Reports (edited by Christopher Greenwood and Karen Lee), the ICSID Reports (edited by Jorge Viñuales and Michael Waibel), the British Yearbook of International Law (co-edited by Eyal Benvenisti), and the European Journal of International Law (Co-Editor-In-Chief, Dr Sarah Nouwen).

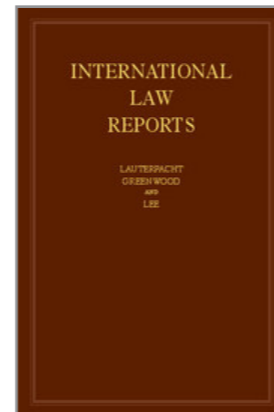
International Law Reports (ILR)

The International Law Reports are edited by Sir Christopher Greenwood GBE CMG QC and Karen Lee, Centre Fellow and Fellow and former Vice-Mistress of Girton College, Cambridge.

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

The series captures the full range of judgments and awards on issues of international law from the increasing number of international courts and tribunals while expanding coverage of national judgments.

Volume 199 was published in September 2022. The series is also available online via *Cambridge Core* as well as Justis.



International Convention on the Settlement of Investment Disputes Reports (ICSID)

The ICSID Reports are edited by Professor Jorge Viñuales, Fellow of the Centre, and Professor Michael Waibel, formerly co-Deputy Director of the Centre.

The International Convention on the Settlement of Investment Disputes (ICSID) Reports provide an authoritative published collection of investor-State arbitral decisions rendered under the auspices of the World Bank's International Centre for Settlement of Investment Disputes (ICSID), pursuant to other bilateral or multilateral investment treaties such as the North American Free Trade Agreement (NAFTA) and the Energy Charter Treaty (ECT), or involving investment contracts entered by States.

Combining analytical studies with case summaries by practitioners, the ICSID Reports are an invaluable tool for those working in the field of public international law, investment treaty arbitration, or international commercial arbitration, whether advising foreign investors or States. All 20 volumes are available in hard copy and online at Cambridge Core. Three thematic volumes have been published:

Volume 18: Defence Arguments in Investment Arbitration (Cambridge University Press, 2020)
Volume 19: The Meaning of Investment (Cambridge University Press, 2021)
Volume 20: Attribution of Conduct to the State (Cambridge University Press, 2022)

Each volume has featured an eminent guest contributor, including Jan Paulsson, Christoph Schreuer, and Meg Kinnear. The next three volumes, under preparation, will focus on remedies (Volume 21), climate change and sustainability (Volume 22), and European Union law (Volume 23) in investment arbitration.



Fellows' Publications

Eyal Benvenisti

Article: 'The Birth and Life of the Definition of Military Objectives' (2022) 71 International & Comparative Law Quarterly 269

Book chapter: 'The Stakeholder Participation Triangle: Trusteeship, Functionality and Efficiency, in Rethinking Participation in Global Governance: Voice and Influence after Stakeholder Reforms in Global Finance and Health' (Joost Pauwelyn, Martino Maggetti, Tim Büthe, and Ayelet Berman Eds. OUP, June 2022) (with Ayelet Berman)

Joanna Gomula

Article: 'Labour Standards and International Trade Regulation – a New Area of Enforcement?' (with J T Crawford), Roczniki Administracji i Prawa/Annals of the Administration and Law (2021; published 2022), 79-94

Tom Grant

Article: 'The 'Open System' and its Gatekeepers: from Complexity in International Law, a Seminar in Honour of James Crawford' (2022) 13(1) Journal of International Dispute Settlement 41-53

Article: 'Better Late Than Never? The Environmental Impact Assessment and its Timing and Function' (2022) 39(3) Wisconsin International Law Journal 391- 430 (with Jamie Trinidad, Avidan Kent)

Article: 'Behavioral economics and ISDS reform: a response to Marceddu and Ortolani' 2022 European Journal of International Law, chac026, <https://doi.org/10.1093/ejil/chac026> (with F. Scott Kieff)

Article: 'China's Sanctions and Rule of Law: How to Respond When China Targets Lawyers' (2022) 55 International Lawyer 167-191 (with F. Scott Kieff)

Article: 'Europe's Borderlands and China's Challenge: Why War in Ukraine Matters The SAIS Review of International Affairs' (12 March 2022)

