

## CALL FOR PAPERS

# International cooperation under the European Convention on Human Rights. *Sources, limits, and enforceability of State obligations*

University of Liverpool, School of Law and Social Justice, 15-16 October 2026

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## Background

“International cooperation” is a multivalent term in international law in general, and in the law of the European Convention on Human Rights (ECHR or Convention) in particular, with multiple related meanings and interpretive consequences. It is well-known that public international law, often called the “law of cooperation”, depends upon the collaboration of States. International cooperation is a requirement of legal relations as far as it means the entry of States into co-ordinated action so as to achieve a specific goal. It is telling that key international organisations such as the United Nations or the Council of Europe list international cooperation within their constituting instruments among their purposes and enshrine the obligation of their members to cooperate in the realisation of human rights. It is much less discussed what role international cooperation plays within the law of the ECHR, the key human rights treaty of the Council of Europe.

Legal scholars situate ‘cooperation’ within the Convention’s interactions with general international law, highlighting the increasing importance of coordination between overlapping legal regimes and institutions. This includes questions of shared or concurrent responsibility when States act through international organisations or joint operations or other cooperative frameworks. At the same time, academic literature emphasises that the “living instrument” doctrine developed by the European Court of Human Rights (ECtHR) enables the gradual expansion of cooperation-based obligations in response to transnational challenges. However, academic debate also notes conceptual uncertainty: (international) cooperation is not explicitly codified in the Convention, and its scope is largely inferred from case law and systemic interpretation. Finally, scholarship points to tensions between cooperation-based obligations and traditional principles of sovereignty and jurisdiction, particularly in extraterritorial contexts. While there is growing recognition that effective human rights protection requires cooperative frameworks, the precise legal contours, limits, and enforceability of such duties within the ECHR system remain contested and underdeveloped.

While scholarship on the matter remains underdeveloped, State practice increasingly evidences the growing role of international cooperation in the functioning of the ECHR. The ECtHR has since long actively ruled on multiple facets of international cooperation in various fields of its case law. Examples include: (i) compliance with the Convention in the context of States Parties’ participation in international organisations (e.g. UN, NATO, International Criminal Court, European Union) or other forms of interstate cooperation (e.g. law enforcement or criminal justice cooperation schemes); (ii) cooperative obligations derived from certain Convention rights (eg Articles 2, 3, and 4 ECHR) in cross-border contexts ; and (iii) procedural duties of the parties to the case to cooperate with the Court, including the submission of requested evidence (Article 38 ECHR), effective participation in proceedings (Rules of the Court, Rules 44A and 44C), and cooperation in on-site investigations (Rules of the Court, Annex Rule A2(2)).

Beyond the case law, States Parties have also stressed the need for international cooperation when discussing the future of the ECtHR. Domains where their high-level conferences under the auspices of the Council of Europe recommended international cooperation practically cover the Convention's entire operation: the selection and election of judges (Copenhagen), management of the case law (Copenhagen), third-party interventions (Copenhagen), implementation of judgments (Interlaken, Brighton, Brussels, Copenhagen), or supervision of execution of judgments of the Court (Izmir, Brussels). It is unsurprising that international cooperation as a key recommendation reappears in the States Parties' declarations on recent challenges such as the implementation of judgments of the ECtHR concerning the Russian Federation, Russia's contested duty to cooperate with the Court as a non-party to the ECHR, or security threats arising from migration and foreigners convicted of serious offences (see the recent Chişinău Declaration).

### **Purpose and scientific relevance of the proposed conference**

In the light of the scarcity and gaps in existing scholarship on international cooperation within the ECHR system, the objective of this conference is to disentangle the different ways international cooperation shapes, develops, triggers or enforces State obligations under the ECHR. In particular, the conference raises a set of key questions that participants are invited to discuss regarding the relevance of international cooperation to State obligations within the ECHR.

First, what is the **source**, that is, either legal basis or more generally the rationale of the obligations to cooperate under the Convention's architecture? A classification of their legal bases shows that obligations to cooperate derive from the Convention's substantive provisions, its procedural framework, as well as external sources, including treaties, soft-law instruments, and customary international law. Is there an overarching source such as a general principle of law or custom that underpins every form of cooperation, or do different duties to cooperate originate in entirely different legal sources? To what extent can systemic integration extend the obligations of States Parties to cooperate under the ECHR?

Second, what are the **limits** of cooperative duties within the ECHR? As positive obligations of means, duties to cooperate may seem to require best efforts without clearly set results, and may even conflict with other obligations, both conflicting rights under the ECHR and other external sources binding States Parties. How should the interpreter of the Convention set the limits of international cooperation and resolve those tensions? How far should the Court use obligations to cooperate arising from external sources for the interpretation of the Convention? What are the factors (eg resources, political climate, the cooperative partners' status and willingness) that influence the interpretation and application of the obligations to cooperate?

Third, to what extent are obligations to cooperate **enforceable** within the Convention's mechanism? What legal consequences does the failure to cooperate with the Court trigger? What are the evidentiary standards that the ECtHR should use in light of the non-cooperation by the respondent State? Is the ECtHR an appropriate mechanism to support the enforcement of cooperative duties arising from external sources? How far may obligations to cooperate support the implementation of the Court's judgments?

Shortly, the conference aims to analyse the **sources, limits, and enforceability** of obligations that (international) cooperation within the ECHR gives rise to.

### **Call for papers**

The two-days conference (Liverpool, UK, 15-16 October 2026) is an Open Council of Europe Academic Networks (OCEAN) event. It relies on a dialogue of scholars and practicing experts from the ECtHR, the Court's Registry and the Council of Europe. The call for papers is open to interested scholars at all levels (PhD candidates, postdoctoral and established scholars). Papers

might cover any aspect of the conference topic, such as Convention rights in the fields of climate change, refugee and immigration control, criminal cooperation, membership in the EU or other international organisations, procedural duties to cooperate with the Court in terms of pending procedures or enforcement of judgments. To submit a proposal, please send a proposed title, a maximum 500-word abstract and short biography to Dr Antal Berkes, email: [antal.berkes@liverpool.ac.uk](mailto:antal.berkes@liverpool.ac.uk).

#### *Timeline*

Deadline for abstract submissions: **3 July 2026**.  
Decision on participation by **10<sup>th</sup> July 2026**.  
Conference on the **15-16 October 2026 (Thursday-Friday)**.  
Submission of full paper by **15<sup>th</sup> December 2026**.

#### **Publication plans**

Selected papers will be considered for publication in a special issue of a peer-reviewed journal (currently envisaged: the *European Yearbook on Human Rights*).

#### **Practical information**

Venue: University of Liverpool, School of Law and Social Justice  
Date: Thursday-Friday 15-16 October 2026

Authors of selected papers are invited to cover their travel and accommodation costs while the University of Liverpool will cover the catering during the conference. A limited amount of financial support for travel and accommodation is available to selected speakers who have exhausted other potential sources of funding. If this is the case, please indicate in your proposal. For inquiries, please contact Dr Antal Berkes ([antal.berkes@liverpool.ac.uk](mailto:antal.berkes@liverpool.ac.uk)).

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