CARI / CONSEJO ARGENTINO PARA LAS RELACIONES INTERNACIONALES

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Editorial

Con gran orgullo y felicidad finalizamos un nuevo año de publicación del Boletín del Instituto de Derecho Internacional del Consejo Argentino para las Relaciones Internacionales. Un proyecto que nació hace casi diez años y que -de manera ininterrumpida- se publica con el objeto de brindar a todos aquellos interesados en esta rama de la ciencia del derecho, un recurso de consulta sencillo focalizado en datos prácticos y de fácil acceso.

El número que hoy presentamos cuenta con valiosas reseñas sobre la publicación de obras bibliográficas elaboradas por autores nacionales e internacionales, capacitaciones académicas en materia de derecho internacional público, derecho internacional privado y relaciones internacionales, contenidos vinculados con fallos de tribunales internacionales, información actualizada sobre la vigencia a nivel nacional de tratados internacionales y, como habitualmente, la visión de un reconocido especialista en la materia quien con gran generosidad comparte su pasado y su presente en el mundo del derecho internacional.

Los miembros del Instituto de Derecho Internacional, deseamos agradecer y reconocer a las personas que acompañan y promueven este Boletín, en especial, a nuestros estimados lectores. En la certeza de que el nuevo año volverá a reunirnos en este apreciado proyecto, les deseamos unas muy Felices Fiestas y un próspero 2020.

Tamara Quiroga.-

Secciones

Sección 1 / Agenda Internacional

Últimas noticias destacadas desde agosto 2019 a diciembre 2019.
Fuentes: https://www.cancilleria.gob.ar/es/actualidad/noticias / https://www.dipublico.org / https://news.un.org/

13 de agosto
Declaración del Grupo de Lima
Los gobiernos de Argentina, Brasil, Canadá, Chile, Colombia, Costa Rica, Guatemala, Guyana, Honduras, Panamá, Paraguay, Perú, Santa Lucia y Venezuela, miembros del Grupo de Lima, rechazan de manera categórica la amenaza de la ilegítima Asamblea Nacional Constituyente del régimen de Maduro de convocar inconstitucionalmente a elecciones adelantadas para la Asamblea Nacional de Venezuela, única autoridad legítima y democráticamente electa.
Ver nota completa

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23 de agosto
Comunicado Conjunto de los Presidentes Mauricio Macri y Mario Abdo Benítez
Los Presidentes de la República del Paraguay, Mario Abdo Benítez, y de la República Argentina, Mauricio Macri, mantuvieron una reunión en el marco del Acto de Habilitación de la Circulación por el Coronamiento de la Represa de Yacyretá, en la cual subrayaron la concreción de varios hitos en la agenda bilateral: la ampliación de la exención de embarcar prácticos a buques autopropulsados, que es extensiva a las embarcaciones de bandera paraguaya, y la habilitación efectiva del Paso Fronterizo Yacyretá, en beneficio del desarrollo y de la integración de las poblaciones de Ayolas (Misiones) e Ituzaingó (Corrientes).
Ver nota completa

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25 de agosto
Cierre de las negociaciones Mercosur - EFTA
El viernes 23 de agosto de 2019, en Buenos Aires, se concluyeron las negociaciones de un acuerdo de libre comercio entre el MERCOSUR y la Asociación Europea de Libre Comercio (EFTA, por sus siglas en inglés), bloque integrado por Islandia, Liechtenstein, Noruega y Suiza. Las negociaciones entre ambos bloques fueron lanzadas en enero de 2017 y finalizadas tras diez rondas.
Ver nota completa

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29 de agosto
Comunicado del Grupo de Lima
Los gobiernos de Argentina, Brasil, Canadá, Chile, Colombia, Costa Rica, Guatemala, Honduras, Paraguay y Perú, miembros del Grupo de Lima, respaldan la decisión del Presidente Encargado de Venezuela, Juan Guaidó, de designar a Julio Borges como Comisionado Presidencial para Asuntos Exteriores. Consideran que esta decisión redundará en un incremento del apoyo internacional favorable al cese de la usurpación e inicio de una transición pacífica hacia la democracia en Venezuela.
Ver nota completa

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30 de agosto
Argentina asume la presidencia de la 6ta Conferencia del Tratado sobre el Comercio de Armas
Argentina, a través del Representante Permanente ante los Organismos Internacionales en Ginebra, Embajador Carlos Foradori, asumió la presidencia de la 6ta Conferencia de Estados Parte del Tratado sobre el Comercio de Armas.
Ver nota completa

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3 de septiembre
Aniversario de la Secretaría del Tratado Antártico
El 1 de septiembre de 2019 se cumplieron 15 años del comienzo de operaciones de la Secretaría del Tratado Antártico en Buenos Aires, resultado de un largo proceso de negociaciones diplomáticas y un reconocimiento al compromiso de la Argentina con el Sistema del Tratado Antártico.
Ver nota completa

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10 de septiembre
Biodiesel a EEUU: Decisión de la Corte de Comercio Internacional de EEUU (USCIT) sobre los derechos antidumping impuestos a las importaciones de Argentina
La Cancillería argentina recibió la decisión de la Corte de Comercio Internacional de EEUU de remitir para su revisión al Departamento de Comercio de ese país ciertos aspectos centrales de la investigación sobre antidumping, en virtud de la cual, en abril de 2018, se impusieron al biodiesel exportado desde Argentina aranceles que promedian 74%. La decisión de la Corte coincide con la postura sostenida por Argentina en el sentido de que la orden antidumping del Departamento de Comercio no resulta consistente con la propia legislación estadounidense en la materia.
Ver nota completa

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11 de septiembre
Acuerdo con China para el ingreso de harina de soja
Luego de un trabajo conjunto entre los Ministerios de Agricultura, Ganadería y Pesca, y de Relaciones Exteriores y Culto, la embajada argentina en China, y el Senasa, el canciller Jorge Faurie y el ministro Luis Miguel Etchevehere anunciaron formalmente el acuerdo con la República Popular de China para la apertura del mercado de la harina de soja.
Ver nota completa

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17 de septiembre
CorteIDH – Argentina es responsable por la violación al derecho a recurrir el fallo ante un tribunal superior
En el Caso Gorigoitía Vs. Argentina, la Corte Interamericana de Derechos Humanos encontró al Estado de Argentina responsable por la violación al derecho a recurrir el fallo ante un tribunal superior en perjuicio de Oscar Raúl Gorigoitía.
Ver nota completa

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26 de septiembre
Declaración Conjunta: Grupo de Lima y Grupo Internacional de Contacto
La Alta Representante de la Unión Europea, los Ministros de Relaciones Exteriores de España y Portugal, el Asesor Especial de la UE para Venezuela y un Representante de Alemania, miembros del Grupo Internacional de Contacto y los Ministros de Relaciones Exteriores de Argentina, Chile, Colombia y Perú, y el Vice Canciller de Honduras, miembros del Grupo de Lima, junto con los Ministros de Relaciones Exteriores de Costa Rica y de Panamá, miembros de ambos Grupos, reafirmaron su invariable compromiso con la recuperación de la democracia, la adhesión al Estado

de derecho y los derechos humanos en Venezuela, a través de una transición pacífica mediante elecciones presidenciales libres y transparentes.
Ver nota completa

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27 de septiembre
Resolución "Situación de los derechos humanos en la República Bolivariana de Venezuela"
Esta resolución establece una "misión internacional independiente de determinación de los hechos", que se desplazará a Venezuela para investigar las ejecuciones extrajudiciales, las desapariciones forzadas, las detenciones arbitrarias y otras violaciones a los derechos humanos cometidos en Venezuela desde 2014, con miras a asegurar la plena rendición de cuentas de los autores y la justicia para las víctimas.
Ver nota completa

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27 de septiembre
La Argentina y Japón trabajarán juntos en el desarrollo del hidrógeno como combustible limpio
En el marco de la Asociación estratégica establecida entre la Argentina y Japón, ambos países suscribieron un Memorándum de Cooperación en materia de hidrógeno para impulsar su desarrollo como fuente de energía no contaminante.
Ver nota completa

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27 de septiembre
El Consejo de Derechos Humanos establece una misión internacional para Venezuela
El Consejo de Derechos Humanos de las Naciones Unidas decidió establecer "*una misión internacional independiente de determinación de los hechos* (…) *y enviar urgentemente esa misión a la República Bolivariana de Venezuela para que investigue las ejecuciones extrajudiciales, las desapariciones forzadas, las detenciones arbitrarias y las torturas y otros tratos crueles, inhumanos o degradantes cometidos desde 2014, con miras a asegurar la plena rendición de cuentas de los autores y la justicia para las víctimas*".
Ver nota completa

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8 de octubre
La ONU sufre la peor crisis de liquidez en una década
El Secretario General de las Naciones Unidas, António Guterres, ha comunicado a los Estados miembros que la Organización sufre la peor crisis de efectivo en casi una década y que corre el riesgo de agotar sus reservas de liquidez a finales de octubre, un escenario que podría comportar el impago del personal y de los proveedores.
Ver nota completa

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9 de octubre
Cuestión Malvinas: Sobre las actividades de exploración y explotación de hidrocarburos en el área en disputa
Ante los anuncios de las empresas "Rockhopper PLC" y "Premier Oil PLC", en relación con el yacimiento de hidrocarburos denominado "Sea Lion" y la empresa "Argos Resources", titular de la "licencia" PL001, adyacente a dicho yacimiento, la República Argentina recuerda que tales empresas se encuentran operando en la plataforma continental próxima a las Islas Malvinas, sin contar con la autorización del Gobierno argentino.
Ver nota completa

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13 de octubre
Declaración de los países del MERCOSUR sobre la situación de la República del Ecuador
Ante los actos de violencia registrados en la república hermana del Ecuador, los Estados Parte del MERCOSUR reiteran su apoyo al gobierno democráticamente constituido de Ecuador, al Presidente Lenín Moreno y anhelan la pronta restauración de la paz en el país.
Ver nota completa

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18 de octubre
Argentina-Paraguay: Integración fluvial y cooperación en el Alto Paraná
Tuvo lugar en el Palacio San Martín de la Cancillería, una reunión entre la Argentina y el Paraguay a fin de impulsar el dragado y la señalización del tramo compartido con Paraguay del Río Paraná. Como resultado de las negociaciones, se procedió a la firma, en el ámbito de la Comisión Mixta del Río Paraná (COMIP), de un acta de trabajo que contempla el desarrollo de cuatro etapas: Medición de Campo, Diseño de la Vía, Plan de Obra de Dragado y Plan de Señalización.
Ver nota completa

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18 de octubre
Comunicado del Grupo de Lima
Los gobiernos de Argentina, Brasil, Canadá, Chile, Colombia, Costa Rica, Guatemala, Guyana, Honduras, Panamá, Paraguay, Perú y Venezuela, países miembros del Grupo de Lima, deploran profundamente que el régimen ilegítimo y dictatorial de Nicolás Maduro, responsable de muy graves violaciones a los derechos humanos, haya sido elegido al Consejo de Derechos Humanos de las Naciones Unidas para el período 2020-2022.
Ver nota completa

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29 de octubre
El Embajador Rafael Grossi es elegido como Director General del OIEA
El 29 de octubre de 2019, la Junta de Gobernadores del Organismo Internacional de Energía Atómica (OIEA) eligió al Embajador Rafael M. Grossi para el cargo de Director General por el período 2020-2024, cuyo nombramiento será aprobado por la Conferencia General del organismo.
Ver nota completa

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8 de noviembre
Comunicado del Grupo de Lima
Los Gobiernos de Argentina, Brasil, Canadá, Chile, Colombia, Costa Rica, Guatemala, Honduras, Paraguay, Perú y Venezuela, miembros del Grupo de Lima, emitieron un nuevo comunicado desde la ciudad de Brasilia.
Ver nota completa

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11 de noviembre
México anunció el otorgamiento de asilo político a Evo Morales
En un comunicado dado a conocer menos de 24 horas después del anuncio de la dimisión del Presidente de Bolivia, Evo Morales, México anunció el otorgamiento de asilo político a Evo Morales.
Ver nota completa

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11 de noviembre
La Cancillería argentina citó al Embajador de Turquía
La Cancillería argentina citó al Embajador de Turquía en Buenos Aires para reclamar por la presencia el 9 de noviembre pasado en Antalya del iraní Hadi Soleimanpour en la Cumbre del Consejo de Ministros para la Organización para la Cooperación Económica (ECO).
Ver nota completa

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13 de noviembre
Caso Saldaño: CIDH insta a EEUU a cumplir con las recomendaciones de derechos humanos
La Comisión Interamericana de Derechos Humanos (CIDH) instó en el día de hoy a Estados Unidos a cumplir con las recomendaciones emitidas en relación con los derechos humanos del argentino condenado a pena de muerte en el Estado de Texas hace 22 años, Víctor Hugo Saldaño, entre las que se incluyen la conmutación de dicha pena y su traslado fuera del corredor de la muerte.
Ver nota completa

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15 de noviembre
CorteIDH – Argentina es responsable por violación a la garantía del plazo razonable
En la Sentencia del Caso Perrone y Preckel Vs. Argentina, notificada el día de hoy, la Corte Interamericana encontró al Estado de Argentina responsable por la violación de la garantía del plazo razonable, elemento esencial del derecho al acceso a la justicia.
Ver nota completa

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15 de noviembre
Declaración de PROSUR: Sobre la situación de la República de Chile
Los Estados miembros de PROSUR emitieron una declaración frente a los hechos de gran violencia ocurridos en la República de Chile, que han ocasionado muertos y heridos, alterado al orden público, afectado la seguridad ciudadana y destruido bienes públicos y privados.
Ver nota completa

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18 de noviembre
Estados Unidos anuncia que asentamientos israelíes en territorios palestinos no son inconformes al derecho internacional
En unas declaraciones dadas a conocer el pasado 18 de noviembre (véase texto completo), se indica por parte del jefe de la diplomacia norteamericana que: "*After carefully studying all sides of the legal debate, this administration agrees with President Reagan. The establishment of Israeli civilian settlements in the West Bank is not per se inconsistent with international law*".
Ver nota completa

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24 de noviembre
El Gobierno argentino destaca la aprobación de la Ley para convocar Elecciones Generales en Bolivia
El Gobierno argentino destaca la aprobación, por el Senado y Cámara de Diputados bolivianos, de la Ley de Régimen Excepcional y Transitorio para la realización de Elecciones Generales, que establece el marco legal para la salida electoral de la grave crisis político-institucional que atraviesa el país hermano.
Ver nota completa

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29 de noviembre
La Argentina fue elegida para integrar el Consejo de la Organización Marítima Internacional
La elección constituye un reconocimiento de la comunidad internacional a la labor de la Argentina en esa organización y a su contribución a la seguridad de la navegación y a la preservación del medio ambiente marino.
Ver nota completa

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3 de diciembre
Abrumadora mayoría en Naciones Unidas condena los asentamientos de Israel en territorio ocupado palestino
El pasado 3 de diciembre, por una abrumadora mayoría de 147 votos a favor y 7 en contra, la Asamblea General de Naciones Unidas adoptó una resolución condenando dichos asentamientos y exhortando a Israel a que cumpla estrictamente las obligaciones que le incumben en virtud del derecho internacional.
Ver nota completa

VOLVER AL INDICE

Sección 2 / Principales Novedades Normativas

En vigor para Argentina desde enero 2019 – abril 2019.
Fuente: http://tratados.mrecic.gov.ar/busqueda.php

BILATERALES CON OTROS PAISES

ACUERDO ENTRE EL GOBIERNO DE LA REPÚBLICA ARGENTINA Y EL GOBIERNO DEL ESTADO DE ISRAEL SOBRE ASISTENCIA MUTUA EN CUESTIONES ADUANERAS
Firma: Buenos Aires, 12 de Septiembre de 2017
Vigor: 16 de Octubre de 2019
PDF

CONVENIO DE COOPERACIÓN ENTRE LA REPÚBLICA ARGENTINA Y LA REPÚBLICA DEL PERÚ EN MATERIA DE LUCHA CONTRA EL TRÁFICO ILÍCITO DE DROGAS Y EL CRIMEN ORGANIZADO TRANSNACIONAL
Firma: Buenos Aires, 03 de Noviembre de 2017
Vigor: 19 de Septiembre de 2019
PDF

CONVENIO DE RECONOCIMIENTO DE TÍTULOS Y CERTIFICADOS DE ESTUDIOS DE EDUCACIÓN PRIMARIA/BÁSICA, SECUNDARIA/MEDIA Y SUPERIOR -EXCEPTUADOS LOS UNIVERSITARIOS- ENTRE LA REPÚBLICA ARGENTINA Y LA REPÚBLICA DE CHILE.
Firma: Santiago, 22 de Agosto de 2018
Vigor: 16 de Agosto de 2019
PDF

ACUERDO DE COPRODUCCIÓN CINEMATOGRÁFICA Y AUDIOVISUAL ENTRE LA REPÚBLICA ARGENTINA Y EL REINO DE ESPAÑA

Firma: San Sebastián, 23 de Septiembre de 2018
Vigor: 22 de Octubre de 2019
PDF

MEMORÁNDUM DE ENTENDIMIENTO SOBRE COOPERACIÓN EN MATERIA DE EDUCACIÓN, EDUCACIÓN SUPERIOR E INVESTIGACIÓN CIENTÍFICA ENTRE EL GOBIERNO DE LA REPÚBLICA ARGENTINA Y EL GOBIERNO DEL ESTADO DE QATAR

Firma: Buenos Aires, 05 de Octubre de 2018
Vigor: 13 de Noviembre de 2019
PDF

MEMORÁNDUM DE ENTENDIMIENTO ENTRE LA REPÚBLICA ARGENTINA Y LA REPÚBLICA DE AUSTRIA SOBRE UN PROGRAMA DE VACACIONES Y TRABAJO

Firma: Buenos Aires, 04 de Abril de 2019
Vigor: 29 de Septiembre de 2019
PDF

ACUERDO ENTRE LA REPÚBLICA ARGENTINA Y LA MANCOMUNIDAD DE DOMINICA SOBRE SUPRESIÓN DE VISAS PARA TITULARES DE PASAPORTES DIPLOMÁTICOS Y OFICIALES

Firma: Roseau, 20 de Mayo de 2019
Vigor: 17 de Noviembre de 2019
PDF

ACUERDO ENTRE EL GOBIERNO DE LA REPÚBLICA ARGENTINA Y EL GOBIERNO DE LA REPÚBLICA DE ESLOVENIA SOBRE EL EJERCICIO DE TAREAS REMUNERADAS POR PARTE DE LOS FAMILIARES DE LOS MIEMBROS DE MISIONES DIPLOMÁTICAS Y OFICINAS CONSULARES.

