

LAUTERPACHT CENTRE NEWS

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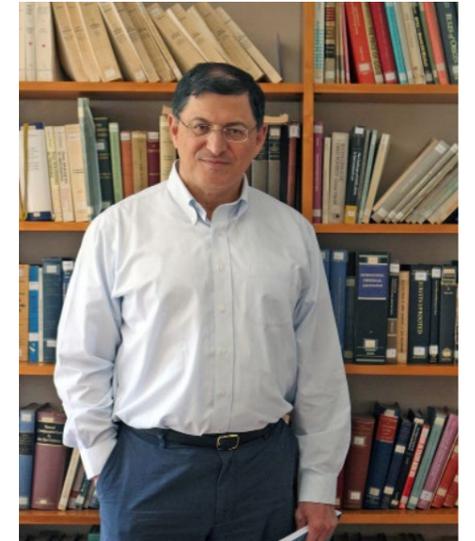
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Front Cover: LCIL Garden, October 2019

“Equality of Arms” in Investment Arbitration: Equality between Whom and How?

LCIL Director Professor Eyal Benvenisti

Eyal is Director of the Lauterpacht Centre, Whewell Professor of International Law and C C Ng Fellow in Law, Jesus College.



At The Hague Session last August, the Institut de Droit International adopted an important and timely [Resolution on Equality of Parties before International Investment Tribunals](#) (Rapporteur: Professor Campbell McLachlan). The Resolution asserts that

“the principle of equality of the parties is a fundamental element of the rule of law that ensures a fair system of adjudication and as such is a general principle of law applicable to the procedure of international courts and tribunals, [and is] also a fundamental human right [...]”

The Resolution then elaborates on the significance of “the equality of arms” principle as between the parties to the arbitral process. The Resolution emphasises the function of the principle as counterbalancing the state’s “sovereign power to enforce its own law and adjudicate its claims against investors for breach of its laws before its own courts.” (Article 1(2)).

At the same time, the Resolution acknowledges the tension between the need to secure investors’ expectations and “the State’s sovereign right to regulate investment activities within its jurisdiction in the public interest.” (Article 2(3)). This crucial deference

to “the public interest” underscores an awareness to the often multi-dimensional character of the dispute and the task of the investment arbitration to consider the various parts of “the public,” including individuals and communities beyond those who are directly litigating before the tribunal.

The Resolution should not be read as naively assuming that “the public interest” has been adequately internalized by the state whose decision is reviewed by the tribunal. Granted, it is often the case that the state is the active party that faces a passive, politically weak investor that has no other means of protection besides the tribunal. Under such a rendition, the “equality of arms” principle acquires a remedial function, strengthening the foreign investor against the unfair treatment it received from the host state.

But this is not always the case. At certain instances, it is the investor who proves to be quite a powerful and sophisticated political actor, able to steer national regulation in its favour. Through lobbying and other measures, foreign investors often convince domestic regulators to ignore the public interest, or the interest of specific domestic constituencies such as labor, the environmentally vulnerable, or citizens

who are poorly represented in the host state's political institutions. What is the meaning of "equality of arms" under such scenarios? Could the arbitral tribunal, despite the essentially bilateral nature of the proceedings, provide "equality of arms" to the domestic interests that were disregarded by the state regulators?

The Resolution seems to acknowledge such situations and addresses them by providing a procedural response: it authorizes the tribunal to consider submissions by third parties. The Resolution recognizes that "[t]hird person submissions may valuably assist a tribunal to determine the dispute, where they bring a perspective, knowledge or insight that is different from that of the disputing parties." (Article 7(1)). That Article leaves to the tribunal considerable discretion to decide whether, to whom, and subject to which conditions it would allow such submissions: third parties have no right to submit information, and there is no indication what weight should be given to their input.

Beyond this procedural response, it can be suggested that investment tribunals can show sensitivity to the interests and rights of third parties, including domestic ones. They have done so at times, by adjusting the "standard of review" that they used for assessing the compatibility of the host state's action with the public interest, or by elaborating on what "the minimum standard of treatment" or what "fair and equitable treatment" stood for in particular cases. In doing so, the tribunals could review the internal process leading up to the state's decision, examining whether it was well-informed and free from illegitimate pressures by or against the investors.

For example, such sensitivity to the state's decision-making process can explain what on the face of it might seem an inconsistent treatment by the tribunals in the [Philip Morris v. Uruguay](#) case (ICSID, 2016) and that of [Tecmed v. Mexico](#) (ICSID, 2003). In both cases, the assertion of "public health" was the stated motivation for the regulation. But whereas in *Tecmed* the tribunal dismissed the significance of health concerns, the *Philip Morris* tribunal granted such concerns "great deference," stating:

"The responsibility for public health measures rests with the government and investment tribunals should pay great deference to govern-

mental judgments of national needs in matters such as the protection of public health. In such cases respect is due to the 'discretionary exercise of sovereign power, not made irrationally and not exercised in bad faith ... involving many complex factors.'" (para. 399)

Before concluding that *Philip Morris* proposes a change of course with respect to the proper standard of review employed by investment tribunals, it is useful to assess the significance of the applying the principle of "equality of arms" in both cases.

In *Tecmed*, the tribunal was obviously concerned about "the existence of community or political pressure ... as made public by the local mass media." It "consider[ed] whether community pressure and its consequences ... were so great as to lead to a serious emergency situation, social crisis or public unrest." ([id.](#), para. 133).

While *Tecmed* was therefore the paradigmatic typical case where the "equality of arms" principle should protect the foreign investor, in *Philip Morris* it was the foreign investor who enjoyed political leverage. Tobacco companies famously exert significant power through lobbying governments both at home and in host states. The Framework Convention on Tobacco Control, negotiated under the auspices of the World Health Organization, [sought to limit the opportunities of tobacco companies to intervene in national regulation concerning the sale and](#)



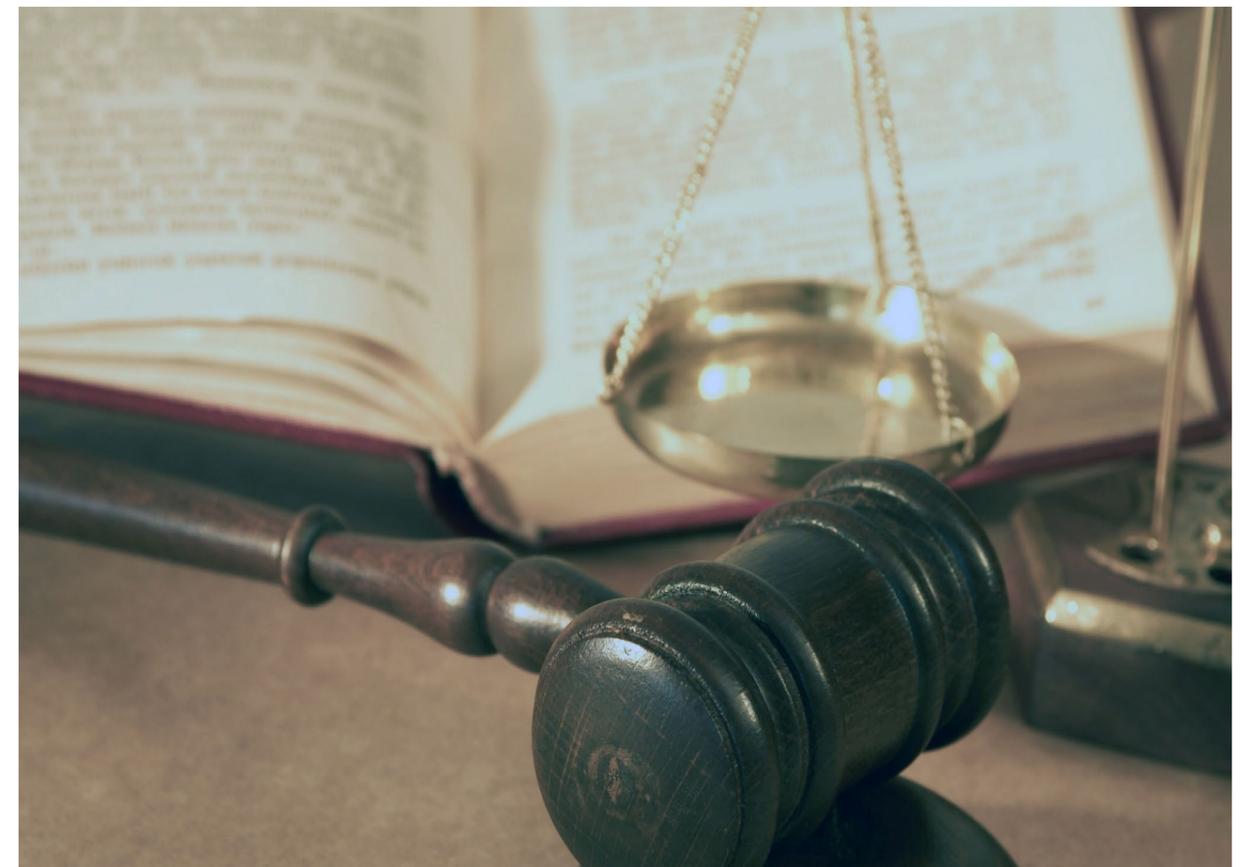
In 2016 Uruguay won a landmark lawsuit against Philip Morris International, which was suing the South American country for its strict regulations on smoking.

[branding of tobacco products](#). Given the tobacco industry's strong influence, particularly in developing countries, the tribunal's attention to "equality of arms" should mean "great deference" to state regulation that withstood pressures exerted by the foreign investor.

More generally, the same sensitive approach to the multidimensional aspects of international disputes can be also traced in other areas of adjudication. Indeed, observing the practice of various international tribunals, [it may be possible to identify](#) an inclination by arbitrators to use a narrower "standard of review" (or narrower "margin of appreciation"), one that limits the tribunal's scope of inquiry and level of scrutiny, whenever the challenged state policy has survived close scrutiny within the state through public and well-informed debate or rigorous domestic judicial review. At the same time, if the domestic regulation results from capture by foreign (or domestic) actors, one could (and should) expect

a rigorous examination by the international tribunal.

Such intrusion of external bodies into national policymaking nevertheless raises serious legitimacy concerns, especially regarding the impartiality of global decision makers and judges, their competence to make better judgment calls than the reviewed sovereigns, and the potentially stifling impact of their interventions on domestic democratic processes. Hopefully, attention to the "equality of arms" principle will instruct arbitrators to ensure that all relevant interests and concerns are adequately addressed.



