



Call for Papers

Workshop of the ESIL Interest Group on the European and International Rule of Law at the 2023 ESIL Annual Conference

Aix-en-Provence, 31 August 2023

(on-site, in-person workshop)

Elections and the International Rule of Law

On occasion of the 2023 ESIL Annual Conference, to be held in Aix from 30 August to 2 September 2023, the ESIL Interest Group on the European and International Rule of Law will convene a workshop on “**Elections and the International Rule of Law**”, which will take place in-person on Thursday, 31 August 2023.

The Topic

In line with the ongoing global decline of the rule of law, threats to elections have arisen at both national and international levels. We invite submissions on three (non-exhaustive) aspects of the relationship between international (rule of) law and the topic of ‘elections’: the initiation of elections, the electoral processes as such, and the post-electoral transfer of power.

I. International (rule of) law and the initiation of elections

Are there any international legal obligations to hold elections? Can decisions by sovereign States as to when and how to conduct their elections be put into question outside of national structures and reviewed on multi- or international levels? On another hand, is calling for an election boycott permissible under international law? At the institutional level, how do international organizations determine which issues should be put to a vote, who can commence, steer, or halt the election process? What is the legal framework on electing international officials, judges, panelists, or experts, and what are the consequences if such elections are interfered with or blocked?? Do the existing principles of the rule of law and international law suffice to ensure the functioning of structures we have come to rely on?

II. International (rule of) law in the electoral process

Are there any international obligations for elections to be ‘free’? How does international law approach prerequisites for casting a vote or running as a candidate, such as citizenship, age, mental capacity or incarceration? How can electoral rights be respected in situations of occupation, and is a lack of respect for those a breach of international (humanitarian) law? How do international organizations and international tribunals balance the plethora of pressure and

commitments with rule of law requirements of diversity, transparency, accountability, and participation?

III. International (rule of) law in the post-electoral process

When looking at the events unfolding following recent elections in the US or Brazil, and while anticipating similar events to unfold in other parts of the world in the future, a question arises whether, and if so how, can international law and rule of law principles ensure a peaceful transfer of power following legitimate elections. On the other hand, are there international legal rules and standards to guarantee that when elections are indeed 'stolen', the results can be corrected or at least, not recognized? Similarly, what are the rules governing the interpretation of the will of the people following, for example, a referendum – whether on an exit from an economic and political union or cessation?

Paper Submission Procedure

Paper abstracts may be submitted in accordance with the timeline as set out below. The papers should be unpublished, in an advanced stage of completion. Co-authored paper proposals are accepted. Submissions must not exceed 500 words, and must be submitted to:

till.holterhus@leuphana.de; velimir.zivkovic@warwick.ac.uk

In addition to the abstract, each submission should contain a separate file with the following information: the author's name and affiliation; a short CV; a list of publications; author's contact details, including email address and phone number; whether the author is an ESIL member and the date of affiliation.

Timeline

The deadline for the submission of abstracts is midnight 23 April 2023, Brussels time. Successful applicants will be informed by the end of April 2023.

The deadline for the submission of draft papers or, if preferred, presentation outlines is 18 August 2023.

Funding

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

Selected speakers should indicate their interest in being considered for the ESIL Young 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.

The Coordinating Committee of the ESIL IG on the European and International Rule of Law

Henner Gött Till Patrik Holterhus Velimir Živković