

# Sfdi

## Bureau des Jeunes Chercheurs

### Call for Papers

### 2019 Half-day Workshops of the Young Researchers Network

As part of the 2019 Annual Conference of the French Society of International Law (“SFDI”), which will focus on

**« International law and Extraterritoriality »**

and will be held at the University of Angers, France on 23-24 May 2019,

the SFDI’s Young Researchers Network is organizing two half-days Workshops open to young researchers to discuss and debate on this topic under the chairmanship of a professor of international law.

The first Workshop will be held at the Universities of Paris 1 Panthéon-Sorbonne and Paris 2 Panthéon-Assas on the morning of **22 March 2019** and will be chaired by Professor Anne-Thida NORODOM. It will address the following issue:

**« Extraterritoriality and digital ».**

The second Workshop will take place at the University of Angers on **12 April 2019** afternoon and will be chaired by Professor Bérangère TAXIL. It will address the following issue:

**« Extraterritoriality and migration ».**

Speeches will last 20 minutes and will be followed by a debate with the audience. Following each of these Workshops, one of the participants will be selected by the chair to present her contribution at the SFDI annual Conference.

#### **Introduction**

The extraterritorial effects of domestic laws raise recurrent questions in international law, as evidenced by the recurrent opposition between Europe and the United States over US sanctions against Iran and the legal means deployed by the European Union to limit their consequences. While the notion of extraterritoriality now appears to be relatively stable, on the basis of the distinction between normative extraterritoriality and extraterritorial enforcement, some uncertainties remain, particularly regarding criteria to connect a person or situation to the State.

The study of extraterritoriality is therefore still relevant. While some issues have long been the subject of debate, particularly regarding economic sanctions, in recent years there have been new manifestations of extraterritoriality linked to the development of new fields of

international law. The two Workshops of 2019 focus on this renewed issues related to extraterritoriality. Each of them will furthermore be an opportunity to address new fields of international law that are particularly relevant to our topic: digital and migration.

#### First approach: *Extraterritoriality and digital*

Activities taking place in the digital space, because of their dematerialized nature, lead to rethink or to question the idea that the territory constitutes the basis of the State's regulatory power. Practice in this area has been developing rapidly for several years at the international, regional and national levels. Thus, to take just two examples from French case law, questions have recently been raised about the competence of French tax authorities to capture data stored abroad (e.g. Court of Appeal of Paris, order of 31 August 2012, n°11-13233), and the supervision of the activities of actors based abroad but offering services within French territory (as in the LICRA c. Yahoo saga before French and Californian Courts).

These are only illustrations of the many issues raised by this first theme. The Workshop will be an opportunity to study some of them, whether theoretical, such as the consequences of this development on the notion of territory, or more technical, such as the means and limits of storing personal data on the territory of a State.

#### Second approach: *Extraterritoriality and migration*

In recent years, migration has become a burning issue in international law, both in terms of fundamental rights and, in the European context, in the implementation of national law applicable to asylum applications submitted in another State. Here again, the issues raised are numerous, such as the legal qualification of "hotspots" from the point of view of extraterritoriality, or the question of the enforcement of domestic law on the high seas.

These issues invite to rethink how domestic laws intend to apply extraterritorially. In particular, the migration crisis seems to have fostered a reversing of the traditional meaning of extraterritoriality in international law: it is no longer a question of seeking to subject situations outside the State's territory to domestic law, but to enforce domestic law beyond its borders in order to avoid implementation on its territory. This is only an overview of the many issues raised by this second theme that are intended to be studied during the second Workshop.

## **Practical information:**

Proposals should be sent **by 15 February 2019** to: [jeunes.chercheurs@sfdi.org](mailto:jeunes.chercheurs@sfdi.org).

Of a maximum size of two pages (Times New Roman, 12, single-spaced), they must be sent in word format (.doc or .docx, because texts will be anonymized for selection), and be accompanied by a CV. Applicants must indicate (CV or at the top of their contribution) their qualifications and functions, as well as their University or research institution of affiliation for the current year.

Only one proposal may be submitted for one of the two Workshops. Applicants are invited to specify to which approach corresponds their proposal. Proposals could be sent in French or in English; however, English-speaking applicants are advised that a good oral understanding of French is required, as most of the discussions must be conducted in this language.

The Call for Papers is limited to young researchers, understood as persons preparing a doctorate in law or in another discipline relevant to the themes of the Call for Papers, as well as those who finished their PhD for less than three years and who have not yet obtained a position as a professor or lecturer.

The selection of proposals will be made by the president of each of the Workshop. Successful candidates will be informed by email no later than 22 February 2019.

The text of each presentation (except those selected for the annual conference) will be expected by 31 June 2019, for review by the presidents of each Workshop and publication on the SFDI website.

The *Bureau des jeunes chercheurs* draws the attention of potential candidates to the fact that no funding (travel, food, accommodation, etc.) is usually provided. It is therefore essential that successful candidates seek funding from their doctoral schools and research centres.

We hope to see you there!

The Young Researchers Network  
Olga Bodnarchuk — Alexandre Hermet — Antoine Jamet