

ESIL Interest Group on International Organizations

## Call for Papers | ESIL Annual Conference 2025 | Berlin

The ESIL Interest Group on International Organizations welcomes submissions for the Interest Group workshop taking place as part of the ESIL Annual Conference on **Thursday, 11 September 2025, 09.00-12.00,** at Freie Universität Berlin (Room TBC) and online.

## THEME:

## (Re-)constructing International Organizations in the Work of the United Nations International Law Commission

In 2022, the International Law Commission (ILC) inaugurated a new study on the "Settlement of Disputes to which International Organizations are Parties" and appointed Prof. August Reinisch as Special Rapporteur. This is the fifth time the ILC has taken up a topic regarding international organizations, after its projects on <u>international responsibility</u>, the <u>representation of states</u>, <u>status</u>, <u>privileges and immunities</u>, and the <u>law of treaties</u>.

As evidenced in the preliminary <u>syllabus</u>, the topic is particularly vast, potentially covering permanent courts (amendment of statutes or new tribunals), international arbitration (arbitral clauses and procedural rules), diplomatic mechanisms such as enquiry, mediation and conciliation (best practices, minimum standards, procedural rules), and issues concerning the restricted access of international organizations to the traditional methods of international dispute resolution and the admissibility of claims (such as diplomatic protection and exhaustion of local remedies). After a preliminary discussion in 2022, the ILC decided to broaden the scope of the project by deleting the adjective "international" to disputes, thus stressing its intention to address all types of disputes to which international organizations are parties, including those of a private nature. At previous ILC sessions, the Special Rapporteur presented two reports, dealing with the <u>scope of the project and definitions</u>, and the

<u>settlement of international disputes</u>. On that basis, the ILC has so far adopted <u>six draft guidelines</u>. The Special Rapporteur's third report, which the ILC will consider at its seventy-sixth session, discusses disputes between international organizations and private parties.

The mixed results of the previous ILC endeavors regarding international organizations call for an analysis of this new project, focusing on its potential for clarifying the law of international organizations but also on its pitfalls. International organizations were particularly critical of the project on international responsibility, and it is yet to be seen how they will react to ILC's project on dispute settlement. The 2022 questionnaire addressed to international organizations revealed a tepid response from 17 organizations (mainly from within the UN system), mostly concerned with describing institutional rules and presenting limited or no practice. Finding an equilibrium between satisfying international organizations and providing a useful output might be challenging. As on previous occasions, international organizations might stress their diversity and rely on *lex specialis* to claim that whatever the outcome of the new project, it is subject to the primacy of institutional rules.

Against this background, the Interest Group invites papers that discuss the '(re-)construction' of international organizations through the work of the ILC across the decades, with a particular focus on its current work regarding the settlement of disputes to which international organizations are parties. Some suggested sub-themes are as follows:

- Re-theorizing the concept and definition of 'international organization';
- The appropriate means of dispute settlement involving international organizations;
- The participation of international organizations in diplomatic and legal means of dispute settlement;
- The meaning of international and non-international disputes involving international organizations;
- The definition of disputes of a 'private law character';
- The relationship between the ILC and international organizations;
- The relationship between jurisdictional immunity and the obligation to grant access to court and provide effective legal remedies.

The abstract should be between 500 and 600 words. It should be submitted, together with a short biography of 200 words maximum in the same document, to <u>igioesil@gmail.com</u>. The deadline for submission of the abstract is <u>Tuesday</u>, 20 <u>April 2025</u>. Participants will be expected to submit an extended abstract of 3,000 words ahead of the Conference.

Given the aims and format of the panels adopted by ESIL, the Interest Group will select abstracts pursuant to the following criteria:

- Submissions by early-career scholars
- Originality and innovativeness of the work
- Relevance to the Panel theme
- Geographical and gender balance

The following information must be provided with each abstract:

- The author's name and any affiliation
- Small biography (should be included in the same document)
- The author's contact details
- Whether the author is a current ESIL member

ESIL encourages anyone participating in its activities to become a member, as the Society relies primarily on membership contributions to ensure its sustainability.

## Organising Committee

- Christiane Ahlborn (Assistant Professor, Trinity College Dublin)
- Laura Luisa Huici Sancho (Senior Lecturer in international law, University of Barcelona)
- Lorenzo Gasbarri (Assistant Professor, Scuola Superiore Sant'Anna)
- Mara Tignino (Senior Lecturer, University of Geneva)
- Miša Zgonec-Rozej (Senior Legal Officer, Organisation for the Prohibition of Chemical Weapons)

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 <u>ESIL travel grants</u> and <u>ESIL carers' grants</u> 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.

ESIL Early-Career Scholar Prize

Papers accepted for this interest group workshop will be eligible for the ESIL ECSP. Candidates have to be ESIL members at the time of the submission of the abstract. More details about the prize, eligibility and procedure can be found here: <a href="https://esil-sedi.eu/esil-early-career-scholar-prize/">https://esil-sedi.eu/esil-early-career-scholar-prize/</a>