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Editorial

Con gran alegría concluimos un nuevo año de publicación del Boletín del Instituto de Derecho Internacional del Consejo Argentino para las Relaciones Internacionales.

Aquel proyecto que en septiembre del año 2010 nació con la finalidad de elaborar una herramienta de información útil para quienes cultivamos esta rama de la ciencia del derecho, cumplió siete años de edición periódica ininterrumpida.

Nos complace presentar este vigésimo primer número cuyo contenido incluye datos prácticos y de fácil acceso entre los que se destacan contenidos de grandes obras bibliográficas del derecho internacional, capacitaciones académicas de posgrado en materia de relaciones internacionales y derecho internacional, recientes fallos de tribunales internacionales y la actualización de la información nacional en materia de vigencia de tratados internacionales.

Se agrega además una entrevista a un especialista sumamente conocido del derecho internacional. Con enorme placer, en este número les presentamos los aportes y los comentarios del Profesor Dr. Rüdiger Wolfrum, Director Emérito del Instituto Max Planck para el Derecho Internacional y el Derecho Público Comparado (MPIL) y ex integrante del Tribunal Internacional del Derecho del Mar.

En la certeza de que el nuevo año volverá a reunirnos con nuestros estimados lectores, desde el Instituto de Derecho Internacional agradecemos a todos aquellos que nos acompañan en este proyecto, deseándoles unas Felices Fiestas y un próspero 2018.

Tamara Quiroga

Secciones

[Agenda
Internacional](#)

Página 2

[Doctrina e
Investigación](#)

Página 11

[Principales Novedades
Normativas](#)

Página 4

[Calendario
Académico](#)

Página 42

[Jurisprudencia](#)

Página 8

[Entrevista a
Especialista en
Derecho
Internacional](#)

Página 44

Sección 1 / Agenda Internacional

Últimas noticias destacadas desde septiembre 2017 a diciembre 2017.

12 al 25 de septiembre de 2017

NACIONES UNIDAS, 72nd Session of the UN General Assembly (UNGA 72)

<http://sdg.iisd.org/events/72nd-session-of-the-un-general-assembly-unga-72/>

25 de octubre de 2017

BRASIL, El Congreso blindo a Temer y despeja el camino para que concluya su mandato

<https://www.efe.com/efe/espana/mundo/el-congreso-blindo-a-temer-y-despeja-camino-para-que-concluya-su-mandato/10001-3418741>

1 de noviembre de 2017

JAPON, Abe promete una "fuerte diplomacia" para su nuevo mandato

<https://www.efe.com/efe/espana/mundo/abe-promete-una-fuerte-diplomacia-para-su-nuevo-mandato/10001-3425270>

6 de noviembre de 2017

The World's Largest Climate Change Summit Starts Today. Here's What's Happening. The U.N. Framework Convention on Climate Change will deal with that question in Bonn, Germany, from Nov. 6 to Nov. 17 as countries work to firm up their commitments to adapt to a warmer world in line with 2015's landmark Paris Climate Agreement

https://www.huffingtonpost.com/entry/bonn-climate-change-conference-united-nations_us_59fff9ece4b0c96530006e05

7 de noviembre de 2017

CHINA, Trump's Visit to China: More Business Deals Than Trade Pacts.

<https://www.nytimes.com/2017/11/07/business/trump-china-trade.html>

10 de noviembre de 2017

ARABIA SAUDITA, A house divided: How Saudi Crown Prince purged royal family rivals

<https://ca.reuters.com/article/topNews/idCAKBN1DA23M-OCATP>

21 de noviembre de 2017

ZIMBABWE, Robert Mugabe Resigns as Zimbabwe's President, Ending 37-Year Rule

<https://www.nytimes.com/2017/11/21/world/africa/zimbabwe-mugabe-mnangagwa.html>

10 al 13 de diciembre 2017

Eleventh WTO Ministerial Conference. WTO members **have agreed that the organization's Eleventh Ministerial Conference (MC11)** will take place from 10 to 13 December 2017 in Buenos Aires, Argentina. The Conference will be chaired by Minister Susana Malcorra of Argentina.

https://www.wto.org/english/thewto_e/minist_e/mc11_e/mc11_e.htm

[VOLVER AL INDICE](#)

Sección 2 / Principales Novedades Normativas

En vigor para Argentina desde septiembre – diciembre 2017.

Fuente: <http://tratados.mrecic.gov.ar/busqueda.php>

BILATERALES CON PAISES

[AGREEMENT BETWEEN THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE EXCHANGE OF INFORMATION RELATING TO TAXES](#)

Firma: Buenos Aires, 23 de Diciembre de 2016

Vigor: 13 de Noviembre de 2017

[MEMORÁNDUM DE COOPERACIÓN ENTRE EL GOBIERNO DE LA REPÚBLICA ARGENTINA Y EL GOBIERNO DE JAPÓN SOBRE UN PROGRAMA DE VACACIONES Y TRABAJO](#)

Firma: Tokio, 19 de Mayo de 2017

Vigor: 01 de Octubre de 2017

[ACUERDO ENTRE LA REPÚBLICA ARGENTINA Y EL REINO DE SUECIA SOBRE UN PROGRAMA DE VACACIONES Y TRABAJO](#)

Firma: Estocolmo, 29 de Agosto de 2017

Vigor: 01 de Noviembre de 2017

[MEMORÁNDUM DE ENTENDIMIENTO ENTRE EL MINISTERIO DE RELACIONES EXTERIORES Y CULTO DE LA REPÚBLICA ARGENTINA Y EL MINISTERIO DE ASUNTO EXTERIORES DE LA REPÚBLICA DE SINGAPUR SOBRE EL DESARROLLO DE COOPERACIÓN INTERNACIONAL](#)

Firma: Singapur, 04 de Septiembre de 2017

Vigor: 04 de Septiembre de 2017

[MEMORÁNDUM DE ENTENDIMIENTO ENTRE EL INSTITUTO DEL SERVICIO EXTERIOR DE LA NACIÓN DEL MINISTERIO DE RELACIONES EXTERIORES Y CULTO DE LA REPÚBLICA ARGENTINA Y LA ACADEMIA DIPLOMÁTICA DEL MINISTERIO DE ASUNTOS EXTERIORES DE MONTENEGRO](#)

Firma: Buenos Aires, 11 de Septiembre de 2017

Vigor: 11 de Septiembre de 2017

[MEMORÁNDUM DE ENTENDIMIENTO ENTRE LA AGENCIA ARGENTINA DE INVERSIONES Y COMERCIO INTERNACIONAL \(AAICI\) Y EL INSTITUTO ISRAELÍ DE EXPORTACIÓN Y COOPERACIÓN INTERNACIONAL \(IEICI\) SOBRE PROMOCIÓN DE LAS INVERSIONES Y EL COMERCIO ENTRE LA REPÚBLICA ARGENTINA Y EL ESTADO DE ISRAEL](#)

Firma: Buenos Aires, 11 de Septiembre de 2017

Vigor: 11 de Septiembre de 2017

[MEMORÁNDUM DE ENTENDIMIENTO SOBRE CAPACITACIÓN DIPLOMÁTICA ENTRE EL MINISTERIO DE RELACIONES EXTERIORES Y CULTO DE LA REPÚBLICA ARGENTINA Y EL MINISTERIO DE RELACIONES EXTERIORES Y COMERCIO EXTERIOR DE JAMAICA](#)

Firma: Nueva York, 22 de Septiembre de 2017

Vigor: 22 de Septiembre de 2017

[ENMIENDA #9 DE LA CARTA DE ACUERDO SOBRE CONTROL DE TRÁFICO DE DROGAS Y APLICACIÓN DE LA LEY FIRMADO EL 17 DE SEPTIEMBRE DE 2004 ENTRE EL GOBIERNO DE LA REPÚBLICA ARGENTINA Y EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA](#)

Firma: Buenos Aires, 27 de Septiembre de 2017

Vigor: 27 de Septiembre de 2017

[ACUERDO INTERINSTITUCIONAL DE COOPERACIÓN PARA EL ESTABLECIMIENTO DE UNA PLATAFORMA SOBRE ECONOMÍA CREATIVA ENTRE EL MINISTERIO DE CULTURA DE LA REPÚBLICA ARGENTINA Y EL MINISTERIO DE CULTURA DE LA REPÚBLICA DEL PERÚ](#)

Firma: Buenos Aires, 03 de Noviembre de 2017

Vigor: 03 de Noviembre de 2017

[ACUERDO INTERINSTITUCIONAL ENTRE EL MINISTERIO DE CULTURA DE LA REPÚBLICA ARGENTINA Y EL MINISTERIO DE CULTURA DE LA REPÚBLICA DEL PERÚ PARA EL INTERCAMBIO DE ARTISTAS](#)

Firma: Buenos Aires, 03 de Noviembre de 2017

Vigor: 03 de Noviembre de 2017

[CONVENIO DE COOPERACIÓN INTERINSTITUCIONAL ENTRE EL MINISTERIO DE LA MUJER Y POBLACIONES VULNERABLES DE LA REPÚBLICA DEL PERÚ Y EL MINISTERIO DE DESARROLLO SOCIAL DE LA REPÚBLICA ARGENTINA](#)

Firma: Buenos Aires, 03 de Noviembre de 2017

Vigor: 03 de Noviembre de 2017

[PROGRAMA EJECUTIVO DE COOPERACIÓN CULTURAL ENTRE EL MINISTERIO DE CULTURA DE LA REPÚBLICA ARGENTINA Y EL MINISTERIO DE CULTURA DE LA REPÚBLICA DEL PERÚ PARA LOS AÑOS 2018-2020](#)

Firma: Buenos Aires, 03 de Noviembre de 2017

Vigor: 03 de Noviembre de 2017

[PROGRAMA EJECUTIVO DE INTERCAMBIO EDUCATIVO ENTRE EL MINISTERIO DE EDUCACIÓN DE LA REPÚBLICA ARGENTINA Y EL MINISTERIO DE EDUCACIÓN DE LA REPÚBLICA DEL PERÚ PARA LOS AÑOS 2018-2020](#)

Firma: Buenos Aires, 03 de Noviembre de 2017

Vigor: 03 de Noviembre de 2017

[MEMORANDUM OF UNDERSTANDING BETWEEN THE MINISTRY OF FOREIGN AFFAIRS AND WORSHIP OF THE ARGENTINE REPUBLIC AND THE MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF POLAND ON ANTARCTIC SCIENTIFIC AND LOGISTICAL CO-OPERATION](#)

Firma: Buenos Aires, 09 de Noviembre de 2017

Vigor: 09 de Noviembre de 2017

[BILATERALES CON ORGANISMOS INTERNACIONALES](#)

[ACUERDO POR CANJE DE NOTAS RELATIVO A LA INCORPORACIÓN DE LA REPÚBLICA ARGENTINA COMO MIEMBRO PLENO DE LA AGENCIA DE ENERGÍA NUCLEAR \(AEN\) Y SU BANCO DE DATOS DE LA ORGANIZACIÓN PARA LA COOPERACIÓN Y EL DESARROLLO ECONÓMICO \(OCDE\)](#)

Firma: París, 30/05/2017 y Buenos Aires, 06/06/2017, 06 de Junio de 2017

Vigor: 01 de Septiembre de 2017

[MEMORÁNDUM DE ENTENDIMIENTO ENTRE LA REPÚBLICA ARGENTINA Y LAS NACIONES UNIDAS SOBRE COOPERACIÓN SUR-SUR Y TRIANGULAR PARA LA IMPLEMENTACIÓN DE LA AGENDA 2030. NUEVAS ALIANZAS INCLUSIVAS.](#)

Firma: Buenos Aires, 07 de Septiembre de 2017

Vigor: 07 de Septiembre de 2017

[ACUERDO ENTRE EL MINISTERIO DE RELACIONES EXTERIORES Y CULTO DE LA REPÚBLICA ARGENTINA Y LA SECRETARÍA GENERAL IBEROAMERICANA PARA EL ESTABLECIMIENTO DEL FONDO ARGENTINO DE COOPERACIÓN SUR-SUR IBEROAMERICANO](#)

Firma: Buenos Aires, 08 de Septiembre de 2017

Vigor: 08 de Septiembre de 2017

[MULTILATERALES](#)

[CONVENIO INTERNACIONAL PARA EL CONTROL Y LA GESTION DEL AGUA DE LASTRE Y LOS SEDIMENTOS DE LOS BUQUES, 2004.](#)

Firma por Arg: 17 de Febrero de 2005

Celebracion: Londres, 13 de Febrero de 2004

Vigor: 02 de Noviembre de 2017

Norma Aprobatoria: Ley n° 27.011

[CONVENIO SOBRE EL TRABAJO EN EL SECTOR PESQUERO. \(CONV. N° 188\)](#)

Celebración: Ginebra, 14 de Junio de 2007

Vigor: 16 de Noviembre de 2017

Norma Aprobatoria: Ley n° 26.669

[TRATADO DE LIBRE COMERCIO ENTRE EL MERCOSUR Y LA REPÚBLICA ÁRABE DE EGIPTO = FREE TRADE AGREEMENT BETWEEN MERCOSUR AND THE ARAB REPUBLIC OF EGYPT](#)

Celebración: San Juan, 02 de Agosto de 2010

Vigor: 01 de Septiembre de 2017

Norma Aprobatoria: Ley n° 27.361

[CONVENIO DE MINAMATA SOBRE EL MERCURIO](#)

Firma por Arg: 10 de Octubre de 2013

Celebración: Kumamoto, 10 de Octubre de 2013

Vigor: 24 de Diciembre de 2017

Norma Aprobatoria: Ley n° 27.356

[PROTOCOLO RELATIVO AL CONVENIO SOBRE EL TRABAJO FORZOSO DE 1930](#)

Celebración: Ginebra, 11 de Junio de 2014

Vigor: 09 de Noviembre de 2017

Norma Aprobatoria: Ley n° 27.252

[CONVENCIÓN INTERAMERICANA SOBRE LA PROTECCIÓN DE LOS DERECHOS HUMANOS DE LAS PERSONAS MAYORES](#)

Firma por Arg: 15 de Junio de 2015

Celebración: Washington, D.C., 15 de Junio de 2015

Vigor: 22 de Noviembre de 2017

Norma Aprobatoria: Ley n° 27.360

[MEMORÁNDUM DE ENTENDIMIENTO SOBRE COOPERACIÓN TRINACIONAL CON MOTIVO DE LA POSTULACIÓN CONJUNTA COMO SEDE DE LA COPA MUNDIAL DE LA FIFA 2030 ENTRE LA REPÚBLICA ARGENTINA, LA REPÚBLICA DEL PARAGUAY Y LA REPÚBLICA ORIENTAL DEL URUGUAY](#)

Firma por Arg: 21 de Noviembre de 2017

Celebración: Asunción, 21 de Noviembre de 2017

Vigor: 21 de Noviembre de 2017

[VOLVER AL INDICE](#)

Sección 3 / Jurisprudencia



CORTE INTERNACIONAL DE JUSTICIA

15/11/2017 – *Asunto sobre violaciones alegadas de los Derechos Soberanos y Espacios Marítimos en el Mar del Caribe (Nicaragua v. Colombia)*

