

RZECZPOSPOLITA POLSKA
STAŁE PRZEDSTAWICIELSTWO PRZY
NARODACH ZJEDNOCZONYCH



REPUBLIC OF POLAND
PERMANENT MISSION
TO THE UNITED NATIONS

Invitation

The Permanent Mission of the Republic of Poland to the United Nations

cordially invites

*Permanent Representative,
Deputy Permanent Representative,
Legal Adviser*

to a seminar

**“General principles of law – judicial theory
or everyday practice of international courts?”**

Welcoming remarks: **Ambassador Bogusław Winid**
– Permanent Representative of Poland to the UN

Introduction and moderation: **Professor Władysław Czapliński**
– Polish Academy of Sciences, Poland

Panelists: **Dr. Marija Đorđeska** – European Union Delegation to Malaysia, EEAS

Professor Neha Jain – University of Minnesota Law School, USA

Professor Christopher Waters – University of Windsor, Canada

Wednesday, October 26th, 2016, 1:15p.m.

Conference Room 6 of the UNGA Building

Light lunch will be provided from 1:00 p.m.

To register send an e-mail to: NEWYORK.UN.RSVP@msz.gov.pl



Ministry
of Foreign Affairs
Republic of Poland

General principles of law – judicial theory or everyday practice of international courts?

Wednesday, October 26, 2016, 1:15 p.m.

Conference Room 6 of the UN General Assembly Building

Program:

**Word of welcome – Ambassador Bogusław WINID
Permanent Representative of the Republic of Poland
to the United Nations**

Introduction and moderation – Professor Władysław CZAPLIŃSKI

**“Definition and identification of general principles”
– Dr. Marija ĐORĐESKA**

**“General principles and other sources of international law”
– Professor Neha JAIN**

**“General principles in the jurisprudence of international courts”
– Professor Christopher WATERS**

A number of entities interested in international law (including in particular the International Law Commission and the International Law Association) have recently done extensive research on the sources of international law. However, the role of general principles of international law has so far not been explored by the above mentioned bodies. The panel discussion is devoted to this specific issue. The topics to be discussed concern: definition and identification of general principles (including a differentiation between the principles of domestic law and principles of international law), relationship between general principles and other sources of international law, the use of general principles in the practice of international courts, and relationship between general principles and decision-making *ex aequo et bono* as provided in Art. 38 of the Statute of the ICJ. The Panelists are experienced international lawyers specializing in the research on sources of international law and judicial practice.



Władysław Czapliński is a Professor of International and EU Law at Institute of Law Studies of the Polish Academy of Sciences and a member of the Advisory Legal Committee to the Minister of Foreign Affairs of the Republic of Poland. Professor Czapliński also chairs the International Law Association's Committee on Recognition/Non-recognition in International Law. He publishes extensively on state responsibility, state succession and judicial cooperation in the European Union.



Marija Đorđeska, LL.M., S.J.D., is a political officer at the European Union Delegation to Malaysia. She holds a Science of Juridical Doctorate from The George Washington University Law School, where she was twice a Thomas Buergenthal Scholar, on the topic "The Process of International Law-Making: The Evolution of the General Principles of Law Through the Jurisprudence of the International Courts and Tribunals". She previously worked at Holland & Knight LLP (Washington D.C.), Hengeler Mueller (Berlin) and at the U.N. International Law Commission. She has also written on the relationship between the ICJ and the ILC, economic sanctions and de-secularization of the Turkish law.



Neha Jain is a Professor at University of Minnesota Law School and McKnight Land-Grant Professor. She is a member of the Planning Committee at Asian Society of International Law and Vice-Chair of ASIL-Midwest Interest Group at American Society of International Law. Her scholarship at UMN focuses on public international law, criminal law, legal theory, and comparative law. Previously, she worked at the Max Planck Institute for Foreign and International Criminal Law in Freiburg, Germany (2008-10), where she is currently a member of its comparative criminal law project.



Christopher Waters is a Professor and Dean of the Faculty of Law at the University of Windsor, Canada. He holds a doctorate from McGill University and is called to the Ontario Bar. Dr. Waters' research interests include international humanitarian law, the use of force in international law as well as law and politics in Eastern Europe. He has extensive field experience in Eastern Europe and the Caucasus. Professor Waters is co-editor of the Canadian Bar Review and is a member of the Board of Governors of the Ontario Law Commission. He is the Canadian representative on the International Law Association's Committee on Recognition/Non-recognition in International Law.