

From Fragmentation to Convergence

After two decades of fragmentation discourse, international courts and other bodies cross reference each other, and emphasise international law as a single, unified system of law one cannot break up into separate specialist fields. This applies to treaty interpretation, as the ICJ underlined recently in *Diallo (Compensation)*. The same basic approach to the formation and identification of customary international law applies regardless of the field of law under consideration.

This bilingual seminar asks, What are the consequences for the principles of treaty interpretation and the formation of customary international law?

Ronny Abraham (International Court of Justice)
Mads Andenas (University of Oslo, visiting scholar at Sciences Po Law School)
Eirik Bjorge (University of Oslo)
Veronika Fikfak (Cambridge University)
Robert Kolb (University of Geneva)
Alexander Orakhelashvili (University of Birmingham)
Paolo Palchetti (University of Macerata)
Hélène Ruiz Fabri (University of Paris I)
Paul Tavernier (University of Paris XI)

31 January 2013 10.00–19.00 ‘Salle B’

Centre franco-norvégien en sciences sociales et humaines
Fondation Maison des Sciences de l'Homme
190, avenue de France 75013 Paris

Opening session

10.00–10.30 Opening Statements: Bjarne Rogan, University of Oslo and CFN

10.30–12.00. *Jus cogens* and *erga omnes* norms in the international law of the twenty-first century

Mads Andenas in the chair.

Hélène Ruiz Fabri, 'Enhancing the rhetoric of *jus cogens*'

Robert Kolb, '*Jus cogens* in *Jurisdictional Immunities of the State*'

11.45–12.00 Coffee

12.00–13.00. Third session: Christian Tomuschat in the chair.

Panel discussion: Robert Kolb, Alexander Orakhelashvili, Hélène Ruiz Fabri.

13.00–15.00 Lunch

15.00–17.00. Fourth session:

Alexander Orakhelashvili (University of Birmingham), 'State practice, treaty Practice and State Immunity'

Paolo Palchetti, 'Third States and the Use of Force'

Alexander Orakhelashvili in the chair. Discussion.

Summing up by Ronny Abraham

1 February 2013 10.00–19.00 ‘Salle B’

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Fondation Maison des Sciences de l'Homme
190, avenue de France 75013 Paris

Opening session

10.00–12.00. Moving across the Boundaries Dividing the Law

Robert Kolb in the chair.

Veronika Fikfak: 'Domestic courts' role and international law: Judicial oscillation between constitutionalism and fragmentation'

12.00–12.15 Coffee

1215–1300. Third session:

Paul Tavernier, 'L'utilisation par la Cour de Strasbourg des sources externes à la Convention'

Eirik Bjorge, 'The Unity of the Methods of Treaty Interpretation'

1300–1500 Lunch

1500–1700. Fourth session:

Paul Tavernier in the chair.

Mads Andenas, 'Form (and substance) of judgments in international law'

Concluding discussion.