



2020 ESIL Research Forum

23-24 April 2020, Catania, Italy

ESIL IG on International Law of Culture

Call for Papers

**Searching Solidarity for Fighting against Cultural Exclusion towards Migrants
and Refugees in Europe in Times of Populism**

Thursday 23 April 2020

The Universal Declaration of Human Rights clearly sets in its article 13 the right of everyone to leave any country, including their own, and to return to said country. While some would maintain that this right is merely soft law or even has a *utopian* nature, it is clear that at least in some cases such a right can imply hard law obligations, including those of *ius cogens* (non-refoulement principle). The question of forced migrants' rights is important in the context of the main topic of this forum: 'Solidarity: The Quest for Founding Utopias of International Law', because it must be interpreted in conjunction with the often-forgotten obligation of solidarity in the same declaration ('all human beings [...] should act towards one another in a spirit of brotherhood'). While international legal scholarship has devoted enormous and much-needed attention to refugee and migrant rights, less attention has been paid to the enjoyment of cultural rights of migrants and refugees, and the connection between culture and the construction of more solidary and cohesive societies. The UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, for instance, has not made a general comment on cultural aspects. However, issues concerning culture and identity (understanding these issues for the purpose of this CfP in a broad sense, including religion) is crucial in the current context, where populist speeches maliciously give a

mistaken portrait of cultural lives of migrants –therefore contributing to the creation of what Oliver Roy called ‘imaginary communities’. These populist pushes ignore developments of International Law in the field of culture of the past decades, and contribute to tearing social cohesion and solidarity between local communities and migrants. Some months ago, a group of UN Human Rights experts expressed their alarm with ‘the recent increase in hateful messages and concerned about public figures dehumanising migrants’ and urged States ‘to promote and adopt policies of tolerance’ so ‘the right to live a life free of violence, through the promotion of tolerance, diversity and pluralistic views’ can be guaranteed.

We invite papers from early-career scholars, which address questions related with this challenge in particular:

1. The use of culture or religion by populist political leaders to bar migrants from the enjoyment of their rights, particularly cultural rights.
2. The role of migrants in the development of cultural diversity of States where they live, including, by instance, their possibilities to contribute to the implementation by the States of the different UNESCO Conventions, or their contribution to peaceful atmospheres through culture – all these taking into account the UNESCO premise that peace ‘had to be founded on the intellectual and moral solidarity of mankind.’
3. The relation between (and space given to) local and foreign cultural expressions for creating solidarity and social cohesion through International Law norms, including the issues falling into the concepts of cultural assimilation and cultural integration, which are more and more present in international documents dealing with rights of migrants.

Application Process

Please submit an abstract in .Doc or PDF format (in English) of no more than 500 words by midnight on 7 February 2020 (Brussels time) to all of the IG Convenors: beatriz.barreiro@urjc.es; l.lixinski@unsw.edu.au; andrzejjak@poczta.fm.

The following information must be provided with each abstract:

- The author’s name and affiliation;
- The author’s brief bio note (up to 200 words), and a short list of relevant publications (up to 5);
- The author’s contact details, including email address and phone number.

Only one abstract per author will be considered. Multi-authored abstracts are welcome.

Applicants will be informed of the selection committee’s decision no later than 15 February 2020.

Full papers (between 8,000-8,500 words, including footnotes) should be submitted by 31 March 2020. Selected papers may be published in an edited collection or a special edition of a journal in accordance with the general rules of the ESIL Conference Call for Papers.

Travel and accommodation

The Interest Group is unable to provide funding for travel and accommodation. Speakers will be expected to bear the costs of their own travel and accommodation. Some ESIL travel grants and ESIL careers 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 details.

Research Forum information

Please see the ESIL website for all relevant information about the Research Forum. The Interest Group workshop is open to ESIL members and all participants are required to register for the Research Forum. Registration details will be available shortly.

More information on ESIL is available here: <https://esil-sedi.eu/andinformation>.
More information about the ESIL IG on International Law of Culture is available here: <https://esil-sedi.eu/interest-groups/law-culture>.