**CALL FOR ABSTRACTS AND PANELS - 2023**

**Conference: Institutions for Conflict Resolution (COI)**

**Towards just institutional approaches to conflict prevention and resolution**

**28-29 September 2023**

**Utrecht, the Netherlands**

***Prevention and resolution of conflicts***

It is essential that substantive (1) and procedural (2) legal rules and public actors (3) endeavour – in practice – to prevent or resolve conflicts in society. This is important at local, national, European, and international levels. In addition to preventing or resolving conflicts in the legal context, these three formal institutions must also maintain rule of law values and legitimacy. These three formal, legal mechanisms (substantive law, procedural law, and public actors) are hereafter referred to as formal institutions or as institutional approaches. Such institutional approaches to conflict prevention and resolution are often found in regulation, law enforcement and compensation mechanisms or other remedies, and in formal decision-making by courts and other public institutional actors.

However, the premise that these substantive and procedural legal rules, and public actors should contribute to preventing and resolving conflicts in society is highly complex and not always self-evident. In practice, three issues play an important role:

* **First**, the needs and expectations of individuals who use legal rules and procedures do not (always) match with the aims, content, or outcomes of the substantive legal rules and legal procedures, resulting in obstacles for addressing conflicts. Also, the social justice experience of these individuals might be negatively influenced by the formal structure of legal proceedings and processes, potentially even resulting in increasing conflicts.
* **Second**, other (alternative or informal, non-public) actors have a role in conflict prevention and resolution, including communities or religious leaders, mediators, arbiters, unions, alternative compensation institutions or funds, etc. These actors can replace, interact with, or co-exist next to public actors, resulting in a complex dynamic both for (lay) individuals who are affected by the conflict and for legal professionals in supporting their clients.
* **Third**, contemporary society is significantly challenged by global and sometimes future developments, such as climate change, digitalisation, disinformation and fake news, and polarisation; which also (may) challenge substantive and procedural legal rules and the functioning of public actors in conflict prevention and resolution. Also, the legal domain as such is challenged by, for instance, fragmentation, decentralisation, ‘glocalisation’, and by the public’s diminishing trust in formal institutions such as courts. How can and should formal institutions adequately fulfil their role of conflict prevention and resolution in these circumstances?

***The 2023 Conference’s aim: towards just institutional approaches***

The 2023 COI-conference aims to identify just institutional approaches that seek (real) conflict prevention and conflict resolution in the legal context. We depart from the notion that institutional approaches to conflict prevention and resolution should be ‘just’ from a legal-doctrinal, legal-empirical, and/or legal-normative or -theoretical perspective. Specifically, we want to address the three issues described above: individuals’ perspectives; the dynamic between non-public actors and public actors (also in the context of rule of law values); and/or the exceptional or modern challenges facing today’s society.

***The functioning of three core mechanisms for the prevention and resolution of conflicts***

To offer some structure, we strive to analyse ‘just’ institutional approaches to conflict prevention and resolution in the context of three core formal mechanisms.

***1. The functioning of public actors and non-public actors in the field of conflict prevention and resolution***

The functioning of public actors involves the public and semi-public organisations that influence individual’s lives on behalf of the government. Key organisations in conflict prevention and resolution include the legislator, government policymakers, administrative bodies, the judiciary, the Public Prosecutor's Office, and supervisory authorities. This theme also involves new, sometimes non-public (private) actors - namely actors that are not institutionally embedded within the state. These include platforms, public-private partnerships, or alternative conflict resolution institutions (mediators or arbiters). Relevant questions related to this theme include: what are ‘institutions preventing and resolving conflicts’, how do they operate and develop (also from an individual’s perspective), and what is the relationship between them and the classic rule of law pillars or core values such as transparency, accountability, and participation?

***2. The functioning of law enforcement***

This theme relates to the supervision, investigation, enforcement, and sanctioning of violations of the law. Key institutions here include the Public Prosecutor’s Office, the judiciary, and supervisory authorities, which all play important roles in both conflict prevention and resolution. However, new collaborations on a European and global level have evolved, as well as the introduction of new actors, both public and private, in the field of law enforcement. Furthermore, the role and functions of institutions might change due to societal developments, including digitalisation and inter/trans-national crime. Relevant questions related to this theme include: what entails effective enforcement and how do public institutional actors in this field contribute to ‘just’ conflict prevention or resolution? How do (or should) they function in new collaborations, e.g. in cross-border enforcement? And how do public-institutional actors interact or cooperate with non-public, private actors in law enforcement? Are these new collaborations effective and just?

***3. The functioning of compensation and other systems for restoration***

Compensatory systems, or other systems or tools that aim at restoration, may be used to resolve and/or to redress conflicts. These include e.g. liability law, compensation funds, insurance systems, legal injunctions, and declaratory judgements. These systems may be part of civil, administrative, criminal, international, and human rights law. Their application, however, may unintentionally result in the escalation of a conflict, as demonstrated by the gas extraction file of the province of Groningen and the Dutch social benefit scandal (*toeslagenaffaire*). Relevant questions related to this theme include: whether and how current compensation systems (or restoration in the broad sense) may be adjusted or replaced based upon new insights regarding victims' needs or justice experiences; whether and how compensation systems should be reconsidered based upon societal challenges or changes? For instance, how should compensation address mass harm, harm connected to digitalisation, the climate crisis, or historical injustice like colonisalism? And how can any changes be justified from a legal-theoretical perspective?

***Call for abstracts (papers optional) and panels***

We welcome **abstracts** from all researchers around the globe. These abstracts will be selected for panels. We also welcome **panel (or round table) proposals** from all researchers. We especially welcome panel proposals that combine legal-doctrinal, legal-empirical and/or legal-normative or theoretical research. We also warmly welcome abstracts and panel proposals from academic colleagues **outside the field of law** to contribute to the understanding of conflict resolution. If a panel focuses on Dutch legal practice, the panel may also take place in Dutch.

The abstracts or panel proposals should include:

* Key words (max 5).
* *Abstracts*: Max 500 words: title, introduction to the topic, aim and methodology
* *Panel proposals*: Max 1000 words: title of panel, introduction to the topic, aim and targeted speakers and their topics.
* How the abstract/panel proposal fits the conference theme (max. 200 words).

Abstracts may result in papers, but this is not obligatory. If you submit your abstract, please indicate whether you are interested in writing a scientific paper. The conference committee will invite 10-12 participants to contribute to a special issue of the Utrecht Law Review in 2024 (open access).

The deadline for abstract and panel proposals is 24 **March 2023** (ERI@uu.nl)**.** We will inform all interested parties by 14 April 2023 about the outcome of the selection.

In selecting the proposals, we will prioritise the inclusion of diverse perspectives, especially those from the groups who are under-represented in legal communities in the Netherlands, and act according with the UU Equality, Diversity and Inclusion (EDI) plan.

***Who are we?***

This conference is an initiative of the law faculties of the Universities in [Utrecht](https://www.uu.nl/organisatie/departement-rechtsgeleerdheid/onderzoek/empirical-research-into-institutions-for-conflict-resolution-eri), [Leiden](https://www.universiteitleiden.nl/en/law/institutions-for-conflict-resolution) and [Nijmegen](https://www.ru.nl/rechten/ster/onderzoek/onderzoeksprogramma%27/conflictoplossende-instituties/), the Netherlands. Together we study how to improve conflict resolution via formal legal formal institutions. We aim to offer an academic learning platform for all researchers interested in institutions for conflict resolution and to create opportunities to connect, learn, and advance in the field of conflict resolution. We encourage early career academics to join this network.