



British Institute of  
International and  
Comparative Law

BINGHAM  
CENTRE FOR  
THE  
RULE  
OF  
LAW

# Programme of Events

## Autumn 2014

A programme of events organised by the  
British Institute of International and Comparative Law  
and the Bingham Centre for the Rule of Law

# Programme of Events

## Autumn 2014

The British Institute of International and Comparative Law (BIICL) provides informed, independent and practical legal ideas for a global community. Its high quality and respected work involves analysis and debate about contemporary issues on every continent, from its base in the heart of London's energetic and multicultural legal network.

BIICL has been making an influential impact since its foundation in 1958, and it can trace its history even further back to 1894. It is one of the very few independent legal bodies of its type in the world, as it is unaffiliated to any university, is a charity/not-for-profit organisation and is nonpartisan. BIICL receives no substantial on-going core funding from any government or private body and welcomes both members and non-members.

BIICL includes within it the innovative Bingham Centre for the Rule of Law, which has a particular focus on the many rule of law issues world-wide. Find out more about the Bingham Centre at [www.binghamcentre.biicl.org](http://www.binghamcentre.biicl.org)

### BIICL Events

BIICL runs a dynamic and topical programme of events throughout the year, reflecting the Institute's research work and the interests of its wide constituency of members. Our events attract high profile speakers, many of whom are leaders in their field. Events are generally open to all Institute members and the public. Our events offer the chance to engage in information sharing and networking with your peers.

Many of our public events are accredited for CPD purposes by the Solicitors Regulation Authority (SRA) and The Bar Standards Board (BSB).

BIICL members benefit from a **40% discount on events**. Find out more about becoming a member of BIICL at [www.biicl.org/membership](http://www.biicl.org/membership)

Further details on all our events can be found on our website at [www.biicl.org/events](http://www.biicl.org/events)

# September

**The Role of In-House Counsel in Today's Legal Practice**  
**Thursday 11 Sept, 14:00-17:30 - 3 CPD points**  
**Microsoft Offices, Rue Montoyer 51, 1040 Brussels, Belgium**

## Speakers

- Sofia Alves, Head of Unit - DG Competition European Commission
- Philippe Coen, President, European Company Lawyers Association (ECLA)
- Matthew Heim, Senior Director, Government Affairs, Qualcomm
- Dr Boris Kasten, Head of Competition Law, Schindler Management AG
- Kristina Nordlander, Partner, Sidley Austin LLP
- Steve Preece, Assistant Director, Competition Markets Authority
- Karen Williams, Director - DG Human Resources and Security, European Commission

This seminar will be split into two panel sessions. A first panel will track developments at EU and Member State level regarding the extent to which in-house counsel are considered independent and subject to professional regulation - and the extent to which their advice is considered privileged. The second panel will discuss the varying roles played by in-house counsel, focusing on the increased importance of compliance, and considering the ways in which in-house counsel are uniquely-placed to meet the challenges posed by ever-more-intrusive regulation and increasingly-active enforcement across the globe. **Sponsored by ECLA and Sidley Austin LLP**

Find out more at [www.biicl.org/event/1056](http://www.biicl.org/event/1056)  
[@BinghamCentre](#) [#inhousecounsel](#)

---

*Temple Garden Chambers Seminar Series in International Adjudication*  
**International Arbitration and Developing Countries:**  
**What are the Benefits and What is the Way Forward?**  
**Thursday 11 Sept, 17:30-19:00 - 1.5 CPD points**  
**British Institute of International and Comparative Law**  
**Charles Clore House, 17 Russell Square, London WC1B 5JP**

## Speakers

- N Jansen Calamita, British Institute of International and Comparative Law
- Dr Gbenga Oduntan, Kent Law School
- Fedelma Claire Smith, Permanent Court of Arbitration

## Chair

- Emmanuelle Cabrol, Herbert Smith Freehills

Some legal commentators suggest that international arbitration is not working for the benefit of developing countries. Yet, this is a very simplistic statement, which fails to take into account that international arbitration occurs on the basis of consent of all parties for the fulfilment of their respective interests. This event will analyse this critical premise in light of the complex elements which lead to the conclusion of arbitration agreements and circumstances that trigger arbitration, be it commercial or inter-state.