Firma: Buenos Aires, 30 de Julio de 2019
Vigor: 10 de Octubre de 2019
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MEMORÁNDUM DE COOPERACIÓN ENTRE EL SISTEMA FEDERAL DE MEDIOS Y CONTENIDOS PÚBLICOS DE LA REPÚBLICA ARGENTINA Y EL MINISTERIO DE ASUNTOS INTERNOS Y COMUNICACIONES DEL JAPÓN

Firma: Tokio, 01 de Agosto de 2019
Vigor: 01 de Agosto de 2019
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MEMORÁNDUM DE ENTENDIMIENTO ENTRE EL INSTITUTO DEL SERVICIO EXTERIOR DE LA NACIÓN DEL MINISTERIO DE RELACIONES EXTERIORES Y CULTO DE LA REPÚBLICA ARGENTINA Y EL INSTITUTO DE DIPLOMACIA DE LA ACADEMIA DE ADMINISTRACIÓN PÚBLICA, DEPENDIENTE DE LA PRESIDENCIA DE LA REPÚBLICA DE KAZAJSTÁN EN MATERIA DE FORMACIÓN DIPLOMÁTICA.

Firma: Buenos Aires, 05 de Agosto de 2019
Vigor: 05 de Agosto de 2019
PDF

PROTOCOLO DE COORDINACIÓN EN EMERGENCIAS ENERGÉTICAS Y DE INFORMACIÓN DE DECISIONES SOBRE OPERACIONES DE COMERCIALIZACIÓN, EXPORTACIÓN, IMPORTACIÓN Y TRANSPORTE DE ENERGÍA ELÉCTRICA Y GAS NATURAL.

Firma: Buenos Aires, 22 de Agosto de 2019
Vigor: 15 de Septiembre de 2019
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ACUERDO POR CANJE DE NOTAS RELATIVO A LA HABILITACIÓN DEL PASO FRONTERIZO YACYRETÁ, SOBRE EL CORONAMIENTO DE LA REPRESA DE YACYRETÁ

Firma: Central Hidroeléctrica Yacyretá, 23 de Agosto de 2019

Vigor: 23 de Agosto de 2019
PDF

MEMORÁNDUM DE ENTENDIMIENTO SOBRE COOPERACIÓN EN INVESTIGACIÓN ANTÁRTICA ENTRE EL MINISTERIO DE RELACIONES EXTERIORES Y CULTO DE LA REPÚBLICA ARGENTINA Y EL SERVICIO DE PLANIFICACIÓN PÚBLICA FEDERAL PARA LAS POLÍTICAS CIENTÍFICAS DEL REINO DE BÉLGICA

Firma: Bruselas, 26 de Agosto de 2019
Vigor: 26 de Agosto de 2019
PDF

PROTOCOLO DE REQUISITOS SANITARIOS Y FITOSANITARIOS PARA LA EXPORTACIÓN DE HARINA DE SOJA DE LA REPÚBLICA ARGENTINA A LA REPÚBLICA POPULAR CHINA ENTRE EL MINISTERIO DE AGRICULTURA, GANADERÍA Y PESCA DE LA REPÚBLICA ARGENTINA Y LA ADMINISTRACIÓN GENERAL DE ADUANAS DE LA REPÚBLICA POPULAR CHINA.

Firma: Beijing, 11 de Septiembre de 2019
Vigor: 11 de Septiembre de 2019
PDF

ACUERDO ENTRE LA REPÚBLICA ARGENTINA Y LA FEDERACIÓN DE SAN CRISTOBAL Y NIEVES SOBRE COOPERACIÓN BILATERAL EN MATERIA DE DEPORTES.

Firma: Basseterre, 19 de Septiembre de 2019
Vigor: 19 de Septiembre de 2019
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MEMORANDUM OF COOPERATION ON HYDROGEN BETWEEN THE GOVERNMENT SECRETARIAT OF ENERGY, OF THE MINISTRY OF THE TREASURY OF THE ARGENTINE REPUBLIC AND THE MINISTRY OF ECONOMY, TRADE AND INDUSTRY OF JAPAN.

Firma: Tokio, 25 de Septiembre de 2019
Vigor: 25 de Septiembre de 2019
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ACUERDO POR CANJE DE NOTAS RELATIVO A ENMIENDA DEL "MEMORÁNDUM DE ENTENDIMIENTO ENTRE EL GOBIERNO DE LA REPÚBLICA ARGENTINA Y EL GOBIERNO DEL REINO DE LOS PAÍSES BAJOS SOBRE UN PROGRAMA DE VACACIONES Y TRABAJO, SUSCRIPTO EL 27 DE MARZO DE 2017".

Firma: Buenos Aires, 12 de agosto de 2019 y La Haya, 30 de septiembre de 2019., 30 de Septiembre de 2019
Vigor: 30 de Septiembre de 2019
PDF

MEMORANDO DE ENTENDIMIENTO PARA EL INTERCAMBIO DE RESIDENCIAS ARTÍSTICAS ENTRE LA SECRETARÍA DE GOBIERNO DE CULTURA DEL MINISTERIO DE EDUCACIÓN, CULTURA Y CIENCIA Y TECNOLOGÍA DE LA REPÚBLICA ARGENTINA Y LA EMBAJADA DE LA REPÚBLICA FRANCESA EN LA REPÚBLICA ARGENTINA

Firma: Buenos Aires, 02 de Octubre de 2019
Vigor: 02 de Octubre de 2019
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MEMORANDO DE ENTENDIMIENTO SOBRE COOPERACIÓN CIENTÍFICA Y TECNOLÓGICA ENTRE LA SECRETARÍA DE GOBIERNO DE CIENCIA, TECNOLOGÍA E INNOVACIÓN PRODUCTIVA DE LA REPÚBLICA ARGENTINA Y EL MINISTERIO DE CIENCIA Y TIC DE LA REPÚBLICA DE COREA

Firma: Sejong, 07 de Octubre de 2019
Vigor: 07 de Octubre de 2019
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ACUERDO ENTRE EL GOBIERNO DE LA REPÚBLICA ARGENTINA Y EL GOBIERNO DE LA REGIÓN ADMINISTRATIVA ESPECIAL DE MACAO DE LA REPÚBLICA POPULAR CHINA SOBRE SUPRESIÓN DE VISAS

Firma: Macao, 14 de Octubre de 2019
Vigor: 13 de Noviembre de 2019
PDF

ACUERDO DE COOPERACIÓN EN MATERIA DE INTERCAMBIO DE INFORMACIÓN PARA EL FORTALECIMIENTO DE LA SEGURIDAD ENTRE EL MINISTERIO DE SEGURIDAD DE LA REPÚBLICA ARGENTINA Y EL MINISTERIO DE SEGURIDAD PÚBLICA DE LA REPÚBLICA POPULAR CHINA

Firma: Buenos Aires, 15 de Octubre de 2019
Vigor: 15 de Octubre de 2019
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ACUERDO ENTRE LA REPÚBLICA ARGENTINA Y LA MANCOMUNIDAD DE DOMINICA SOBRE COOPERACIÓN BILATERAL EN MATERIA DE DEPORTES

Firma: Roseau, 16 de Octubre de 2019
Vigor: 16 de Octubre de 2019
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ACUERDO DE COOPERACIÓN PARA EL INTERCAMBIO DE SISTEMAS INFORMÁTICOS ENTRE LA REPÚBLICA ARGENTINA Y LA REPÚBLICA DE COLOMBIA

Firma: Bogotá, 17 de Octubre de 2019
Vigor: 22 de Diciembre de 2019
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MEMORÁNDUM DE ENTENDIMIENTO INTERINSTITUCIONAL DE COOPERACIÓN EN MATERIA DE INTERCAMBIO DE INFORMACIÓN PARA EL FORTALECIMIENTO DE LA SEGURIDAD EN EVENTOS DEPORTIVOS ENTRE EL MINISTERIO DE SEGURIDAD DE LA REPÚBLICA ARGENTINA Y EL MINISTERIO DEL INTERIOR DE LA REPÚBLICA DEL PARAGUAY

Firma: Buenos Aires, 24 de Octubre de 2019
Vigor: 24 de Octubre de 2019
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ACUERDO ENTRE LA REPÚBLICA ARGENTINA Y SANTA LUCÍA SOBRE COOPERACIÓN BILATERAL EN MATERIA DE DEPORTES

Firma: Castries, 05 de Noviembre de 2019
Vigor: 05 de Noviembre de 2019
PDF

MULTILATERALES

ACUERDO SOBRE LA CREACIÓN E IMPLEMENTACIÓN DE UN SISTEMA DE ACREDITACIÓN DE CARRERAS UNIVERSITARIAS PARA EL RECONOCIMIENTO REGIONAL DE LA CALIDAD ACADÉMICA DE LAS RESPECTIVAS TITULACIONES EN EL MERCOSUR Y ESTADOS ASOCIADOS

Firma por Argentina: 30 de Junio de 2008
Celebración: San Miguel de Tucumán, 30 de Junio de 2008
Vigor: 05 de Octubre de 2019
PDF

ACUERO DE COMPLEMENTACIÓN ECONÓMICA N° 18 CELEBRADO ENTRE ARGENTINAENTINA, BRASIL, PARAGUAY Y URUGUAY- OCTOGÉSIMO QUINTO PROTOCOLO ADICIONAL

Firma por Argentina: 28 de Febrero de 2011
Celebración: Montevideo, 28 de Febrero de 2011
Vigor: 17 de Noviembre de 2019
PDF

ACUERDO DE COMPLEMENTACIÓN ECONÓMICA Nº 18 CELEBRADO ENTRE ARGENTINAENTINA, BRASIL, PARAGUAY Y URUGUAY - CENTÉSIMO SEPTUAGÉSIMO NOVENO PROTOCOLO ADICIONAL

Firma por Argentina: 21 de Junio de 2019
Celebración: Montevideo, 21 de Junio de 2019
Vigor: 21 de Agosto de 2019
PDF

ACUERDO DE COMPLEMENTACIÓN ECONÓMICA Nº 18 CELEBRADO ENTRE ARGENTINAENTINA, BRASIL, PARAGUAY Y URUGUAY - CENTÉSIMO SEPTUAGÉSIMO OCTAVO PROTOCOLO ADICIONAL

Firma por Argentina: 21 de Junio de 2019
Celebración: Montevideo, 21 de Junio de 2019
Vigor: 21 de Agosto de 2019
PDF

ACUERDO DE COMPLEMENTACIÓN ECONÓMICA Nº 18 CELEBRADO ENTRE ARGENTINAENTINA, BRASIL, PARAGUAY Y URUGUAY - CENTÉSIMO SEPTUAGÉSIMO QUINTO PROTOCOLO ADICIONAL

Firma por Argentina: 21 de Junio de 2019
Celebración: Montevideo, 21 de Junio de 2019
Vigor: 21 de Agosto de 2019
PDF

ACUERDO DE COMPLEMENTACIÓN ECONÓMICA Nº 18 CELEBRADO ENTRE ARGENTINAENTINA, BRASIL, PARAGUAY Y URUGUAY - CENTÉSIMO SEPTUAGÉSIMO SÉPTIMO PROTOCOLO ADICIONAL

Firma por Argentina: 21 de Junio de 2019
Celebración: Montevideo, 21 de Junio de 2019
Vigor: 21 de Agosto de 2019
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ACUERDO DE COMPLEMENTACIÓN ECONÓMICA Nº 18 CELEBRADO ENTRE ARGENTINAENTINA, BRASIL, PARAGUAY Y URUGUAY - CENTÉSIMO SEPTUAGÉSIMO SEXTO PROTOCOLO ADICIONAL

Firma por Argentina: 21 de Junio de 2019
Celebración: Montevideo, 21 de Junio de 2019
Vigor: 21 de Agosto de 2019
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ACUERDO DE COMPLEMENTACIÓN ECONÓMICA N° 18 CELEBRADO ENTRE ARGENTINAENTINA, BRASIL, PARAGUAY Y URUGUAY (AAP.CE/18) - CENTÉSIMO OCTOGÉSIMO CUARTO PROTOCOLO ADICIONAL.

Firma por Argentina: 20 de Agosto de 2019
Celebración: Montevideo, 20 de Agosto de 2019
Vigor: 05 de Octubre de 2019
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ACUERDO DE COMPLEMENTACIÓN ECONÓMICA N° 18 CELEBRADO ENTRE ARGENTINAENTINA, BRASIL, PARAGUAY Y URUGUAY (AAP.CE/18) - CENTÉSIMO OCTOGÉSIMO PRIMER PROTOCOLO ADICIONAL.

Firma por Argentina: 20 de Agosto de 2019
Celebración: Montevideo, 20 de Agosto de 2019
Vigor: 05 de Octubre de 2019
PDF

ACUERDO DE COMPLEMENTACIÓN ECONÓMICA N° 18 CELEBRADO ENTRE ARGENTINAENTINA, BRASIL, PARAGUAY Y URUGUAY (AAP.CE/18) - CENTÉSIMO OCTOGÉSIMO QUINTO PROTOCOLO ADICIONAL.

Firma por Argentina: 20 de Agosto de 2019
Celebración: Montevideo, 20 de Agosto de 2019
Vigor: 05 de Octubre de 2019
PDF

ACUERDO DE COMPLEMENTACIÓN ECONÓMICA N° 16 SUSCRITO ENTRE LA REPÚBLICA ARGENTINAENTINA Y LA REPÚBLICA DE CHILE - TRIGÉSIMO PRIMER PROTOCOLO ADICIONAL.

Firma por Argentina: 10 de Octubre de 2019
Celebración: Montevideo, 10 de Octubre de 2019
Vigor: 15 de Septiembre de 2019
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MEMORANDO DE ENTENDIMIENTO ENTRE LA REPÚBLICA ARGENTINAENTINA, LA REPÚBLICA FEDERATIVA DEL BRASIL Y LA REPÚBLICA ORIENTAL DEL URUGUAY SOBRE LA CREACIÓN Y EL FUNCIONAMIENTO DEL COMITÉ DE INTEGRACIÓN FRONTERIZA TRINACIONAL BARRA DO QUARAÍ (BRASIL), MONTE CASEROS (ARGENTINAENTINA) Y BELLA UNIÓN (URUGUAY)

Firma por Argentina: 14 de Octubre de 2019
Celebración: Brasilia, 14 de Octubre de 2019
Vigor: 14 de Octubre de 2019
PDF

ACUERDO DE COMPLEMENTACIÓN ECONÓMICA Nª 18 CELEBRADO ENTRE ARGENTINAENTINA, BRASIL, PARAGUAY Y URUGUAY (AAP.CE/18) - CENTÉSIMO OCTOGÉSIMO SEXTO PROTOCOLO ADICIONAL.

