



Photo by Vasiliki Dritsa (1st year Master's in International Law candidate) voted by the students in November 2021.

LAW DEPARTMENT SNAPSHOTS

PhD Theses defended in the Fall

On 8 September 2021, **Lucy Lu Reimers** defended a thesis on “*Consuming Beyond Our Limits: International Law and Consumption-Driven Environmental Harm*”. The jury members were Professor **Andrea Bianchi** (chair and internal examiner), Professor **Jorge E. Viñuales** (supervisor) and Dr. **Florian Grisel** (external examiner).

The thesis examines how International Law addresses the problem of unsustainable consumption as a driver of cross-border biodiversity loss and greenhouse gas emissions. It draws on insights from ecological economics and the sustainability sciences and uses an original analytical framework to ‘scan’ relevant international legal frameworks with regard to their structural capacity to capture carbon-intensive and biodiversity-threatening commodity trade flows. It concludes that a multilateral framework is required to coordinate efforts on unsustainable consumption, and to encode environmental differentiation into the legal structures underpinning economic globalisation more broadly.

In the immediate future, Lucy plans travelling around South America, hiking through Patagonia.



Lucy's best memory

"Lake-side picnics!"



On 1 October 2021, **Pedro José Martínez Esponda** defended a thesis on “*The Plasticity of International Human Rights: A Comparative Analysis of the Processes of Discourse Formation in International Human Rights Law*”. The jury members were Professor **Andrew Clapham** (chair and internal examiner), Professor **Nico Krisch** (supervisor) and Professor **Başak Çalı** (external examiner).

Faced with the heterogeneity of human rights narratives, this thesis seeks to understand the form and the boundaries of arguments in international human rights law. It asks, what can be said in international human rights law and how can it be said? After a comparative analysis of 15 narratives of international human rights, it concludes that in the argumentative practice of human rights, rhetoric overrides legality. It matters more to prove the plausibility of an argument in terms of individual autonomy, equal capabilities, or democratic procedure, than to get the strictly legal aspects of a claim right.

Currently, Pedro works as a PostDoc researcher with Professor Krisch's project **The Paths of International Law**. He is also applying for the SNF Postdoc Mobility Program in order to conduct research in Algeria.

Pedro's best memory

"The opportunity to take a course of theory of international relations and another on sociology during my master studies. These experiences really opened up my understanding of how different theoretical thinking can be, depending on the epistemic context one finds him or herself in, even when observing the same phenomena."

On 14 October 2021, **Giulia Raimondo** defended a thesis on "At the Frontiers of International Responsibility: Frontex, the European Integrated Border Management and International Law". The jury members were Professor **Andrew Clapham** (chair and internal examiner), Professor **Vincent Chetail** (supervisor) and Professor **Violeta Moreno-Lax** (external examiner).

The thesis addresses the manifold challenges related to the European Integrated Border Management and the human rights responsibilities of the manifold actors operating within it. In so doing, the thesis links two separate but interlaced discourses: the first being a reflection on the concept of European Integrated Border Management as implemented by the European border and coast guard agency (Frontex) and the Schengen member states and its impact on migrant rights; and the second being the question of the attribution of international responsibility for migrant rights violations occurred in the context of Frontex activities.

At the moment, Giulia is looking for jobs in academia and research institutions, while also enjoying time with her 1-year-old daughter.



Giulia's best memory

"Beyond academic events, like a lecture of professor Abi-Saab during my first year PhD seminar, one of the best memories I have is that of little moments of collective and spontaneous joy with fellow PhD students, after work over an improvised dinner or while having a walk by the lake."



On 5 November 2021, **Wubeshet Tiruneh** defended a thesis on "Providing Remedy for Corporate Human Rights Abuses Committed Abroad: The Scope and Implementation of Home States' Obligation". The jury members were Professor **Zachary Douglas** (chair and internal examiner), Professor **Andrew Clapham** (supervisor) and Professor **Sigrun Skogly** (external examiner).

The thesis addresses two important legal questions about remedies available to victims of corporate human rights abuses, particularly those committed abroad in developing countries. First, it assesses whether home states of transnational corporations have an obligation to provide a remedy for victims whose rights have been infringed by overseas operations of their corporations. Second, by mainly focusing on the experiences in the UK, Canada, and the US, it comparatively explores recent legislative and judicial responses to various legal barriers, such as the issue of jurisdiction and parent company liability, and their impact on victims' access to home state remedies.

Wubeshet is currently working as a legal assistant to Sir Robert Martin, who is member of the UN Committee on the rights of persons with disabilities. His plan for the future is to work in academia to expand, publish and disseminate his research findings.