Highlights

Centre launches new Prize with the Max Planck-Cambridge Prize for International Law

This year, the Centre was delighted to work with the Max Planck Institute for Comparative Public Law and International Law (MPIL) in Germany to establish and launch a new research prize - the *Max Planck-Cambridge Prize for International Law (MaxCamPIL)*.

The aim of the prize is to identify an outstanding mid-career legal scholar who has not only made an outstanding contribution to the study of international law but who will continue to engage in substantial, innovative and cutting-edge research. It is intended to highlight and support his or her work and to provide a model of academic excellence for younger scholars.

The prize will be awarded every two years by a Selection Committee made up of members from both institutions and chaired alternately by a Director of the MPIL and the Director of the LCIL.

The winning scholar is expected to visit one of the two institutions for a paid stay of one month, and is also expected to visit the respective other institution for a paid stay of at least five days and to hold a guest lecture/seminar. A testimonial lecture of the winning scholar will also be submitted to a scholarly journal of international law.

This year's prize was awarded to Professor Nico Krisch (above), a professor of international law and co-director of the Global Governance Centre at the Graduate Institute for International and Development Studies in Geneva.

He will receive the prize at a formal ceremony to be held in Heidelberg on 15 November.

"I am deeply honoured to have received the first ever Max Planck-Cambridge for International Law Prize from two such world-renowned institutions as the Max Planck Institute and the Lauterpacht Centre. The prize is a great encouragement for me to continue my work exploring the boundaries of international law - and postnational law more broadly. It also gives me a great opportunity to spend time in Cambridge and Heidelberg to share and discuss my research and benefit from the fantastic intellectual communities in both places." - Professor Nico Krisch.



More information on scholarships and prizes at the Centre: <https://www.lcil.cam.ac.uk/about-centre/scholarships-prizes>

Centre holds second International Law & Arbitration executive course under directorship of Dr Michael Waibel

After the success of the first course on international investment law and arbitration held in September 2018, the Centre once again collaborated with Cambridge Judge Business School, to host the second executive education course in May 2019.

This five-day programme provided an advanced introduction to international investment law in the context of public international law and practice.

Over the course the final week in May 2019, 14 participants learned from Cambridge Law and Business faculty and leading practitioners. Instructors included Dr Gabriel Bottini, Brooks Daly, Monica Fera-Tinta (LCIL Partner Fellow), Belinda McRae, Professor Sucheta Nadkarni and Matthew Weiniger QC. The 14 participants came from Africa, Asia, the Americas, Europe and the UK.

Investment arbitration raises challenges distinct from those raised in other forms of international dispute settlement, including complex questions of how to value assets and how to develop and position an arbitration practice in a highly competitive arbitration market. This course

is designed to equip practitioners to master procedural and substantive aspects that arise in investment arbitrations. Over the course of the week, participants developed a thorough grounding in the central substantive treatment standards and procedural aspects of investment arbitration.

Alongside six hours of interactive seminars each day at the Lauterpacht Centre and Jesus College, participants had the opportunity to get to know the instructors and fellow participants. In addition to punting on the river Cam, and a 'Fish & Chip' supper at a famous Cambridge pub, the Centre hosted welcome and farewell dinners at Jesus College.

A third course will be held 21 - 25 September 2020. Expressions of interest should be sent to Pedro Schilling de Carvalho ps785@cam.ac.uk.



Hersch Lauterpacht Memorial Lecture 2019

Democracies and International Law: The Trials of Liberalism

By Professor Tom Ginsburg

Professor Tom Ginsburg delivered this year's lecture at the Centre. He is Leo Spitz Professor of International Law, Ludwig and Hilde Wolf Research Scholar and Professor of Political Science at the University of Chicago Law School.



Summary by Francisco-José Quintana, PhD Law candidate

Our present political circumstance has been described as marked by a “backlash” against globalism, the resurgence of nationalist and reactionary movements, and the erosion of democracy. It is an unsettling era, particularly for those for whom regulatory arrangements such as human rights and free trade have become the norm, as recently argued by Judge James Crawford. This includes, presumably, most international lawyers. In this context, Professor Tom Ginsburg's three lectures on democracies and international law provided an invaluable resource to rethink the past, present, and future of international law and institutions — and their impact will surely extend well beyond the Lauterpacht Centre.

From the outset, Professor Ginsburg outlined his distinctive approach to an area which, broadly understood, has been the object of a vast literature. Authors such as Robert Keohane, he noted, have focused on the “democracy of international law”; namely, the internal structures and procedures of international organisations. Others — notably, Thomas Franck — have analysed the extent to which democracy as a domestic system of government is required by international law. Ginsburg's approach, focusing on international law and “democracies” (rather than “democracy”), is quite different. His starting point is not normative, but empirical: Are democracies different? How do they behave? And what can we learn about their interactions amongst themselves, and with non-democracies?

Throughout his lectures, Professor Ginsburg drew on a “thin” definition of democracy, comprising three elements: (1) competitive elections in which the model adult can vote; (2) a small number of “liberal rights” (including rights to free speech, association, and political participation); and (3) bureaucratic rule of law (including a neutral civil service running the election process).

In his first lecture, Professor Ginsburg argued that international law is empirically a democratic enterprise. Relying on diverse sets of data, he contended that democracies are much more involved in producing international law than non-democracies. Democratic states have been significantly more likely to conclude bilateral treaties and join multilateral treaties, and they have been overrepresented in crucial fora for the development of international law such as the ILC and UNCITRAL. In addition, exhibiting data on investor state dispute settlement and cases brought before the ICJ, Professor Ginsburg argued that democracies tend to resort considerably more to international adjudication.

The second lecture focused on democratic backsliding, “the central problem of our time”. The main threats to democracy, Professor Ginsburg argued, are no longer military coups or revolutions, but “incumbent takeovers”, whereby an elected leader gradually subverts democracy. Experiences such as the Sri Lankan constitutional crisis, he noted, have taught us that actors such as election commissions

and judges can put a pause on backsliding and allow relevant forces to regroup in defence of democracy. International law can play a similar role in slowing down processes of democratic erosion, Professor Ginsburg held.

While not a panacea, international law might make the difference between a near-miss and a dictatorship, Ginsburg explained. After a detailed analysis of action taken by American, African, and European organisations to protect democracy, he concluded that regional initiatives are particularly effective in this respect. Ginsburg's focus is not on military intervention, which evidence exposes as an ineffective tool. Instead, he emphasised instances such as the case brought by the European Commission before the ECJ on the law which forced about a third of the Polish Supreme Court judges to retire. In compliance with the ECJ's decision, Poland reinstated the judges. This will not stop Poland's slide into autocracy, Ginsburg argued, but might have temporarily halted the deterioration of the institutional order and allow electoral forces to mobilise towards the upcoming elections.

Professor Ginsburg's third lecture addressed a fascinating question: if current trends continue, what might international law look like? Ginsburg stressed the importance of this question by noting that, even if democracies slide into authoritarianism could be arrested, most of the gross world product will soon be produced by non-democracies. The rise of China, in particular, will continue to challenge the existing liberal order.

“An Eastphalian world”, he argued, “is going to be very Westphalian”. Certain organisations such as ASEAN and the Shanghai Cooperation Organisation comprised mostly of authoritarian countries offer a window into a possible future, Ginsburg reasoned. Sovereignty will be the essential guiding principle. Policy coordination, in the form of a hub-and-spoke system with China at the centre, will be the focus and not EU-type integration as once predicted by liberal theory. Institutional structures will be thin and human rights a low priority. We are also likely to see experimentalism: the One Belt One Road initiative will demand a sophisticated financial and legal infrastructure which is yet to evolve. Essentially, a new layer of Chinese-shaped ideas and institutions will emerge on top of the existing order, eroding parts of it.

The meditative rhythm of three wide-ranging yet carefully crafted lectures brought about an engaged Q&A session. Many of the questions themselves reflected the crisis of liberalism. Attendants pointed to the possible structural nature of democratic backsliding: has it not been produced by inequality and deprivation? Has international law not contributed to root and reproduce these ills? Professor Ginsburg ultimately stood by his argument that international law is not inherently harmful and has something to offer in an era of democratic backsliding. His account will undoubtedly become influential, and the fact that it has already been debated in blogs and social media suggests that the discussion will continue through different means and for a long time.



The Hersch Lauterpacht Memorial Lecture (HLML) is an annual three-part lecture series given in Cambridge to commemorate the unique contribution to the development of international law by Sir Hersch Lauterpacht. These lectures are given annually by a person of eminence in the field of international law. An audio recording of this lecture is available at: <https://upload.sms.csx.cam.ac.uk/>

Next year's HLML lecture will be given by Professor Mikael Rask Madsen, Director of the Centre of Excellence for International Courts and a Professor of Law, University of Copenhagen, 3-5 March 2020.

Two-Day International Workshop:

The International Court of Justice's Advisory Opinion in Chagos - 11 - 12 April 2019

On 11 and 12 April 2019 the Lauterpacht Centre hosted a workshop on the International Court of Justice's Chagos Advisory Opinion, which was handed down on 25 February 2019.

The workshop was organised by Lauterpacht Centre fellow Jamie Trinidad and Thomas Burri of the University of St Gallen. It was the sequel to a workshop organised by Thomas Burri in St Gallen in October 2018, shortly after the written pleadings in the Chagos proceedings had been published. Several papers from the St Gallen workshop were subsequently published in a special issue of Questions of International Law.

The Cambridge workshop was organised at very short notice, which proved challenging for some invitees, especially those with teaching and child-care responsibilities. We nevertheless managed to fill the Finley Library on both days with an eclectic mix of scholars and practitioners, some of whom had attended the St Gallen workshop, and some of whom had been directly involved in the proceedings in The Hague.

The workshop began on the afternoon of 11 April with a keynote lecture by Dr Stephen Allen (Queen Mary University, and author of *The Chagos Islanders and International Law* (Hart, 2014)) entitled 'Self-Determination and the General Assembly after the Chagos Advisory Opinion'. This was followed by a general discussion on the significance of the Advisory Opinion for the Chagossians. The next day saw three roundtable discussions dealing with various aspects of the advisory opinion: from procedural issues, to the ICJ's approach to the development of customary international law (and the right of self-determination in particular), to possible implications of the Advisory Opinion for other situations (e.g. Cyprus, Mayotte, Belize, West Papua).

Overall, the workshop served as a timely and stimulating forum for the discussion of the Chagos Opinion, the significance of which will continue to be debated (including in the papers that are currently being prepared by some of those who participated in the workshop, which the organisers plan to publish as an edited collection).

The organisers and participants would like to thank the Lauterpacht Centre and the University of St Gallen for generously supporting this event.