Firma por Argentina: 07 de Noviembre de 2019
Celebración: Montevideo, 07 de Noviembre de 2019
Vigor: 14 de Diciembre de 2019
PDF

BILATERALES CON ORGANISMOS INTERNACIONALES

ACUERDO INTERINSTITUCIONAL EN MATERIA DE ACTIVIDADES NACIONALES E INTERNACIONALES ENTRE EL MINISTERIO DE RELACIONES EXTERIORES Y CULTO DE LA REPÚBLICA ARGENTINA Y LA COMUNIDAD DE SANT'EGIDIO

Firma: Roma, 15 de Noviembre de 2019
Vigor: 15 de Noviembre de 2019
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CORTE INTERAMERICANA DE DERECHOS HUMANOS
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CORTE AFRICANA DE DERECHOS HUMANOS
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Fuentes: http://ilreports.blogspot.com/ / www.marcialpons.es/ / https://www.edisofer.com/

Libros

Sandra C. Negro (coordinadora) (Universidad de Buenos Aires - Law) has published Acuerdo Unión Europea-Mercosur. La comercialización de alimentos en la Unión Europea y el Mercosur (B de F 2019). Here's the abstract:

En esta obra se analizan las barreras arancelarias y no arancelarias entre los bloques económicos de la Unión Europea y el Mercosur, y cómo las mismas pueden incidir notablemente en sus relaciones. A través de sucesivos capítulos de autoría de investigadores y docentes procedentes de distintas áreas y nacionalidad, se brinda un panorama de implementación de las medidas que han sido utilizadas y se encuentran aún vigentes como obstáculos al comercio y que conviven con otras adoptas para preservar la salud o la inocuidad de los alimentos para garantizar los derechos de los consumidores.

Leopoldo M. A. Godio (compilador) (Universidad de Buenos Aires - Law) has published El sistema de solución de controversias de la convención de las Naciones Unidas sobre el Derecho del Mar. Here's the abstract:

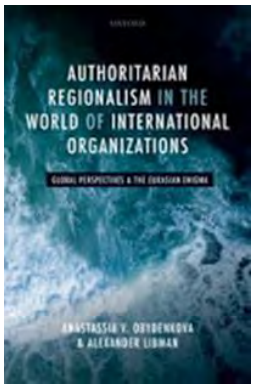
El sistema de solución de controversias de la Convención de las Naciones Unidas sobre el Derecho del Mar de 1982 contribuyó a la consolidación del derecho internacional. La naturaleza y aplicación de su particular procedimiento fueron analizadas en la presente obra por los autores, quienes además aportan valiosas y novedosas reflexiones sobre su posterior influencia en el desarrollo de acuerdos internacionales que, actualmente, se encuentran en negociación.

Esta singular investigación, tal como afirma en su prólogo Elsa Kelly −magistrada del Tribunal Internacional del Mar-, posee un carácter multidisciplinario, aunque se encuentra enraizado en lo jurídico −estrictamente en la mencionada Convención de 1982- junto a una visión que trasciende dicho campo y se enriquece con la comprensión de los desafíos que presenta la solución pacífica de las disputas internacionales generadas a partir de los distintos usos del mar.

Alonso Gurmendi (Universidad del Pacífico - Law) has published Conflicto armado en el Perú. La época del terrorismo bajo el derecho internacional (Fondo Editorial de la Universidad del Pacífico 2019). Here's the abstract:

El libro explora uno de los debates más encarnizados del Perú moderno: ¿Fue la lucha contrasubversiva contra Sendero Luminoso un conflicto armado? El propósito de la publicación es dar contenido a los términos de este debate estudiando la Época del Terrorismo desde la perspectiva del Derecho Internacional Humanitario. Analizado de esta forma, el autor concluye que sí

existió un conflicto armado en el Perú, pero que las consecuencias de ello no son las que se han difundido en el imaginario nacional. El libro desmitifica el conflicto, corrigiendo los errores generados luego de casi veinte años de debate nacional politizado, más concentrado en el legado de ciertas personalidades, que en un entendimiento exacto de lo ocurrido. ¿Cuándo hay un conflicto armado? ¿Califica Sendero Luminoso como un grupo beligerante? ¿Cuál es la relación entre el terrorismo y los conflictos armados? Las preguntas que este libro responde prometen reencuadrar completamente la discusión sobre la Época del Terrorismo, ofreciendo mayores y mejores elementos de discusión para el futuro.

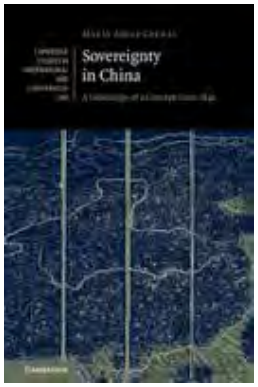


Anastassia V. Obydenkova (Institut Barcelona D'Estudis Internacionals) & **Alexander Libman** (Ludwig-Maximilians-Universität München) have published Authoritarian Regionalism in the World of International Organizations: Global Perspective and the Eurasian Enigma (Oxford Univ. Press 2019). Here's the abstract:

The interconnection between international organizations (IOs) membership and democratization has become a topic of intense debate. However, the main focus of the literature so far has been on IOs created by democratic states and comprised mostly of democracies, for examples the European Union. In contrast to existing studies, this book focuses on another group of regional IOs, referred to as 'non-democratic IOs' which are organizations founded by autocracies.

How do these newly emerged organizations interrelate and interact with the outside world? How do they counteract and confront the danger of democratization in their own member states and neighboring states? This book aims to address these questions by developing a new theory of authoritarian regionalism, and by combining both quantitative and qualitative analysis to test it. The quantitative analysis uses a large dataset of all regional organizations worldwide for the post-World War II period, with the aim of defining historical trends in development and the modification of regionalism over the last seven decades (1945-2015). Qualitative analysis refines and develops the argument by looking at the case of post-Soviet Eurasia.

The book uncovers a new type of regionalism - 'authoritarian regionalism' and traces its historical roots as well as its implications for modern politics. The book is the first attempt to systematically investigate the functioning and the impact of authoritarian regionalism as a new phenomenon as well as its implications for democratization world-wide. The book contributes to the theory of regionalism, international organizations, studies of autocracies, foreign policy, and democratization world-wide.



Maria Adele Carrai (Katholieke Universiteit Leuven) has published Sovereignty in China: A Genealogy of a Concept since 1840(Cambridge Univ. Press 2019). Here's the abstract:

This book provides a comprehensive history of the emergence and the formation of the concept of sovereignty in China from the year 1840 to the present. It contributes to broadening the history of modern China by looking at the way the notion of sovereignty was gradually articulated by key Chinese intellectuals, diplomats and political figures in the unfolding of the history of international law in China, rehabilitates Chinese agency, and shows how China challenged Western Eurocentric assumptions about the progress of international law. It puts the history of international law in a global perspective, interrogating the widely-held belief of international law as universal order and exploring the ways in which its history is closely anchored to a European experience that fails to take into account how the encounter with other non-European realities has influenced its formation.

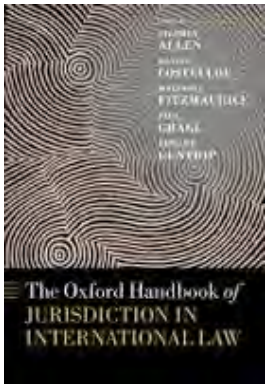
Mary Ellen O'Connell (Univ. of Notre Dame - Law), **Christian J. Tams** (Univ. of Glasgow - Law), & **Dire Tladi** (Univ. of Pretoria) have published Self-Defence against Non-State Actors (Max Planck Trialogues, Vol. 1; Cambridge Univ. Press 2019). The table of contents is here. Here's the abstract:

In this book, self-defence against non-state actors is examined by three scholars whose geographical, professional, theoretical, and methodological backgrounds and outlooks differ greatly. Their trialogue is framed by an introduction and a conclusion by the series editors. The novel scholarly format accommodates the pluralism and value changes of the current era, a shifting world order and the rise in nationalism and populism. It brings to light the cultural, professional and political pluralism which characterises international legal scholarship and exploits this pluralism as a heuristic device. This multiperspectivism exposes how political factors and intellectual styles influence the scholarly approaches and legal answers and the trialogical structure encourages its participants to decentre their perspectives. By explicitly focussing on the authors' divergence and disagreement, a richer understanding of self-defence against non-state actors is achieved, and the legal challenges and possible ways ahead identified.

Mark A. Drumbl (Washington and Lee Univ. - Law) & **Jastine C. Barrett** have published Research Handbook on Child Soldiers (Edward Elgar Publishing 2019). The table of contents is here. Here's the abstract:

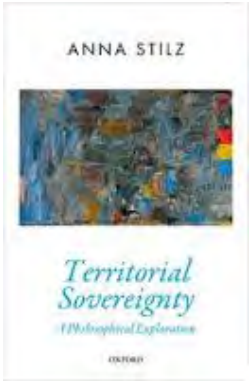
Child soldiers remain poorly understood and inadequately protected, despite significant media attention and many policy initiatives. This Research Handbook aims to redress this troubling gap. It offers a reflective, fresh and nuanced review of the complex issue of child soldiering. The Handbook brings together scholars from six continents, diverse experiences, and a broad range of disciplines. Along the way, it unpacks the life-cycle of youth and militarization: from recruitment to demobilization to return to civilian life. The overarching aim of the Handbook is to render the invisible visible – the contributions map the unmapped and chart

new directions. Challenging prevailing assumptions and conceptions, the Research Handbook on Child Soldiers focuses on adversity but also capacity: emphasising the resilience, humanity, and potentiality of children affected (rather than 'afflicted') by armed conflict.



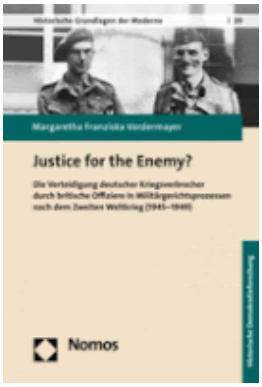
Stephen Allen (Queen Mary, Univ. of London - Law), **Daniel Costelloe** (Wilmer Cutler Pickering Hale and Dorr LLP), **Malgosia Fitzmaurice** (Queen Mary, Univ. of London - Law), **Paul Gragl** (Queen Mary, Univ. of London - Law), & **Edward Guntrip** (Univ. of Sussex - Law) have published The Oxford Handbook of Jurisdiction in International Law (Oxford Univ. Press 2019). Contents include:

- Stephen Allen, Daniel Costelloe, Malgosia Fitzmaurice, Paul Gragl, & Edward Guntrip, Introduction: Defining State Jurisdiction and Jurisdiction in International Law
- Kaius Tuori, The Beginnings of State Jurisdiction in International Law until 1648
- Stephane Beaulac, The Lotus Case in Context - Sovereignty, Westphalia, Vattel, Positivism
- Nurfadzilah Yahaya, The European Concept of Legal Jurisdiction in the Colonies
- Stephan Wittich, Immanuel Kant and Jurisdiction in International Law
- Helen Quane, Navigating Diffuse Jurisdictions: An Intra-State Perspective
- Paul Schiff Berman, Jurisdictional Pluralism
- Mariana Valverde, Deepening the Conversation Between Sociolegal Theory and Legal Scholarship About Jurisdiction
- Shaun McVeigh, Critical Approaches to Jurisdiction and International Law
- Cedric Ryngaert, Cosmopolitan Jurisdiction and the National Interest
- Paul Gragl, Jurisdictional Immunities of the State in International Law
- Dino Kritsiotis, The Establishment, Change, and Expansion of Jurisdiction through Treaties
- Uta Kohl, Territoriality and Globalization
- Alex Mills, Private law Regulation and Private Interests in Public International Law Jurisdiction
- Kimberly Trapp, Jurisdiction and State Responsibility
- Stephen Allen, Enforcing Criminal Jurisdiction in the Clouds and International Law's Enduring Commitment to Territoriality
- Wouter Vandehole, The 'J' word: Driver or Spoiler of Change in Human Rights Law?
- Edward Guntrip, International Investment Law, Hybrid Authority and Jurisdiction Daniel Costelloe, Concepts of State Jurisdiction in the Contentious and Advisory Jurisprudence of the International Court of Justice and the Permanent Court of International Justice
- Georg Kerschischnig & Blanca Montejo The Evolving Nature of the Jurisdiction of the Security Council - a Look at Twenty-First Century Practice
- Kirsten Schmalenbach, International Criminal Jurisdiction Revisited
- James Summers, Jurisdiction and International Territorial Administration



Anna Stilz (Princeton Univ. - Politics) has published Territorial Sovereignty: A Philosophical Exploration (Oxford Univ. Press 2019). Here's the abstract:

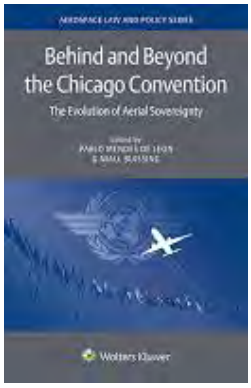
Territorial Sovereignty: A Philosophical Exploration offers a qualified defense of a territorial states-system. It argues that three core values-occupancy, basic justice, and collective self-determination-are served by an international system made up of self-governing, spatially defined political units. The defense is qualified because the book does not actually justify all the sovereignty rights states currently claim, and that are recognized in international law. Instead, the book proposes important changes to states' sovereign prerogatives, particularly with respect to internal autonomy for political minorities, immigration, and natural resources. Part I of the book argues for a right of occupancy, holding that a legitimate function of the international system is to specify and protect people's preinstitutional claims to specific geographical places. Part II turns to the question of how a state might acquire legitimate jurisdiction over a population of occupants. It argues that the state will have a right to rule a population and its territory if it satisfies conditions of basic justice and also facilitates its people's collective self-determination. Finally, Parts III and IV of this book argue that the exclusionary sovereignty rights to control over borders and natural resources that can plausibly be justified on the basis of the three core values are more limited than has traditionally been thought.



Margaretha Franziska Vordermayer has published Justice for the Enemy? Die Verteidigung deutscher Kriegsverbrecher durch britische Offiziere in Militärgerichtsprozessen nach dem Zweiten Weltkrieg (1945-1949) (Nomos 2019). Here's the abstract:

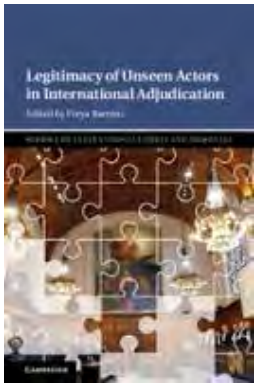
Between 1945 and 1949, a total of 329 court martials were conducted in the British occupation zone in Germany. In addition to German lawyers, 46 British officers took on a mandate as public defenders. German lawyers, British defence counsels, prosecutors and judges created a specific form of transnational cooperation in these tribunals.

At the heart of this study is the now largely forgotten role of British officers who represented alleged German war criminals in military courts and significantly shaped the public image of their clients. The study illuminates the defendants who were prosecuted and the crimes they were accused of on the basis of sources that have barely been explored so far, as well as the proceedings and the judgements of the 34 tribunals. In addition to the description of the tribunals, concepts of transitional justice provide further access to these military court cases and the British defenders who operated there—their backgrounds, their protagonists and, not least, their consequences.



Pablo Mendes de Leon (Leiden Univ. - Law) & **Niall Buissing** (Leiden Univ.) have published Behind and Beyond the Chicago Convention: The Evolution of Aerial Sovereignty (Wolters Kluwer 2019). The table of contents is here. Here's the abstract:

Behind and Beyond the Chicago Convention is intended to analyse the concept of sovereignty in international civil aviation, how it evolved in the course of times, how it related to European integration process and to air traffic management. The meaning of sovereignty has been analysed philosophically and linked to current conceptions in an evolutionary process. The Convention on International Civil Aviation that concluded in Chicago on 7 December 1944, commonly referred to as the Chicago Convention, is one of the most ratified multilateral agreements currently in force, with 193 States Parties. In this deeply informative book, commemorating the 75th birthday of the Convention on International Civil Aviation, thirty-three of the most distinguished authors in aviation law offer perspectives on the quality of the Convention's achievements.