<http://www.icj-cij.org/files/case-related/155/155-20171115-ORD-01-00-EN.pdf>



CORTE INTERAMERICANA DE DERECHOS HUMANOS

23/11/2017 – Asunto Milagro Sala respecto de Argentina. Solicitud de Medidas Provisionales. Resolución de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/medidas/sala_se_01.pdf

14/11/2017 – Asunto Alvarado Reyes y otros respecto de México. Medidas Provisionales. Resolución de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/medidas/alvarado_se_07.pdf

14/11/2017 – Asunto Rueda respecto de Colombia. Medidas Provisionales. Resolución de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/medidas/rueda_se_03.pdf

14/11/2017 – Caso Torres Millacura y otros Vs. Argentina. Medidas Provisionales. Resolución de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/medidas/torres_se_02.pdf

14/11/2017 – Asunto Comunidad de Paz de San José de Apartadó respecto de Colombia. Fondo de Asistencia Legal de Víctimas. Resolución de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/asuntos/apartado_fv_17.pdf

14/11/2017 – Asunto Castro Rodríguez respecto de México. Medidas Provisionales. Resolución de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/medidas/castrorodriguez_se_04.pdf

18/10/2017 – **Caso Fontevecchia y D'Amico Vs.** Argentina. Supervisión de Cumplimiento de Sentencia. Resolución de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/supervisiones/fontevecchia_18_10_17.pdf

18/10/2017 – Caso Selvas Gómez y otras Vs. México. Convocatoria de audiencia. Resolución del Presidente de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/asuntos/selvasgomez_18_10_17.pdf

13/10/2017 – Caso Villamizar Durán y otros Vs. Colombia. Resolución de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/asuntos/villamizarduran_13_10_17.pdf

13/10/2017 – Solicitud de Opinión Consultiva presentada por la Comisión Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/solicitudoc/solicitud_13_10_17_esp.pdf

06/10/2017 – Caso Villamizar Durán y otros Vs. Colombia. Resolución de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/asuntos/villamizarduran_06_10_17.pdf

05/10/2017 – Caso Villamizar Durán y otros Vs. Colombia. Resolución del Presidente de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/asuntos/villamizar_05_10_17.pdf

21/09/2017 – Caso Poblete Vilches y otros Vs. Chile. Convocatoria de audiencia. Resolución del Presidente de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/asuntos/poblete_21_09_17.pdf

21/09/2017 – Caso V.R.P. y V.P.C. Vs. Nicaragua. Convocatoria de audiencia. Resolución del Presidente de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/asuntos/vrp_21_09_17.pdf

12/09/2017 – Caso Villamizar Durán y otros Vs. Colombia. Convocatoria de audiencia. Resolución del Presidente de la Corte Interamericana de Derechos Humanos.

http://www.corteidh.or.cr/docs/asuntos/villamizar_12_09_17.pdf



TRIBUNAL EUROPEO DE DERECHOS HUMANOS

Síntesis de la jurisprudencia hasta el 06/12/2017

[https://hudoc.echr.coe.int/eng#{"documentcollectionid2":\["DECGRANDCHAMBER","ADMISSIBILITY","ADMISSIBILITYCOM"\]}](https://hudoc.echr.coe.int/eng#{)



CORTE AFRICANA DE DERECHOS HUMANOS Y DE LOS PUEBLOS

24/11/2017 – Alfred Agbesi Woyome v. República de Ghana (App. No. 001/2017). Orden de medidas provisionales.

http://www.african-court.org/en/images/Cases/Orders/APPLICATION_NO_001-2017_-_ALFRED_AGBES_WOYOME_v._REPUBLIC_OF_GHANA_ORDER_FOR_PROVISIONAL_MEASURES.pdf

28/09/2017 – Alex Thomas v. República Unida de Tanzania (App. No. 001/2017). Sentencia.

<http://www.african-court.org/en/images/Cases/Judgment/001-2017-Interpretation%20of%20Judgment%20of%2020%20November%20%202015%20-%20Alex%20Thomas%20V.%20United%20Republic%20of%20Tanzania-Judgment-28%20September%202017.pdf>

28/09/2017 – **Actions pour la Protection des Droits de l'Homme (APDH) v. República de Costa de Marfil** (App. No. 003/2017). Sentencia.

<http://www.african-court.org/en/images/Cases/Judgment/003-2017-Interpretation%20of%20the%20Judgment%20of%2018%20November%202016%20-%20Actions%20pour%20la%20Protection%20des%20Droits%20de%20l'Homme%20V.%20Republic%20of%20Cote%20D'Ivoire-Judgment-28%20September%202017.pdf>

28/09/2017 Mohamed Abubakari v. República Unida de Tanzania (App. No. 002/2017). Sentencia.

<http://www.african-court.org/en/images/Cases/Judgment/002-2017-Interpretation%20of%20Judgment%20of%203%20June%202016%20-%20Mohamed%20Abubakari%20V.%20United%20Republic%20of%20Tanzania-Judgment-28%20September%202017.pdf>

24/09/2017 – León Mugesera v. República de Rwanda (App. No. 012/2017). Orden de medidas provisionales.

<http://www.african-court.org/en/images/Cases/Judgment/012-2017%20-%20Leon%20Mugesera%20-%20Order%20for%20Provisional%20Measures%20-%2028%20Septiembre%202017.pdf>



CORTE PENAL INTERNACIONAL

Síntesis de la jurisprudencia hasta el 09/08/2017

<https://www.icc-cpi.int/Pages/crm-received.aspx?received=this%20year>



TRIBUNAL DERECHO DEL MAR

15/11/2017 – Caso M/V “Norstar” (Panamá v. Italia).

<https://www.itlos.org/en/cases/list-of-cases/case-no-25/>

[VOLVER AL INDICE](#)

Sección 4 / Doctrina e Investigación

Novedades bibliográficas. Fuente: <http://ilreports.blogspot.com/>

Libros



Hopgood, Snyder, & Vinjamuri: Human Rights Futures

Stephen Hopgood (School of Oriental and African Studies, Univ. of London - Politics and International Studies), Jack Snyder (Columbia Univ. - Political Science), & Leslie Vinjamuri (School of Oriental and African Studies, Univ. of London - Politics and International Studies) have published Human Rights Futures (Cambridge Univ. Press 2017). Contents include:

- Stephen Hopgood, Jack Snyder & Leslie Vinjamuri, Introduction: human rights: past, present and future
- Geoffrey Dancy & Kathryn Sikkink, Human rights data, processes, and outcomes: how recent research points to a better future
- Beth A. Simmons & Anton Strezhnev, Human rights and human welfare: looking for a 'dark side' to international human rights law
- Jack Snyder, Empowering rights through mass movements, religion, and reform parties
- Leslie Vinjamuri, Human rights backlash
- Thomas Risse, Human rights in areas of limited statehood: from the spiral model to localization and translation
- Alexander Cooley & Matthew Schaaf, Grounding the backlash: regional security treaties, counternorms and human rights in Eurasia
- Elizabeth Shakman Hurd, Governing religion as right
- Sally Engle Merry & Peggy Levitt, The vernacularization of women's human rights
- Shareen Hertel, Re-framing human rights advocacy: the rise of economic rights
- Samuel Moyn, Human rights and the crisis of liberalism
- Stephen Hopgood, Human rights on the road to nowhere
- Stephen Hopgood, Jack Snyder & Leslie Vinjamuri, Conclusion: human rights futures



Lünsmann: Unilateraler 'Consent' im System der Streitbeilegung nach der ICSID Konvention

Jesper Lünsmann has published Unilateraler 'Consent' im System der Streitbeilegung nach der ICSID Konvention: 'Consent' als Voraussetzung der 'jurisdiction of the Centre'(Nomos 2017). Here's the abstract:

Der Autor unternimmt die erste umfassende dogmatische Untersuchung der heutzutage wichtigsten Grundlage von ICSID-**Schiedsverfahren: dem unilateralen „consent“**. **Diese staatlichen Erklärungen** sind in Internationalen Investitionsabkommen enthalten und bieten Investoren die Möglichkeit, Schiedsverfahren gegen ihren jeweiligen Gaststaat einzuleiten. Die Frage nach der Natur dieser staatlichen Erklärungen wird anhand einer Auslegung der ICSID-Konvention gemäß den Regeln der

Wiener Vertragsrechtskonvention beantwortet. Die gefundenen Ergebnisse werden sodann auf zwei offene Fragen des internationalen Investitionsrechts angewandt: zum einen die Folgen des Rücktritts eines Mitgliedstaates der ICSID-Konvention für die Möglichkeit von Investoren ein Schiedsverfahren **gegen den Staat einzuleiten; zum anderen die Frage, welches Recht auf den „consent“ anzuwenden, und nach welchen Regeln ein solcher auszulegen ist.**

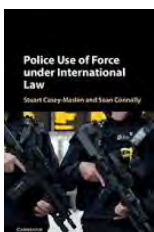
The author provides the first comprehensive theoretical analysis of the most important foundation of ICSID-arbitrations: the unilateral consent. These declarations of state are included in International Investment Agreements and open the possibility for investors to initiate arbitration against its host-state. The central goal of the analysis is to determine the nature of these declarations of state. In order to do so, the author interprets the ICSID-Convention according to the rules of the Vienna Convention on the Law of Treaties. In a second step, the conclusions will be applied to two practical questions of International Investment Law: first, the consequences of a denunciation of the ICSID-Convention for the **investor's possibility to initiate an arbitration against its host-state**; second, the **question of which law and which rules of interpretation applies to „consent“.**



Wilson: Incitement on Trial: Prosecuting International Speech Crimes

Richard Ashby Wilson (Univ. of Connecticut - Law) has published Incitement on Trial: Prosecuting International Speech Crimes (Cambridge Univ. Press 2017). Here's the abstract:

International and national armed conflicts are usually preceded by a media campaign in which public figures foment ethnic, national, racial or religious hatred, inciting listeners to acts of violence. *Incitement on Trial* evaluates the efforts of international criminal tribunals to hold such inciters criminally responsible. This is an unsettled area of international criminal law, and prosecutors have often struggled to demonstrate a causal connection between speech acts and subsequent crimes. This book identifies 'revenge speech' as the type of rhetoric with the greatest effects on empathy and tolerance for violence. Wilson argues that inciting speech should be handled under the preventative doctrine of inchoate crimes, but that once international crimes have been committed, then ordering and complicity are the most appropriate forms of criminal liability. Based in extensive original research, this book proposes an evidence-based risk assessment model for monitoring political speech.



Casey-Maslen & Connolly: Police Use of Force under International Law

Stuart Casey-Maslen (Univ. of Pretoria) & Sean Connolly have published Police Use of Force under International Law (Cambridge Univ. Press 2017). Here's the abstract:

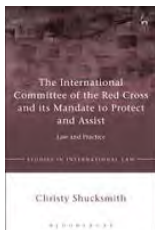
Policing is commonly thought to be governed by domestic legal systems and not international law. However, various international legal standards are shown to have an impact in situations where police use force. *Police Use of Force under International Law* explores this tension in detail for the first time. It critically reviews the use of force by law enforcement agencies in a range of scenarios: against detainees, during protests, and in the context of counterterrorism and counterpiracy operations. Key trends, such as the growing use of private security services, are also considered. This book provides a human rights framework for police weaponry and protection of at-risk groups based on critical jurisprudence from the last twenty years. With pertinent case law and case studies to illustrate the key principles of the use of force, this book is essential reading for anyone interested in policing, human rights, state use of force or criminology.



Scalera: Negotiating Membership in the WTO and EU

Jamie E. Scalera (Georgia Southern Univ. - Political Science and International Studies) has published Negotiating Membership in the WTO and EU (Routledge 2017). Here's the abstract:

With the accession of Afghanistan in 2016, the World Trade Organization (WTO) numbered 164 members with nineteen other states in line to join. The WTO is certainly not alone in its growth though; the Organization for Economic Cooperation and Development (OECD), the North Atlantic Treaty Organization (NATO), and the European Union (EU) are all expanding with dozens of states continuing to negotiate their potential membership. What impact does membership in international organizations really have? Why do some states have a seemingly easy path to joining international organizations while others find the process nearly impossible? What implications do these difficult accession processes have on the domestic and international politics of the acceding states? The author presents the two-level theory of accession, which highlights factors at the domestic level and international organization level, to explain how accession processes in the WTO and EU vary from state to state and the impact of these variations. In so doing, this book provides a unique perspective on the topic of membership in international organizations.

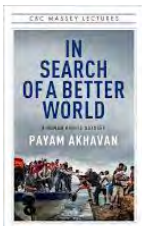


Shucksmith: The International Committee of the Red Cross and its Mandate to Protect and Assist

Christy Shucksmith (Univ. of Lincoln - Law) has published The International Committee of the Red Cross and its Mandate to Protect and Assist: Law and Practice (Hart Publishing 2017). Here's the abstract:

The purpose of this book is to consider the legality of the changing practice of the International Committee of the Red Cross (ICRC). It provides extensive legal analysis of the ICRC as an organisation, legal person, and humanitarian actor. It draws on the law of organisations, International Humanitarian Law, International Human Rights Law, and other relevant branches of international law in order to critically assess the mandate and practice of the ICRC on the ground. The book also draws on more abstract human-centric concepts, including sovereignty as responsibility and human security, in order to assess the development of the concept of humanity for the mandate and practice of the ICRC. Critically this book uses semi-structured interviews with ICRC delegates to test the theoretical and doctrinal conclusions. The book provides a unique insight into the work of the ICRC. It also includes a case study of the work of the ICRC in the Democratic Republic of Congo.

Ultimately the book concludes that the ICRC is no longer restricted to the provision of humanitarian assistance on the battlefield. It is increasingly drawn into long-term and extremely complicated conflicts, in which, civilians, soldiers and non-State actors intermingle. In order to remain useful for the people on the ground, therefore, the ICRC is progressively developing its mandate. This book questions whether, on occasion, this could threaten its promise to remain neutral, impartial and independent. Finally, however, it should be said that this author finds that the work of the ICRC is unparalleled on the international stage and its humanitarian mandate is a vital component for those embroiled in the undertaking of and recovery from conflict.



Akhavan: In Search of a Better World

Payam Akhavan (McGill Univ. - Law) has published In Search of a Better World (Anansi 2017). Here's the abstract:

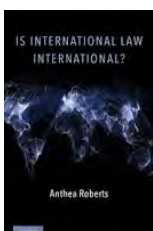
In February of 2017, Amnesty International released their Annual Report for 2016 to 2017, concluding that the "us versus them" rhetoric increasingly employed by politicians is endangering human rights the world over. Renowned UN prosecutor and human rights scholar Payam Akhavan has encountered the grim realities of contemporary genocide throughout his life and career. He argues that deceptive utopias, political cynicism, and public apathy have given rise to **major human rights abuses: from the religious persecution of Iranian Bahá'ís that shaped his personal life, to the horrors of ethnic cleansing in Yugoslavia, the genocide in Rwanda, and the rise of contemporary phenomena such as the Islamic State.** But he also reflects on the inspiring resilience of the human spirit and the reality of our inextricable interdependence to liberate us, whether from hateful ideologies that deny the humanity of others or an empty consumerist culture that worships greed and self-indulgence.



