

## Friday, 6 November 2009 Young Scholars' Workshop

09:30 – 09:45 hrs:

Welcome and Introduction

*Professor Dr. Beate Rudolf, Freie Universität Berlin, Faculty of Law and SFB 700*

9.45 – 10.35 hrs:

Agency of Necessity as a Vehicle for Applying Public International Law Rules to Non-State Actors Performing Governance Functions

*Nina Hufken, Freie Universität Berlin, SFB 700*

Coffee Break

11.00 – 11.50 hrs:

The Role of Non-State Actors at the Example of Nagorno-Karabagh

*Sarah Shirazyan, LL.M. (University College of London), Yerevan State University*

11.50 – 12.40 h:

Lessons from the Work of the OECD Focal Point  
*Maren Weidmann, National OECD-Focal Point, Germany (Federal Ministry for Economics and Technology)*

Lunch Break

13.45– 14.35 hrs:

Autonomous Non-State-Actors as Subjects of Public International Law

*Christian Schliemann-Radbruch, Freie Universität Berlin, SFB 700*

14.35 – 15.25 hrs:

The Temporal Perception of Governance Providing Non-State Actors as an Impediment to their Compliance with Public International Law  
*Teimuraz Antelava, Institute of International Law, Tbilisi State University*

Coffee Break

15.45 – 16.35 hrs:

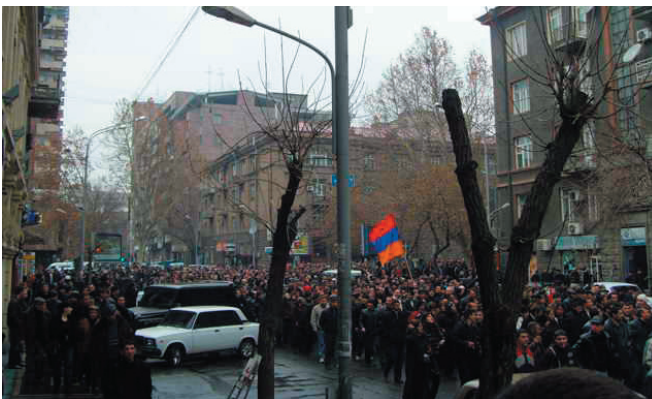
Problems of Peace Agreements between States and Non-State Parties

*Cindy Daase, Freie Universität Berlin, SFB 700*

16.35 – 17.00 hrs:

Conclusions

*Professor Dr. Beate Rudolf, Freie Universität Berlin, Faculty of Law and SFB 700*



## Saturday, 7 November, 2009 Public Conference

09.30 – 09.45 hrs:

Welcome and Introduction

*Professor Dr. Beate Rudolf, Freie Universität Berlin, Faculty of Law and SFB 700*

09.45 - 10.35 hrs:

Non-State Actors in Public International Law - The Different Layers of the Debate  
*Math Noortman, Ph.D, Associate Professor, Institute for International Law of Peace and Armed Conflict, Ruhr-Universität Bochum, and Chairman of the ILA Committee „Non-State Actors“ (tbc)*

Coffee Break

11.00 h – 11.50 hrs:

Corporate Responsibility for Human Rights Violations under Public International Law?

*Eric de Brabandere, Assistant Professor, Leiden University*

11.50 – 12.40 hrs:

An Obligation of Non-State Parties to Armed Conflicts to Respect Human Rights? -

The Practice of the UN Security Council

*Aristotelis Constantinides, Lecturer in International Law and Human Rights, University of Cyprus, Member of the ILA Committee “Non-State Actors”*

Lunch Break

13.45 -15.25 hrs:

Non-State Actors Performing Governance Functions – Views from the Caucasus

1. From Non-State Actor to State Actor - The Threshold of Statehood under Public International Law - with Special Reference to Kharabagh  
*Yeghishe Kirakosyan, Assistant Professor, Yerevan State University, Armenia*

2. Conflicts Involving Non-State Actors and the Role of Public International Law in Conflict Resolution

*Rusudan Tushuri, Assistant Professor, Caucasus School of Law, Tbilisi, Georgia*

Coffee Break

15.45 – 16.35 hrs:

Non-State Actor Participation and the Legitimacy of International Law

*Cedric Ryngaert, Assistant Professor, University of Leuven, Belgium, Rapporteur of the ILA Committee “Non-State Actors”*

16.35 – 17.00 hrs:

Conclusions

*Professor Dr. Beate Rudolf, Freie Universität Berlin, Faculty of Law and SFB 700*

In the past years, the role and status of non-state actors has become the object of increased research from various perspectives of public international law. The Project “Public International Law Standards for Governance in Weak and Failing States” has focused its attention on non-state actors that fulfill governance functions in areas of limited statehood, such as security, law-making and law-enforcement, or welfare. In its analysis of whether non-state actors are bound by public international law, the project intersects with many of the other approaches put forward by international legal scholars. The event brings together some of these perspectives, as evidenced in the debates within the “Non-State Actors” Committee of the International Law Association (ILA), and it adds the perspective of scholars from Armenia and Georgia who build on their experiences from states in transition facing various challenges of governance.

Workshop and conference aim at disentangling problems surrounding the status of non-state actors under public international law by differentiating between the various kinds of actors and by distinguishing between the governance function they fulfill. From the perspective of governance within areas of limited statehood, the most relevant actors are parties to armed conflicts, de facto regimes, groups of individuals claiming or having gained autonomy, as well as transnational corporations, including private security companies. Each of these actors poses specific problems as to whether they can - and should be - duty-bearers under public international law. Each of them challenges a state-centered conception of public international law in a different way. Nuanced answers are called for, but they will also reveal commonalities. The look at non-state actors from the perspective of the governance function they fulfill (or claim to fulfill) permits identifying overarching duties under public international law. In turn, it raises the question of how such duties can be imposed on different non-state actors and whether it is legitimate to do so.

Based on these considerations, the conference will address the question of whether public international law as it stands is a valid and legitimate normative standard for governance provided by non-state actors. In other words: Can present-day public international law cope with new modes of governance involving non-state actors or is the state-centered model outdated? If so, what new model could – or even should – take its place?

Freie Universität  Berlin

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## Young Scholars' Workshop and Conference

### „Non-State Actors as Providers of Governance in Weak and Failing States: What Role for Public International Law?“

Freie Universität Berlin  
06.-07. November 2009

Fachbereich Rechtswissenschaft  
Van't-Hoff-Str. 8, 14195 Berlin  
(U-Bahn Thielplatz) Lecture Hall 211

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Organized by:

Prof. Dr Beate Rudolf, Cindy Daase, Nina Hüfken und Christian Schliemann Radbruch  
Project A4 „Public International Law Standards for Governance in Weak and Failing States“ within the Collaborative Research Center (SFB 700)