Freya Baetens (Universitetet i Oslo - Law) has published Legitimacy of Unseen Actors in International Adjudication (Cambridge Univ. Press 2019). The table of contents is here. Here's the abstract:

International courts and tribunals differ in their institutional composition and functions, but a shared characteristic is their reliance on the contribution of individuals other than the judicial decision-makers themselves. Such 'unseen actors' may take the form of registrars and legal officers, but also non-lawyers such as translators and scientific experts. Unseen actors are vital to the functioning of international adjudication, exerting varying levels of influence on judicial processes and outcomes. The opaqueness of their roles, combined with the significance of judicial decisions for the parties involved as well as a wider range of stakeholders, raises questions about unseen actors' impact on the legitimacy of international dispute settlement. This book aims to answer such legitimacy questions and identify 'best practices' through a multifaceted enquiry into common connections and patterns in the institutional composition and daily practice of international courts and tribunals.

Tobias Winkler has published Die Vereinten Nationen im Gefüge der internationalen Organisationen: Eine rechtsdogmatische Untersuchung (Nomos 2019). Here's the abstract:

Das Werk analysiert die Bedeutung der Organisation der Vereinten Nationen und der ihr zugrundeliegenden Charta im Recht der internationalen Organisationen. Es untersucht die rechtliche Stellung der Vereinten Nationen im Verhältnis zu anderen internationalen Organisationen und zeigt auf, ob und inwieweit die anderen internationalen Organisationen an das Recht der Vereinten Nationen gebunden sind. Dafür identifiziert der Autor die Wesensmerkmale internationaler Organisationen, die ihr Verhältnis zueinander bestimmen. Er legt dar, dass internationale Organisationen grundsätzlich als gleichrangige und autonome Gebilde nebeneinander stehen. Schließlich begründet er ausführlich, dass den Vereinten

Nationen ein rechtlich wirkender Vorrang vor anderen internationalen Organisationen zuzusprechen ist. Dabei weist er nach, dass die anderen internationalen Organisationen verpflichtet sind, bei der Ausübung ihrer Befugnisse zumindest auf das Recht der Vereinten Nationen Rücksicht zu nehmen.

Loveday Hodson (Univ. of Leicester - Law) & **Troy Lavers** (Univ. of Leicester - Law) have published Feminist Judgments in International Law (Hart Publishing 2019). Contents include:

- Loveday Hodson & Troy Lavers, Feminist Judgments in International Law: An Introduction
- Christine Chinkin, Gina Heathcote, Emily Jones & Henry Jones, Bozkurt Case, aka the Lotus Case (France v Turkey): Ships that Go Bump in the Night
- Kasey McCall-Smith, Rhona Smith & Ekaterina Yahyaoui Krivenko, Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide
- Kathryn Greenman & Troy Lavers, The Lockerbie Case (Libyan Arab Jamahiriya v United States of America)
- Zoi Aliozi, Bérénice K. Schramm & Ekaterina Yahyaoui Krivenko, Germany v Italy
- Marta Carneiro, Kirsten Ketscher & Freya Semanda, Gómez-Limón Sánchez-Camacho v Instituto Nacional de la Seguridad Social (INSS) and others
- Sara Bengtson, Damian Gonzalez-Salzberg, Loveday Hodson & Paul Johnson, Christine Goodwin v the United Kingdom
- Amel Alghrani, Amal Ali & Jill Marshall, Leyla Sahin v Turkey
- Nicola Barker, Burden v the United Kingdom
- Shazia Choudhry & Jonathan Herring, Opuz v Turkey
- Helen Fenwick, Wendy Guns & Ben Warwick, A, B and C v Ireland
- Merris Amos, Maribel Canto-Lopez & Nani Jansen Reventlow, Ruusunen v Finland
- Lolita Buckner Inniss, Jessie Hohmann & Enzamaria Tramontana, Cecilia Kell v Canada
- Olga Jurasz, Sheri Labenski, Solange Mouthaan & Dawn Sedman, AFRC Trial Judgment (Prosecutor v Brima, Kamara and Kanu)
- Yassin M Brunger, Emma Irving & Diana Sankey, The Prosecutor v Thomas Lubanga Dyilo
- Celestine Greenwood, Prosecutor v Radovan Karadžic
- Hilary Charlesworth, Prefiguring Feminist Judgment in International Law

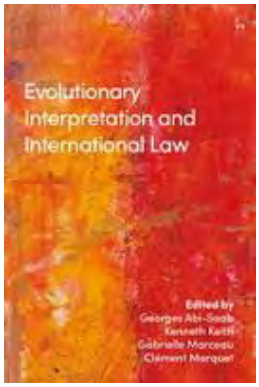
Simon Chesterman (National Univ. of Singapore - Law), **Hisashi Owada** (formerly, Judge, International Court of Justice), & **Ben Saul** (Univ. of Sydney - Law) have published The Oxford Handbook of International Law in Asia and the Pacific(Oxford Univ. Press 2019). Here's the abstract:

The growing economic and political significance of Asia has exposed a tension in the modern international order. Despite expanding power and influence, Asian states have played a minimal role in creating the norms and institutions of international law; today they are the least likely to be parties to international agreements or to be represented in international organizations.

That is changing. There is widespread scholarly and practitioner interest in international law at present in the Asia-Pacific region, as well as developments in the practice of states. The change has been driven by threats as well as opportunities. Transnational issues such as climate change and occasional flashpoints like the territorial disputes of the South China and the

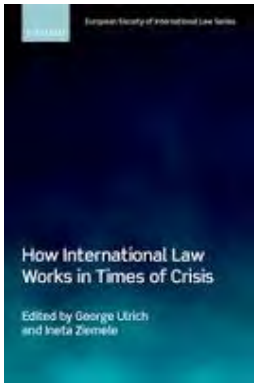
East China Seas pose challenges while economic integration and the proliferation of specialized branches of law and dispute settlement mechanisms have also encouraged greater domestic implementation of international norms across Asia. These evolutions join the long-standing interest in parts of Asia (notably South Asia) in post-colonial theory and the history of international law.

*The Oxford Handbook of International Law in Asia and the Pacific*brings together pre-eminent and emerging specialists to analyse the approach to and influence of key states of the region, as well as whether truly 'Asian' trends can be identified and what this might mean for international order.



Georges Abi-Saab, **Kenneth Keith**, **Gabrielle Marceau**, & **Clément Marquet** have published Evolutionary Interpretation and International Law (Hart Publishing 2019). The table of contents is here. Here's the abstract:

This unique book brings together leading experts from diverse areas of public international law to offer a comprehensive overview of the approaches to evolutionary interpretation in different international legal regimes. It begins by asking what interpretation is, offering the views of expert authors on the question, its components and definitions. It then comments on situations that have called for evolutionary interpretation in different international legal regimes, including general international law, environmental law, human rights law, EU law, investment law, international trade law, and how domestic courts have, on occasions, interpreted treaties and other international legal instruments in an evolutionary manner.



George Ulrich (Riga Graduate School of Law) & **Ineta Ziemele** (Riga Graduate School of Law) have published How International Law Works in Times of Crisis (Oxford Univ. Press 2019). The table of contents is here. Here's the abstract:

For some time, the word 'crisis' has been dominating international political discourse. But this is nothing new. Crisis has always been part of the discipline of international law. History indeed shows that international law has developed through reacting to previous experiences of crisis, reflecting an agreement on what it takes to avoid their repetition. However, human society evolves and challenges existing rules, structures, and agreements. International law is confronted with questions as to the suitability of the existing legal framework for new stages of development.

Ulrich and Ziemele here bring together an expert group of scholars to address the question of how international law confronts crises today in terms of legal thought, rule-making, and rule-application. The editors have characterized international law and crisis discourse as one of a dialectical nature, and have grouped the articles contained in the volume under four main themes: security, immunities, sustainable development, and philosophical perspectives. Each theme pertains to an area of international law which at the present moment in time is subject to notable challenges and confrontations from developments in human society. The surprising general conclusion which emerges is that, by and large, the international legal system contains concepts, principles, rules,

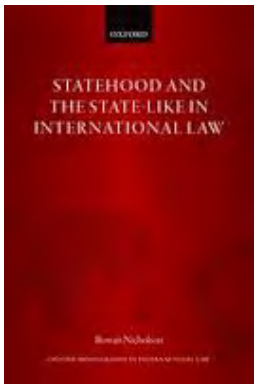
mechanisms and formats for addressing the various developments that may prima facie seem to challenge these very same elements of the system. Their use, however, requires informed policy decisions.

Stephen Allen (Queen Mary, Univ. of London - Law), **Nigel Bankes** (Univ. of Calgary - Law), & **Øyvind Ravna** (Arctic Univ. of Norway - Law) have published The Rights of Indigenous Peoples in Marine Areas (Hart Publishing 2019). The table of contents is here. Here's the abstract:

The question of what rights might be afforded to Indigenous peoples has preoccupied the municipal legal systems of settler states since the earliest colonial encounters. As a result of sustained institutional initiatives, many national legal regimes and the international legal order accept that Indigenous peoples possess an extensive array of legal rights. However, despite this development, claims advanced by Indigenous peoples relating to rights to marine spaces have been largely opposed. This book offers the first sustained study of these rights and their reception within modern legal systems. Taking a three-part approach, it looks firstly at the international aspects of Indigenous entitlements in marine spaces. It then goes on to explore specific country examples, before looking at some interdisciplinary themes of crucial importance to the question of the recognition of the rights of Indigenous peoples in marine settings. Drawing on the expertise of leading scholars, this is a rigorous and long-overdue exploration of a significant gap in the literature.

Catharine Titi (Centre national de la recherche scientifique) has published Droits de l'homme et droit international économique (Bruylant 2019). The table of contents is here. Here's the abstract:

Ces dernières années ont vu un renforcement de l'interaction entre droits de l'homme et droit international économique. En témoignent la prise en compte des droits de l'homme dans les différends en matière d'investissement international ; l'intérêt que porte l'Expert indépendant pour la promotion d'un ordre international démocratique et équitable des Nations Unies à la protection des droits de l'homme dans le contentieux économique ; la sensibilisation de la société civile à la responsabilité sociétale des entreprises ; le nouveau type des traités de libre-échange qui visent un meilleur équilibre entre droits économiques et droits de l'homme. Si ces exemples illustrent un tel renforcement, cette interaction suscite également des controverses, et donne lieu à de multiples critiques visant le droit international économique, considérant qu'il ne prend pas encore suffisamment en compte les droits de l'homme. L'ouvrage examine ce constat et se penche sur les failles de l'ordre international économique ainsi que sur ses réformes. Il s'interroge sur la responsabilité des multinationales et des autres entreprises en matière de droits de l'homme ; il étudie la prise en compte des droits de l'homme dans les chaînes globales de valeur, mais aussi dans les conditionnalités du FMI ; il examine la présence des droits de l'homme dans l'arbitrage de l'investissement, et propose des solutions pour une coexistence future plus harmonieuse entre les deux domaines.



Rowan Nicholson (Univ. of Sydney - Law) has published Statehood and the State-Like in International Law (Oxford Univ. Press 2019). Here's the abstract:

If the term were given its literal meaning, international law would be law between 'nations'. It is often described instead as being primarily between states. But this conceals the diversity of the nations or state-like entities that have personality in international law or that have had it historically. This book reconceptualizes statehood by positioning it within that wider family of state-like entities.

In this monograph, Rowan Nicholson contends that states themselves have diverse legal underpinnings. Practice in cases such as Somalia and broader principles indicate that international law provides not one but two alternative methods of qualifying as a state. Subject to exceptions connected with territorial integrity and peremptory norms, an entity can be a state either on the ground that it meets criteria of effectiveness or on the ground that it is recognized by all other states. Nicholson also argues that states, in the strict legal sense in which the word is used today, have never been the only state-like entities with personality in international law. Others from the past and present include imperial China in the period when it was unreceptive to Western norms; precolonial African chiefdoms; 'states-in-context', an example of which may be Palestine, which have the attributes of statehood relative to states that recognize them; and entities such as Hong Kong.

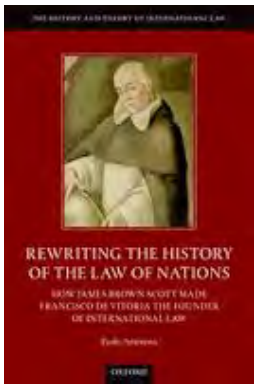
Sivan Shlomo Agon (Bar-Ilan Univ. - Law) has published International Adjudication on Trial: The Effectiveness of the WTO Dispute Settlement System (Oxford Univ. Press 2019). Here's the abstract:

Is the World Trade Organization (WTO) dispute settlement system (DSS) effective? How exactly is the effectiveness of this adjudicative system to be defined and measured? Is its effectiveness all about compliance? If not, what goals, beyond compliance, is the WTO DSS expected to achieve? Has it fulfilled these objectives so far, and how can their achievement and the systems effectiveness be enhanced in the future?

Building on a theoretical model derived from the social sciences, this book lays down the analytical framework required to answer these questions, while crafting a revealing insider's account of the WTO DSS-one of the most important and debated sites of the evolving international judiciary. Drawing on interviews with WTO adjudicators, WTO Secretariat staff, ambassadors, trade delegates, and trade lawyers, the book offers an elaborate analysis of the various goals steering the DSS's work, the diverse roles it plays, the challenges it confronts, and the outcomes it produces. Through this insider look at the WTO DSS and detailed examination of landmark trade disputes, the book uncovers the oft-hidden dynamics of WTO adjudication and provides fresh perspective on the DSS's operation and the undercurrents affecting its effectiveness.

Given the pivotal role the WTO DSS has assumed in the multilateral trading regime since its inception in 1995 and the systemic pressures it has recently come to face, this book makes an

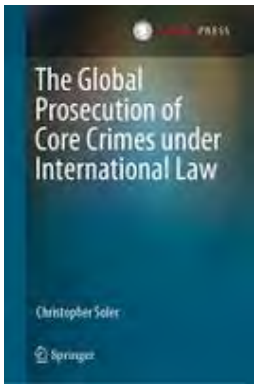
important contribution towards understanding and measuring the benefits (as well as the costs) this adjudicative body generates, while providing valuable insights into current debates on its reform.



Paolo Amorosa (Univ. of Helsinki) has published Rewriting the History of the Law of Nations: How James Brown Scott Made Francisco de Vitoria the Founder of International Law (Oxford Univ. Press 2019). Here's the abstract:

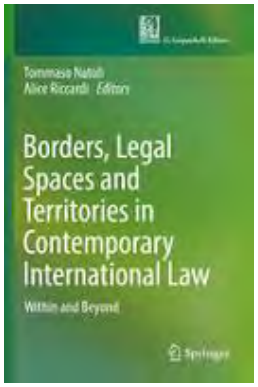
In the interwar years, international lawyer James Brown Scott wrote a series of works on the history of his discipline. He made the case that the foundation of modern international law rested not, as most assumed, with the seventeenth-century Dutch thinker Hugo Grotius, but with sixteenth-century Spanish theologian Francisco de Vitoria. Far from being an antiquarian assertion, the Spanish origin narrative placed the inception of international law in the context of the discovery of America, rather than in the European wars of religion. The recognition of equal rights to the American natives by Vitoria was the pedigree on which Scott built a progressive international law, responsive to the rise of the United States as the leading global power and developments in international organization such as the creation of the League of Nations.

This book describes the Spanish origin project in context, relying on Scott's biography, changes in the self-understanding of the international legal profession, as well as on larger social and political trends in US and global history. Keeping in mind Vitoria's persisting role as a key figure in the canon of international legal history, the book sheds light on the contingency of shared assumptions about the discipline and their unspoken implications. The legacy of the international law Scott developed for the American century is still with the profession today, in the shape of the normalization and de-politicization of rights language and of key concepts like equality and rule of law.



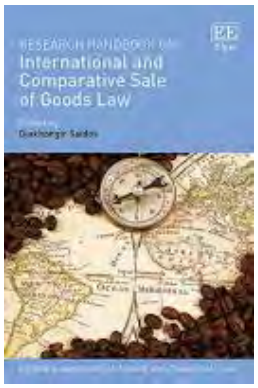
Christopher Soler (Univ. of Malta - Law) has published The Global Prosecution of Core Crimes under International Law (Asser Press 2019). Here's the abstract:

This book deals with the prosecution of core crimes and constitutes the first comprehensive analysis of the horizontal and vertical systems of enforcement of international criminal law and of their inter-relationship. It provides a global jurisprudential exposition in assessing the grounds for refusal of surrender to the International Criminal Court and of extradition to another State. It also offers insights into legal perspectives which improve the prevailing enforcement regimes of various models of criminal justice, including hybrid criminal tribunals, special criminal courts, judicial panels and partnerships, and other budding sui generis judicial and/or prosecutorial institutions.