Ngameni: La diffusion du droit international pénal dans les ordres juridiques africains

Herman Blaise Ngameni has published La diffusion du droit international pénal dans les ordres juridiques africains (L'Harmattan 2017). Here's the abstract:

L'Afrique est le terrain de prédilection du pluralisme juridique qui favorise la juxtaposition de l'ordre juridique moderne et l'ordre juridique traditionnel. L'articulation du droit international pénal avec les ordres juridiques africains est une condition de sa diffusion. Il importe pour les Etats africains de favoriser une coopération effective avec les juridictions pénales internationales qui ne sera possible qu'au sein de régimes politiques démocratiques. Ceci est nécessaire pour un véritable universalisme du droit international pénal.



Roberts: Is International Law International?

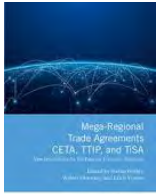
Anthea Roberts (Australian National Univ. - School of Regulation and Global Governance) has published Is International Law International? (Oxford Univ. Press 2017). Here's the abstract:

This book takes the reader on a sweeping tour of the international legal field to reveal some of the patterns of difference, dominance, and disruption that belie international law's claim to universality.

Pulling back the curtain on the "divisible college of international lawyers," Anthea Roberts shows how international lawyers in different states, regions, and geopolitical groupings are often subject to distinct incoming influences and outgoing spheres of influence in ways that reflect and reinforce differences in how they understand and approach international law. These divisions manifest themselves in contemporary controversies, such as debates about Crimea and the South China Sea.

Not all approaches to international law are created equal, however. Using case studies and visual representations, the author demonstrates how actors and materials from some states and groups have come to dominate certain transnational flows and forums in ways that make them disproportionately influential in constructing the "international." This point holds true for Western actors, materials, and approaches in general, and for Anglo-American (and sometimes French) ones in particular.

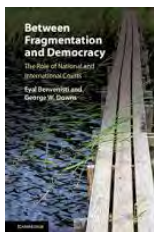
However, these patterns are set for disruption. As the world moves past an era of Western dominance and toward greater multipolarity, it is imperative for international lawyers to understand the perspectives and approaches of those coming from diverse backgrounds. By taking readers on a comparative tour of different international law academies and textbooks, the author encourages them to see the world through the eyes of others -- an essential skill in this fast changing world of shifting power dynamics and rising nationalism.



Griller, Obwexer, & Vranes: Mega-Regional Trade Agreements: CETA, TTIP, and TiSA

Stefan Griller (Univ. of Salzburg - Law), Walter Obwexer (Univ. of Innsbruck - Law), & Erich Vranes (Vienna Univ. of Economics and Business - Law) have published Mega-Regional Trade Agreements: CETA, TTIP, and TiSA - New Orientations for EU External Economic Relations (Oxford Univ. Press 2017). Contents include:

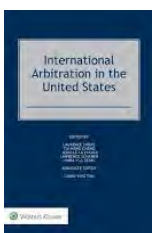
- Stefan Griller, Walter Obwexer, & Erich Vranes, Mega-Regional Agreements: New Orientations for EU External Relations?
- Ernst-Ulrich Petersmann, CETA, TTIP, and TiSA: New Trends in International Economic Law
- Erich Vranes, The Contents of CETA, TTIP, and TiSA: The (Envisaged) Trade Disciplines
- Christian Tietje & Kevin Crow, The Reform of Investment Protection Rules in CETA, TTIP, and other Recent EU-FTAs: Convincing?
- Stephan Schill, Authority, Legitimacy, and Fragmentation in the (Envisaged) Dispute Settlement Disciplines in Mega-Regionals
- Thomas Cottier, Intellectual Property and Mega-Regional Agreements: Progress and Opportunities Missed
- Walter Berka, CETA, TTIP, TiSA, and Data Protection
- Christoph Ohler, CETA, TTIP, TiSA, and Financial Services
- Lorand Bartels, Human Rights, Labour Standards, and Environmental Standards in CETA
- Panos Delimatsis, TTIP, CETA, TiSA Behind Closed Doors: Transparency in the EU Trade Policy
- Stefan Mayr, CETA, TTIP, TiSA, and their Relationship with EU Law
- Christoph Moser, On the Expected Economic Effects of Trade Liberalisation and the (TTIP)
- Sonja Puntischer Riekman, The Struggle for and against Globalisation: International Trade Agreements and the Democratic Question
- Stefan Griller, Three Salient Issues of the New Comprehensive Free Trade Agreements
- Verena Madner, A New Generation of Trade Agreements: An Opportunity not to be Missed?
- Stefan Griller, Walter Obwexer, & Erich Vranes, Conclusions



Benvenisti & Downs: Between Fragmentation and Democracy: The Role of National and International Courts

Eyal Benvenisti (Univ. of Cambridge & Law) & George W. Downs have published Between Fragmentation and Democracy: The Role of National and International Courts (Cambridge Univ. Press 2017). Here's the abstract:

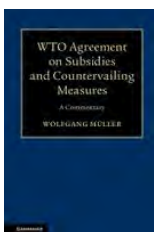
Between Fragmentation and Democracy explores the phenomenon of the fragmentation of international law and global governance following the proliferation of international institutions with overlapping jurisdictions and ambiguous boundaries. The authors argue that this problem has the potential to sabotage the evolution of a more democratic and egalitarian system and identify the structural reasons for the failure of global institutions to protect the interests of politically weaker constituencies. This book offers a comprehensive understanding of how new global sources of democratic deficits increasingly deprive individuals and collectives of the capacity to protect their interests and shape their opportunities. It also considers the role of the courts in mitigating the effects of globalization and the struggle to define and redefine institutions and entitlements. This book is an important resource for scholars of international law and international politics, as well as for public lawyers, political scientists, and those interested in judicial reform.



Shore, Schaner, Senn, Cheng, & La Chiusa: International Arbitration in the United States

Laurence Shore, Lawrence Schaner, Mara V.J. Senn, Tai-Heng Cheng, & Jenella La Chiusa have published International Arbitration in the United States (Wolters Kluwer 2017). Here's the abstract:

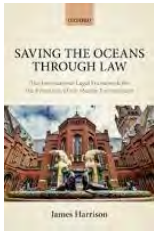
International Arbitration in the United States is a comprehensive analysis of international arbitration law and practice in the United States (U.S.). Choosing an arbitration seat in the U.S. is a common choice among parties to international commercial agreements or treaties. However, the complexities of arbitrating in a federal system, and the continuing development of U.S. arbitration law and practice, can be daunting to even experienced arbitrators. This book, the first of its kind, provides **parties opting for "private justice" with vital judicial reassurance on U.S. courts' highly supportive posture in enforcing awards and its pronounced reluctance to intervene in the arbitral process.**



Müller: WTO Agreement on Subsidies and Countervailing Measures: A Commentary

Wolfgang Müller (European Commission) has published WTO Agreement on Subsidies and Countervailing Measures: A Commentary (Cambridge Univ. Press 2017). Here's the abstract:

Panels and the WTO Appellate Body have rendered a large number of complex and lengthy rulings on the Agreement on Subsidies and Countervailing Measures. The reasoning behind these rulings is often intimately linked to the underlying facts of a particular case and the methods of litigation adopted by the parties. Without guidance, it is difficult to find and research a specific subsidy issue quickly. This book provides an essential article-by-article commentary on the Agreement and sets out the law as it emerges from this body of rulings, providing the legal basis for further analysis of subsidy disciplines within the realms of economics and political science. It also includes a useful summary of the negotiating history and the links to other WTO Agreements such as GATT 1994. T

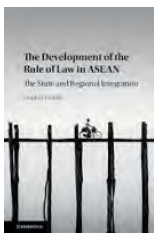


Harrison: Saving the Oceans Through Law: The International Legal Framework for the Protection of the Marine Environment

James Harrison (Univ. of Edinburgh - Law) has published Saving the Oceans Through Law: The International Legal Framework for the Protection of the Marine Environment (Oxford Univ. Press 2017). Here's the abstract:

The oceans cover more than seventy per cent of the surface of the planet and they provide many vital ecosystem services. However, the health of the world's oceans has been deteriorating over the past decades and the protection of the marine environment has emerged as one of the most pressing legal and political challenges for the international community. An effective solution depends upon the cooperation of all states towards achieving agreed objectives. This book provides a critical assessment of the role that international law plays in this process, by explaining and evaluating the various legal instruments that have been negotiated in this area, as well as key trends in global ocean governance.

Starting with a detailed analysis of the United Nations Convention on the Law of the Sea, the book considers the main treaties and other legal texts that seeks to prevent, reduce, and control damage to the marine environment caused by navigation, seabed exploitation, fishing, dumping, and land-based activities, as well as emerging pressures such as ocean noise and climate change. The book demonstrates how international institutions have expanded their mandates to address a broader range of marine environmental issues, beyond basic problems of pollution control to include the conservation of marine biological diversity and an ecosystems approach to regulation. It also discusses the development of diverse regulatory tools to address anthropogenic impacts on the marine environment and the extent to which states have adopted a precautionary approach in different maritime sectors. Whilst many advances have been made in these matters, this book highlights the need for greater coordination between international institutions, as well as the desirability of developing stronger enforcement mechanisms for international environmental rules.



Deinla: The Development of the Rule of Law in ASEAN

Imelda Deinla (Australian National Univ. - School of Regulation and Global Governance) has published The Development of the Rule of Law in ASEAN: The State and Regional Integration (Cambridge Univ. Press 2017). Here's the abstract:

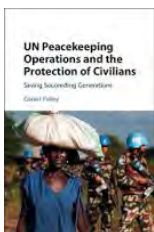
An interdisciplinary work that comparatively studies rule of law practices and the relationship between the rule of law and regional integration, a topic largely explored in European integration. By looking at the function of the rule of law in ASEAN rather than what it 'means' measured on normative conception, the book situates the rule of law in broader institutional and political processes in the member states and in regional relations to show the motivations of member states in adopting a peculiar type of regional architecture. It asks whether forging the rule of law in the region can help build it internally for member states. The book revisits discourses on the 'spill-over' of economic integration, the impact of globalization in reshaping the state and generating new tools of the rule of law. It makes a comprehensive comparison - the European Union, Africa Union and MERCOSUR - showing the uneven pathways to rule of law in various contexts.



Suttle: Distributive Justice and World Trade Law

Oisín Suttle (Queen's Univ. Belfast) has published Distributive Justice and World Trade Law: A Political Theory of International Trade Regulation (Cambridge Univ. Press 2017). Here's the abstract:

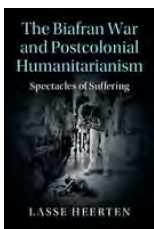
What does justice demand in international trade regulation? And how far does World Trade Organization (WTO) law respond to those demands? Whether our focus is developing countries, struggling industries, or environmental protection, distributive conflict is a pervasive feature of international economic law. Despite this, we lack an adequate theory of distributive justice for this domain. Drawing on philosophical approaches to global justice, this book advances a novel theory of justice in trade regulation, and applies this to explain and critique the law of the WTO. Integrating theoretical and doctrinal approaches, it demonstrates the potential for political theory to illuminate and inform the progressive development of WTO law, including rules on border measures, discrimination, trade remedies and domestic regulation. Written from an interdisciplinary perspective, accessible to lawyers, philosophers and political scientists, the book will appeal both to theorists interested in building bridges from theory to practice, and practitioners seeking new perspectives on existing problems.



Foley: UN Peacekeeping Operations and the Protection of Civilians

Conor Foley (Pontifícia Universidade Católica do Rio de Janeiro) has published UN Peacekeeping Operations and the Protection of Civilians: Saving Succeeding Generations (Cambridge Univ. Press 2017). Here's the abstract:

This book is based on the author's experience of working for more than two decades in over thirty conflict and post-conflict zones. It is written for those involved in UN peacekeeping and the protection of civilians. It is intended to be accessible to non-lawyers working in the field who may need to know the applicable legal standards relating to issues such as the use of force and arrest and detention powers on the one hand and the delivery of life-saving assistance according to humanitarian principles on the other. It will also be of interest to scholars and students of peacekeeping, international law and international relations on the practical dilemmas facing those trying to operationalise the various conceptions of 'protection' during humanitarian crises in recent years.



Heerten: The Biafran War and Postcolonial Humanitarianism: Spectacles of Suffering

Lasse Heerten (Freie Universität Berlin) has published The Biafran War and Postcolonial Humanitarianism: Spectacles of Suffering (Cambridge Univ. Press 2017). Here's the abstract:

In the summer of 1968, audiences around the globe were shocked when newspapers and television stations confronted them with photographs of starving children in the secessionist Republic of Biafra. This global concern fundamentally changed how the Nigerian Civil War was perceived: an African civil war that had been fought for one year without fostering any substantial interest from international publics became 'Biafra' - the epitome of humanitarian crisis. Based on archival research from North America, Western Europe and Sub-Saharan Africa, this book is the first comprehensive study of the global history of the conflict. A major addition to the flourishing history of human rights and humanitarianism, it argues that the global moment 'Biafra' is closely linked to the ascendance of

human rights, humanitarianism, and Holocaust memory in a postcolonial world. The conflict was a key episode for the re-structuring of the relations between the West and the Third World.

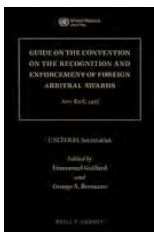


Marrella: Manuale di diritto del commercio internazionale

Fabrizio Marrella (Università 'Cà Foscari' Venezia - Law) has published Manuale di diritto del commercio internazionale(CEDAM 2017). Here's the abstract:

Questo libro, concepito come un "manuale", intende mettere a fuoco il "sistema" delle norme vigenti in modo da consentire al lettore di cogliere l'essenza degli istituti giuridici e comprenderne il funzionamento, anche ai fini della risoluzione delle controversie transnazionali. Tante e rilevanti sono le novità normative e giurisprudenziali intervenute in questi ultimi anni ed esaminate in questo volume: riforme che vanno, inter alia, dalla modernizzazione del "sistema Paese" per sviluppare il commercio con l'estero allo sviluppo delle fonti del diritto dell'Unione europea, dalla disciplina dei contratti internazionali a quella dei pagamenti e delle garanzie bancarie internazionali, dalle nuove norme per la soluzione delle controversie transnazionali come il Reg. n.1215/2012 (c.d. Reg. Bruxelles I bis) al nuovo Regolamento di arbitrato e mediazione ICC del 2017.

This book provides the first University textbook of International Business Law in the Italian language designed to provide the theoretical and practical foundations for students and practitioners of this fundamental field of law. It classifies different sources of law affecting transnational business operations according to their origin and legal system (National (i.e. Italian), European Union, Intergovernmental and non national (i.e. new lex mercatoria and the Unidroit Principles for international Commercial Contracts) as well as identifies the different actors in the field (companies, States, Intergovernmental Organizations, Non Governmental Organizations). In such a framework, rules of International Economic Law (from WTO to the new EU Customs Code, from economic treaties to embargos) provides the setting into which the core contracts are operational. Thus, the main perspective of the book is that of Private International Law by which different rules are applied according to their sphere of applications. Among the topics discussed, there are the main transnational business contracts (i.e. sales, transport, payment methods, insurance, agency and distribution contracts, intellectual property, trade finance, bank guarantees, foreign direct investments) and the most prominent dispute resolution mechanisms such as Arbitration and ADRs. The book takes into proper account, inter alia, the Unidroit Principles for International Commercial Contracts 2016; EU Regulation n.1215/2012 (c.d. Reg. Bruxelles I bis) and the new ICC Arbitration Rules 2017.

