

4TH RESEARCH
FORUM
Tallinn, Estonia
27-28 May 2011



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4TH ESIL Research Forum

27-28 May 2011
Tallinn, Estonia

Organized by
the University of Tartu



UNIVERSITY OF TARTU

Call for Papers

International Law and Power Politics: Great Powers, Peripheries and Claims to Spheres of Influence in International Normative Order

European Society of International Law Research Forum
27-28 May 2011, Tallinn, Estonia
(organized by the University of Tartu)

International law as a field has a complex relationship with the reality of international politics. Usually, it is understood that international law is about legal rules and not about the sociological patterns one might observe in international relations. This view, often associated with legal positivism, juxtaposes the rule-based world of international law with the unpredictable world of international politics.

The nemesis of such an approach is the realist theory of international relations. It takes a darker view of the role of international law in international relations considering it either irrelevant or as a rhetorical fig leaf for great power interests. The tradition of international law and the realist school of international relations seem to represent irreconcilable philosophical traditions about human nature and the nature of international relations.

The 4th ESIL Research Forum intends to cross the front line to confront the intellectual arch-enemy of the tradition of international law, realism. While proceeding from the tradition of international law, the main idea of the forum is to take the challenge presented by realism seriously. After all, how do concepts such as great powers, peripheries and spheres of influence relate to the reality of international law? To what extent does international law manage to restrain hegemonic powers? To what extent are great powers able to translate their interests into universal legal rules and principles? Do balance of power considerations play a role in the application of international law? Questions of this kind have often been raised by commentators, such as when crises occurred in Kosovo in 1999/2007, Iraq in 2003 and Georgia in 2008. While realism presents a historically predominant starting point for thinking about power politics, there also exist alternative views about the role of power in international normative order, for example the ones that emphasize economic control over direct use of military force.

ESIL's Research Forum in Tallinn - a European Capital of Culture in 2011 - will address these issues both from historical-theoretical and contemporary-empirical perspectives. The keynote speakers include Mr Toomas Hendrik Ilves, President of Estonia, and Mr Anatoly Kovler, a judge from the Russian Federation elected to the European Court of Human Rights.

Abstracts are invited for participation in panel discussions on the following, fairly broad, topics:

- 1) International Law and the Concepts of Balance of Power and Spheres of Influence (Chair: Benedict Kingsbury)
- 2) International Law and Center-Periphery Dynamics (Chair: Thomas Skouteris)
- 3) International Law in Foreign Policy and Military Doctrines of the UN Security Council's Permanent Members: A Critical Comparison (Chair: Bardo Fassbender)
- 4) The Fragmentation of International Law, Regionalism and 'Greater Spaces' – a Challenge to Universality? (Chair: Martti Koskenniemi)
- 5) The Definition of Aggression and the Prohibition of the Use of Force: Who Determines the Aggressor, and How? (Chair: Mariano Aznar Gomez)
- 6) Russia's Contemporary Understanding of International Law: Identical to Western Approaches? (Chair: Mark Entin)
- 7) The Role of International Lawyers in International Politics: the Life and Legacy of Friedrich (Fedor Fedorovich) Martens (1845-1909) (Chair: Bruno Simma)
- 8) International Law of Minority Rights: Regional, Universal or Double Standards? (Chair: Boldizsar Nagy)
- 9) International Institutions, Decision-making Processes and the Logic of the Distribution of Power (Chair: Laurence Boisson de Chazournes)
- 10) Kosovo and South Ossetia: Similar or Different? Consequences for International Law (Chair: Liliana Tymchenko)
- 11) Oil, Gas and Questions concerning the Legal Regime of the Arctic Ocean and the Baltic, Black and Caspian Seas (Chair: Alan Boyle) (tbc)
- 12) The Role of the European Court of Human Rights in Transition from Totalitarianism: the European *mission civilisatrice* of our Time? (Chair: Ineta Ziemele)
- 13) Piracy as an Old/New Challenge to International Legal Order (Chair: Tullio Treves)
- 14) Cyber-Attacks and the Threshold to Use of Force in International Law: Rethinking Use of Force in International Relations (Chair: Michael Schmitt)
- 15) NATO, CSTO and the United Nations: The Uneasy Overlap of Regional and Universal Collective Security Organizations (Chair: Erika de Wet)

The abstracts, which may be written in English or French, should consist of no more than 150 words, be clear, concise and to the point, and be accompanied by a brief curriculum vitae and a list of publications. Please indicate for which panel the abstract is intended. Each panel will ultimately have 3-4 panelists. Abstracts should be submitted via the **Research Forum website – www.esil2011.ut.ee – which will be online as of 1 September 2010. The deadline for the submission of abstracts is 15 December 2010.**

Panelists will be selected in January 2011. Successful applicants are kindly asked to become a member of ESIL if they are not yet members. Individuals whose papers are selected will be exempted from paying the participation fee but will have to cover their own travel and accommodation costs. A limited number of scholarships will be available for speakers to help cover such costs; please indicate in your application whether you wish to request such a scholarship.

A selection of papers will be published in the 2012 issue of the Baltic Yearbook of International Law (Brill/Martinus Nijhoff).



Conference venue: Estonian Academy of Sciences

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