

Cambridge International Law Journal



The Seventh Annual Conference

'Non-State Actors and International Law'



Faculty of Law, University of Cambridge
3rd & 4th April 2018



Hart
Publishing



PROGRAMME

Cambridge International Law Journal
7th Annual Cambridge International Law Conference
'Non-State Actors and International Law'

The David Williams Building
Faculty of Law
University of Cambridge
3rd & 4th April 2018

Conference Day One – 3rd April 2018

08.30 – 09.00	Registration	Ground Floor Foyer
09.00 – 09.30	Welcome and Introduction of the Keynote Speaker Richard Clements & Ya Lan Chang Editors-in-Chief, Cambridge International Law Journal, University of Cambridge Professor Eyal Benvenisti Whewell Professor of International Law & Director, Lauterpacht Centre for International Law, University of Cambridge	Lower Ground (LG) LG19
09.30 – 10.30	Keynote Address: <i>Due diligence and duties to cooperate: the new frontiers of States' duties to control non-State actors</i> Professor Olivier De Schutter Professor of International Law, Catholic University of Louvain, Member of the UN Committee on Economic, Social and Cultural Rights & Former UN Special Rapporteur on the Right to Food	LG19
10.30 – 11.00	Break: Coffee, Tea & Biscuits	LG Atrium
11.00 – 12.40	Panel I: International Courts Chair: Stefan Theil Postdoctoral Research Fellow, Bonavero Institute of Human Rights, University of Oxford Richard Clements Ph.D. Candidate, University of Cambridge <i>'People with projects' at the International Criminal Court</i>	LG17

Raphael Oidtman | Research Fellow and Lecturer in International Law & Adjunct Lecturer in Legal Rhetoric, Advocacy and Dispute Resolution, University of Mannheim

The Actorness of International Criminal Courts and Tribunals

Dr. Hannah Woolaver | Senior Lecturer in Public International Law, University of Cape Town

The Amicus Curiae and the Defence in International Criminal Tribunals

Dr. Sarah Williams | Professor, University of New South Wales

The Changing Role of Non-State Influence at the International Criminal Court

11.00 – 12.40

Panel II: Civil Society: Enduring Relevance

LG19

Chair: Professor Marie-Claire Cordonier Segger | Fellow, Lauterpacht Centre for International Law, University of Cambridge & Professor, University of Waterloo

Jessica Corsi | Law Lecturer, Brunel University London & Ph.D. Candidate, University of Cambridge

How GQUAL, the Campaign for Gender Parity at International Courts and UN Special Procedures, is Reshaping the Face of International Justice

Dr. Kateryna Busol | Legal Associate, Global Rights Compliance LLP & Visiting Professional, International Criminal Court

Do No Harm: the Role of Ukrainian Civil Society in Ensuring Justice for the Conflict-Affected Country

John Dunford | Campaigns Lead, The Developer Society / **Chiayu Tung** | MPhil Candidate, University of Cambridge / **Chung-Han Yang** | Ph.D. Candidate, University of Cambridge

The Influence of Social Media Activism and Opinion Leaders on International Environmental Law

Niklas Woehlk | Trier University

Meaningful Human Control of “Killer Robots”: The Effectiveness of Civil Society Actors in Shaping International Arms Control Norms

Dr. Tania Penovic | Senior Lecturer, Monash University & Acting Director, Castan Centre for Human Rights Law, Monash University

Transnational Anti-Abortion Activism, the Right to Free Speech and the Rights of Others under International Law

Panel III: Non-State Armed Groups and International Law

Chair: Dr. Tibisay Morgandi | Affiliated Lecturer & Postdoctoral Fellow, University of Cambridge

Ginevra Le Moli | Ph.D. Candidate, Graduate Institute of International and Development Studies

UN Practice and Human Rights Obligations of Non-State Actors in Situations of Armed Conflict

