

**Prof. Başak Çalı, PhD**  
**Research Publications**  
September 2022

**Main Publications**

**Refereed Monograph**

Çalı (ed.) (2015) *The Authority of International Law: Obedience, Respect and Rebuttal* (Oxford University Press).

**Refereed Edited books**

Katjar, Çalı and Milanovic (eds.) (2022) *Secondary Norms of Primary Importance: Attribution, Causality, Evidence, and Standards of Review in the Practice of International Courts and Tribunals* (Oxford University Press)

Çalı, Bianku and Motoc (eds.) (2021) *Migration and the European Convention on Human Rights* (Oxford University Press).

Çalı (ed.) (2010) *International Law for International Relations* (Oxford University Press).

Meckled-García and Çalı (eds.) (2006) *The Legalization of Human Rights: Multidisciplinary Perspectives on Human Rights and Human Rights Law* (Routledge).

**Journal Articles**

Stoetzer, Munzert, Lowe, Çalı, Gohdes, Hebling, Maxwell and Traunmüller (2022) 'Affective partisan polarization and moral dilemmas during the Covid 19 pandemics' *Political Science Research and Methods*, 1-8, doi: 10.1017/psrm.2022.13.

Raiser, Çalı and Flaschland (2022) 'Understanding pledge and review: learning from analogies to the Paris Agreement review mechanisms' 22 (6) *Climate Policy* 711-727.

Çalı (2021), 'To me, fair friend, you can never be old' : ECHR at 70' 81 *Zeitschrift für ausländisches öffentliches Recht and Volkerrecht* 895-916.

Çalı (2021), 'How Loud do the Alarm Bells toll? Execution of the 'Article 18' judgments of the European Court of Human Rights, 2(2) *ECHR Law Review* 274-342.

Çalı and Gürsel (2021) 'The Council of Europe's Responses to the Decay of the Rule of Law and Human Rights Protections: A Comparative Appraisal' 2(2) *ECHR Law Review* 165-179.

Çalı (2021) 'Autocratic Strategies and the European Court of Human Rights', 2(1) *ECHR Law Review* 11-19.

Çalı, Costello and Cunningham (2020) 'Hard Protection through Soft Courts? Non-Refoulement before the United Nations Treaty Bodies', 21 *German Law Journal* 355-384.

Çalı and Galand (2020) 'Towards a common institutional trajectory? Individual complaints before UN treaty bodies during their Booming years', *The International Journal of Human Rights* 1103-1126.

Çalı (2019) 'On Einsteinian waves, international law and national hats: Afterword to the Foreword by Doreen Lustig and J. H. H. Weiler', *International Journal of Constitutional Law* 17(1) 24-30.

Çalı (2019) 'Russia and the European Court of Human Rights: The Strasbourg Effect', *International Journal of Constitutional Law* 17(1) 361-365. (Book review)

Çalı (2018) 'Explaining Variation in the Intrusiveness of Regional Human Rights Remedies in Domestic Orders', *International Journal of Constitutional Law* 16(1) 214-234.

Çalı, Madsen and Viljoen (2018) 'Comparing Regional Human Rights Regimes: Defining a Research Agenda', *International Journal of Constitutional Law* 16(1) 128-135.

Çalı (2018) 'Coping with Crisis: Whither the Variable Geometry in the Jurisprudence of the European Court of Human Rights', *Wisconsin International Law Journal* 35(2) 237-276.

Çalı and Durmuş (2018) 'Judicial Self-Government as Experimental Constitutional Politics: The Case of Turkey' *German Law Journal* 19(7) 1672-1706.

Çalı and Cunningham (2018) 'Judicial Self Government and the Sui Generis Case of the European Court of Human Rights' *German Law Journal* 19(7) 1978-2006.

Çalı (2017) 'All you need is time? Long Term Migrant Case law of the European Court of Human Rights', *Israel Law Review* 50(3) 447-497.

Çalı (2017) 'International Human Rights Law: One Purpose or Many? Reflections on Macklem's The Sovereignty of Human Rights', *Jerusalem Review of Legal Studies* 15(1) 77-88.

Çalı (2017) 'The Power of Ordinary Laws and the Feebleness of the Constitutional Rights: Right to Freedom of Assembly in Turkey', *Research and Policy on Turkey* 2(2) 162-178.

Çalı (2016) 'The Disciplinary Account of the Authority of International Law: Does it Stand Firm against its External Critics?' *European Society of International Law, ESIL Reflections* 5(5) 1-8.

Çalı, Ghanea and Jones (2016) 'Big Promises, Small Gains: Domestic Effects of Human Rights Treaty Ratification in the Member States of the Gulf Cooperation Council', *Human Rights Quarterly* 38(1) 21-35.

