Report: Ottawa Roundtable on International Law and Double Standards

By:

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Introduction

On November 9, 2024, the Human Rights Research and Education Centre at the University of Ottawa's Faculty of Law hosted a roundtable discussion on International Law and Double Standards. This eventbrought together participants from diverse fields of or intersecting with international law for an informal,interdisciplinary exchange on how double standards manifest in legal, political, and institutional contexts. Intheir opening remarks, the roundtable's organizers—Olabisi D. Akinkugbe, David Hughes, and John Packer—outlined the broader scholarly context of the discussion, emphasizing its role within an ongoing series ofevents dedicated to critically examining double standards in international law. They highlighted how accusations of double standards

frequently emerge in debates over international legal enforcement, State sovereignty, and human rights, often shaping the credibility and legitimacy of international institutions. The roundtable aimed to foster an open and rigorous dialogue on whether double standards are deviations to becorrected or inherent features of the global legal system—or what to do about them. By bringing together scholars, legal practitioners, policymakers, and civil society representatives, the event created a forum forexchanging diverse perspectives on the role of hypocrisy, power asymmetries, and selective legal application in international relations.

Dean Kristen Boon (the Susan & Perry Dellelce Dean of Common Law at the University of Ottawa) and Professor John Packer (Neuberger-Jesin Professor of International Conflict Resolution in the Faculty of Lawand Director of the Human Rights Research and Education Centre at the University of Ottawa) welcomed participants to the Faculty of Law, setting the stage for a dynamic and thought-provoking discussion ondouble standards in international law. In their opening remarks, they underscored the importance of criticallyengaging with the concept of double standards, not only as a theoretical challenge but also as a practical issue shaping contemporary global governance. They framed the roundtable as a contribution to the futureof the multilateral global order, emphasizing that interrogating inconsistencies in the application of international legal norms is essential for strengthening the legitimacy and effectiveness of, notably, multilateral institutions. Throughout the day, these opening insights encouraged participants to reflect onthe ways in which double standards influence diplomacy, international adjudication, and the credibility ofinternational legal mechanisms.

The resulting discussions explored three key themes central to understanding the role of double standards ininternational law. *First*, participants examined the conceptualization and application of double standards, drawing on observations and insights from diverse fields such as human rights law, investment law, businessand human rights, and anti-money laundering regulations. This interdisciplinary approach allowed for a broadand grounded discussion on how hypocrisy and inconsistency manifest across different legal and policyframeworks.

Second, the roundtable focused on the relationship between double standards and international law,addressing foundational questions about the nature of selective enforcement, the legitimacy of legalinconsistencies, and whether double standards are inherently antithetical to fairness or sometimes necessaryfor stability and strategic cooperation. This discussion interrogated whether pragmatic adaptations in legalapplication—such as special considerations for weaker States or hegemonic powers—are essential trade-offswithin the international legal system or whether they undermine its legitimacy and effectiveness.

The third and final theme centred on exceptionalism (or “exemptionism”), exploring how certain States oractors assert unique status or privileges that justify departures from generally applicable norms. The discussion traced the historical and contemporary use of exceptionalist narratives, particularly in the contextof American foreign policy, and considered how other global powers, including the P5 and regional hegemons, claim similar exemptions. Participants debated the extent to which international law accommodates or challenges exceptionalism, and whether its horizontal nature and lack of a supranational enforcement regime make asymmetries in power and legal application inevitable. Throughout the discussion, speakers critically engaged with the implications of these double standards, questioning whether they should be corrected as deviations or recognized as integral features of international legal practice.

The roundtable brought together 25 participants from across Canada and around the world, representing adiverse range of scholarly and professional expertise in international law and international relations.Attendees included academics, legal practitioners, government officials, and representatives frominternational organizations and civil society, each bringing unique perspectives shaped by their work ininternational legal institutions, human rights advocacy, global governance, and diplomacy. This diverse expertise enriched the discussions, allowing for an interdisciplinary and practice-oriented exploration ofdouble standards in international law. All participants partook in their personal capacity and the event wasconducted under the Chatham House Rule, ensuring that participants could engage in an open and candidexchange of ideas without individual remarks being attributed to specific speakers. As such, the followingreport provides a summary of the key themes and insights

that emerged from the discussions, rather than adetailed account of individual contributions. This approach allowed for a more frank and exploratorydialogue, fostering deeper engagement with the challenges and implications of double standards in theglobal legal order.

This event forms part of a larger research initiative, The Double Standards Project, a multi-institutional and interdisciplinary endeavour aimed at deepening academic and policy-oriented engagement with doublestandards in international law. The project, which is co-led by David Hughes (Trinity College, University ofToronto) and Patryk Labuda (Central European University), is hosting a series of workshops, roundtables, andexpert meetings co-organized with institutions such as Harvard Law School's Program on International Lawand Armed Conflict and the Geneva Graduate Institute. The first of these workshops took place in July 2024 at the Free University of Berlin, with a large workshop and diplomatic forum planned for May 2025. These gatherings bring together scholars, diplomats, legal advisors, policymakers, and representatives from international organizations and civil society to examine how double standards function within the international system and shape inter-State relations. The Ottawa roundtable represents a critical step in advancing the conversations fostered by this broader initiative. By bringing together legal scholars and practitioners, it not only contributes to ongoing academic and policy debates but also provides a venue for rigorous, interdisciplinary engagement with one of the most pressing challenges in international law today.

Download the Full Report here:
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Olabisi D. Akinkugbe, ***David Hughes*** & ***John Packer,*** **Co-Conveners**.

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