Wubeshet's best memory

"I have a good memory of attending successive sessions of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, which immensely benefitted my thesis. And I am forever grateful for the high-quality education, state of the art library and good student support system of the Institute."

On 12 November 2021, **Tadesse Kebebew** defended a thesis on "UN Peace Support Operations and the Conundrums of the UN's Duty to Investigate Violations of International Humanitarian Law". The jury members were Professor **Andrew Clapham** (chair and internal examiner), Professor **Paola Gaeta** (supervisor) and Professor **Ian Johnstone** (external examiner).

The thesis addresses the conundrum of the UN's duty to investigate violations of international humanitarian law committed by members of the UN Peace Support Operations (PSOs) with so-called "robust mandates". These mandates necessitate the use of 'deadly force' not only to protect civilians but also for a range of other purposes. The implementation of these mandates has generated serious and recurrent allegations of violations of rights of the very people under the protection of PSOs. The thesis demonstrates that the duty to investigate is also incumbent on the UN and that it is intrinsically linked with ensuring accountability and providing redress for the victims. It also



shows how, despite the allegations, the existing accountability mechanisms have proven inadequate to fight impunity and provide effective redress for the victims.

Tadesse is currently a teaching assistant at the Geneva Academy of International Humanitarian Law and Human Rights, and a researcher at the Geneva Water Hub, Secretariat of the Global High-Level Panel on Water and Peace.

Tadesse's best memory

"Attending the BBC HARDtalk interview of the late Kofi Annan in April 2018 was one of the unforgettable moments of my stay at the Graduate Institute. Annan, among other things, reflected on the role of the UN in preventing conflicts, and the failures of peacekeeping in Rwanda and Bosnia, indicating the awkward position the UN forces found themselves in - they were 'too big to hide and too small to make a difference.'"



On 15 December 2021, **Joshua Joseph Niyo** defended a thesis on *"Defining the Control of Territory by Armed Groups in Armed Conflict: Normative, Conceptual and Contemporary Considerations"*. The jury members were Professor **Paola Gaeta** (chair and internal examiner), Professor **Andrew Clapham** (supervisor) and Professor **Katharine Fortin** (external examiner).

The thesis examines multiple aspects of territorial control by armed groups and questions the relevance of such control for the purposes of the applicability of international humanitarian law, international human rights law, and international criminal law before the International Criminal Court.

Currently, Joshua is a FNS/SNF Visiting Researcher at the University of California, Los Angeles (UCLA) School of Law. He plans to get into a tenured track position toward professorship in International Law, and find avenues to cooperate with international organisations like the United Nations and the African Union. He also intends to pursue further study in theology to expand on his interdisciplinary approach to grappling with critical international legal issues.

Joshua's best memory

"When I moved to Geneva to start my PhD, I relocated from Uganda with my wife. Five years later, we have two lovely daughters, who have been an integral and special part of this journey. I remember after my first daughter was born, my friends and colleagues from my PhD cohort gathered lovely gifts, and insisted on coming to my home to visit my family, and see the baby! They came full of warmth and smiles, and we had tea together that fine evening! Indeed, although the journey can tend to be solitary, somehow, we were in this battle together."

On 20 December 2021, **Lena Holzer** defended a thesis on: *"The Binary Gendering of Individuals in International Law: A Plurality of Assembled Norms and Productive Powers of the Legal Registration of Gender"*. The jury members were Professor **Janne Nijman** (chair and internal examiner), Professors **Paola Gaeta** and **Elisabeth Prüggl** (co-supervisors) and Professor **Dianne Otto** (external examiner).

Using a transdisciplinary approach, this thesis analyses how international law has been involved in making gender a personal legal identity characteristic that is assigned to individuals at birth. It analyses norms from various fields of public international law, including norms on development, humanitarian law, human rights law and passport regulations, as well as rules of private international law. By drawing on queer and feminist theories and assemblage thinking as methodological tools, it contributes to queer-feminist approaches to international law and legal pluralism. It concludes that 'queering' legal gender categories in international law could be achieved through efforts to 'de-propertise' the categories by decreasing their value for the accumulation of people's economic, symbolic and political capital. Moreover, it develops assemblage thinking as a queer-feminist method that allows taking into account a plurality of subjectivities, feminist positions and norms in the study of international law.

Currently, Lena is a consultant for the International Lesbian, Gay, Bisexual, Transgender, Queer & Intersex Youth and Student Organisation (IGLYO). In the future she plans to continue with research and teaching in international law.



Lena's best memory

"I really enjoyed the collegiality and friendships that I made with other PhD students in the Department and being part of the Gender Centre"



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