Çalı (2015) 'Comparing the Support of the EU and the US to International Human Rights Law: Worlds Too Far Apart?' *International Journal of Constitutional Law* 13(4) 901-922.

Çalı and Koch (2014) 'Foxes Guarding the Foxes? Peer Review of Human Rights Judgments by the Committee of Ministers of the Council of Europe', *Human Rights Law Review* 14(2) 301-325.

Çalı, Koch and Bruch (2013) 'The Social Legitimacy of Human Rights Courts: A Grounded Interpretivist Theory of the Elite Accounts of the Legitimacy of the European Court of Human Rights', *Human Rights Quarterly* 35(3) 955-984.

Çalı (2010) 'The Logics of Supranational Human Rights Litigation, Official Acknowledgment and Human Rights Reform: The Southeast Turkey cases before the European Court of Human Rights between 1996-2006', *Law and Social Inquiry* 35, 311-337.

Çalı (2009) 'On Interpretivism and International Law', *European Journal of International Law* 20(3) 805-822.

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Rodley and Çalı (2007) 'Kosovo Revisited: Humanitarian Intervention on the Fault Lines of International Law', *Human Rights Law Review* 7(2) 275-297.

Çalı (2007) 'Balancing Human Rights: Methodological Problems with Weights, Scales and Proportions', *Human Rights Quarterly* 29(1) 251-270.

Çalı (2004) 'Bargaining Transnationalism: The European Court of Human Rights', *XV Finnish Yearbook of International Law* 111-128.

### **Book chapters**

Çalı (2022) 'Regional Protection' *International Human Rights Law*, Moeckli et al. (eds.), (Oxford University Press) 429-445.

Çalı (2022) 'UN treaty body views: a distinct pathway to UN human rights treaty impact' in *A Life Interrupted: Essays in the Honour of Lives and Legacies of Christoph Heyns*, Vijoien et. al. (eds.) (Pretoria University Law Press) 444-460.

Çalı (2022) 'Human Rights Organizations in Turkey', in: *Oxford Handbook of Turkish Politics* (ed.), (Oxford University Press) 649-668.

Çalı and Turkut (2022) 'Turkey: Pandemic Governance and Executive Aggrandisement' in *Routledge Handbook of Law and the COVID-19 Pandemic*, Gorgan and Donald (eds.), (Routledge) 248-259.

Çalı and Hatas (2021) 'History as an Afterthought: The (Re)discovery of Article 18 in the Case Law of the European Court of Human Rights', in: *The European Court of Human Rights: Current Challenges in Historical and Comparative Perspective*, Aust and Demir-Gürsel (eds.), (Edward Elgar) 158-176.

Çalı, Bianku and Motoc (2021) 'Migration and the European Convention on Human Rights', in: *Migration and the European Convention on Human Rights*, Çalı, Bianku and Motoc (eds.), (Oxford University Press) 3-92.

Çalı and Cunningham (2021) 'The European Court of Human Rights and Removal of Long-Term Migrants: Entrenched Statism with a Human Voice?', in: *Migration and the European Convention on Human Rights*, Çalı, Bianku and Motoc (eds.), (Oxford University Press) 159-237.

Çalı (2020) 'International Legal Human Rights and Moral Human Rights: Friends or Foes?', in: *Human Rights in the 21st Century*, Jovanović and Virady (eds.), (Eleven International Publishing) 1-12.

Çalı (2020) 'Specialized Rules of Treaty Interpretation: Human Rights', in: *The Oxford Guide to Treaties*, Hollis (ed.), (Oxford University Press) 525-550.

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Çalı (2019) 'Political Limits of Human Rights', in: *The Limits of Human Rights*, Fassbender and Knut (eds.), (Oxford University Press) 137-147.

Çalı, McGregor and Elibol (2019) 'The International Court of Justice as an Integrator, Developer and Globaliser of International Human Rights Law', in: *Human Rights in Other International Courts* (ed.), (Cambridge University Press) 62-86.

Çalı (2019) 'Authority', in: *Concepts for International Law: Contributions to Disciplinary Thought*, d'Aspremont and S. Singh (eds.), (Edward Elgar Publishing) 39-53.

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Çalı (2017) 'International Judicial Review', in: *Handbook on Global Constitutionalism*, Lang and Wiener (eds.), (Edward Elgar Publishing) 291-304.

Çalı (2017) 'The European Court of Human Rights? Would Marx have endorsed it?' In: *Liberalism in Neoliberal Times*, Nash et al. (eds.), (Goldsmiths Press) 63-67.

Çalı (2017) 'Enforcement', in: *The Optional Protocol to the UN Covenant on Economic, Social and Cultural Rights: A Commentary*, Langford and Porter (eds.), (University of Pretoria Press) 359-380.