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Authors' Workshops at the Centre

The Lauterpacht Centre organised on 1 May 2019 its third "authors' workshop" - an event during which LCIL fellows discuss each other's draft papers. It was beneficial in that authors received constructive feedback on matters ranging from questions and structure to methodology and style from colleagues who bring together a broad array of approaches, fields and interests in international law.

Draft papers were included (in order of discussion):

[Eyal Benvenisti: Standards of Review in International Adjudication;](#)

[Michael Waibel: A Theory of Boilerplate Treaties;](#)

[Surabhi Ranganathan: Interfaces of Land and Sea;](#)

[Fernando Bordin: The Foundations and Scope of the Immunities of International Organizations under General International Law;](#)

[Sarah Nouwen: "No Peace Without Justice" and peacemaking in Sudan and South Sudan: Change without Change;](#)

[Andrew Sanger: Democratic Regulation of Digital Data and the Deep Structures of International Law;](#)

[Megan Donaldson: on Secrecy, Publicity and the Making of the International Legal Order.](#)

The discussions were fruitful and represented what the Lauterpacht Centre is all about: facilitating discussions among people who work on all corners of international law, and share an interest in what continues to connect all those corners.



'Politically Exposed Persons and International Law' a co-hosted event with Lauterpacht Linked Partner, Lindeborg Counsellors at Law

On 2 May, the Lauterpacht Centre co-hosted an event organised by Linked Partner Lindeborg Counsellors at Law, titled "Politically Exposed Persons: Profiling and International Law" to celebrate their fifth anniversary.

Organised at the occasion of Lindeborg's fifth birthday, and taking place in the stunning environment of the Wallace Collection in London, the event focused on serious issues: the pros and cons of legislation targeting so-called "politically exposed persons", also known as "PEPs".

A distinguished panel, consisting Mr Kojo Annan, Mr Stuart Leech, Lord Mance, Mr Hodge Malek QC and Mr Justice Jacob Wit discussed various aspects of legislation targeting PEPs, ranging from the huge impact it can have on a PEP's life and the risks of profiling, to the need to address corruption and ways in which to do so.

LCIL Co-Deputy Director Sarah Nouwen acted as moderator, asking the panellists about the consequences of being a PEP, and what international

human rights law or investment law might have to say about legislation targeting PEPs. LCIL Partner Fellow Dr Rutsel Martha concluded with passionate and insightful remarks based on his experience as legal advisor to PEPs.



Joint event with Lauterpacht Linked Partner, Arnold & Porter: 'Bias in International Adjudication and Arbitration'

On 26 June, the Lauterpacht Centre co-sponsored this event with Linked Partner Arnold & Porter in London.

After opening and welcoming remarks from Arnold & Porter's International Arbitration Partner Patricio Grané Labat (left), Judge Joan Donoghue of the International Court of Justice (ICJ) delivered the second annual lecture on international law before a multidisciplinary audience at Lincoln's Inn Great Hall.

This was the second lecture in the series, following the 2018 lecture by former ICJ Judge Sir Christopher Greenwood. Judge Donoghue (middle) addressed two types of biases relevant to international judges and arbitrators: bias based on nationality and cognitive biases. Judge Donoghue suggested that, rather than insisting that international judges are capable of total impartiality, they should acknowledge that nationality does inevitably shapes their views. Cen-

tre Director Prof Eyal Benvenisti (right) moderated the event and offered remarks on Judge Donoghue's lecture.



Centre celebrates Cambridge PhD Books



On 25 June 2019, the Lauterpacht Centre organised an event to celebrate the publication of the following books by former PhD Cambridge International Law students.

To a packed Finley Library audience, the Centre welcomed Valentin Jeutner, Daniel Costelloe, Federica Paddeu, Daniel Peat, Jason Pobjoy, Marcos Zunino and Cameron Miles to talk about their books.

Centre Fellows, Dr Surabhi Ranganathan and Dr Veronika Fikfak chaired the event and asked panellists questions about the key arguments of their books, common themes, different approaches and methodologies, the state of the field and experiences with publishing, followed by a lively Q&A session.

Valentin Jeutner: *Irresolvable Norm Conflicts in International Law: The Concept of a Legal Dilemma* (OUP)

Daniel Costelloe: *Legal Consequences of Peremptory Norms in International Law* (published by CUP)

Federica Paddeu: *Justification and Excuse in International Law: Concept and Theory of General Defences* (CUP)

Daniel Peat: *Comparative Reasoning in International Courts and Tribunals* (CUP)

Jason Pobjoy: *The Child in International Refugee Law* (CUP)

Marcos Zunino: *Justice Framed: A Genealogy of Transitional Justice* (CUP)

Cameron Miles: *Provisional Measures before International Courts and Tribunals* (CUP)



Legal Histories Beyond the State

The now regular Legal Histories Beyond the State seminar completed a third successful year, with six sessions over the academic year on a variety of topics.

The Centre's own Dr Sarah Nouwen and Orfeas Chasapis-Tassinis delivered the paper *"The consciousness of a duty done': British attitudes towards self-determination and the case of the Sudan"*, a timely investigation into Britain's record on the position of self-determination in international law prior to 1960, which has now been published by the British Yearbook of International Law.



Continuing with the state-making theme, Dr Emma Hunter, visiting CRASSH as the Quentin Skinner fellow from the University of Edinburgh, spoke to us on *"Debating the rise and fall of the first East African Community in East Africa's public sphere, 1960s-1970s"*, and;



Professor Pat Capps of the University of Bristol then offered his examination of the *'Act of State' doctrine in international law*.



Another prominent theme this year was the history of international law in relation to the Americas. Dr Mark Somos of the Max Planck Institute for Comparative Public Law and International Law, spoke on *"American States of Nature: The Origins of Independence"* and;



Dr Juan Pablo Scarfi of the Universidad Nacional de San Martín, Argentina presented his work on *"The Rise of the Inter-American Human Rights Commission, the OAS and Responses to the Cuban Revolution: Towards a Humanitarian and Geopolitical Genealogy of Human Rights in the Americas"*.

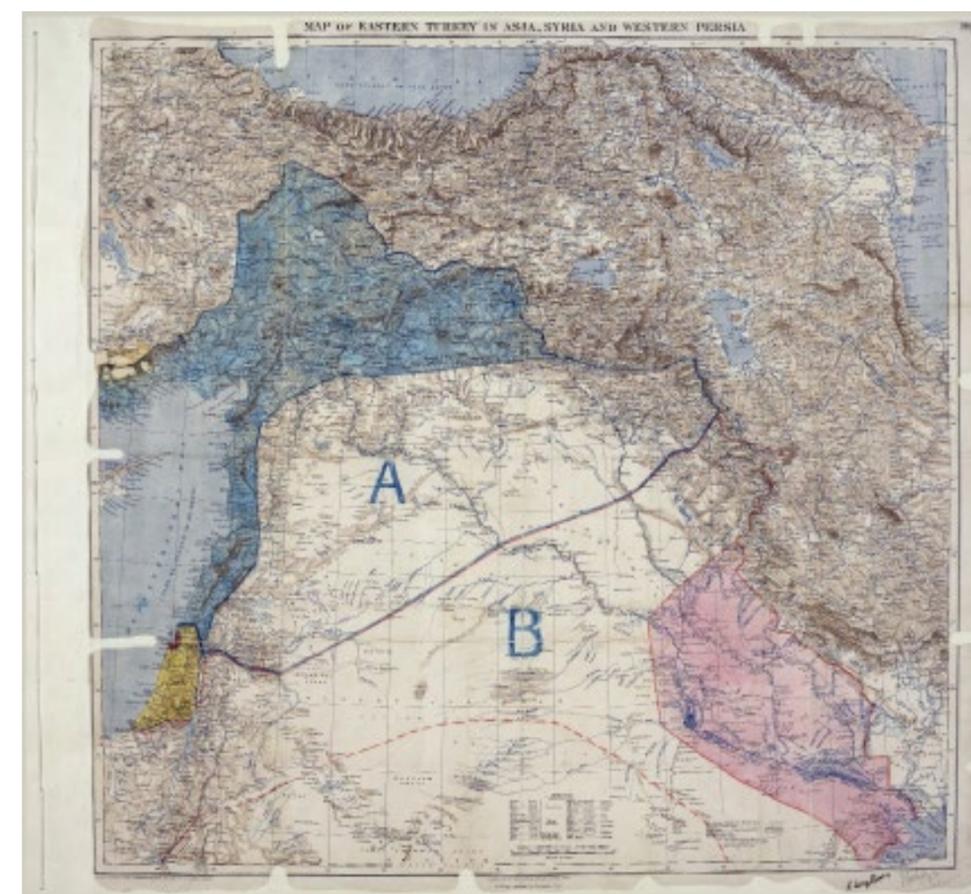


The sessions offered thought-provoking discussions at the cutting-edge of global and transnational legal histories, as well as attention to core questions of methodology and disciplinary location, and were attend-

About the Seminar

Legal Histories Beyond the State brings together historians, political theorists and lawyers who are interested in the social, economic and political dimensions of law in the early modern and modern periods. We focus on the ways in which law and legal institutions order space and people. This encompasses both imperial and international law, and domestic law in its manifold influences on the nature and form of relations across borders. We are interested in legal actors and institutions, both national and supranational; doctrines and concepts, like jurisdiction; and diverse forms of legal border-crossing, including the migration of people, ideas and objects across time and place. Embracing new trends in legal and historical research, we pursue the exchange of legal ideas in formal and informal contexts, and the creation, appropriation and interpretation of law by non-traditional actors, and in unexpected places.

The seminar is an initiative of the Lauterpacht Centre for International Law, the Centre for History and Economics, and the Cambridge Centre for Political Thought. It meets two or three times each term, and is convened by Dr Megan Donaldson and Dr Surabhi Ranganathan.



Further information on Legal Histories Beyond the State seminars can be found on the LCIL website: <https://www.lcil.cam.ac.uk/legal-histories-beyond-state>

International Law's Objects: A Conversation

21 March 2019

As part of the Legal Histories Beyond the State seminar, and departing from usual practice of presentation of works-in-progress, the Centre was delighted to welcome Dr Jessie Hohmann (University of Technology Sydney) and Daniel Joyce (University of New South Wales) to celebrate their recently published edited collection, *International Law's Objects* (OUP 2018).

Over a glass of wine, Jessie and Dan conversed with Dr Megan Donaldson and Dr Surabhi Ranganathan about the ways in which international law's rich existence in the world can be illuminated by a focus on 'objects' such as the paper shredder, passports, manganese nodules, boots, opium, etc. As they explained to a deeply-engaged audience, attention to international law's objects and their lives can broaden the scope of international legal historiography, and offer fresh avenues for the contestation of dominant and Eurocentric narratives. From there, the conversation opened out into a wide-ranging discussion of international law's materiality, approaches to writing material histories and the intersections of such histories with other approaches, including intellectual history – a prominent focus of the seminar.

