



ESIL Interest Group on International Law and Technology
Pre-Conference Workshop
Annual Conference of the European Society of International Law
Vilnius, Lithuania
Wednesday 4 September 2024, 12.30-15.30 EEST (hybrid)

When Renewal Repeats:
The Dis/Continuities of International Law and Technology

We live in a world that is increasingly shaped by digital technologies. Technological transformations have enabled new forms of social life and order, new modes of political agency, relationality, and resistance. While much public, legal, and policy discourse around developments in digital technologies emphasises their newness and the radical social shifts they entail, these transformations did not derive out of thin air. They have long historical trajectories, they are inextricably tied to existing patterns of power and political economy, and embedded in existing socio-technical infrastructures, all of which have long had a complex dynamic with international law. Accounts that highlight the epochal changes of the digital era risk overlooking these material continuities, thereby contributing to neoliberal discourses of agility and disruption.

Yet, recent developments have also shown that the scale and velocity of data accumulation, data analytics, algorithmic regulation, and artificial intelligence are presenting challenges that may require rethinking some of the conceptual configurations at the core of international law and global governance and could also invite the emergence of new concepts or new forms of law-making. When facing these challenges, however, all too often familiar patterns emerge, particularly where calls for legal reform and renewal in the face of new technologies risk “absorbing the critical potential [of disciplinary renewal] into a familiar disciplinary common sense”.¹

The workshop aims at exploring the theme of “renewal” by exploring how this concept emerges in the context of international law and technology and to what extent new challenges represent a dis/continuity in the field.

¹ David Kennedy, *When Renewal Repeats: Thinking Against the Box*, 32 N.Y.U. J. Int'l L. & Pol. 335, 335 (1999-2000).

Registration

To attend this workshop **in person**, please register via the conference registration site: <https://www.esil2024vilnius.lt/registration/> To attend this workshop **online**, please register via this link: <https://geneva-academy-ch.zoom.us/meeting/register/tZAvd-qvqD8uHtUrb5Pr5q6djCvCgyzWZKiU>

Programme

12.30 – 12.45: *Welcome* by ESIL Interest Group on International Law & Technology coordinators

12.45 – 14.00: *Panel 1: Digital technologies and new forms of law-making*

Discussant(s): Stefania Di Stefano & Dimitri Van Den Meerssche

1. 'Digitalization of Genetic Resources: New Challenges for International Law-making?'
[Elsa Tsioumani](#), Marie Skłodowska-Curie Fellow, School of International Studies, University of Trento
2. 'Automating International Human Rights Adjudication'
[Veronika Fikfak](#), Associate Professor in International Law and Deputy Director for Research, University College London; iCourts Centre of Excellence for International Courts, University of Copenhagen
[Laurence R. Helfer](#), Harry R. Chadwick, Sr. Professor of Law, Duke University' Permanent Visiting Professor, iCourts
3. 'Knowing With Algorithms: How Algorithmic Technologies Reshape (Un)certainities of Military Decision-Making'
[Klaudia Klonowska](#), Ph.D. Candidate in International Law, University of Amsterdam and T.M.C. Asser Institute

14.00 – 14.15: *Break*

14.15 – 15.30: *Panel 2: International law and technology: "old" concepts and "new" challenges*

Discussant(s): Barrie Sander & Roxana Vatanparast

1. 'Development as Digitalization'
[Angelina Fisher](#), Adjunct Professor Law, NYU School of Law
2. 'The Changing Concept of Territoriality in International Investment Law: Stepping into the Digital Age'
[Bojana Ristić](#), Ph.D. Candidate, Leiden University
3. 'The More Things Change, the More they Stay the Same: The Digital Divide in International Cyberspace'
[Christine C. Carpenter](#), Associate, Dechert LLP
Megan Palmer, Recent Graduate and Law and Public Policy Scholar from Temple Beasley School of Law