



International  
Law  
of Culture  
Interest  
Group



## Call for Papers

*The Future and Past of 'Progress' in Cultural Heritage Law*

**ESIL Annual Conference 2025 – Berlin, Germany**  
**Pre-Conference Workshop of the International Law of Culture Interest Group**

**11 September 2025, 09:00-12:00**

### Workshop Theme

Cultural heritage law has a complicated relationship with the past. On the one hand, the field seeks to protect the 'past' for future generations through the act of heritage preservation. However, the state in which the 'past' needs to be transmitted to future generations is in itself a dynamic concept which has changed over time, influenced by evolving notions of 'authenticity' and 'integrity', alongside changing professional sensitivities. As such, in the present-day, the international law of culture is as much concerned with the relationship between people and their heritage in the here and now, rather than with mediating between the past and present. In these debates, the future moreover often recedes to the background.

On the other hand, one can also view the relationship of cultural heritage law to the 'past' with respect to the past of the field itself. The history of the international law of culture has often been characterised as one of progress – much akin to broader histories of public international law – in which ever more manifestations of cultural heritage have been protected over time through the proliferation of international legal instruments. Simultaneously, critical heritage scholars have demonstrated the shadow sides of this purported progress. Even then, at times the field seems to be characterised by a yearning for a purported 'golden age' of cultural heritage law, one unburdened by the spectre of politicisation and the demise of expert-led decision-making.

The international law of culture also often characterises itself as closely tied to overall human progress. The UNESCO Constitution famously noted that '[s]ince wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed'; the protection of culture was accordingly envisaged as a tool to secure enduring peace. This principle is echoed in many of the key cultural conventions. Although the ways in which this goal have been formulated may have evolved over time, the field remains steadfastly committed towards the idea that to protect culture is to secure the overall progress of humanity in the long term.

Further, many of the core legal instruments have celebrated important milestones in recent years: the 70<sup>th</sup> anniversary of the 1954 Hague Convention, the 55<sup>th</sup> anniversary of the 1970 Convention, the 50<sup>th</sup> anniversary of the World Heritage Convention, and the 20<sup>th</sup> anniversary of the Intangible Cultural Heritage Convention – alongside a wealth of regional instruments. As such, cultural heritage lawyers are often keen to point out that what is needed now is not

more legal instruments, but better implementation of the existing legal instruments and collaboration between them. Conversely, others have argued that the international law of culture remains unable to resolve some of its key problems, with states remaining reluctant to internationalise cultural governance in favour of preserving cultural heritage within the domain of exclusive state sovereignty. Similarly, the law remains hampered by its extensive reliance upon framework conventions, which prevent the emergence of a legal regime in which states can be held responsible for non-compliance with their international obligations in the field of culture.

The international law of culture thus finds itself at a critical juncture: where should the field go from here? This raises the critical question: what does ‘progress’ look like for cultural heritage law in 2025 and beyond? In light of the above, this workshop invites participants to reflect on the notion of ‘progress’ in the field of cultural heritage law in light of the theme of this year’s ESIL Annual Conference: ‘Reconstructing International Law’.

The conveners invite contributions that explore the above themes, although proposals addressing related topics in connection with the overall theme of ‘progress’ are also welcome. Proposals from early-career scholars are particularly encouraged, as are proposals adopting an inter- or multidisciplinary approach. Participants may wish to focus on the following questions:

Historical perspectives on the international law of culture:

- To what extent can the field of cultural heritage law draw upon its past to shape the future of the field? Are there any proposals from this past which should be revisited in the present-day? Conversely, are there any mistakes which should be avoided?
- Can the history of cultural heritage law be characterised as one of progress and promise?
- Which actors were marginalised by cultural heritage law in the past? How are their contributions to the field and wishes for the future glossed over in the histories which cultural heritage law tells itself?