Tommaso Natoli (University College Cork) & **Alice Riccardi** (Università Roma Tre - Law) have published Borders, Legal Spaces and Territories in Contemporary International Law: Within and Beyond (Springer 2019). The table of contents is here. Here's the abstract:

This book examines the challenges posed to contemporary international law by the shifting role of the border, which has recently re-emerged as a central issue in international relations. It posits that borders do not merely correspond to States' boundaries: indeed, while remaining a fundamental tool for asserting States' power, they are in fact a collection of constantly changing spatial limits. Consequently, the book approaches borders as context-specific limits and revisits notions traditionally linked to them (jurisdiction, sovereignty, responsibility, individual rights), while also adopting the innovative approach of viewing borders as phenomena of both closedness and openness. Accordingly, the first part of the book addresses what happens "within" borders, investigating the root causes of the emergence of spatial limits and re-assessing apparent extra-territorial assertions of State power. In turn, the second part not only explores typical borderless spaces, but also more generally considers the exercise of States' and international organisations' powers and prerogatives across or "beyond" borders.



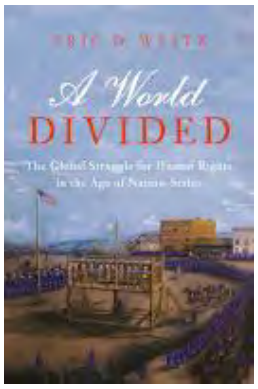
Djakhongir Saidov (Kings College London - Law) has published Research Handbook on International and Comparative Sale of Goods Law (Edward Elgar Publishing 2019). The table of contents is here. Here's the abstract:

This thorough and detailed Research Handbook explores the complexity of the governance of sales contracts in the modern world. It considers what is, and what ought to be, the role of traditional sales law in light of the growing diversity of commercial, trade and transactional contexts in which such contracts are made and performed. Offering an international and comparative perspective, leading experts in the field examine many topical aspects of sales law and practice. These include digital technologies, long-term contracts, global supply chains and trade in commodities. Chapters also investigate the diversity of sources that govern sales contracts today, particularly those sources that emanate from the industry and commercial players, such as standard form contracts, rules of trade associations, trade usages and trade terms. Through this critical and highly analytical examination, this Research Handbook ultimately demonstrates that the sources of governance found within the industrial sector are as important as traditional sales law, if not more so, in terms of their role in governing sales contracts in contemporary society.

Ramses A. Wessel (Univ. of Twente - Law) & **Jed Odermatt** (City, Univ. of London - Law) have published Research Handbook on the European Union and International Organizations (Edward Elgar Publishing 2019). The table of contents is here. Here's the abstract:

The European Union has established relationships with other international organizations and institutions, mainly as a result of its increasingly active role as a global actor and the transfer of competences from the Member States to the EU. Containing chapters by leading scholars, this Research Handbook presents a comprehensive and critical assessment of these relationships, examining both the EU's representation and cooperation as well as the influence of these external bodies on the development of EU law and policy.

Insightful and analytical, the Research Handbook explores the interaction of the EU with both formal and informal international institutions as it seeks to become more visible and active within these. The many challenges associated with the limits set by the EU and by international law and politics in relation to EU participation and the 'state-centred' international legal system are assessed.



Eric D. Weitz (City College and the Graduate Center, City Univ. of New York - History) has published A World Divided: The Global Struggle for Human Rights in the Age of Nation-States (Princeton Univ. Press 2019). Here's the abstract:

Once dominated by vast empires, the world is now divided into close to 200 independent countries with laws and constitutions proclaiming human rights—a transformation that suggests that nations and human rights inevitably developed together. But the reality is far more problematic, as Eric Weitz shows in this compelling global history of the fate of human rights in a world of nation-states.

Through vivid histories drawn from virtually every continent, *A World Divided* describes how, since the eighteenth century, nationalists have struggled to establish their own states that grant human rights to some people. At the same time, they have excluded others through forced assimilation, ethnic cleansing, or even genocide. From Greek rebels, American settlers, and Brazilian abolitionists in the nineteenth century to anticolonial Africans and Zionists in the twentieth, nationalists have confronted a crucial question: Who has the "right to have rights?" *A World Divided* tells these stories in colorful accounts focusing on people who were at the center of events. And it shows that rights are dynamic. Proclaimed originally for propertied white men, rights were quickly demanded by others, including women, American Indians, and black slaves.

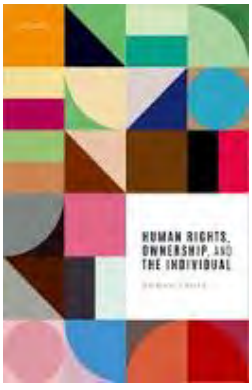
A World Divided also explains the origins of many of today's crises, from the existence of more than 65 million refugees and migrants worldwide to the growth of right-wing nationalism. The book argues that only the continual advance of international human rights will move us beyond the quandary of a world divided between those who have rights and those who don't.

Mirka Möldner has published Accountability of International Organizations and Transnational Corporations: A Comparative Analysis (Nomos 2019). Here's the abstract:

What does accountability of international organisations mean? What does it mean for transnational corporations? How can they be held accountable? This book analyses and compares the accountability frameworks of both types of institutions—their rationales, conceptualisations and mechanisms. To achieve this, it comprehensively examines two select institutions: the United Nations and Siemens. It presents their similarities and differences in detail, compares their accountability mechanisms and critically assesses their conceptualisations of accountability. To understand underlying structures, the book makes use of economic theories. It adopts and refines a procedural understanding of accountability originally developed in international relations and political science. Last but not least, this book examines to what extent accountability has become a legal concept and aims at contributing to the ongoing efforts of conceptualising 'accountability'.

Jason Chuah (City, Univ. of London - Law) has published Research Handbook on Maritime Law and Regulation (Edward Elgar Publishing 2019). The table of contents is here. here's the abstract:

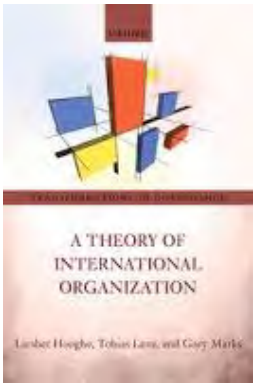
The organisation and design of maritime regulation is a critical question for the many trade oriented economies. The *Research Handbook on Maritime Law and Regulation* addresses the key concepts and issues facing the regulation of maritime affairs, questioning the legal structures through an analysis of current legal and regulatory frameworks. These unique contributions interrogate the current system of maritime law and regulation, challenging its traditional perceptions as being either convention law based or national law oriented. The contributors cover a range of crucial demands for maritime law and regulation, from shipping contracts to maritime conventions and linkages, embracing an integrated approach to maritime law. Emphasising the link between theory, practice and policy, this Research Handbook focuses on real world developments and their impact on law and regulation.



Rowan Cruft (Univ. of Stirling - Philosophy) has published Human Rights, Ownership, and the Individual (Oxford Univ. Press 2019). Here's the abstract:

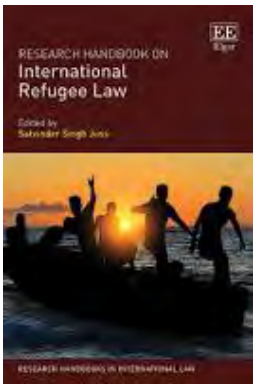
Is it defensible to use the concept of a right? Can we justify rights' central place in modern moral and legal thinking, or does the concept unjustifiably side-line those who do not qualify as right-holders? Rowan Cruft develops a new account of rights. Moving beyond the traditional 'interest theory' and 'will theory', he defends a distinctive 'addressive' approach that brings together duty-bearer and right-holder in the first person. This view has important implications for the idea of 'natural' moral rights-that is, rights that exist independently of anyone's recognizing that they do. Cruft argues that only moral duties grounded in the good of a particular

party (person, animal, group) are naturally owed to that party as their rights. He argues that human rights in law and morality should be founded on such recognition-independent rights. In relation to property, however, matters are complicated because much property is justifiable only by collective goods beyond the rightholder's own good. For such property, Cruft argues that a new non-rights property system-that resembles markets but is not conceived in terms of rights-would be possible. The result of this study is a partial vindication of the rights concept that is more supportive of human rights than many of their critics (from left or right) might expect, and is surprisingly doubtful about property as an individual right.



Liesbet Hooghe (Univ. of North Carolina, Chapel Hill - Political Science), **Tobias Lenz**(Univ. of Goettingen), & **Gary Marks** (Univ. of North Carolina, Chapel Hill - Political Science) have published A Theory of International Organization (Oxford Univ. Press 2019). Here's the abstract:

Why do international organizations (IOs) look so different, yet so similar? The possibilities are diverse. Some international organizations have just a few member states, while others span the globe. Some are targeted at a specific problem, while others have policy portfolios as broad as national states. Some are run almost entirely by their member states, while others have independent courts, secretariats, and parliaments. Variation among international organizations appears as wide as that among states. This book explains the design and development of international organization in the postwar period. It theorizes that the basic set up of an IO responds to two forces: the functional impetus to tackle problems that spill beyond national borders and a desire for self-rule that can dampen cooperation where transnational community is thin. The book reveals both the causal power of functionalist pressures and the extent to which nationalism constrains the willingness of member states to engage in incomplete contracting. The implications of postfunctionalist theory for an IO's membership, policy portfolio, contractual specificity, and authoritative competences are tested using annual data for 76 IOs for 1950-2010.

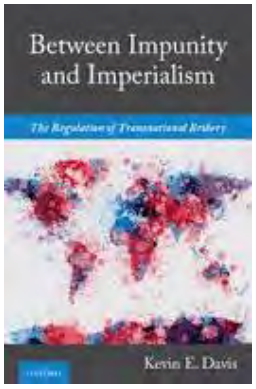


Satvinder Singh Juss (King's College London - Law) has published Research Handbook on International Refugee Law (Edward Elgar Publishing 2019). The table of contents is here. Here's the abstract:

In recent years the UNHCR has expressed increasing concern at how war, violence and persecution have resulted in an age of unprecedented mass displacement. The global financial crisis, the rise of populist leaders, and the growth of anti-EU parties, raises the need to interrogate the 'refugee', 'migrant', 'citizen', 'stateless', 'legal', and 'illegal' as concepts. This Research Handbook maintains that refugees need to be seen as core indicators of the failure of national, international, economic, and political governance, and provides critical analyses of the legal ordering of refugees, giving a glimpse at what the future of refugee law could – and should – look like.

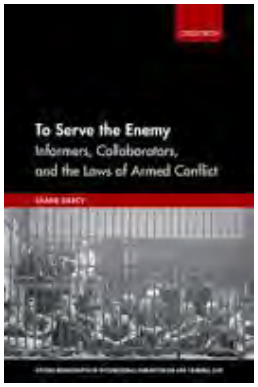
Bringing together experts in the field, the innovative and groundbreaking chapters provide a critical perspective on the legal landscape for refugees at a time when the politics and legitimacy of

transnational regulatory governance are in question as never before. In an age of growing ethnic nationalism and anti-immigrant rhetoric, the contributing authors examine key issues surrounding refugees and migration, and build a new outlook on social justice, as the post-war international order ends.



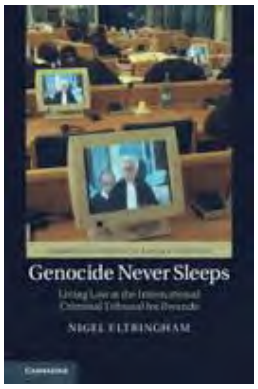
Kevin E. Davis (New York Univ. - Law) has published Between Impunity and Imperialism: The Regulation of Transnational Bribery(Oxford Univ. Press 2019). Here's the abstract:

When people pay bribes to foreign public officials, how should the law respond? This question has been debated ever since the enactment of the U.S. Foreign Corrupt Practices Act of 1977, and some of the key arguments can be traced back to Cicero in the last years of the Roman Republic and Edmund Burke in late eighteenth-century England. In recent years, the U.S. and other members of the OECD have joined forces to make anti-bribery law one of the most prominent sources of liability for firms and individuals who operate across borders. The modern regime is premised on the idea that transnational bribery is a serious problem which invariably merits a vigorous legal response. The shape of that response can be summed up in the phrase "every little bit helps," which in practice means that: prohibitions on bribery should capture a broad range of conduct; enforcement should target as broad a range of actors as possible; sanctions should be as stiff as possible; and as many agencies as possible should be involved in the enforcement process. An important challenge to the OECD paradigm, labelled here the "anti-imperialist critique," accepts that transnational bribery is a serious problem but questions the conventional responses. This book uses a series of high-profile cases to illustrate key elements of transnational bribery law in action, and analyzes the law through the lenses of both the OECD paradigm and the anti-imperialist critique. It ultimately defends a distinctively inclusive and experimentalist approach to transnational bribery law.



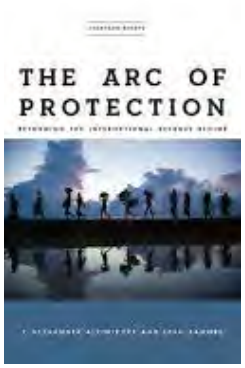
Shane Darcy (National Univ. of Ireland Galway - Irish Centre for Human Rights) has published To Serve the Enemy: Informers, Collaborators, and the Laws of Armed Conflict (Oxford Univ. Press 2019). Here's the abstract:

A constant yet oftentimes concealed practice in war has been the use of informers and collaborators by parties to an armed conflict. Despite the prevalence of such activity, and the serious and at times fatal consequences that befall those who collaborate with an enemy, international law applicable in times of armed conflict does not squarely address the phenomenon. The recruitment, use and treatment of informers and other collaborators is addressed only partially and at times indirectly by international humanitarian law. In this book, Shane Darcy examines the development and application of the relevant rules and principles of the laws of armed conflict in relation to collaboration. With a primary focus on international humanitarian law as may be applicable to various forms of collaboration, the book also offers an assessment of the relevance of human rights and considers how the phenomenon of collaboration has been addressed post-conflict.



Nigel Eltringham (Univ. of Sussex - Anthropology) has published Genocide Never Sleeps: Living Law at the International Criminal Tribunal for Rwanda (Cambridge Univ. Press 2019). Here's the abstract:

Accounts of international criminal courts have tended to consist of reflections on abstract legal texts, on judgements and trial transcripts. *Genocide Never Sleeps*, based on ethnographic research at the International Criminal Tribunal for Rwanda (ICTR), provides an alternative account, describing a messy, flawed human process in which legal practitioners faced with novel challenges sought to reconfigure long-standing habits and opinions while maintaining a commitment to 'justice'. From the challenges of simultaneous translation to collaborating with colleagues from different legal traditions, legal practitioners were forced to scrutinise that which normally remains assumed in domestic law. By providing an account of this process, *Genocide Never Sleeps* not only provides a unique insight into the exceptional nature of the ad hoc, improvised ICTR and the day-to-day practice of international criminal justice, but also holds up for fresh inspection much that is naturalised and assumed in unexceptional, domestic legal processes.



T. Alexander Aleinikoff (The New School - Zolberg Institute on Migration and Mobility) & **Leah Zamore** (New York Univ. - Center on International Cooperation) have published The Arc of Protection: Reforming the International Refugee Regime (Stanford Univ. Press 2019). Here's the abstract:

The international refugee regime is fundamentally broken. Designed in the wake of World War II to provide protection and assistance, the system is unable to address the record numbers of persons displaced by conflict and violence today. States have put up fences and adopted policies to deny, deter, and detain asylum seekers. People recognized as refugees are routinely denied rights guaranteed by international law. The results are dismal for the millions of refugees around the world who are left with slender prospects to rebuild their lives or contribute to host communities. T. Alexander Aleinikoff and Leah Zamore lay bare the underlying global crisis of responsibility.

The Arc of Protection adopts a revisionist and critical perspective that examines the original premises of the international refugee regime. Aleinikoff and Zamore identify compromises at the founding of the system that attempted to balance humanitarian ideals and sovereign control of their borders by states. This book offers a way out of the current international morass through refocusing on responsibility-sharing, seeing the humanitarian-development divide in a new light, and putting refugee rights front and center.