Article: 'Arbitration, Corruption and Post-Award Control in French and English Courts' (2022) 71(2) International & Comparative Law Quarterly 481-496

Article: 'Appointing arbitrators: tenure, public confidence, and a middle road for ISDS reform' (2022) 43 Michigan Journal of International Law 171-239 (with F. Scott Kieff)

Article: 'The ITC's Crucial Role in Countering Russia's Aggression', Law 360 (18 March 2022) (with F. Scott Kieff)

Article: 'UK Rulings Give Chinese Courts Wide Powers in IP Disputes', Law 360 (12 August 2022) (with F. Scott Kieff)

Blog: 'Scrutinizing the 2005 Hague Convention: Two Further Reasons to Keep Arbitration a Viable Option', Kluwer Arbitration Blog (July 22, 2021) (with F. Scott Kieff)

Paper: 'China's Nuclear Build-Up and Article VI NPT: Legal Text and Strategic Challenge' (National Institute for Public Policy, November 2021)

Other: 'Exporting Censorship: The Chinese Communist Party Tries to Control Global Speech about China', National Security Institute Law and Policy Paper (March 2022) (with Christopher A. Ford)

Other: 'Beware a Phony Peace in Ukraine. Georgia, Moldova and Azerbaijan, which endured Russian coercion for years, are cautionary tales' Wall Street Journal (27 March 2022)

Other: 'West must beware the language of appeasement and see Russia's war on Ukraine for what it is', The Conversation (21 April 2022) (with Rory Finnin)

Other: 'Lesson of Budapest? Hold On to Your Nuclear Weapons', Wall Street Journal (2 March 2022) (with John Ulliot)

Henning Grosse Ruse-Khan

Report for South Centre: 'A Trips-Covid Waiver and Overlapping Commitments to Protect Intellectual Property Rights Under International IP and Investment Agreements', The South Centre, Research Paper 144, 27 January 2022 (with F. Paddeu)

Sarah Nouwen

Article: 'Introduction: International Law and Inequalities 33(1) European Journal of International Law' (July 2022) - (with A. van Aaken, D. Desierto, I. Feichtner, J. Klabbers, D. Lustig and J.H.H. Weiler)

Article: 'Exporting Peace? The EU Mediator's Normative Backpack 1(1) European Law Open 26-59' (April 2022)

Article: 'The Restatement (Fourth): An Interview with One of the Two Co-Ordinating Reporters', 32(4) European Journal of International Law (2021) 1371-1374 (2022) (with P.B. Stephan, C.J. Tams and J.H.H. Weiler)

Article: 'The Politics of Global Lawmaking: A Conversation', 32(4) European Journal of International Law (2021) 1341-1352' (with M. Koskeniemi)

Article: 'International Law and Democracy Revisited: Introduction to the Symposium', 32(1) European Journal of International Law 9-15 (2021) (with J. Klabbers, D. Lustig, A. Nollkaemper, M. Saliternik and J.H.H. Weiler)

Federica Paddeu

Article: 'Encoding the law of State responsibility with courage and resolve: James Crawford and the 2001 Articles on State Responsibility' (2022) 11(1) Cambridge International Law Journal 6-23 (with C.J. Tams)

Article: 'Necessity 20 Years On: The Limits of Article 25 ARSIWA' (2022) 37 ICSID Review 160-191 (with M. Waibel)

Blog post: 'Interpreting Away Treaty Conflicts? Green Power, ISDS and the Primacy of EU Law', Kluwer Arbitration Blog (23 August 2022) (with C.J. Tams)

Book chapter: 'Circumstances Precluding Wrongfulness' in C Binder, M Nowak, JA Hofbauer and P Janig (eds), Elgar Encyclopedia of Human Rights (Edward Elgar, 2022)

Report for South Centre: 'A Trips-Covid Waiver and Overlapping Commitments to Protect Intellectual Property Rights Under International IP and Investment Agreements', The South Centre, Research Paper 144, 27 January 2022 (with H. Grosse Ruse-Khan)

Surabhi Ranganathan

Article: 'The English School of International Law: Soundings via the 1972 Jubilee Essays' (October 2021) 80 Cambridge Law Journal S126-S153. 28pp.

Article: 'Decolonization and International Law: Putting the Ocean on the Map' (2021) 23 Journal of the History of International Law 161-183. 23pp.