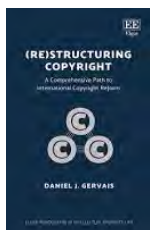


Gaillard & Bermann: Guide on the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, New York, 1958

Emmanuel Gaillard (Shearman & Sterling LLP) & George A. Bermann (Columbia Univ. - Law) have published Guide on the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, New York, 1958(Brill | Nijhoff 2017). Here's the abstract:

The *Guide on the Convention on the Recognition and Enforcement of Foreign Arbitral Awards* provides a detailed analysis of the judicial interpretation and application of the New York Convention by reference to case law from 45 Contracting States. The Guide, and the newyorkconvention1958.org website which supplements it, will become an essential tool that benefits all those involved in the interpretation and application of the New York Convention, including judges, arbitrators, practitioners, academics and Government officials.

The Guide gives clear expression to the principal finding of extensive research, namely, that the Contracting States have interpreted and applied the New York Convention in an overwhelmingly consistent manner and that courts have diverged from the general trends in the case law in only isolated instances. As such, the Convention continues to fulfill its purpose of facilitating the worldwide recognition and enforcement of arbitral awards to the greatest extent possible.



Gervais: (Re)structuring Copyright: A Comprehensive Path to International Copyright Reform

Daniel J. Gervais (Vanderbilt Univ. - Law) has published (Re)structuring Copyright: A Comprehensive Path to International Copyright Reform (Edward Elgar Publishing 2017). Here's the abstract:

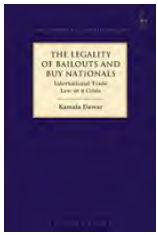
In this bold and persuasive work Daniel Gervais, one of the world's leading thinkers on the subject of intellectual property, argues that the international copyright system is in need of a root and branch rethink. As the Internet alters the world in which copyright operates beyond all recognition, a world increasingly defined by the might of online intermediaries and spawning a generation who are simultaneously authors, users and re-users of creative works, the structure of copyright in its current form is inadequate and unfit for purpose. This ambitious and far-reaching book sets out to diagnose in some detail the problems faced by copyright, before eloquently mapping out a path for comprehensive and structured reform. It contributes a reasoned and novel voice to a debate that is all too often driven by ignorance and partisan self-interest.



Zhao: The ICC and China: The Principle of Complementarity and National Implementation of International Criminal Law

Chenguang Zhao has published The ICC and China: The Principle of Complementarity and National Implementation of International Criminal Law (Duncker & Humblot 2017). Here's the abstract:

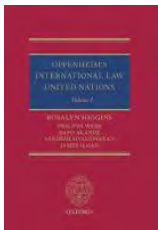
A disconnection has historically existed between international and domestic justice. In China, international justice and domestic justice were long treated as two autonomous yet interconnected systems, akin to the concept of Yin and Yang. With the establishment of the International Criminal Court (ICC) in 2002, the two systems began to increasingly work in tandem. The principle of complementarity is one of the cornerstones of the ICC's architecture, according to which states have primary jurisdiction over the ICC. So long as the legal system of a state can efficiently investigate and prosecute the core international crimes prohibited in the Rome Statute, the ICC will not intervene. However, if a state is unwilling or unable to investigate and prosecute these crimes, the ICC will invoke the principle of complementarity to step in. Thus, the principle of complementarity has an impact on the national implementation of international criminal law, as well as on its exercise of jurisdiction in many aspects, including for third party states. As a third party state to the ICC, China has ratified a number of international conventions, including those on genocide and torture; China is therefore obliged to prosecute these international crimes by implementing these international conventions into national law. However, the core crimes have thus far not been incorporated into Chinese criminal law. This research work focuses on the possible impact of the principle of complementarity on the implementation of international criminal law in China as a third party state and the future prospects of the relationship between China and the ICC based on this analysis. By so doing, it aims to contribute to the discourse on complementarity for both scholars and practitioners.



Dawar: The Legality of Bailouts and Buy Nationals: International Trade Law in a Crisis

Kamala Dawar (Univ. of Sussex - Law) has published The Legality of Bailouts and Buy Nationals: International Trade Law in a Crisis (Hart Publishing 2017). Here's the abstract:

This book examines the international regulation of crises bailouts and buy national policies. It undertakes this research with specific reference to the crisis years 2008–2012. The book includes a comparative analysis of the regulation of public procurement and subsidies aid at both multilateral and regional levels, identifying the strengths and weakness in the WTO legal framework and selected regional trade agreements (RTAs). Ultimately, the aim of this work is to provide options for improving the consistency of these laws and the regulation of these markets. This is of immediate relevance for good economic governance, as well as for managing future systemic financial crises in the interests of citizens: as tax payers and consumers.



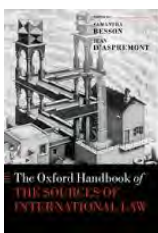
Higgins, Webb, Akande, Sivakumaran, & Sloan: Oppenheim's International Law: United Nations

Rosalyn Higgins (formerly, Judge, International Court of Justice), Philippa Webb (King's College London - Law), Dapo Akande (Univ. of Oxford - Law), Sandesh Sivakumaran (Univ. of Nottingham - Law), & James Sloan (Immigration and Refugee Board of Canada) have published Oppenheim's International Law: United Nations (Oxford Univ. Press 2017). Here's the abstract:

The United Nations, whose specialized agencies were the subject of an Appendix to the 1958 edition of Oppenheim's International Law: Peace, has expanded beyond all recognition since its founding in 1945. This volume represents a study that is entirely new, but prepared in the way that has become so familiar over succeeding editions of Oppenheim.

An authoritative and comprehensive study of the United Nations' legal practice, this volume covers the formal structures of the UN as it has expanded over the years, and all that this complex organization does. All substantive issues are addressed in separate sections, including among others, the responsibilities of the UN, financing, immunities, human rights, preventing armed conflicts and peacekeeping, and judicial matters.

In examining the evolving structures and ever expanding work of the United Nations, this volume follows the long-held tradition of Oppenheim by presenting facts uncoloured by personal opinion, in a succinct text that also offers in the footnotes a wealth of information and ideas to be explored. It is book that, while making all necessary reference to the Charter, the Statute of the International Court of Justice, and other legal instruments, tells of the realities of the legal issues as they arise in the day to day practice of the United Nations.



d'Aspremont & Besson: The Oxford Handbook of the Sources of International Law

Jean d'Aspremont (Univ. of Manchester - Law; Sciences Po - Law) & Samantha Besson (Université de Fribourg - Law) have published The Oxford Handbook of the Sources of International Law (Oxford Univ. Press 2017). Contents include:

- Peter Haggemacher, Sources in the Scholastic Legacy: Ius Naturae and Ius Gentium Revisited by Theologians,
- Annabel S. Brett, Sources in the Scholastic Legacy: The (Re)construction of the Ius Gentium in the Second Scholastic
- Dominique Gaurier, Sources in the Modern Tradition: An Overview of the Sources of the Sources in the Classical Works of International Law
- Randall Lesaffer, Sources in the Modern Tradition: The Nature of Europe's Classical Law of Nations
- **Miloš Vec, Sources in the 19th Century European Tradition: The Myth of Positivism**
- Lauri Mälksoo, Sources in the 19th Century European Tradition: Insights from Practice and Theory
- Ole Spiermann, The History of Article 38 of the Statute of the International Court of Justice: 'A Purely Platonic Discussion'?
- Malgosia Fitzmaurice, The History of Article 38 of the Statute of the International Court of Justice: The Journey from the Past to the Present
- Monica García-Salmones Rovira, Sources in the Anti-Formalist Tradition: A Prelude to Institutional Discourses in International Law
- Upendra Baxi, Sources in the Anti-Formalist Tradition: 'That Monster Custom, Who Doth All Sense Doth Eat'
- Tony Carty & Anna Irene Baka, Sources in the Meta-History of International Law: A Phenomenological Reversal of Hegel-From Liberal Nihilism and the Anti-Metaphysics of Modernity to an Aristotelian Ethical Order
- Mark Weston Janis, Sources in the Meta-History of International Law: A Little Meta-Theory-Paradigms, Article 38, and the Sources of International Law
- Robert Kolb, Legal History as a Source: From Classical to Modern International Law
- Samuel Moyn, Legal History as a Source: The Politics of Knowledge
- David Lefkowitz, Sources in Legal Positivist Theories: Law as Necessarily Posited and the Challenge of Customary Law Creation
- Jörg Kammerhofer, Sources in Legal Positivist Theories: The Pure Theory's Structural Analysis of the Law
- Jean d'Aspremont, Sources in Legal Formalist Theories: The Poor Vehicle of Legal Forms
- Frederick Schauer, Sources in Legal Formalist Theories: Source Formality, With Special Attention to International Law,
- Ingo Venzke, Sources in Interpretation Theories: The International Law-Making Process
- Duncan B. Hollis, Sources in Interpretation Theories: An Interdependent Relationship,
- Matthias Goldmann, Sources in the Meta-Theory of International Law: Exploring the Hermeneutics, Authority, and Publicness of International Law
- Alexandra Kemmerer, Sources in the Meta-Theory of International Law: Hermeneutical Conversations,
- Iain Scobbie, Legal Theory as a Source: Institutional Facts and the Identification of International Law,

- Alain Papaux & Eric Wyler, Legal Theory as a Source: Doctrine as Constitutive of International Law
- Pierre d'Argent, Sources and the Legality and Validity of International Law: What Makes Law 'International'?
- Mary Ellen O'Connell & Caleb Day, Sources and the Legality and Validity of International Law: Natural Law as Source of Extra-Positive Norms
- Michael Giudice, Sources and the Systematicity of International Law: A Philosophical Perspective
- Gleider I. Hernández, Sources and the Systematicity of International Law: A Co-Constitutive Relationship?
- Erika de Wet, Sources and the Hierarchy of International Law: The Place of Peremptory Norms and Article 103 of the UN Charter Within the Sources of International Law
- Mario Prost, Sources and the Hierarchy of International Law: Source Preferences and Scales of Values
- Detlef von Daniels, Sources and the Normativity of International Law: A Post-Foundational Perspective
- Nicole Roughan, Sources and the Normativity of International Law: From Validity to Justification,
- Richard Collins, Sources and the Legitimate Authority of International Law: A Challenge to the 'Standard View'?
- José Luis Marti, Sources and the Legitimate Authority of International Law: Democratic Legitimacy and the Sources of International Law
- Robert McCorquodale, Sources and the Subjects of International Law: A Plurality of Law-Making Participants
- Bruno de Witte, Sources and the Subjects of International Law: The European Union's Semi-Autonomous System of Sources
- Yuval Shany, Sources and the Enforcement of International Law: What Norms International Law-Enforcement Bodies Actually Invoke?
- Antonios Tzanakopoulos & Eleni Methymaki, Sources and the Enforcement of International Law: Domestic Courts-Another Brick in the Wall?
- Samantha Besson, Sources of International Human Rights Law: How General is General International Law?
- Bruno Simma, Sources of International Human Rights Law: Human Rights Treaties
- Raphaël van Steenberghe, Sources of International Humanitarian Law and International Criminal Law: Specific Features
- Steven R. Ratner, Sources of International Humanitarian Law and International Criminal Law: War Crimes and the Limits of the Doctrine of Sources
- Catherine Redgwell, Sources of International Environmental Law: Formality and Informality in the Dynamic Evolution of IEL Norms
- Jutta Brunnée, Sources of International Environmental Law: Interactional Law
- Jan Klabbers, Sources of International Organizations' Law: Reflections on Accountability

- August Reinisch, Sources of International Organizations' Law: Why Custom and General Principles are Crucial
- Joost Pauwelyn, Sources of International Trade Law: Sources of Law in WTO Dispute Settlement
- Donald H. Regan, Sources of International Trade Law: Understanding What the Vienna Convention Says About Identifying and Using 'Sources for Treaty Interpretation'
- Jorge E. Viñuales, Sources of International Investment Law: Theoretical Foundations of Unruly Practices
- Stephan W. Schill, Sources of International Investment Law: Multilateralization, Arbitral Precedent, Comparativism, Soft Law
- Ingrid B. Wuerth, Sources of International Law in Domestic Law: Domestic Constitutional Structure and the Sources of International Law
- Cedric Ryngaert, Sources of International Law in Domestic Law: Relationship Between International and Municipal Law Sources



Ferrari: The Impact of EU Law on International Commercial Arbitration

Franco Ferrari (New York Univ. - Law) has published The Impact of EU Law on International Commercial Arbitration (Juris Publishing 2017) The table of contents is [here](#). Here's the abstract:

For many years, it seemed almost a truism to state that EU law and the law of international arbitration were two very distinct areas of law that did not intersect. Most believed each area pursued its own course without impacting on the other. However, a series of matters on which the international arbitral regime and the European Union part ways and, indeed, enter into serious conflict have emerged. The chapters in *The Impact of EU Law*, which were initially presented at a **conference hosted by NYU's Center** for Transnational Litigation, Arbitration and Commercial Law, show that these areas of law are becoming ever more interconnected and that the impact of EU law on the law of international arbitration can be felt over the course of all stages of an international arbitration, from the pre-award stage to the post-award stage--an influence further exacerbated by the dilemma of arbitral tribunals and national courts when facing conflicting mandates from the law of international arbitration and the law of the European Union. Furthermore, and the contributions in this volume make this abundantly clear, EU law has not only impacted international arbitrations seated in EU Member States, but has also influenced arbitrations seated around the world, a fact that makes *The Impact of EU Law* required reading for all practitioners, arbitrators and all other stakeholders in the arbitration process world-wide.

COLLECTION DE DROIT INTERNATIONAL

LA CONSTRUCTION
DU « DROIT À LA VÉRITÉ »
EN DROIT INTERNATIONAL



Naftali: La construction du "droit à la vérité" en droit international

Patricia Naftali (Université libre de Bruxelles - Centre de droit public) has published La construction du "droit à la vérité" en droit international (Bruylant 2017). Here's the abstract:

La « vérité » peut-elle faire l'objet d'un droit ? La question aurait de quoi laisser le lecteur perplexe. Pourtant, en l'espace d'une décennie, l'idée d'un « droit à la vérité » dû aux victimes d'atrocités est parvenue à s'imposer de manière globale : elle occupe aujourd'hui une place

centrale dans le paysage des institutions de protection des droits de l'homme et dans les politiques internationales de pacification de sociétés en conflit.

Comment ce concept a-t-il pu être consacré aussi rapidement, alors qu'il ne figurait dans aucun catalogue de droits fondamentaux ? S'agit-il d'un nouveau droit justiciable ou d'un simple recyclage sémantique d'autres droits existants ? Le « droit à la vérité » annonce-t-il une révolution juridique, ou se résume-t-il à une façade rhétorique, voire un fétichisme juridique ?

