Contingency in the Course of International Law:
How International Law Could Have Been

14-16 June 2018  Roeterseiland Campus (REC A), Faculty of Law [Map]

Thursday, 14 June 2018  Room:

12:00-13:00  Welcome Lunch  1st floor, 'Eiland'

13:00-13:30  Introduction  A0.01
André Nollkaemper, Dean, Faculty of Law
Kevin Jon Heller & Ingo Venzke, University of Amsterdam

13:30-15:15  Panel 1 – Necessity, Possibility & Imagination  A0.01
Chair: Janne Nijman, University of Amsterdam
- Umut Öszu, Carleton University
  The Necessity of Contingency
- Karen Knop, University of Toronto
  The Appeal of Contingency: Utopias vs International Law Histories as International Law Genres
- Gerry Simpson, London School of Economics
  gardening, instead
- Chase Madar, NYU, Gallatin School
  The Picaresque Novel of International Law

15:15-15:45  Coffee Break  3rd floor

15:45-17:30  Panel 2.1 – Resources, Trade & Sea  A3.15
Chair: Mohsen Al-Attar, University of Warwick
- Isabel Feichtner, Julius-Maximilians-Universität
  Might International Law Loose its Exploitation Bias?
- Lucas Lixinski, University of New South Wales - Sydney
  & Mats Ingulstad, Norwegian University of Science and Technology
  Permanent Sovereignty over Natural Resources: A revisionist (and alternative) history
- Alex Oude Elferink, NILOS, Utrecht University
  What if the United Nations Convention on the Law of the Sea had entered into force without amending the regime for deep seabed mining: Business as usual or chaos for the oceans?
- Surabhi Ranganathan, University of Cambridge
  Contingency and false contingency in the making of the law of the sea

17:45-18:45  Public Lecture  A0.01
Fleur Johns, University of New South Wales - Sydney
On Nonevents
Moderator: Kevin Jon Heller, University of Amsterdam

Friday, 15 June 2018  Room:

08:30-09:00  Coffee and Tea with Small Breakfast  3rd floor

09:00-10:30  Panel 3.1 – The State and its Absence  A3.15
Chair: André Nollkaemper, University of Amsterdam
- Hannah Franzki, University of Bremen
  Corporate Sovereignty and the Contingency of the Nation State
- Geoffrey Gordon, Asser Institute
  Making time: Contingency and Determination in the Interaction of Time and Law
- Henry Jones, University of Durham
  The Contingency of Borders

19:30  Speakers' Dinner
Mama Makan, Spinozastraat 61, 1018 HJ Amsterdam [Map]
10:45-12:15 Panel 4.1 – Refugees & Migration
Chair: Marjoleine Zieck, University of Amsterdam
- Bas Schotel, University of Amsterdam
  The Sovereignty Clause: Why the Admission of Aliens Under International Law Could Not Have Been Otherwise
- Christopher Szabla, Cornell University
  Crossroads of Contingency? Differential Decolonizations of International Refugee and Migration Law and Governance

Panel 4.2 – Colonialism
Chair: Surabhi Ranganathan, University of Cambridge
- Emma Stone Mackinnon, University of Cambridge
  Torture, the Right to Rebel, and Contests over the Geneva Conventions in the Algerian War for Independence
- Petra Gumplová, Max Weber Kolleg, University of Erfurt
  Rights of Conquest, Discovery and Occupation, and the Freedom of the Seas: the Colonial Invention of International Law and the Natural Resource Injustice
- Genevieve Painter, McGill University
  Indigenous Declarations at the League of Nations: Speaking Jurisdiction as Another International Law

12:15-13:15 Lunch

13:15-14:45 Panel 5.1 – Decolonization and Economic Orders
Chair: Umut Oszu, Carleton University
- Kevin Crow, University Halle-Wittenberg
  Bandung’s Missed Legacies: Alternative Normative Approaches to International Law?
- Britta Redwood, Yale University/Princeton University
  What if Bretton Woods Had been a Success? Contemplating International Law in the Absence of U.S. Financial Hegemony
- Lys Kulamadayil, The Graduate Institute Geneva
  Fairy-Tale International Law

