



UNIVERSITÀ
CATTOLICA
del Sacro Cuore



CONFERENCE

GLOBAL JUSTICE, HUMAN RIGHTS AND THE MODERNIZATION OF INTERNATIONAL LAW

Scientific Organisers: Riccardo Pisillo Mazzeschi, Pasquale De Sena, Pietro Pustorino

Venue: Conference Room, Certosa di Pontignano, Siena, Italy

19-20 May 2017

INTRODUCTION

The Conference has been organised by the CIRDUIS (Siena) and the Catholic University of Milan. The CIRDUIS (founded by the Universities of Siena, Naples “Federico II”, Naples II, Naples “L’Orientale”, Foggia and Luiss Guido Carli-Rome) provides a forum to reflect on the issues of human rights, migration and aliens’ law from the main perspective of public and private international law, European Union law, constitutional and criminal law. It seeks to further cooperation among academics, experts and practitioners, with the goal of promoting research and drawing conceptual and policy lessons from the problems the above-mentioned issues pose for the development of international law and the international community. It seeks also to give legal counselling and assistance to immigrants and victims of human rights’ violations. In the last few years the CIRDUIS, with the cooperation of other institutions, has organized conferences and published three collective books.

The conference on “**Global Justice, Human Rights and the Modernization of International Law**” seeks to gather some Italian and foreign international academic lawyers, who have the capacity to deal with conceptual and general issues, asking them to explore (not only with an empirical method but also resting on systematic conceptions of the international legal order) on the possibilities and prospects of a process of structural modernization of international law. In our view, this process invests a widening of the concept of international community (first session of the conference); an increasing diversity and flexibility of the sources of international law (second session); and the capabilities of this law to face and resolve some of the goals for humanity, connected with human rights, that are posed by the 2030 UN Agenda for Sustainable Development. Among these goals, we have selected those concerning equality among and within States, promotion of pacific and inclusive societies and environmental protection (third session). These possible aspects of modernization of contemporary international law should be explored from the perspective and the guiding principle of developing human rights and a global justice.

CIRDUIS

(Inter-University Centre on Human Rights, Migration and Aliens’ Law)



UNIVERSITÀ
CATTOLICA
del Sacro Cuore



PROGRAMME

19 May 2017

09.15-09.30 **Introduction to the Conference**
Rector of the University of Siena

First Session - Global Justice and Changes in the International Community

Chair: L. Condorelli, University of Florence

09.30-10.00 **The Impact of Individuals and Other Non-State Actors on Contemporary International Law**
E. Decaux, Université Panthéon-Assas, Paris 2

10.00-10.30 **The Theories on World Constitutionalism**
B. Fassbender, University of St. Gallen

10.30-11.00 **Discussion**

11.00-11.15 Coffee break

11.15-11.45 **State Sovereignty between the Principle of Effectiveness and the Principle of Legitimacy**
A. Tancredi, University of Palermo

11.45-12.15 **From a Community of States toward a Universal Community?**
P.-M. Dupuy, Émélite-Université de Paris (Panthéon-Assas), Honoraire-Graduate Institute of International and Development Studies, Geneva

12.15-12.45 **Discussion**

13.00-14.30 Lunch

Second Session - Global Justice and Modernization of the Sources of General International Law

CIRDUIS

(Inter-University Centre on Human Rights, Migration and Aliens' Law)



UNIVERSITÀ
CATTOLICA
del Sacro Cuore



Chair: C. Tomuschat, Emeritus Humboldt University-Berlin, President OSCE Court of Conciliation and Arbitration

- 14.30-15.00 **General Principles of International Law: from Rules toward Values?**
R. Pisillo Mazzeschi, University of Siena
- 15.00-15.30 **Methods of Identification of International Custom: A New Role for *Opinio Juris*?**
J. Wouters, Leuven Centre for Global Governance Studies
- 15.30-16.00 **Discussion**
- 16.00-16.15 Coffee break
- 16.15-16.45 **General Principles of Law Recognised by Civilized Nations *In Foro Domestico*: What Role for the Development of New Fields of International Law?**
J. D'Aspremont, University of Manchester
- 16.45-17.15 **Conflicts between State-Centred and Human-Centred International Norms**
M. Iovane, University of Naples "Federico II"
- 17.15-17.45 **Discussion**
- 19.30 Dinner (by invitation only)

20 May 2017

Third Session - New Goals for Humanity in the 2030 UN Agenda for Sustainable Development

Chair: A. Giardina, University of Rome "La Sapienza"

- 09.30-10.00 **The Goal of Equality and Social Inclusion: The Role of International Law**
F. Francioni, European University Institute, Florence

CIRDUIS

(Inter-University Centre on Human Rights, Migration and Aliens' Law)



UNIVERSITÀ
CATTOLICA
del Sacro Cuore



10.00-10.30	Inequality among States and within States: What Common Values of the Humanity in a World of Unequal States? C. Flinterman, Maastricht University
10.30-11.00	Discussion
11.00-11.15	Coffee break
11.15-11.45	The Goal of Promotion of Pacific Societies: Still Three Different Legal Status for Aliens, Citizens and Human Persons? P. De Sena, University of Milan "La Cattolica"
11.45-12.15	The Goal of Protection of the Environment: The Influence of Environmental Considerations on the Fabric of International Law J.E. Vinuales, University of Cambridge
12.15-12.45	Discussion
12.45-13.05	Concluding remarks G. Gaja, judge of the International Court of Justice
13.05-14.30	Lunch

CIRDUIS

(Inter-University Centre on Human Rights, Migration and Aliens' Law)