ESIL Research Forum 2019

“The International and Domestic Rule of Law – Synergies and Challenges”

Programme

Programme Committee: Veronika Bilková, Christina Binder and Peter-Tobias Stoll
Local Organisation: Peter-Tobias Stoll and Henner Gött

WEDNESDAY 3 APRIL: ESIL INTEREST GROUP EVENTS

Venues are located at the Central University Campus (Zentralcampus):

- Zentrales Hörsaalgebäude (ZHG), Platz der Göttinger Sieben 5, 37073 Göttingen, and
- Verfüugungsgebäude (VG), Platz der Göttinger Sieben 7, 37073 Göttingen

ALL DAY EVENTS (09.00 – 19.00)  

**IG on International Environmental Law and IG on International Bio Law Joint Event (Room ZHG 006)**

Sound Science-Based Regulation in the Post-Truth Era: Domestic and International Rule of Law Under Fire

**IG on Migration and Refugee Law Workshop (Room ZHG 005)**

Migration and the Rule of Law

**IG on Peace and Security Workshop (Room ZHG 003)**

The Rule of Law in Cyberspace

**IG on International Economic Law Workshop (Room ZHG 001)**

Trade Agreements and the Rule of Law
THURSDAY 4 APRIL

Venue: Paulinerkirche (Church of the Paulines), Papendiek 14, 37073 Göttingen

08:00 Registration

09:00-09:30 Opening session

(Room: Alfred-Hessel-Saal)

Welcome by the ESIL President, Luis Hinojosa-Martínez, University of Granada

Welcome Address by the Local Organizer/Research Dean of the Faculty of Law, Peter-Tobias Stoll, Georg-August University Göttingen

09:30-11:00 Panel I: Conceptualizing the Rule of Law at International and Domestic Levels

(Room: Alfred-Hessel-Saal)

Chair: Ramses A. Wessel, University of Twente

- Kostiantyn Gorobets, University of Groningen
  Beyond ‘Thin’ and ‘Thick’: The International Rule of Law and the Idea of Normative Authority

- Lys Kulamadayil, Graduate Institute, Geneva
  The Rule of Law in Economic Theory

- Leander Beinlich, Max Planck Institute for Comparative Public Law and International Law
  Procedural Rights, Domestic Legal Systems and the (International) Rule of Law

Discussant: Till Patrik Holterhus, Georg-August University Göttingen

11:00-11:30 Coffee break
11:30-13:00  Parallel Session: Panel II: The Rule of Law and the Sources of International Law
(Room: Vortragsraum)

**Chair:** Gleider Hernández, KU Leuven

- Marina Fortuna, University of Groningen
  Rule of Custom - Rule of Law?
- Philipp Janig, University of Vienna
  The Rule of Law and the Paradoxical Nature of General Principles of Law
- Xuan Shao, University of Oxford
  The Role of General Principles of Law in Shaping the International Rule of Law

**Discussant:** Pål Wrange, Stockholm University

(Room: Alfred-Hessel-Saal)

**Chair:** Fulvio M. Palombino, University of Naples ‘Federico II’

- Leonardo Borlini, Bocconi University/ Luigi Crema, State University of Milan
  Human Rights Treaty Bodies: Mission Éducatrice, International Supervision or Authoritative Interpretations?
- Allan Francis Tatham, University San Pablo-CEU
  Popularising the Rule of Law: A ‘Mission Éducatrice’ of the International Bench?”
- Maria-Louiza Deftou, University of Athens
  Fostering the Rule of Law in the Americas: Is there any room for Judicial Dialogue between the IACtHR and National Courts?

**Discussant:** Monika Polzin, University of Augsburg/Georg-August University Göttingen

13:00-14:30  Lunch

14:30-16:00  Panel IV: The Rule of Law, International Tribunals and the Domestic Level
(Room: Alfred-Hessel-Saal)

**Chair:** Christina Binder, Bundeswehr University Munich/ University of Vienna

- Lisa Sonnleitner, University of Graz
  Evolutive Interpretation and the Rule of Law in the European Convention on Human Rights
- Velimir Živković, Humboldt-University of Berlin
  International Investment Law, Domestic Law and Other International Legal Regimes: Rule of Law Synergies and Challenges
- Pierfrancesco Rossi, University of Naples ‘Federico II’
  Consistent Interpretation before National Courts: How Sharp a Weapon for the International Rule of Law?

**Discussant:** Evelyne Schmid, University of Lausanne

16:00-16:30  Coffee break
FRIDAY 5 APRIL

Venue: Paulinerkirche (Church of the Paulines), Papendiek 14, 37073 Göttingen

09:00-10:30 **Panel V: The Rule of Law in the European Union**
(Room: Alfred-Hessel-Saal)

**Chair: Luis Hinojosa-Martinez, University of Granada**
- Viktor Lőrincz, Hungarian Academy of Sciences - CSS/András Jakab, University of Salzburg
  Measuring Rule of Law and the EU Rule of Law Crisis
- Gjylbehare Murati/Sabiha Shala, University of Haxhi Zeka, Peja
  The EU Rule of Law Promoters: The Judicial Fairness of Internationalized Justice
- Jan Petrov, Masaryk University

**Discussant: Frank Schorkopf, Georg-August University Göttingen**

10:30-11:00 **Coffee break**

11:00-12:30 **Parallel Session: Panel VI: The United Nations – A Rule of Law Institution?**
(Room: Alfred-Hessel-Saal)

**Chair: Pierre d’Argent, University of Louvain (UCL)**
- Hannah Birkenkötter, Humboldt-University of Berlin
  “A Concept at the very Heart of the Organization’s mission”: Unpacking the Rule of Law at the United Nations
- Arnaud Louwette, Université Libre de Bruxelles
  Resisting the Rule of Law: A Tale of the United Nations’ Strategic Concession
- Lenneke Sprik, University of Groningen/Vrije Universiteit Amsterdam
  UN Peacekeeping and Local Rule of Law Initiatives in the Central African Republic

**Discussant: Andreas L. Paulus, Georg-August University Göttingen/German Federal Constitutional Court**
11:00-12:30 Parallel Session: Panel VII: The Rule of Law in a Diversified International Legal Landscape
(Room: Vortragsraum)

Chair: Peter-Tobias Stoll, Georg-August University Göttingen

- Didem Doğar, McGill University, Montreal
  Criminalization of Migration as a Danger to the Rule of Law
- Chin-Chia Tien, University of Glasgow
  Rule of Law in the Seas: The International Struggle for Sustainability and Domestic Obstacles
- Nina Mileva, University of Groningen
  The Under-representation of Third World States in the Formation of Customary International Law: Can Interpretation Bridge the Gap?

Discussant: Paolo D. Farah, West Virginia University

12:30-13:30 Lunch

13:30-15:00 Panel VIII: The Rule of Law under Pressure
(Room: Alfred-Hessel-Saal)

Chair: Veronika Bílková, Institute of International Relations, Prague

- Viktor Kazai, Central European University, Budapest
  The Illiberal Challenge to the Rule of Law Principle: The Neglected Procedural Aspect
- Justyna Łacny, Warsaw University of Technology
  Suspension of EU Funds Paid to Member States Breaching the Rule of Law. Did the European Commission Get it Right?
- Ewa Kamarad, Jagiellonian University, Kraków
  The Article 7 TEU Procedure and the Free Movement of Judgments in the EU

Discussant: Henner Gött, Georg-August University Göttingen

15:00-15:30 Closing Session