



University of Geneva
Chinese Journal of International Law (OUP)
European Society of International Law (ESIL)
Grotius Centre for International Legal Studies

“The Development of Normative Powers of UN Investigative Mechanisms”

Online Conference

28 January 2021, 14:00-15:30

The University of Geneva, in collaboration with the *Chinese Journal of International Law* (*ChineseJIL*, OUP), the European Society of International Law (ESIL) and the Grotius Centre for International Legal Studies, are pleased to invite public international scholars and researchers to attend a conference that will take place online on 28 January 2021 with the title “The Development of Normative Powers of UN Investigative Mechanisms”.

In the last decade, a substantial body of literature has explored the increasingly frequent resort to UN Commissions of Inquiry (CoIs), Fact-Finding Missions (FFMs), Independent Investigative Mechanisms (IIMs) and other similar UN bodies (collectively described as “Investigative Mechanisms” or “IMs”) to provide some measure of accountability for widespread violations of human rights, international humanitarian law and international criminal law. The extent to which these mechanisms can provide accountability heavily depends on their powers, not only to prepare a factual record which may (or may not) be subsequently used in criminal prosecutions but, more controversially and interestingly, also on their “normative” powers. One important line of argument is, indeed, that such bodies interpret their mandates making inroads into legal analysis, such as identifying the applicable legal framework, discussing the relevant norms and characterizing the facts in their light. The focus of these contributions is, however, on a specific mechanism, or on some selected examples or, still, on some general features of the phenomenon, particularly the interplay between IMs and international criminal prosecution, the “criminalization” of commissions of inquiry or their impact.

The conference, organized by the University of Geneva and co-sponsored by the *ChineseJIL*, ESIL and the Grotius Centre for International Legal Studies, intends to explore the normative powers of IMs taken as a whole. It relies on a publication on the *Chinese JIL*, in its December 2020 issue, titled “*From ‘is’ to ‘ought’: The Development of Normative Powers of UN Investigative Mechanisms*”, authored by Dr Ginevra Le Moli.

Please find the link to the article below (available in Open Access):

<https://academic.oup.com/chinesejil/advance-article/doi/10.1093/chinesejil/jmaa035/6075079>



The study presents the nature, extent and evolution of IMs normative powers over time. It is based on a research that has charted normative powers on the basis of a structured analysis of (i) the mandates of 69 IMs established between 1963 and 2020 and (ii) 121 reports from these IMs published in the same period of time. The analysis has studied the powers conferred in their mandates, identifying changes over time, and patterns in their practical implementation.

The conference will be held online on **28 January 2021 (14:00-15:30, Geneva Time)**, using the Zoom platform. To register for the event, please send a short email with your name and affiliation to Ms Patricia Doenni, email: Patricia.Donni@unige.ch by **27 January 2021 (noon)**. On the day of the event, you will also be able to join via a link that will be shared in due course.

Programme

14:00 – 14:10 Welcome and Opening Speech

Prof. Laurence Boisson de Chazournes

Professor of International Law at the Faculty of Law of the University of Geneva; Member of the Institute of International Law

14:10 - 14:30 “From ‘is’ to ‘ought’: The Development of Normative Powers of UN Investigative Mechanisms”

Dr Ginevra Le Moli

Assistant Professor of Public International Law, University of Leiden; Visiting Researcher, University of Geneva and University of Cambridge

14:30-14.50 A Conversation with Prof. Larissa van den Herik on Investigative Mechanisms

Prof. Larissa van den Herik

Professor of Public International Law, University of Leiden

14:50-15:20 Q&A Session

15:20-15.30 Concluding Remarks

Prof. Makane Moïse Mbengue

Professor of International Law at the Faculty of Law of the University of Geneva; Director of the Department of Public International Law and International Organization