

## **RECONSTRUCTING INTERNATIONAL LAW**

### **20<sup>th</sup> Annual Conference of the European Society of International Law**

**Freie Universität Berlin, 11-13 September 2025**

### **Call for Papers**

The European Society of International Law invites abstracts for papers and proposals for panels curated by Interest Groups for its upcoming 20<sup>th</sup> Annual Conference.

#### **I. THE GENERAL THEME**

For the last decade, international law has gone through a period of turbulence. In response, it is time to move beyond crisis narratives and adopt a forward-looking approach. For such an undertaking, the year 2025 offers an appropriate context. It will mark the 80<sup>th</sup> birthday of the United Nations, the institutional centre of the international legal order. At the same time, 2025 is just five years away from 2030 when the future direction of the current blueprint for global social order, the Sustainable Development Goals (SDGs), will need to be decided.

The theme of “reconstructing international law” will be brought to life on various levels:

- *Institutional*: Reconstruction will be a pressing issue on a practical level. The collective security system of the United Nations has had limited success in realizing its purpose in the war of aggression against Ukraine, the ongoing war in Gaza as well as in many other contexts. Reconstructing the authority of the UN’s institutional structure will require creative thinking on the interplay of UN organs and the role of international law. Challenges of institutional reconstruction are not confined to the UN but also invite us to rethink institutional arrangements of other international organisations, including the WTO, the WHO, and the EU as well as their relationship with more informal governance arrangements.
- *Normative*: The SDGs have contributed to changing the understanding of what development requires, but their true potential of transforming our world in the Global South and beyond remains unrealized. Reconstructing the promise of international development without replicating earlier mistakes and without giving in to powerful new actors with wide-ranging conceptions for global development will require thinking about the role of international law in realizing a just future for the world’s population. The conference will offer a venue to critically accompany as well as support other political processes leading to a new blueprint for development in 2030.
- *Historical*: How has international law fared after past major systemic crises? At various moments in the history of international law, it was necessary to embrace a new form of

international law. What can we learn from institutional and normative projects of (re-) constructing “new” international law in the past?

- *Theoretical*: Reconstructing international law cannot mean a return to outdated progress narratives. The insights from Critical Legal Studies and Third World Approaches cannot and should not be unlearned. This implies that the authority and legitimacy of international law need to be reconstructed in a manner as inclusive as possible and with input from a wide variety of theoretical approaches.

The theme of “Reconstructing International Law” offers a framework for creatively thinking ahead in institutional, normative, historical, and theoretical terms but also across the various legal regimes in international law. It also requires a dialogue with academics from other disciplines such as political science, history, and sociology.

## II. THEMES OF THE AGORAE

The ESIL 2025 conference will convene twelve agorae, ten based on the following themes, and two based on agora proposals submitted by ESIL Interest Groups.

ESIL invites innovative paper proposals concerning one of the Agora themes:

### **Agora 1 Reconstruction and the Role of Scholarship**

(Re-)construction of international law exists very much in the minds of international law scholars. How scholars perceive international law will impact the way they envisage a potential role for themselves in the processes of reconstruction. This forum will turn to different theoretical and methodological approaches to the topic of reconstruction: What are methodological means for lawyers to conceive of reconstruction given the persisting impact of path-dependencies in legal thinking? Is a positivist form of doctrinal reasoning akin to a form of reconstruction? How do empirical legal studies contribute to processes of reconstruction? And can there be a critical form of reconstruction?

### **Agora 2 Reconstruct Justice: Systemic Past Wrongs and the Future of International Law**

A pathway to a credible reconstruction of international law may be coming to terms with its troubled past, in particular when mass violence and systemic wrongs are at stake. Yet, international law knows many doctrines that effectively limit its capacity to address past wrongs. They reach from the principle of intertemporality to the limitations that flow from the principles of state immunity and the lack of generally competent international mechanisms of adjudication. It needs to be asked how these mechanisms can be reconceptualized, challenged, overcome, or better developed to allow for a reconstruction of international law which makes room for addressing and remedying past injustices.