We are grateful to Jessie and Dan, both Cambridge PhDs and former members of LCIL, for offering us such delicious food for thought.

Laws of nature: defining and bounding in environmental governance

3-4 June 2019

A workshop co-organised by Professor Paul Warde (History) and Dr Surabhi Ranganathan (Law)

The workshop, organized with support from LCIL and the Centre for History and Economics, examined the co-production of law and the natural world.

With participation from several LCIL fellows, and colleagues and history and politics, the workshop reflected on the histories and processes of defining the objects and scales of environmental governance – a timely and important accompaniment to the numerous ongoing legal and policy initiatives at domestic and international forums that have an ecological thrust, yet rarely discuss the construction of the frames within which they do their work.

The discussions were organized into three themes focusing on expertise, animals, and oceans. Paper presenters and discussants included: from Cambridge, Annabel Brett, Sujit Sivasundaram, Renaud Morieux, and Megan Donaldson; and from beyond Cambridge, Harriet Ritvo (MIT); Sabine Höhler (KTH Royal Institute of Technology); Susanna Lidström ((KTH Royal Institute of Technology), Nayanika Mathur (University of Oxford); and Sverker Sorlin (KTH Royal Institute of Technology).



Cyprus's Bi-Communal Joint Contact Room from an International Perspective

On 30 September and 1 October 2019, the Lauterpacht Centre for International Law and the Centre for Penal Theory at Cambridge University, with support from the European Commission and the United Nations Development Programme (UNDP), hosted a workshop on "Cyprus's Bi-Communal Joint Contact Room from an International Perspective."

The two leaders of the bi-communal Technical Committee on Crime and Criminal Matters, a Greek and a Turkish-Cypriot member of the Joint Contact Room (JCR), as well as the UN Senior Police Advisor of the United Nations Peacekeeping Force in Cyprus (UNFICYP) attended the workshop, along with a number of academics, PhD students and representatives from various think tanks and non-governmental organisations. Mrs Elizabeth Spehar, Special Representative of the Secretary-General and Head of Mission of UNFICYP chaired the final session of the workshop on "Thinking Ahead: The Future of the JCR and Peacebuilding in Cyprus."



The workshop participants were briefed about the work of the JCR and considered it from International Law and legitimacy perspectives. The workshop was an opportunity to exchange views and best practices on peacebuilding and on the ways of enhancing trust in the context of protracted conflicts, with a focus in particular on the areas of crime and justice matters.



BRCS/ICRC Customary International Humanitarian Law Project

The research team working on the project on Customary International Humanitarian Law (IHL) of the British Red Cross and the International Committee of the Red Cross (ICRC) is pleased to have enjoyed yet another year at the Lauterpacht Centre.

This project, which the Centre has hosted since its beginning in 2007, provides extensive and 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 Customary IHL Study and the practice underpinning these rules. Its aim is to provide accurate and extensive information in the field of customary IHL and to make this information readily accessible to people and institutions interested in, or dealing with, IHL and armed conflict. 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 national practice, while researchers based at Laval University in Canada have, since 2014, been updating international materials. In the 2018–2019 academic year, new practice analysed by the research team at the Lauterpacht Centre was published for Guinea, Fiji and South Africa. This resulted in the update of almost all 161 practice sections of the database.

The team was also pleased to celebrate the fourth anniversary of Claudia Maritano with the project, the first two years as researcher, and now as team leader. The team also celebrated Hannah Maley and Emilie Fitzsimons' second anniversary as researchers, as well as Francesco Romani and Silvia Scozia's first anniversary.

Further info: <https://www.lcil.cam.ac.uk/customary-international-humanitarian-law-project>

ICRC Database: <https://ihl-databases.icrc.org/customary-ihl/eng/docs/home>



The Red Cross Team (Back L to R): Emilie Fitzsimons, Hannah Maley and Silvia Scozia (Front L to R) Claudia Maritano and Francesco Romani

Bohdan Winiarski Scholarships in International Law 2020

Earlier this year the Centre was pleased to announce the opening of a competition for two scholarships, 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.

Applications were open to PhD candidates, PhD holders and other academics who were nationals of the Visegrad Group States and Western Balkans States (Czech Republic, Hungary, Poland, Slovakia, as well as North Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, and Kosovo) (the first scholarship) and Eastern Partnership States (Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine) (the second scholarship).

Each scholarship has a value of £2,600 and is intended to go towards the costs of a research visit of 8 to 12 weeks at the Lauterpacht Centre.

This year's successful candidates are Professor Veronika Bilková, Director of the Centre for International Law of the Institute of International Relations in Prague and Dr Mikayel Khachatryan, Head of the Department for International Cooperation of the Human Rights Defender's (Ombudsman) Office in Yerevan, Armenia. They will visit the Centre in 2020.



Photo: Konrad Marciniak (left), LCIL Partner Fellow and Deputy Director at the Legal and Treaty Department of the Ministry of Foreign Affairs of the Republic of Poland and Professor Eyal Benvenisti, Director of the Centre, sign the scholarship agreement.

Polonia Scholarship in International Law 2019

The Centre was pleased to announce in late Spring 2019 the opening of a competition for the Polonia Scholarship, funded by a private gift to the Centre.

This scholarship is open to scholars of Polish and Israeli citizenship, especially those who are in the early years of their career. The scholarship must be used to support the costs of a research visit to the Centre during the 2020 calendar year.

The scholarship is worth £2,000 (GBP) and is intended to support the costs of a research visit at the Lauterpacht Centre.

Candidates must have Polish or Israeli citizenship, be fluent in English and be graduates of a Polish or Israeli university, respectively. Ideally, they should already hold a PhD from a Polish or Israeli institution and already be a faculty member or associated with a university or another well-established academic/research institution dealing with international law in Poland or Israel.

The successful applicant must specify a project on some aspect of public or private international law on which they will work during their visit to the Centre. Preferably, the project should be published as a result of the visit. This year's successful applicant is Professor Marcin Menkes from the Warsaw School of Economics who will visit the Centre in the Michaelmas Term 2019.



For more details on Scholarships and Prizes at the Centre please visit:

<https://www.lcil.cam.ac.uk/about-centre/scholarships-prizes>

What can we do now for the future of multilateralism?

Visiting Fellow Tomohiro Mikanagi

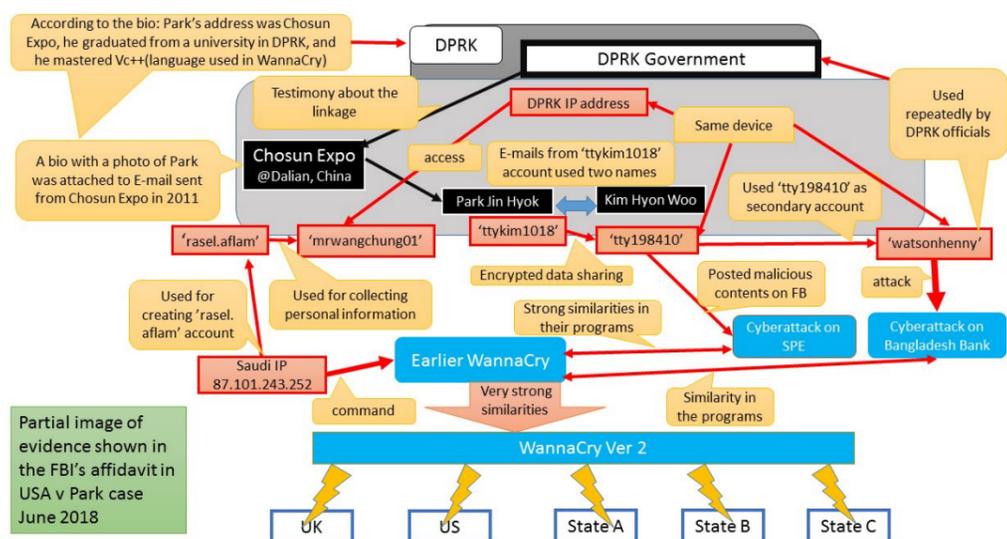
It was my great pleasure and honour to be a co-convenor of this International Workshop on the Future of Multilateralism which was held at the Lauterpacht Centre on 30 April 2019, following last year's International Workshop on the subject of International Law and Cyber Security. I have been enjoying the privilege of studying at the LCIL as a Visiting Fellow since August 2017, and this workshop was a good opportunity for me to express my gratitude to the LCIL for my fruitful experience in the past two academic years.



The theme of this workshop reflected growing concern about various challenges to the multilateralism in recent years. For the international community to achieve peace and prosperity based on common rules, multilateral diplomacy is essential. But several important multilateral institutions are faced with actual or potential withdrawal by their members, including the announced intention of US withdrawal from the Paris Climate Accord, Brexit and several withdrawals from the ICC. China has not taken a position against multilateralism itself and it remains committed to the Paris Accord and WTO. On the other hand, its response to the South China Sea (SCS) arbitration has cast some doubt upon its adherence to the existing international norms.

Post-WWII multilateral institutions, such as UN, GATT/WTO and Law of the Sea conventions, have served as an important foundation of peace and prosperity in the world. On the other hand, there are some signs of discontent about the current state of multilateral treaties and institutions. There is an inherent tension between the universal acceptance of multilateral treaties and the aspiration toward their progressive implementation and development, and efforts towards the latter direction tend to be met with criticism by some States or politicians, arguably influenced by economic and other circumstances surrounding them.

The withdrawals from multilateral treaties are eye-catching, but it is also important to remember



that some multilateral treaties meant to be universal, such as the Rome Statute, remain to be limited in their acceptance and that only 73 States are maintaining the declaration under Article 36(2) of the ICJ Statute.

Multilateralism is also faced with crucial challenges of new developments in the international community, and the future of multilateralism depends upon its success in addressing them effectively. For example, cyberattacks have been causing difficulty in applying existing international law in both factual and legal aspects. As perpetrators utilize many layers of aliases and proxies, available evidence on the attribution tends to be circumstantial and indirect, as the evidence presented in the FBI's affidavit in USA v Park case demonstrates (see the chart below).

Due to this uniquely technical nature, cyberattacks are also causing difficulty in the application of existing international norms, not only those related to use of force but also those relating to sovereignty and due diligence. However, multilateral discussion on these issues, including in UNGGE, has not yet been able to respond effectively.

