THE CONVERGENCE OF PUBLIC AND PRIVATE INTERNATIONAL LAW IN PRACTICE

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Good afternoon. It is such a privilege to be back at The Hague Academy, for the third time now, and to address a group of students so talented like yourselves who are the next generation of international lawyers.

I am very grateful to the Secretary-General, Professor Jean-Marc Thouvenin, for his invitation to deliver this lecture.

As I understand it, the aim of these lectures is for speakers to share their personal experience of working in the field of international law (IL). It was suggested that my lecture could be linked to the course that I gave at the Academy in 2020 in which I spoke about "The Influence of Public International Law upon Private International Law in History and Theory and in the Formation and Application of the Law"[1].

As I don't think that my personal experience is very interesting, except perhaps for my own family and friends, I thought that I would refer to my professional career

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[1] https://referenceworks.brillonline.com/entries/the-hague-academy-collected-courses/*A9789004544406_02

loosely as the framework to talk about Public and Private IL and how both branches of the international legal discipline converge in many activities and capacities that an international lawyer may act on, as a public servant, a practicing attorney, a counsel, or an academic.

In my case, as an Argentine career diplomat I have served as a consul in New York, a delegate before the United Nations Organization and as the Legal Adviser to the Argentine Foreign Ministry, before becoming Ambassador to The Netherlands where I also represent Argentina before the International Court of Justice, the Permanent Court of Arbitration, the International Criminal Court, the Organization for the Prohibition of Chemical Weapons (OPCW), the Hague Conference of Private International Law (HCCH) and the Common Fund for Commodities (CFC). I am also currently serving as member of the United Nations International Law Commission. And over the years I have also done part-time academic work.

It is from these different angles —which are the ones I am familiar with— that I will share some experiences that I hope may come of use for some of you in your current or future careers as international lawyers whatever paths you may take.

Let me start by saying that my career, like that of many, is the result of personal choices and external circumstances. Some personal choices seemed wrong at the time —such as going to law school when what I wanted to study was history. Or falling in love with Private IL and ending up practicing mostly Public IL. Also becoming a diplomat, only to realize later that what I wanted to be was an international lawyer. Or seriously considering quitting the Foreign Service to become a law professor as I was studying my LLM at Harvard, but then realizing that full time academia would not suit me.

And yet those choices made sense in retrospect. History and IL are intrinsically intertwined. To use the words of Max Gutzwiller *"Parmi tous les domaines du droit, aucun ne dépend à un tel degré de son histoire que le droit international. En droit international privé, l'histoire est tout."* Being a diplomat allowed me work on an array of IL issues on which I would not have worked had I become a law professor or a practicing attorney. And my interest in both Private and Public IL opened the possibility of working on a much more diverse spectrum of international legal issues than the rest of my colleagues. My interest in academia also got me involved in the organizations of The Hague Academy External Programme in Buenos Aires in 2012 which further encouraged me to do academic work and to pursue a strong cooperation with The Hague Academy which I value deeply. And I do feel strongly that theory is important to understand the world around us and be a good practitioner. Finally, I believe that having both a diplomatic and academic profile and some expertise in both Public and Private IL helped me get elected to the International Law Commission.

I will first start with my more extensive diplomatic experience as a consul, as a legal adviser and as a delegate before international organizations (IOs). Then I will move on to my more recent experience as an ambassador and as a member of the International Law Commission. Finally, I will conclude with my more modest experience as an academic.

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(a) Consul

It is not immediately apparent that as a consul —in New York in my case, where I served after graduating from the Diplomatic Academy— you would have to deal with IL matters, much less Private IL. After all, what a consul does is to assist citizens in distress, and to issue passports and visas. Consuls do not necessarily have, nor are

required to have, a legal background. And yet, you would be surprised by the many international legal issues that may arise in the course of consular functions.