### **Agora 3 Reforming the Diversity and Inclusivity of International Law’s Institutions**

Adopting a wide definition of international law’s institutions to include publishing houses, editorial and advisory boards, academe, and professional bodies in addition to traditional bodies such as courts and tribunals and international organisations, this panel invites contributions examining the diversity and inclusivity of the international legal landscape. How can equality, diversity, and inclusivity be realised in these spaces? How can this be achieved when appointments in many international institutions are

politicised and traded? Has there been an ‘overrepresentation’ of any particular identities? How can intersectional concerns be addressed? What would be the real-world impact of equal, diverse, and inclusive international law institutions? Can we think of the likes of gender parity as recognising more than two binary genders? Do identities such as socio-economic status get sidelined in discussions about and mechanisms addressing the likes of geographical diversity, and what does ‘geographical diversity’ even mean? And can we interrogate and think beyond liberal methods of formal equality?

#### **Agora 4 Reconstruction: Values or Process?**

Any attempt to reconstruct international law will have to face the question of whether there is still room for legally meaningful concepts of common interests and values of an “international community”. Can states and other actors (re-)group around such legal values? Or does the way ahead lie in a proceduralization of international law given the hugely diverging nature of societies and their cultural values that seem to make developing and sustaining common understandings increasingly unlikely?

#### **Agora 5 Actors of Reconstruction**

Who are the actors of reconstruction? In today’s differentiated international legal system, this group cannot be limited to states and international organizations. Instead, all conceivable actors and individuals who enjoy or claim to have a form of legal personality can play a part in the processes of reconstruction. Accordingly, this panel invites presentations that deal, among others, with the role that indigenous peoples, NGOs, and other forms of civil society actors, sub-national actors like cities and constituent states of federations but also individuals in their various respective roles as citizens, migrants, scholars, activists can play for processes of reconstruction of the international legal order.

#### **Agora 6 Reconstructing the Sources of International Law**

It is a perennial question of international law scholarship how the sources of the international legal system are identified and to what extent the established boundaries of Article 38 ICJ Statute can be reconceptualized. This is not just an academic debate as recent and current debates by bodies such as the International Law Commission and the International Law Association attest. This panel invites contributions that seek to reassess the sources of international law in the light of reconstruction. Reconstruction could have a potentially conservative touch here, in the sense of going back to an earlier phase of international law in which the identification of the sources was supposedly clearer. But in which sense and to which moment in time to return? Accordingly, papers could just as well address potentially dynamic and forward-looking avenues of reconstructing the sources of international law.

#### **Agora 7 Is there a future for liberal human rights?**

Liberalism has come under pressure – domestically and internationally. While some attempt to offer a new conceptualization of what it means to be liberal others want to give up the concept for good. What do these discourses imply for international human rights law? Is human rights law inextricably linked to liberalism? Are there alternative background concepts for thinking about human rights? Is it normatively desirable to keep a liberal understanding of human rights? And how do geopolitical shifts affect such debates?

#### **Agora 9 Reforming International Economic Law**

In the run-up to its 30th birthday, the WTO is stuck in a reform backlog. Instead, member states turn to plurilateral negotiations within other frameworks. As of fall 2024, the dispute settlement system is still in crisis. A growing disregard for trade rules suggests that a more substantial reform of the system is urgently required. But what are the ways ahead? Or do we need a more foundational re-conceptualization of the international economic order?

### **Agora 10 Planetary Thinking -Revolutionizing International Environmental Law?**

Thinking about the international protection of the environment has made the step from the global to the planetary. In particular, the concept of planetary boundaries and the debates surrounding the Anthropocene raise the question of whether the regulatory approaches of international environmental law (IEL) need to be fundamentally rethought. From such a perspective the concept of sustainable development has come as much under criticism as the normative conceptions underlying current IEL. Do we need a “new planetary ethic”, “Earth system law”, or “planetary governance”? What would such conceptual shifts mean for existing legal instruments? How can we conceive of new regulatory approaches and make sure that states are willing to enact these?

