

20
23

AsianSIL Biennial Conference

Depok and Bandung,
7 - 10 August 2023



ASIANSIL
ASIAN SOCIETY OF INTERNATIONAL LAW

DAY ONE

7th August 2023

Junior Workshop Panel (Depok)

09.00–12.00

The Workshop

12.00–13.30

Lunch break

13.30–16.30

Travel to Bandung

13.00–17.00

Presenter Registration @ Savoy-Homann

DAY TWO

8th August 2023

Conference Day One

07.00–08.00

Historic Route Circling Merdeka Building

07.00–08.00

Registration @ Savoy-Homann

08.00–09.45

Welcome Ceremony

09.45–10.15

Keynote Speech by **H.E. Retno L.P. Marsudi***, Minister of Foreign Affairs of Indonesia

10.15–10.30

Preparation to Merdeka Building

10.30–12.00

Visit to Merdeka Building

12.00–13.00

Lunch Break

13.00–15.00

Plenary Session 1:

Revisiting the Bandung Spirit and Outlook of International Law from Asian Perspective

- **Prof. Luis Eslava** (Kent University)
- **Dr. Ayodhia G.L. Kalake*** (Indonesian Coordinating Ministry of Maritime Affairs and Investment)
- **Prof. Liu Huawen** (UN Commissioner on Torture)
- **Prof. Anne Orford** (University of Melbourne)

Moderated by: Hadi Rahmat Purnama, LL.M.

15.00–15.30
15.30–17.00

Coffee Break

Parallel Chamber Panel 1A

Panel 1A.1

"History and Theory of International Law"

(Consulate 1)

- **Moderated by Prof. Prabhakar Singh, BML Munjal University**
 - Asia Pacific States and the International Court of Justice. Where 'Despair Most Fits'? (**Ignacio de la Rasilla - Wuhan University**)
 - Questioning the Exclusive Legal Personality of States in East Asia (**Tetsuya Toyoda - Akita International University**)
 - Before TWAIL: Filipino Judge Gregorio Millari Perfecto's Dissenting Jurisprudence Against the 'Fulgour' of 'Cheap International Law' as Philippine Third Worldist Judicial Thought avant la letter (**Romel Bagares - Philippine Judicial Academy**)
 - TWAIL and Jingoism: Stories of Embracing and Evading the Threats (**Swati Singh Parmar - Dharmashastra National Law University**)

Panel 1A.2

"Foreign Investment & Commercial Law"

(Consulate 2)

- **Moderated by Prof. Yetty Komalasari Dewi, Universitas Indonesia**
 - The Development of the Social Dimension of Chinese Regulatory Measures for Outward Foreign Direct Investment (**Si Chen - Shenzhen University**)
 - Integrating Regional Needs into Multilateral ISDS Reform: Proposals for ASEAN (**Charalampos Giannakopoulos - National University of Singapore**)
 - Fostering the Status of Asia's Sovereign Wealth Funds as Responsible Foreign Investors: The Progressive Development of International Legal Personality as a 'Silver Bullet'? (**Karsten Nowrot - University of Hamburg**)
 - Problems in the Execution of Bankruptcy Asset in Cross Border Insolvency (**N. Pininta Ambuwaru - Universitas Achmad Yani**)

Panel 1A.3

"Dispute Settlement"

(Caesar)

- **Moderated by Amb. J. Eduardo Malaya, President, Administrative Council, Permanent Court of Arbitration**
 - The HCCH and Its Relevant for Asia (**Christophe Bernasconi - The Hague Conference on Private International Law**)
 - The PCA's Role in Climate Change-related Disputes (**Neil Nucup - Permanent Court of Arbitration**)
 - The ICJ Judgment in Certain Iranian Assets Case and its Implications on the International Law of Investment (**Pouria Askary - Allameh Tabataba'i University**)
 - International Conciliation and Mediation at the PCA (**Túlio Di Giacomo Toledo - Permanent Court of Arbitration**)

15.30–17.00

Panel 1A.4

"Role of International Law (Special EC Panel)"
(Sultan)

- **Moderated by Prof. Simon Chesterman, National University of Singapore**
 - **Raul Pangalangan - University of Philippines**
 - **Shirley Scott - University of New South Wales**
 - **Miras Daulenov - Narxoz University**
 - **Lee Keun Gwan - Seoul National University**

17.00–18.30

Break

18.30–20.00

Welcoming Dinner (**Remakrs by Prof. Hikmahanto Juwana and Prof. Antony Anghie**)

