'INTERNATIONAL LAW AND FUTURE(S)'

22nd Annual Conference of the European Society of International Law

Universidade Católica Portuguesa

Lisbon, 9-11 September 2027

Call for Papers

I. THE GENERAL THEME: "INTERNATIONAL LAW AND FUTURE(S)"

'The art of prophecy is very difficult, especially with respect to the future' (Mark Twain), but anticipating how the international society evolves is key to understanding if international law is, and will keep being, able to deal with the emerging challenges and to secure a common future. On this matter, the first 25 years of the 21st century were ambivalent, if not Dickensian: for some States and groups, 'it was the best of times,' the age of knowledge, technology, and progress, the 'spring of hope;' for others, yet, 'it was the worst of times,' the age of deep geopolitical transformations, resulting in the apparent end of multilateralism and in an increasing use of force, and the age of risk(s) for the survival of humankind, the 'winter of despair.'

In recent years, this ambivalence has got more pronounced:

— *First*, because the threats to the survival of humankind and to the subsistence of life as we know it on our planet became a daily presence in news and social media. They range from the increasing use of force and the violations of human rights to concerns arising from climate change, the loss of biodiversity, and polluting factors in general, and passing by the emerging risks resulting from the technological advances and artificial intelligence, the uneven distribution and exploitation of (critical) natural resources, or the obstacles to realization of the international trade system created since 1945;

— *Second*, because different actors, often coming from different cultures, geographies, or political spectrums, have a different understanding of these threats and risks: what some perceive as an exercise of the legitimate right of self-defense, or of the right to social and economic development, or their momentum of establishment as a new key international actor, for instance, can easily be seen by others as an unlawful, unfair, and threatening conduct;

— *Third*, because the sociological transformations within the international community (including a palpable erosion of multilateralism and its institutions) that have been occurring within international society asks us to rethink current rules and principles and to prepare international law for a different international society, with a new balance of power, distribution of wealth and economic strength, and regulatory needs; and

— *Fourth*, because it seems that, in our polarized societies, it is ever more difficult to get consensus or even to establish channels of dialogue among multiple, conflicting actors (eg States or multinational corporations). In the case of international law, where geopolitical transformations are taking place, the room for dialogue and a common understanding, seems to be slim at best. But limited room and will for dialogue adds a further concern in terms of thinking about the future: can the international community reach consensus on what future(s) do we want collectively and the core values underlying the (new?) rules and principles of international law?

This scenario may be one of pessimism or one of optimism. Periods of societal change and reconstruction are easily perceived as periods of crisis and threat — but they are also an opportunity to build a better international law system, whilst holding the lines on the values and rules we want to keep. At any rate, this scenario forces us to imagine possible futures and to ask if 'international law can secure a future' and 'what (new) international law do we want'?

II. THEMES OF THE AGORAE

The ESIL 2027 conference will convene twelve agorae, thematically grouped:

Cluster 1. The Future of "Rules"

Agora 1: Building Back Better the Rules on the Use of Force?

Agora 4: Disruption in the Age of AI and Emerging Technologies

Agora 7: International Legal Rules in Contact with Other Disciplines

Agora 10: Open for submissions of interest groups

Cluster 2. The Future of "Institutions"

Agora 2. A Shrinking Room for International Organizations?

Agora 5. Multilateral Regimes at Risk: The International Trade System and Beyond

Agora 8. Digital Sovereignty in the 21st Century: Need but Mirage?

Agora 11. Open for submissions of interest groups

Cluster 3. The Future of "Humanity"

Agora. 3 Humor on Trial: A Case about Free Thought and Free Speech in a Polarised World

Agora 6. The Space Race: Challenges and Uses of the Outer Space

Agora 9. Critical Minerals Natural Resources, and Energy Safety

Agora 12. Climate Law as a Promise of Future

Cluster 1. The Future of "Rules"

Agora 1. Building Back Better the Rules on the Use of Force?