Attempts to change *status quo* in disputed territories are also posing challenges to the existing norms of international law which constitute the foundation of the post-WWII multilateralism. These attempts have been met by some response from UN General Assembly in the case of Crimea (A/RES/68/262), and the East Asia Summit (EAS) and other multilateral fora have been discussing the issue of militarisation in the SCS, but they have not yet clarified the inter-

pretation of relevant principles of the UN Charter (For further discussion, please refer to my article 'Establishing a Military Presence in a Disputed Territory: Interpretation of Article 2(3) and (4) of the UN Charter' in ICLQ Vol 67, Part 4).

So, what can we do now for the future of multilateralism? Based on the discussion at the workshop, I have several observations:

- First, we should agree that the basic foundation of the post-WWII multilateral institutions must be preserved and that *pacta sunt servanda* must continue to be the basic principle.
- Second, if discontent is caused by excessively progressive implementation of a treaty clearly beyond what has been agreed, it might have a justifiable element. However, the analysis on the root cause of the discontent requires careful appraisal.
- Third, multilateral treaties that are meant to be universal but remain to be limited in their acceptance must be implemented with special care not to alienate potential new participants.
- Fourth, the contemporary challenges in applying existing norms of international law must be constructively addressed in multilateral fora. Existing basic norms of international law must be maintained and multilateral fora should endeavour to strengthen international cooperation. If addressed appropriately, these challenges could become an opportunity for multilateralism to prove its relevance in the future.



For more details on this International Workshop please visit:

<https://www.lcil.cam.ac.uk/press/events/2019/04/international-workshop-future-multilateralism>

A recording of this event is available on the University's Streaming Media Service:

<https://upload.sms.cam.ac.uk/collection/2974045>

Before Drones and Cyber: New Histories of the (Old) Law of Armed Conflict

LCIL Fellow Dr Giovanni Mantilla

The law of armed conflict, also known as international humanitarian law (IHL), is seeing reinvigorated discussion lately owing to the appearance of newer technologies and threats, including autonomous weapons and cyberwarfare.



As practitioners, lawyers, and policy-makers hotly debate how to regulate these novel phenomena, a new generation of interdisciplinary scholars, including international lawyers, historians, and political scientists, is demonstrating that we still do not know enough about the origins of the “old” nineteenth and twentieth century law, codified in bedrock treaty instruments such as the Geneva Conventions, and that not understanding their past hinders our understanding of the law’s practical import and its overall development.

The findings of this growing body of new scholarship invariably complicate the largely progressive narrative about the evolution of many core rules, which had gradually established itself in scholarly debate and popular commentary. Young scholars now routinely document the racialized, gendered, imperial, and generally deeply politicized processes that originated the law and that remain embedded within it.

My own work focuses on the history and politics of the law of non-international armed conflict. In a forthcoming book from Cornell University Press, I trace the making of this important branch of IHL, from the earliest debates held within the International Committee of the Red Cross in the mid-nineteenth century, moving through critical codification moments in 1949 and the 1970s, and concluding with the recent expansion of IHL through customary law.

Curiously, although the core IHL rule governing internal conflict, Common Article 3 to the 1949 Geneva Conventions, has been deemed a “basic rule of humanity”, until recently we lacked a clear understanding of how this critical measure emerged and was designed. Common Article 3, as international lawyers well know, contains a catalogue of essential protections for those participating in “conflicts not of an international character”, yet it lacks a precise definition of just what such conflicts are. Significantly, this imprecision has historically served as an enabling excuse for violence-ridden states to argue against the operation of IHL.

Although it was long known that this (in)definition was the result of a compromise, the precise bargain behind the compromise remained hazy. Drawing on multiple archival sources, my research reveals that Common Article 3 was the result of powerful social pressures -- humanitarian and political -- in the context of the early Cold War and decolonization period.

In the shadow of the Spanish Civil War, an impromptu coalition of states (small European countries and a few Latin Americans) came ready to endorse the extension of the Geneva Conventions to internal conflicts for the first time ever. They faced a small group of powerful states, notably the United Kingdom and France, which were far less inclined to accept that proposition, owing to growing colonial tensions in Africa and Asia, and postwar domestic fragility (in France at least). Try though they did, Britain and France failed to frighten their peers into believing



that the “humanization” of internal conflict entailed a fatal risk threatening to destabilize sovereign states by encouraging and protecting rebellion. The most critical pressure came from an unlikely source, the Soviet Union and socialist bloc, which strongly supported the innovation while pointedly scorning the European empires for the retrograde attitude amid widespread humanitarian suffering.

Although the bald-faced hypocrisy of the Soviet position was not lost on them, Britain and France nevertheless found themselves in a diplomatic corner which, thanks to publicity surrounding the Diplomatic Conference, produced deep embarrassment. Significantly, such pressure prompted a strategic backstage reaction: both Britain and France secured more flexible instructions from their capitals, and reasoned they could both arrest public opprobrium and salvage their security interests by capturing the drafting process and crafting a rule that appealed to humanitarians but that remained ambiguous in a most critical place: its scope of application. Thus, Britain and France went from being key opponents to drafting leaders, pushing through adoption a rule

that was simultaneously groundbreaking (which, to be sure, Common Article 3 was and remains) and subtly hampered by an ambiguity that they and many other states soon exploited in practice in places like Kenya, Aden, and Algeria.

My book, and separate research articles, further explore the politics behind the Additional Protocols to the Geneva Conventions (1977), revealing strikingly similar dynamics of public pressure and backstage deception. They also foreground the unexpected yet fundamental protagonism of groups of states not traditionally credited with the advancement of international humanitarian law: Socialist and decolonized states. Overall, this new wave of research documents the deeply contested origins of international law, theorizing some key rules as face-saving compromises emerging from the frontstage and backstage politics of global multilateralism. Whatever the contemporary backlash against “globalism”, negotiators struggling to craft agreements in Geneva, Paris, or New York can probably relate to this characterization, and may draw lessons regarding the virtues and pitfalls of endorsing contested compromises.

Dr Giovanni Mantilla is a lecturer in International Relations at the Department of Politics and International Studies (POLIS), and a Fellow of Christ’s College and the Lauterpacht Centre for International Law (<https://www.lcil.cam.ac.uk/people/fellows-researchers>).

Giovanni’s book: “Under Social Pressure: The International Law of Internal Armed Conflict”, has been accepted for publication by Cornell University Press and will be published in 2020.

Image copyright (above): Keesler Air Force Base: Photo by: Kemberly Groue | VIRIN: 151208-F-BD983-008.JPG

5 minutes with... Monica Feria-Tinta



Monica Feria-Tinta is a barrister at 20 Essex Street in London with over 20 years experience in international dispute settlement. She currently sits as an arbitrator (Chair) in an investment arbitration with a seat in The Hague. Prior to the Bar, Monica worked at the International Court of Justice and was Teaching Assistant to Sir Christopher Greenwood, former UK Judge to the ICJ. She has served as Assistant Legal Adviser to the Foreign & Commonwealth Office. Monica is a LCIL Partner Fellow at the Lauterpacht Centre and was a guest lecturer at the Centre's International Investment Law and Arbitration course held in Cambridge earlier this year.

The Centre is very unique as a specialist centre in international law – how did you learn about it?

I was aware of the Centre because of the International Law Reports edited back then by Sir Eli Lauterpacht and Sir Christopher Greenwood. In my imaginary the Lauterpacht Centre was an international law hub with an open library and weekly lectures on the most varied topics. I wanted to be immersed in such an environment.

The idea of a Centre, a focal point for international law at a University in England was still novel at the time. There was nothing like that in other Universities in England back then. I came to the LCIL as Visiting Scholar towards the end of 2001, when Professor James Crawford was the Director of the Centre. I had a remarkable time and benefited greatly from the academic life of the Centre and the peaceful surroundings which enabled me to carry out work in international law and engage with it, unmolested by the fuss that a large city like London would have generated. This was a very productive time for me.

I thought that Eli Lauterpacht had created a unique space for generations of scholars from around the world to come to do research.

What made you want to become a Partner Fellow of the Centre?

I am a barrister, specialising in international law. I believe that the Partner Fellowship program is a valuable platform, a space, whereby academics, governmental officers, diplomats, and practitioners of international law in the private sector, meet.

I liked the idea of being part of this and supporting such an initiative.

I also have a more personal reason. Eli Lauterpacht was a member of Twenty Essex, my chambers. I value Eli's legacy and efforts to promote international law. To be associated with these efforts, is an honour.

Last May, for example, I very much enjoyed being a lecturer at the international investment law and arbitration advanced course, run by the Centre together with the Cambridge Judge Business School Executive Education.

Why is it important to support such an establishment?

Last year, Sir Christopher Greenwood delivered a Public Lecture at the Inner Temple entitled "Is International Law Falling Apart?" (pictured below). In his lecture he referred to the importance of teaching international law widely. He was glad to have spent time doing so, for many years.



The importance of dissemination of international law, of producing serious scholarship in the field, and creating bridges between theory and practice, cannot be underestimated. The Partnership program reaches out to practitioners, in government and in private practice, and brings their perspectives to LCIL life and engagement with international law. This, I believe is important.

What do you like best about the Centre?

I grew up during two dictatorships and studied law during a civil war. Those who have come face to face with the absence of rule of law, as I believe I did, understand the value and civilizing role of international law. The Centre has been contributing to the study and development of international law through its activities and dissemination of ideas. This to me is very valuable.

I also value very much the sense of community at the Centre and its capacity to attract international lawyers from different legal traditions and parts of the world under one roof. I like this dynamism and stimulating environment at the Centre.

Lauterpacht Linked Partnership Programme

The **Lauterpacht Linked** partnership programme was launched on 1 December 2017. It 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.

Membership of the programme is open to law firms, barristers' chambers and major companies with an interest in international law. These **LCIL Partners** financially support the Centre, thereby contributing to the development of its research activities. Partnership is also open to foreign ministries.

Further information available at: <https://www.lcil.cam.ac.uk/about-centre/lauterpacht-linked-programme>

Fellows' Promotions & Appointments

Dr Fernando Lusa Bordin
University lecturer in International Law (3-year Fixed term)
Faculty of Law, University of Cambridge

Fernando will be taking up a fixed term post as University Lecturer in International Law at the Faculty of Law from October 2019.

Fernando is a Sidney Sussex College Fellow and an affiliated Lecturer at the Faculty of Law.



Dr Giovanni Mantilla
Lecturer in International Relations
Department of Politics and International Studies (POLIS), University of Cambridge

The Centre warmly welcomed Dr Giovanni Mantilla as a Fellow of the Centre in October 2018. Giovanni is also a lecturer in International Relations at the Department of Politics and International Studies (POLIS) and a Fellow of Christ's College.



