

TRANSFORMING THE ROLE OF INTERNATIONAL COURTS AND TRIBUNALS IN A NEW ERA OF ADJUDICATION

CALL FOR PAPERS

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16 MARCH 2023

Concept Note:

As multifunctional actors, the role of international courts and tribunals (ICTs) encompasses the protection and development of the international community and its values. International law is not only a tool for co-existence among States but also, and ultimately, a mechanism for the production and protection of community interests.

The case law of the International Court of Justice (ICJ) deals with issues involving community interests or individuals' rights, with the cases regarding diplomatic protection providing a prominent example. Notably, human rights cases are not only being litigated in tribunals established specifically for that purpose. The ICJ has dealt with genocide, war crimes and other human rights violations. Environmental law cases are also among issues that reflect widespread concern or broad public interest. Even boundary disputes may have an important impact on individuals. ICTs, in particular the ICJ, are increasingly touching upon international and domestic politically-sensitive issues.

Recent cases being heard before the ICJ, including *Gambia v. Myanmar* and *Ukraine v. Russia*, also illustrate the growing tendency that international litigation has rarely been a matter of private concern or interest affecting exclusively the parties in dispute and would indirectly stimulate public interest in the work of the Court, among other advantages. The more the ICJ moves into new areas of global public concern, the more appropriate it is to provide for some method of participation in order to hear all relevant interests involved.

There is indeed a growing demand of participation from State and non-State actors (NSA) in order to ensure, facilitate compliance and enforcement with international judgments. With a view to reconciling growing demands for participation in ICJ's proceedings, it is useful to consider mechanisms to adjust and tailor procedural rules for multiparty aspects with the aim of protecting community interests and enhancing the legitimacy and transparency of international courts and tribunals. This effort might be strengthened by taking inspiration from the experience of other international dispute settlement mechanisms.

Therefore, demands for greater legitimacy and transparency have been gaining momentum in recent years. It is up to ICTs, and to the ICJ in particular, to find the balance between States' rights and commonly aspired goals and its role of addressing the provision of common interests, without ignoring the geopolitical implications of their judgments.

On 16 March 2023, the Fundação Getulio Vargas Rio de Janeiro Law School will host the Workshop *Transforming the Role of International Courts and Tribunals in a New Era of Adjudication* as an activity of the [FGV Jean Monnet Centre of Excellence](#), with the support of the European Union Erasmus+ Programme. The event will be held in FGV headquarters in Rio de Janeiro (Praia de Botafogo, 190). Its programme features internationally distinguished speakers from renowned higher education institutions. The keynote speech will be followed by two panels. The first Panel will address diverse challenges that ICTs currently face. The second Panel will explore the use of empirical methodology to work with large databases on international courts and tribunals and will include a Call for Papers, in which researches will have the opportunity to submit papers on the topic.



Call for Papers:

Seeking for innovative contributions to further analyse and develop specific elements of this research agenda, we invite interested junior and senior researchers to submit **draft papers dealing with empirical methodology applied to the study of ICTs**. We encourage submissions engaging with a broad range of current challenges pertaining to the law and practice of international courts and tribunals.

Submissions are expected no later than **6 March 2023**. Papers must be submitted in English and have between 6000 and 8000 words. Submissions should include the paper's main thesis and major arguments, as well as a justification of the empirical methodology and its preliminary results. Authors should also include a front page with an abstract and a proposed title and postal, e-mail and telephone information of the author.

Selected papers will be discussed by FGV researchers with a solid experience in working with large databases on courts and tribunals. The papers featured in the workshop will feed into online publications featured in the Blog of the FGV Jean Monnet Centre of Excellence on EU-South America Global Governance.

Key dates:

6 March 2023 - Deadline for submission of draft papers;

9 March 2023 - Notification of acceptance of draft papers;

16 March 2023 - Conference date.

Mode of submission: In order to submit your paper, please fill out the form available in the link below:
<https://forms.gle/yEAbbnmbYxNsiFR18>

Contact: For any question regarding this call for papers, please send an email to:
cejm.direitorio@fgv.br

See the programme of the event in the following link:

<https://bit.ly/3letUx2>