The De-legalization of International Law: Social Science Perspectives

Wednesday 30 August 2023

13:00 – Workshop opening
Zuzanna Godzimirska, Moshe Hirsch, Eva van der Zee

Panel 1: 13:05 – 14:15
The Concept of Legalization: Theoretical and Critical Challenges

- Rafael Carrano Lelis, ‘Queer Unconventionality and Counter-Discourses of International Legality: Alternative Law-Making by LGBTI Transnational Activism’
- Jean-Michel Marcoux and Ksenia Polonskaya, ‘Sustainable Development as a Wicked Problem in Investment Arbitration: Narratives and Discontents’
- Monica Hakimi

Panel 2: 14:30 – 15:40
The De-Legalization of Political and Security Regimes

- Sophie Duroy, ‘National Security Intelligence: From Legalization to De-legalization in a Heartbeat’
- Ying Sun, ‘Playing Politics: How States Resist International Adjudication by Framing Disputes as Political’
- Cláudio Cerqueira B. Netto, ‘The Use of Informality in International Law as a Power Struggle: a Study from the Perspective of Informal Counterterrorism Regulation’
Panel 3: 16:10 – 17:30

Soft Law and Soft Institutions: Determinants and Processes

• Nico Krisch, ‘Paths of Least Resistance’
• Mateus Kowalski, ‘The Dogma of Consensus in the Comfort of a Graveyard’
• Jaye Ellis, ‘Legalisation, De-Legalisation, and Normativity: A Case Study of the UNGPs’
• Jelena Protic, ‘The De-legalization of International Law: How Does the Swiss Federal Assembly Cope with the Increasing Employment of Soft Law?’
• Elissavet Tsioumani, ‘Exploring De-legalization Trends in Global Biodiversity Law and Governance’

Panel 4: 17:45 – 18:55

De-legalisation and the International Settlement of Disputes

• Lai Huaxia Lai, ‘Mediating with Chinese Characteristics: An Empirical Study of China’s Approach to ADR in International Investment Disputes’
• Kennedy Mbeva, ‘Dejudicialization: the Constrained Authority of International Trade Courts in Environmental Governance’
• Tomáš Morochovič, ‘Glancing at the Human Rights Pick & Mix? Selective Engagement with Norms as a Driver of De-legalisation’

18:55 Workshop closing

Eva van der Zee

*Interest Group Coordinating Committee: Zuzanna Godzimirska; Moshe Hirsch; Tommaso Soave; Ezgi Yildiz; Eva Van de Zee*