Jason Sharman

Book: 'Vigilantes Beyond Borders: NGOs as Enforcers of International Law' (Princeton: Princeton University Press, 2022) Mette Eilstrup-Sangiovanni

Sandesh Sivakumaran

Book: 'International Human Rights Law' (OUP June 2022) - fourth edition - edited by Daniel Moeckli, Sangeeta Shah

Jamie Trinidad

Article: 'Better Late Than Never? The Environmental Impact Assessment and its Timing and Function' (2022) 39(3) Wisconsin International Law Journal 391-430 - (with Avidan Kent & Tom Grant)

Fellows' Blogs

During the 2021/2022 academic year Centre Fellows wrote articles on a variety of topics which were published on the Centre's website:

25 July 2022	Forcing a Referendum on Scottish Independence? - Prof Marc Weller
13 June 2022	A cause worthy of more effort: the Committee on the Rights of the Child and the Climate Change decision - Dr Stefan Theil
18 March 2022	The War in Ukraine - Prof Marc Weller
14 December 2021	Leading Experts at COP26 from the University of Cambridge and around the world Commit to Scale-Up Climate Law & Governance Capacity Worldwide TENFOLD from 600 to 6,000 by 2024 - Dr Markus Gehring/Prof Marie-Claire Cordonier-Segger/Cambridge PhD students

Management Committee

The Centre is also grateful to members who served on the Management Committee during 2021/22:

Prof Mark Elliott (Chair)	Dr Fernando Lusa Bordin
Prof Eyal Benvenisti (Director)	Dr Henning Grosse Ruse-Khan
Prof Surabhi Ranganathan (Co-Deputy Director)	Dr Andrew Sanger
Prof Sandesh Sivakumaran (Co-Deputy Director)	Prof Marc Weller
Prof Lorand Bartels	Dr Rumiana Yotova

Directorship of the Centre

Prof Eyal Benvenisti, Centre Director

Prof Surabhi Ranganathan, Co-Deputy Director

Prof Sandesh Sivakumaran, Co-Deputy Director

Administration staff

The Centre is grateful to the administration staff for their support in running the Centre during 2021/22:

Anita Rutherford, Centre Administrator (Sept 2021-January 2022)

Zarine Russell, Centre Coordinator (June 2022 - September 2022)

Karen Fachechi, Centre Receptionist, Admin Support and Secretary to the Centre Director

Sarah Hill, Computer Officer

Vanessa Bystry, Communications Coordinator

Advisory Board

The role of the Board is advisory, assisting the LCIL to develop the Centre's resources and capabilities, to expand its ties with other academic centres, with the legal bar and with the general public, and in general to improve the opportunities for research at the Centre.

Members of the Board for 2021/22 include:

Sir Daniel Bethlehem KC, 20 Essex Street (Chair)

Lord Collins of Mapesbury PC FBA

Ms Shaheed Fatima KC, Blackstone Chambers

Sir Christopher Greenwood GBE CMG KC

Lord David Lloyd-Jones

Mr Audley Sheppard QC, Clifford Chance

Ms Elizabeth Wilmshurst CMG, Chatham House (Vice Chair)

Centre Fellows

For the year 2021/22 the Centre was fortunate to benefit from the experience and knowledge of 35 Centre Fellows, who cover between them a wide range of research areas of international law. The Centre is very grateful for their support.

Centre Fellows 2021/22

Dr John Barker	Dr Maayan Menashe
Prof Lorand Bartels	Dr Kate Miles
Prof Eyal Benvenisti	Prof Sarah Nouwen
Dr Orfeas Chasapis-Tassinis	Dr Federica Paddeu
Dr Nafay Choudhury	Dr Stephanie Palmer
Prof Marie-Claire Cordonier Segger	Dr Brendan Plant
Lesley Dingle	Prof Surabhi Ranganathan
Prof Claire Fenton-Glynn	Associate Prof Andrew Sanger
Dr Markus Gehring	Prof Jason Sharman
Dr Joanna Gomula	Prof Sandesh Sivakumaran
Dr Thomas Grant	Dr Simon De Smet
Prof Henning Grosse Ruse-Khan	Dr Stefan Theil
Diane Ilott	Prof Stephen Toope
Karen Lee	Dr Jamie Trinidad
Dr Emilija Leinarte	Prof Jorge Viñuales
Dr Fernando Lusa Bordin	Prof Marc Weller
Maureen MacGlashan	Dr Rumiana Yotova
Associate Prof Giovanni Mantilla	