The concept of ‘progress’ in the international law of culture:

- Is cultural heritage law itself a tool of progress? For whom?
- What does ‘progress’ look like for cultural heritage law in relation to the challenges the field faces with respect to implementation and enforcement?
- How can we unpack the idea of ‘progress’ in relation to cultural heritage law? What does ‘progress’ look like for the field of cultural heritage law in an era of degrowth, ecological collapse, and faltering international institutions? Can we envisage an international law of culture for a post-human era?

The institutional dimensions of ‘progress’ in the international law of culture:

- What is the role of regional organisations vis-à-vis international organisations with respect to facilitating progress within cultural heritage law? Is the future of cultural heritage law regional, rather than international?
- How might non-state actors, such as Indigenous peoples, NGOs or private actors, envisage ‘progress’ in cultural heritage law in ways that might differ from states or international organisations?

Future challenges and expanding legal frontiers of the international law of culture:

- How should cultural heritage law develop with respect to the protection of cultural heritage in areas beyond the territorial jurisdiction of states, such as heritage created in or located in outer space?

- How can we imagine the future of cultural heritage law? Can we imagine the field of cultural heritage law without some of its key present-day characteristics, such as ever-expanding international heritage lists?
- What will the impact be of technological progress on cultural heritage law? How can we regulate the protection of technological cultural expressions, such as those created by artificial intelligence?

## **Format**

The workshop will take place in person at the Freie Universität Berlin on 11 September 2025. The conveners strongly encourage in-person participation in order to facilitate interactions among participants. However, in the interests of equity and accessibility, the conveners will also accept applications from those unable to attend in person, in which case participants will be able to present their papers online. Unfortunately, due to technical constraints, it is not possible to provide for full hybrid participation.

Members are reminded that a limited number of travel grants and carers' grants are available in order to encourage and facilitate attendance at ESIL events (see below).

## **Submission of Proposals**

Abstracts of no more than 500 words (in English) must be submitted to the IG conveners at: [ESILIGCulture@gmail.com](mailto:ESILIGCulture@gmail.com) by **4 April 2025**.

Your submission should include:

- The author's name, affiliation, and email address;
- The author's CV, including a list of relevant publications;
- Whether the author is an ESIL member;
- To the extent the author(s) may wish to disclose it, any information that responds to the [ESIL Statement of Principles on Diversity, Equality and Inclusion](#);
- Please indicate whether you plan to attend the workshop in person in Berlin or if you would like to be considered for an online presentation;
- Please indicate whether the abstract should be considered for the ESIL Early-Career Scholar Prize, and, if so, the relevant information about eligibility. Upon acceptance of the abstract for presentation at the Interest Group and confirmation that they are eligible for the Prize, authors must submit a paper of between 8,000 and 12,000 words (including footnotes) to the ESIL Secretariat by 1 July for consideration by the jury.

Authors of successful abstracts will be notified by 18 April 2025 at the latest.

## **Contact**

For enquiries, please contact the conveners at [ESILIGCulture@gmail.com](mailto:ESILIGCulture@gmail.com).

The International Law of Culture Interest Group is convened by Andrzej Jakubowski, Giovanni Carlo Bruno, Lucas Lixinski and Sophie Starrenburg.

The Interest Group is unable to provide funding for travel and accommodation. Selected speakers will be expected to bear the costs of their own travel and accommodation. Some ESIL [travel grants](#) and ESIL [carers' grants](#) will be available to offer partial financial support to speakers who have exhausted other potential sources of funding.

Please see the [ESIL website](#) for all relevant information about the conference. All participants at ESIL Interest Group workshops are required to register for the Annual Conference. There will be an option to register to attend only the IG workshops; however, all participants are warmly invited to attend the entire event.

Selected speakers should indicate their interest in being considered for the ESIL Early-Career Scholar Prize, if they meet the [eligibility conditions](#) as stated on the ESIL website. The [ESIL Secretariat](#) must be informed of all selected speakers who wish to be considered for the Prize before 30 April.