



ESIL Interest Group on International Courts and Tribunals

Call for abstracts

### **De-formalizing the International Judiciary**

The Interest Group on International Courts and Tribunals is organizing a Workshop on **De-formalizing the International Judiciary**, as a side-event to the ESIL 2022 Annual Conference in Utrecht. The workshop will take place on 31 August 2022.

#### Theme of the workshop

The term ‘International Judiciary’ usually refers to those bodies formally constituted by international law as courts and tribunals with the power to render decisions binding upon parties. Included therein are a wide range of permanently constituted international courts and tribunals as well as arbitral tribunals, especially in the field of investment protection. While the proliferation of international courts and tribunals keeps international lawyers occupied, what may be relatively understudied is the status and practices of dispute settlement bodies whose function may well be understood as (quasi-) judicial, but which are not formally labelled as courts and tribunals.

In analyzing the de-formalization of the international judiciary, we want to go beyond the relatively static definition of the international judiciary that we have worked with in the last decades. We want to outline new dynamics and, perhaps, explore new borders of the international judiciary. This would include new functions and practices in ‘classical’ international courts and tribunals, but also the activities of ‘new players’ such as atypical quasi-judicial bodies, and, more generally, new forms of dispute settlement. Take, for instance, Facebook’s Oversight Board (known as the ‘Supreme Court’) as an example. While it is not labelled as a judicial body, the Board applies international human rights law in order to (legally) assess actions to be taken by the company. The Board is supposed to be an independent body, whose decisions are binding upon Facebook.

Against this background, the Interest Group invites paper proposals which facilitate the functional understanding of the judiciary at the international level. The Interest Group particularly welcomes proposals that address:

- the conceptual or theoretical analysis of international judicial functions;
- the status and function of so-called quasi-judicial bodies;
- legitimacy of quasi-judicial bodies;
- relations between formal courts and tribunals and quasi-judicial bodies.

### Submission of proposals and the timeline

All Members of the ESIL are invited to submit abstracts of up to 500 words.

**Deadline for submitting abstracts:** 15 April 2022.

Abstracts should be sent to: [igictesil@gmail.com](mailto:igictesil@gmail.com)

The following information must be provided with each abstract:

- The author's name and affiliation;
- The author's short biography;
- The author's contact details, including email address.

Authors of selected abstracts will be notified by 30 April 2022.

Authors of accepted abstracts should submit their short paper (3-5 pages) by 31 July 2022. The draft will be circulated among the workshop participants.

For substantive questions, please contact the Interest Group convenors via:  
[igictesil@gmail.com](mailto:igictesil@gmail.com).

Workshop is organised by the ESIL IG on International Courts and Tribunals (Veronika Fikfak, Edouard Fromageau, Machiko Kanetake, Cecily Rose and Stephan Wittich).