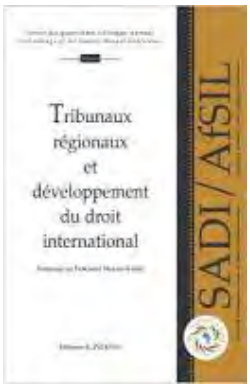
Daria Boklan (National Research Univ. Higher School of Economic) & **Ilya Lifshits** (Russian Foreign Trade Academy) have published Eurasian Economic Union Court and WTO Dispute Settlement Body: Two Housewives in One Kitchen (Russian Law Journal, Vol. 7, no. 3, 2019). Here's the abstract:

Using the approach of the United Nations International Law Commission, the law of the Eurasian Economic Union and WTO law might be regarded as autonomous complexes of rules. However, in all current disputes the DSB treats the norms of EAEU law as measures adopted by a specific EAEU member, but not as international law within the meaning of the ILC. These disputes concern import tariffs, anti-dumping investigations, and technical regulation and reveal a number of specific features. First, the EAEU measures are attributable to every EAEU member. Second, the WTO members may try to challenge in the DSB the measures adopted by an EAEU member in its national legislation based on EAEU law that affect national legislation of that EAEU member, rather than EAEU law as such. Third, "forum shopping" may arise, for the same measure can be challenged under EAEU law in the EAEU Court and under WTO law in the DSB. Finally, to overcome uncertainty concerning WTO law in EAEU Court jurisprudence, it is necessary to clarify the approach of the EAEU Court. The authors conclude that this approach should provide for the Court's right to interpret EAEU law relying on WTO law and DSB jurisprudence. Such interpretation should be made within the context and object of the EAEU Treaty. However, the autonomous EAEU legal order cannot be implemented until the Treaty on Functioning of the Customs Union within the Multilateral Trading System is applicable.

Andraž Zidar (Ministry of Foreign Affairs of Slovenia) has published The World Community between Hegemony and Constitutionalism (Eleven International Publishing 2019). Here's the abstract:

Two dominant trends in today's world are hegemony and constitutionalism. The attitude of greater states or regional blocks, such as the US, Russia, China and the EU, represents hegemony. In parallel, constitutionalism is getting stronger through international organizations, international adjudicatory bodies and 'higher norms' of international law. While these processes represent a move away from the Westphalian inter-state logic, they also juxtapose hegemony and constitutionalism to each other.

A detailed look reveals that the two phenomena are intertwined in the sense of the antinomy. To shed more light on their complex relationship, the book surveys hegemony and constitutionalism in the field of international law. It focuses on hegemo-constitutional intersections with regard to international organizations, intervention on humanitarian grounds and international adjudication. Concrete and practical examples provide incremental developments hinting at a new structure of the world community.



Makane Moïse Mbengue (Université de Genève) & **Catherine Maia** (Université Lusófona de Porto) have published Tribunaux régionaux et développement du droit international : Hommage au Professeur Maurice Kamto (Pedone 2019). Contents include:

- Makane Moïse Mbengue & Catherine Maia, Préface
- Brusil Miranda Metou, Présentation du colloque
- Ibrahima Adamou, Discours d'ouverture
- Jean d'Aspremont, Regional Courts and the Idea of an International Legal System
- Brusil Miranda Metou, La Cour de justice de la CEDEAO et l'édification d'un « état de droit sous-régional » en Afrique de l'Ouest
- Yenkong Ngangjoh-Hodu, Regional Courts and International Trade Law
- Tarcisio Gazzini, The Contribution of Regional Courts in the Development of International Investment Law
- Mutoy Mubiala, L'apport des cours régionales des droits de l'homme au droit international
- Rostand Banzeu, La Cour africaine des droits de l'homme et des peuples à l'épreuve de la clause facultative d'acceptation de la juridiction obligatoire d'une juridiction internationale par l'Etat en droit international
- Carina Calabria, Transcontinental Indigenous Rights: Contributions of the Inter-American Court of Human Rights
- Hery Frédéric Ranjeva, L'affaire Hissène Habré sous les regards des cours régionales

Manfred Elsig (Universität Bern), **Michael Hahn** (Universität Bern), & **Gabriele Spilker**(Universität Salzburg) have published The Shifting Landscape of Global Trade Governance: World Trade Forum (Cambridge Univ. Press 2019). The table of contents is here. Here's the abstract:

Today's trade regime and its rules are under pressure. Increasing societal discontent with globalization and the rise of protectionist measures threaten the trade regime's legitimacy and effectiveness. The authors explore systemic challenges to the trade regime, inter alia, related to development, migration, inequality, the digital economy and climate change. The Shifting Landscape of Global Trade Governance allows the readers, in times of change, to put current developments into context and offers an understanding of the different dynamics defining today's regulation of the global economy. Chapters authored by leading researchers from different disciplines - law, political science and economics - address the challenges of the global economic system and share novel outlooks, both theory- and data-based, for the future.

Jure Zrilic (Univ. of Liverpool - Law) has published The Protection of Foreign Investment in Times of Armed Conflict(Oxford Univ. Press 2019). Here's the abstract:

Foreign investors often sustain injuries during violent situations, such as riots, revolutions, civil wars, and international armed conflicts. There is a great deal of uncertainty about how effective investment treaty protections are in volatile times, how they relate to other applicable legal frameworks, and how they affect the state security policy and the post-conflict transition to peace.

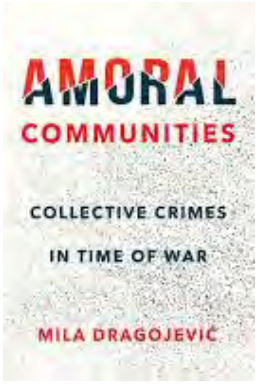
This book explores how foreign investment is protected in times of armed conflict under the investment treaty regime. It does so by combining insights from different areas of international law, including international investment law, international humanitarian law, international human rights law, the law of state responsibility, and the law of treaties. While the protections have evolved over time, with the investment treaty regime providing the strongest legal framework for protecting investors yet, there has been an apparent shift in treaty practice towards safeguarding a state's security interests.

Jure Zrilic identifies and analyses the flaws in the existent normative framework, but also highlights the potential that investment treaties have for minimising the devastating effects of armed conflict. The book offers an analytical framework for assessing the investment treaty regime in times of armed conflict, distinguishing between different paradigms and different types of conflicts. Crucially, he argues that a new approach is needed to appropriately balance the competing interests of host states and investors when it comes to investment protection in armed conflicts.

Chantal Thomas (Cornell Univ. - Law) has published Disorderly Borders: How International Law Shapes Irregular Migration(Oxford Univ. Press 2019). Here's the abstract:

Immigration crises faced by the United States today show the interplay between areas of global law and policy that might at first glance seem quite disparate—economic law, human rights and refugee law, and criminal law relating to the trafficking and smuggling of migrants. This book is largely dedicated to unpacking those dynamics and ultimately argues that reform efforts must be expanded.

Using as a central case study how international law relates to the irregular labor migration of undocumented migrant farm workers in upstate New York, this book examines the conditions for entry of these workers, for their residence and work while in the US, and finally what happens if they are apprehended and subject to expulsion. The author aims to show that the presence of these migrants can be significantly attributed to dynamics flowing from international economic law, and that the interaction of international economic law with international human rights, refugee, labor and criminal law in defining their legal rights and remedies is often incoherent. As such, this wave of irregular migration might be seen as the product of a "perfect storm" in international law: a vexed and unstable relationship between disparate regimes that propels dynamic population movements without just and orderly means of protection.

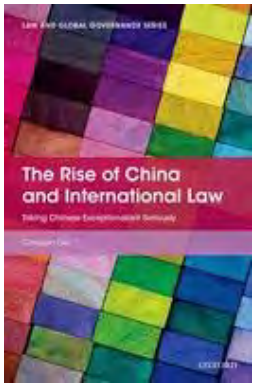


Mila Dragojević (Univ. of the South - Politics) has published Amoral Communities: Collective Crimes in Time of War (Cornell Univ. Press 2019). Here's the abstract:

In *Amoral Communities*, Mila Dragojević examines how conditions conducive to atrocities against civilians are created during wartime in some communities. She identifies the exclusion of moderates and the production of borders as the main processes. In these places, political and ethnic identities become linked and targeted violence against civilians becomes both tolerated and justified by the respective authorities as a necessary sacrifice for a greater political goal.

Dragojević augments the literature on genocide and civil wars by demonstrating how violence can be used as a political strategy, and how communities, as well as individuals, remember episodes of violence against civilians. The communities on which she focuses are Croatia in the 1990s and Uganda and Guatemala in the 1980s. In each case Dragojević considers how people who have lived peacefully as neighbors for many years are suddenly transformed into enemies, yet intracommunal violence is not ubiquitous throughout the conflict zone; rather, it is specific to particular regions or villages within those zones. Reporting on the varying wartime experiences of individuals, she adds depth, emotion, and objectivity to the historical and socioeconomic conditions that shaped each conflict.

Furthermore, as *Amoral Communities* describes, the exclusion of moderates and the production of borders limit individuals' freedom to express their views, work to prevent the possible defection of members of an in-group, and facilitate identification of individuals who are purportedly a threat. Even before mass killings begin, Dragojević finds, these and similar changes will have transformed particular villages or regions into amoral communities, places where the definition of crime changes and violence is justified as a form of self-defense by perpetrators.



Congyan Cai (Xiamen Univ. - Law) has published The Rise of China and International Law: Taking Chinese Exceptionalism Seriously(Oxford Univ. Press 2019). Here's the abstract:

The rise of China signals a new chapter in international relations. How China interacts with the international legal order—namely, how China utilizes international law to facilitate and justify its rise and how international law is relied upon to engage a rising China—has invited growing debate among academics and those in policy circles. Two recent events, the South China Sea Arbitration and the US-China trade war, have deepened tensions. This book, for the first time, provides a systematic and critical elaboration of the interplay between a rising China and international law. Several crucial questions are broached. These include: How has China adjusted its international legal policies as China's state identity changes over time, especially as it becomes a formidable power? Which methodologies has China adopted to comply with international law and, in particular, to achieve its new legal strategy of norm entrepreneurship? How does China organize its domestic institutions to engage international law in order to further its ascendance? How does China use international law at a national level (in the Chinese courts) and at an international level (for example, lawfare in international dispute settlement)? And finally, how

should "Chinese exceptionalism" be understood? This book contributes significantly to the burgeoning and highly relevant scholarship on China and international law.

Emily Haslam (Univ. of Kent - Law) has published The Slave Trade, Abolition and the Long History of International Criminal Law: The Recaptive and the Victim (Routledge 2019). Here's the abstract:

Modern international criminal law typically traces its origins to the twentieth-century Nuremberg and Tokyo trials, excluding the slave trade and abolition. Yet, as this book shows, the slave trade and abolition resound in international criminal law in multiple ways. Its central focus lies in a close examination of the often-controversial litigation, in the first part of the nineteenth century, arising from British efforts to capture slave ships, much of it before Mixed Commissions. With archival-based research into this litigation, it explores the legal construction of so-called 'recaptives' (slaves found on board captured slave ships). The book argues that, notwithstanding its promise of freedom, the law actually constructed recaptives restrictively. In particular, it focused on questions of intervention rather than recaptives' rights. At the same time it shows how a critical reading of the archive reveals that recaptives contributed to litigation in important, but hitherto largely unrecognized, ways. The book is, however, not simply a contribution to the history of international law. Efforts to deliver justice through international criminal law continue to face considerable challenges and raise testing questions about the construction − and alternative construction − of victims.

By inscribing the recaptive in international criminal legal history, the book offers an original contribution to these contentious issues and a reflection on critical international criminal legal history writing and its accompanying methodological and political choices.

Esme Shirlow (Australian National Univ. - Law) & **David D. Caron** have published The Multiple Forms of Transparency in International Investment Arbitration: Their Implications, and Their Limits (in *The Oxford Handbook of International Arbitration*, Thomas Schultz & Federico Ortino eds., forthcoming). Here's the abstract:

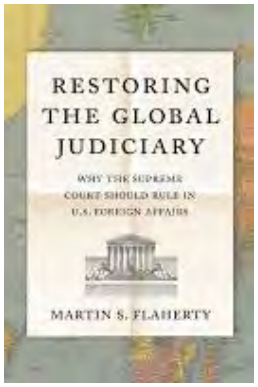
This Chapter traces the development of procedural transparency in international investment arbitration to tease apart different types of transparency, whilst also considering their objectives and consequences. The analysis indicates that the meaning, promise and limits of transparency will differ for different stakeholders and different reform objectives. The Chapter draws out the differences between the concepts of transparency as 'availability', 'access', and 'participation' to identify three distinct types of 'transparency'. It connects these concepts to the reforms to procedural transparency that have occurred for investment arbitration to date. This supports an analysis of whether the types of transparency reforms that have been pursued thus far are adapted to achieving their stated purposes. What emerges is an understanding of transparency that is closely connected to the development of, and hopes for, international investment arbitration. Transparency has emerged as a key means of improving international investment arbitration, including to make it more accountable and more legitimate. An agenda that seeks to identify and enact effective reforms

to reach this promise must take into account the types of transparency best adapted to achieve these goals. In considering transparency in international investment arbitration, then, it is vital that States, arbitral institutions, and other stakeholders confront the assumptions and motivations underpinning suggested reforms in order to best adapt those reforms to achieve their stated objectives. The contours of the discussion in this Chapter hold importance for reform agendas in other fields of international arbitration. It highlights the importance of clarifying what is being proposed, what is being excluded from that discussion, and how these understandings influence the concrete outcomes of reform efforts as well as the appraisal of their success by disparate stakeholders.

Fulvio Maria Palombino (Univ. of Napoli Federico II - Law) has published Introduzione al diritto internazionale (Laterza 2019). Here's the abstract:

Il diritto internazionale visto nella sua circolarità, ossia come espressione di un ordinamento in cui le norme che lo disciplinano vengono poste, mutano o si estinguono per effetto della volontà degli stessi soggetti a cui quelle norme sono rivolte, in primo luogo gli Stati. Una introduzione chiara, agile e originale alle categorie e agli istituti fondamentali del diritto internazionale.

International law seen in its circular dynamics, i.e. as a manifestation of a legal order whose norms are produced, modified and rescinded by the same subjects to which those norms are addressed, first of all by the States. A clear, concise and original introduction to the fundamental concepts and institutions of international law.



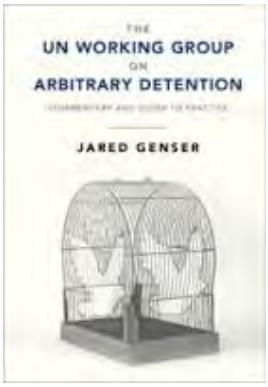
Martin S. Flaherty (Fordham Univ. - Law) has published Restoring the Global Judiciary: Why the Supreme Court Should Rule in U.S. Foreign Affairs (Princeton Univ. Press 2019). Here's the abstract:

In the past several decades, there has been a growing chorus of voices contending that the Supreme Court and federal judiciary should stay out of foreign affairs and leave the field to Congress and the president. Challenging this idea, *Restoring the Global Judiciary* argues instead for a robust judicial role in the conduct of U.S. foreign policy. With an innovative combination of constitutional history, international relations theory, and legal doctrine, Martin Flaherty demonstrates that the Supreme Court and federal judiciary have the power and duty to apply the law without deference to the other branches.

Turning first to the founding of the nation, Flaherty shows that the Constitution's original commitment to separation of powers was as strong in foreign as domestic matters, not least because the document shifted enormous authority to the new federal government. This initial conception eroded as the nation rose from fledgling state to superpower, fueling the growth of a dangerously formidable executive that today asserts near-plenary foreign affairs authority. Flaherty explores how modern international relations makes the commitment to balance among the branches

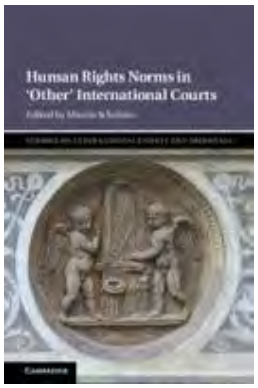
of government all the more critical and he considers implications for modern controversies that the judiciary will continue to confront.

At a time when executive and legislative actions in the name of U.S. foreign policy are only increasing, *Restoring the Global Judiciary* makes the case for a zealous judicial defense of fundamental rights involving global affairs.



