



UNIVERSITÉ PARIS II PANTHÉON-ASSAS

IHEI
institut des hautes
études internationales



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LA SUMMER SCHOOL DE L'INSTITUT DES HAUTES ÉTUDES INTERNATIONALES.



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A Touch of French International Legal Culture.

For our old Institute, the Summer School on “Contemporary International Legal Perspectives” is a door that opens to the world outside the University. That is the main reason why, as an exception to our tradition, we have chosen to hold the lectures in English.

Candidatures to the Summer School are welcomed from everyone, student or practitioner with sufficient background, that would like to devote one summer week of intensive work, in Paris, to salient contemporary international legal issues.

Participants to the Summer School have the opportunity to meet leading scholars and practitioners working in the field of international law that share with them their knowledge and experience of international affairs, including international arbitration, current trends in international law, major international disputes, contemporary practice within international organizations, etc.

In an open minded and cosmopolite atmosphere, the participants can have a touch of the old French tradition of international law, and beyond... applied to the challenges and uncertainties of contemporary international relations.

Prof. Carlo Santulli
Director of IHEI

Un intérêt mutuel à confronter académiques et praticiens.

Entretien avec Michael Ostrove, avocat, responsable du groupe Arbitrage International, DLA Piper.

Avocat aux barreaux de Paris et New York, ancien de Yale et Berkeley, habitué des grands tribunaux d'arbitrage internationaux, conseil de sociétés comme d'États, Michael Ostrove a la décontraction professionnelle et souriante des grands internationalistes, habitués à parcourir le monde et sans doute aussi à mettre en perspective des situations de prime abord complexes. Il revient du Mexique, accuse le jetlag, repart demain pour l'Afrique... « Mon premier contact avec ce petit lieu magique du Droit international qu'est pour moi l'IHEI remonte à mes années d'étudiant à Paris, en 1994-1995, dans le cadre d'un DEA de droit international public. Ce type de structure autour d'une bibliothèque complète, à la fois havre de paix et lieu d'émulation entre chercheurs d'une même discipline, tout en étant adossé à une grande université comme Panthéon-Assas, est rare. Nous



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A mutual interest for academics and practitioners.

Interview with Michael Ostrove, Lawyer, Global Chair of International Arbitration, DLA Piper.

Member of the Paris and New York Bars, alumnus of Yale and Berkeley, a regular before major international arbitration tribunals, counsel to both companies and governments, Michael Ostrove has the easy-going professional and smiling attitude of the great internationalists, accustomed to traveling the world and doubtless also to putting in perspective situations that would appear complex at first glance. He is just back from Mexico, suffering from jetlag, and he is leaving tomorrow for Africa. “My first contact with this little magical place of International Law, which is what the IHEI is for me, dates back to my student years in Paris, in 1994–1995, as part of an Masters program in public international law. This type of institute, centred around an extensive library that is both a haven of peace and place of sharing between researchers in a single discipline, while

avons noué alors une amitié avec Carlo Santulli qui ne s'est pas démentie. Lorsque le Professeur Santulli m'a proposé de venir enseigner à Paris II l'arbitrage transnational, cela a été un immense plaisir pour moi de revenir dans mon ancienne Faculté. »

« Le format un peu particulier d'une *Summer school* offre encore un autre type d'expérience. Lors de la session de l'été 2017, une bonne partie de mon équipe est intervenue avec moi. C'était une belle opportunité d'étendre la collaboration entre l'université et DLA Piper. De manière générale, un peu partout dans le monde, notre groupe noue des liens avec les facultés de droit ; nous sommes très attentifs à pouvoir contribuer de cette manière à la formation de futurs juristes et avocats. Mais il y a pour nous également un intérêt intellectuel très fort car le contact à haut niveau avec l'enseignement académique nous donne l'occasion, à nous professionnels praticiens, de vérifier que nous sommes toujours au point sur les dernières informations et les connaissances les plus actuelles sur le sujet. Parler de cercle vertueux est d'une terrible banalité mais c'est vrai, on apprend également beaucoup en enseignant. »