Find out more at [www.biicl.org/event/1064](http://www.biicl.org/event/1064)  
[@BIICL](#) [#arbitration&developingcountries](#)

### **23rd Investment Treaty Forum Public Meeting:**

**'Can International Investment Law be Restated? Or is *Jurisprudence Constante* the El Dorado of Investment Treaty Lawyers?'**

**Friday 12 Sept, 08:45-15:30 - 5 CPD points**

**BMA House, Tavistock Square, London WC1H 9JP**

#### Participants

- Jean d'Aspremont, University of Manchester
- Yas Banifatemi, Shearman and Sterling (tbc)
- N Jansen Calamita, Investment Treaty Forum
- David Caron, King's College London
- Martins Paparinskis, University College London
- Christoph Schreuer, University of Vienna
- Jeremy Sharpe, U.S. Department of State
- Laurence Shore, Herbert Smith Freehills
- Daniella Strik, Linklaters (Amsterdam)
- Jeffrey Sullivan, Allen & Overy

It has sometimes been suggested that while the international legal system admits no formal principle of stare decisis, there might nevertheless develop in the field of international investment treaties, a *jurisprudence constante* - a "persisting jurisprudence" that secures unification and stability of judicial activity. This 23rd Meeting of the Investment Treaty Forum investigates that claim, combining reports on where the investment treaty "case law" stands in the field with a theoretical and practical inquiry as to the utility of this "precedent" in light of the increasing heterogeneity among international investment treaty arrangements and the structural limitations of the regime.

Find out more at [www.biiicl.org/event/1058](http://www.biiicl.org/event/1058)

@BIIICL #ITF23

---

### **Class Actions and Product Liability Litigation: An Australian Perspective**

**Monday 22 Sept, 17:00-19:00 - 2 CPD points**

**British Institute of International and Comparative Law**

**Charles Clore House, 17 Russell Square, London WC1B 5JP**

#### Speakers

- Jason Betts, Herbert Smith Freehills LLP
- Damian Grave, Herbert Smith Freehills LLP
- Prof Rachael Mulheron, Queen Mary College London

This international seminar will bring together distinguished speakers to discuss recent developments in Class Actions and Product Liability in Australia. During this period of burgeoning mass claims in Australia, many developments are relevant to a European audience, including consumer and financial services claims, large-scale product liability class actions concerning medical or pharmaceutical devices, as well as bushfire and flood-related claims, and class actions in a corporate setting. The important issue of access to justice and funding of class actions will be covered, and lessons from a European perspective will be drawn. **Sponsored by Herbert Smith Freehills**

Find out more at [www.biiicl.org/event/1046](http://www.biiicl.org/event/1046)

@BIIICL #classactionsaustralia

# BIICL Short Course

## International Law in Practice

Monday 22 to Thursday 25 Sept - 28.5 CPD points  
British Institute of International and Comparative Law  
Charles Clore House, 17 Russell Square, London WC1B 5JP

International Law in Practice is a four-day programme run by the British Institute of International and Comparative Law, which provides a broad introduction to key issues in international and comparative law - from public to private and from commercial to human rights.

Led by many of the Institute's leading researchers and practitioners, the course is ideal for those in the early years of legal practice, those working in governmental and non-governmental organisations with legal elements to their work, and students who are about to commence a postgraduate degree in aspects of international law.

The course will include a special evening reception, which will see a number of leading practitioners in international law give short talks about their life in practice. Speakers will include the director of a human rights NGO; a senior government official with expertise in the EU and treaties; a QC specialising in public international law; and a solicitor working in cross-border disputes.

