Contexte

On 28 June, the United Nations Human Rights Council adopted a resolution\(^1\) whereby it nominated, for 3 years, an independent expert on the protection against violence and discrimination based on sexual orientation and gender identity. The expert’s mandate will consist inter alia of drafting annual reports, assessing the implementation of international human rights instruments and identifying best practices and gaps in this regard, as well as raising awareness, opening a dialogue and holding consultations with states and other relevant stakeholders. Although adopted with a narrow vote (23 votes in favour; 18 against and 6 abstentions), this resolution is the last episode in a recent trend for the legal protection of LGBT individuals\(^2\). It started off with two declarations signed by respectively 54 and 66 states before the Human Rights Council in 2006 and before the General Assembly in 2008. Both declarations called to end violence against LGBTQ people and to decriminalize sexual orientation and gender identity. Since then, other declaratory instruments drafted by lawyers and/or activists such as the Principles of Jogjakarta (2007) and the Montreal Declaration (2006) have contributed to promote at the global level the cause of LGBT rights. Meanwhile, the High Commissariat for Human Rights released evaluation reports in 2011 and 2015\(^3\) where it confirmed the human rights nature of said rights. From invisibility to human rights rhetoric, sexual orientation and gender identity have thus undergone, in the past decade, an important rearticulation, if not a fundamental reconceptualization in international law.

While protection seems to be in order, even within the Security Council which, for the first time of its history, mentioned sexual orientation in one of its press releases following the Orlando attack in June\(^4\), the legal situation of LGBT people remains difficult, precarious if not dangerous in a number of countries. This is illustrative of the antinomic paradigm which have always defined their political stance. Stuck between resistance and conformity\(^5\), LGBT claims are more often than not reactions to political and legal systems which exclude and alienate its bearers; LGBT advocacy therefore promotes the reform of said systems. Thus and since, on the one hand, political modernity’s legitimacy is always closely connected to legality and, on the

\(^1\) A/HRC/32/L.2/Rev.1

\(^2\) Referring to lesbians, gays, bisexual and transsexual individual, the acronym is often reduced to its first four letters ; it however includes three other ones, QIA, referring to queer, intersex and asexual.

\(^3\) A/HRC/19/41 et A/HRC/29/23.


other, political modernity is about biopolitics, i.e. the *polis* managing bodies and desires⁶, LGBT advocates campaigned for the legalization of LGBT body and desire politics. From the decriminalization of sexual or social behaviours (assigned to certain identities) to the legalization of family relationships through marriage or legal filiation, the LGBT campaign and the rights it seeks to protect, aimed at changing national, regional and international legal discourses. With the nomination by the Human Rights Council of an expert on the question, the emergence of a new field of legal studies is more and more manifest.

Undoubtedly, the notions of sexual orientation and gender identity are now political, legal and epistemological success stories. However, this does not mean that their emergence and operation through political and legal reform should leave the systems at stake untouched. While resistance leads to recognition and hence to conformity, it is also vector of disruption and dissidence, echoing the last letter of the acronym used and sometimes abused, the Q for “queer”. Queer now even refers to a field of studies of which (international) law is actually an object. As a (yet paradoxical) paradigm, it questions normality and normative through their articulations in (discourses and practices relative to) gender, sexuality, including heterosexuality⁷. Hence, one cannot think the LGBTQIA project while neglecting one, or several, of its letters, and most of all its foundational paradigm. Otherwise, one is left with, at best, a very limited liberal project and, at worst, a self-sabotaging enterprise. Aiming at destabilizing identities and correlative norms, including LGBTQIA identities (and orientations) themselves, queer approaches to international law, or the project of queering international law, shed a new light on the disciplinary effects of contemporary forms of power, including the normalizing effects of patriarchal heterosexuality on the way international law’s primary subjects and its subjects to be conceptualize, implement and refer to it⁸. Queer studies are often associated with postcolonial studies which uncover how the colonial legacy and its gendered and racialized mechanics of domination still pervades national and international politics. (Postcolonial) queer studies therefore lift the veil on foundational postulates which fuel the ways in which governments and medias continue to think and talk about homophobia. Depicted as a problem of “other” cultures, spaces, its solution is however only ours, as in the West/North. Relatedly, queer brown bodies continue to be sites of political and military struggle whose victory would only be legitimate if, again, on “our” side⁹. This is why queer approaches to international law, and in particular their postcolonial dimension, are a unique perspective on today’s international hegemones. Disrupting the usual disciplinary boundaries as they shed light on its transnational aspects, the queering project in international law highlights invisible yet fertile corners of such a masculine discipline, that of sexuality as an international political paradigm.