Jared Genser (Perseus Strategies) has published The UN Working Group on Arbitrary Detention: Commentary and Guide to Practice (Cambridge Univ. Pres 2019). Here's the abstract:

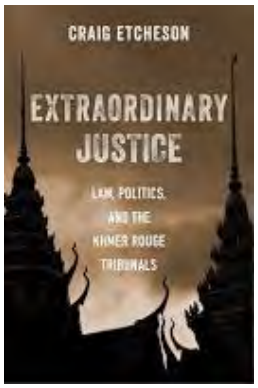
The United Nations Working Group on Arbitrary Detention is the first comprehensive review of the contributions of this important institution to understanding arbitrary detention today. The Working Group is a body of five independent human rights experts that considers individual complaints of arbitrary detention, adopting legal opinions as to whether a detention is compatible with states' obligations under international law. Since its establishment in 1991, it has adopted more than 1,200 case opinions and conducted more than fifty country missions. But much more than a jurisprudential review, these cases are presented in the book in the style of a treatise, where the widest array of issues on arbitrary detention are placed in the context of the requirements of multilateral treaties and other relevant international standards. Written for both practitioners and serious scholars alike, this book includes five case studies and a foreword by Archbishop Desmond M. Tutu.



Martin Scheinin (European Univ. Institute) has published Human Rights Norms in 'Other' International Courts (Cambridge Univ. Press 2019). Contents include:

- Martin Scheinin, How and Why to Assess the Relevance of Human Rights Norms in 'Other' International Courts
- Gentian Zyberi, The Interpretation and Development of International Human Rights Law by the International Court of Justice
- Başak Çalı, Zeynep Elibol, & Lorna McGregor, The International Court of Justice as an Integrator, Developer and Globaliser of International Human Rights Law
- Alexandre Skander Galand, The Systemic Effect of International Human Rights Law on International Criminal Law
- Marina Aksenova, The Emerging Right to Justice in International Criminal Law: A Case Study of Colombia
- Juan-Pablo Pérez-León-Acevedo, Human Rights at the Reparations System of the International Criminal Court
- Holger Hestermeyer, International Human Rights Law and Dispute Settlement in the World Trade Organization
- Freya Baetens, Invoking Human Rights: A Useful Line Of Attack Or A Defence Tool For States In Investor State Dispute Settlement
- Vasiliki Kosta, Bruno De Witte, Human Rights Norms in the Court of Justice of the European Union

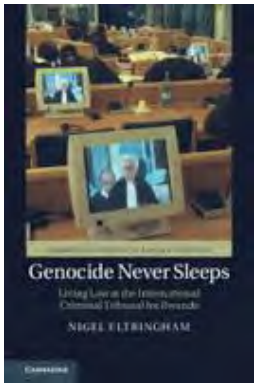
- Solomon T. Ebobrah, The Uneven Impact of International Human Rights Law in Africa's Subregional Courts
- Ernst-Ulrich Petersmann, Human Rights, Constitutional Justice and International Economic Adjudication: Legal Methodology Problems
- Anna Petrig & Marta Bo, The International Tribunal for the Law of the Sea and Human Rights
- Payam Akhavan, Forum Shopping and Human Rights: Staring at the Empty Shelves
- Martin Scheinin, Taking Stock: Relevance of Human Rights Norms in 'Other' International Courts



Craig Etcheson has published Extraordinary Justice: Law, Politics, and the Khmer Rouge Tribunals (Columbia Univ. Press 2019). Here's the abstract:

In just a few short years, the Khmer Rouge presided over one of the twentieth century's cruelest reigns of terror. Since its 1979 overthrow, there have been several attempts to hold the perpetrators accountable, from a People's Revolutionary Tribunal shortly afterward through the early 2000s Extraordinary Chambers in the Courts of Cambodia, also known as the Khmer Rouge Tribunal. Extraordinary Justice offers a definitive account of the quest for justice in Cambodia that uses this history to develop a theoretical framework for understanding the interaction between law and politics in war crimes tribunals.

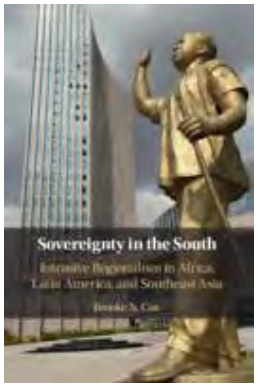
Craig Etcheson, one of the world's foremost experts on the Cambodian genocide and its aftermath, draws on decades of experience to trace the evolution of transitional justice in the country from the late 1970s to the present. He considers how war crimes tribunals come into existence, how they operate and unfold, and what happens in their wake. Etcheson argues that the concepts of legality that hold sway in such tribunals should be understood in terms of their orientation toward politics, both in the Khmer Rouge Tribunal and generally. A magisterial chronicle of the inner workings of postconflict justice, Extraordinary Justice challenges understandings of the relationship between politics and the law, with important implications for the future of attempts to seek accountability for crimes against humanity.



Nigel Eltringham (Univ. of Sussex - Anthropologyg) has published Genocide Never Sleeps: Living Law at the International Criminal Tribunal for Rwanda (Cambridge Univ. Press 2019). Here's the abstract:

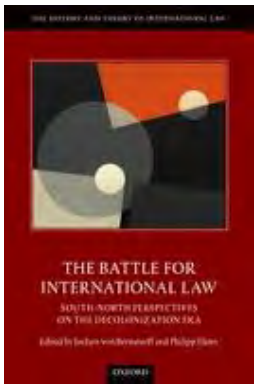
Accounts of international criminal courts have tended to consist of reflections on abstract legal texts, on judgements and trial transcripts. *Genocide Never Sleeps*, based on ethnographic research at the International Criminal Tribunal for Rwanda (ICTR), provides an alternative account, describing a messy, flawed human process in which legal practitioners faced with novel challenges sought to reconfigure long-standing habits and opinions while maintaining a commitment to 'justice'. From the challenges of simultaneous translation to collaborating with colleagues from different legal traditions, legal practitioners were forced to scrutinise that which normally remains assumed in domestic law. By providing an account of this process, Genocide Never Sleeps not only provides a unique insight into the exceptional nature of the

ad hoc, improvised ICTR and the day-to-day practice of international criminal justice, but also holds up for fresh inspection much that is naturalised and assumed in unexceptional, domestic legal processes.



Brooke N. Coe (Oklahoma State Univ. - Political Science) has published Sovereignty in the South: Intrusive Regionalism in Africa, Latin America, and Southeast Asia(Cambridge Univ. Press 2019). Here's the abstract:

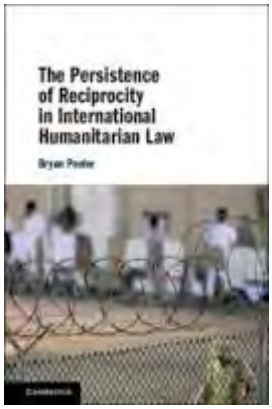
As international organisations gain greater power to monitor and manage the domestic affairs of their member states, the relationship between state sovereignty and international intervention becomes increasingly fraught. This book examines international rule-making in the Global South, tracing how the status of state sovereignty has evolved since decolonization. Coe argues that regional organizations flout the former norm of non-interference, becoming involved in the domestic affairs of their member states in Africa, Latin America, and (to a much lesser extent) Southeast Asia. In the name of democracy, human rights, and security, regional organizations increasingly assume jurisdiction over once off-limits domestic matters: they monitor elections and human rights and they respond to intrastate crises with mediation, fact-finding and sanctions. Coe explores the effects of democratization and economic crisis on regional institutions to explain the uneven development of 'intrusive regionalism' across the postcolonial world.



Jochen von Bernstorff (Universität Tübingen - Law) & **Philipp Dann** (Humboldt-Universität zu Berlin - Law) have published The Battle for International Law: South-North Perspectives on the Decolonization Era(Oxford Univ. Press 2019). Contents include:

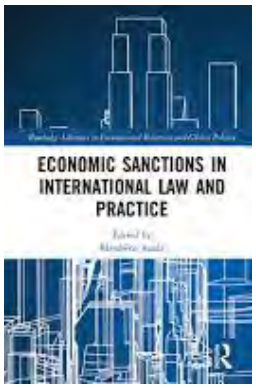
- Jochen von Bernstorff & Philipp Dann, The Battle for International Law: A Sketch
- Surabhi Ranganathan, The Common Heritage of Mankind: Annotations on a Battle
- Jochen von Bernstorff, The Battle for the Recognition of Wars of National Liberation
- Luis Eslava, The Developmental State: Independence, Dependency and the History of the South
- Matthew Craven, Colonial Fragments: Decolonisation, Concessions and Acquired Rights
- Anna Brunner, Acquired Rights and State Succession - The Rise and Fall of the Third World in the International Law Commission
- Sundhya Pahuja & Anna Saunders Rival Worlds and the Place of the Corporation in International law
- Muthucumaraswamy Sornarajah, The Battle Continues: Rebuilding Empire through Internationalization of State Contracts
- Florian Hoffmann & Bethania Assy, (De)colonizing Human Rights
- Rotem Giladi, Picking Battles: Race, Decolonization, and Apartheid
- Ingo Venzke, The International Court of Justice During the Battle for International Law (1955-1975)-Colonial Imprints and Possibilities for Change
- Guy Sinclair, The Battle and the United Nations
- Philipp Dann, The World Bank in the Battles of the 'Decolonization Era'

- Prabhakar Singh, Reading R.P. Anand in the Postcolony: Between Resistance and Appropriation
- Carl Landauer, Taslim Olawale Elias: From British Colonial Law to Modern International Law
- Umut Özsu, Determining New Selves: Mohammed Bedjaoui on Algeria, Western Sahara, and Post-Classical International Law
- Emamanuelle Tourme Jouannet, Charles Chaumont's Third World International Legal Theory
- Christopher Gevers, Literal 'Decolonisation': Re-reading African International Legal Scholarship through the African Novel
- Bill Bowring, The Soviets and the Right to Self-Determination of the Colonized: Contradictions of Soviet Diplomacy and Foreign Policy in the Era of Decolonization
- Olivier Barsalou, The Failed Battle for Self-Determination: The United States and the Postwar Illusion of Enlightened Colonialism, 1945-1975
- Martti Koskenniemi, What's Law Got to Do with it? Recollections, Impressions



Bryan Peeler (Univ. of Manitoba) has published The Persistence of Reciprocity in International Humanitarian Law (Cambridge Univ. Press 2019). Here's the abstract:

The expectation of reciprocity continues to be an important factor when states' consider their legal obligations in armed conflicts. In this monograph, Peeler looks at the text and negotiations around the 1949 Geneva Conventions and the Protocols Additional to the Geneva Conventions from 1977 to demonstrate the many places where international humanitarian law maintains expectations of reciprocity. This complements an examination of US policy regarding its Prisoner of War obligations in both the Vietnam War and the Global War on Terror, demonstrating how states make use of the expectation of reciprocity found in international humanitarian law to respond to continued non-compliance by an enemy.

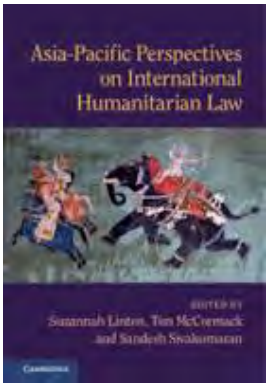


Masahiko Asada (Kyoto Univ. – Law) has published Economic Sanctions in International Law and Practice (Routledge 2019). Contents include:

- Masahiko Asada, Definition and legal justification of sanctions
- Philippe Achilleas, United Nations and sanctions
- Pierre-Emmanuel Dupont, Human rights implications of sanctions
- Mirko Sossai, Legality of extraterritorial sanctions
- Jean-Marc Thouvenin, History of implementation of sanctions
- Richard Nephew, Implementation of sanctions: United States
- Francesco Giumelli, Implementation of sanctions: European Union
- Machiko Kanetake, Implementation of sanctions: Japan
- Andrea Berger, North Korea: Design, implementation, and evasion
- Kazuto Suzuki, Iran: The role and effectiveness of UN sanctions
- Tatsuya Abe, Syria: The chemical weapons question and autonomous sanctions
- Mika Hayashi, Russia: The Crimea question and autonomous sanctions

Olivier de Frouville (Université Panthéon-Assas (Paris II) - Law) & **Julie Tavernier** have published La Déclaration universelle des droits de l'Homme, 70 ans après : les fondements des droits de l'Homme au défi des nouvelles technologies (Pedone 2019). The table of contents is here. Here's the abstract:

Le 70ème anniversaire de la Déclaration universelle des droits de l'Homme (DUDH), adoptée par l'Assemblée générale des Nations Unies le 10 décembre 1948, invite à interroger l'actualité de ce texte fondateur de la protection internationale des droits de l'Homme. Parmi les évolutions qu'a connues la société internationale depuis 1948, le progrès de la connaissance en matière scientifique constitue assurément l'un des défis les plus manifestes pour la mise en œuvre des droits proclamés en 1948. Si certaines questions peuvent être résolues par une transposition des solutions acquises en matière de protection des droits de l'Homme à de nouvelles problématiques, de nombreux développements en matière de progrès scientifique n'avaient pas pu être anticipés par les rédacteurs de la DUDH et posent des problèmes inédits qui appellent des solutions nouvelles. Les contributions présentées dans ce volume ont été réunies dans le cadre du 13ème colloque international du C.R.D.H., qui s'est tenu les 13 et 14 décembre 2018 à l'Université Paris II Panthéon-Assas. Prises ensemble, elles présentent un panorama de ces nouveaux défis posés à la pratique et ouvrent de nouvelles pistes pour la recherche.



Suzannah Linton (Zhejiang Gongshang Univ.), **Tim McCormack** (Univ. of Tasmania), & **Sandesh Sivakumaran** (Univ. of Nottingham) have published Asia-Pacific Perspectives on International Humanitarian Law (Cambridge Univ. Press 2019). The table of contents is here. Here's the abstract:

Place is inextricably linked to history by way of culture, language, philosophy, faith and the development of worldviews. The richness and depth of experience of the Asia-Pacific region has been under-studied, over-simplified and under-appreciated. This book addresses that lacuna in the subject area of international humanitarian law. Drawing on authoritative perspectives and interviews with experts in and on this topic, including four of the region's most distinguished international judges, forty-one chapters thematically examine the development of international humanitarian law; practice and application of international humanitarian law; implementation and enforcement of international humanitarian law; and looking to the future and enhancing compliance with international humanitarian law. The expert contributors draw out unique features, providing fresh insights to scholarship. Contributions on and from the area also grapple with the regional commitments to humanitarianism generally, illuminating how and why international humanitarian law might be more readily accepted or ignored in armed conflicts in the region.

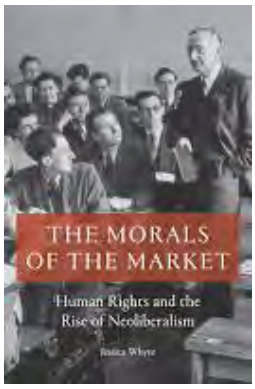
Regis Y. Simo (Univ. of Witwatersrand - Law) has published Trade and Morality: Balancing Between the Pursuit of Non-Trade Concerns and the Fear of Opening the Floodgates (George Washington International Law Review, Vol. 51, no. 3, p. 407, 2019). Here's the abstract:

The liberalization of trade is the main objective of the World Trade Organization (WTO) and its numerous agreements. However, trade liberalization often conflicts with some important societal values and interests. This is the reason why a set of exceptions were devised in WTO-covered agreements to reconcile these conflicting interests. These exceptions allow Members to adopt measures for the protection of a number of values, including the protection of "public morals." But because the term "public morals" is not defined by WTO agreements, the task of ascribing meaning to such a vague concept is left to the WTO judiciary. Highly ambiguous and subjective, "public morals" introduces a dose of uncertainty into the law of the WTO, which may have to deal with as many different conceptions of morality as there are Member States. Since the scope and limits of "public morals" remain uncertain, the adjudicator is left with a difficult task as it is confronted with cases pleading a public morality defense. This Article reviews the cases in which the adjudicator has indulged in the delicate exercise of balancing the preservation of public morals and the imperative of trade liberalization. This Article also critiques the standard of review and sets out to determine the degree of deference accorded to Members to define what constitutes public morals within their respective territories and whether, by so doing, the adjudicator has acted consistently within the delegated power of the Dispute Settlement Understanding (DSU).