Cet ouvrage inédit reconstitue la généalogie du « droit à la vérité » en droit international, des luttes sociales concrètes pour sa reconnaissance à ses développements contemporains, afin d'en déterminer les enjeux socio-politiques et juridiques. À ce titre, il présente une cartographie complète **des mobilisations du « droit à la vérité » et de leurs effets en droit international. D'une part, l'étude examine dans quelle mesure le « droit à la vérité » est reconnu en droit international et quels sont ses contours normatifs et ses bénéficiaires. D'autre part, elle sonde le rôle des entrepreneurs du « droit à la vérité » dans la construction d'un nouveau droit, afin de comprendre les conditions empiriques de sa diffusion internationale et les enjeux qui la sous-tendent.**

En particulier, la thèse montre comment les mobilisations du « droit à la vérité » tentent d'orienter dans un sens particulier certains débats qui demeurent ouverts en droit international et qui sont liés à des enjeux de justice contemporains : les victimes d'atrocités ont-elles un droit à la punition des responsables ? Les amnisties sont-elles licites en droit international ? Peut-on restreindre le secret d'État et contraindre les autorités à communiquer des informations aux victimes de violations des droits de l'homme et à leurs proches ?

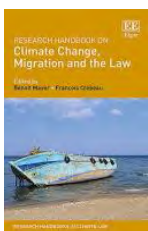
En définitive, l'ouvrage révèle l'ambivalence du « droit à la vérité », qui agit tantôt comme ressource, et tantôt comme contrainte pour ses promoteurs, en raison de la diversité de ses représentations et de ses réappropriations successives au fil du temps.



Ebert: Forum Shopping in International Investment Law

Björn P. Ebert has published Forum Shopping in International Investment Law: Forum Planning, Forum Enhancement, and Facilitation of Procedure- Assessment and Limits (Mohr Siebeck 2017). Here's the abstract:

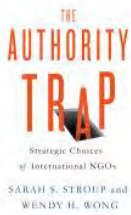
Björn P. Ebert analyses forum shopping in international investment law. He focuses on investment treaty and investment contract arbitration, and concludes that forum shopping is legal and legitimate as long as it is not subject to particular limitations derived from applicable law. He assumes that forum shopping is generally a legitimate procedural technique that both parties to the dispute may employ in order to maximise the protection offered to international investment by international law. To validate the underlying thesis, the author analyses and differentiates between different manifestations of forum shopping. The main manifestations are categorised in three categories: forum planning, forum enhancement, and facilitation of procedure. Each category contains different forum shopping techniques. Björn P. Ebert examines and defines limitations for each category, as well as the manifestations of forum shopping that are assigned to them. He thereby addresses several issues of international investment arbitration that are essential to the perceived problem of forum shopping.



Mayer & Crépeau: Research Handbook on Climate Change, Migration and the Law

Benoît Mayer (Chinese Univ. of Hong Kong - Law) & François Crépeau (McGill Univ. - Law) have published Research Handbook on Climate Change, Migration and the Law (Edward Elgar Publishing 2017). Contents include:

- Benoît Mayer & François Crépeau, Introduction
- Robert McLeman, Climate-related migration and its linkages to vulnerability, adaptation, and socio-economic inequality: evidence from recent examples
- **Calum T.M. Nicholson, 'Climate-induced migration': ways forward in the face of an intrinsically equivocal concept**
- Carol Farbotko, Representation and misrepresentation of climate migrants Christel Cournil, The inadequacy of international refugee law in response to environmental migration
- Elizabeth Ferris, The relevance of the Guiding Principles on Internal Displacement for the climate change-migration nexus
- Siobhán McInerney-Lankford, Climate Change, Human Rights and Migration: A Legal Analysis of Challenges and Opportunities
- Ademola Oluborode Jegede, Indigenous peoples, climate migration and international human rights law in Africa, with reflections on the relevance of the Kampala Convention
- Maxine Burkett, International Climate Change Law Perspectives
- Sébastien Jodoin, Kathryn Hansen & Caylee Hong, Displacement Due to Responses to Climate Change: The Role of a Rights-Based Approach
- Benoit Mayer, Climate change, migration and the law of State responsibility
- Erika Pires Ramos & Fernanda de Salles Cavedon Capdeville, Regional responses to climate change and migration in Latin America
- Gervais Appave, Alice Sironi, Mariam Traore Chazalnoel, Dina Ionesco & Daria Mokhnacheva, **Organizational perspectives: International Organization for Migration's role and perspectives on climate change, migration and the law**
- Sophia Kagan, Meredith Byrne & Michelle Leighton, Organizational Perspective from the International Labour Organization
- Alex Randall, Engaging the media on climate-linked migration
- Katrina M. Wyman, Ethical Duties to Climate Migrants
- Chloé Anne Vlassopoulos, When climate-induced migration meets loss and damage: a weakening agenda-setting process?
- François Gemenne, The refugees of the Anthropocene
- Frank Biermann & Ingrid Boas, Towards a Global Governance System to Protect Climate Migrants: Taking Stock
- Ilona Millar & Kylie Wilson, Towards a Climate Change Displacement Facility
- Susan F. Martin, Towards an extension of complementary protection?
- James C. Hathaway, Afterword

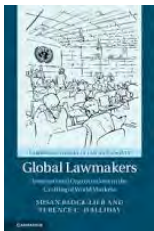


Stroup & Wong: The Authority Trap: Strategic Choices of International NGOs

Sarah S. Stroup (Middlebury College - Political Science) & Wendy H. Wong (Univ. of Toronto - Political Science) have published The Authority Trap: Strategic Choices of International NGOs (Cornell Univ. Press 2017). Here's the abstract:

Not all international nongovernmental organizations (INGOs) are created equal. Some have emerged as "leading INGOs" that command deference from various powerful audiences and are well-positioned to influence the practices of states, corporations, and other INGOs. Yet Sarah S. Stroup and Wendy H. Wong make a strong case for the tenuous nature of this position: in order to retain their authority, INGOs such as Greenpeace, Oxfam, and Amnesty International refrain from expressing radical opinions that severely damage their long-term reputation. Stroup and Wong contend such INGOs must constantly adjust their behavior to maintain a delicate equilibrium that preserves their status.

Activists, scholars, and students seeking to understand how international organizations garner and conserve power—and how this affects their ability to fulfill their stated missions—will find much of value in *The Authority Trap*. The authors use case studies that illuminate how INGOs are received by three main audiences: NGO peers, state policymakers, and corporations. In the end, the authors argue, the more authority an INGO has, the more constrained is its ability to affect the conduct of world politics.



Block-Lieb & Halliday: Global Lawmakers: International Organizations in the Crafting of World Markets

Susan Block-Lieb (Fordham Univ. - Law) & Terence C. Halliday (American Bar Foundation) have published Global Lawmakers: International Organizations in the Crafting of World Markets (Cambridge Univ. Press 2017). Here's the abstract:

Global lawmaking by international organizations holds the potential for enormous influence over world trade and national economies. Representatives from states, industries, and professions produce laws for worldwide adoption in an effort to alter state lawmaking and commercial behaviors, whether of giant multi-national corporations or micro, small and medium-sized businesses. Who makes that law and who benefits affects all states and all market players. *Global Lawmakers* offers the first extensive empirical study of commercial lawmaking within the United Nations. It shows who makes law for the world, how they make it, and who comes out ahead. Using extensive and unique data, the book investigates three episodes of lawmaking between the late 1990s and 2012. Through its original socio-legal orientation, it reveals dynamics of competition, cooperation and competitive cooperation within and between international organizations, including the UN, World Bank, IMF and UNIDROIT, as these IOs craft international laws. *Global Lawmakers* proposes an original theory of international organizations that seek to construct transnational legal orders within social ecologies of lawmaking. The book concludes with an appraisal of creative global governance by the UN in international commerce over the past fifty years and examines prospective challenges for the twenty-first century.

Revistas



Swiss Review of International and European Law

The latest issue of the Swiss Review of International and European Law (Vol. 27, no. 2, 2017) is out. Contents include:

- Articles
 - **Céline Bauloz, Le règlement Dublin à l'épreuve du principe de non-refoulement: Chronique d'une crise annoncée**
 - Margarite Helena Zoetewij & Ozan Turhan, Above the Law – Beneath Contempt: The End of the EU-Turkey Deal?
 - Stephan Breitenmoser & Giulia Marelli, Die neuste Rechtsprechung des EGMR und des EuGH zu Fragen des Migrationsrechts sowie zu Schengen und Dublin
 - Daniel Wüger, Personenkontrollen, Strassenschliessungen, Zäune und andere Grenzschutzmassnahmen im Schengen-Raum ohne Binnengrenzen
 - Christa Tobler, Homogenität im Rechtsbestand der Schengen- und Dublin-Abkommen: Übernimmt die Schweiz im Assoziationsrahmen nicht notifiziertes Asyl- und -Datenschutzrecht der EU?



Revue Générale de Droit International Public

The latest issue of the Revue Générale de Droit International Public (Vol. 121, no. 2, 2017) is out. Contents include:

- Articles
 - Jiri Malenovský, L'agonie sans fin du principe de non-invocabilité du droit interne
 - Gesa Dannenberg, Quelques remarques sur la coordination conventionnelle entre organisations internationales
 - Nathalie Clarenc Bicudo, L'OMI et l'air impur du large. La vie juridique des règles relatives à la pollution atmosphérique des navires
- Notes
 - Alexandre Hermet, Le constat de l'inexistence d'une saisine par la Cour internationale de Justice: A propos d'un communiqué de presse



International Journal of Human Rights

The latest issue of the International Journal of Human Rights (Vol. 21, no. 8, 2017) is out. Contents include:

- Special Issue: The Sustainable Development Goals and Human Rights: A Critical Early Review
 - Inga T. Winkler & Carmel Williams The Sustainable Development Goals and human rights: a critical early review
 - Ignacio Saiz & Kate Donald, Tackling inequality through the Sustainable Development Goals: human rights in practice
 - Gillian MacNaughton, Vertical inequalities: are the SDGs and human rights up to the challenges?
 - Inga T. Winkler & Margaret L. Satterthwaite, Leaving no one behind? Persistent inequalities in the SDGs
 - Audrey R. Chapman, Evaluating the health-related targets in the Sustainable Development Goals from a human rights perspective
 - Carmel Williams & Paul Hunt, Neglecting human rights: accountability, data and Sustainable Development Goal 3
 - Sara L. M. Davis, The uncounted: politics of data and visibility in global health
 - Diane F. Frey, Economic growth, full employment and decent work: the means and ends in SDG 8



New Issue: Diritti umani e diritto internazionale

The latest issue of Diritti umani e diritto internazionale (Vol. 11, no. 2, 2017) is out. Contents include:

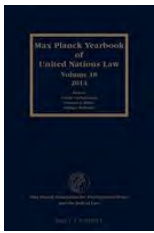
- Studi
 - o **Eduardo Savarese, Questioni sul fine vita a vent'anni dalla Convenzione di Oviedo: consolidati principi e permanenti incertezze**
 - o **Enrico Zamuner, L'applicazione nel tempo della Convenzione sul genocidio: una retrospettiva sulla giurisprudenza della Corte internazionale di giustizia**
 - o **Maurizio Arcari, La risposta statunitense all'uso di armi chimiche in Siria e la (con) fusione delle categorie dello ius ad bellum**
 - o **Giulio Bartolini, Gli attacchi aerei in Siria, l'operazione Inherent Resolve e la complessa applicazione del diritto internazionale umanitario**
 - o **Mirko Sossai, Come assicurare la punibilità dell'uso di armi chimiche in Siria?**
- I rapporti tra giustizia penale internazionale e mantenimento della pace
 - o **Harmen van der Wilt, 'No Peace Without Justice or No Justice Without Peace?' Some Reflections on a Complex Relationship**
 - o **Emanuele Cimiotta, Giustizia penale internazionale e mantenimento della pace: qualche riflessione conclusiva**
- Interventi
 - o **Alberta Fabbricotti, The Transmission of the Mother's Surname Under the CEDAW**
 - o **Elisa Tino, Il diniego di accesso alla giustizia per i soggetti privati nella SADC: alcune considerazioni sul nuovo Protocollo sul Tribunale**
- Osservatorio
 - o **Giorgia Bevilacqua, Partecipazione ai processi decisionali e accesso alla giustizia delle associazioni ambientali a tutela degli habitat naturali di importanza europea**
 - o **Angelica Bonfanti, Intercettazione di comunicazioni telematiche e acquisizione di dati: sullo studio dell'Unione europea su Legal Frameworks for Hacking by Law Enforcement**
 - o **Elena Corcione, Nuove forme di schiavitù al vaglio della Corte europea dei diritti umani: lo sfruttamento dei braccianti nel caso Chowdury**
 - o **Alessia Iolanda Matonti, Garanzie procedurali derivanti dall'art. 4 del Protocollo n. 4 CEDU: il caso Khlaifia**
 - o **Emma Luce Scali, The Impact of Conditionality on Economic, Social and Cultural Rights in the Latest Reports of the UN Independent Expert on Foreign Debt and Human Rights**
 - o **Beatrice Gornati, 'Paesi terzi sicuri', respingimenti a catena e detenzione arbitraria: il caso Ilias e Ahmed**
 - o **Chiara Favilli, Visti umanitari e protezione internazionale: così vicini così lontani 553**
 - o **Francesca Masellis, L'illegittimità della 'tassa' italiana sui**



Global Trade and Customs Journal

The latest issue of Global Trade and Customs Journal (Vol. 12, no. 9, 2017) is out. Contents include:

- **Fernando González-Rojas, All Parts Should Have Meaning: A Proposal on the Correct Interpretation of section 15(a) & (d) of China's Protocol of Accession**
- **Timothy Lyons, Commentary: Customs Union: EU Foundation Stone, Brexit Stumbling Stone**
- **Nellie Munin, Israeli Purchase Tax on Commercially Imported Cars: An Illegal Barrier to International Trade or a Legitimate Domestic Policy Instrument?**
- **Cornelia Furculiță, Cost of Production Calculation in EU Anti-Dumping Law: WTO Consistent 'As Such' After EU – Biodiesel**



New Volume: Max Planck Yearbook of United Nations Law

The latest volume of the Max Planck Yearbook of United Nations Law (Vol. 20, 2016) is out. Contents include:

- Part I: The Law and Practice of the United Nations
 - Michael Wood, The Interpretation of Security Council Resolutions, Revisited
 - Paula M. Vernet, The Work of the Commission on the Limits of the Continental Shelf: Current Accomplishments and Challenges on the Verge of Its 20th Anniversary
 - Natalie Y. Morris-Sharma, Marine Genetic Resources in Areas beyond National Jurisdiction: Issues with, in and outside of UNCLOS
 - Wiebke Ringel, Non-discrimination, Accommodation, and Intersectionality under the CRPD: New Trends and Challenges for the UN Human Rights System
 - Fruzsina Molnár-Gábor, The Realization of the Ethical Mandate of UNESCO in 2015 and in 2016
 - Ghazia Popalzai & Hiba Thobani, The Complexities of the Gravity Threshold in the International Criminal Court: A Practical Necessity or an Insidious Pitfall?
 - Zsuzsanna Deen-Racsomány, The Status and Criminal Accountability of Members of Formed Police Units: Conflicting Positions, Current Status Quo and Future Prospects
 - Ginevra Le Moli, Autonomy and Accountability of the UN in Peacekeeping Operations: The Case of the Central African Republic
- Part II: Legal Issues Related to the Goals of the United Nations
 - Ulrich Sieber & Carl-Wendelin Neubert, Transnational Criminal Investigations in Cyberspace: Challenges to National Sovereignty
 - Christian Riffel, Regulatory Safeguards in Mega-Regionals against Sovereignty Loss
 - Jin-Hyun Paik, South China Sea Arbitral Awards: Main Findings and Assessment
 - Meltem Ineli-Ciger, Protection Gaps and Temporary Protection
 - Yateesh Begoore, Prisoners Dilemma: Ascertaining and Augmenting the Multinational NIAC Detention Regime
- Part III: Report on Key Legal Developments at the United Nations in 2016
 - Tilmann J. Röder & Maximilian Spohr, Key Legal and Political Developments at the United Nations in 2016