War and the use of force exist since the very inception of international law, but the rules that were established since 1945 (and apparently consensually agreed on) are being challenged in our era: an increasing resort to force, an increasing testing of the concepts of self-defense or humanitarian intervention, an increasing use of alternative, an increasing resort to hybrid or non-linear warfare methods, an increasing discussion about the limits of States' neutrality, or the emergence of new technologies that transform the field of war — together, all these factors explain why the laws on the use of force has been under a process of deep transformation. In the history of international law, these transformations are statistically normal, although they do not necessarily provide peace, security, of a sense of fairness. As such, discussing the future(s) of international law implies discussing also what values, rules, and principles on the use of force do we want to keep and/or reconstruct?

Agora 4. Disruption in the Age of AI and Emerging Technologies

It is a cliché to say that international law has always reacted to emerging technologies and seeks to incorporate the challenges posed by these technologies in the design of the legal

system and in the content of rules and principles. Unsurprisingly, therefore, the emergence of artificial intelligence and its potential, the increasing uses of (semi-)autonomous weapons, as well as of cyber operations and cyber tools, the technologies for deep seabed mining, or the prospects of geoengineering — all these examples show how emerging technologies are testing the current rules and principles of international, at the same time as they enhance risk to global peace and security, the environment, and human rights. And yet, these emerging technologies are also part of the reconstruction of the current rules and principles and for sure they are part of a discussion about international law and future: is international law well-equipped to regulate and control risk? If so, what should be the best strategies and options in terms of design of legal solutions?

Agora 7. International Legal Rules in Contact with Other Disciplines

International law does not exist in vacuum. International rules and principles address concrete political, social, economic, or cultural problems, whose understanding often requires inputs from other sciences. For instance, understanding environmental and climate change law implies that lawyers must engage with geophysics and other non-legal disciplines, the same way that international trade law requires a solid understanding of economics to fully understand the rationale of regime choices. To a greater or a lesser extent, all regimes of international law imply some degree of interdisciplinarity, and thus incorporating into the legal language and grammar the knowledge from non-legal disciplines. Interdisciplinarity is key for defining the future(s) of international legal rules and principles, although it may be perceived as a challenge to legal professionals trained in legal matters. In this context, what is the place of non-legal sciences in the context of international law? How do we avoid biases in reading concepts and non-legal information? In the end, are international lawyers prepared to deal with ever-more specialized non-legal knowledge?

Cluster 2. The Future of "Institutions"

Agora 2. A Shrinking Room for International Organizations?

The growth of international organizations after World War II (both in numbers as well as in competences assign to) was the product of a period when the international community

agreed on the importance of multilateralism as a means towards a better future. The variety of existing international organizations and the heterogeneity of their functions show that States looked to these institutions being instrumental to guarantee world peace, to promote social, economic, and cultural development, to advance international financial mechanisms, among several other goals. However, in the 21st century, a certain predominance of unilateralism in world politics suggests a more limited role for such international organizations. As a result, in our era, thinking about the future(s) of international law implies also thinking about what role can we envisage for international organizations?

Agora 5. Multilateral Regimes at Risk: The International Trade System and Beyond

The global trade order is undergoing a period of profound transformation, challenging the assumptions that have underpinned economic integration and international cooperation for decades. Tariffs and export restraints, once regarded as instruments of protectionism and economic fragmentation, have re-emerged as tools of geopolitical strategy and economic security. More preferential trade agreements are being concluded as a means to insulate from current trade disruptions. We invite contributions examining whether tariffs and other trade measures represent a threat to, or a possible means of preserving, the international economic system, and exploring the evolving role of trade rules, the resilience of multilateral institutions, and the tensions between national sovereignty, economic interests, and global commitments. Particular attention may be given to the future of the rules-based trading system, the role of the World Trade Organization, the legality of trade restrictions under international law, and the search for new forms of economic governance capable of reconciling openness, fairness, and strategic autonomy.

Agora 8. Digital Sovereignty in the 21st Century: Need but Mirage?

