



The London Conference on International Law

17 - 18 October 2024

The Queen Elizabeth II Conference Centre, London

Conference Programme



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London



Rae Lindsay
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London



Anna Kirkpatrick
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Jeremy Stewart
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Conference Overview

The London Conference Steering Committee members, comprising representatives of the convenors, welcome you to the third London Conference on International Law, a biennial event dedicated to exploring the latest developments in international law and providing participants with the highest-level insights from leading experts in the field.

The London Conference has once again attracted international law practitioners, academics, judges, representatives of government and civil society and others from around the world. Over the course of the two days we will see leading figures in the field of international law discussing a host of topics, with panels including: climate and environment, investor state disputes, accounting for war, the colonial legacy of international law, immunity of foreign officials, sanctions, artificial intelligence, space law, taxation, law of the sea, international settlement of disputes, activities of multinational corporations, migration, international humanitarian law, international law and domestic courts: human rights and customary international law, and energy security. We will hear from key speakers in the plenary sessions which comprise: members of the International Law Commission, women in international law, a view from the international bench, members of the Supreme Court, and the future of international law, as well as a lunchtime session on careers. We look forward to the conversations on these issues, and in the margins, and we thank all participants and those who have contributed to making this third London Conference a success.

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ASSOCIATED EVENTS

Conference Reception

17:00 - 18:45, 17 October

Venue: Pickwick Room, QEII

We invite all conference delegates to a welcome reception at 17.00 on Thursday 17 October.

Conference Dinner (ticketed)

19:00 - 22:00, 17 October

Venue: The Great Hall, One Great George Street

After dinner speaker: Karim Khan KC, Prosecutor of the international Criminal Court



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DAY ONE



The Queen Elizabeth II Conference Centre

17 October 2024

Please **scan this QR code** to visit the online programme for more details and full panel descriptions.

08.45 - 9.30 Registration, Networking and Exhibition Viewing

Room: Pickwick (1st Floor)

PLENARY 1

09.30 Welcome

Room: Churchill (Ground Floor) **Sally Langrish**, Legal Adviser and Director General Legal, Foreign, Commonwealth and Development Office; Chair, London Conference on International Law Steering Committee

09.30 Introductory Remarks

The Rt Hon Lord Richard Hermer KC, Attorney General

10.00

In conversation with Members of the International Law Commission

Chair: **Sir Michael Wood KC**, Barrister, Twenty Essex

Professor Dapo Akande, Chichele Professor of Public International Law, University of Oxford

Professor Martins Paparinskis, Professor of Public International Law, University College London

Ambassador Mario Oyarzábal, Ambassador of the Argentine Republic to the Kingdom of the Netherlands

Dr Nilüfer Oral, Director of the Centre for International Law, National University of Singapore

Patricia Galvão Teles, Member, United Nations International Law Commission

11.00 - 11.30 Refreshments, Networking and Exhibition Viewing

11.30 - 13.00 Parallel Panels 1 to 4

1

Climate and the Environment

Room: Churchill, Ground Floor

This panel will address topical legal issues around climate change and the environment, from the future of Kyoto, Paris and the UNFCCC, to requests for Advisory Opinions on climate issues before international courts and tribunals.

Chair: **Judge Tomas Heidar**, President, International Tribunal for the Law of the Sea

Panel: **Sudhanshu Swaroop KC**, Barrister, Twenty Essex

Professor Philippe Sands KC, Professor of Public Understanding of Law, University College London; Barrister, 11 King's Bench Walk

Philomena Cleobury, Senior Legal Officer, Legal Affairs Service, UN High Commissioner for Refugees (UNHCR)

Professor Christina Voigt, Professor of Law, Department of Public and International Law, University of Oslo

2

Investor-State Disputes (ISDS)

Room: Victoria, 2nd Floor

The panel will examine the latest hot topics and recent developments, including the developing jurisprudence on ISDS and enforcement before domestic courts (including assertions of State immunity), the failure to address signals of corruption, the interplay with non-treaty standards, including those applicable to protection of the environment, and the latest views on the limits on the scope of States for non-discriminatory regulation in face of challenges such as climate change.

Chair: **Professor Mavluda Sattorova**, Professor of International Economic Law (Trade and Investment), University of Liverpool

Panel: **Andrea Menaker**, Partner, White & Case
Christophe Bondy, Partner, Steptoe and Johnson
Catherine Drummond, Barrister, 3VB
Jessica Gladstone, Partner, Clifford Chance

3

Accounting for War

Room: Gielgud, 2nd Floor

This panel will discuss the evolution and enforcement of accountability, both during and after the end of armed conflict, including through reparations, as well as the increasing role of human rights and recourse to international dispute settlement mechanisms.