New Issue: Journal of the History of International Law / Revue d'histoire du droit international

The latest issue of the Journal of the History of International Law / Revue d'histoire du droit international (Vol. 19, no. 3, 2017) is out. Contents include:

- Emily Crawford, Tracing the Historical and Legal Development of the Levée en Masse in the Law of Armed Conflict
- **Steven Harris, Taming Arbitration: States' Men, Lawyers, and Peace Advocates** from the Hague to the War
- Leonardo Valladares Pacheco de Oliveira, Overcoming the Challenges in Establishing Arbitration in Brazil: A Historical Perspective
-



Chinese Journal of International Law

The latest issue of the Chinese Journal of International Law (Vol. 16, no. 2, June 2017) is out. Contents include:

- Articles
 - Massimo Lando, Delimiting the Continental Shelf Beyond 200 Nautical Miles at the International Court of Justice: The Nicaragua v. Colombia Cases
 - Alexandra Hofer, The Developed/Developing Divide on Unilateral Coercive Measures: Legitimate Enforcement or Illegitimate Intervention?
 - Asif H. Qureshi, **International Legal Aspects of "Monetary" Relations in Northeast Asia**
- Comments
 - George Rodrigo Bandeira Galindo & César Yip, Customary International Law and the Third World: Do Not Step on the Grass

- **Zhixiong Huang & Kubo Mačák, Towards the International Rule of Law in Cyberspace: Contrasting Chinese and Western Approaches**
- Qinmin Shen, Lingerin Issues of Foreign Official Immunity in Enforcin Prohibition **against Torture in Domestic Courts: Pinochet’s Reasoning Reassessed**
- Sienho Yee, Notes on the International Court of Justice (Part 6)—The Fourth Use of Travaux Préparatoires in the LaGrand Case: To Prove the Non-preclusion of an Interpretation
- Letters to the Editor
- Gerard J. Sanders, The Asian Infrastructure Investment Bank and the Belt and Road Initiative: Complementarities and Contrasts



International Criminal Law Review

The latest issue of the International Criminal Law Review (Vol. 17, no. 4, 2017) is out. Contents include:

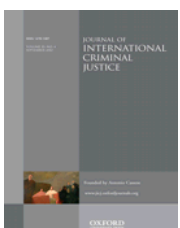
- Special Issue: Strengthening the Validity of International Criminal Tribunals
 - Marieke de Hoon, The Future of the International Criminal Court. On **Critique, Legalism and Strengthening the ICC’s Legitimacy**
 - Mandiaye Niang, Africa and the Legitimacy of the ICC in Question
- Geoff Dancy, Searching for Deterrence at the International Criminal Court
- Joanna Nicholson, Strengthening the Effectiveness of International Criminal Law through the Principle of Legality
- Yvonne McDermott, Strengthening the Evaluation of Evidence in International Criminal Trials
- Hemi Mistry, The Significance of Institutional Culture in Enhancing the Validity of International Criminal Tribunals
- Avidan Kent & Jamie Trinidad, The Management of Third-party Amicus Participation before International Criminal Tribunals: Juggling Efficiency and Legitimacy
-



Journal of Conflict Resolution

The latest issue of the Journal of Conflict Resolution (Vol. 61, no. 9, October 2017) is out. Contents include:

- 60th Anniversary Issue
 - Bruce Russett, A History of the Journal of Conflict Resolution
 - Erik Gartzke & Matthew Kroenig, Social Scientific Analysis of Nuclear Weapons: Past Scholarly Successes, Contemporary Challenges, and Future Research Opportunities
- Todd Sandler, International Peacekeeping Operations: Burden Sharing and Effectiveness
- Daniel Druckman & James A. Wall, A Treasure Trove of Insights: Sixty Years of JCR Research on Negotiation and Mediation
- Christopher Gelpi, Democracies in Conflict: The Role of Public Opinion, Political Parties, and the Press in Shaping Security Policy
- Erica Chenoweth, Evan Perkoski, & Sooyeon Kang, State Repression and Nonviolent Resistance
- Thomas Zeitzoff, How Social Media Is Changing Conflict
- Lars-Erik Cederman & Manuel Vogt, Dynamics and Logics of Civil War



Journal of International Criminal Justice

The latest issue of the Journal of International Criminal Justice (Vol. 15, no. 3, July 2017) is out. Contents include:

- Special Issue: The International Criminal Court’s Policies and Strategies
 - Matthew E. Cross & Antonio Coco, Foreword
 - **Carsten Stahn, Damned If You Do, Damned If You Don’t: Challenges and Critiques of Preliminary Examinations at the ICC**
- **Anni Poes, Towards the ‘Golden Hour’? A Critical Exploration of the Length of Preliminary Examinations**
- **Maria Varaki, Revisiting the ‘Interests of Justice’ Policy Paper**

- o **Sophie T. Rosenberg, The International Criminal Court in Côte d'Ivoire: Impartiality at Stake?**
- o Eliana Teresa Cusato, Beyond Symbolism: Problems and Prospects with Prosecuting Environmental Destruction before the ICC
- o **Luigi Prospero & Jacopo Terrosi, Embracing the 'Human Factor': Is There New Impetus at the ICC for Conceiving and Prioritizing Intentional Environmental Harms as Crimes Against Humanity?**
- o **Nadia Bernaz, An Analysis of the ICC Office of the Prosecutor's Policy Paper on Case Selection and Prioritization from the Perspective of Business and Human Rights**
- o **Birju Kotecha, The ICC's Office of the Prosecutor and the Limits of Performance Indicators**
- o **Gaelle Carayon & Jonathan O'Donohue, The International Criminal Court's Strategies in Relation to Victims**
- o Antonio Coco & Matthew E. Cross, Epilogue – The ICC on the Yellow Brick Road



American Journal of International Law

The latest issue of the American Journal of International Law (Vol. 111, no. 2, April 2017) is out. Contents include:

- Articles
 - o Jeffrey L. Dunoff & Mark A. Pollack, The Judicial Trilemma
 - o Gráinne de Búrca, Human Rights Experimentalism
 - o Monica Hakimi, Constructing an International Community
- Notes and Comments
 - o Theodor Meron, The West Bank and International Humanitarian Law on the Eve of the Fiftieth Anniversary of the Six-Day War
 - o J. Samuel Barkin & Yuliya Rashchupkina, Public Goods, Common Pool Resources, and International Law
 - o David Bosco, Discretion and State Influence at the International Criminal Court: The Prosecutor's Preliminary Examinations
- Current Developments
 - o Christine Gray, The 2016 Judicial Activity of the International Court of Justice
- In Memoriam
 - o Stephen M. Schwebel, Sir Elihu Lauterpacht (1928–2017)
- International Decisions
 - o Diane Marie Amann, Obligations Concerning Negotiations Relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament
 - o Santiago Díaz-Cediel, Garcia de Borissow and Others v. Supreme Court of Justice – Labor Chamber, Embassy of the Lebanese Republic in Colombia and Embassy of the United States of America in Colombia
 - o Eloïse Glucksmann, Commisimpex v. Republic of Congo
 - o A.Kh. Abashidze, M.V. Ilyashevich, & A.M. Solntsev, Anchugov & Gladkov v. Russia
 - o Ágoston Mohay & Norbert Tóth, Decision 22/2016. (XII. 5.) AB on the Interpretation of Article E)(2) of the Fundamental Law
- Contemporary Practice of the United States Relating to International Law
 - o Kristina Daugirdas & Julian Davis Mortenson, Contemporary Practice of the United States Relating to International Law
- Recent Books on International Law
 - o Kevin L. Cope & Mila Versteeg, The Interpretation of International Law by Domestic Courts: Uniformity, Diversity, Convergence
 - o Donald McRae, reviewing *Transnational Legal Orders*. edited by Terence C. Halliday and Gregory Shaffer
 - o Steven R. Ratner, reviewing *Compliant Rebels: Rebel Groups and International Law in World Politics*, by Hyeran Jo
 - o Tom Farer, reviewing *Sovereignty: The Origin and Future of a Political and Legal Concept*, by Dieter Grimm

- o David Scheffer, reviewing *East West Street: On the Origins of "Genocide" and "Crimes Against Humanity"*, by Philippe Sands
- o William R. (Bill) Mansfield, reviewing *Whaling and International Law*, by Malgosia Fitzmaurice



Review of International Political Economy

The latest issue of the Review of International Political Economy (Vol. 24, no. 5, 2017) is out. Contents include:

- Erin Hannah, Holly Ryan & James Scott, Power, knowledge and resistance: between co-optation and revolution in global trade
- Susan Park, Accountability as justice for the Multilateral Development Banks? Borrower opposition and bank avoidance to US power and influence
- Steffen Murau, Shadow money and the public money supply: the impact of the 2007–2009 financial crisis on the monetary system
- Eivind Thomassen, Translating central bank independence into Norwegian: central bankers and the diffusion of central bank independence to Norway in the 1990s
- Matthew J. Baltz, Institutionalizing neoliberalism: CFIUS and the governance of inward foreign direct investment in the United States since 1975
- Ruben Gonzalez-Vicente, South–South relations under world market capitalism: the state and the elusive promise of national development in the China–Ecuador resource-development nexus
- Philipp Heimberger & Jakob Kapeller, The performativity of potential output: pro-cyclicality and path dependency in coordinating European fiscal policies



Revue de Droit International et de Droit Comparé

The latest issue of the Revue de Droit International et de Droit Comparé (Vol. 94, no. 3, 2017) is out. Contents include:

- J.S. Mbogning, Le livre I du Nouveau Code pénal camerounais : entre conservatisme et modernisation
- F. Bouhon, L'(ir)responsabilité du pouvoir judiciaire : fondement et mise à l'épreuve de l'immunité judiciaire en droits québécois et belge
- T. Garcia, Règlement des différends juridictionnels et respect des règles procédurales fondamentales à l'OMC
- C.I. Nagy, Est-ce que l'Union européenne devrait avoir le pouvoir de forcer les états membres à respecter les droits de l'homme ? Une analyse prospective relative à l'application de la charte des droits fondamentaux aux états membres



Ethics & International Affairs

The latest issue of Ethics & International Affairs (Vol. 31, no. 3, Fall 2017) is out. Contents include:

- Essays
 - o Amartya Sen, Ethics and the Foundation of Global Justice
 - o Amitav Acharya, After Liberal Hegemony: The Advent of a Multiplex World Order
- Features
 - o Jamie Gaskarth, Rising Powers, Responsibility, and International Society
 - o Laura M. Hartman, Climate Engineering and the Playing God Critique
 - o Aidan Hehir, "Utopian in the Right Sense": The Responsibility to Protect and the Logical Necessity of Reform
- Review Essays
 - o Poverty Alleviation, Global Justice, and the Real World Chris Brown
 - o The Ethics of Insurgency James Turner Johnson



Journal of Conflict & Security Law

The latest issue of the Journal of Conflict & Security Law (Vol. 22, no. 2, Summer 2017) is out. Contents include:

- Yasuhito Fukui, CTBT: Legal Questions Arising from Its Non-Entry into Force Revisited
- Jonathan Black-Branch, Nuclear Terrorism by States and Non-state Actors: Global Responses to Threats to Military and Human Security in International Law
- Sia Spiliopoulou Åkermark, The Puzzle of Collective Self-defence: Dangerous Fragmentation or a Window of Opportunity? An Analysis with Finland and the Åland Islands as a Case Study
- Michael John-Hopkins, Extrapolation of Criminal Law Modes of Liability to Target Analysis under International Humanitarian Law: Developing the Framework for Understanding Direct Participation in Hostilities and Membership in Organized Armed Groups in Non-International Armed Conflict
- Merel A.C. Ekelhof, Complications of a Common Language: Why it is so Hard to Talk about Autonomous Weapons
- James A. Green & Stephen Samuel, The Chilcot Report: Some Thoughts on International Law and Legal Advice



International Relations

The latest issue of International Relations (Vol. 31, no. 3, September 2017) is out. Contents include:

- William Bain & Terry Nardin, International relations and intellectual history
- Chris Brown, Political Thought, International Relations theory and International Political Theory: an interpretation
- Ian Hall, The history of international thought and International Relations theory: from context to interpretation
- **Richard Devetak, 'The battle is all there is': philosophy and history in International Relations theory**
- Jennifer Pitts, International relations and the critical history of International Law
- **Sinja Graf, 'A wrong done to mankind': colonial perspectives on the notion of universal crime**
- David C Hendrickson, American diplomatic history and international thought: a constitutional perspective
- Edward Keene, International intellectual history and International Relations: contexts, canons and mediocrities
- **Terry Nardin, Kant's republican theory of justice and international relations**
-



International Journal of Marine and Coastal Law

The latest issue of the International Journal of Marine and Coastal Law (Vol. 32, no. 3, 2017) is out. Contents include:

- Robin Churchill, Dispute Settlement in the Law of the Sea: Survey for 2015, Part II and 2016
- Michael W. Lodge; Kathleen Segerson & Dale Squires, Sharing and Preserving the Resources in the Deep Sea: Challenges for the International Seabed Authority
- Yoshifumi Tanaka, Reflections on Historic Rights in the South China Sea Arbitration (Merits)
- Alexander Lott, The Estonian-Russian Territorial Sea Boundary Delimitation in the Gulf of Finland
- **Ran Guo, China's Maritime Silk Road Initiative and the Protection of Underwater Cultural Heritage**
- Abdullah Al Arif, Legal Status of Maximum Sustainable Yield Concept in International Fisheries Law and Its Adoption in the Marine Fisheries Regime of Bangladesh: A Critical Analysis
- Vasco Becker-Weinberg, Preliminary Thoughts on Marine Spatial Planning in Areas beyond National Jurisdiction

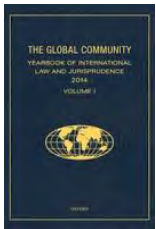
- **Gabriela A. Oanta, The European Union's Reform of Deep-Sea Fisheries in the North-East Atlantic**



Nordic Journal of International Law

The latest issue of the Nordic Journal of International Law (Vol. 86, no. 3, 2017) is out. Contents include:

- Stefan Kadelbach & David Roth-Isigkeit, The Right to Invoke Rights as a Limit to Sovereignty – Security Interests, State of Emergency and Review of UN Sanctions by Domestic Courts under the European Convention of Human Rights
- Kamrul Hossain & Anna Petrétei, Resource Development and Sámi Rights in the Sápmi Region: Integrating Human Rights Impact Assessment in Licensing Processes
- Erika Nakamura, Monitoring Accountability for UN Peacekeeping under ICCPR
- Gillian Moon, Race to End Poverty? The Roles of Ethnicity and International Economic Law in the Eradication of Extreme Poverty by 2030
- Ulf Linderfalk, Philip Morris Asia Ltd. v. Australia – Abuse of Rights in Investor-State Arbitration