Sans dissimuler que l'intérêt d'un cabinet international tel DLA Piper est aussi de maintenir un lien avec un vivier de recrutement à haut niveau – en témoigne la présence de DLA Piper aux successives éditions de la Job Fair d'Assas : « Nous avons toujours de très bons retours, il y a un bon flux de stagiaires, la relation fonctionne très bien » –, Michael Ostrove préfère insister sur les bénéfices particuliers qu'il voit au développement de programmes intensifs et ciblés tels la *Summer school* proposée par l'IHEI cette année encore. « L'implication que l'on peut avoir dans un enseignement sur toute l'année universitaire est bien sûr irremplaçable. Étudiants comme enseignants s'inscrivent ici dans le long terme, l'année académique est sanctionnée par un diplôme, il y a des enjeux majeurs. La *Summer school* fonctionne sur un principe différent, et je crois important de souligner ses bénéfices propres et complémentaires. L'absence d'enjeux tout d'abord est, paradoxalement, l'un des éléments clés de sa réussite. Le temps est plus court, plus intense certes, mais dans la mesure où nous sommes sur des effectifs bien moindres, des publics souvent beaucoup plus internationaux et des intervenants partagés entre académiques et praticiens, tout cela crée des conditions favorables à ce que l'on puisse approfondir certains sujets à la demande d'étudiants motivés et intéressés. Sans rentrer dans du

at the same time connected to a major university like Panthéon-Assas, is rare. I established a lasting friendship with Carlo Santulli back then, and when Professor Santulli asked me to teach transnational arbitration at Paris II, it was a great pleasure for me to return to my old school.”

“The unusual format of the Summer School offers yet another kind of experience. During the summer 2017 session, a good part of my team participated with me. It was a great opportunity to extend the collaboration between the university and DLA Piper. In general, our group establishes ties with law schools around the world. We care very much about being able to contribute in this way to the training of future lawyers. But there is also a very strong intellectual interest for us because the high-level contact with academic teaching gives us, as practitioners, the opportunity to ensure that we are always up to date with the latest information and knowledge. Speaking of a virtuous circle is a terrible cliché, but it is true – we also learn a lot by teaching.”

To have a good conception of public international law or international arbitration law, it is essential to go study in several countries because one then develops in practice a different vision that can be more correct because it is the result of multiple points of view.

He does not hide from the fact that an international law firm such as DLA Piper also has an interest in maintaining ties to a high-level recruitment pool – the presence of DLA Piper at successive editions of the Assas Job Fair proves the point: “We always have very good feedback, there is a good flow of interns, the relationship works very well” – but Michael Ostrove prefers to focus on the particular benefits he sees in the development of intensive and targeted programs such as the Summer School proposed by the IHEI again this year. “The involvement that one can have teaching throughout the academic year is of course irreplaceable. Students and teachers are involved for the long term, the academic year is validated by a diploma, the stakes are high. The Summer School operates on a different principle, and I think that it's important to highlight its specific and complementary benefits. The absence of major stakes in the first place is, paradoxically, one of the key elements of its success. The time is shorter and certainly more intense. But as we are operating with much smaller staff, more international participants, and teachers split between academics and practitioners, these factors combine to create favourable conditions for going into more depth on certain topics when asked by motivated and interested students. Without going so far as customizing courses, we are able to be responsive to requests for certain topics and about certain aspects of problems. In a way, we are really available to go as far as possible in light of the students' requests. This very high-level combination of academic presenta-

sur-mesure, nous sommes cependant en capacité de répondre à des demandes sur certains sujets, certains aspects de la problématique. D'une certaine manière, nous sommes vraiment disponibles pour aller le plus loin possible selon les demandes des étudiants. Ce mélange à très haut niveau entre des interventions académiques assurées par des spécialistes au sommet des connaissances du Droit international et des praticiens qui sont confrontés dans leur exercice professionnel à des cas très concrets, toujours différents bien entendu de la pure théorie, est un milieu enrichissant pour les étudiants motivés. »

The interest of international arbitration is precisely to escape as far as possible from national law, at least procedurally.