DAY THREE

9th August 2023

Conference Day Two

07.00–07.30

Participants Gather at Meeting Point Savoy-Homann Rear Parking Lot

07.30–08.30

Trip from Bandung to Cimahi

08.30–09.15

Re-Registration @ Universitas Ahmad Yani

9.30–11.30

Plenary Session 2:

(Re)Configuring New Multilateralism through the Asian-African Perspective

- **Prof. Dire Tladi** (University of Pretoria)
- **Prof. Mohammad (Shahab) Shahabuddin** (University of Birmingham)
- **Prof. Hikmahanto Juwana** (Universitas Indonesia /Universitas Ahmad Yani)
- **Prof. Mavluda Sattorova** (University of Liverpool)

Moderated by: Arie Afriansyah, Ph.D.

11.30–13.00

Lunch

13.00–14.30

Parallel Chamber Panel 2A

13.00–14.30

Parallel Chamber Panel 2A

Panel 2A.1

"International Criminal Law"

(Room 1)

- **Moderated by Ms. Chloryne Trie Isana Dewi, Universitas Padjajaran**
 - Arrest Warrants of the International Criminal Court for Putin and Lvova-Belova: A Comparative International Law Perspective (**Sergii Masol - University of Cologne**)
 - The Right to Development and its Responses to global forced displacement (**Luyi Hao - Chinese Academy of Social Sciences**)
 - Humanity v The Tatmadaw: The Case for the Prosecution in the Philippines under the Principle of Mandatory Universal Jurisdiction of the Alleged War Crimes Committed by the Military Junta Against the Chin People in Myanmar (**Romel Regalado Bagares & Gilbert Teruel Andres - Philippine Society of International Law**)
 - Lost in Translation? Communicating Justice at the International Military Tribunal for the Far East (**Daley J. Birkett - Macquarie University**)

Panel 2A.2

"Foreign Investment"

(Room 2)

- **Moderated by Assoc. Prof. Jean Ho, National University of Singapore**
 - Oscillating Fairness in International Investment Law (**Mavluda Sattorova and Jean Ho National University of Singapore**)
 - Envisaging Principles For Belt And Road Initiative: Rule Of Law And Dispute Resolution Challenges For Indonesia (**Andrew Sutedja - Universitas Achmad Yani**)
 - Mediating with Chinese Characteristics: An Empirical Study of China's Approach to ADR in International Investment Disputes (**Huaxia Lai - Peking University**)
 - A Computer-assisted Empirical Analysis of Investment Treaty Arbitration Relating to Public Health (**Jianzhi Zeng - Shenzhen University**)

Panel 2A.3

"Law of The Sea"

(Room 3)

- **Moderated by Dr. A. Gusman Siswandi, Universitas Padjajaran**
 - Can Common Heritage of Mankind Principle be Applied Over Marine Genetic Resources? (**Dhiana Puspitawati - Universitas Brawijaya**)
 - Beyond UNCLOS, Developing Marine Environmental Protection Laws in Asia (**LIU Nengye - Singapore Management University**)
 - Freedom of Navigation in the Archipelagic Sea Lanes for Nuclear-Powered Submarine: Prospects and Challenges (**Philip Kristanto - Universitas Atma Jaya Yogyakarta**)

13.00-14.30

Panel 2A.4

"Environmental Law"

(Room 4)

- **Moderated by Dr. Tara Davenport, National University of Singapore**
 - Assessing the Local Impacts of Global Responses to Human Mobility in the Context of Climate Change (**Mostafa M. Naser - Edith Cowan University**)
 - Integrating Climate Change into Asia Transboundary Water Governance: Towards Enhanced Mechanisms on Water Allocation and Disaster Response (**Jin Gu - Wuhan University**)
 - Climate Change Mitigation Measures and the Protection of the Marine Environment in ASEAN: Opportunities and Challenges (**Dawoon Jung - University of Wollongong**)
 - The Utility of the United Nations Climate Change Conference on Youth' 17 vis a vis its impacts on the COP-27 Outcomes: an examination from the Lens of the Bandung Spirit (**Manini Syali - Vivekananda Institute of Professional Studies**)

Panel 2A.5

"Human Rights"

(Room 5)

