

INDEPENDENT INTERNATIONAL PANEL ON ARBITRARY DETENTION IN STATE-TO-STATE RELATIONS

Hybrid Side Event during International Law Week

Permanent Mission of Canada to the United Nations,
466 Lexington Avenue, 20th Floor, New York 10017

Wednesday, October 23, 2024: 8:30-9:45 am
(Light breakfast will be served)

Arbitrary Detention in State-to-State Relations: Challenges and Opportunities for Multilateralism and the Rule of Law in International Affairs

In 2021, Canada led an international initiative on the increasing use by States of the arbitrary detention of foreign nationals as a coercive measure to obtain concessions from their State(s) of nationality. The effort resulted in the adoption of a *Declaration Against Arbitrary Detention in State-to-State Relations* (“the Declaration”) which has been endorsed by 78 states from all geographic regions of the world. The *Declaration* notes that arbitrary arrests and detentions undermine international cooperation and are contrary to international law, including various universal and regional human rights treaties and instruments.

In January 2024, as a concrete follow-up action to the adoption of the Declaration, an *International Independent Panel on Arbitrary Detention in State-to-State Relations* (“IIP” or “the Panel”) comprised of leading international law scholars and practitioners from all geographic regions of the world was tasked to examine the issue of arbitrary detention in State-to-State relations from an international law perspective. A central question is whether existing rules of international law, including those pertaining to human rights law, international criminal law and State responsibility, are sufficient to address this practice, or whether new norms, mechanisms, or processes should be considered if the practice is to be curbed or eliminated.

During this breakfast side event, on the margins of the 2024 International Law Week, the Panel wishes to offer Sixth Committee delegates and legal advisors from capitals an opportunity to engage with their ongoing work on this cutting-edge issue of international law. Members of the IIP will explain their mandate and present summaries of the key legal issues that they are studying from different areas of international law. They also hope to engage in a dialogue and take on board the input of States towards preparation of their report in June 2025.

Programme

Welcome and Introductions

Opening Remarks: A Brief Overview of the Mandate and Work of the Independent International Panel on Arbitrary Detention in State-to-State Relations

- Prof. Charles. C. **Jalloh**, University of Miami Law School, International Law Commission and Chair, Independent International Panel on Arbitrary Detention in State-to-State Relations

Panellists:

- Professor Shaheen Sardar **Ali**, University of Warwick, School of Law
- Professor Claudio **Grossman**, American University Washinton College of Law and International Law Commission
- Ambassador Marja **Lehto**, Ministry for Foreign Affairs of Finland and Vice-Chair, Independent International Panel on Arbitrary Detention in State-to-State Relations
- Professor Michael **Newton**, Vanderbilt University Law School

Interactive Dialogue with State Delegates

Closing Remarks: Key Conclusions from the Discussion and Next Steps

Logistical Information

Accessibility: For information on accessible entrances to the venue, please refer to [this link](#).

RSVP: Kindly register via [this form](#) by Tuesday, October 22.

Virtual participation: A link will be distributed to those who register.