

# Chatting with Vladyslav Lanovoy

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Vladyslav Lanovoy, Spyridoula Katsoni

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**Welcome to the latest interview of the Völkerrechtsblog's symposium 'The Person behind the Academic'! With us we have Prof. Vladyslav Lanovoy, and through the following questions, we will try to get a glimpse of his interests, sources of inspiration and habits.**

**Welcome Prof. Lanovoy and thank you very much for participating in our symposium!**

**May I first ask what it was that brought you to academia and what made you stay?**

In my case, the seeds of academia were planted by Professor Paula Escarameia, my first professor of public international law at Universidade Nova de Lisboa who quickly became my mentor and a dear friend. She was the first woman to be elected member to the International Law Commission back in 2001, along with Judge Hanqin Xue. There was something so unique and inspiring not only about her knowledge and insights on international law, based on years of practice at the United Nations, but also about her generosity and kindness towards students. Around the same time, I took part in the Telders International Law Moot Court Competition, where our team reached the final which was held in the Great Hall of Justice before a bench that included Judges Peter Tomka and Kenneth Keith. By the end of the course on public international law that Paula was teaching, she selected three students as research assistants to work with her and other members of the ILC during its summer session in Geneva in 2006. I was among the lucky ones. I enjoyed the experience so much that I continued working with Paula in 2007. I have not looked back ever since or hesitated a second as to what I wanted to do in life.

I completed my PhD in 2014 but took a conscious decision to qualify as a lawyer and gain practical experience in international dispute settlement, including at the Permanent Court of Arbitration, Freshfields Bruckhaus Deringer LLP, and the International Court of Justice. These experiences have informed my philosophy as an academic. However, choosing this path, rather than moving directly to academia upon completion of my PhD, was not without its risks, though I did my best to continue writing and teaching in parallel to my professional responsibilities. I am happy though to have secured a tenure-track academic position in public international law in Canada, which gives me much freedom and satisfaction. My involvement in various academic and professional projects keeps me closely connected to colleagues and friends from all over the world.

In sum, I would say that both ideas and people have made me choose to pursue a career in academia. Ideas around the rule of law, responsibility, justice and the peaceful settlement of disputes that I feel strongly committed to. People who have inspired me are too many to mention, but I would be amiss not to acknowledge

Paula Escarameia, Vera Gowlland-Debbas, Pierre-Marie Dupuy (my mentor and *Doktorvater*), Marcelo Kohen, Andrea Bianchi, Andrew Clapham, Gráinne de Búrca, Ryan Goodman, Gabrielle Marceau, Luigi Condorelli, Malgosia Fitzmaurice, James Crawford, Mohamed Bennouna, Peter Tomka, and Djamchid Momtaz. Not only have they influenced my views on what matters in international law, but also gave me the confidence that I had something useful to say as an aspiring academic.

**If you were not an academic, what would you be?**

Perhaps more broadly, if I were not a public international lawyer, I would have become a diplomat, a linguist or an art historian. I always believed and still do that effective diplomacy can foster positive change and prevent conflicts. In fact, much of the human suffering we are experiencing today is the failure of diplomacy rather than a sign of gaps in the international legal framework. Since an early age, I was passionate about languages, and somehow was at ease at learning them. Perhaps, that was thanks to the fact that my entire family are classical musicians, although paradoxically I have never had an ear for music. I find that languages are a useful tool not only for research purposes, but also for building lasting friendships in academia and beyond. Around the time that I discovered public international law, I took an extracurricular course on egyptology, and another one on the Arabic language and culture. I could totally see myself thriving in the history of art, but international law spoke more closely to my heart and mind. That said, I do love reading about art, and struggle to resist buying new art books whenever I travel abroad and visit museums in between law conferences. My poor students are all too familiar with my attempts to draw associations between international law and art.

**Could you share with us three authors or books that have had a major impact on your perception of justice?**

Hannah Arendt, *The Human Condition* (1958). Norberto Bobbio, *L'età dei diritti / The Age of Rights* (1990). Amartya Sen, *The Idea of Justice* (2009). These books have certainly shaped my own perception of justice as an ideal to pursue, despite the inherent desire of humans to attain power and greed, on the one hand, and the structural social and economic inequalities, on the other hand.

**Reading aside, which other factor would you say has mostly influenced your perception of justice?**

It is inevitable that one's perception of justice is often shaped by personal experiences. I would single out three different moments. The first one was that of having lived and having been raised in Ukraine, particularly in the 1990s, during its transition from the Soviet Union to an independent State, seeking to build a democracy and the rule of law. It has not been an easy ride, but I am so proud of the resilience of my people and my country who have never abandoned that journey no matter what. The second moment was that of living as an immigrant in Portugal and seeing many challenges that immigrants face even in the developed countries. Finally, during my professional journey, I have been exposed to different facets of international justice, which change depending on whether it is pursued by an individual or a State, as well as the institutional limitations of the mechanism

before which it is pursued. For instance, my work experience as a consultant for the UN Office of the High Commissioner for Human Rights, when juxtaposed with my experience as an associate legal officer at the International Court of Justice, made me discover very different facets of international justice and the tensions between the State and the individual as its ultimate beneficiaries.