Honorary & Senior Fellows

The Centre is proud to have a number of distinguished Honorary Fellows, appointed by reason of their standing in International law or their significant contribution to the development of the Centre:

Prof Philip Allott	Lady Catherine Lauterpacht
Dr Ivan Berkowitz	Sir Elihu Lauterpacht CBE KC LLD (†)
Prof Sir Derek Bowett CBE KC FBA (†)	Ms Finola O'Sullivan
HE Judge James Crawford AC, SC FBA (†)	HE President Hisashi Owada
Prof John Dugard	HE Judge Stephen M Schwebel
Mrs Julie Finley	Dr Earl Snyder (†)
Prof Christine Gray	Mr Edward St George (†)
Sir Christopher Greenwood GBE CMG KC	Prof Hugh Thirlway (†)
HE President Dame Rosalyn Higgins GBE KC	(†) <i>deceased</i>

Senior Fellowship of the Centre was officially recognised in the 2005–2006 academic year and is awarded in recognition of eminence in the field of international law, combined with significant involvement in the Centre itself. The Senior Fellows of the Lauterpacht Centre are:

Judge Howard Morrison	Prof Malcolm Shaw KC
Prof Jan Paulsson	Sir Michael Wood KCMG

Friends & Donors

The Centre thanks the following for their generous support:

Dr & Mrs Ivan Berkowitz	Lady Catherine Lauterpacht
Mr Michael Brandon (†)	Mr Conan Lauterpacht
Mr Christopher Brandon	Mr Michael Lauterpacht
Judge Charles N Brower	Dr Andreas Rigo Sureda
Mrs Gabriel Cox	Prof Christoph Schreuer
HE Judge James Crawford AC, SC FBA (†)	Dr Anthony Sinclair
Dr Joanna Gomula	Dr Andrés Rigo Sureda
Judge Sir Christopher Greenwood CMG KC	Sir Michael Wood KCMG
Judge Sir Kenneth Keith ONZ KBE KC	

The Centre is extremely thankful to the authors who generously waive their royalties in favour of the Centre, including those in respect of the Hersch Lauterpacht Memorial Lectures.

The Centre is particularly grateful to Dr Ivan and Mrs Francesca Berkowitz for their continued and generous support of the Centre in 2021-22.

The support provided by the Centre's benefactors is key in ensuring that the Centre is able to continue to look towards the future and to ensure its activities work towards meeting Sir Eli's vision of the Centre becoming the base for the study of international law both in Cambridge and wider afield.

The Eli Lauterpacht Memorial Fund

The Eli Lauterpacht Fund was launched by the Centre in November 2017 in memory of Sir Eli to support the work of the Centre which he founded, directed and inspired.

Gifts to the fund are used to improve the Centre's facilities, strengthen opportunities for scholars of international law, and to cement the Centre as one of the field's leading research centres in the world.

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.

Current Donors of the Eli Lauterpacht Fund

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

Mrs Hélène Alexander	Lady Catherine Lauterpacht
Prof (†) and Mrs Nico Bar-Yaacov	Mr Conan Lauterpacht
Dr and Mrs Ivan Berkowitz	Mr John Lehman
Mrs Jenny Byford	Mr & Mrs John Lewis
Mrs Gabriel Cox	Prof Christoph Schreuer
Dr Joanna Gomula-Crawford	Dr Anthony Sinclair
Mr Michael Lauterpacht	Mr Stratis Georgilas

(† - deceased)

The James Crawford Fund for teaching and research of International Law

In April 2022 the Lauterpacht Centre launched the James Crawford Fund to support the teaching and research of public international law at Cambridge, to honour James Crawford's memory, in recognition of the long-standing and generous support that James gave to the development of the Centre, its students and staff.

Lauterpacht Linked Partnership Programme

The Lauterpacht Linked Partnership Programme gives practitioners unique and exclusive access to people, events and research associated with the Centre, in exchange for their financial and proactive support to the Centre’s infrastructure and activities.

Membership of the programme is by invitation and open to select law firms, barristers’ chambers, major companies with an interest in international law and foreign ministries.