Chair: **Professor Pierre d'Argent**, Full Professor of Public International Law, University of Louvain (UCL); Special Counsel, Foley Hoag

Panel: **Professor Luke Moffett**, School of Law, Queen's University Belfast
Professor Helen Duffy, Professor of International Human Rights and Humanitarian Law, Grotius Centre for International Legal Studies, University of Leiden; Director, Human Rights in Practice
Professor Chiara Giorgetti, Professor of Law, University of Richmond, USA
Ben Brzezicki, Legal Counsellor, Foreign, Commonwealth and Development Office

4

The Colonial Legacy of International Law

Room: Albert, 2nd Floor

This panel will examine the legacy of colonialism on international law and litigation and consider ways to mitigate, rather than perpetuate, colonial injustice in international law. In doing so, the panel will address the role of strategic litigation and offer insights on the likely development of international law to meet the challenges of colonialism.

Chair: **Shehzad Charania**, Director of Legal Affairs, Mission Policy and International Relations, GCHQ

Panel: **Professor David M Anderson**, Professor of African History, University of Warwick
Dr Yusra Suedi, Lecturer in International Law, University of Manchester
Angela Mudukuti, Legal Director, The Clooney Foundation for Justice, Waging Justice for Women Initiative

13.00

Lunch, Networking and Exhibition Viewing

13.00-13.40

Careers in International Law

Room: Churchill, Ground Floor

Join us for an insightful lunchtime panel discussion that delves into the world of careers in international law.

Whether you are a law student, a practicing lawyer considering a shift to international law, or simply interested in the field, this panel will provide you with the knowledge and inspiration to navigate a career in international law.

Chair: **Shehzad Charania MBE**, Director of Legal Affairs, Mission Policy and International Relations, GCHQ

Panel: **Ruth Tomlinson**, Legal Director, Home Office
Professor Philippa Webb, Professor of Public International Law, Blavatnik School of Government, University of Oxford
Sunil Pal, IDLO Deputy Permanent Representative to the UN

14.00 - 15.30 Parallel Panels 5 to 8

5

Immunity of Foreign Officials: the State of Play

Room: Churchill, Ground Floor

This panel will consider proposed developments in the law of immunity, notably the ILC's Draft Articles on Immunity of State Officials from Foreign Criminal Jurisdiction.

Chair: **George Howe**, Assistant Legal Adviser, Foreign, Commonwealth & Development Office

Panel: **Professor Roger O'Keefe**, Professor of International Law, Bocconi University
Dr Christiane Ahlborn, Assistant Professor of Public International Law, Trinity College Dublin, the University of Dublin, School of Law
Professor Leila Nadya Sadat, James Carr Professor of International Criminal Law, Washington University School of Law
Joanne Foakes, Former Chatham House Associate Fellow and FCDO Legal Counsellor

The logo for Matrix International, featuring the word "matrix" in a large, bold, blue sans-serif font, with the word "international" in a smaller, blue sans-serif font below it. The entire logo is enclosed in a thick blue rectangular border.

matrix
international

6

Taxation

Room: Victoria, 2nd Floor

This session will consider the increasing trend towards multilateralisation of international taxation, particularly through the OECD, the drivers behind this and the challenges that it poses, including the need to ensure fairness and to strike the right balance between States' sovereign rights to raise taxation and protecting businesses from arbitrary or discriminatory tax practices. The multilateralisation of taxation is also bringing into relief the intersection of taxation with other areas of international economic law, especially international investment and trade law.

The session will look at how this is developing and present several different perspectives on the key issues raised, before considering what the future direction of travel might be.

Chair: **The Rt Hon Lady Arden of Heswall DBE**, Former Justice Supreme Court of the United Kingdom

Panel: **Jesse Eggert**, OECD Secretariat
Edward Kieswetter, Commissioner & Chief Executive, South African Revenue Service
Jonathan Peacock KC, Barrister, 11 New Square
Professor Itai Grinberg, Carmack Waterhouse Professor of International Economic Law, University of Georgetown
Fedelma C Smith, Independent Practitioner, Vienna; former Senior Legal Counsel, Permanent Court of Arbitration

7

Sanctions: Is it Really 'the West versus the Rest'?