« J'ajouterais qu'à cette absence de stress, qui permet de retrouver le pur plaisir d'apprendre et d'approfondir entre nous un sujet, que l'on oublie parfois durant l'année universitaire, s'ajoute une dimension éminemment interactive de l'enseignement. Cela profite à ceux qui ont du mal à prendre la parole en public, comme à ceux qui peuvent parfois oublier que la parole juridique gagne évidemment toujours à s'ancre sur une base académique de haut niveau. »

« Si je devais donner un conseil aux étudiants juristes qui se destinent à des carrières internationales, ce serait de multiplier autant que possible toutes les expériences à l'international. Si j'étais un peu critique, je dirais qu'en dépit de la mondialisation des pratiques juridiques, il existe une tendance, même dans le droit international, à développer une conception nationale du droit international, que ce soit une conception française, américaine ou chinoise... Plus encore dans l'arbitrage international, cette contradiction *in se* peut poser problème ; l'intérêt de l'arbitrage interna-

tions by leading specialists in International Law and by practitioners who face real-life cases in their professional practice, which is always different from pure theory, presents a rewarding place of study for motivated students.”

“I would add that the absence of pressure, which permits us to rediscover the pure pleasure of learning and working together to deepen our understanding of a topic (itself something we sometimes forget during the academic year), comes with a truly interactive type of teaching. This is a benefit for those who are not comfortable speaking in public as well

as for those who can forget that legal analysis is obviously always improved when anchored in a strong academic foundation.”

“If I had to give advice to law students planning on international careers, it would be to have as many international experiences as possible. If I were a little critical, I would say that despite the globalization of legal practice, there is a tendency, even in international law, to develop a national conception of



Le Professeur Carlo Santulli.
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Les participants à la Summer School IHEI 2018.
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tional consiste justement à échapper autant que possible au droit national, au moins sur le plan procédural. Pour avoir une bonne conception du droit international public ou du droit international de l'arbitrage, il est essentiel d'aller l'étudier dans plusieurs pays, parce que l'on développe alors dans sa pratique une vision différente, plus juste dans la mesure où elle va résulter de la multiplicité des angles sous lequel on peut le voir. »

« Je regrette souvent de ne pas avoir la possibilité dans ma pratique de recourir davantage aux possibilités d'approfondissement d'un sujet que l'on trouve dans l'Université. En tant que praticiens, nous faisons parfois appel à l'expertise de professeurs ou bénéficions du fruit de la recherche de jeunes chercheurs sur des points précis et complexes rencontrés lors de procédures. C'est aussi dans cette perspective-là qu'il me semble important que praticiens et académiques continuent d'échanger et développer semblables programmes au bénéfice des étudiants. »

international law, whether it is a French, American or Chinese conception. Even more so in international arbitration, this contradiction can be a problem; the interest of international arbitration is precisely to escape as far as possible from national law, at least procedurally. To have a good conception of public international law or international arbitration law, it is essential to go study in several countries because one then develops in practice a different vision that can be more correct because it is the result of multiple points of view.”

“I often regret not having the opportunity in my practice to go into greater depth in subjects the way we can at a university. As practitioners, we sometimes call on the expertise of professors or benefit from the research of young academics on specific and complex issues we encounter in cases. It is also in this light that it seems important to me that practitioners and academics continue to exchange and develop similar programs for the benefit of students.”

IHEI SUMMER SCHOOL AS SEEN BY ITS STUDENTS...

I appreciated how the academics and the practitioners tried to cram as much information, and go into as much depth as possible, within the confines of what was a very short program, while still tailoring it to the level that was suitable for the attendees

Brian Wong



D. R.

Brian Wong, London King's College, graduate LL.B. in Politics, Philosophy & Law, Summer School 2017.