A consul works and lives in a foreign country, and their functions and obligations are governed by IL: the 1963 Vienna Convention on Consular Relations which was drafted by the International Law Commission where I serve now —although I cannot claim any credit for that. The Vienna Convention provides that "[w]ithout prejudice to their privileges and immunities, it is the [consul's duty] to respect the laws and regulations of the receiving State [and] not to interfere in the internal affairs of the State"[2]. Nevertheless, the actual authority of the consul, the acts that they may or may not perform —the requirements to grant citizenship or residency or to legalize a document, for example—, are governed by the national laws of the sending State. While IL provides the general legal framework, the domestic legislations of both the sending and the receiving States, alongside any treaties that may be binding for both States, establish the concrete duties and obligations. Sometimes, conflicts of laws arise. For example, the national law of the receiving State may require the deportation of foreigners who commit a crime, for which purpose the issuance of a travel document may be demanded from the consulate of the nationality of the person. But the national legislation of the consul may require the consent of a person to be documented, and if the detainee opposes, the passport may not be issued.

On not few occasions, issues of Public and Private IL take center stage. Think about the case of persons who are arrested or detained abroad, which may raise issues of communication and contact between a consul and the nationals of the sending State, as is provided for in the Vienna Convention[3]. This is a typical Public IL matter which unfortunately presents itself very often, and which was even the object of a Judgment of the International Court of Justice in the "Avena and Other Mexican Nationals"

[2] Art. 55.

[3] Arts. 36 and 38.

case brought up by Mexico against the United States, and in which the Court found in 2004 that the United States had violated the obligation to enable Mexican consular officers to communicate with, have access to and visit their nationals and to arrange for their legal representation[4].

But think also about the less obvious Private IL matters that may arise. For example, to obtain a passport, a person must be of legal age, failing which they must be accompanied by those exercising parental responsibility or present a parental authorization to that effect. But a person may be considered an "adult" under the foreign legislation of the place where they reside or where the consulate is located but be considered a "minor" under their national law, or vice versa. In that case, the consul must apply its own Private IL rules which may require following the determination made by the substantive law of the domicile or the nationality of the person, which may be that of the receiving State or a third State, and to investigate *ex officio* the content of the applicable foreign law.

Another example: How shall a rogatory letter received by the consul from a national judge for the taking of evidence or the service of a document in the receiving State be processed? The consul will have to determine whether the HCCH 1965 Service Convention or the 1970 Evidence Convention, or other multilateral or bilateral treaties, are applicable, including any declarations that the receiving country may have made, for example, opposing direct service of judicial documents to its nationals by postal channels or otherwise, without the intervention of the competent officials of the country of destination.

In certain countries with a federal regime, such as the United States, the jurisdiction of a foreign consulate often covers several states with the capacity to legislate

[4] Avena and Other Mexican Nationals (Mexico v. United Slates of America), Judgment, *I.C.J. Reports 2004*, p. 12.

autonomously on matters of substantive law, so that the recognition of a legal situation or a local decision requires determining the law of which state is applicable and when federal law prevails. Think for example about the change of name of a person or an adoption order from a local authority, which may be relevant for the issuance of a passport.

The Private IL issues raised in the course of a consul's work are indeed plenty and very diverse, including matters of child abduction and adoption, recognition of a foreign status, legalization of public and commercial documents, and mutual legal assistance in civil, commercial and criminal matters, including extradition. So much so that my consular experience led me to write on "Private IL for Diplomats" as the subject for my thesis to be promoted within the Foreign Service ranks many years ago. Last year I started updating and editing the thesis for publication, upon request from the Foreign Ministry, which considers that it may be useful in the training of diplomats and for consuls abroad.

(b) Legal Adviser

Not surprisingly, however, it is in the Office of the Legal Adviser or the Legal Directorate of a Foreign Ministry where diplomat-lawyers and legal officers have an opportunity to work specifically and extensively on Public and Private IL matters, following up on developments, coordinating and elaborating the national position on the different issues and representing their government in bilateral negotiations and regional and multilateral fora.