A central part of the programme is an annual careers event that allows Cambridge international law students the opportunity to interact with the world of practice, and to receive advice on different career options in international law. Unfortunately, due to the global pandemic this event was unable to take place in 2021.

We thank our Lauterpacht Linked Partners for their continued support.

Lauterpacht Linked Partners in 2021-2022

Ms Monica Feria-Tinta, 20 Essex Street

Mr Patrcio Grané Labat, Arnold & Porter Kaye Scholer

Sir Ian Macleod KCMG, Foreign & Commonwealth Office

Dr Konrad Marciniak, Polish Ministry of Foreign Affairs

Dr Rutsel Martha, Lindeborg Counsellors at Law Ltd

Dr Carlos Jiménez Piernas, Ministry of Foreign Affairs, European Union and Cooperation, Government of Spain

Mr Tomohiro Mikanagi, Japanese Ministry of Foreign Affairs

Mr Can Yeginsu, 4 New Square Chambers

Appendix I: Visiting Fellows & Scholars 2021–22

	Place of Origin	Period of Stay	Research Topic
Ms Mariam Bezhanishvili	European University Viadrina, Germany	28 Sept - 9 Dec 2021	Protection of property rights during armed conflicts and occupations, on the example of the occupied territories of Georgia
Dr Cheng Bian	Erasmus University Rotterdam	3 - 31 August 2022	Foreign direct investment in the big data, artificial intelligence and machine learning sectors
Dr Boyd van Dijk	Melbourne Law School, Australia	4 Oct - 9 Dec 2021	The Making and Breaking of the Geneva Conventions in a Global World
Prof Yuka Fukunaga	Waseda University, Japan	20 Sept 2021-16 Sept 2022	Reform of International Economic Dispute Settlement
Mr Marcel Gernert	University of Cologne, Germany	11 Jan - 22 March 2022	Blocking Statutes
Ms Ketty Getachew	Johann Wolfgang Goethe University, Frankfurt, Germany	26 April - 1 July 2022	The Post-Brexit Subsidy Law
Mr Theodore Gleason	Universite Paris II-Pantheon Assas, Paris, France	26 April-1 July 2022	Evaluating the Coherence between International Investment Law and other Societal Concerns: Towards a More Harmonius Approach?
Dr Donato Greco	University of Naples Federico II, Naples, Italy	11 Jan 2022-1 July 2022	States Obligation to Compensate Damages Caused by Internationally Wrongful Acts: Lessons from the Covid-19 Pandemic
Mr Abhimanyu Jain	Graduate Institute of International & Development Studies, Geneva, Switzerland	17 Jan 2022-1 July 2022	Balancing military necessity and humanity in the law of targeting
Dr Tomofumi Kitamura	University of Tokyo, Japan	13 April 2021-12 April 2022	Critical issues facing the World Trading System: income distribution and national security
Dr Andreas Kulick	University of Tübingen/University of Potsdam	1 - 28 August 2022	Corporations and human rights: Commentary on German Law on International Human Rights Obligations for Businesses in Supply Chains
Ms Xinyue Li	Durham University	5 July - 16 September 2022	Quantising Geoeconomics: The Pluralistic Reconciliation Between National Security Governance and Economic Liberalisation
Ms Svenja Langenhagen	Faculty of Law, University of Hamburg, Germany	26 April-1 July 2022	Corporate Social Responsibility in International Sales Law