The Global Community: Yearbook of International Law and Jurisprudence

The latest volume of The Global Community: Yearbook of International Law and Jurisprudence (Vol. 2016) is out. Contents include:

- Editorial
 - Giuliana Ziccardi Capaldo, Novelty in ECtHR Case Law on Torture, But It Is Not Enough-Reopening Domestic Proceedings to End Impunity
- Articles
 - Steven W. Becker, Post-Conviction DNA Testing, Actual Innocence, and Cold Cases: A Practitioner's Guide to Freeing the Innocent, Exhuming the Past, and Resurrecting the Truth-Making a Case for Seeking Justice over Finality
 - Valsamis Mitsilegas, Transnational Criminal Law and the Global Rule of Law
- Notes and Comments
 - Francesca Ippolito, Mainstreaming Human Rights in Euro Med Bilateral Relations: "The Road to Hell Is Paved with Good Intentions"
 - Robert Kolb, Réflexions sur le Monisme et le Dualisme dans les Rapports entre Systèmes
 - Anna Oriolo, The Zuchtvieh-Export GmbH v. Stadt Kempten Case -The Triggering of a Substantial Link to 'Export' EU Animal Welfare Law?
 - Karen C. Sokol, Rethinking Rights in the Age of the "Anthropocene": The Potential of a Gandhian-Informed Jurisprudence for Forging Robust Environmental and Public Health Protections
- In Focus: Global Policies and Law
 - Leonardo Borlini, Subsidies Regulation Beyond the WTO: Substance, Procedure and Policy Space in the 'New Generation' EU Trade Agreements
 - Hans Köchler, Normative Inconsistencies in the State System with Special Emphasis on International Law
 - Shavana Musa, Globalising Security Law for a Globalised Arms Trade
- Forum - Jurisprudential Cross-Fertilization: An Annual Overview
 - Antônio Augusto Cançado Trindade, Contemporary International Tribunals: Jurisprudential Cross-Fertilization in Their Common Mission of Realization of Justice
 - Daniel Gervais, The WTO Appellate Body and the TRIPS Agreement
 - Oreste Pollicino & Marco Bassini, Bridge Is Down, Data Truck Can't Get Through . . . A Critical View of the Schrems Judgment in the Context of European Constitutionalism



Review of International Studies

The latest issue of the Review of International Studies (Vol. 43, no. 4, October 2017) is out. Contents include:

- **Forum: Linklater's *Violence and Civilization in the Western States-Systems***
 - John M. Hobson, A critical-sympathetic introduction to Linklater's odyssey: Bridge over troubled (Eurocentric?) water
 - Zeynep Gülşah Çapan, Writing International Relations from the invisible side of the abyssal line
 - Julian Go, 'Civilization' and its subalterns
 - L.H.M. Ling, The missing Other: a review of Linklater's *Violence and Civilization in the Western States-System*
 - Alan Chong, Civilisations and harm: the politics of civilising processes between the West and the non-West
 - Stephen Mennell, Norbert Elias's contribution to Andrew Linklater's contribution to International Relations
 - George Lawson, The untimely historical sociologist
 - Tim Dunne & Richard Devetak, Civilising statecraft: Andrew Linklater and comparative sociologies of states-systems
 - Andrew Linklater, Process sociology, the English School, and postcolonialism – understanding 'civilization' and world politics: a reply to the critics
- **Articles**
 - Roberto Frega, Pragmatism and democracy in a global world
 - Samuel Brazys & Alexander Dukalskis, Canary in the coal mine? China, the UNGA, and the changing world order
 - Randall Germain & Herman Mark Schwartz, The political economy of currency internationalisation: the case of the RMB



International Environmental Agreements: Politics, Law and Economics

The latest issue of International Environmental Agreements: Politics, Law and Economics (Vol. 17, no. 5, October 2017) is out. Contents include:

- Gurdial Singh Nijar, Sélim Louafi, & Eric W. Welch, The implementation of the Nagoya ABS Protocol for the research sector: experience and challenges
- Till Pistorius, Sabine Reinecke, & Astrid Carrapatoso, A historical institutionalist view on merging LULUCF and REDD+ in a post-2020 climate agreement
- Caleb Gallemore, Transaction costs in the evolution of transnational polycentric governance
- Piero Morseletto, Frank Biermann, & Philipp Pattberg, Governing by targets: reductio ad unum and evolution of the two-degree climate target
- Lei Xie & Shaofeng Jia, Diplomatic water cooperation: the case of Sino-India dispute over Brahmaputra
- Adelaide Glover & Heike Schroeder, Legitimacy in REDD+ governance in Indonesia
- S. Yu, E. C. van Ierland, H.-P. Weikard, & X. Zhu, Nash bargaining solutions for international climate agreements under different sets of bargaining weights
- Irene Alvarado-Quesada & Hans-Peter Weikard, International Environmental Agreements for biodiversity conservation: a game-theoretic analysis



Arbitration International

The latest issue of Arbitration International (Vol. 33, no. 3, September 2017) is out. Contents include:

- **Articles**
 - Lucy Reed, Ab(use) of due process: sword vs shield
 - Edward Torgbor, Courts and the effectiveness of arbitration in Africa
 - Mahmoud Reza Firoozmand & Javad Zamani, Force majeure in international contracts: current trends and how international arbitration practice is responding

- o Niklas Elofsson, Immediate reimbursement of substituted advance on costs in international commercial arbitration
- o Christine Sim, Security for Costs in Investor-State Arbitration
- Recent Developments
- o Chinedum Umeche, Arbitrability of tax disputes in Nigeria
- o Harisankar K. Sathyapalan, Indian judiciary and international arbitration: a BIT of a control?



International Community Law Review

The latest issue of the International Community Law Review (Vol. 19, nos. 4-5, 2017) is out. Contents include:

- Eliana Cusato, Back to the Future? Confronting the Role(s) of Natural Resources in Armed Conflict Through the Lenses of Truth and Reconciliation Commissions
- Antonius R. Hippolyte, **ICSID'S Neoliberal Approach to Environmental Regulation in Developing Countries**
- Gaetano Pentassuglia, Self-Determination, Human Rights, and the Nation-State
- **Themistoklis Tzimas, Examination of the 'Assad Must Go' Doctrine**
- Phani Dascalopoulou-Livada & Alexandros Kolliopoulos, The Kiev Civil Liability Protocol and the Interaction between Civil and Administrative Liability Regimes



Manchester Journal of International Economic Law

The latest issue of the Manchester Journal of International Economic Law (Vol. 14, no. 2, 2017) is out. Contents include:

- Gabriel Gari, The Negotiation of a UK - EU Trade Agreement: Objectives, Process and Possible Outcomes
- Kevin Crow, **The Concept of 'Development' in International Economic Law: Three Definitions and an Inquiry into Origin**
- Collins C. Ajibo & Ndubisi Nwafor, Jurisdictional Competence and Deferential Standard of Review in Investor-State Dispute Settlement: A Case for Balance of Prerogatives
- **Elaine Kellman, Water Trade and the WTO: An Analysis of Slovakia's Constitutional Ban on the Export of Water**
- Emily Smithman, Rethinking Regulatory Laws for African Commodity Exchanges
- Gerard J. Sanders, Financing of Investment Projects at the Asian Infrastructure Investment Bank: Institutional Set-up and First Experiences



Questions of International Law

The latest issue of Questions of International Law / Questioni di Diritto Internazionale (no. 42, 2017) is out. Contents include:

- Environmental Impact Assessment after the International Court of Justice decision in Costa Rica-Nicaragua and Nicaragua-Costa Rica: Looking backward, looking forward
- o Introduced by Annalisa Savaresi
- o Simon Marsden, Determining significance for EIA in International Environmental Law
- o Justine Bendel & James Harrison, Determining the legal nature and content of EIAs in International Environmental Law: What does the ICJ decision in the joined Costa Rica v Nicaragua/Nicaragua v Costa Rica cases tell us?



International & Comparative Law Quarterly

The latest issue of the International & Comparative Law Quarterly (Vol. 66, no. 4, October 2017) is out. Contents include:

- Articles
 - Linos-Alexander Sicilianos, The European Court of Human Rights Facing the Security Council: Towards Systemic Harmonization
 - Solène Rowan, The New French Law of Contract
 - Fareda Banda & John Eekelaar, International Conceptions of the Family
 - Rebecca Dowd & Jane McAdam, International Cooperation and Responsibility-Sharing to Protect Refugees: What, Why and How?
 - **Michael Ramsden & Tomas Hamilton, 'Uniting Against Impunity: The UN General Assembly as a Catalyst for Action at the ICC'**
 - Vid Prislán, Domestic Explanatory Documents and Treaty Interpretation
 - Daniel Pascoe & Michelle Miao, Victim-Perpetrator Reconciliation Agreements: What Can Muslim-Majority Jurisdictions and the PRC Learn From Each Other?
- Shorter Articles and Notes
 - Jinyuan Su, Legality of Unilateral Exploitation of Space Resources Under International Law



International Theory

The latest issue of International Theory (Vol. 9, no. 3, November 2017) is out. Contents include:

- Lisa L. Martin, International institutions: weak commitments and costly signals
- Hendrik Huelss, After decision-making: the operationalization of norms in International Relations
- David Roth-Isigkeit, The blinkered discipline?: Martti Koskenniemi and interdisciplinary approaches to international law
- Tore Vincents Olsen & Christian F. Rostbøll, Why withdrawal from the European Union is undemocratic
- Sean Fleming, Moral agents and legal persons: the ethics and the law of state responsibility



International Environmental Agreements: Politics, Law and Economics

The latest issue of International Environmental Agreements: Politics, Law and Economics (Vol. 17, no. 6, December 2017) is out. Contents include:

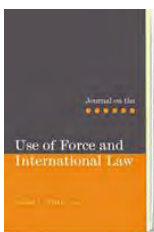
- Kendall Houghton & Helen Naughton, Trade and sustainability: the impact of the International Tropical Timber Agreements on exports
- Paul G. Harris & Taedong Lee, Compliance with climate change agreements: the constraints of consumption
- Hussam Hussein & Mattia Grandi, Dynamic political contexts and power asymmetries: the cases of the Blue Nile and the Yarmouk Rivers
- Prudence Dato, Economic analysis of e-waste market
- Geoff Law & Lorne Kriwoken, The World Heritage **Convention and Tasmania's tall-eucalypt** forests: can an international treaty on environmental protection transcend the vicissitudes of domestic politics?
- Ulrike Kornek, Jan Christoph Steckel, Kai Lessmann, & Ottmar Edenhofer, The climate rent curse: new challenges for burden sharing
- Lambert Schneider, Michael Lazarus, Carrie Lee, & Harro van Asselt, Restricted linking of emissions trading systems: options, benefits, and challenges
- Ning Liu & Carl Middleton, Regional clustering of chemicals and waste multilateral environmental agreements to improve enforcement



Review of International Organizations

The latest issue of the Review of International Organizations (Vol. 12, no. 4, December 2017) is out. Contents include:

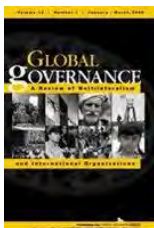
- Michael W. Manulak, Leading by design: Informal influence and international secretariats
- Stephen C. Nelson & Geoffrey P. R. Wallace, Are IMF lending programs good or bad for democracy?
- Michal Parížek, Control, soft information, and the politics of international organizations staffing
- Brian Lai & Vanessa A. Lefler, Examining the role of region and elections on representation in the UN Security Council
- Magnus Lundgren, Which type of international organizations can settle civil wars?



Journal on the Use of Force and International Law

The latest issue of the Journal on the Use of Force and International Law (Vol. 4, no. 2, 2017) is out. Contents include:

- Guest Editorial Comment
 - Claus Kreß & Benjamin Nußberger, Pro-democratic intervention in current international law: the case of The Gambia in January 2017
- Articles
 - Matteo Tondini, The use of force in the course of maritime law enforcement operations
 - **Chris O'Meara, The relationship between national, unit and personal self-defence in international law: bridging the disconnect**
 - Francis Grimal & Jae Sundaram, Cyber warfare and autonomous self-defence
 - **Tobias Kliem, You can't cyber in here, this is the War Room! A rejection of the effects doctrine on cyberwar and the use of force in international law**



Global Governance: A Review of Multilateralism and International Institutions

The latest issue of Global Governance: A Review of Multilateralism and International Institutions (Vol. 23, no. 4, October-December 2017) is out. Contents include:

- The Global Forum
 - Robert C. Johansen, Developing a Grand Strategy for Peace and Human Security: Guidelines from Research, Theory, and Experience
 - Abiodun Williams, The Responsibility to Protect and Institutional Change
- Articles
 - Maria Beatriz Bonna Nogueira, The Promotion of LGBT Rights as International Human Rights Norms: Explaining **Brazil's Diplomatic Leadership**
 - Melanie H. Ram, International Organization Autonomy and Issue Emergence: The **World Bank's Roma Inclusion Agenda**
 - Jeremy Youde, Global Health Governance in International Society
 - Hylke Dijkstra, Collusion in International Organizations: How States Benefit from the Authority of Secretariats



Revista Española de Derecho Internacional

The latest issue of the Revista Española de Derecho Internacional (Vol. 69, no. 2, 2017) is out. Contents include:

- Estudios
 - Luis Garau Juaneda, La Ley 20/2011, del Registro Civil, y sus efectos en el Derecho internacional privado español
 - Caterina García i Segura, "Westfalia, worldfalia, eastfalia". El impacto de las transformaciones de la estructura de poder interestatal en el orden internacional
 - Jorge E. Viñuales, La protección ambiental en el Derecho consuetudinario internacional

- o Mónica Guzmán Zapater, Matrimonios celebrados en el extranjero e inscripción en el Registro Civil: práctica de la Dirección General de los Registros y del Notariado
- o Ricardo Arredondo, "WikiLeaks", Assange y el futuro del asilo diplomático
- o Inmaculada Marrero Rocha, Nuevas dinámicas en las relaciones entre crimen organizado y grupos terroristas
- o Marcela López Vallejo, En la frontera del debate global-local: la provisión de bienes públicos desde la gobernanza escalar
- o Sagrario Morán Blanco, La ciberseguridad y el uso de las Tecnologías de la Información y la Comunicación (TIC) por el terrorismo
- o Aurelio López-Tarruella Martínez, El criterio de las actividades dirigidas como concepto autónomo de DiPr de la Unión Europea para la regulación de las actividades en internet
- o Lucas J. Ruiz Díaz, La prevención de la radicalización en la estrategia contra el terrorismo de la Unión Europea. Entre "soft law" e impulso de medidas de apoyo
- Foro. Ciberseguridad y Derecho Internacional
- o Faustino Córdón Moreno, La orden europea de retención de cuentas en un proceso seguido en España: ¿naturaleza cautelar o ejecutiva?
- o M. Carmen Senés Motilla, La orden europea de retención de cuentas: una apuesta decidida para la tutela cautelar del crédito en asuntos transfronterizos
- Foro. La orden europea de retención de cuentas
- o Gracia Abad Quintanal, Las relaciones entre Estados Unidos y la República Popular China en la era Trump: el arte de la negociación frente al arte de la guerra
- o David García Cantalapiedra, La Administración Trump, el ascenso de la República Popular China y el nuevo "internacionalismo independiente"
- Foro. La Administración Trump, China y la lógica del conflicto en Asia
- o Francesc Xavier Pons Rafols, El Tribunal Constitucional y la Ley catalana de acción exterior y de relaciones con la Unión Europea
- o Miguel García García-Revilla, Falta de jurisdicción de los tribunales españoles para conocer de delitos contra el medio ambiente (pesca IUU) cometidos por españoles mediante buques de pabellón extranjero en alta mar