Find out more at [www.biicl.org/event/1054](http://www.biicl.org/event/1054)  
@BIICL #ILP2014

---

## October

(1) The Constitutional and European Implications of the Scottish Referendum;  
(2) Book launch of Horspool and Humphreys: European Union Law, 8th Edition  
Wednesday 1 Oct, 17:30-19:30 – 2 CPD points  
British Institute of International and Comparative Law  
Charles Clore House, 17 Russell Square, London WC1B 5JP

### Address

- Professor Sir David Edward KCMG, PC, QC, former Judge of the European Court of Justice

### Participants

- Michael Wells -Greco
- Wisam Abboud

### Chair

- Professor Margot Horspool, Visiting Fellow in European Law, BIICL

The event will begin with an address by Sir David Edward, to give his view on the outcome of the Scottish referendum, with particular reference to its constitutional implications for the UK and placing this in the wider perspective of membership of the European Union. This occasion will also celebrate the launch of the 8th edition of European Union Law, by Matthew Humphreys and Margot Horspool, with new co-authors Michael Wells-Greco and Wisam Abboud. Sir David Edward wrote the foreword to the first and the sixth (Lisbon) edition of the book. The event will be followed by a reception.

Find out more at [www.biicl.org/event/1066](http://www.biicl.org/event/1066)

**Bingham Centre Event: The Investigatory Powers Review**  
**Wednesday 1 Oct, 17:00-19:00**  
**Macfarlanes, 20 Cursitor St, London EC4A 1LT**

**Participants**

- David Anderson QC, Independent Reviewer of Terrorism Legislation
- Tom Hickman, Blackstone Chambers & Bingham Centre Fellow
- Helen Mountfield QC, Matrix Chambers
- Gillian Phillips, Guardian News & Media Ltd
- Matthew Ryder QC, Matrix Chambers
- Graham Smith, Bird & Bird

**Chair**

- Eric Metcalfe, Monckton Chambers

The Bingham Centre is organising an experts meeting on the Investigatory Powers Review, which is being undertaken by David Anderson QC (Independent Reviewer of Terrorism Legislation) who will report to the Prime Minister.

The experts meeting will feature short presentations on various aspects of the capabilities and powers required by law enforcement and security agencies, and the regulatory framework within which those capabilities and powers should be exercised. David Anderson QC will provide an introduction to the Review. Topics will include bulk collection of data, intercept powers, undercover policing and covert intelligence, and oversight of investigatory powers. **Sponsored by Macfarlanes**

Find out more at [www.biicl.org/event/1067](http://www.biicl.org/event/1067)

---

***Arthur Watts public international law seminar series sponsored by Volterra Fietta:***

**The Revolution in Foreign Relations Law in the UK and other Commonwealth Jurisdictions**

**Tuesday 7 Oct, 18:00-19:30 - 1.5 CPD points**

**British Institute of International and Comparative Law**

**Charles Clore House, 17 Russell Square, London WC1B 5JP**

**Speakers**

- Richard Hermer QC, Matrix Chambers
- Iain Macleod, Legal Adviser, Foreign & Commonwealth Office
- Professor Campbell McLachlan QC, Victoria University of Wellington Law School

**Chair**

- Lord Collins of Mapesbury, former Justice, UK Supreme Court

This seminar will examine the contemporary function of foreign relations law and how it is changing, from both academic and practitioner perspectives. Speakers will comment on the tension between foreign relations law and human rights, and between the rule of law and other forms of public accountability.

Find out more at [www.biicl.org/event/1062](http://www.biicl.org/event/1062)

[@BIICL](#) [#ForeignRelationsLaw](#)

**State Responsibility for Cyber Operations: International Law Issues**  
**Thursday 9 Oct, 17:30-19:00 - 1.5 CPD points**  
**British Institute of International and Comparative Law**  
**Charles Clore House, 17 Russell Square, London WC1B 5JP**

**Speakers**

- Dr Russell Buchan, University of Sheffield
- Dr Marco Roscini, Westminster Law School
- Professor Nicholas Tsagourias, University of Sheffield

**Chair**

- Cathy Adams, Legal Director, Foreign and Commonwealth Office

With the number and sophistication of cyber-attacks against states showing a significant increase in recent times, the Institute has invited experts on the topic to discuss the international law problems related to state responsibility for cyber operations. Speakers will cover questions such as the evidentiary and attribution rules applicable to cyber operations, as well as the possible remedies available against different types of internet-based attacks.