Admittedly, the structure and functions of the legal offices vary among foreign ministries. The Argentine Ministry of Foreign Affairs is unusual in that the Office of the Legal Adviser is responsible for providing advice on pretty much every dimension of IL, from treaty law to law of the sea and diplomatic law, international humanitarian law, international human rights law, international criminal law including transnational

crimes, mutual legal assistance, and private international law including the representation of Argentina before the Hague Conference on Private International Law (HCCH), the United Nations Commission on International Trade Law (UNCITRAL) and the International Institute on the Unification of Private Law (UNIDROIT). In other countries, such as Canada, Private IL matters fall within the competence of the Ministry of Justice. Mutual legal assistance also falls, in most countries, within the competence of the Ministry of Justice or the National Prosecutor.

During the four years that I was The Legal Adviser to Argentina's Foreign Ministry, I worked on a myriad of Public and Private IL matters and topics.

But instead of referring to specific issues that I worked on, I thought it may be more useful to speak about a cross-cutting challenge faced by most governments and foreign ministries when it comes to Public and particularly Private IL matters. That is the diversification and specialization of the IL discipline which, in the case of Private IL, goes well beyond its traditional object of determining the competent court, the applicable law and the conditions for the recognition and enforcement of foreign judgments.

It suffices to look at the agenda of the Council on General Affairs and Policy of the HCCH —often referred to as CGAP— to have an idea of the diversity and relevance of the topics that that international organization alone is dealing with, which include legal parentage established as a result of an international surrogacy arrangement, the cross-border holdings and transfers of digital assets and tokens, and insolvency, in addition to many other more traditional topics, such as jurisdiction and international family and child protection law, and the legalization of documents under the Apostille in particular in the context of its post-convention work[5]. UNIDROIT, for its part, is

[5] https://www.hcch.net

working on model laws on factoring and warehouse receipts and on private art collections, among other matters, also in addition to its traditional work on commercial contracts or security interests[6]. UNCITRAL is working simultaneously on micro, small and medium-sized enterprises, negotiable multimodal transport documents and perhaps most importantly, the investor-State dispute settlement reform, in addition to its longstanding work on arbitration[7].

These are very important and complex issues where international codification may have an impact on domestic legislation and run contrary to the fundamental policies or interests of States. They are also issues where a profound knowledge of the substantive topics is needed particularly as in many cases the object of the work is to develop substantive harmonization of national laws.

My point here is that no governmental legal service has the technical capability to cope with such a diversified and highly specialized agenda in different fora often both at the multilateral and regional level. In this context, more and more often foreign ministries are establishing advisory committees of Public and/or Private IL, composed of academics, practitioners, or both, to provide advice on specific topics and form a part of national delegations as advisers or experts. In Argentina, we did so in 2018 for Private IL when I was the Legal Adviser, and the Committee has proven to be invaluable in that it allows for a more active participation in different codifying fora as well as more focused interventions in specialized matters.

On another note, foreign ministries also differ in that in some, the legal directorate is composed of diplomats who are international lawyers, while in others it is composed of a separate body of non-diplomatic IL experts recruited from academia and external practice. Argentina falls into the first category where the legal adviser and officers

[6] https://www.unidroit.org

[7] https://uncitral.un.org

working in the legal directorate are diplomats who specialize in IL, and who work at the Office of the Legal Adviser when they —or "we" I should say— serve in the headquarters, and at permanent missions before IOs or embassies where the post of legal adviser exists when we are posted abroad. Several of my colleagues, from Peru, France, Egypt, or the Philippines to mention a few, had been the Legal Adviser to their respective foreign ministry before coming as Ambassadors to The Hague.

(c) Delegate before international organizations (IOs)

When you work for the foreign ministry or another ministry as an international lawyer —whether you are a diplomat or not— your function will normally consist of representing your country as a delegate or expert before an IO and as an agent or counsel in proceedings before international courts or tribunals.