Natascha Kersting | LL.M. Candidate, University of Cambridge

Self-Defense against Non-State Actors – Replacing the 'Unwilling or Unable' Test

Andrea Varga | Research Associate, Lauterpacht Centre for International Law, University of Cambridge

Human Rights Obligations of Non-State Armed Groups in Peace Agreements

Tarik Gherbaoui | Ph.D. Candidate, European University Institute

The Rise to Prominence of 'Foreign Terrorist Fighters' as Violent Non-State Actors within the International Counter-Terrorism Regime

Panel IV: Business in the Changing Global Context

Chair: Dr. Lorand Bartels | University Reader, Fellow, Lauterpacht Centre for International Law & Fellow and Director of Studies, Trinity Hall, University of Cambridge

Dr. Eva Kassoti | Senior Lecturer in European and International Law, The Hague University of Applied Sciences

Doing Business Right? Private Actors and the International Legality of Economic Activities in Occupied Territories

Javier Garcia Olmedo | Research Fellow, Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law & Ph.D. Candidate, Luxembourg University

Investor-State Arbitration in the Developing World: Perpetuating (Post) Colonial Economic Relations and Corporate Power Through Unequal Treaties

Daniela Chimisso dos Santos | S.J.D. Candidate, University of Toronto

Transnational Corporations as Institutional Creators: Consequences for International Law

Dr. Jennifer Lander | Early Career Fellow, Institute of Advanced Study, University of Warwick
International Financial Institutions, Mining Companies and NGOs as Agents of Transnational Legal Ordering in the Global Mining Economy

15.00 – 16.30

Panel V: International Economic Law

LG17

Dr. Markus W. Gehring | University Lecturer, Fellow, Lauterpacht Centre for International Law & Fellow and Director of Studies, Hughes Hall, University of Cambridge

Eirini Kikarea | Ph.D. Candidate, University of Cambridge

Attribution and State-Owned Enterprises in International Economic Law

Dr. Ronán Feehily | Senior Lecturer in Law, University of Canterbury

Neutrality, Independence and Impartiality in International Commercial Arbitration, a Fine Balance in the Quest for Arbitral Justice

Dr. Junru Liu | Postdoctoral Researcher, Sun Yat-Sen University

SOEs as Global Governors: An Empirical Study on China Merchants Group and Its Participation in China's "Belt and Road Initiative"

Shixue Hu | J.S.D. Candidate, Yale Law School

Customized International Law: Competitive Neutrality

15.00 – 16.30

Panel VI: Evolving Perspectives on Non-State Actors and Human Rights

LG19

Chair: Dr. Jamie Trinidad | Fellow, Lauterpacht Centre for International Law & Fellow, Wolfson College, University of Cambridge

Natalie Jones | Ph.D. Candidate, University of Cambridge

Voice and Participation in International Organizations: Rights of Peoples and Minorities

Dr. Shiri Krebs | Senior Lecturer, Deakin University

"Should I Stay or Should I Die": The Impact of International Law and Institutions on Beliefs about Refugees and Asylum Policies

Dr. Sofia Galani | Lecturer in Law, University of Bristol

Victims of Terrorism and Human Rights: Why It Does (Not) Matter Who Violates Their Human Rights?

Guled Yusuf | Senior Associate, Allen & Overy
Towards a New Generation of International Legal Standards Governing the Recruitment and Use of Child Soldiers

16.30 – 17.00

Break: Coffee, Tea & Biscuits

LG Atrium

17.00 – 18.30

Panel VII: New Actors, New Issues: Social Media & Technology

LG17

Chair: Dr. David Erdos | University Senior Lecturer, Deputy Director, Centre for Intellectual Property and Information Law & Fellow, Trinity Hall, University of Cambridge

Dr. Emma Irving | Assistant Professor of Public International Law, Leiden University

Social Media Platforms: The New Kids on the Block in International Accountability

Matthew Marinett | S.J.D. Candidate, University of Toronto

A Gap Anywhere is a Gap Everywhere: Finding Comity in Worldwide Internet Takedown Orders