Dr Sarah Nouwen
Reader in International Law
Faculty of Law, University of Cambridge

Sarah was promoted to position of Reader in international law at the Law Faculty from October 2019.

Sarah will continue in her role as Co-Deputy Director at the Centre.



Dr Surabhi Ranganathan
Senior Lecturer
Faculty of Law, University of Cambridge

Surabhi has been promoted to Senior Lecturer in the Faculty.

From October 2019, Surabhi will replace Dr Michael Waibel as Co-Deputy Director at the Lauterpacht Centre.



New Positions

Dr Megan Donaldson
Lecturer in Public International Law
University College London

Megan will taking up a position as Lecturer in Public International Law at UCL from September 2019. Megan was a Junior Research Fellow in the History of International Law and an Affiliated Lecturer at King's College, Cambridge.



Dr Veronika Fikfak
Associate Professor
Centre of Excellence, iCourts
University of Copenhagen

Veronika has taken up the position of Associate Professor at the University of Copenhagen, Centre for Excellence, iCourts from September 2019. Veronika was a Senior Lecturer at Homerton College and is a Principal Investigator with ERC Project HRNUDGE. She is a Fellow of the Centre and is currently an Emile Noel Fellow at New York University.



Professor Sandesh Sivakumaran
Public International Law
University of Nottingham

Professor Sandesh Sivakumaran has been appointed as Reader in International Law with effect from January 2020. He will join the Faculty from the University of Nottingham, where he is currently a Professor of Public International Law.



Dr Michael Waibel
Chair in International Law
Faculty of Law, University of Vienna

Michael left the Centre at the end of the academic year to take up the position of Chair in International Law at the Faculty of Law, University of Vienna in September 2019. His new position is part of the Department of European, International and Comparative Law, and one of three chairs in international law. The previous holder of the Chair was Manfred Nowak. We look forward to continuing our co-operation with Michael in the future.



Fellows' News



Professor Eyal Benvenisti will deliver the General Course in public international law at The Hague Academy of International Law in the summer of 2023. He has also lectured at: *"An AI for an AI: Toward Algorithmic Checks and Balances in Domestic and Global Governance"* 8th Annual Cambridge International Law Conference, University of Cambridge, 21 March, 2019 & Guarini Colloquium, New York University School of Law, 23 September 2019; *"Standards of Review in International Adjudication: Responding to the 'Problem of the Disregard'"* ESIL-ELTE Law School joint workshop *'Attribution, causality and evidentiary rules Mere technicalities or the heart of the matter?'* 16 May 2019, ELTE Law School, Budapest; *"Human Rights and State Authority to Settle Private Property Claims in the Aftermath of Conflict"* (with Tamar Megiddo), Historical Justice in the Context of the Israeli-Palestinian Conflict, 28 May 2019, Tel Aviv University Faculty of Law; *"International Law in the Age of Bilateralism,"* PATHS Workshop: The Paths of Change in International Law, 6 June 2019, The Graduate Institute, Geneva & *"What type of International Law"* of the Berlin Potsdam Research Group *"The International Rule of Law - Rise or Decline?"* 27 September 2019, University of Potsdam; *"Gaza, Sieged and Blockaded,"* in Gaza in the Law, 11 June 2019, Tel Aviv University Faculty of Law.



Ms Karen Lee, in her capacity as Vice-Mistress of Girton College, chaired the Women in Law Panel (comprising Lady Hale, Dame Rosalyn Higgins and Lady Arden) which took place during Girton's 150th Anniversary Festival weekend in June 2019.



Dr Fernando Lusa Bordin has published an article on the law of international organizations in the *Leiden Journal of International Law*, an article on international custom in the *International Community Law Review* and a chapter on reasoning by analogy in a collected volume on concepts for international law.



Dr Giovanni Mantilla participated in the workshop "Paths of International Law" organised by the Nico Krisch and Ezgi Yildiz at the Graduate Institute of International and Development Studies in June 6-7, 2019. He presented ongoing research on the historical development of the law of armed conflict.



As of the July 2019 issue, **Dr Sarah Nouwen** has joined J.H.H. Weiler as Co-Editor-in-Chief of the *European Journal of International Law* family of publications by unanimous decision of the Board of Management. This includes the *Journal*, the *EJIL: Talk!* blog, and *EJIL: Live!* podcast series. She was recently appointed as Professor of International Law at the European University Institute which she will begin in September 2020.



During the summer 2019, **Professor Jorge Viñuales** was elected to the Institut de Droit International (Hague Session), lectured at the Hague Peace Palace for the UN International Law Fellowship Programme and had a streamed live discussion in Helsinki with Professor Martti Koskenniemi on the future of expertise and its role on governance. Earlier this year, Jorge spent 15 days lecturing in China on international adjudication at Wuhan University and published some work long in the making, including the *Oxford Handbook of Comparative Environmental Law* (OUP, 2019)(co-edited with E. Lees) and *Experiments International Adjudication: Historical Accounts* (CUP, 2019)(co-edited with I. de la Rasilla). He also worked, together with M. Waibel and O. Hailes, on the 18th volume of the *ICSID Reports*, forthcoming in 2020, which will focus on defence arguments in investment arbitration.



As founding Director of Cambridge Governance Labs, **Dr John Barker** is working with researchers across the disciplines and with development partners to analyse global risks by reference to good governance and forces that shape public decision-making.



In August 2019, **Dr Lorand Bartels** was appointed to a Government Advisory Group formed to explore alternative arrangements to help replace the Northern Ireland back-stop by the end of 2020.



Dr Joanna Gomula contributes regularly to the WTO section of the *Global Community Yearbook of International Law and Jurisprudence* (ed. G. Ziccardi Capaldo).



Surabhi Ranganathan delivered a keynote at the Annual Conference of the Society of Legal Scholars in September 2019. Earlier in the year she co-edited two symposia, one on International Law and Economic Exploitation in the Global Commons, published in EJIL in July 2019; and one on International Law and the Technologies of Land Grab, published in the Leiden Journal of International Law. In June 2019, she co-organised a symposium 'Laws of Nature: Defining and Bounding in Environmental Governance' with Professor Paul Warde of the Faculty of History. She recently joined the Conseil Scientifique of the Centre for History and Economics in Paris, Sciences Po, and the editorial board of the Cambridge Law Journal, while continuing her role as an editor of the International Legal Theory section of the Leiden Journal of International Law.



From October 2018 to February 2019, **Henning Grosse Ruse-Khan** has provided training on international Intellectual Property law and policy to UK government officials that are likely to be involved in the negotiation and implementation of trade and investment agreements the UK government is aiming to conclude post-Brexit, including by developing an online e-learning module on Intellectual Property protection for the FCO's Trade Faculty. Since March 2018, Henning has been appointed as a Visiting Professor at Australian National University (ANU), Canberra (Australia). In the context of the Cambridge - University of Munich cooperation, Henning has organised a workshop for academics from both Law Faculty to discuss alternative modes of cooperation in a post-Brexit environment, together with Professor Thomas Ackermann, Dean of the Law Faculty at the University of Munich, in April 2019 in Munich.

Sir Christopher Greenwood appointed Master of Magdalene College

The Lauterpacht Centre was delighted to hear that Sir Christopher Greenwood GBE CMG QC has been appointed Master of Magdalene College from 1 October 2020, in succession to Dr Rowan Williams who will be retiring after seven and a half hugely successful years as Head of House.

Sir Christopher was a judge at the International Court of Justice, on which he served from 2009 to 2018. Before his election to the ICJ, he was Professor of International Law at the London School of Economics and a barrister who regularly appeared as counsel before many tribunals, including the International Court of Justice, the European Court of Human Rights and the English courts.

Sir Chris is an Honorary Fellow of the Centre and a frequent visitor. He is also co-editor of the International Law Reports.

A graduate of Magdalene College where he was also a Fellow and more recently Honorary Fellow, he was the first person in his immediate family to go to university.



Fellows' Publications

Professor Eyal Benvenisti

Ensuring Access to Information: International Law's Contribution to Global Justice in THE INTERNATIONAL RULE OF LAW – RISE OR DECLINE? 344 (Nolte et al., Eds., OUP, 2019).

Why International Organizations are Accountable to you, in RESOLVING CONFLICTS IN THE LAW: ESSAYS IN HONOUR OF LEA BRILMAYER 205 (Chiara Giorgetti and Natalie Klein Eds., Brill, 2019).

Regulatory Capture and the Marginalized Majority: The Case for the Constitutional Protection of the Majority's Disposable Income (Forthcoming in 22 U. PENN J. CON. L. (2019)) (with Amon Morag)

Dr Fernando Lusa Bordin

'General International Law in the Relations between International Organizations and Their Members' (2019) 32 Leiden Journal of International Law

'A Glass Half Full: The Character, Functions and Value of the Two-Element Approach to Identify Customary International Law' (2019) 21 International Community Law Review

'Analogy' in J D'Aspremont & S Singh, Concepts for International Law: Contributions to Disciplinary Thought (Edward Elgar, 2019)

Marie-Claire Cordonier Segger

The Oxford Handbook of United Nations Treaties - Simon Chesterman, David M. Malone, and Santiago Villalpando – Prof Marie-Claire Cordonier Segger authored the chapter on Environment and Sustainable Development Treaties (OUP Sept 2019)

Dr Claire Fenton-Glynn

Children's Rights and Sustainable Development: Interpreting the UNCRC for Future Generations" edited by Claire Fenton-Glynn (CUP April 2019)

Dr Giovanni Mantilla

Mantilla, Giovanni. 2019. "Social Pressure and the Making of the Wartime Legal Protections for Civilians", European Journal of International Relations. <https://journals.sagepub.com/doi/full/10.1177/1354066119870237>

Mantilla, Giovanni. 2019. "The Protagonism of the USSR and Socialist States in the Revision of International Humanitarian Law (IHL)", Journal of the History of International Law 21(2): 181–211. https://brill.com/view/journals/jhil/21/2/article-p181_2.xml

Dr Sarah Nouwen

S. Nouwen, 'Return to Sender: Let the International Court of Justice Justify or Qualify International-Criminal-Court Exceptionalism regarding Personal Immunities' (Cambridge Law Journal, October 2019)

Dr Surabhi Ranganathan

'Ocean Floor Grab: International Law and the Making of an Extractive Imaginary' (2019) 30(2) European Journal of International Law 573-600

'Seasteads, Land-Grabs and International Law' (2019) 32(2) Leiden Journal of International Law 205-214

'Common Heritage of Mankind: Annotations on a Battle', in Philip Dann & Jochen von Bernstoff (eds), *The Battle for International Law: South-North Perspectives on the Decolonization Era* (OUP 2019)