**Would you say that your upbringing has had an impact on your research interests?**

Most definitely. I believe my upbringing in a multicultural environment, an experience of living at two extremities of Europe, in Ukraine and Portugal, as a child and teenager, drove me to seek education and work experience in other countries in Europe, the United States and now Canada. I am a true generalist in terms of my research interests, which range from foundational subjects such as sources, the law of responsibility or dispute settlement, to specific issues in different branches of international law, including international economic law, law of the sea and human rights law.

**Which are three texts that you would wish all academics working on international law would read?**

This is a difficult one and quite personal. Let me instead address three categories.

First, I think it is important to read as many books as possible in other fields. I have personally been influenced by books on history and philosophy (e.g. books by Eric Hobsbawm or Bertrand Russell are a delight to read). I believe that books in other fields allow us to better situate our own discipline within the society and the progress of ideas.

Secondly, and closer to our craft, I find that books on the philosophy of law are a great source of inspiration when working on a range of topics in international law (e.g. John Austin, *The Province of Jurisprudence Determined* (1832); Hans Kelsen, *Reine Rechtslehre / Pure Theory of Law* (1934); H.L.A. Hart, *The Concept of Law* (1961); Santi Romano, *L'ordinamento giuridico / The Legal Order* (1917)).

Thirdly, as to the literature specifically on international law, I have a soft spot for a few classics such as Hersch Lauterpacht, *The Function of Law in the International Community* (1933), Wilfred Jenks, *The Common Law of Mankind* (1958), and Wolfgang Friedmann, *The Changing Structure of International Law* (1964). I am also a big fan of The Hague Academy courses and have a significant collection of hardcopies at my office at home, much to my wife's chagrin. My favourite general courses are those that share a real vision of the international legal order, like the ones by Georges Abi-Saab, Michel Virally, Pierre-Marie Dupuy, James Crawford or Mohamed Bennouna. I think all academics working on international law should read The Hague Academy courses.

**What is your favourite place to read and write? What is always near you when you read and write?**

The Peace Palace Library in The Hague is my favourite place to read and write in the world, but as I am now based in Canada, I have fewer opportunities to do so. I like working both from home and my office at the law faculty. It really depends on my mood. I wish my writing routine was more consistent; still working on that, which implies constantly learning how to improve my time management skills. In terms of must-haves for reading and writing, I would say a good pen, a notebook, two screens and a steady stream of espresso.

**What is an energy and inspiration booster, at times when you have none?**

My 3-year-old is the greatest energy and inspiration booster. Playing with him inside or outside, running after him, building puzzles together or reading to him, makes me feel instantly better about whatever might be causing me stress on a particular day. Exercising (tennis, swimming or running) and travelling are also essential.

**Have you ever drawn influence from any form of art in your work? Is there anything artistic about writing academic texts on international law?**

I think art is in everything we do as humans. Writing is an art. Writing on international law is no exception. I have often drawn inspiration in my work from classical music, literature, painting, and architecture. That said, by the time my texts get reviewed and published, chances are that any express references to other forms of art are edited out by my wife, who happens to be the most ruthless editor of legal texts I know out there. I look up to her for many reasons, not least the way she writes.

**Which of your publications is your favourite one? And which of them is your least favourite?**

That is certainly not for me to judge, but I think my monograph on *Complicity and its Limits in the Law of International Responsibility* (2016) is probably my favourite, simply because I have treated it with much love and patience over the years. My rather long article on *Causation in the Law of State Responsibility* (2022) in the British Yearbook is a close second. It is harder to pinpoint my least favourite publication, but it is certainly the one that I had to rush to complete and where the ideas are not fully baked, either due to space limitations or a failure on my part to manage my time.

**If you could, which unspoken rule of academia would you instantly erase?**

The focus on obtaining research funding from public and private institutions and the perception that this is a requirement to progress as an academic. The time commitment required distracts academics from the intellectual thought process and shapes us into fundraisers, a role for which we are not well equipped or trained. Funding can certainly facilitate certain forms of research, but I often wish that I could reallocate the hours spent on seemingly essential funding applications to actually performing the research that funding is intended to facilitate.

**Have you experienced or witnessed discrimination in academic circles? What do you think would help lessen discriminatory instances in academic circles?**

Certainly, as we all have. In some countries and settings, discrimination in academic circles is structural and statistically verifiable in terms of hiring and promotion patterns. My experience thus far in Canadian academia has been positive. For example, the rules on hiring, promotion and funding are both transparent and robust. I have also seen that unions can play an important role in preserving the fundamental tenets of academia.

**Ideally, whom would you want to find waiting for a meeting with you outside your office next Monday?**

An aspiring PhD student who has something groundbreaking to say.

**What are you working on currently? What may we anticipate in the near future?**

The three key areas of my ongoing research concern: 1) the classification of obligations in public international law; 2) the relations between private bodies involved in the codification and progressive development of international law and international courts and tribunals; and 3) international climate justice and reparations. In addition, a few exciting projects in the pipeline concern specific aspects of the functioning of international courts and tribunals and the interactions between international law and domestic legal orders.

**Thank you very much Prof. Lanovoy for participating in our symposium and for having taken the time to respond to our questions!**