⁹ KAPUR, Ratna, 15 juin 2016 ; [https://olympereseauinternational.wordpress.com/2016/08/08/olympé-un-atelier-reussi-sur-la-question-lgbtqueer-en-droit-international/](https://olympereseauinternational.wordpress.com/2016/08/08/olympé-un-atelier-reussi-sur-la-question-lgbtqueer-en-droit-international/). The postcolonial queer lens provides yet another interpretation of the meeting, another first at the Security Council, organized last year by the United States and Chile for the members of the Council regarding the issue of violence against LGBT people under the rule of ISIS (see the United States Ambassador’s remarks at [http://usun.state.gov/remarks/6799](http://usun.state.gov/remarks/6799)).
Call

Queer approaches are the latest addition to critical approaches to international law. Following feminist approaches yet oftentimes in opposition to them, queer approaches to international have so far been investigated in the Anglophone world through a number of publications and conferences. Although a niche in this part of the world, they are completely unknown to the Francophone space. Similarly, although less stringently, research on LGBTQIA rights has so far been limited to certain issues such as decriminalization or gay marriage and parenthood. With this in mind, the OLYMPE network has decided to dedicate its second collective volume to this wide-encompassing theme. With more than 80 members from almost all regions of the world, OLYMPE seeks to promote transdisciplinary feminist and gender approaches to international law in French through the relaying of information, the organization of academic events and the publication of relevant research in various formats. With this second opus and following a first workshop held during the 2016 Sciences Po’s Intensive Doctoral Week, OLYMPE hopes to contribute to promoting and developing LGBT-based and queer approaches to international law in the Francophone world.

To that effect, OLYMPE hereby releases a call for papers on the following theme: “Queering international law: from LGBT rights to transversal critique”. Please note that the resulting volume will be published in French only. OLYMPE therefore seeks any contribution, be it originally written in French or translated from another language, which will add to the theme. Unfortunately, OLYMPE does not have any funding for translation. Original papers, translations of seminal pieces or comparative essays are all welcome and could deal with the following sub-themes:

1. Questioning the field
   - the LGBT project and the queering project: which reciprocal contributions and critiques? what relationship to human rights?
   - what are the genealogies of queer approaches to international? what transdisciplinary and translinguistic contributions?
   - the LGBT and queer projects in the history of international law: any (un)happy legacy/ies?
   - queering critical approaches to international law (CLS, feminisms, TWAL, Marxism etc.)
   - what specificities for queer approaches to international law in French?
   - LGBTQIA legal activism as a source of international law?

2. Sexuality, gender and identities
   - (human) rights of LGBTQIA people: case studies; national, regional and international case law
   - sexuality and/or heteronormativity in international law

10 OLYMPE’s first collective volume was published in March 2016: TOURME JOUANNET E. et al. (dir.), Féminisme(s) et droit international. Études du réseau Olympe (Éd. Société de Législation Comparée).
3. Queering international migrations
- LGBTQIA migrants and/or refugees: case studies; national, regional and international case law
- intersectionality in the context of migration
- migration as the queering of (inter)national boundaries
- a queer international law of migrations/asylum: propositions for a theoretical manifesto

4. The “queer(cri)sis” of international security
- biopolitics and international law
- homophilia/homophobia and the war against terror
- peacekeeping or the management of “sexual panic” (Otto)
- what rainbow/queer utopias for a crisis-ridden international law?

Guidelines

Submission and deadlines
- To submit a contribution, please send a proposition to Bérénice K. Schramm (Berenice.schramm@graduateinstitute.ch) before 1 November 2016.
- Contributions will be selected by the co-editors, all members of OLYMPE: Emmanuelle Tourme Jouannet, Laurence Burgorgue-Larsen, Horatia Muir-Watt, Hélène Ruiz-Fabri, Bérénice K. Schramm et Emily Jones.
- Decision relative to the selection process will be communicated on 15 December 2016.
- The final text of the contribution shall be sent before 1 June 2017 for a publication scheduled for end of 2017.

Formatting
- The scientific abstract is limited to 350 words.
- The proposition must include the complete name, position/institution, email address of its author, as well as a short autobiographic text (150 words max.)
- The author must attach a resume to the proposition.

For any question, please do not hesitate to contact Bérénice K. Schramm (Berenice.schramm@graduateinstitute.ch). Please do share the call around you!