

# **The autonomy of EU law under pressure? The changing landscape of the interactions between EU law and international law**

**16-17 January 2025**

**WU Vienna University of Economics and Business, Vienna, Austria**

ESIL-supported event, organised by WU Vienna's Institute for Law and Governance

**-- CALL FOR PAPERS --**

## **Background**

The European Union (EU) – and its legal order – occupies a unique position in international law. In this context, the 'autonomy of EU law', since its judge-made creation in the 1960s, continues to fascinate international and EU law scholars alike – despite or perhaps even because of its notorious elusiveness and 'shapeshifting' character. The conceptual claim to the autonomy of EU law has been not only instrumental to the development of the EU as a 'new legal order' but also – from an EU law perspective – continues to guide the grand design of interactions between EU law and international law.

Over the years, and as a result of the EU becoming a global (normative) actor, the interplay between EU law and international law, conceived as a two-way process, has become more complex. Not only does international law – which the EU attempts to shape in a growing number of substantive areas of law – infiltrate and influence EU law. In its relations with the outside world, the EU also expects international law to adapt to its unique features. Such 'EU exceptionalism' materialises, inter alia, in the use of disconnection clauses, declarations of competence, mixed agreements, expanded standing rules in international dispute settlement mechanisms, and the claims for special treatment in the development of the rules on international responsibility of international organisations.

Today, international partners and external judicial bodies seem at times reluctant to accommodate the EU's sui generis nature and its exceptionalism, putting the autonomy of EU law increasingly under pressure. The multifaceted relationship between EU law and international law is thus confronted with legal theoretical – but also practical – conundrums, blurred lines and unsettled debates. In this context, EU and international lawyers appear to often talk past each other, creating the risk of reinforcing rather than resolving the intricate issues that arise. To fully understand the operation of the concept of the 'autonomy of EU law' and the multiple forms in which EU law and international law interact, however, more in-depth, cross-cutting, and sector-specific research is needed – blending the perspectives of both legal orders.

## **Scope and aim**

Against this background, the present workshop aims to employ both an 'outside' and an 'inside' perspective: its idea is to look at the EU and its 'autonomous' legal order from the perspective of the international community, including other international organisations and judicial bodies, but also to assess the reception and role of international law within the EU legal system as seen from the Union's – notably its Court's – point of view, through the prism of 'autonomy'. These two complementary perspectives can lead to mutually enriching assessment of issues touched upon by both legal orders

(e.g. investment, trade, environmental protection/climate change, migration, tax, dispute settlement etc.), driven by the EU's claims for 'autonomy' (internally) and 'exceptionalism' (externally) vis-à-vis the international legal order. Yet, interactions between EU law and international law can and do create tensions between the respective legal orders and increases the complexities of this uneasy relationship.

This call for papers seeks to collect insights into the intricacies of this complicated landscape of interactions and the role of the 'autonomy' concept therein, from the perspective of both legal orders in general, and also in substantive areas of law in particular where EU and international law are actually intertwined and intersect, as well as to critically assess them. The workshop – by also attempting to present new research agendas – is thus meant to offer an academic appraisal of the multiple dimensions of the relations between the two intersecting legal orders, with the (claimed) 'autonomy of EU law' being at the core of – and under pressure in – these dynamic interactions. The workshop seeks to frame intellectual avenues to clarify and understand these issues as well as to formulate possible answers to the above unsettled questions.

### Submission details

The Organisers invite submissions touching upon the topics and issues outlined above – both from the theoretical (horizontal) and sector-specific (per area of law) perspective, seen from the vantage points of either EU law or international law; or even offering juxtaposed perspectives of both. **Abstracts of 400 to 600 words** should set out the research question, the structure and the main aspects of the paper as well as any examples that are explored (if any). The selection of abstracts will be based on the originality and innovativeness of the paper and the relevance to the workshop theme.

The **deadline** for submissions is **31 October 2024 (Thursday), 24:00h (CET)**. Please send all abstracts (in Word format) together with your affiliation, short CV and contact information to [lawgov@wu.ac.at](mailto:lawgov@wu.ac.at). All applicants will be notified by email by 15 November 2024.

The Organisers are keen to explore suitable ways to publish select papers after the workshop. Plans for publication will be concretised once the workshop takes shape and discussed at a later stage.

The Organisers

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