Tsvetelina van Benthem | MPhil Candidate, University of Oxford

Social Media Actors in the Fight against Terrorism: Due Diligence, Technology, and the Impact on Human Rights

Róisín Costello | Ph.D. Candidate, Trinity College Dublin

Would You Like to Report this Post? International Criminal Law and the Role of Non-State Actors in the Preservation of Evidence Uploaded through Social Media

17.00 – 18.30

Panel VIII: Cities and Subsystems

LG19

Chair: Niall O'Connor | Lecturer, University of Essex

Daniel Litwin | Legal Adviser, Iran-United States Claims Tribunal

Global Cities and the New Geography of International Adjudication

Dr. Agnieszka Szpak | Assistant Professor, Nicolaus Copernicus University in Torun

Cities as an Internal Institutional Bypass of States

Lan Cao | Betty Hutton Williams Professor of International Economic Law, Chapman University

Non-State Actors in Public-Private Special Hybrid Zones

Michal Hain | 20 Essex Street, London

*Half-Pregnant with Ideas: The Regions of Europe
as International Actors*

19:00 – 22:00

Conference Formal Dinner (*pre-bookings only*)
Drinks Reception (19:00)
Dinner (19:30)

Queens' College
Old Kitchens
Old Hall

Toast: Dr. Michael Waibel | University Senior
Lecturer, Deputy Director, Lauterpacht Centre for
International Law & Fellow, Jesus College,
University of Cambridge

Conference Day Two – 4th April 2018

09.00 – 09.15

**Welcome and Introduction of the Keynote
Speaker**

LG19

Dr. Rumiana Yotova | Affiliated Lecturer, Fellow,
Lauterpacht Centre for International Law &
Director of Studies, Lucy Cavendish College,
University of Cambridge

09.15 – 10.15

Keynote Address:
***International Law between States and Non-
States***

LG19

Professor Jorge E. Viñuales | Harold Samuel
Professor of Law and Environmental Policy, Fellow,
Lauterpacht Centre for International Law &
Founder, Cambridge Centre for Environment,
Energy and Natural Resource Governance (C-
EENRG), University of Cambridge

10.15 – 10.45

Break: Coffee, Tea & Biscuits

LG Atrium

10.45 – 12.15

**Panel IX: Non-State Actors and the Air, Space
and Sea**

LG17

Chair: Dr. Rumiana Yotova | Affiliated Lecturer,
Fellow, Lauterpacht Centre for International Law
& Director of Studies, Lucy Cavendish College,
University of Cambridge

Maria Manoli | D.C.L. Candidate & Erin J.C.
Arsenault Fellow in Space Governance, McGill
University

*Commercial Exploitation of Outer Space Natural
Resources as a New Form of Economic
Imperialism and its Implications on the Premise of
"Sovereign Equality" of States*

Luping Zhang | Ph.D. Candidate, King's College London

Civil Society and the Development of International Air Law

Osatohanmwon Osamudiamen Eruaga | Ph.D. Candidate, World Maritime University

Private Maritime Security Companies as Non-State Actors in the Maritime Domain: A Case Study of the Gulf of Guinea

Linlin Sun | Ph.D. Candidate, Leiden University

How Should the International Seabed Authority Respond to NGO Appeals for Environmental Protection in Deep Seabed Mining?