- **Moderated by Dr. Diajeng Wulan Christianti, Universitas Padjajaran**
 - Abolishing Treason Laws: How Indonesian Criminal Laws Restrain Human Rights Decolonization (**Eka Putra - O.P. Jindal Global University**)
 - Novelty of Transitional Justice in South Asia: Reflections on the Transitional Justice Mechanism of the Maldives
 - (**Batool Zahoor Qazi - The Maldives National University**)
 - Bridging the Gap between Islamic Human Rights and International Human Rights Law (**Raas Nabeel - Research Society of International Law (RSIL)**)

Panel 2A.6

"Cyberspace & International Law"

(Room 6)

- **Moderated by Prof. Miras Daulenov, Narxoz University**
 - On the Application of Collective Countermeasures of States in Cyberspace (**Liu Yu Qi - Wuhan University**)
 - The Indonesian jurisdiction' in Cyberspace: Reviewing government' blocking over the websites of companies (**Koesrianti - Universitas Airlangga**)
 - Ensuring Cybersecurity in the Maritime Industry: Legal and Regulatory Challenges with Reference to the Malaysian Position (**Su Wai Mon - University of Malaya**)
 - Artificial Intelligence, Cyberspace and International Law (**Tripti Bhushan - O.P. Jindal Global University**)

13.00–14.30

Panel 2A.7

"Human Rights"

(Room 7)

- **Moderated by Dr. Irawati Handayani, Universitas Padjajaran**
 - The Application of Interim Measures by the Committee Against Torture in Individual Communication Procedures (**Zhang Hao - University of Chinese Academy of Social Sciences**)
 - Can ASEAN Be Emancipatory? Tension In CSOs Participation In The Development Of Regional Human Rights Mechanisms (**Hadi Rahmat Purnama - Universitas Indonesia**)
 - Between Magnitsky's Edges: Confronting the Human Rights Constraints on Unilateral Targeted Sanctions (**Raphael Pangalangan - O.P. Jindal Global University**)
 - The Test of Human Rights in the Era of the COVID-19 Pandemic: An Evaluation of Australian Responses (**Tanzim Afroz - Edith Cowan University**)

Panel 2A.8

"International Trade and Commercial Law"

(Room 8)

- **Moderated by Dr. Tiurma MP Allagan, Universitas Indonesia**
 - Sino-West Conflict under the Rule by Treaty of Trade: Conquest, Rise and Cooperation (**Xuehong Liu - East China University of Political Science and Law**)
 - An ASEAN Way to Trade and Sustainable Development? (**Rizky Banyualam Permana - Universitas Indonesia**)
 - Fairness and the Status of the South Asian Countries in the WTO (**Ravindra Pratap - South Asian University**)
 - Striking a Balance: Analysing Indonesia's Raw Material Export Restrictions within the Context of International Trade Law and Development Rights (**Akmal Handi Ansari Nasution, Vita Cita Emia Tarigan, Mahmud Siregar & Annisa Hafizhah - O.P. Jindal Global University & Universitas Sumatera Utara**)
 - Bioscience Governance in Southeast Asia: Data, Open Science, and Sovereignty (**Sonja Van Wichelen - The University Of Sydney**)

14.30–15.00

15.00–16.30

Coffee Break

Parallel Chamber Panel 2B

Panel 2B.1

"Foreign Investment"

(Room 1)

- **Moderated by Prof. Liu Huawen. Chinese Academy of Social Sciences**
 - Geography has little impact: A Comparative Study on the Role of Judges in Singapore and Indonesia in the Taking of Evidence as Inspiration for Procedures in International Arbitration (**Junianto James Losari - City University of Hong Kong**)
 - "The 'Spirit of Bandung' and the Quest for a New Regional Investment Order (**Prabhash Ranjan - South Asian University**)
 - Restraining Investment Arbitrators' 'Judicial Power' through Comparative Public Law (**Fan (Ariel) Yang - Tsinghua University**)
 - A Reflection from The Ill Cousin Shouldn't the International Centre for the Settlement of Investment Dispute (ICSID) Learn from the World Trade Organization? (**Putu George Matthew Simbolon and Tiurma Mangihut Pitta Allagan - Universitas Indonesia**)

Panel 2B.2

"AsianSIL Law of the Sea Interest Group"

(Room 2)

- **Moderated by Prof Zhang Xinjun, Tsinghua University**
 - International Advisory Proceedings on Climate Change: To What Extent Can UNCLOS Change the Climate? (**Xidi Chen - Tsinghua University**)
 - Advisory Opinions and Discretion of the Courts (**Tara Davenport - National University of Singapore**)
 - Greenhouse Gas emissions through the UNCLOS (**Xiaolu Lei - Jinan University**)