Experiences and matters you work on vary from country to country and from person to person.

In my case, I served for five years at the Permanent Mission of Argentina to the United Nations, before the Security Council and the Sixth Committee —which is the Legal Committee of the UN General Assembly— in addition to representing Argentina before other IOs at different times in my career including before the International Maritime Organization (IMO) and the International Seabed Authority. And now, as Ambassador to The Netherlands, I also represent Argentina before the IOs and tribunals in The Hague and Amsterdam that I mentioned before.

Coincidentally, matters on which I had previously worked on at the United Nations, such as the first attack with chemical weapons in Syria in 2013, and the Russian occupation of Crimea and the downing of flight MH17 in Ukraine in 2014, have huge repercussion in the agendas of the IOs and tribunals (before which I represent Argentina) in The Hague today. To give you one example: as a result of the

annexation by or accession to the Russian Federation of Crimea in 2014, Ukraine formulated a declaration to the 1961 Apostille Convention stating that "[d]ocuments or requests made or issued by the occupying authorities of the Russian Federation, its officials at any level in the Autonomous Republic of Crimea and the city of Sevastopol and by the illegal authorities in certain districts of the Donetsk and Luhansk oblasts of Ukraine, which are temporarily not under control of Ukraine, are null and void and have no legal effect regardless of whether they are presented directly or indirectly through the authorities of the Russian Federation."

It suffices to say here that the application of the law of treaties to Private IL matters raises many interesting problems showing the interplay between the two branches of IL.

In so far as international litigation is concerned, while working as a legal adviser for the Foreign Ministry, I had the responsibility, the opportunity and the honour to represent Argentina before the International Court of Justice twice: in the Case Concerning Pulp Mills on the River Uruguay decided by the Court in 2010 as counsel, and in the Chagos Advisory Opinion delivered in 2019 as agent; as well as to prepare Argentina's intervention before the International Tribunal for the Law of the Sea (ITLOS) in the first Advisory Opinion of the Seabed Disputes Chamber delivered in 2011. This latter AO was requested by the International Seabed Authority when I was a delegate to the Authority in 2010 —I later served as Member of the Legal and Technical Commission of the Authority between 2012 and 2013.

But being a diplomat-lawyer also allowed me to represent Argentina before the three-sister Private IL organizations —as they are ofen called— over the years: the HCCH, UNCITRAL and UNIDROIT; as well as the regional codification forum in the American continent, which are the Inter-American Conferences on Private IL — known by the acronym CIDIP— under the auspices of the Organization of

American States (OAS), in particular in the CIDIP VII, during which a Model Registry Regulation under the 2002 Model Inter-American Law on Secured Transactions was adopted in 2009.

In UNIDROIT, I was a delegate to the Diplomatic Conference which adopted the Convention on Susbtantive Rules Regarding Intermediate Securities in 2009.

And in the case of UNCITRAL, I was involved in the preparation of the 2010 version of the Arbitration Rules, and partially on the 2013 version which incorporates the UNCITRAL Rules on Transparency for Treaty-based Investor-State Arbitration.

In the case of the Hague Conference on Private International Law (HCCH), I participated for many years in the meetings of its Council of General Affairs and Policy (CGAP) which is the principal decision-making organ of the HCCH mandated with the important function of determining the priorities of the organization, for example in terms of the instruments to be developed, and of ensuring the functioning of the HCCH. One issue heatedly debated when I used to participate in CGAP meetings as a delegate years back, finally came to fruition earlier this year with the adoption of Spanish as the third official language of the HCCH alongside French and English starting in June 2024. The adoption of Spanish is generally believed to benefit substantially the implementation of the HCCH conventions and enhance participation of Spanish and Portuguese speaking people in the work of the organization. The decision reflected the historical evolution of the Hague Conference from a mostly European organization to a universal organization in which Spanish-speaking countries now constitute the majority of the member States. The fact that the acronym HCCH —which stands for "Hague Conference-*Conférence de La Haye*"— is preferred to the official name, even by the organization's Permanent Bureau, reflects that evolution.