The emergence of new technologies has placed a strain on the Westphalian understanding of the territoriality of the exercise of States' sovereign powers. In the new technological paradigm, control over infrastructures, data, and software is brokered between various actors, with States scrambling to secure effective ways to exercise their power over these new 'realities'. Because of their lack of centrality and territoriality, this raises issues concerning judicial adjudication and enforcement, as well as the reach of States' legislative and executive

powers. In this context, some have held that States should seek to keep their sovereign powers in the digital space, whilst others question whether States even have the means to preserve the full gamut of their sovereign competences in the context of a progressive digitalization of our social and economic life. Against this background, one is forced to ask whether the quest for 'digital sovereignty' is needed and how to pursue it in an effective manner?

Cluster 3. The Future of "Us"

Agora. 3 Humor on Trial: A Case about Free Thought and Free Speech in a Polarised World

Thinking about the future implies a genuine spirit of open-mindedness, which can only exist in a framework of freedom of thought and freedom of speech. Although these freedoms were not enjoyed equally across the globe (if enjoyed at all), we were used to take them for guaranteed. And yet, recent years suggest there is a certain decline in effective enjoyment of these freedoms: from academic research to political speech, from mainstream media to online platforms, the purpose and the limits of freedoms of thought and speech are once again being discussed seriously. Humour, perhaps, is the best example: whilst in the past it was socially accepted that it enjoyed the greatest level of protection and tolerance from the legal system, there is a surprising spike of judicial cases in which the limits of humour (and therefore the limits of free thought and free speech) are discussed. These cases have already reached the docket of international courts, which raises the question: should and how can international law contribute to this debate?

Agora 6. The Space Race: Challenges and Uses of the Outer Space

Space is present in our lives in diverse ways: from navigation to telecommunications and satellite imagery, the use of space enables our global trade, travel, disaster management, military activities, among others. Since the adoption of the Outer Space Treaty in 1967, we have had developments seeking to clarify it, but mostly soft-law developments in a space that is increasingly populated by more actors, due to increased commercial activity and new technologies. Given space law's clear impact on our day-to-day lives, how can international law contribute to its further development to address current and emerging challenges? Does

the increasing commercialisation of outer space require more and increased regulation and should this be carried out internationally? Should we have any trade law or intellectual property considerations in this regard? Concerning space debris, are we taking environmental protection seriously when it comes to the uses of outer space? Is the militarisation of the outer space a current challenge for international law to address and how should it address it? Concerning future challenges, such as tourism, mining and settlement, how should international law address them?

Agora 9. Critical Minerals Natural Resources, and Energy Safety

It seems that all around us, at whichever sector we look, humankind is finding ways to do everything better, faster and more efficiently. 'Clean Energy', 'Sustainable Development', the 'Green Transition' are all terms thrown around endlessly pointing towards a rush towards a new and better world filled with new opportunities for humanity. This 'rush', however, raises a few questions — Who holds the much-needed resources and how may global distribution affect State Sovereignty? What methods are we using to extract them? Can conflict affect the safety of our everyday energy sources? Some legal rules seek to provide an answer to the conflicts generated by such questions: for instance, seabed resources in the Area were given the status of Common Heritage of Humankind under UNCLOS and ESG Regulations have sought to guarantee corporate responsibility along the supply chain. Still, we are faced with a few predicaments. While some claim for the so called 'green transition' others would lift the curtain, unveiling the environmental, social and economic costs of sourcing the materials needed for it. While some would call for cheaper and cleaner sources of energy, virtual monopolies threaten their safety, particularly at times when peace seems like a mirage. Faced with such scenarios, one must ask: have these settlements failed, do they simply need reshaping, or are they functioning precisely as they were meant to?

Agora 12. Climate Law as a Promise of Future

Recent data about the state of the global climate suggest that the temperature goals of the UNFCCC and the Paris Agreement are not likely to be complied with. And yet, the evolution in State climate action in the first ten years of the Paris Agreement and the upsurge in litigation (mostly, at the domestic and regional level) and advisory opinions requests provide a different

angle to the climate issue: despite the shortcomings of the legal regime, the regulatory setbacks, and withdrawals from climate treaties, there is a clear sense of direction in terms of State action. What lies ahead then? What is the room for scholarly and judicial development on the law of reparations applied to climate change? And how do reparations interact with loss and damage and climate finance more broadly? What should be a safe and proper regulatory framework for geoengineering? How can one better define and assess States' (due diligence) obligations in respect of climate change? Climate change may be the most evident example of a disrupting, global environmental issue, but other environmental law regimes face the same challenges and opportunities.