Panel 2B.3

"Law of the Sea"

(Room 3)

- **Moderated by Assoc. Prof. Liu Nengye - Singapore Management University**
 - The Contribution of the BBNJ Agreement to a Just and Equitable Order of the Oceans (**Kentaro Nishimoto - Tohoku University**)
 - Using Uncrewed Maritime Vehicles for Scientific Research: Legal Challenges and Viable Solutions (**Yao Huang & Shuning Zhang - Sun Yat-sen University**)
 - International Tribunals Approach Toward Maritime Boundaries Delimitation Of An Archipelagic State (**Gulardi Nurbintoro - Universitas Achmad Yani**)

13.00–16.30

Parallel Chamber Panel 2B

Panel 2B.4

"Human Rights"

(Room 4)

- **Moderated by Prof Wasantha Seneviratne, University of Colombo**
 - Trend Of Supreme Court In Interpreting International Human Rights In Indian Context (**Ananya Das & Shuvro Parker - Indian Institute of Technology**)
 - Malaysia's CEDAW Reservation and the Debate Over Gender Equality in Islamic Family Law (**Rahmawati bt Mohd. Yusoff - Universiti Teknologi MARA**)
 - Rethinking Kashmir's Claim to Self-determination under International Law: Demystifying Kashmir's Colonial History (**Arbaz Muzaffer - University of Birmingham**)
 - The International Law Implications of East Asia's Transnational War Redress Movement (**Timothy Webster - Western New England University**)

Panel 2B.5

"TWAAIL, Sovereignty, and Critical Approaches"

(Room 5)

- **Moderated by Prof Elizabeth Aguilin-pangalangan, University of Philippines**
 - Indonesian IP Through TWAAIL Lenses: A New Perspective To Achieve Country Sovereignty (**Sartika Nanda Lestari - University of Aberdeen**)
 - Islam and the International Law Discourse: Should the 'Ulama Jump on the TWAAIL Bandwagon? (**Fajri M. Muhammadin and Muhammad Raihan Sjahputra - Universitas Gadjah Mada**)
 - A TWAAIL Discourse on Power Dynamics of AI Appropriation and Climate Responsibilities (**Arunava Bannerjee - Amity University**)
 - International Agreements between Non-State Actors as a Source of International Law (**Melissa Loja - Hong Kong University**)

13.00–16.30

Parallel Chamber Panel 2B

Panel 2B.6

"Environmental Law"

(Room 6)

- **Moderated by Dr. Iing Nurdin, Universitas Achmad Yani**
 - Climate Change Advisory Cases: Why International Adjudication? How would the ITLOS and ICJ respond? **(Linlin Sun - Zhongnan University of Economics and Law)**
 - From the Common Heritage of Mankind to the Artemis Accords: The Perspective of Developing Countries in Southeast Asia **(Lalin Kovudhikulrungsri; Ridha Aditya Nugraha; Runggu Prilia Ardes - Thammasat University)**
 - Challenges And Opportunities Of Sustainable Business Environment In Indonesia: Safeguarding Indigenous Peoples' Cultural Heritage From Business-induced Climate Losses **(Fildza Nabila Avianti and Sri Purnama - Anggraeni and Partners)**
 - Rights Of Nature And Minimum Flow Of A River: A Socio-legal Study Of Kishenganga Hydro-electric Power Plant **(Ravneet Sandhu - Vivekananda School of Law and Legal Studies)**

Panel 2B.7

"Bandung and Contemporary International Law"

(Room 7)

- **Moderated by Assoc. Prof. Srinivas Burra, South Asian University**
 - "Colonialism has its modern dress": Regulating economic coercion, from Bandung to Today **(Jessica Whyte - University of New South Wales)**
 - Revisiting Legitimacy in International Law: An Asian-African Perspective **(Zhenni Li - Fudan University)**
 - Legacy of the Bandung Conference: Reflections on AALCO as a Forum of Asian and African Solidarity in International Law **(Srinivas Burra - South Asian University)**
 - The Legacy of the Bandung Conference and the Trajectory of Self-determination in Palestine **(Ihab Shalbak - University of Sydney)**

16.30–17.00

Indonesian Journal of International Law Session

17.00–18.00

Closing Ceremony

18.00–19.00

Trip back to Bandung (Drop-off @ Savoy-Homann)

19.00–21.00

EC Members Dinner **(By Invitation Only)**