I chose the program because I have a keen interest in international law, and in particular international arbitration, a field I hope to go into once I start work at Clifford Chance. I also chose it particularly because I wanted to be in Paris for the summer, with many of my friends studying at the Sorbonne, Assas, and Sciences Po, I had heard a great deal about the quality of the faculty at Assas, and the beautiful law campus. In addition, the faculty as well as the practitioners from DLA Piper made it an attractive program for me. I really wanted to get a feel for the French legal education system, get a chance to study at one of the best law faculties in France and the world, and to expand

my understanding of international law and dispute resolution from the perspective of learned academics and experienced practitioners.

I think the experience at Assas, albeit a brief one, gave me insight into the French system of legal education, and I believe attending the summer school has sparked in me some serious thoughts about pursuing my further legal education in France (I am currently applying for an LL.M. in Transnational Arbitration and Dispute Settlement), and possibly working there in the future.

I appreciated how the academics and the practitioners tried to cram as much information, and go into as much depth as possible, within the confines of what was a very short program, while still tailoring it to the level that was suitable for the attendees. I really enjoyed interacting

with some of the other students from various backgrounds, and with the professors and practitioners (Professor Carlo Santulli to name one amongst many), who were incredibly friendly and keen to engage us both in legal discussions as well as in casual conversation.

I have finished my 4th year at King's College London, due to graduate with an LL.B. in Politics, Philosophy & Law. I have pushed back my LPC and Training Contract with Clifford Chance by a year in order to pursue a Master in either Public Policy, International Law, or International Arbitration.

In addition, I think programs like these are key to students, lawyers, and legal academics building a network internationally, as well as fostering a keen understanding of the different approaches to law and international law, in a world where transnational law is increasingly the norm. I firmly believe that the work of the IHEI and legal academics the world over, coupled with the knowledge and experience of practitioners is key to bettering our understanding international law, as well as pushing it forward, and improving the system.



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Elissa Sayegh, young lawyer from Beirut ; graduate in French and Lebanese law at Université Saint-Joseph de Beyrouth, Lebanon, Summer School 2018.

Paris II Panthéon-Assas University's reputation with its teaching and research quality precedes itself and so attending its Summer School program in the most prestigious international law institute in France, the IHEI, was the perfect route to take in order to learn about

the “Contemporary International Legal Perspectives”. Attending the program gave me the chance to become better acquainted with the appealing alternatives and inviting methods to avoid litigation in national courts which is why I ultimately aspire to work in International Commercial Arbitration.

Having a French and Lebanese law degree at university in Beirut, Lebanon, I was accustomed to compare both national laws, however the IHEI Summer School lectures gave me a better understanding of the importance to place myself in an international point of view to solve international public law cases or international arbitration disputes and by doing so, avoid any mistake of developing a national conception of international law. Discussing different laws with the international students and getting to know a variety of other national norms with the professors also confirmed that any good jurist should take into account that laws are not particular to a certain country, acknowledge the diversity and work accordingly.

As we learnt during lectures, the main purpose of International Law would be to maintain peace and security within the nations. The science behind it would be of great use in the contemporary world, since it encourages people to place themselves at a different point of view, avoid litigation and unnecessary long term disputes and set aside all discriminatory approaches.

For a first-timer in Paris, I appreciated the guidance from fellow students as we got to stroll around the city and discover numerous new places during lunch breaks and after classes. Having more than six nationalities in class, made the conversations more interesting and the experience more remarkable.

This mind-opening experience helped me grow not only on an intellectual level, but also on a personal level.

Elissa SAYEGH

Having a smaller group of participants obviously gives students the opportunity to get to know each other better and fosters a friendly environment for learning.

Min-Chul Kim

I highly recommend this exact program since the environment was always warm and welcoming. During the farewell cocktail at the end of the week, the energy was bubbly and conversations were exchanged not only between students but also with the teachers and collaborators.

In all aspects, the Summer School program did not disappoint : in a short period of time, I lived in a beautiful city, met smart and fun people, learnt a lot about international relations and enjoyed every day of it. This mind-opening experience helped me grow not only on an intellectual level, but also on a personal level.