Çalı and Koch (2017) 'Lessons Learnt from the Implementation of Civil and Political Rights Judgments', in: *Enforcing Economic, Social and Cultural Rights*, Langford (ed.), (Cambridge University Press) 47-73.

Çalı (2016) 'Towards a Responsible Domestic Courts Doctrine? The European Court of Human Rights and the Variable Standard of Judicial Review of Domestic Courts', in: *Shifting Centres of Gravity in Human Rights Protection. Rethinking Relations between the ECHR, EU, and National Legal Orders*, Arnardóttir and Buyse (eds.), (Routledge) 144-161.

Çalı (2016) 'A New Doctrine on the Block? The European Court of Human Rights and the Responsible Courts Doctrine', in: *International Law and... Select Proceedings of the European Society of International Law*, Reinisch et al (eds.), (Hart Publishing) 67-78.

Çalı (2015) 'Does the remedy jurisprudence of the European Court of Human Rights do enough for media freedom?' In: *Journalism at Risk: Threats, Perspectives and Challenges*, (Council of Europe Publishing) 81-104. (Turkish translation published by Bilgi University, 2016).

Çalı (2013) 'The Legitimacy of Human Rights Treaty Bodies: An Indirect Instrumentalist Defense', in: *The Legitimacy of Human Rights Regimes*, Follesdal and Ulfstein (eds.), (Cambridge University Press) 141-164.

Çalı (2013) 'Specialized Rules of Treaty Interpretation: Human Rights', in: *The Oxford Guide to Treaties*, Hollis (ed.), (Oxford University Press) 525-551. (Received the American Society of International Law Book Award, 2013).

Çalı (2010) 'From Bangladesh to Responsibility to Protect: The Legality and Implementation Criteria for Humanitarian Intervention', in: *The Delivery of Human Rights*, Gilbert, Hampson and Sandoval (eds.), (Routledge) 228-245.

Çalı (2009) 'Perspectives on International Relations in International Law', in: *International Law for International Relations*, Çalı (ed.), (Oxford University Press) 71-99.

Çalı (2009) 'International Human Rights Law', in: *International Law for International Relations*, Çalı (ed.), (Oxford University Press) 281-306.

Çalı and Griffin (2009) 'International Humanitarian Law', in: *International Law for International Relations*, Çalı (ed.), (Oxford University Press) 234-258.

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Çalı (2007) 'Human Rights Discourse in Turkey: Domestic Human Rights NGOs', in: *Human Rights in Turkey: Policies and Prospects*, Arat (ed.), (University of Pennsylvania Press) 217-232. (Received the American Library Association Choice Award of Outstanding Academic Titles).

Çalı and Ergun (2005) 'Global Governance and Domestic Politics: Fragmented Visions', in: *Criticising Global Governance*, Lederer and Muller (eds.), (Palgrave-Macmillan) 161-176.

### **Selected Academic Blog Posts**

Çalı (2021) [No rule of law?: Ne venez pas à Strasbourg](#), 08 December 2021, Verfassungsblog.

Çalı (2021) [A Handy Illusion? Interpretation of the 'Unlikely to Bring Effective Relief' Limb of Article 7\(e\) OPIC by the CRC in Saachi et. al.](#), 1 November 2021, EJIL Talk!

Çalı (2021) [Remedies for Bad Faith Violations: Turkey's Contribution to the Article 18 Remedy Jurisprudence of the Committee of Ministers of the Council of Europe](#), 13 October 2021, Völkerrechtsblog.

Çalı (2021) [A Protocol for the Ostriches? Civil Society Perspectives on Protocol 15 ECHR](#), 18 June 2021, ECHR Blog.

Çalı and Gürsel (2021) ['A Court that Matters' to whom and for what: Academic freedom as a \(non\)impact case](#), 11 June 2021, Strasbourg Observers.

Çalı (2021) [Withdrawal from the Istanbul Convention by Turkey: A Testing Problem for the Council of Europe](#), 22 March 2021, EJIL: Talk!

Çalı and Turkut (2021) Reflections on Turkey's Legal Responses to the COVID-19 Pandemic, 16 March 2021, Verfassungsblog.

Çalı (2020) 'The Whole Is More than the Sum of its Parts: The Demirtaş v Turkey (No 2) Grand Chamber Judgment of the ECtHR', 24 December 2020, Verfassungsblog.

Çalı (2020) 'The Two Faces German Legal Hegemony?', 07 October 2020, Verfassungsblog.

Çalı (2020) 'Has 'Control over rights doctrine' for extra-territorial jurisdiction come of age? Karlsruhe, too, has spoken, now it's Strasbourg's turn', 21 July 2020, EJIL: Talk!

