

Call for Papers “Jurisdiction - Who speaks international law?”

*The German Working Group of Young Scholars in Public International Law (Arbeitskreis junger Völkerrechtswissenschaftler*innen - AjV) asked me to forward the following call for papers. This conference intends to bridge the gap between international public and private international law, thus, contributions from private international law are more than welcome. The official call is on this website or here as pdf: 2020_30_09 - CfP [ENG] .*

The Working Group of Young Scholars in Public International Law (Arbeitskreis junger Völkerrechtswissenschaftler*innen - AjV) and the German Society of International Law (Deutsche Gesellschaft für Internationales Recht - DGIR) invite contributions to their joint conference titled

Jurisdiction

Who speaks international law?

3-4 September 2021

University of Bonn

The topic: Jurisdiction endows an actor with the authority to provide binding answers to legal questions. Etymological observations reveal that an analysis of legal validity necessarily requires grasping the notion of jurisdiction. After all, the Latin roots of the term ‘jurisdiction’ – juris dicere – can be translated as ‘speaking the law’. In international law, the notion of jurisdiction serves to delimit international and domestic spheres of competence. Traditionally tied to territorial sovereignty, jurisdiction refers to the legislative, judicial, and executive power of the state bindingly to determine who speaks in the name of the law – and about whom is (merely) spoken. Against this backdrop, the link between jurisdiction and territorial sovereignty needs to be re-examined.

Several questions arise regarding the theoretical and historical underpinnings of the notion of jurisdiction: Who is given the power to speak in international law and who is not? How can rules that are generally considered to be 'non-binding' exert their influence on jurisdiction? How do actors located in the Global South approach the notion of jurisdiction? What is the role of jurisdiction in shaping the idea and self-description of International Law as a discipline? Do we have to rethink or abandon the conceptual link between sovereignty and jurisdiction? Is there an essential and unifying element that links the different conceptions of jurisdiction?

Interdisciplinary engagements can provide a more nuanced understanding of jurisdiction: How can accounts not linked to the state help us understand contemporary conflicts of jurisdiction? Which historical circumstances have shaped the notion of jurisdiction? Which (dis)continuities does the history of the idea of jurisdiction reveal? Are questions of jurisdiction always questions of power? How do socio-cultural circumstances inform diverging notions of jurisdiction? How can critical approaches sharpen our understanding of the notion of jurisdiction?

The aim is to shed light on these and other aspects of jurisdiction from different perspectives, taking into account specialized areas of international law: How has private international law dealt with conflicts of jurisdiction and 'forum-shopping'? What is the relationship between sovereignty and state or diplomatic immunity? How do digital spaces challenge existing notions of jurisdiction? Do we need a new concept of jurisdiction for cyber warfare and for space law? What is the role of the notion of jurisdiction in shaping the relationship between humans and their natural environment? How do rival notions of jurisdiction affect the access to justice regarding human rights violations at the borders of Europe? How can the conflict between the German Federal Constitutional Court and the European Court of Justice be analysed through the lens of jurisdiction? What are the causes of the criticism levelled against the International Criminal Court's interpretation and exercise of its jurisdiction?

We invite submissions contemplating these and other questions and hope to cover a broad range of international law topics, including public international law, private international law, and European law. We welcome all theoretical approaches and methods and explicitly invite doctrinal work as well as interdisciplinary, discourse theoretical, historical, philosophical, and critical

approaches.

Formal requirements: The main purpose of the conference is to create an opportunity for PhD students and early career researchers to present their work. Established scholars will comment on the young scholars' contributions. Anonymised abstracts in German or English (max. 500 words) must be submitted by 8 January 2021 only via the application form on the conference website. Selected candidates will be notified by 31 January 2021. Paper drafts (max. 7000 words, including footnotes) must be submitted by 1 June 2021. We envisage to publish the contributions.