Room: Gielgud, 2nd Floor

Sanctions are an important tool for enforcing international standards. They are used frequently in a variety of fields: from traditional areas of inter-State relations to the world of sports and commerce. At the same time, sanctions have often been criticised as an instrument of the 'Global North' (or the 'West') to be used mainly against the 'Global South' (or 'the rest'): the UN Human Rights Council has recently highlighted "the negative impact of unilateral coercive measures on the enjoyment of human rights". This panel will explore the current sanctions practice of States and other international actors and test the popular (but perhaps simplistic) assumption that they are a tool of the Global North. To do so, the panel will include perspectives from different geographical regions and fields.

Chair: **Dr Federica Paddeu**, Associate Professor & Derek Bowett Fellow in Law, Queen's College, University of Cambridge

Panel: **Nicholas Waddell**, Deputy Director, Sanctions Directorate, Foreign, Commonwealth and Development Office
Professor Patricia Wiater, Chair for Public Law, Public International Law and Human Rights, Institute for German, European and Public International Law at Erlangen University
Ambassador Namira Negm, Director, The African Migration Observatory; Honorary President of the African Society of International Law
Petra Mahnič, Legal Advisor, Council of the European Union

Room: Albert, 2nd Floor

For decades, deep seabed mining has been hailed as 'the next frontier' in resource exploitation — but also prompted major concerns. Work on the International Seabed Authority's 'mining code', intended to provide a comprehensive set of rules, regulations and procedures to regulate prospecting, exploration and exploitation of marine minerals, has heightened tension: well over 20 governments, as well as NGOs and scientists, have called for a moratorium or a precautionary pause on deep sea mining. At the same time, industry experts anticipate a 'commercial breakthrough' or even predict a 'new gold rush'.

Against this backdrop, the panel will bring together experts from practice and academia to take stock of developments and assess the role of international law and institutions in relation to deep seabed mining.

Chair: **Professor Sir Malcolm Evans**, Principal, Regent's Park College, University of Oxford

Panel: **Dr Joanna Dingwall**, Visiting Lecturer in International Law, University of Glasgow School of Law

Oonagh Sands, Partner, Fietta LLP

Lowri Mai Griffiths, Head of the Ocean Policy Unit, Legal Directorate, Foreign, Commonwealth & Development Office

15.30 Refreshments, Networking and Exhibition Viewing

PLENARY 2

16.00

Room: Churchill
(Ground Floor)

Women in International Law

Chair: Sally Langrish, Legal Adviser and Director General Legal, Foreign, Commonwealth and Development Office; Chair, London Conference on International Law Steering Committee

In conversation with ...

Judge Joanne Korner KC, Member, International Criminal Court

Judge Graciela Gatti Santana, President of the International Residual Mechanism for Criminal Tribunals

Professor Dr Phoebe Okowa, EBS, Professor of Public International Law, Queen Mary University, London; Member, United Nations International Law Commission

17.00

Close of Day 1

17.00 - 18.30 Drinks Reception – for all delegates

Room: Pickwick,
1st Floor

19.00 - 22.00 Conference Dinner

The Great Hall, One Great George Street (by ticket only)

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Arnold & Porter is proud to support the London Conference on International Law and its commitment to addressing the contemporary and future challenges of public international law.



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3VB is committed to leadership within the public international law space. Its members have been appointed to the ICSID Panel of Arbitrators, the Attorney-General's Public International Law Panel, the IBA's Investment Treaty Arbitration Sub-Committee and the governing body of the International Law Association and the American Society of International Law.

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DAY TWO



The Queen Elizabeth II Conference Centre

18 October 2024

Please **scan this QR code** to find out more about speakers at the London Conference on International Law 2024. Click on a speaker to read their biography.

08.30 **Networking and Exhibition Viewing**

PLENARIES 3 AND 4

09.00

Room: Churchill
(Ground Floor)

A view from the International Bench

Chair: Doug Wilson OBE, Director-General, Attorney General's Office

In conversation with ...

Judge Tim Eicke KC, European Court of Human Rights

Judge Kimberley Prost, Member, International Criminal Court

10.00

Room: Churchill
(Ground Floor)

Public International Law in the UK Supreme Court

Chair: The Rt Hon Lady Arden of Heswall DBE, former Justice of the Supreme Court of the United Kingdom

The Rt Hon Lord Lloyd-Jones, Justice of the Supreme Court of the United Kingdom

11.00 **Refreshments, Networking and Exhibition Viewing**

11.30 - 13.00 **Parallel Panels 9 to 12**

9

International Settlement of Disputes

Room: Churchill, Ground Floor

In a year where the cases before the ICJ are attracting more attention than ever before, the panel will examine the means by which disputes are being brought before international courts and tribunals and whether the criteria determining access to jurisdiction require revision. Issues will include whether the thresholds for provisional measures should be re-visited, what are the limits on claims in relation to obligations owed erga omnes and, in circumstances where there is ever greater recourse to advisory opinion jurisdiction, what can be done to make the advisory process more manageable – from formulating a workable question, to ensuring a fair opportunity to respond to the views of other States (and participants), to ensuring that oral submissions are detailed, specific and not merely repetitive.

