



Interest Group on International Organisations
EUROPEAN SOCIETY OF INTERNATIONAL LAW

An Ambivalent Engagement: International Organisations and the International Rule of Law

Workshop at the occasion of the

2019 ESIL Research Forum, Göttingen

3rd April 2019 – Venue to be confirmed

The ESIL Interest Group on International Organisations gladly presents the programme of the workshop on the theme of international organisations and the rule of law. The Coordinating Committee has received many excellent submissions in response to the call for papers – and competition was fierce. We congratulate those who made it to the programme and thank all those who submitted abstracts.

The workshop will take place on the afternoon of Wednesday 3rd April 2019. The workshop is organized in three panels, which will debate, respectively, theoretical questions on international organisations and the international rule of law; the European Union and the rule of law, and case studies on international organisations and international rule of law.

Justification

For some time it has been an article of faith within the international legal academy that the realisation of an international rule of law requires the creation of international institutions capable of securing the fair and impartial administration of international justice against the recalcitrance of independent sovereign states. Indeed, from one perspective at least, it is very easy to see the decentralized institutional character of the international legal order as the central obstacle to the realisation of the rule of law in international affairs. With the ‘move to institutions’ from the start of the twentieth century, then, it has been equally easy to conceive of many new international organisations – from the League and the United Nations to the World Bank and the ICC – as an effort to restructure international relations more in accordance with the precepts of an international rule of law.

As mid-twentieth century reformist enthusiasm has given way to post-Cold War cynicism and scepticism, however, it appears increasingly to be the case that the growing number and normative influence of international organisations increasingly threatens values most associated with the rule of law. Indeed, given concerns over the fragmentation and delegalisation of international law associated with the move towards what we now call ‘global governance’ international lawyers increasingly propose rule of law-inspired proposals for institutional containment and restraint.

Programme

13h00	Welcome and Introduction	
	First Panel	Theoretical questions on international organisations and the international rule of law
	Richard Collins	Chair
13h10	Moise Jean	La politique internationale de l'état de droit. Entre paradoxe et instrumentalisation
13h20	Sean Shun Ming Yau and Francisco Lobo	The trajectory of <i>jus cogens</i> development at the International Law Commission and its consequences for the international rule of law: dynamics and challenges
13h30	TBC	Discussant
13h40	Q&A	
	Second Panel	The European Union and the international rule of law
	Catherine Brölmann	Chair
14h00	Eva Kassoti	The EU and the Precarious Balance between Autonomy and the International Rule of Law: The Potential and Limitations of Consistent Interpretation
14h10	Lisa Louwerse	Mind the gap: the element of legality in the EU's conceptualisation of the rule of law in its enlargement policy
14h20	Mariela Apostolaki	A claim for independence and the story of the separate legal order
14h30	TBC	Discussant
14h40	Q&A	
15h00	Coffee Break	
	Third Panel	Case studies on international organisations and the rule of law
	Sufyan Droubi	Chair
15h30	Romain Bony-Cisternes	Questioning the World Bank's commitment to Rule of Law promotion: Case study of Vietnam
15h40	Nazım Sinan Odabaşı	The World Bank's Understanding of the Rule of Law and the New Environmental and Social Framework
15h50	TBC	Discussant
16h00	Q&A	
16h30	Update on the Works of the IG-IO	