Dr Andrew Sanger

"Review of Executive Action Abroad: The UK Supreme Court in the International Legal Order" (2019) 68(1) International and Comparative Law Quarterly 35

"Transnational Corporate Responsibility in Domestic Courts: Still Out of Reach?" (2019) 113 American Journal of International Law Unbound 4

"The Immunities of Members of Special Missions" in T Ruys, N Angelet and L Ferro (eds), *Cambridge Handbook on Immunities and International Law* (Cambridge University Press 2019) 452-80 (with Sir Michael Wood)

"Identification of Special Mission Immunity and the Reception of Customary International Law into English Law" (2019) 78(1) Cambridge Law Journal 1

"Corporate Liability for Human Rights Abuse: For Congress, Not Courts" (2018) 77(3) Cambridge Law Journal 441 - M Wood, A Sanger and Council of Europe (eds), *The Immunities of Special Missions* (Brill Nijhoff 2019)

Professor Jorge Viñuales

The Oxford Handbook of Comparative Environmental Law (May 2019) edited by Dr Lees and Professor Jorge Viñuales, 1328p (OUP)

Experiments International Adjudication: Historical Accounts (CUP, 2019)(co-edited with I. de la Rasilla)

18th volume of the ICSID Reports (with M. Waibel and O. Hailes), forthcoming in 2020, which will focus on defence arguments in investment arbitration

Dr Michael Waibel

'The Icarus Syndrome: How Credit Rating Agencies Lost their Quasi-Immunity', (2018) 71 Southern Methodist University Law Review (with Norbert Gaillard), 1077-1116, <https://scholar.smu.edu/smulr/vol71/iss4/4/>

'The Origins of Interpretive Canons in Domestic Legal Systems' in J. Klingler Joseph, Y. Parkhomenko and C. Salonidis (eds), *Between the Lines of the Vienna Convention? Canons and Other Principles of Interpretation in Public International Law* (Wolters Kluwer 2018), 25-46, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3166198

Dr Waibel is also currently a Joint General Editor of the ICSID Reports with Prof Jorge Viñuales.

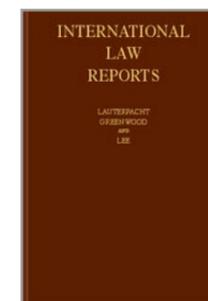
Centre Publications

The Lauterpacht Centre produces a number of [publications](#) throughout the year:

The International Law Reports (ILR)

The International Law Reports (ILR) have been reporting the decisions of national and international courts and tribunals on issues of public international law for ninety years. The series is under the editorship of Sir Christopher Greenwood, Ms Karen Lee and (until his death in 2017) Sir Elihu Lauterpacht. Volumes are published in print and then online.

Since 2016, there have been six volumes published each year, enabling 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 coverage of national judgments. The series is available online via Cambridge Law Reports (CLR) and also from Justis. The latest volume is 183 which will be published in October 2019.



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

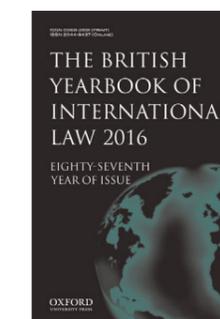
The ICSID Reports contain decisions rendered by arbitral tribunals and ad hoc committees set up within the framework of the Centre established pursuant to the ICSID Convention and other related decisions. The World Bank Convention on the Settlement of Investment Disputes entered into force in 1965. These reports are an invaluable working tool for lawyers and scholars working on international investment issues and in international arbitration.

Reports of cases decided under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States 1965, and related decisions on international protection of investments are currently edited by Dr Michael Waibel and Prof Jorge Viñuales.



The British Yearbook of International Law (BYBIL)

The British Yearbook of International Law is an essential work of reference for academics and practising lawyers. Through a mixture of articles and extended book reviews it continues to provide up-to-date analysis on important developments in modern international law. It has established a reputation as showcase for the best in international legal scholarship and its articles continue to be cited for many years after publication. It is co-edited by Prof Eyal Benvenisti at the Centre and Prof Catherine Redgwell, University of Oxford.



European Journal of International Law (EJIL)

The European Journal of International Law is firmly established as one of the world's leading law journals. With its distinctive combination of theoretical and practical approaches to the issues of international law, the journal offers readers a unique opportunity to stay in touch with the latest developments in this rapidly evolving area. It is co-edited by Dr Sarah Nouwen and Prof Joseph Weiler.



New faces at the Lauterpacht Centre

We welcome the following Visiting Fellows and Researchers to the Centre this term. Full Visitors' profiles are available at www.lcil.cam.ac.uk.



Hassan M. Ahmad is a doctoral candidate at the University of Toronto, Faculty of Law, where he is a Bombardier CGS and Nelson Mandela scholar. Recognized as a 'new voice' by the American Society of International Law, Hassan's research focuses on transnational human rights violations by non-state actors. He is particularly interested in the relationship between state and commercial actors and takes both an historical and 'third world' approach to this scholarship.



Stephen Bailey is a counsel at Lindeborg Counsellors at Law. In this capacity, he has acted for individuals before the Permanent Court of Arbitration and the United Nations Human Rights Committee, and in investor-State arbitration. Stephen has published work in journals such as the International Criminal Law Review and the European Journal of Human Rights. He has also given guest lectures on international law, including a lecture on 'INTERPOL and the responsibility of international organisations' at All Souls College, University of Oxford.



Ivan Berkowitz is a corporate executive and advisor, with over 40 years experience in the financial and real estate industries. In 2003, he founded and served as the Chairman of Great Court Capital, a global structured finance and traditional merchant banking firm based in New York City. Until its sale in 2003 Dr Berkowitz was a senior managing partner of Avatar Associates, a New York headquartered institutional asset management firm. Currently, he is president of Maytiv Foundation, a non-profit dedicated to supporting educational and health related programs. He is a Life Member of the Cambridge Union and served for 20 years on the Board of the Council on Economic Education. He holds a PhD in International Law from Cambridge University, an MBA in Finance from Baruch College and a BA in Economics from Brooklyn College.



Thorsten Bischof is a PhD candidate in Public International Law and International Climate Change Law. He completed his law studies at the University of Duesseldorf (Mag. Iur.) supported by a scholarship of the German Academic Scholarship Foundation. During his studies, he participated in the Philip C. Jessup Moot Court Competition and subsequently coached five consecutive competing teams of the University. Currently, Thorsten is pursuing his PhD at the Dusseldorf Institute for Energy Law (Düsseldorfer Institut für Energierecht) under the supervision of Prof. Dr. Charlotte Kreuter-Kirchhof.



Emma Brandon is a Doctoral Research Fellow at the PluriCourts Centre at the University of Oslo. Her research interests include international criminal law, international human rights law, and international humanitarian law. Emma holds a Juris Doctor degree (JD) from the American University Washington College of Law (2014-2017) and a Bachelor of Arts degree (BA) in International Relations and Political Science from Boston University (2009-2013). Emma has previously held positions at the International Criminal Court and the Public International Law and Policy Group.



Sabienne Brutus is a recent graduate of the Indiana University Maurer School (2019) where she was a Managing Editor of the Indiana Journal of Global Legal Studies, a fellow with the Center for Constitutional Democracy, and a financial commodities markets research assistant for Professor Gina Gail Fletcher. Prior to law school, Sabienne was an attorney assistant and translator at a global law firm. Sabienne holds a Bachelor of Arts from Tufts University (2013) with a double major in international relations and political science.



Eliana Cusato is a recent PhD graduate of the National University of Singapore (NUS), Faculty of Law, where she was a recipient of the NUS Doctoral Research Scholarship. She holds academic qualifications from the Catholic University of Milan (LLB and LLM) and the University of Technology of Sydney. Eliana is qualified to practice in Italy where, prior to entering academia, she worked as a litigation lawyer specialising in corporate and transnational crimes. In 2011-2012 she interned at the International Criminal Court and, more recently, she was a Legal and Policy Officer at the Siracusa International Institute for Human Rights and Criminal Justice.



Sanja Dragic is a PhD candidate in International Law at the Graduate Institute of International and Development Studies in Geneva, Switzerland. She obtained her bachelor and master degrees in law from the University of Novi Sad, Serbia and master degrees in Human Rights and International Politics from the Lund University, Sweden and University of Belgrade, Serbia. She worked as Teaching Assistant at the Graduate Institute and has several years of experience as human rights lawyer in Serbia.



Alex Green is an Assistant Professor in the Department of Law at the University of Hong Kong, having joined in August 2017. His current research, which is funded by the Research Grants Council of Hong Kong, concerns the moral nature of legal statehood and the status of established states in public international law. More broadly, he is interested in legal and political theory, moral philosophy, private law, public international law and human rights.



Sarah Gucanin-Gazibaric is a doctoral candidate and research assistant at the Institute for International Peace and Security Law at the University of Cologne. She conducted her law studies in Cologne, Germany and Uppsala, Sweden before graduating in spring 2018, obtaining her Magister Juris from Cologne University. Besides her general law studies, Sarah conducted a specialization in public international law and now focuses on the research of the law on the use of force in international relations.



Maïke Krüger is a PhD Candidate affiliated to the Collaborative Research Centre SFB/TRR 138 “Dynamics of Security. Forms of Securitization from a Historical Perspective”, where researchers from different disciplinary backgrounds explore perceptions of security throughout history and their involvement in different political processes. She conducts her work at the Philipps University Marburg under supervision of Prof. Dr. Sven Simon (MEP). She completed her law studies at the Philipps University Marburg and holds a Diploma in Law from the University of Kent, Canterbury.



Cornel Marian is a US qualified attorney based in Sweden with a practice limited to infrastructure, energy and international arbitration, including investor-state disputes. Mr. Marian has experience as arbitrator, legal expert and counsel in international arbitration and cross-border disputes. He is currently completing his PhD at the Goethe University in Frankfurt, Germany with the expected graduation date in spring 2020.



Xiaojing Qin joined Beijing Normal University (BNU) Law School as a lecturer in law in October 2012. Before joining BNU, she completed her LLM and PhD from the University of Manchester, UK. Her principal research interests are in the areas of International Economic Law, WTO law, International Investment Law and the Laws relating to Foreigners’ Land Ownership. She sat on the Editorial Advisory Board of International Journal of Law in the Built Environment (2012-2015) and is a Member of the Comparative Law Research Association of China Law Society.



Hannah Woolaver is an Associate Professor in Public International Law at the Law Faculty of the University of Cape Town. Her research and teaching interests lie in public international law, and her research focuses on the relationship between international law and domestic law, the law on the use of force, and international criminal law. Prior to joining the UCT Law Faculty in 2012, she completed her PhD in international law at the University of Cambridge, her BCL at the University of Oxford, and LLB at Durham University. Dr Woolaver is currently a Visiting Professor at the Faculty of Law, University of New South Wales, Australia, and has previously been a Visiting Scholar at the Faculty of Law, University of Toronto.