### **Agora 11 Rethinking the Laws of War**

In contrast to other areas of international law, a fundamental reorientation of the laws of war has so far rarely been debated. Discussions rather focus on interpretative shifts in specific rules or highlight shortcomings of IHL enforcement mechanisms. Simultaneously, substantial criticism about the adverse effects of a “humanization” of war has become widespread without offering ways out of this conundrum. In international practice, cautious reform efforts have been blocked in the past. Still, widespread violations of the laws of war in recent armed conflicts raise the question as to whether IHL does not only face a compliance crisis but requires a more foundational reconceptualization. Are there ways to evolve the laws of war or do we better leave this body of the law untouched?

### **Agorae 8 and 12 – Open for submissions of interest groups**

## **III. INSTRUCTIONS FOR SUBMISSION**

### **1. Selection Criteria**

The abstracts will be assessed by the programme committee, which consists of the agora Chair, plus representatives from the ESIL Board and the host institution, on the basis of:

- Originality and innovative nature of the work;
- Originality and innovative nature of presentation (e.g. videos, animation, installations, etc.);
- Relevance to one of the agora themes;
- Relevance of the paper for the overall conference theme of “Reconstructing International Law”;
- Diversity criteria, in accordance with the ESIL Statement of Principles on Diversity, Equality and Inclusion (<https://esil-sedi.eu/diversity-equality-and-inclusion>)

We welcome proposals in French or English and papers can be delivered at the conference in these two languages as well.

Only one abstract per author will be considered. Joint submissions are possible, but a reduced registration fee is applicable to only one of the selected speakers.

In an attempt to ensure a broad range of speakers at ESIL events, we particularly encourage proposals from scholars who have not spoken at previous events. Submissions from those who were selected or invited speakers at the most recent Annual Conference or Research Forum will be regarded as ineligible.

## **2. Information to be Included**

Proposals must be submitted online via the conference website <https://www.esil2025.de>. The website features an online tool (<https://www.confTool.net/esil2025/>) which will be used for the selection process and through which all communication between the organizers and applicants will take place.

The following information will be required for submission:

- The agora for which the paper should be considered (one agora only);
- An abstract, not exceeding 500 words, plus a short biography (100 words) to be included with the abstract;
- The author's name and affiliation;
- The author's contact details, including email address and phone number;
- The author's CV, including a list of relevant publications (max. 800 words) (please note: the CV is consulted at a second stage, after review of the abstract, so as to ensure a balanced panel in line with the ESIL principles in relation to diversity, equality and inclusion);
- Confirmation of ESIL membership or willingness to join ESIL if the paper is accepted (please note that colleagues presenting a selected paper at the conference must have joined ESIL at the latest four weeks after acceptance notification; otherwise, the acceptance is withdrawn in favour of another short-listed submission).
- Whether the abstract should be considered for the ESIL Early-Career Scholar Prize (see below) and, if so, the relevant information (about eligibility and ESIL membership).

### **Abstract Submission deadline:**

31 January 2025.

## **3. Submission of Agora panel proposals by ESIL Interest Groups**

Two agorae will be reserved for ESIL Interest Groups, which are invited to submit panel proposals. Agora proposals can also only be submitted by ESIL Interest Group conveners via the conference website's ConfTool application by **31 January 2025**.

The proposal must include the following information:

- The name of the ESIL Interest Group submitting the proposal;

- The contact details of the person(s) submitting the proposal, including email address and phone number;
- The title of the proposed panel and a description of the overall theme of the panel and the insights expected from the discussion;
- The format of the agora: panel, roundtable, or other format (please note: all agorae are scheduled for 1.5 hours and there can be a maximum of 4 participants, e.g. one chair and three speakers);
- A full set of abstracts of the individual works that are to be part of the panel, with the information required for proposals (see above);
- An explanation of the process by which the proposal was selected. Agora proposals must be arranged following a call for papers sent to all IG members, and the chair and speakers must be ESIL members. The proposed composition of the agora panel must reflect geographical, gender, and institutional diversity. The programme committee reserves the right to change the composition of suggested panels so as to ensure compliance with these requirements.