	Place of Origin	Period of Stay	Research Topic
Ms Jennifer Maass	SWPS University of Social Sciences and Humanities, Faculty of Law, Warsaw, Poland/Ostfalia University for Applied Sciences, Germany	5 July - 16 Dec 2022	International Sustainable Development Law, Natural Resources Law, Investment Law and Finance; Dissertation Title: The Influence of the UN Sustainable Development Goals on Standardisation in Transnational Law: A legal analysis of Steering Effects on the Extractive Industries
Mr Lauri Mälksoo	University of Tartu, Estonia	1 - 24 August 2022	Eurasianism and Russian Approaches to International Law
Ms Veena Manikulam	University of Zurich, Switzerland	5 July - 16 Sept 2022	Conceptualising Investor Accountability in International Investment Law
Mr Massimo Marelli	International Committee of the Red Cross, Geneva, Switzerland	18 Oct 2021-7 April 2022	Humanitarian Action (Data Protection, Biometrics) and International Humanitarian Organizations as a target of cyber operations
Mr Paolo Marshyn	Belarusian State University	12 Sept 2022 - 4 Nov 2022	Attribution of Conduct of Non-State Actors to the State in International Law
Ms Cora Masche	Walther Schuecking Institute for International Law, Kiel, Germany	26 April - 1 July 2022	Principles in international law - concerning a correlation between structure and source of an international legal norm
Mr James Mather	Serle Court Chambers, London, UK	26 April - 1 July 2022	The role of group private law claims in obtaining redress for grand corruption and the promotion of other international public goods
Ms Vanesa Menéndez Montero	Universidad Autónoma de Madrid, Spain	1 April - 1 July 2022	Public International Law, “The International Protection of Immovable Cultural Heritage in Peacetime”
Dr Monica Naime S Henkel	University of Bergen, Norway	5 July- 16 Sept 2022	International State Responsibility: “Attribution of acts of non-state entities that exercise governmental authority: State responsibility as an unexpected consequence of governance networks?”
Mr Philip Nedelcu	Ludwig-Maximillians Universitaet, Munich, Germany	26 April - 1 July 2022	The Theory and Application of Art.18 ECHR
Ms Tove Wulff Nilsen	The Arctic University of Norway, Faculty of Law	11 Jan - 30 Sept 2022	The Conceptual Challenge of Terrorism
Prof. Akiko Okamatsu	Hosei University, Tokyo, Japan	26 April 2022 - 31 March 2023	The non-proliferation of nuclear weapons
Mr Denis Parchajev	Queen Mary University of London, Centre for Commercial Law Studies, UK	3 May - 1 July 2022	“The impact of effective control under Article 42 of the 1907 Hague Regulations on Tribunal’s Jurisdiction in Separatist-related investment arbitration cases”
Ms Giulia Perrone	University of Turin, Italy	26 April - 1 July 2022	The impact of life sciences on the interpretation of international human rights obligations

	Place of Origin	Period of Stay	Research Topic
Prof Tim Potier	Moscow State Institute of International Relations, Moscow, Russia	26 April - 15 July 2022	International Law; on the separatist regions of the South Caucasus
Dr Mark Retter	University of Cambridge	1 March 2019 - June 2023	Human Rights After Virtue
Mr Rodolfo Ribeiro Coutinho Marques	The Graduate Institute of International and Development Studies (IHEID) Geneva, Switzerland	5 July - 16 Sept 2022	The Nationality of Individuals in International Law, Research Title: Nationality in the Law of International Organizations
Dr Omri Sender (Polonia Scholar)	Tel Aviv, Israel	17 Jan - 11 Feb 2022	Assembling a repository of analysis and information on both the law and practice of two recognised international dispute settlement means: arbitration and judicial settlement
Mr Rohan Sinha	Institute for Public International Law at the University of Bonn, Germany	26 April - 1 July 2022	Public International Law, Extraterritorial State Obligations

Appendix II: LCIL Centre Lectures 2021–22

Eli Lauterpacht Lecture 2021

‘Global Governance for Health - why has it failed?’ - Dame Sally Davies, The UK Government's Special Envoy on AMR and Chair of the Trinity Challenge

Friday, 8 October 2021

LCIL Friday Lunchtime seminar series

‘Where does Counter-Terrorism go next, 20 years after 9/11?’ - Professor Fionnuala Ni Aolain, University of Minnesota Law School

Friday, 15 October 2021

‘Six Faces of Globalization: Who Wins, Who Loses, and Why it Matters’ - Professor Anthea Roberts, Regnet

Friday, 22 October 2021

‘What is a Family in the Inter-American Human Rights System’ - Tracy Robinson, University of the West Indies, Mona

Friday, 5 November 2021

‘From Drivers to Bystanders: The Varying Roles of States in International Legal Change’ - Dr Nico Krisch, Graduate Institute for International and Development Studies

Friday, 12 November 2021

‘CEDAW and transformative judicial obligations: the vulnerable migrant domestic worker and root causes of abuse’ - Dr. Cheah W.L., National University of Singapore

Friday, 19 November 2021

‘The Lauterpacht Centre 1995-2014: Personal Recollections and Reflections’ - Professor Roger O’Keefe, Bocconi University