One last issue that I thought I should mention is sovereign debt restructuring which also raises many Public but also Private IL questions. Circumstances caused me to be involved twice with the issue. First, as I was serving as a delegate to the United Nations, Argentina promoted the adoption by the UN General Assembly of a resolution on the Basic Principles on Sovereign Debt Restructuring Processes in 2015[8]. The resolution restates universally accepted principles such as sovereignty, good faith, and equitable treatment as they apply to sovereign debt restructuring processes. The resolution was adopted in the aftermath of a long series of attempts by Argentine sovereign bond holdouts to seize Embassy accounts and central bank funds abroad, and even a warship in Ghana which prompted Argentina to seize ITLOS. In the "ARA Libertad" case in 2012, ITLOS eventually ordered Ghana to unconditionally release the ship based on a well-established rule of Public IL that warships enjoy immunity in internal waters of other States[9].

Interestingly for Private IL purposes, the injunction that allowed the bond holdout creditor NML to seize the warship in Ghana was based on the recognition and enforcement of a foreign judgment, that of the British Supreme Court which had determined the year before that "State immunity cannot be raised as a bar to the recognition and enforcement of a foreign judgment if, under the principles of international law recognized in [the UK], the State against whom the judgment was given was not entitled to immunity in respect of the claims". The UK case, in turn, related to the application for *exequatur* of a judgment rendered in 2011 by the New York District Court.

The issue of the recognition and enforcement of legal actions concerning sovereign debt restructuring was raised again years later when the 2019 Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial

[8] Resolution AGNU A/RES/69/319.

[9] The "ARA Libertad" (Argentina v. Ghana), Provisional Measures, International Tribunal for the Law of the Sea (ITLOS), Order of 15 December 2012, *ITLOS Reports 2012*, p. 332.

Matters was negotiated in 2019. The Convention, as you all surely know, is the latest legislative instrument adopted by the Hague Conference on Private International Law. Although I did not participate personally in the Diplomatic Conference, I was at the time the Legal Adviser of the Argentine Foreign Ministry in charge of the negotiations.

Ultimately, the agreement was to exclude from the scope of the Convention sovereign debt restructuring achieved through unilateral measures[10], because of the sensitive Public IL problems that it raises. Instead, actions by creditors resulting from a negotiated restructuring were not excluded and thus enforcement may presumably be sought under the Convention with regard to rights and obligations arising out of non-restructured sovereign debt, or restructured debt when a sovereign bondholder voluntarily accepted the debt exchange, provided that they can also be characterised as "civil and commercial matters" which in itself is controversial.

(d) Member of the UN International Law Commission (ILC)

As professor Thouvenin said in his introduction, since earlier this year I have been sitting as Member of the United Nations International Law Commission.

As some of you may know, the ILC —as the International Law Commission is often referred to— was created in 1947 by the UN General Assembly with the object of promoting the progressive development of international law and its codification[11]. According to its Statute, "[t]he Commission shall concern itself primarily with public international law but is not precluded from entering the field of private international law"[12].

[10] Art. 2(1)(q).

[11] Art. 1(1) of the ILC Statute.

[12] Art. 1(2).

The fact is that the ILC has been very reluctant to enter the field of Private IL. This may be explained first by the fact that the ILC is composed mainly of Public IL experts. In fact of the current 34 members only a few have had some relevant exposure to Private IL. But also that, over the years, the UN General Assembly has established other bodies to prepare and promote legislative and non-legislative instruments in the area of Private IL, notably the United Nations Commission on International Trade Law (UNCITRAL), even though, as its name so indicates, UNCITRAL's mandate is limited to developing and maintaining a cross-border legal framework for the facilitation of international trade and investment.