Find out more at [www.biiicl.org/event/1055](http://www.biiicl.org/event/1055)  
[@BIIICL](https://twitter.com/BIIICL) [#CyberOps](https://twitter.com/CyberOps)

---

**International Child Abduction and Human Rights: A Critical Assessment of the Status Quo**  
**Thursday 16 Oct 2014, 10:00-17:00 - 5 CPD points**  
**University of Antwerp, Stadscampus - R.212 - Rodestraat - 2000 Antwerpen**

**Participants**

- Paul Beaumont, University of Aberdeen
- Hilde Demarré, Missing Children Europe
- Thalia Kruger, University of Antwerp
- Eva Lein, BIIICL
- Carolina Marín Pedreño, Dawson Cornwell, London
- Marta Pertegas, Hague Conference on Private International Law
- Andrea Schulz, German Central Authority
- Joanna Serdyska, European Commission
- Helen Stalford, University of Liverpool
- Frederik Swennen, University of Antwerp
- Karin Verbist, Adverlat, Antwerp

Against the background of the increasingly diverging case law of the CJEU and ECHR, this event examines and critically assesses the current legal framework for international child abduction cases. Speakers will discuss the use of the grounds for refusal; the role of Central Authorities; the future of the 1980 Hague Convention and of the Brussels II bis Regulation; potential ways to a harmonised case law of the CJEU and ECHR; children's rights and interests; and the concerns of children's organisations.

Find out more at [www.biiicl.org/event/1061](http://www.biiicl.org/event/1061)

**A Conversation with Hilary Charlesworth: Innovative Scholar, Law Reformer and International Judge**  
**Wednesday 22 Oct, 12:30-13:30**  
**British Institute of International and Comparative Law**  
**Charles Clore House, 17 Russell Square, London WC1B 5JP**

#### Speaker

- Professor Hilary Charlesworth, Australian National University

#### Interviewer

- Professor Robert McCorquodale, BIICL

Professor Hilary Charlesworth is one of the world's leading international lawyers. Her publications on feminist theory have been enormously influential, as has her scholarship on a range of other international legal issues, including international human rights law, rule of law, and on justice and peace-building after conflict.

She has also been closely involved in drafting human rights legislation and was a judge in the ICJ's decision on the Whaling Case. In 2006, Hilary was awarded the ASIL Goler T. Butcher Medal in recognition of her 'outstanding contributions to the development and effective realization of international human rights law'.

Hilary is an inspiring thinker and leader. This conversation will be an opportunity to learn more about her work and her approach.

Find out more at [www.biicl.org/event/1063](http://www.biicl.org/event/1063)  
[@BIICL](https://twitter.com/BIICL) [#HilaryCharlesworth](https://twitter.com/HilaryCharlesworth)

---

***Temple Garden Chambers Seminar Series in International Adjudication***  
**Global Administrative Law and its Judicial Component:**  
**Where Can International Officials Seek Protection of their Rights?**  
**Thursday 23 Oct, 17:30-19:00 - 1.5 CPD points**  
**British Institute of International and Comparative Law**  
**Charles Clore House, 17 Russell Square, London WC1B 5JP**

#### Keynote Speaker

- Judge Mary Faherty, President of the United Nations Appeals Tribunal

#### Discussant

- Professor Anne Davies, University of Oxford
- Lee Marler, Bretton Woods Law

#### Chair

- Chanaka Wickremasinghe, Foreign and Commonwealth Office

This event will focus on the case law of international administrative tribunals (with an emphasis on the UN system) and its contribution to the development of global administrative law, international human rights and international rule of law.

Find out more at [www.biicl.org/event/1052](http://www.biicl.org/event/1052)  
[@BIICL](https://twitter.com/BIICL) [#globaladministrativelaw](https://twitter.com/globaladministrativelaw)



## Scotland in the World: What Now?

Thursday 30 Oct, 18:00-20:00 - CPD points have been applied for.  
University of Strathclyde, 16 Richmond Street, Glasgow, G1 1XQ

### Speakers

- Alan Miller, Chair, Scottish Human Rights Commission
- Thérèse O'Donnell, Reader in Law, University of Strathclyde
- Roy Martin QC, Terra Firma Chambers, Edinburgh and 6 Pump Court, London

This is a joint event organised by BIICL and the University of Strathclyde.