Agora Proposal Submission Deadline is 31 January 2025

#### **4. Full papers**

Selected speakers should submit a first draft of their work (approx. 3,000 words including footnotes) prior to the conference. The work will be shared with the chair and the other agora speakers with a view to creating interactions during the session. The quality of the drafts will be screened by the programme committee, which may request amendments.

#### **5. Timeline**

- The deadline for submission of abstracts is **31 January 2025**.
- Successful applicants will be informed no later than **31 March 2025**.
- Deadline for joining ESIL (applicable for non-members) is **30 April 2025**.
- The deadline for submission of full papers is **1 July 2025**.
- The conference runs from **11-13 September 2025**.
- The deadline for (optional) submission of final papers (to be included in the ESIL Paper Series and/ or a future conference publication) is **1 November 2025**.

#### **6. Finances**

All selected speakers must register for the conference and will be eligible for a reduced conference registration fee. In addition to the reduced fee, early registration after acceptance of the paper will also result in a lower early bird fee.

A limited number of [travel grants and carers' grants](#) are available to ESIL members to encourage and facilitate attendance at ESIL events. Application details for these grants can be found on the ESIL website. In order to be eligible for a grant, membership of ESIL is required by the deadline for the submission of abstracts, i.e. 31 January 2025.

#### **7. Publication**

After the conference, ESIL provides the opportunity to publish papers in the ESIL Proceedings ([ESIL Paper Series](#)) and also plans to publish selected outstanding papers in a volume of the [ESIL Book Series](#) (published by OUP). Further details about how to submit papers for publication will be provided to all speakers immediately after the conference.

## **8. ESIL Early-Career Scholar Prize**

ESIL will award the [Early-Career Scholar Prize](#) again in Berlin. Further details about the Prize can be found on the ESIL website. The Prize will be awarded for the best paper submitted to the conference or to a pre-conference Interest Group workshop by a scholar at an early stage in her or his career. Early-career scholars are (i) candidates for a postgraduate degree in law; (ii) PhD candidates or those who have had their oral defence no longer than 3 years prior to the submission of an abstract; or (iii) those who are within the first 5 years of their career following the award of their last academic degree (other than a PhD). Candidates for the Prize must be ESIL members at the time of submitting their abstract. Co-authored articles will only be considered for the prize if all authors fulfil the eligibility criteria.

To be considered, please provide the following information when submitting the abstract:

- An expression of interest in competing for the ESIL Early-Career Scholar Prize;
- Date of enrolment in PhD programme / date of PhD defence or date of award of the last academic degree (to indicate how the eligibility criteria are met);
- Date of joining ESIL.

Upon acceptance of the abstract for presentation at the conference or in a pre-conference IG workshop and notification that they are eligible for the Prize, authors must submit a paper of between 8,000 and 12,000 words (including footnotes) to the ESIL Secretariat ([esil.secretariat@eui.eu](mailto:esil.secretariat@eui.eu)) by 1 July 2025 for consideration by the jury.

## **IV. ORGANIZERS AND PROGRAM COMMITTEE**

The conference is organized by Freie Universität Berlin (Prof. Dr. Helmut Aust and Prof. Dr. Heike Krieger) on behalf of the European Society of International Law.

### **Members of the program committee:**

- Helmut Aust, Freie Universität Berlin;
- Freya Baetens, University of Oxford;
- Andreas Buser, Freie Universität Berlin;
- Veronika Fikfak, University of Cambridge;
- Prisca Feihle, Freie Universität Berlin;
- Bálint Kovacs, Leibniz Institute for the History and Culture of Eastern Europe, Leipzig (representative of the Diversity Advisory Body of ESIL);
- Heike Krieger, Freie Universität Berlin;
- Daniel C. Peat, University of Leiden;
- Silvia Steininger, The Hertie School, Berlin;
- Alexander Wentker, Max Planck Institute of Comparative Public and International Law, Heidelberg (representative of the Early Career Researcher Network).



## V. CONTACT

For further information, please write to [esil2025@rewiss.fu-berlin.de](mailto:esil2025@rewiss.fu-berlin.de).