Dong Yan is a Lecturer and Research Fellow and has a LL.B, LLM, PH.D in law (specialization: Jurisprudence) from the Human Rights Institute, Southwest University of Political Science and Law, China. Yan’s doctoral thesis was: *The Hierarchy of Human Rights: Based on the Study of CCPR and CESC* (CCPR for C.N.Covenant on Civil and Political Rights, CESC for C.N.Covenant on Economical, Social and Cultural Rights). Yan specialises in International Human Rights Law, Sociology of Law and her main research method is quantitative analysis.



Qing Zhao is currently a PhD candidate in China University of Political Science and Law, and holds an LL.M. in International Law as well as an LL.B. in Law from that university. She has attended the exchange master students programme in Leiden University. Her research interests include Law of the Sea, Law of the Outer Space and International Environmental Law. Apart from her research, she is one of the conveners of Sino International Law of the Sea Moot Court Competition.

Visiting Fellows & Researchers

The Lauterpacht Centre welcomed 59 visiting academics and visiting postgraduate scholars during the 2018–19 academic year.

Full profiles and research information of visitors to the Centre for the Michaelmas Term 2019 can be found on the Centre’s website: <https://www.lcil.cam.ac.uk/people/current-visiting-academics-postgraduate-students>.



Over the course of their stay at the Centre Visiting Fellows and Researchers hold regular roundtable sessions to present their research. This provides a great forum for discussion and debate.

In addition to their academic endeavours, visitors also organise a number of social activities in and around Cambridge. The Centre is grateful to the visitors for their contribution to the Centre, both academic and social.



Michaelmas Term 2019

Friday 11 October **The Eli Lauterpacht Lecture 2019**



Taking Teaching Seriously: How to Teach Treaty Interpretation

Professor Joseph Weiler
New York University Law School

Friday 18 October



Linguistic rationality as discursive commitment: rethinking international legal normativity

Prof Fuad Zarbiyev
Graduate Institute of International and Development Studies, Geneva

Friday 15 November



Legal Humanitarianism: the Restorative Turn in International Criminal Law

Dr Sara Kendall
University of Kent

Friday 25 October



From Joining to Leaving: Domestic Law's Role in the International Legal Validity of Treaty Withdrawal

Dr Hannah Woolaver
University of Cape Town

Friday 22 November



Twenty Years Later: How has International Law evolved as a legal Order?

Prof Pierre-Marie Dupuy
University of Paris (Panthéon-Assas)

Friday 1 November



Armed Rebellion, Intervention, and International Law

Prof Mary Ellen O'Connell
University of Notre Dame

Friday 29 November



Reforming the International Criminal Court

Dr Douglas Gullfoyle
UNSW Canberra

Friday 8 November



Transnational illiberal spaces and international law

Prof Larissa van den Herik
University of Leiden

All lectures take place in the Finley Library at the Lauterpacht Centre at 1pm with a sandwich lunch from 12.30pm

The Lauterpacht Centre Friday lecture series is kindly sponsored by Cambridge University Press

Additional events this term

The following events take place in the Finley Library at the Lauterpacht Centre. For further details please visit our events page at: www.lcil.cam.ac.uk/press/events/all

17:00 hrs - 18:15 hrs - Wednesday 30 October 2019



Joint Seminar: Legal Histories Beyond the State and Centre for History and Economics

'Use, war, and commercial society. Changing paradigms of human relations with animals in the early modern law of nature and of nations'

Professor Annabel Brett
University of Cambridge

Lecture summary: This paper looks at how the legality of human relations with animals was constructed in the European law of nature and of nations, from roughly the beginning of the sixteenth century to the middle of the eighteenth.

More information: <https://www.lcil.cam.ac.uk/press/events/2019/10/joint-seminar-lhbseh-use-war-and-commercial-society-changing-paradigms-human-relations-animals-early>

17:00 hrs - 18:15 hrs - Thursday 28 November 2019



Legal Histories Beyond the State seminar: 'The corporation and law in the making of global capitalism'

Dr Grietje Baars
University of London

Lecture summary: Dr Baars will draw on their recent book, *The Corporation, Law and Capitalism*, which offers a radical Marxist perspective on the role of law in the global political economy.

More information: <https://www.lcil.cam.ac.uk/press/events/2019/11/lhbs-seminar-corporation-and-law-making-global-capitalism-dr-grietje-baars-city-law-school>

Business and Human Rights in Domestic Courts

Contemporary Developments and Future Prospects

14:00 hrs - 15:30 hrs - Friday 6 December 2019

Join us for a panel discussion on contemporary developments and future prospects in business and human rights litigation involving transnational corporations. The expert panellists will discuss recent developments in UK courts, including legal and policy implications of the Supreme Court's decision in Vedanta Resources (which paved the way for Zambian citizens to bring tort claims in English courts against UK-based Vedanta Resources) and the forthcoming Supreme Court appeal involving claims against Royal Dutch Petroleum in respect of environmental harm alleged to have been caused by its Nigerian subsidiary. The discussion will involve comparative and practical perspectives and will examine the broader policy and normative concerns arising from business and human rights litigation for the responsibility of non-state actors, transnational corporate governance and international law more generally.



Dr Tara Van Ho

University of Essex, Lecturer and Leader of the Business and Human Rights Project at Essex, and Co-President of the Global Business and Human Rights Scholars Association



Richard Hermer QC

Barrister, Matrix Chambers and counsel for the Respondents in the Vedanta Resources case before the UK Supreme Court



Julianne Hughes-Jennett

Partner, Quinn Emanuel Urquhart & Sullivan, LLP



Dr Axel Marx

University of Leuven, Deputy Director of the Leuven Centre for Global Governance Studies

Chaired by Dr Andrew Sanger, University Lecturer and Fellow of the Lauterpacht Centre of International Law, University of Cambridge

Lauterpacht Linked is a partnership programme of the Lauterpacht Centre for International Law (LCIL) which creates and consolidates strong relationships between a select group of law firms, corporations, foreign ministries and the Centre. More information is available at <https://www.lcil.cam.ac.uk/about-centre/lauterpacht-linked-programme>.

The Eli Lauterpacht Fund

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

The Centre is dedicated to offering world-class research facilities whilst strengthening experiences and opportunities for scholars of international law who visit from around the world. The Centre is one of the field's leading research centres in the world.

The Centre is extremely grateful for the support it receives. Donations received are used generally, and for three initiatives in particular: the *Cambridge International Lawyers' Archive*, the *Eli Lauterpacht Visiting Fellowships* and the *Eli Lauterpacht Events Fund*.



The LCIL Cambridge International Lawyers' Archives

In collaboration with Cambridge University Library, the Centre 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 papers currently include those of deceased former lawyers - Clive Parry, Derek Bowett and Robert Jennings.

Eli Lauterpacht Visiting Fellowships

Sir Eli loved welcoming scholars from across the world to the Centre. An *Eli Lauterpacht Visiting Fellowship* allows the Centre 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.

Eli Lauterpacht Events Fund

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

Contributing to the Fund

The Centre welcomes gifts to the Eli Lauterpacht Fund either for general use in promoting the study of international law at the Centre, or for any of the three initiatives mentioned above.

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.

Visiting the Lauterpacht Centre

The Lauterpacht Centre warmly welcomes Research Fellows and Scholars from around the world with interests in international law to come to Cambridge.



If you are considering applying to be a Visiting Fellow or Scholar, please visit our website in the first instance for further information: <https://www.lcil.cam.ac.uk/about-centre/visiting-fellows-and-scholars>.

Interested applicants should first send an initial enquiry to the Centre setting out their research objectives to the Centre's Administrator, Anita Rutherford.

If the research objective falls within the remit of the Lauterpacht Centre, a detailed application form and further information will then be forwarded.

Decisions regarding Visiting Fellow or Scholar applications are made by the Management Committee which reviews applications four times a year, usually at the start of each term. Dates by which applications are required to be received are given with the application form but are generally towards the end of the preceding term for review at the next meeting.

All Visitors must have a reasonably high proficiency in spoken and written English. If English is the applicant's second language, applicants are requested to demonstrate proficiency with a certificate of TOEFL iBT score 100 or IELTS level 7 (minimum).

In principle, the Centre does not accept persons enrolled for higher degrees at UK universities (including Cambridge) as Visiting Fellows or Scholars. The Centre accepts applications from individuals completing work on their PhD.

"I was lucky enough to spend two months at the Centre but wish it could have been longer! The Centre's facilities and academic environment were extremely conducive to my PhD research – especially the online access to literature and research facilities in the Squire Law Library were truly amazing. Visitors come to the Centre from all over the world so it was great to meet up over coffee time and to hear about their research too."

- Shpetim Bajrami, Visiting PhD student, Bucerius Law School, Hamburg

Visiting Fellows and Scholars are required to pay a 'Centre fee' to assist in covering the cost of provision of facilities at the Centre. This includes the use of a computer and access to the libraries (University of Cambridge Library and the Squire Law Library) and a desk space.

Visitors are encouraged to attend all open lectures and other events that are held at the Centre. By

arrangement they may also attend lectures and talks on international law and related subjects elsewhere in the University.

Visitors normally stay at the Centre between one term and one year but longer or shorter stays may be considered.

The Centre is not a teaching institution, and therefore does not award diplomas or certificates. Those interested in enrolling for Cambridge University degree or diploma courses in international law or international relations should contact the Faculty of Law or the Department of Politics and International Studies.



"I have been a returning visitor to the Lauterpacht Centre for the fourth time now. The Centre provides the perfect combination of focused working environment, beautiful premises and vibrant intellectual atmosphere. The coffee breaks, lunchtime lectures and visiting fellows round tables are excellent opportunities for stimulating discussions and inspiring exchanges with other visiting fellows, LCIL fellows and other academics from all over the world. Every visit here, I am very productive, get a lot of work done and receive ideas for new projects. I highly recommend a visit - and I can't wait until my next one!"

- Andreas Kulick, Senior Research Fellow, Eberhard Karls University Tübingen/Cologne University



Life in pictures @ the Lauterpacht Centre



Lauterpacht Centre Summer Party 2019



Visiting Scholars - Summer 2019



Many stimulating discussions, and inspiring exchanges take place at the Centre over coffee time in the kitchen and in the garden when the weather is fine.



Visiting Scholars - Lent Term 2019





www.lcil.cam.ac.uk



 **LAUTERPACHT CENTRE**
FOR INTERNATIONAL LAW

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