Friday, 26 November 2021

‘Defending Social Rights during and beyond multiple global crises: Reflections on emerging challenges to the Right to Adequate Housing’ - Prof Balakrishnan Rajagopal, Professor of Law and Development, MIT

Friday, 21 January 2022

‘Road Not Taken: Comparative International Judicial Dissent’ - Prof Jeffrey L Dunoff, Temple University, Beasley School of Law

Friday, 28 January 2022

‘International Law and the Politics of History’ - Prof Anne Orford, Melbourne Law School

Friday, 4 February 2022

‘Current challenges regarding deep sea mining and protection of ocean life beyond national boundaries’ - Kristina M Gjerde, Senior High Seas Advisor, IUCN

Friday, 11 February 2022

‘How should we think about agility?: Regulatory agility and new landscapes of global regulatory governance’ - Prof Andrew Lang, University of Edinburgh Law School

Friday, 25 February 2022

‘Facebook as the New Sovereign? International Law’s Continued Struggle to Regulating Transnational Corporate Human Rights Abuses’ - Prof Surya Deva, Macquarie University, Sydney

Friday, 4 March 2022

‘Current issues in International Climate Law: The Paris Agreement and Beyond’ - Prof Christina Voigt, University of Oslo

Friday, 11 March 2022

‘Judging ISIS Fighters Before Non-State Kurdish Courts in Syria: Is a Fair Trial Possible?’ Professor René Provost, McGill University

Friday, 29 April 2022

‘Where Vienna and Geneva meet: Treaty interpretation and the Geneva Conventions’ - Jean-Marie Henckaerts, International Committee of the Red Cross (ICRC)

Friday, 6 May 2022

Other Centre events

CILJ-LCIL Annual Lecture 2020-2021: ‘Responsibility to the International Community for Marine Biodiversity beyond National Jurisdiction’ - Prof Cymie Payne, Rutgers University

Friday, 29 October 2021

Arnold & Porter/LCIL Joint Event: ‘The United States and International Law under the Biden Administration’ by Professor Harold Hongju Koh

Thursday, 11 November 2021

LCIL/CELS Webinar: Rapid Response Webinar on the War in Ukraine

Monday, 7 March 2022

Online Discussion: ‘New Critical Engagements with Humanitarian Law and International Justice’

Friday, 18 March 2022

Art, Architecture and International Law seminar series

‘Move, see, listen, imagine international law (or not)’ - Dr Sofia Stolk, Asser Institute in The Hague, University of Amsterdam

Tuesday 10 May 2022

Global Legal Histories

‘Slavery and empire in early modern Iberian thought’ - Dr Daniel Allemann, University of Lucerne

Wednesday, 24 November 2021

‘Protection-Shopping among Empires: Suspended Sovereignty in the Cocos-Keeling Islands’ - Prof Lauren Benton, Yale University

Tuesday 15 February 2022

‘Traditional Medicine Goes Global: ‘Pan-African Precedents, Cultural Decolonization, and Cold War Rights/Properties’ - Prof Helen Tilley, Northwestern University

Wednesday, 9 March 2022

‘German Legal Pluralism as International Law? A 19th Century History’ - Dr Charlotte Johann, University of Cambridge

Wednesday, 11 May 2022

Cambridge University Arbitration (CUArb) series

'Third Party Funding: Looking at the Past and Projecting the Future' - Iain Mckenny, Profile Investment & Louis Young, Augusta Ventures

Thursday, 28 October 2021

'The future of oil and gas arbitration' - Mohamed Abdel Wahab, Zulficar & Partners and Scott Vesel, Three Crowns

Thursday, 25 November 2021

'Asian Perspectives: arbitration and emerging economies' - Andre Yeap, Rajah & Tann and Seokchun Yun, Peter & Kim

Tuesday, 22 February 2022

'Mandatory Rules: what should a commercial tribunal do?' - Audley Sheppard, Clifford Chance LLP and Dr Daphna Kapeliuk, Goldfarb Seligman

Tuesday, 1 March 2022

'Africa and International Arbitration: Arbitration and Economic Development' - Dr Babatunde Ajibade, SPA Ajibade & Co and Thomas R Snider, Al Tamimi & Company

Tuesday, 15 March 2022



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FOR INTERNATIONAL LAW



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