Global Environmental Politics

The latest issue of Global Environmental Politics (Vol. 17, no. 4, November 2017) is out. Contents include:

- Forum
- o Florian Krampe, Toward Sustainable Peace: A New Research Agenda for Post-Conflict Natural Resource Management
- Research Articles
- o Rebecca L. Gruby, Macropolitics of Micronesia: Toward a Critical Theory of Regional Environmental Governance
- o Paul Tobin, Leaders and Laggards: Climate Policy Ambition in Developed States
- o Kees Jansen, Business Conflict and Risk Regulation: Understanding the Influence of the Pesticide Industry
- o Chandra Lal Pandey & Priya A. Kurian, The Media and the Major Emitters: Media Coverage of International Climate Change Policy
- o Lisa Vanhala, Process Tracing in the Study of Environmental Politics
- o Nina Kolleck, Mareike Well, Severin Sperzel, & Helge Jörgens, The Power of Social Networks: How the UNFCCC Secretariat Creates Momentum for Climate Education
- o Michael J. Bloomfield & Philip Schleifer, Tracing Failure of Coral Reef Protection in Nonstate Market-Driven Governance
- Book Review Essay
- o Alessandro Bonanno, The Contradictions of the Neoliberal Global Agri-Food System



Chinese (Taiwan) Yearbook of International Law and Affairs

The latest volume of the Chinese (Taiwan) Yearbook of International Law and Affairs (Vol. 34, 2016) is out. Contents include:

- Special Section: The South China Sea Arbitration
 - Gerhard Hafner, Some Remarks on the South China Sea Award: Itu Aba versus Clipperton
 - Dustin Kuan-Hsiung Wang, From Dangerous Ground to Safe Playground: A Revisit to Fishery Co-operation in the South China Sea
 - Nguyen Thi Lan Anh, The July 12 Award on the Historic Titles, Historic Rights and Impacts on State Practices in the South China Sea
 - Yen-Chiang Chang, **China's Non-Participation Approach toward the South China Sea Arbitration**
 - **Julian Ku, The Significance of China's Rejection of the South China Sea Arbitration for Its Approach to International Dispute Settlement and International Law**
- Articles
 - Alonso E. Illueca, **Enforcing the United Nations Security Council's Arms Embargo on the Democratic People's Republic of Korea: A Case Study of the Legal Consequences of the Chong Chon Gang Incident**
 - Stephen Allen, **Dean v. Lord Advocate and the Non-Refoulement Principle at the Margins**
 - Bo-jiun Jing, **"Go South" Going South? Assessing Taiwan's "New Southbound" Policy and the China Factor in Southeast Asia**

[VOLVER AL INDICE](#)

Sección 5 / Calendario Académico

Capacitación en áreas relacionadas con el Derecho Internacional

UNIVERSIDAD TORCUATO DI TELLA

Maestría y Doctorado en Estudios Internacionales

http://www.utdt.edu/ver_contenido.php?id_contenido=166&id_item_menu=793

UNIVERSIDAD NACIONAL DE TRES DE FEBRERO

Maestría en Relaciones Comerciales Internacionales

<http://untref.edu.ar/posgrados/maestria-en-relaciones-comerciales-internacionales/>

Maestría en Integración Latinoamericana

<http://untref.edu.ar/posgrados/maestria-en-integracion-latinoamericana/>

Maestría en Políticas y Gestión de las Migraciones Internacionales

<http://untref.edu.ar/posgrados/maestria-en-politicas-y-gestion-de-las-migracionesinternacionales/>

Maestría en Derecho del Trabajo y Relaciones Laborales Internacionales

<http://untref.edu.ar/posgrados/maestria-en-derecho-del-trabajo-y-relaciones-laboralesinternacionales/>

UNIVERSIDAD DEL SALVADOR (USAL)

Maestría en Relaciones Internacionales

<http://csoc.usal.edu.ar/posgrado/maestria-relaciones-internacionales>

Maestría en Comercio Internacional

<http://fceye.usal.edu.ar/posgrado/maestria-comercio-internacional>

Doctorado en Relaciones Internacionales

<http://csoc.usal.edu.ar/posgrado/doctorado-relaciones-internacionales>

UNIVERSIDAD DE SAN ANDRES

Maestría en Política y Economía Internacionales

<http://www.udesa.edu.ar/departamento-de-ciencias-sociales/maestria-en-politica-yeconomia-internacionales>

UNIVERSIDAD NACIONAL DE LA PLATA (UNLP)

Maestría en Relaciones Internacionales

<http://www.iri.edu.ar/index.php/2016/04/13/maestria-3/>

Doctorado en Relaciones Internacionales

<http://www.iri.edu.ar/index.php/2015/10/31/doctorado/>

UNIVERSIDAD DE BUENOS AIRES (UBA)

Especialización en Derecho Internacional de los Derechos Humanos

http://www.derecho.uba.ar/academica/posgrados/carr_especializacion.php

Maestría en Relaciones Internacionales

http://www.derecho.uba.ar/academica/posgrados/mae_rel_inter.php

Maestría en Derecho Internacional de los Derechos Humanos

http://www.derecho.uba.ar/academica/posgrados/mae_der_internacional_ddhh.php

Maestría en Derecho Internacional Privado

http://www.derecho.uba.ar/academica/posgrados/mae_der_int_privado.php

Maestría en Derecho Penal del MERCOSUR

http://www.derecho.uba.ar/academica/posgrados/mae_der_penal_mercosur.php

Maestría en Relaciones Económicas Internacionales

<http://www.economicas.uba.ar/posgrado/>

Doctorado en Derecho Internacional

<http://www.derecho.uba.ar/academica/posgrados/doctorado.php>

UNIVERSIDAD NACIONAL DE ROSARIO

Doctorado en Relaciones Internacionales

<http://www.fcpolit.unr.edu.ar/posgrado/doctorado-en-relaciones-internacionales/>

[VOLVER AL INDICE](#)

Sección 6 / Entrevista

Entrevista al Profesor Rüdiger Wolfrum¹



Durante el mes de agosto de 2017, el Profesor Rüdiger Wolfrum visitó el Consejo Argentino para las Relaciones Internacionales y aprovechamos la oportunidad para realizarle una entrevista que fue posible, asimismo, gracias a la colaboración de la Profesora Paula María Vernet. El encuentro se desarrolló exclusivamente en inglés, razón por la cual se facilita una publicación bilingüe de cada pregunta formulada junto a su respuesta, para que nuestros lectores puedan leer, directamente, las ideas de nuestro entrevistado.

1.- What attracted you to international law? Was there a special Professor or mentor who influenced your decision?

I was attracted by Professor Dr. Karl Josef Partsch, a specialist for the protection of human rights, to international law in general and human rights in particular. When I started my studies in law in 1964 international law was not what it was today. The rules concerning the protection of human rights was besides the UN Charter as well as the rules in war the only area covered by a more or less coherent legal system.

2.- You have pursued a career in academics and you have also been a judge, an arbitrator and worked as a lawyer. What differences do you see in those roles, do you think that they require a different preparation?

As an academic you are free to choose your topic and writings may or may not have a bearing upon the day to day life of citizens. As an academic I was (and I am still) attracted to law as a means to influence the relationship between individuals, between States or between individuals and States. In this respect I differ from those of my colleagues who find their academic satisfaction in the development of theories and are close to philosophers. With my

1.- ¿Qué lo atrajo hacia el derecho internacional? ¿Hubo algún profesor o mentor que influyó en su decisión?

El Profesor Dr. Karl Josef Partsch, especialista en protección de los derechos humanos, me atrajo hacia el derecho internacional en general y hacia los derechos humanos en particular. Cuando comencé mis estudios de derecho en 1964, el derecho internacional no era lo que es hoy. Las normas relativas a la protección de los derechos humanos eran, además de la Carta de las Naciones Unidas, así como las leyes de la guerra, el único ámbito cubierto por un sistema jurídico más o menos coherente.

2.- Usted ha seguido una carrera académica y también ha sido juez, árbitro y ha trabajado como abogado. ¿Qué diferencias ve en esos roles, piensa que los mismos requieren una preparación diferente?

Como académico usted tiene la libertad de elegir su tema y sus escritos pueden o no tener influencia sobre la vida cotidiana de los ciudadanos. Como académico me atraía (y me atrae aún) el Derecho como un medio para influir en la relación entre individuos, entre Estados o entre individuos y Estados. En este sentido, difiero con aquellos colegas que encuentran su satisfacción académica en el desarrollo de teorías y son casi filósofos. Con mi enfoque más orientado a la práctica no veo mucha diferencia

¹ Abogado, Doctor en Jurisprudencia (Bonn University) y antiguo Director del Max Planck Institute for Comparative Public Law and International Law de Heidelberg (1993–2013). Ha sido profesor de derecho internacional desde 1973 en la Universidad de Bonn, Mainz y Kiel (Alemania), y también en el extranjero como profesor invitado como, por ejemplo, en la Universidad de Minnesota (Mineapolis) y la Escuela de Derecho de Yale. Recientemente, recibió el Doctorado *Honoris Causa* de la Universidad Nacional de Cuyo. Ha desempeñado cargos de gran importancia, destacándose de entre ellos como Juez del Tribunal Internacional del Derecho del Mar (1996-2017, Presidente entre 2005-2008) y Miembro del *Institut de Droit International* (desde el año 2007). Es autor de numerosas obras de la especialidad.

more practice oriented approach I see not much difference between an academic and a judge or an arbitrator respectively. However, a difference exists in respect of acting as counsel.

3.- Could you tell us which was your favorite project/job you worked in and why?

1. Chairman of the negotiations between the Government of Sudan and the SPLM which ultimately led to the secession of South Sudan from Sudan although I deeply regret the later development and civil war in South Sudan. This was a rare opportunity in assisting to bring an end to the long lasting civil war in the then Sudan.

2. Membership in the Conciliation Commission Timor-Leste v. Australia. It offered a full range of options to assist the Parties to reach an agreement on delimitation and related issues.

4.- What drove you towards the law of the sea?

Actually I am not only interested in the law of the sea. The subject which academically interested me was –and still is– the administration of spaces beyond national jurisdiction. For that reason I am particularly interested in the government of the deep seabed, the high seas and Antarctica (the claims of several States including Argentina is part of the issue) as well as the Arctic.

5.- Which were the pros and cons of being a Judge at ITLOS?

The pro is that you are called upon to decide on legal disputes which is an element of preserving peace. The disadvantage is that as a member of that body you lose some of your freedom to discuss certain politically sensitive issues.

6.- Can you share with us any insights on the Provisional measures of the ARA Libertad case, which was very important for Argentina?

I should rather not we are not supposed as judges to speak about the deliberations.

entre un académico y un juez o un árbitro respectivamente. Sin embargo, existe una diferencia con respecto a actuar como abogado.

3.- ¿Podría decirnos cuál fue su proyecto/trabajo favorito en el que haya participado y por qué?

1. Presidente en las negociaciones entre el Gobierno de Sudán y el SPLM (Ejército de Liberación del Pueblo de Sudán) que finalmente llevaron a la secesión de Sudán del Sur de Sudán, aunque lamento profundamente el posterior desarrollo y la guerra civil en Sudán del Sur. Esto fue una oportunidad única de ayudar a poner fin a la prolongada guerra civil en el entonces Sudán.

2. Miembro del Comité de Conciliación Timor-Leste contra Australia. Esto ofreció una amplia variedad de opciones para ayudar a las partes a alcanzar un acuerdo sobre delimitación y asuntos relacionados.

4.- ¿Qué lo condujo hacia el derecho del mar?

En realidad no estoy únicamente interesado en el derecho del mar. La materia que me interesó –y aún me interesa– académicamente es la administración de los espacios más allá de la jurisdicción nacional. Por esa razón estoy particularmente interesado en el gobierno de los fondos marinos, de alta mar y de la Antártida (los reclamos de varios Estados, incluida la Argentina, es parte del tema), así como del Ártico.

5.- ¿Cuáles fueron las ventajas y las contras de ser Juez del Tribunal Internacional del Derecho del Mar?

Lo positivo es que uno es llamado a decidir sobre controversias legales lo cual es un elemento de preservación de la paz. La desventaja es que como miembro de ese cuerpo uno pierde la libertad de discutir ciertos asuntos políticamente sensibles.

6.- ¿Puede compartir con nosotros algunas ideas sobre las medidas provisionales del caso ARA Libertad, que fue muy importante para Argentina?

No debería, se supone que nosotros como jueces no debemos hablar sobre las deliberaciones.

7.- Which are the topics in international law that you consider of special relevance nowadays? Are these very different from the once you thought when you started your career?

Issues have become more complex in international law in general and in some areas, such as environmental law or law of the sea, in particular. There are hardly any area where States are free to decide issues purely on the basis of their national interest. Therefore, the slogan 'my country first' is, at least in this rigidity misleading and not appropriate for today's international relations. Otherwise the leaders of some States such as North Korea or Iran should be applauded. International relations of today are heavily governed by the demand to recognize and serve community interests.

Apart from that international law will in the future have to become more interdisciplinary. The interchange with sciences such as physics, biology and oceanography is underdeveloped.

8.- Which are the challenges the international community will face in the near future?

To find better mechanisms to define and protect community interests.

9.- Any tips for law students or law graduates who want to specialize in international law?

To specialize on international law requires a full knowledge of national law. Be open to findings of science; learn as many languages as possible (not only English which is a must, though); study abroad but return home.

7.- ¿Cuáles son los temas del derecho internacional que usted considera que tienen especial relevancia en la actualidad? ¿Son ellos muy diferentes a los que usted pensó cuando comenzó su carrera?

Las cuestiones se han tornado más complejas en el derecho internacional en general y en algunas áreas, como el derecho ambiental o el derecho del mar, en particular. Casi no hay área donde los Estados tengan libertad de decidir cuestiones puramente sobre la base de su interés nacional. Por lo tanto, el eslogan "mi país primero" es, al menos en esta rigidez, engañoso e impropio para la relaciones internacionales actuales. De lo contrario, los líderes de algunos Estados como Corea del Norte o Irán deberían ser aplaudidos. Las relaciones internacionales de hoy están fuertemente regidas por la exigencia de reconocer y servir a los intereses comunitarios.

Aparte de eso, el derecho internacional tendrá que tornarse más interdisciplinario en el futuro. El intercambio con ciencias como la física, la biología y la oceanografía está por debajo del desarrollo ideal.

8.- ¿Cuáles son los desafíos que la comunidad internacional enfrentará en el futuro cercano?

Encontrar mejores mecanismos para definir y proteger los intereses comunitarios.

9.- ¿Algún consejo para estudiantes de derecho o graduados en derecho que deseen especializarse en derecho internacional?

Especializarse en derecho internacional requiere pleno conocimiento del derecho nacional. Estar abierto a los hallazgos de la ciencia; aprender tantos idiomas como sea posible (no sólo inglés que es obligatorio); estudiar en el exterior pero regresar a casa.

[VOLVER AL INDICE](#)