10.45 – 12.15

Panel X: Specific Challenges In and Post Conflict

LG19

Chair: Dr. Federica Paddeu | Affiliated Lecturer, Fellow, Lauterpacht Centre for International Law & Fellow, Queens' College, University of Cambridge

Rebecca Sutton | Ph.D. Candidate, London School of Economics and Political Science

How International Humanitarian Actors Produce IHL's Civilian in their Everyday Practices

Francesco Romani | Ph.D. Candidate, Graduate Institute of International and Development Studies

Belligerent Reprisals by Non-State Armed Groups: A Practice-Inspired Analysis of Retaliation in Non-International Armed Conflicts

Ezequiel Heffes | Legal Adviser, Geneva Call

Challenging the State-Centric Nature of International Law-Making Processes in NIACs: Non-State Armed Groups and the Customary Status of Fair Trial Guarantees

Jose Mauricio Gaona | D.C.L. Candidate & O'Brien Fellow, Centre for Human Rights and Legal Pluralism, McGill University

The Victims of FARC: Using Social Media as Default Mechanism of Transitional Justice in Colombia

12.15 – 13.15

Lunch

LG Atrium

13.15 – 14.45

Panel XI: On Regulation and Standard-Setting

LG17

Chair: Ya Lan Chang | Ph.D. Candidate & Editor-in-Chief, Cambridge International Law Journal, University of Cambridge

Maayan Menashe | Ph.D. Candidate, University of Cambridge

Non-State Actors as International Law Makers – Private Regulation and the Case of Freedom of Association

Johanna Aleria Lorenzo | J.S.D. Candidate, Yale Law School

International Financial Institutions as Lawmakers in the Field of Sustainable Development

Dr. David Collins | Professor, City, University of London

The International Bar Association and Trade in Legal Services

Dr. Carmen Pérez González | Professor of Public International Law, University Carlos III of Madrid

Sports Associations and International Human Rights Law: A New Beginning?

13.15 – 14.45

Panel XII: Rethinking International Law

LG19

Chair: Dr. Michael Waibel | University Senior Lecturer, Deputy Director, Lauterpacht Centre for International Law & Fellow, Jesus College, University of Cambridge

Dr. Kuzi Charamba | Project Manager, Shared Resources Program, One Earth Future & Visiting Scholar in Residence, University of Colorado

Conceptualising Legal Orders in a Global Normative Space

Luíza Leão Soares Pereira | Ph.D. Candidate, University of Cambridge

More than a Morbid Quest: Obituaries as a Window into the Workings of the “Invisible College of International Lawyers”

Bruno Gelinas-Faucher | Ph.D. Candidate, University of Cambridge

Non-State Actors and the New Paradigm of State Responsibility

Klara Polackova Van der Ploeg | Ph.D. Candidate, Graduate Institute of International and Development Studies

Normative Inclusion of Collective Non-State Entities in International Law: Between Law of Commitments and Law of Stipulations

14.45 – 15:00

Short Break: Coffee, Tea & Biscuits

LG Atrium

15.00 – 16.30

Panel XIII (Plenary Panel): Corporate Accountability and Human Rights

LG19

Chair: Dr. Kirsty Hughes | University Lecturer & Fellow and Director of Studies, Clare College, University of Cambridge

Dr. Claire Bright | Senior Lecturer, London School of Business and Management

The Role of the Concept of Human Rights Due Diligence in Fostering Corporate Accountability

Dr. Justin Malbon | Professor, Monash University

Mapping the Informal Jurisprudence of Corporate Production and Investment Responsibility

Dr. Sabine Michalowski | Professor of Law, University of Essex

Including the Responsibility of Economic Actors into Transitional Justice Processes

Justine Nolan | Associate Professor & Associate Dean, University of New South Wales / **Michael**

Posner | Jerome Kohlberg Professor of Ethics and Finance, Business and Society & Co-Director, Center for Business and Human Rights, NYU Stern School of Business / **Tara Wadhwa** | Policy

Associate, Center for Business and Human Rights, NYU Stern School of Business / **Dr. Dorothée**

Baumann-Pauly | Research Director, NYU Stern School of Business

The Responsibility of Internet Platform Companies to Mitigate Harmful Content Online

16.30 – 17.00

Closing Remarks

LG19

Dr. Kirsty Hughes | University Lecturer & Fellow and Director of Studies, Clare College, University of Cambridge

Conference Team

Convenors

Kaara Martinez

Patrick Simon Perillo

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Catering

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