Panel 5.2 – Contingent Courts & Adjudication
Chair: Corina Heri, University of Amsterdam
- Aden Knaap, Harvard University
  A Court by Another Name: What if the Court of Arbitral Justice Had Been Formed?
- Daniel Litwin, McGill University
  Forgetting the Permanent Court of International Justice
- Saïda El Boudouhi, University of Valenciennes
  The ICJ as a World Court for Foreign Investment Cases: Imagining Another Outcome for the Barcelona Traction Case

14:45-15:15 Coffee Break

15:15-17:00 Panel 6.1 – War
Chair: Kim Christian Priemel, University of Oslo
- Amanda Alexander, Australian Catholic University
  Histories of Contingencies in International Humanitarian Law
- Yaniv Roznai, Radzyner Law School
  Anecdotes and the Development of International Law
- Nicholas Mulder, Columbia University & Boyd van Dijk, King’s College London
  Why Did Starvation Not Become the Paradigmatic War Crime in International Law?
- Timothy William Waters, Indiana University
  The Kaiser in the Castle: a Neo-Kakanian Perspective on our Present Predicament

Panel 6.2 – Norm Structures
Chair: Jacob Katz Cogan, University of Cincinnati
- Teimuraz Antelava, European University Institute
  From Early Codes of the 19th Century to Lagonissi Conference: What International Law on Peremptory Norms Could Have Been
- Athanasios Choularias, Panteion University of Social and Political Sciences
  International Crimes of State: Simply an old Idea or Better an Actual Necessity?
- Ana Delić, Tilburg Law School
  If a Cholera Outbreak Had Not Cancelled Mancini’s Congress
- Tom Eijsbouts, University of Amsterdam

14:45-15:15 Coffee Break
Saturday, 16 June 2018

09:00-09:30 Coffee and Tea with Small Breakfast

09:30-11:00 Panel 7.1 – Human Rights and Displacement
Chair: Yvonne Donders, University of Amsterdam
- Anna Lukina, Hertford College, University of Oxford
  *Who Was Right in the 1948 Debate? Soviet Constitutionalism and the Universal Declaration of Human Rights*
- Kathryn McNeill, Queen’s University Belfast
  *International Human Rights Histories and Utopia Thought Otherwise*
- Itamar Mann, University of Haifa
  *Population Exchange*

Panel 7.2 – International Investment Law (I)
Chair: Isabel Feichtner, Julius-Maximilians-Universität
- Kathryn Greenman, University of Amsterdam/University of Melbourne
  *The Law of State Responsibility and the Persistence of Investment Protection*
- Silvia Steininger, MPI Heidelberg & Jochen von Bernstorff, University of Tübingen
  *Who Turned Multinational Corporations into Bearers of Human Rights? On Corporate ‘Human’ Rights in International Investment Protection*
- Ntina Tzouvala, University of Melbourne
  *Neither an Accident nor a Destiny: Aleatory Materialism and the Battle for the History of International Investment Law*

11:15-12:30 Panel 8.1 – International Humanitarian Law
Chair: Terry Gill, University of Amsterdam
- Bianca Maganza, The Graduate Institute Geneva
  *Historical Contingency in the Adoption of Art. 3 Geneva Conventions*
- Anthony J. Gaughan, Drake University Law School
  *D-Day, Collateral Damage, and the 1923 Hague Draft Rules of Aerial Warfare*

Panel 8.2 – International Investment Law (II)
Chair: Stephan Schill, University of Amsterdam
- Mary Footer, University of Nottingham & Michelle Staggs-Kelsall, University of Nottingham
  *Cooperation, Organization and Conduct: Tripartite Contingencies and the Role of Voluntary Instruments in Shaping the Place of the Corporation in International Law*

12:30-13:30 Lunch

13:00-15:00 Panel 9 – Possibilities of Change
Chair: Kiki Brölmann, University of Amsterdam
- Frederic Mégret, McGill University
  *A Road Not Taken: Open Borders, The Human Right to Immigrate and the History of International Law*
- Vidyar Kumar, University of Leicester
  *Revolutionary contingency in International Law: People, Places, and Things*
- Justin Desautels-Stein, University of Colorado, Boulder
  *The Realist and the Visionary: on the Problem of Social Change in the History of International Legal Thought, 1919–2019*

15:00-16:00 Closing