



British Institute of
International and
Comparative Law



25th Annual SLS-BIICL Conference on Theory and International Law

*a special collaboration with the European Society of International Law's
Interest Group on International Legal Theory*

Monday 25th April 2016, 14:00-19:00

**British Institute of International and Comparative Law,
Charles Clore House, 17 Russell Square, London WC1B 5JP**

Call for Papers and Invitation to Attend

Beyond our comfort zone?

*Situating the authority of international lawyers, institutions, & other
international actors.*

The SLS/BIICL Conference on Theory and International Law is celebrating its Silver Jubilee in 2016. To that end, this year, the SLS International Law Section is holding a special 25th anniversary conference, organised in collaboration with the Interest Group on International Legal Theory of the European Society of International Law (ESIL IGILT), on 25th April 2016. We are delighted to announce that **The Honourable Justice Michael Kirby AC, CMG**, will deliver the keynote address.

The 2016 theme reflects an enduring question: the concept of authority in international law. That the international legal system is a legal system properly so-called should by now be an accepted fact: even if not always and universally enforced, the validity of international legal rules functions itself as a reason for compliance, quite independently of the nature or character of the actions to be done. The legitimacy of international law, therefore, derives from more than the consent to be bound.

However, the systematic character of international law raises a number of interesting questions: what are the formal characteristics of international law that justify our understanding of it as an autonomous legal system? Who are the institutions, officials and agents that are endowed with the authority to interpret, apply, and enforce international law? What is the role of *international lawyers* in the construction of authority in the international legal system? Our technical fluency in the vocabulary of international law positions us not only as the custodians of the international legal order, but also enables us to speak out on behalf of international law in many distinct areas of international relations. Accordingly, international lawyers go beyond serving as judges, arbitrators, and advocates: often, they participate in mandates which exceed the strict remit of legal expertise, serving on fact-finding missions, commissions of enquiry, or diplomatic negotiations.



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International lawyers bask, therefore, in the reflected authority of the international legal system they themselves have worked to construct and to sustain.

Another point to consider is the nature of non-legal expertise, and how the international legal system grapples with claims to non-legal authority. The obvious, most illustrative examples relate to international lawyers' grappling with scientific or technical expertise, most prominently at the WTO but increasingly in judicial institutions of general jurisdiction. It might also be asked whether international lawyers should more broadly embrace such external expertise, and what the impact might be upon their authority in doing so? How are claims to expertise cognised, evaluated or legitimated within the practice of international law? Has the emergence of increasingly complex disputes led to intervenors/*amici curiae* becoming an indispensable element of international legal proceedings? Can lawyers still 'go it alone' without the aid and assistance of technical, scientific or academic expertise, or does the authority of the legal system diminish in relation to its claims to autonomy?

The conference convenors welcome contributions on the concept of authority in international law, including, but not limited to:

- Theorising about the nature of authority, its relationship to legitimacy and power, and how authority serves to justify the validity of international legal rules;
- The responsibility of international legal officials (judges, legal officers in international organisations, State legal representatives, international legal practitioners) in upholding the international legal system;
- The role of international lawyers in performing functions not necessarily linked to their expertise in international law, in particular political, diplomatic or advisory functions, serving on commissions of inquiry, etc;
- The interaction between international lawyers and experts in other fields, in particular those of a scientific or technical character, and the nature of that interaction in, for example, disputes concerning the environment, cyber, surveillance, etc; and
- The role of *amici curiae* in international legal proceedings, the risks and rewards of inviting non-legal expertise into the courtroom.



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Application process

A selection committee has been composed of members of the coordinating committees of the International Law section of the Society of Legal Scholars and the IGILT. Submission of abstracts is open to academics, including graduate students, and to legal practitioners.

Please submit an abstract in Word or PDF of no more than one page to all three email addresses below:

Dr Philippa Webb (philippa.webb@kcl.ac.uk)
Professor Christian Henderson (C.M.Henderson@sussex.ac.uk)
Dr Gleider Hernández (g.i.hernandez@durham.ac.uk)

The following information should also be provided with each abstract:

- ∞ The author's name and affiliation
- ∞ The author's CV, including a list of relevant publications
- ∞ The author's contact details, including email address and phone number

The deadline for submission of abstracts is **29th February 2016**. Applicants will be informed no later than 15th March 2016.

Regrettably, we are unable to provide funding for travel to and attendance at the conference, but thanks to some generous funding from the Durham Global Policy Institute, a conference dinner for speakers will be organised.

Philippa Webb
Christian Henderson
Gleider Hernández

The convenors are grateful for the material and financial assistance of the SLS, BIICL, and the Durham Global Policy Institute.



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Event Information

Date & time

Monday 25th April 2016, 14:00-19:00

Venue

British Institute of International and Comparative Law, Charles Clore House, 17
Russell Square, London WC1B 5JP

Pricing & Registration

BIICL Members:

- Individual - £60
- Full-time Academic - £45
- Full-time Student - £15

Non-members:

- Individual - £110
- Full-time Academic - £85
- Full-time Student - £35

N.B. The Academic rate also applies to staff of government and non-profit organisations.

For further information on the conference and to book online, please visit
www.biicl.org/events

About our keynote speaker, The Honourable Justice Michael Kirby AC, CMG

Michael Donald Kirby AC, CMG is a renowned Australian jurist and academic who is a former Justice of the High Court of Australia, serving from 1996 to 2009. He has held various positions as an expert. In May 2013 he was appointed by the United Nations Human Rights Council to lead an inquiry into human rights abuses in North Korea, which issued its report in February 2014. He has recently been appointed by the UN Secretary-General as a member of the High-Level Panel on Access to Essential Medicines. He is the recipient of numerous awards and honours, including the Gruber Justice Prize and the Leo Nevas Award for human rights.



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