Chair: Professor Vaughan Lowe KC, Barrister, Essex Court Chambers

Panel: Clara Brillembourg, Partner; Co-Chair, Latin-American Practice, Foley Hoag
Professor Mathias Forteau, Professor of Law, University of Paris Ouest
Kate Parlett, Barrister, Twenty Essex

10

Activities of Multinational Corporations under International Law

Room: Gielgud, 2nd Floor

This panel will explore the ways in which multinational corporations interact with, can become subject to, or enjoy rights under, international law. Among other things, it will consider the growing importance of environmental, social and governance (ESG) standards from an international law perspective, international human rights and activities in unrecognised territories and in times of conflict.

Chair: **Adrian Roberts**, Legal Director (International Trade), Government Legal Department

Panel: **Hannah Ambrose**, Partner, Herbert Smith Freehills
Anna Kirkpatrick, Director, Clifford Chance
Olivia Windham Stewart, Independent Business and Human Rights Specialist
Professor Lorand Bartels MBE, Professor of International Law, University of Cambridge, Counsel, Freshfields Bruckhaus Deringer LLP

11

International Migration and Refugee Law

Room: Victoria, 2nd Floor

Who are the guardians of international refugee and asylum law? Can the current system continue and is it fit for purpose? What, if anything, needs to change? This panel will discuss the role of the courts, the international legal community and other actors in addressing these issues.

Chair: **Rashmin Sagoo**, Director – International Law Programme, The Royal Institute of International Affairs Chatham House

Panel: **Dr Joelle Grogan**, Head of Research, UK in a Changing Europe
Vicky Tennant, Representative to the UK, UNHCR
Colin Yeo, Barrister, Garden Court Chambers
Professor Cathryn Costello, Full Professor of Global Refugee and Migration Law, University College Dublin

12

Old and New: Changing Technologies in Warfare and International Humanitarian Law

Room: Albert, 2nd Floor

In the 75th anniversary year of the Geneva Conventions, this panel will explore the implications of new technologies in warfare for international humanitarian law, strategic considerations and humanitarian impacts. Can the existing legal frameworks cope with these changing technologies, or are new rules needed?

Chair: **Andrew Murdoch**, Legal Director, Foreign, Commonwealth & Development Office

Panel: **Professor Nehal Bhuta**, Professor of Public International Law, The University of Edinburgh
Professor Jennifer Maddocks, Assistant Professor, Department of Law, United States Military Academy
Dr Cordula Droege, Chief Legal Officer and Head of the Legal Division, International Committee of the Red Cross
Robert McCorquodale, Member, UN Working Group on Business and Human Rights

13.00 Lunch, Networking and Exhibition Viewing

14.00 - 15.30 Parallel Panels 13 to 16



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IHL Database | Customary IHL

To access the database, please go to:
<https://ihl-databases.icrc.org/customary-ihl>

Mandated by the International Conference of the Red Cross and Red Crescent in 1995, the International Committee of the Red Cross (ICRC) conducted a study on customary international humanitarian law (IHL) which was published by Cambridge University Press in 2005. This study identified 161 rules of customary IHL and compiled relevant national and international practice. In 2007, the ICRC teamed up with the British Red Cross to update the practice section of the customary IHL study.

The aim of the Customary IHL Project is to provide a view into current national and international practice on matters of IHL. The original ICRC study on customary IHL is now available free of charge at the customary IHL database. This database provides rapid access to the rules identified by the ICRC as being part of customary IHL and enables users to examine practice from around the world. It is updated regularly with new national and international practice.

Since its inception in 2010, the number of users of the customary IHL database has grown markedly. The collection of practice on the database is an invaluable resource to government and military advisors, academics and other specialists involved in the practical application of IHL and for any further review of State practice to assess developments in customary IHL.

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13

International Law and Domestic Courts: Human Rights and Customary International Law

Room: Churchill, Ground Floor

The panel will discuss recent developments, tensions and trends concerning the interaction of international law and domestic law in UK courts, focusing on litigation concerning the UK's obligations under international human rights law and customary international law. The panellists will give us their diverse perspectives on the deployment and development of these obligations, drawing on recent high-profile cases in the UK and other jurisdictions.

