Informal International Law and Foreign Relations Law: Doctrine, Empirics, Reform (RE_INFORM)

Workshop, 8 and 9 April 2027

Convenors: Helmut Philipp Aust and Thomas Kleinlein

Call for Papers

The interdisciplinary workshop aims to bring together scholars and practitioners working in the fields of international law, constitutional law, and foreign policy to survey current trends towards informalization of the international legal order.

States' increasing use of non-legally binding instruments has recently received considerable international attention, ranging from the Guidelines of the Inter-American Juridical Committee on Binding and Non-Binding Agreements to the ongoing work of the International Law Commission on non-legally binding agreements and a project of the Council of Europe's Committee of Legal Advisers on Public International Law (CAHDI) on drafting guidelines for non-legally binding instruments.

While there remains a need for more academic work on the international law aspects of these developments, a parallel and similarly pressing issue concerns how domestic legal systems make use of such non-binding instruments. In various domestic legal systems, the existing constitutional and statutory rules on the conduct of foreign relations and the engagement with international law focus primarily on legally binding rules. International organizations are also set up in a classical formal way. Accordingly, there is a lack of clarity regarding the exact extent, forms, and background of this development at the international level, as well as the consequences for national legal systems.

The RE_INFORM project at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg and at Goethe University Frankfurt aims to analyse the consequences of informalization for German foreign relations law (forms of action, participation requirements, legal protection). It is funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) – project number: 564336925.

As the project involves empirical work in the form of archival research and semi-structured interviews with practitioners, the workshop will provide an opportunity to reflect on the project's conceptual underpinnings. The workshop will address the relationship between the use of informal international law and foreign relations law. It will explore methodological issues for a project like RE_INFORM and provide comparative law perspectives.

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The workshop will include presentations by academics and practitioners as well as less formal conversations. With an anticipated group of 20 to 25 participants, it will provide a forum for focused debate.

The following questions are of particular interest:

- Historical development: How to assess the historical development towards informalization? To what extent is this a new development, also in the light of the historical development of foreign relations law ("Staatsrecht III") in Germany as well as in other jurisdictions? Which recent examples of non-binding instruments are important, and why? How can a trend toward informalization be verified empirically?
- Response of international bodies: How is the growing informalization of international law dealt with in the work of the International Law Commission and other international bodies, e.g., the CAHDI working group on non-legally binding instruments?
- Comparative analysis: Which comparative insights can be obtained from a study of how various domestic legal systems deal with the growing informalization of international law? Have there been attempts at legislative reform and how successful have they been? Is there a need to reform existing practices?
- Subnational developments: Which roles do subnational entities like the German Länder, cities, and local governments play with respect to the informalization of international law?
- Subject areas: In which specific subject areas does informalization of international law occur (e.g., defence collaboration between EU countries and Ukraine, migration, climate action, health, banking)? What are the positive and negative effects of informalization in these areas?

Submissions:

Interested scholars should submit an abstract of no more than 500 words by 7 December 2026. Abstracts should contain the title of the paper, as well as the name, title, and affiliation of the author(s). Please send abstracts and a CV including a list of publications to Ms. Sabine Schimpf (re-inform@jur.uni-frankfurt.de). If you wish to discuss topics or ideas informally, please contact aust@mpil.de and/or kleinlein@jur.uni-frankfurt.de.

Speakers will be informed by 21 December 2026 whether their paper has been accepted. They will be expected to submit a draft paper of 2,000 words (including footnotes) by 1 March 2027. Presentations should be no longer than 20 minutes.

Venue:

The workshop will be held at Goethe University Frankfurt, Campus Westend, Norbert-Wollheim-Platz 1, 60323 Frankfurt am Main, IG-Farben Haus, Room IG 1.314 (Eisenhower Room) on 8 and 9 April 2027. Accommodation and travel expenses will be covered in accordance with the applicable Hessian public-sector regulations.

Timeline:

Abstract submission by 7 December 2026

Selection of papers by 21 December 2026

Submission of papers by 1 March 2027