



Universiteit Utrecht

Judicial Jurisdiction Project

Call for Papers

Conference

A multi-disciplinary take on the role of the judiciary in the law of the sea

21-22 November 2024, Utrecht

The [Judicial Jurisdiction Project](#) of the Netherlands Institute for the Law of the Sea ([NILOS](#)) and the Utrecht University Centre for Water, Oceans and Sustainability Law ([UCWOSL](#)) of the School of Law of Utrecht University is pleased to invite papers for a conference on:

A multi-disciplinary take on the role of the judiciary in the law of the sea

This conference, which will be convened in Utrecht on 21 and 22 November 2024, aims at dissecting the judicial jurisdiction of tribunals under the United Nations Convention on the Law of the Sea (UNCLOS). By capturing the current state of affairs and potential trends in this respect it is intended to further the discussion on the future role of dispute settlement under the Convention and its impact on the Convention as a whole. The many questions that may be discussed include, but are not limited to:

- How have UNCLOS tribunals defined their jurisdiction and what justifications have been offered or implied in that connection?
- How do States parties to the Convention view the approaches the judiciary has entertained in this respect and what impact, if any, have these approaches had on the litigation strategies of States?
- How do the approaches of UNCLOS tribunals impact the Convention's development and its interaction with the broader legal landscape for ocean governance?

Legal analysis can only shed light on certain facets of the many issues and processes involved. For this reason, the theme is approached from a multi-disciplinary perspective and the conference strives to bring together scholars of, in particular, the disciplines of law, international relations and philosophy. By adding different disciplines to the discussion, the conference intends to capture (theoretical) perspectives on the role of courts and tribunals in managing interstate relations and how that relates to the current state of affairs in the UNCLOS. It is expected that the dialogue between the different disciplines will enrich each of their understanding of what are, could and should be the bounds of the jurisdiction of UNCLOS tribunals.

With the above general framework in mind, the organisers welcome contributions that employ doctrinal, critical, comparative, theoretical and empirical approaches from different disciplines, devoted but not limited to the following themes with explicit reference to UNCLOS tribunals and their case law:

- The establishment and exercise of jurisdiction and the powers of UNCLOS tribunals;
- The relation between the framing of jurisdiction by UNCLOS tribunals and justice and fairness;
- The framing and exercise of jurisdiction by UNCLOS tribunals in relation to disputes requiring scientific input;
- The relation between jurisdiction and the notions of judicial activism and judicial restraint (definition, development, historical background);
- Cross-fertilisation, comparative reasoning and interaction of UNCLOS tribunals with other regimes and their dispute settlement mechanisms;
- Quality of reasoning in UNCLOS tribunals' case law – how does it affect the integrity of the UNCLOS and its dispute settlement mechanisms?;
- Strategic litigation, litigation as Statecraft, litigation as part of lawfare; the evolving role of contentious and advisory jurisdiction (especially from the perspective of states and practitioners);
- The characterization of disputes and choice of forum;
- The role of practitioners/scholars in the development and understanding of judicial jurisdiction;
- The scope for UNCLOS tribunals in addressing contemporary challenges (e.g., climate change, deep seabed mining, conservation of marine resources in areas beyond nation jurisdiction) in view of their mandate under the UNCLOS; and
- The role of UNCLOS tribunals in the ocean governance architecture (treaty and institutional interactions) in view of their mandate under the UNCLOS .

The **organisers of the Conference** consist of the research team involved in the [Judicial Jurisdiction Project](#), based at Utrecht University School of Law, namely Danae Georgoula, Lan Nguyen, Seline Trevisanut, and Alex Oude Elferink.

Submissions: Abstracts of between **400 and 600 words**, together with a short biography (**max 200 words**) should be submitted to Alex Oude Elferink (a.oudeelferink@uu.nl) by **29 February 2024**. The organizers will take a decision on the selection of papers for the conference by **20 March 2024**. Full draft papers are to be submitted by **1 November 2024**.

The final papers to be revised after the conference will then be considered for publication either in a special issue of an academic journal or in an edited volume. Further information about the publication process will be shared in due course.

Co-authored submissions are welcome. Submissions by early career researchers (PhD candidates and recent PhD holders) are particularly encouraged and welcome.

It may be possible to fund (part of) the costs for travel and accommodation for those who are not in a position to fund themselves. In case of requiring funding, this has to be communicated to the organizers while submitting the abstract. The possible extent of funding will be determined subsequently, when it will be known who will be invited to present their paper at the conference.