Demir Gürsel and Çalı (2020) 'Stay Away from Using your Constitutional Rights', 30 July 2020, Verfassungsblog.

Galand and Çalı (2020) 'Human rights victims' complaints to UN not treated effectively', 20 May 2020, OpenGlobalRights (published simultaneously in Spanish and French).

Çalı (2020) 'Byzantine Maneuvers: Turkey's responses to bad faith judgments of the ECtHR', 19 February 2020, Verfassungsblog.

Çalı (2019) 'Turkey's Military Operation in Syria: A Freedom of Expression Perspective', 28 October 2019, EJIL: Talk!

Çalı (2019) 'Qatar's Reservations to the ICCPR: Anything new under the VCLT Sun?', 19 September 2019, EJIL: Talk!

Çalı (2019) 'No Going Nuclear in Strasbourg: The Infringement Decision in Ilgar Mammadov v. Azerbaijan by the European Court of Human Rights', 30 May 2019, Verfassungsblog.

Çalı (2018) 'The Spectre of Trexit: Proposal to Reintroduce the Death Penalty in Turkey', 10 October 2018, EJIL: Talk!

Çalı (2018) 'Academics for Peace and their Freedom of Expression', 13 June 2018, Verfassungsblog.

Çalı and Cunningham (2018) 'Part 2: A few steps forward, a few steps sideways and a few steps backwards: The CAT's revised and updated GC on Non-Refoulement', 21 March 2018, EJIL: Talk!

Çalı and Cunningham (2018) 'A few steps forward and a few steps sideways and a few steps backwards: The CAT's revised and Updated General Comment on Non Refoulement Part 1', 20 March 2018, EJIL: Talk!

Çalı (2018) 'Will legalism be the end of constitutionalism in Turkey?' 22 January 2018, Verfassungsblog. (Republished on Hertie School of Governance website)

Çalı (2017) 'Merabishvili v. Georgia: Has the Mountain Given Birth to a Mouse?' 3 December 2017, Verfassungsblog.

Çalı (2016) 'The Regime of Crisis: Turkey', 04 November 2016, Hertie School of Governance.

Çalı (2016) 'Turkei: Europa trägt eine Mitverantwortung', 03 November 2016, Die Zeit.

Çalı (2016) 'The Disciplinary Account of the Authority of International Law: Does it Stand Firm against its External Critics?', May 2016, European Society of International Law Reflections 5(5).

Çalı (2016) 'Interactions between International Human Rights Law and Other Sub-Branched of International Law: A Research Agenda', 04 February 2016, EJIL: Talk!

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Çalı (2014) 'ESIL IHRL online Symposium: Is there general human rights law?' 15 October 2014, EJIL: Talk!

Çalı (2014) 'Back to Square One After Sixty Years: The Tory Attack on the European Human Rights System', 05 October 2014, Opinio Juris.

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Çalı (2014) 'Third Time Lucky - The Turkish Constitutional Court and a Woman's Right to Identity', 29 January 2014, EJIL:Talk!

Çalı (2014) 'The Turkish Constitutional Court and the Balbay Case', 18 January 2014, I-Connect - the Blog of the International Journal of Constitutional Law.

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Çalı (2010) 'A woman's right to her name' (in Turkish), Radical Newspaper Op-Ed (2010).

### **Amicus Briefs, Policy Reports, Practice Guides and Working Papers**

Third Party Intervention of the Coalition of Academic Intervenors in the case of Kamuran Akın and 80 others v Turkey (2021)

Brief of the European Law Professors as Amici Curiae in support of Respondents in the case of Dobbs (petitioner) v. Jackson Women Health Organisation et. al. before the Supreme Court of the United States (2021)

Altıparmak and Çalı (2021) 'Esastan Bağlayıcı: Avrupa İnsan Hakları Mahkemesi Selahattin Demirtaş Kararı', İnsan Hakları Okulu Çalışma Metinleri No 24.

Çalı, von Bogdandy, Cassese, Cruz Villalón, Halberstam, Iancu, Jakab, Queralt Jimenez, Keller, Bates, Lenaerts, Miller, Pollicino, Sarmiento, Śledzińska-Simon, Sonnevend, Steinbeis, Vauchez, Weiler, Wyrzykowski (2020) 'German Legal Hegemony?', 9 November 2020. (Max Planck Institute for Comparative Public Law & International Law (MPIL) Research Paper No. 2020-43, U of Michigan Public Law Research Paper No. 687).

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Çalı (2019) 'The European Court of Human Rights and Accountability for Neoliberal State Conduct: Never the Twain Shall Meet?' In: *Legal Trajectories of Neoliberalism: Critical Inquiries on Law in Europe*, Salomon and Bruno de Witte (eds.), (EUI Working Paper RSCAS 2019/43) 21-25.

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