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Min-Chul Kim, Bachelor of Business Administration & Bachelor of Arts in Economics, Seoul National University; currently enrolled in the J.D. program at Seoul National University School of Law; planning to enter a law firm to hopefully work in the field of corporate law and competition law, Summer School 2018.

I choose to attend the IHEI Summer School for both academic and personal reasons: to get a better understanding of international relations and international law, which I believe is crucial for a lawyer possibly working under global settings, and for the great opportunity it offers to associate with students and professionals from all over the world. Besides it was also an opportunity for a fine vacation in Paris, which is undoubtedly one of the most attractive tourist spots in the world. Despite having no prior knowledge of Pantheon-Assas University, now I understand it is the most prestigious one in France for the field of law.

Having a smaller group of participants obviously gives students the opportunity to get to know each other better and fosters a friendly environment for learning. It was also great to see students building relationships with lecturers from DLA Piper and exchanging contact info. The experience of sharing knowledge and ideas with enthusiastic students from all around the world, which was well provided by this year's summer school, would surely be helpful to develop and practice multiple a multiple point of views perspective.

Since I think it is very important to develop a professional international network, I intend to stay in contact with my colleagues. We got to know each other from the very first day of the class by having lunch together, tried a wide variety of cuisines including French, Italian, Turkish, etc. In general, I think we got along well regardless of nationality, gender or age.

I personally believe that opportunity favors the prepared. Taking part in the international summer school would provide a head start for a future lawyer working under global settings, and make it easier for him/her to prepare for the more globalized world.



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Michelle Cheyne, Professeur de langue et littérature françaises à l'University of Massachusetts Dartmouth, États-Unis ; en cursus de Licence numérique de Droit à l'université Panthéon-Assas, Summer School 2018.

Mère célibataire, j'ai choisi en 2007 de suivre le programme de Licence numérique de l'université Panthéon-Assas afin de pouvoir entreprendre des

études de droit tout en continuant à travailler comme professeur de langue et littérature françaises à l'université aux Etats-Unis. Suivre la Summer school de l'IHEI cet été était un moyen pour moi d'approfondir et développer mes connaissances en droit international et renouer avec un enseignement en présentiel en petit groupe qui favorise les contacts entre étudiants et avec les intervenants, académiques et professionnels. Je travaille actuellement sur un livre portant sur les représentations de l'expérience migratoire des hommes et des femmes faisant le choix de traverser la Méditerranée pour rejoindre l'Europe ; sujet où les droits humains sont convoqués bien évidemment, à côté du droit international.

Mon but était aussi linguistique, afin d'apporter ce plus à mes étudiants américains ; je suis convaincue que les étudiants auront de plus en plus besoin de développer des compétences linguistiques liées à leur contexte d'exercice professionnel. Permettre ainsi à mes étudiants américains de bénéficier de connaissances linguistiques en français articulant droit français, droit international et organisations internationales constitue à mes yeux un réel apport et je suis heureuse de pouvoir développer cet aspect de mon enseignement grâce à ce type de programme universitaire estival.

Un mot peut-être encore sur le fait que suivre une Summer School peut également être un moyen de préparer une nouvelle étape d'une vie professionnelle. À titre personnel, j'ai 51 ans, mais je ne prépare pas ma retraite, je m'ouvre de nouvelles opportunités professionnelles qui me mèneront vers d'autres horizons. C'est une illustration très concrète du discours que l'on entend beaucoup sur le fait que nous aurons tous désormais plusieurs mé-

tiers dans notre vie professionnelle. Et à cet égard, le cursus de la Licence numérique par exemple permet aussi de fédérer des personnes venant d'horizons très divers, avec des perspectives sociologiques qu'il serait intéressant de dégager, en particulier pour étudier les changements de trajectoires professionnelles des hommes et des femmes après 40 ans et l'évolution des secondes carrières.