On 18 September 2014 the Scottish people voted "No" to independence. The UK Government and HM Opposition have promised early consultations on increasing Scotland's autonomy on a wide range of matters. Scotland seems set to enter a period of significant political and legal change as a consequence of the referendum experience and what is to come. What impact might this have on Scotland's external relations? Is there scope for "devo-max" in this area? How will it work for Scotland, and for the UK, the EU and the rest of the world?

This expert seminar will discuss the possible benefits and consequences of greater autonomy for Scotland in relation to external affairs, in matters such as the EU and international organisations, international treaties, human rights legal guarantees (as currently derived from the ECHR), the role and identity of the Scottish government in external relations and international law.

The event will be followed by a drinks reception.

Find out more at [www.biicl.org/event/1068](http://www.biicl.org/event/1068)

---

**Competition Law Forum Meeting: Roundtable Discussion on Intel**  
Thursday 30 Oct, 17:00-19:00 - CPD points have been applied for  
British Institute of International and Comparative Law  
Charles Clore House, 17 Russell Square, London WC1B 5JP

### Speakers

- Bill Allan, Member of the Competition Appeal Tribunal (CAT) and Visiting Professor, University of Cambridge
- David Bailey, Visiting Professor, King's College London and Brick Court Chambers
- Jorge Padilla, Senior Managing Director, Compass Lexecon

### Chair

- Brian Sher, Partner, Nabarro

**This is a Competition Law Forum event and attendance is by invitation only.**

Find out more at [www.biicl.org/event/1070](http://www.biicl.org/event/1070)

The Competition Law Forum is a centre of excellence for European competition and antitrust policy and law at BIICL. It provides a forum in which the practical application of competition policy is considered by lawyers, economists, senior business managers, public servants, public affairs professionals, consumer bodies and other specialist practitioners. The Forum identifies areas requiring debate and analysis, and provides the required forum and experts, thereby contributing to policy initiatives. In doing so it also produces leading-edge applied research, analysis and recommendations on the content, methodologies and application of competition policy at all levels of governance – national, European and global. To enquire about becoming a member of the Forum, please contact Dr Liza Lovdahl-Gormsen, Competition Law Forum Director at [l.lovdahlgormsen@biicl.org](mailto:l.lovdahlgormsen@biicl.org)

# November

**From West Tankers to Gazprom - Arbitration and the Brussels I Regulation after the Recast**

**Wednesday 5 Nov, 17:00-18:45** - CPD points have been applied for.

**British Institute of International and Comparative Law**

**Charles Clore House, 17 Russell Square, London WC1B 5JP**

## Speaker

- Professor em. Trevor Hartley, LSE

## Commentators

- Hugh Mercer QC, Essex Court Chambers
- Matthew Weiniger QC, Herbert Smith Freehills

## Chair

- Professor Richard Fentiman, University of Cambridge

This event considers the controversial issues arising in connection with the arbitration exception in the Brussels I Regulation. The speaker will thoroughly assess different scenarios of litigation proceedings relating to arbitration. The speaker and commentators will also debate the pending *Gazprom v Lithuania* case. The event will be followed by a reception.

**Sponsored by Herbert Smith Freehills**

Find out more at [www.biicl.org/event/1071](http://www.biicl.org/event/1071)

---

**The European Court of Human Rights: Master of the Law but not of the Facts?**

**Thursday 6 Nov, 18:00-19:00** - CPD points have been applied for.

**Senate House, University Of London, Malet Street, Bloomsbury, WC1E 7HU**

## Keynote Speaker

- Judge Dean Spielmann, President of the European Court of Human Rights

## Chair

- Steven Kay QC, 9 Bedford Row

## Closing Thanks

- Dame Rosalyn Higgins DBE QC, President of BIICL; Former President, International Court of Justice

The European Court of Human Rights is the master of the law under the European Convention on Human Rights. However, the Court often emphasises that it is not a court of fourth instance, which would replace highest domestic courts in their assessment of facts. But here the question arises: can the Court really separate the process of assessment of law from assessment of facts?

This lecture by a prominent speaker - the Court's President Dean Spielmann – will analyse relevant practice and theory in more detail to give an answer to this pertinent question.

