

Behavioural Approaches in International Law

Workshop II

22-23 April 2021, Hamburg University

Organised by: Veronika Fikfak (iCourts, University of Copenhagen),

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The Project

Until recently, international legal scholarship has largely been premised on the assumption of rational action on the part of key actors in international law, whether those actors be states, international organizations, judges, arbitrators, or government officials. However, recent literature in cognate disciplines, such as international relations and political science, integrates insights from behavioural economics and cognitive psychology in order to construct more descriptively accurate models of decision-making, including those decisions that pertain to international law.

A series of workshops at Hamburg University and Leiden University builds on the nascent literature that aims to integrate empirical insights regarding the bounded rationality of decision makers from neighbouring disciplines to the analysis of international law. The workshops act as a forum in which international legal scholars whose research adopts a behavioural approach can present their works-in-progress and gain feedback from a broad range of peers, including scholar in economics and psychology as well as those conducting empirical and experimental research.

This first workshop, which was held online on 17 November 2020, acted as a platform at which scholars could outline the conceptual framework for their project, their methodology, and their preliminary findings. The second workshop on 22-23 April 2021 gives speakers an opportunity to gain feedback on a more developed piece of research, which will form the basis of an article. This workshop will be the first event of the ESIL IG Social Sciences and International Law. Due to the current situation, the second workshop will also be held online.

Support for these workshops and open-access publications that are to follow is provided by the European Research Council, as part of Dr Veronika Fikfak's project HRNUDGE (www.humanrightsnudge.com) and by the Grotius Centre for International Legal Studies, the Leiden University Fund/Dr. H.A. van Beuningen Fonds (www.luf.nl).

You can register for the workshop [here \(link\)](#)!



Programme Thursday, 22 April

Session 1: 9:50 – 12:15 CET

09:50-10:00: Welcome

10:00-10:20: Anne van Aaken, Hamburg University, Opening speech

10:20-10:50: Moshe Hirsch, Hebrew University of Jerusalem, “Ingroup Favouritism, Regulators’ Mindsets, and Discrimination Against Imported Products in International Trade Law”
Discussant: Jonathan Kolieb

10:50-11:15: Coffee break

11:15-11:45: Jonathan Kolieb, RMIT University, “Impact of Labelling and Allegations of War Crimes Violations on Consumer Buying Behaviour:”
Discussant: Shiri Krebs

11:45-12:15: Benedikt Harald Pirker & Izabela Skoczen, Freiburg University, “Pragmatic Inferences and Moral Factors in Treaty Interpretation – Applying Experimental Linguistics to International Law”
Discussant: Anne van Aaken

Session 2: 15:50 – 18:25 CET

15:50-16:00: Welcome

16:00-16:30: Runar Hilleren Lie, Oslo University, “International Investment Law’s Influencers”
Discussant: Daniel Peat

16:30-17:00: Ezgi Yildiz & Umut Yüksel, Graduate Institute Geneva, “Do International Courts Provide Focal Points for Cooperation?”
Discussant: Eva van der Zee

17:00-17:15: Coffee break

17:15-17:45: Harlan Grant Cohen, University of Georgia, “The Sociology of WTO Precedent”
Discussant: Moshe Hirsch

17:45-18:15: Jose Reis & Anne van Aaken, Hamburg University, “Framing Preferences on International Trade Law”
Discussant: Runar Hilleren Lie

18:15-18:25: Closing remarks



Programme Friday, 23 April

Session 3: 09:50 – 12:15 CET

9:50-10:00: Welcome

10:00-10:30 Shiri Krebs, Deakin University, "Human-Machine Interaction in Military Decision-Making: A Behavioural Approach"

Discussant: Sophie Duroy

10:30-11:00 Eva van der Zee, Hamburg University, "How Insights on Bounded Rationality Could Inform the International Law of EAs"

Discussant: Benedikt Harald Pirker

11:00-11:15: Coffee break

11:15-11:45: Evangelia Nissioti, Hamburg University, "It Takes Three to Tango: A Behavioral Analysis of the Use of a Mediator in International Disputes"

Discussant: Veronika Fikfak

11:45-12:15 Veronika Fikfak, iCourts, "Friendly Settlement before the European Court of Human Rights"

Discussant: Ezgi Yildiz

Session 4: 15:50 – 17:10 CET

15:50-16:00: Welcome

16:00-16:30: Daniel Peat, Leiden University, "Perception and process: Towards a Behavioural Theory of Compliance"

Discussant: Brian Christopher Rathbun, University of California

16:30-17:00: Sophie Duroy, European University Institute, "Predicting State Compliance with International Law in Intelligence Matters: A Behavioural Approach"

Discussant: Tomer Brode, The Hebrew University of Jerusalem

17:00-17:10: Closing remarks