III. INSTRUCTIONS FOR ABSTRACT 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 "International Law and Future(s)";
- Diversity criteria, in accordance with the ESIL Statement of Principles on Diversity, Equality and Inclusion and ESIL Guidelines for the Diversity of Conference and Panel Speakers.

We welcome proposals in French or English.

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.

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 might be regarded as ineligible.

2. Information to be included

Proposals must be submitted online via the conference website <www.esil2027.com>. The website features an online tool 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).

3. Deadline for submissions

31 January 2027

IV. INSTRUCTIONS FOR "AGORAE PANEL" PROPOSALS, ONLY BY ESIL INTEREST GROUPS

ESIL Interest Groups are invited to submit proposals for agorae. Such proposals must be submitted by Interest Group conveners via the conference website.

1. Information to be included

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 1h30 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.

2. Deadline for submissions

31 January 2027

V. 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 create interactions during the session. The quality of the drafts will be screened by the programme committee, which may request amendments.

VI. TIMELINE

The deadline for submission of abstracts is 31 January 2027.

Successful applicants will be informed no later than 31 March 2027.

Deadline for joining ESIL (applicable for non-members) is 30 April 2027.

The deadline for submission of full papers is 1 July 2027.

The conference runs from 9-11 September 2027.

The deadline for (optional) submission of final papers (to be included in the ESIL Proceedings) is 1 November 2028.

VII. 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 is 31 January 2027.

Deadline for submitting a request for a grant: 15 June 2027.

The Interest Group is unable to provide funding for travel and accommodation. Selected speakers will be expected to bear the costs of their own travel and accommodation. Some ESIL Travel Grants and ESIL Carers' Grants will be available to offer partial financial support to speakers who have exhausted other potential sources of funding.

Please see the ESIL website for all relevant information about the conference.

All participants, including speakers and chairs, at ESIL Interest Group workshops are required to register for the Annual Conference. There will be an option to register for the IG workshops only; however, all participants are warmly invited to attend the entire event.

Selected speakers should indicate their interest in being considered for the ESIL Early-Career Scholar Prize, if they meet the eligibility conditions as stated on the ESIL website. The ESIL Secretariat must be informed of all selected speakers who wish to be considered for the Prize before 30 April.

VIII. PUBLICATION

After the conference, ESIL provides the opportunity to publish papers in the ESIL Proceedings. Further details about how to submit papers for publication will be provided to all speakers immediately after the conference.

IX. ESIL EARLY-CAREER SCHOLAR PRIZE

ESIL will award the Early-Career Scholar Prize again in Lisbon. 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)* Ph.D. 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 Ph.D.). 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 Ph.D. programme/date of Ph.D. 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>) by 1 July 2027 for consideration by the jury.

X. MEMBERS OF THE PROGRAM COMMITTEE:

- Paulo Pinto de Albuquerque (*Universidade Católica Portuguesa*);
- Manuel Fontaine Campos (*Universidade Católica Portuguesa*);
- Emilia Klebanowski (*Radboud University*);
- Patryk Labuda (*Central European University*);
- José Azeredo Lopes (*Universidade Católica Portuguesa*);
- Daniel Peat (*Leiden University*);
- Inês Quadros (*Universidade Católica Portuguesa*);
- Armando Rocha (*Universidade Católica Portuguesa*);
- Ana de Salinas (*University of Málaga*);
- Chris Popa Tache (*Bucharest University*);
- Maria Isabel Tavares (*Universidade Católica Portuguesa*)
- Caleb Wheeler (*Cardiff University*).

XI. CONTACT

For further information, please write to <info@esil2027.com>.