The event will be followed by a drinks reception. **Sponsored by 9 Bedford Row Chambers**

Find out more at [www.biicl.org/event/1069](http://www.biicl.org/event/1069)

@BIICL #ECtHR

## Writing a Research Proposal for PhD Applications and Funding

Tuesday 18 Nov, 14:00-16:30

British Institute of International and Comparative Law

Charles Clore House, 17 Russell Square, London WC1B 5JP

### Speaker

- Dr Lawrence McNamara, Senior Research Fellow and Deputy Director, Bingham Centre for the Rule of Law

This workshop is designed for anyone considering undertaking a PhD in law or a related discipline, whether currently applying for PhD programmes or whether simply considering PhD studies as an option in future. It will focus on how to write a research proposal for a PhD, looking at what distinguishes the best research proposals.

Find out more at [www.biicl.org/event/1060](http://www.biicl.org/event/1060)

---

## *Arthur Watts public international law seminar series sponsored by Volterra Fietta:*

### The New Arctic Frontier in International Law and Diplomacy

Wednesday 19 Nov, 17:30-19:00 followed by reception 19: 00-20:00 - 1.5 CPD points

British Institute of International and Comparative Law

Charles Clore House, 17 Russell Square, London WC1B 5JP

### Keynote speaker

- **Evan T. Bloom**, Director, Office of Ocean and Polar Affairs, U.S. Department of State

### Chair

- **Professor David D. Caron**, The Dickson Poon School of Law, King's College London

This seminar will focus on major developments in Arctic international law and diplomacy, such as evolving governance structures (in particular related to the Arctic Council); challenges for law of the sea and shipping (including the Polar Shipping Code); boundary issues and delineation of Arctic continental shelves; regulation of Arctic fisheries; promoting and removing barriers to scientific co-operation; promotion of sustainable development; the emerging role of non-Arctic States in the region.

Find out more at [www.biicl.org/event/1065](http://www.biicl.org/event/1065)

@BIICL #ArcticGovernance

## Writing for Publication in Peer-Reviewed Journals

Tuesday 25 Nov 2014, 14:00-16:30

British Institute of International and Comparative Law

Charles Clore House, 17 Russell Square, London WC1B 5JP

### Speakers

- Professor Robert McCorquodale, Director, BIICL;  
Joint General Editor, International & Comparative Law Quarterly (ICLQ)
- Dr Lawrence McNamara, Bingham Centre for the Rule of Law
- Anna Riddell, BIICL

This workshop aims to develop researchers' skills and knowledge for writing for publication in peer-reviewed journals. The workshop will focus on legal writing, looking at examples from across a range of topics in law and socio-legal studies. Participants will be encouraged to explore and reflect on their own ideas for writing.

The presenters bring a wealth of academic and editorial experience to this workshop. As well as strong records of publication, they have extensive experience in teaching graduate students, academics and legal professionals about research and writing for peer-reviewed and other publications. The British Institute of International and Comparative Law is home to the International and Comparative Law Quarterly (ICLQ). The ICLQ is one of the world's leading journals in the field and attracts scholarship of the highest standard from around the globe.

Find out more at [www.biicl.org/event/1059](http://www.biicl.org/event/1059)

---

### *Temple Garden Chambers Seminar Series in International Adjudication*

**The Court of Justice of the European Union and Public International Law: Strange Bedfellows?**

Thursday 27 Nov, 18:15-19:15 - 1 CPD point

Senate House, Jessel Room and Court Room, Malet Street, London WC1E 7HU

### Keynote Speaker

- Judge Allan Rosas, Court of Justice of the European Union

### Chair

- Karim Khan QC, Temple Garden Chambers

Although European Union law was at first seen as a mere extension of public international law, it gradually acquired an autonomous and sui generis standing in international legal doctrine and practice. However, the relationship between the European Union (EU) and public international law remains intense and complex. On the basis of case law of the Court of Justice of the EU and additional insights from theory, this lecture will examine the interaction between the EU and public international law in more detail.

Find out more at [www.biicl.org/event/1051](http://www.biicl.org/event/1051)

@BIICL #ECJ&PIL

For further details on all our events and to book online, please visit  
[www.biicl.org/events](http://www.biicl.org/events)

If you have any queries, please contact the BIICL Events team at [eventsregistration@biicl.org](mailto:eventsregistration@biicl.org)

#### FOLLOW US