Nevertheless, as Private IL has increasingly become the object of international regulation as a matter of treaty law, but also soft law, the impact of the work of the ILC on Private IL is anything but negligible. For example the ILC work on the law of treaties which led to the adoption of the 1969 Vienna Convention on the Law of Treaties, or the ILC 2001 Articles on State Responsibility for International Wrongful Acts have a direct impact on Private IL treaties and the application of domestic Private IL rules more generally in the case of the 2001 Articles.

The ILC has also done extensive work on States' immunities as well as immunities of State officials from foreign jurisdiction[13], and on the obligation to extradite or prosecute (*aut dedere aut judicare*)[14]. And through its work over the decades the ILC has also profoundly influenced investor-State disputes. These may well be considered as Private IL problems if one adopts, as some legislations and authors do, a broad definition of Private IL —as that part of the law that resolves problems that may arise out of conflicting national legislations whether of a private or a public character.

[13] E.g., Draft Articles on Diplomatic Intercourse and Immunities, 1958; Draft Articles on Consular Relations, 1961; Draft Articles on Jurisdictional Immunities of States and Their Property, 1991; and the work currently being undertaken on the immunity of State officials from foreign criminal jurisdiction.

[14] The obligation to extradite or prosecute (*aut dedere aut judicare*) Final report on the topic, 2014.

Several of the topics in the current programme of work of the International Law Commission concern directly or indirectly Private IL. This is the case particularly of the topic of "Dispute Resolutions to which International Organizations are a Party".

One main ongoing debate relates to the scope of the ILC's work on the matter. The obvious choice would be to address disputes between an IO and a State or between two or more IOs. But these disputes are not the most numerous, in addition to the fact that methods of international disputes resolutions already exist for disputes between States that may be applicable to disputes in which an IO is a party.

The most numerous and sensitive disputes are those in which a private person or entity are a party, such as labour disputes and disputes concerning the breach of a contractual obligation or arising out of a tort. The particular problem with IOs is that where the headquarters agreement provides for functional or personal immunity, no forum is available for justice to be made or relief to be sought. Moreover, while the existence of an international rule providing for State immunity for commercial activity can no longer be affirmed, the distinction between a public and a private act has little direct relevance in determining the extent of immunities of an IO. Immunities remain essential for the performance by IOs of their functions, and yet may result in gross denial of justice for persons who contract with or are affected by a tort committed by the organization or its personnel.

Labour, contract, or tort related disputes are Private IL disputes, even when an IO is a party to them, unless the dispute is elevated to the Public IL plane as a result of a violation of a treaty or an internationally protected human right.

Some ILC members believe that the ILC should only be concerned with the Public IL aspects that may arise out of disputes between an IO and a private person or entity. Other members, me included, believe that a more comprehensive work should

be undertaken if meaningful guidance shall be provided to States, as the Public and the Private IL aspects of a dispute may be difficult to separate in practice, and that in so doing the ILC should prepare both model treaty clauses and model contractual clauses. A decision will most likely be made next year after the opinions of the States are heard in the Sixth Committee of the UN General Assembly.

Beyond the current Programme of Work, when one looks at the long-term Programme of Work of the International Law Commission, there is another topic in which, if undertaken by the ILC, Private IL considerations will play an important role —that of "Protection of personal data in transborder flow of information".

One final point that I would like to make concerns the membership of the Commission which reflects a broad spectrum of expertise and practical experience within the field of IL. Members are drawn from the various segments of the international legal community, such as academia, the diplomatic corps, government ministries and international organizations. Since the members are often persons working in the academic and diplomatic fields with outside professional responsibilities, the Commission is able to proceed with its work in close touch with the realities of international life.

(e) Academia

With this, I will move on to the final point of my lecture which is the convergence of Public and Private IL in academic work.