Chair: **Joanne Clement KC**, Barrister, 11 King's Bench Walk

Panel: **Jessica Simor KC**, Barrister, Matrix Chambers

Amy Sander, Barrister, Essex Court

Professor Christopher McCrudden CBE, Professor of Human Rights and Equality Law, Queen's University Belfast; L Bates Lea Global Professor of Law, University of Michigan Law School; Barrister, Blackstone Chambers

Professor Yuval Shany, Hersch Lauterpacht Chair in International Law, Hebrew University of Jerusalem; visiting faculty, Center for Transnational Legal Studies, King's College London

14

Artificial Intelligence

Room: Gielgud, 2nd Floor

Artificial Intelligence (AI) is transforming the global landscape at an unprecedented pace, raising critical questions for international law, governance and national security. This panel will explore the legal challenges and opportunities presented by AI, with a focus on disinformation, cybersecurity, and the frameworks of international governance.

Chair: **Emily Taylor**, CEO, Oxford Information Labs

Panel: **Daragh Murray**, Senior Lecturer and IHSS Fellow, Queen Mary University London

Harriet Moynihan, Associate Fellow, International Law Programme, Chatham House

Robert Spano, Partner, Gibson, Dunn & Crutcher LLP; former President, European Court of Human Rights

15

Energy Security

Room: Victoria, 2nd Floor

This panel will consider the many legal issues raised by attacks on energy infrastructures and trading routes, including the legal nature of acts of sabotage on pipelines, the legality of armed responses to attacks on trading routes at sea and the question of self-defence. Panellists will further consider whether international law is currently fit to address those threats to energy security and, if not, how the framework could be strengthened.

Chair: **Helen Mulvein OBE**, Legal Counsellor, Ocean and Overseas Territories Team, Foreign, Commonwealth & Development Office

Panel: **Dr Danae Azaria**, Associate Professor, Faculty of Laws, UCL

Former Ambassador Marie Jacobsson, Associate Professor; Former Ambassador and Principal Legal Adviser on International Law, Swedish Ministry for Foreign Affairs

Dr Conway Blake, Partner, Debevoise & Plimpton

John Swords, Legal Adviser and Director of Office of Legal Affairs, NATO

Room: Albert, 2nd Floor

Space is one of the most rapidly developing areas of technology and innovation. Nearly every aspect of our modern information-society relies on space-based technology: from communications and navigation to monitoring weather, natural resources and conflict. Looking ahead, space tourism and is rapidly becoming a reality while space mining is again being mooted as providing solutions to diminishing terrestrial resources.

It is also an area of great vulnerability. States are increasingly recognising the strategic importance of space in times of peace, competition and conflict. This year alone, cardinal prohibitions against placing nuclear weapons in space have been put to the test, the UN Security Council held its first-ever debate on space security and the role of space in modern warfare is being discussed on the morning news cycles.

The existing body of international space law, including the Outer Space Treaty, lays down the foundations for the use and exploration of space. However, the exponential growth in our use of and reliance on space requires further coordinated international action in developing norms to address new challenges. This Panel will discuss the ways in which the international community makes new rules against the backdrop of a challenging geopolitical climate and how it tackles the issues of governance, security and resources.

Chair: **Paul Berman**, Legal Director, Foreign, Commonwealth and Development Office

Panel: **Dr Gershon Hasin**, Associate, Fietta LLP

Professor Rossana Deplano, Professor of International Space Law, University of Leicester

Dr Erin Pobjie, Assistant Professor, Essex Law School, Senior Research Affiliate, Max Planck Institute for Comparative Public Law and International Law

15.30 Refreshments, Networking and Final Exhibition Viewing

CLOSING PLENARY

16.00

Room:
Churchill
(Ground Floor)

The Future of International Law

Chair: **Sir Daniel Bethlehem KCMG KC**, Barrister and Arbitrator, Twenty Essex

Judge Tomas Heidar, President, International Tribunal for the Law of the Sea

Professor Naz Modirzadeh, Professor of Practice, Harvard Law School

Professor Surabhi Ranganathan, Professor of International Law, University of Cambridge

16.55

Closing remarks

Sally Langrish, Legal Adviser and Director General Legal, Foreign, Commonwealth and Development Office: Chair, London Conference on International Law Steering Committee

17.00

END OF THE 3RD CONFERENCE ON INTERNATIONAL LAW 2024

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