Quant à l'importance du réseau, elle est indéniable. Certes, les contacts que l'on noue lors d'une Summer School sont très enrichissants ; certains demeureront éphémères, d'autres seront plus durables, mais le contact humain et le partage d'idées sont les choses qui nous nourrissent intellectuellement le plus. Trouver une piste de recherche à l'occasion d'une discussion, mieux comprendre tel ou tel point du cours théorique grâce à un échange... Développer un réseau n'est pas selon moi quelque chose « à exploiter », mais quelque chose « à cultiver ». Cela prend plus de temps et demande davantage d'investissement personnel, c'est une manière d'être et d'être curieux tout au long de la vie.



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Clément Meyssirel, french law student at Panthéon-Assas University, second year of master in Public law in order to acquire a Phd degree in administrative law, Summer School 2018.

As far as we have a long vacation period, it appears to be a necessity to continue to extend our own legal knowledge in several spheres of the Law. The acquisition and the development of a solid legal culture is a pleasant duty we should achieve. Summer schools are efficient

Suivre une Summer School peut également être un moyen de préparer une nouvelle étape d'une vie professionnelle.

Michelle Cheyne

way to do so. It is in this perspective and also to update my knowledge in International Public Law and Arbitration that I choose to attend the Summer School of the well-known IHEI.

The academic year is characterized by its intensity which does not give us enough time to learn with a critical eye. On the contrary, a Summer School offers the possibility to acquire knowledge in a more active way. A complicity was born between the professors and the participants who can freely question the given information. In addition to this, the International Public Law readily lends itself to this form of learning due to the fact that it is permanently subject to interpretation by its own institutions and professionals.

Michael Ostrove's point of view on international arbitration's requirement "to escape as far as possible from national law, at least procedurally" in order to "develop in practice a different vision that can be more correct because it is the result of multiple points of view" is an excellent and powerful sum up of the world in which we live. In 2018, most of the nations are connected to each other, people can easily travel and a universal language has been found. The International and national Law indubitably undergo such mutations. Each national law suffers from an impact of another law. Some practice change due to the multiplicity of exchanges; some rules need to evolve in order to be more competitive in an open world. However, as a response to this wave of uniformity, a tendency to develop a national conception of international law strongly emerge. Each law pretending to find THE best interpretation. In such a mobile world, it is an obligation for a young lawyer to discover another way to approach the Law in general and International Law. International experiences enable to compare different analysis and practice of Law.

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Clément Meyssirel

The international experience you could acquire helps you, in a more efficient way, to make your own opinion on the debating question.

A Summer school is a wonderful social experience. Due to the small stake linked to your participation, and the few participants, students can easily create friendship without undergoing the intensity of an academic year. An International summer school is indeed an efficient way to develop a professional network.

Le droit international est un droit courageux. Il se veut être le garant des pratiques intéressées de chaque Etat. Il prône l'encadrement de ces derniers dont l'appétit est irrassiable¹. Le droit international se heurte à ceux qui ne voient en lui qu'un tissu de textes inefficaces, qu'un ensemble de règles violées, qu'un amas de décisions bavardes. Dès lors le juriste en droit international ne peut que tâcher de rester impassible, souple. Il sait que son savoir est sujet à de multiples interprétations et que les juridictions elles-mêmes semblent parfois se contredire. Ce sont ces contradictions qui font de ce droit un droit bel et bien vivant, laissant ainsi une grande place à la sueur interprétative du juriste, luttant sans cesse pour faire valoir son point de vue.

Si j'avais un mot à dire aux étudiants pour les encourager... *A Summer school is a great academic and social opportunity. It enables you to discover new way of learning, to taste different legal approaches and to enlarge your knowledge. I can only recommend students to attend this kind of programs, in France or abroad.*

¹ Clément Meyssirel nous précise que ce mot qui « surprend, fait sourire et sonne faux, trouve cependant son existence et son sens sous la plume baroque de Scarron et, plus récemment, de Flaubert, notamment dans *Bouvard et Pécuchet*. » www.cnrtl.fr/definition/irassiable