Much has been written about it. As early as 1997, the *Institut de droit international* recommended that law schools offer a foundation course on public and private international law, and where two separate courses are offered that there shall be close interrelation and coordination between them, further recommending that no law

graduate enter the practice of law and the judicial or diplomatic service without having a course or courses on public and private international law[15].

Most recently, in 2019, this very Academy inaugurated the Winter Courses which, unlike the Summer Courses, are not divided into either Public or Private IL. This signals that, for the Members of the *Curatorium*, in modern times the public/private law divide often proves to be insufficient to examine, understand and resolve international legal issues. Some lectures published in the *Recueil des cours*, mostly recent ones given in the private international law session, already include both international legal dimensions as they adopt a problem-focused coping approach.

My own Hague lecture joins this "trend" and next winter the General Course to be delivered by New Zealand Professor Campbell MacLachlan will deal with the Interface between Public and Private IL.

Despite this new awareness, the situation is still somewhat different, with the result that academia may be lagging behind real world developments. Many Public international lawyers nowadays still tend to underestimate the significance of private regulation, while many Private international lawyers have yet to master all the singularities in the formation and application of the international normative system. The result is that the two disciplines tend to continue to ignore each other, isolated in their own specific dogmas, methodologies, scholars and attitudes. And although greater attention has been devoted in the last decades to the historical and theoretical underpinning for an international systemic perspective on Private IL, little actual work has been carried out on the Public and Private IL interplay in the different areas or issues affected by the international movement of people, property and capital in modern life, except perhaps in the field of investor-State arbitration.

[15] Resolution on The Teaching of Public and Private International Law, *Annuaire de l'IDI*, Vol. 67-II (1998), pp. 466 *et seq.*, and Report by E. Jayme, "Droit international privé et droit international public: utilité et nécessité de leur enseignement dans un cours unique", in *ibid.*, pp. 99 *et seq*.

In recent times, global interconnectedness has made this mutual dependence of Public and Private IL all the more important. Thus, addressing only one aspect — either the public or the private side – of problems appears almost counter-intuitive.

It may sound paradoxical, but as Private IL students, I encourage you to study Public IL and to do so seriously. That is so because, as Private IL becomes increasingly international, with the proliferation of treaties and the impact of international human rights law in Private IL regulation, only a serious understanding of the Public IL discipline would allow you to have a holistic understanding of the problems and provide to their solutions in a manner that is legally sound.

I do not fully subscribe to the "internationalist" approach that Public and Private IL are one and one alone. The development in globalization does not indicate that the separation of Public and Private IL has lost relevance. In general, both fields of IL have different objects, different sources, different methods, and different consequences in the event of an infringement on the legal interest of one subject of the law by another. Besides, not all activities or relationships between private persons or entities containing a foreign element involve the application of Public IL rules, in much the same way that not every intercourse between States has an outcome with legal impact on or between persons under Private IL. However, in many instances public does relate to private within the particular regulation, not only in international economic law where Public and Private IL tend to be most related, but increasingly in areas of traditional Private IL. Hence the value of the "internationalist" non-parochial approach.

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With this, I end my presentation and remain available for any questions that you may have.

Beyond specific topics and issues that I referred to, and which reflect my personal experience and mine alone, the humble message that I wanted to convey to you, as you embark on this wonderful journey in the international legal field, is that you do so with intellectual curiosity and an open mind.

There are a thousand ways in which you can build an international career, beyond the obvious choices and the path that I pursued. In addition to being a Private IL professor or providing legal services, for a law firm drafting international commercial contracts, or as an international arbitrator, or a family law attorney, you can work for an IO, for a government as a domestic judge or an adviser, or for an NGO.

With the internationalization and privatization of legal situations, the material field of application of Private IL is also expanding, beyond the traditional areas of commercial and family law, for example to digital assets, crypto-currencies, climate litigation, even animal law. All this opens a universe of student and work possibilities. Your knowledge of Public and Private will only make it bigger.

Thank you very much.