



2019 ESIL-ELTE Joint Workshop

ATTRIBUTION, CAUSALITY, AND EVIDENTIARY RULES:

MERE TECHNICALITIES OR THE HEART OF THE MATTER?

— SECONDARY RULES OF PRIMARY IMPORTANCE —

Budapest, 16-17 May 2019

Venue:

Eötvös Loránd University (ELTE) Law School, Faculty Building, Budapest, Egyetem tér 1-3.
Registration in the Entrance Hall of the Faculty Building
Sessions are held in the 'Faculty Council Room' (Ground floor)
Coffee breaks are offered in the 'Aula Magna' (1st floor)

Programme:

Thursday 16 May 2019

8.30-9.00 Registration in the Entrance Hall

9.00-9.10 Welcome note by Pál Sonnevend (Vice-dean for International Relations, Dean-elect, Head of Department, Department of International Law, ELTE Law School)

9.10-9.15 Opening remarks on behalf of ESIL by Başak Çali (Professor of International Law, Hertie School of Governance, Director of the Center for Global Public Law, Koç University) and Marko Milanovic (Professor of Public International Law, University of Nottingham)

9.15-9.45 Keynote speech by Eyal Benvenisti (Whewell Professor of International Law, University of Cambridge): *Standards of Review in International Adjudication*

9.45-10.15 Coffee break (served in the Aula Magna)

10.15 – 12:15 Section 1. Causality

Chair: Pál Sonnevend (Head of Department, Department of International Law, ELTE Law School)

Speakers:

Alice Ollino (Research fellow, University of Milano-Bicocca): *A Call for Coherence: Causality in the Establishment of the International Wrongful Act*



Martin Jarrett (Research fellow, Faculty of Law and Economics, University of Mannheim, Germany): *A Theory of Causation for International Investment Law*

Catherine Gascoigne (Sessional lecturer, University of Technology, Sydney): *A Consistent Causal Fallacy in the Jurisprudence of the Law of the World Trade Organization*

Alexandra Hansen (Ph.D. candidate, University of Zurich) – Tilmann Altwicker (Professor of Public Law, University of Zurich): *Presumptions in International Human Rights Adjudication*

12.30 – 13.45 Lunch at Károlyi Restaurant (Budapest, Károlyi street 16.)

13:45 – 15:30 Section 2. Standard of review

Chair: Başak Çali (Professor of International Law, Hertie School of Governance, Director of the Center for Global Public Law, Koç University)

Speakers:

Katalin Sulyok (Assistant Professor of International Law, ELTE Law School): *Science and the Legitimate Judicial Purview – Need for more intrusive standards of review?*

Lukasz Gruszczynski (Institute of Law Studies of the Polish Academy of Sciences & Hungarian Academy of Sciences Centre for Social Sciences Institute for Legal Studies): *Saving Regulatory Space for States Through Standard of Review: A Case Study of Tobacco-related Disputes*

Vladyslav Lanovoy (Associate Legal Officer, International Court of Justice): *The Identification and Application of Standards of Review by International Courts and Tribunals: A Critical Analysis*

15.30-16.00 Coffee break (served in the Aula Magna)

16:00 – 18:00 Section 3. Evidence

Chair: Tamás Hoffmann (Senior Research Fellow, Hungarian Academy of Sciences Centre for Social Sciences Institute for Legal Studies)

Speakers:

Francoise Hampson (Emeritus Professor, University of Essex): *Proving Violations of Norms in International Law from the Perspective of the Applicant*

Başak Çali (Professor of International, Hertie School of Governance, Director of the Center for Global Public Law, Koç University): *Proving Bad Faith in International Law: Lessons from the Article 18 Case Law of the European Court of Human Rights*



Sara Mansour Fallah (Judicial Fellow, International Court of Justice): *The Admissibility of Unlawfully Acquired Evidence before International Courts and Tribunals*

Christopher Lentz (Legal Officer, International Residual Mechanism for Criminal Tribunals): *The Evidentiary Implications of a Party's Non-Participation in the Proceedings*

19.00-22.00 Conference dinner at BorLaBor Restaurant (Veres Pálné street 7.)

22.30-23.30 Cruise on the Danube (starting from Margaret Bridge, Pest side)

Friday 17 May 2019

8.45-9.00 Coffee served in front of the Faculty Council Room

9.00-10.30 Section 4. Attribution I.

Chair: Tatjana Papic (Associate Professor, Union University Belgrade Law School)

Speakers:

Marko Milanovic (Professor of Public International Law, University of Nottingham): *Does the European Court of Human Rights Employ Special Rules of Attribution?*

Christina Binder (Chair for International Law and Human Rights Law, Bundeswehr University Munich) & Stephan Wittich (Professor of International Law, University of Vienna): *A Comparison of the Rules of Attribution in the Law of State Responsibility, State Immunity and Custom*

Carlos Esposito (Professor of International Law, Universidad Autónoma de Madrid): *New Technologies challenges for the Theory of Attribution: Old Wine in New bottles*

10.30-11.00 Coffee break (served in the Aula Magna)

11.00-12.30 Section 5. Attribution II.

Chair: Marko Milanovic (Professor of Public International Law, University of Nottingham)

Speakers:

Jure Zrilic (Lecturer in Law, University of Liverpool): *Attribution and Due Diligence in Investment Law: Breaking the Binary*



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Deborah Russo (Senior Researcher of International Law, University of Florence): *Internationally wrongful acts committed by Enterprises acting on Behalf of States: is there a case for a shared attribution test?*

Gábor Kajtár (Lecturer in International Law, ELTE Law School): *Fragmentation of Attribution in International Law*

13.00-13.30 Endnote speech by André Nollkaemper (Professor of Public International Law and Dean, Faculty of Law, University of Amsterdam)

13:30 Conference photo

13:45 Lunch at Károlyi Restaurant (Budapest, Károlyi street 16.)