Christian Kreuder-Sonnen (WZB Berlin Social Science Center) has published Emergency Powers of International Organizations: Between Normalization and Containment(Oxford Univ. Press 2019). Here's the abstract:

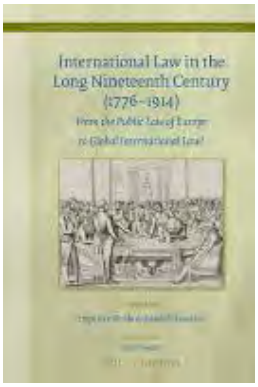
Emergency Powers of International Organizations explores emergency politics of international organizations (IOs). It studies cases in which, based on justifications of exceptional necessity, IOs expand their authority, increase executive discretion, and interfere with the rights of their rule-addressees. This ''IO exceptionalism'' is observable in crisis responses of a diverse set of institutions including the United Nations Security Council, the European Union, and the World Health Organization.

Through six in-depth case studies, the book analyzes the institutional dynamics unfolding in the wake of the assumption of emergency powers by IOs. Sometimes, the exceptional competencies become normalized in the IOs' authority structures (the ''ratchet effect"). In other cases, IO emergency powers provoke a backlash that eventually reverses or contains the expansions of authority (the "rollback effect"). To explain these variable outcomes, this book draws on sociological institutionalism to develop a proportionality theory of IO emergency powers. It contends that ratchets and rollbacks are a function of actors' ability to justify or contest emergency powers as (dis)proportionate. The claim that the distribution of rhetorical power is decisive for the institutional outcome is tested against alternative rational institutionalist explanations that focus on institutional design and the distribution of institutional power among states. The proportionality theory holds across the cases studied in this book and clearly outcompetes the alternative accounts. Against the background of the empirical analysis, the book moreover provides a critical normative reflection on the (anti) constitutional effects of IO exceptionalism and highlights a potential connection between authoritarian traits in global governance and the system's current legitimacy crisis.



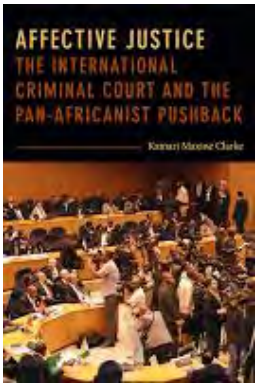
Jessica Whyte (Univ. of New South Wales - Philosophy) has published The Morals of the Market: Human Rights and the Rise of Neoliberalism (Verso 2019). Here's the abstract:

Drawing on detailed archival research on the parallel histories of human rights and neoliberalism, Jessica Whyte uncovers the place of human rights in neoliberal attempts to develop a moral framework for a market society. In the wake of the Second World War, neoliberals saw demands for new rights to social welfare and self-determination as threats to "civilisation". Yet, rather than rejecting rights, they developed a distinctive account of human rights as tools to depoliticise civil society, protect private investments and shape liberal subjects.



Inge Van Hulle (Tilburg Univ. - Law) & **Randall C.H. Lesaffer** (KU Leuven; Tilburg Univ.) have published International Law in the Long Nineteenth Century (1776-1914): From the Public Law of Europe to Global International Law? (Brill | Nijhoff 2019). Contents include:

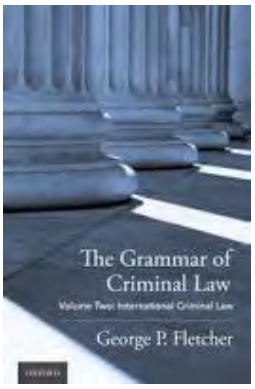
- Randall Lesaffer & Inge Van Hulle, Introduction
- James Crawford, Napoleon 1814–1815: A Small Issue of Status
- Camilla Boisen, The Law of Nations and the Common Law of Europe: The Case of Edmund Burke
- Viktorija Jakjimovska, Uneasy Neutrality: Britain and the Greek War of Independence (1821–1832)
- Andrew Fitzmaurice, Equality of Non-European Nations in International Law
- Inge Van Hulle, British Humanitarianism, International Law and Human Sacrifice in West Africa
- Raphael Cahen, The Mahmoud Ben Ayad Case and the Transformation of International Law
- Stefan Kroll, Public-Private Colonialism: Extraterritoriality in the Shanghai International Settlement
- Frederik Dhondt, Permanent Neutrality or Permanent Insecurity? Obligation and Self-Interest in the Defence of Belgian Neutrality, 1830–1870
- Ana Delic, The Role of Comparative Law in the Development of Modern Private International Law (1750–1914)
- Vincent Genin, The Institute of International Law's Crisis in the Wake of the Franco-Prussian War (1873–1899)



Kamari Maxine Clarke (Univ. of California, Los Angeles - Anthropology) has published Affective Justice: The International Criminal Court and the Pan-Africanist Pushback (Duke Univ. Press 2019). Here's abstract:

Since its inception in 2001, the International Criminal Court (ICC) has been met with resistance by various African states and their leaders, who see the court as a new iteration of colonial violence and control. In *Affective Justice*Kamari Maxine Clarke explores the African Union's pushback against the ICC in order to theorize affect's role in shaping forms of justice in the contemporary period.

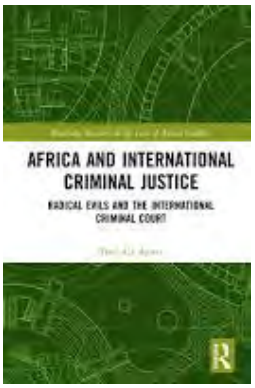
Drawing on fieldwork in The Hague, the African Union in Addis Ababa, sites of postelection violence in Kenya, and Boko Haram's circuits in Northern Nigeria, Clarke formulates the concept of affective justice—an emotional response to competing interpretations of justice—to trace how affect becomes manifest in judicial practices. By detailing the effects of the ICC's all-African indictments, she outlines how affective responses to these call into question the "objectivity" of the ICC's mission to protect those victimized by violence and prosecute perpetrators of those crimes. In analyzing the effects of such cases, Clarke provides a fuller theorization of how people articulate what justice is and the mechanisms through which they do so.



George P. Fletcher (Columbia Univ. - Law) has published The Grammar of Criminal Law - Volume Two: International Criminal Law(Oxford Univ. Press 2019). Here's the abstract:

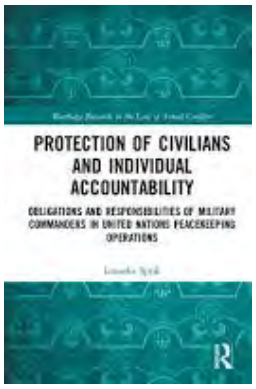
To understand the international legal order in the field of criminal law, we need to ask three elementary questions. What is international law? What is criminal law? And what happens to these two fields when they are joined together?

Volume Two of The Grammar of Criminal Law sets out to answer these questions through a series of twelve dichotomies - such as law vs. justice, intention vs. negligence, and causation vs. background events - that invite the reader to better understand the jurisprudential foundations of international criminal law. The book will appeal to anyone interested in the future of international cooperation in a time of national retrenchment, and will be of interest to students, scholars, and policymakers around the world.



Fred Aja Agwu (Nigerian Institute of International Affairs) has published Africa and International Criminal Justice: Radical Evils and the International Criminal Court(Routledge 2019). Here's the abstract:

This book provides an overview of crimes under international law, radical evils, in a number of African states. This overview informs a critical analysis of the debates surrounding the African Union's call for withdrawal from the International Criminal Court and proposes a way forward with a more pertinent role for the Court. The work critically analyzes the arguments around withdrawal from the ICC and the extension of the jurisdiction of the African Court into criminal matters. It is held that this was not intended in the spirit of complementarity as envisaged by the Rome Statute, and is subject to political calculation and manipulation by national governments. Recasting the ICC as a court of second instance would provide a stronger institutional and jurisdictional regime.



Lenneke Sprik (Vrije Universiteit Amsterdam) has published Protection of Civilians and Individual Accountability: Obligations and Responsibilities of Military Commanders in United Nations Peacekeeping Operations (Routledge 2019). Here's the abstract:

This book explores the question of whether peacekeeping commanders can be held accountable for a failure to protect the civilian population in the mission area. This requires an assessment of whether peacekeeping commanders have an obligation to act against such serious crimes being committed under domestic and international law. The work uses the cases of the Dutch and Belgian peacekeeping commanders in Srebrenica and Kigali as examples, but it also places the analysis into the context of contemporary peacekeeping operations. It unfolds two main arguments. First, it provides a critical note to the contextual interpretation given to international law in relation to peacekeeping. It is argued that establishing a specific paradigm for peacekeeping operations with clear rules of interpretation and benchmark criteria would benefit peacekeeping and international law by making the contextual interpretation of international law redundant. Second, it is held that alternative options to the existing forms of criminal responsibility for military commanders should be considered, possibly focusing more clearly on failing to fulfil a norm of protection that is specific to peacekeeping and distinct from protective obligations under international human rights law and international humanitarian law.

Alexandre Genest has published Performance Requirement Prohibitions in International Investment Law (Brill | Nijhoff 2019). Here's the abstract:

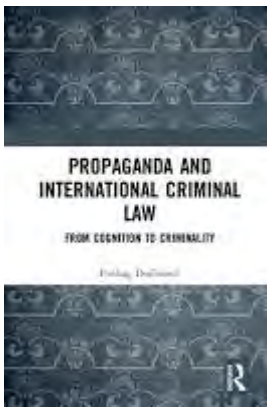
In *Performance Requirement Prohibitions in International Investment Law*, Alexandre Genest explores the prohibition of performance requirements in investment treaties. The author focuses on answering two questions: first, how do States prohibit performance requirements in investment treaties? And second, how should such prohibitions of performance requirements be interpreted and applied? In providing answers to these questions, Alexandre Genest breaks new ground by proposing the first empirical typology of performance requirement prohibitions in investment treaties and the first in-depth analysis of arbitral awards on the subject. Alexandre Genest formulates insightful remarks for a more deliberate and informed interpretation and application of existing performance requirement prohibitions. These remarks will help improve the drafting of performance requirement prohibitions in future investment treaties.

Joseph Francois (Universität Bern) & **Bernard Hoekman** (European Univ. Institute) have published Behind-the-Border Policies: Assessing and Addressing Non-Tariff Measures(Cambridge Univ. Press 2019). The table of contents is here. Here's the abstract:

One feature of globalization is that barriers to international competition have come to be associated with differences in regulatory policies that increase the costs of engaging in cross-border sales. Such non-tariff measures (NTMs) have attracted growing attention from policy makers and raise important questions for policy research. This book provides a valuable overview of key issues related to NTMs and domestic regulation. It covers the classification and definition of NTMs, new sources of data on NTMs, the impacts of (different types of) NTMs, the challenges that confront efforts to reduce the negative trade effects of NTMs and what can and should be done through international cooperation to promote good practices in the design and implementation of NTMs. The contributors comprise a mix of leading trade policy experts - both academics and practitioners - and younger researchers who have specialized in the analysis of NTMs.

Bardo Fassbender (Univ. of St. Gallen - Law) & **Knut Traisbach** (Univ. of Barcelona - Law) have published The Limits of Human Rights(Oxford Univ. Press 2019). The table of contents is here. Here's the abstract:

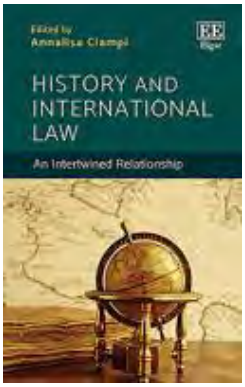
What are the limits of human rights, and what do these limits mean? This volume engages critically and constructively with this question to provide a distinct contribution to the contemporary discussion on human rights. Fassbender and Traisbach, along with a group of leading experts in the field, examine the issue from multiple disciplinary perspectives, analysing the limits of our current discourse of human rights. It does so in an original way, and without attempting to deconstruct, or deny, human rights. Each contribution is supplemented by an engaging comment which furthers this important discussion. This combination of perspectives paves the way for further thought for scholars, practitioners, students, and the wider public. Ultimately, this volume provides an exceptionally rich spectrum of viewpoints and arguments across disciplines to offer fresh insights into human rights and its limitations.



Predrag Dojčinović has published Propaganda and International Criminal Law: From Cognition to Criminality (Routledge 2019). Here's the abstract:

This book addresses the conceptual and evidentiary issues relating to the treatment of propaganda in international criminal law. Bringing together an interdisciplinary range of scholars, researchers and legal practitioners from Africa, Australia, Europe and the United States, the book provides an in-depth analysis of the nature, position and role of the concept of propaganda in mass atrocity crimes trials. A sequel to the earlier Propaganda, War Crimes Trials and International Law: From Speakers' Corner to War Crimes (Routledge, 2011) this book is the first to synthesize the knowledge, procedures and methods of international criminal law with the social cognitive sciences.

Including a comprehensive overview of the most relevant case law, jurisprudence and scientific studies, the book also offers a series of practical insights and strategies for both academics and legal professionals.



Annalisa Ciampi (Univ. of Verona - Law) has published History and International Law: An Intertwined Relationship (Edward Elgar Publishing 2019). Contents include:

- Giorgio Gaja, Forward
- Rolf Einar Fife, Creative Forces and Institution Building in International Law
- Stefan Troebst, Eastern Europe's Imprint on Modern International Law
- Annalisa Ciampi, History, Isolation and Effectiveness of International Human Rights Law
- Sionaidh Douglas-Scott, EU Human Rights Law and History: A Tale of Three Narratives
- Gilad Ben-Nun, 'Treaty after Trauma': 'Protection for All' in the Fourth Geneva Convention
- Olympia Bekou, History and Core International Crimes: Friends or Foes?
- Katarina Ristic, 'Imaginary Trials': The Legacy of the ICTY in Croatia, Bosnia and Serbia
- Erika de Wet, Gilad Ben-Nun, Olympia Bekou, Annalisa Ciampi, Sionaidh Douglas-Scott, Rolf Einar Fife, Katarina Ristic, Stefan Troebst, & Erika de Wet, The Rise and Demise of the ICC Relationship with African States and the AU

Kangnikoé Bado has published The Court of Justice of the Economic Community of West African States as a Constitutional Court: Member States obligations resulting from the Court´s rulings (Nomos 2019). Here's the abstract:

One of the major innovations made by the Economic Community of West African States (ECOWAS) is the unequivocal granting of a supranational role to the Court of Justice of the organisation. However, its human rights mandate has led to real and potential tensions within the ECOWAS legal order. The tensions stem from the legal force of judgments of constitutional courts of member states and the admissibility of individual petitions before the Court. This work identifies some deficiencies in the current regime of the human rights mandate of the Court. Gaps exist at the level of the member states' constitutional order, as well as at the community level. The supranational competence of the jurisdiction must be implemented by the possibility of ordering concrete measures to be taken by states for the reparation of human rights violations. Innovative solutions are suggested in this work in order to fill procedural and substantial gaps in the protection system established in West Africa.

Martti Koskenniemi (Univ. of Helsinki - Law) has published International Law and the Far Right: Reflections on Law and Cynicism(Fourth Annual T.M.C. Asser Lecture). Here's the abstract:

Since the emergence of the profession in the 1870s, international lawyers have lent themselves to supporting various political projects, from ruling of empire to decolonisation, from supporting national self-determination to arguing in favour of global governance of the transnational economy. They have celebrated sovereignty and supported human rights.

The recent backlash against global rule and the international institutions of the liberal 1990s, should be viewed as a political attack from a relatively privileged part of the world on the system of values and distributive power that have governed post-1968 internationalism. This backlash is often treated as a social pathology, arisen from the anger felt by European and American middle classes "left behind" by globalisation.

I do not share this analysis. Whatever the social composition of the "backlash", the policies of its leaders are neither reformist nor "conservative". They are reactionary, and the question is, how to devise an effective policy to counter them.

The coming struggle will be about whether reactionary, colonialist, white and male supremacist values will play a role in the international world after globalisation. If international law is not to become a servant to far right policies, or fall into irrelevance, it had better sharpen its strategic insights. Alongside self-criticism, this involves taking a break from the interminable production of minor reforms. Greater openness is needed. Not to "populist" leaders, but to problems of global inequality.

REVISTAS

American Journal of International Law

- Número actual: https://www.cambridge.org/core/journals/american-journal-of-international-law

Revista Latinoamericana de Derecho Internacional
Latin American Journal of International Law

http://www.revistaladi.com.ar/

- Número actual: http://www.revistaladi.com.ar/index.php/revista-ladi/issue/view/4

African Journal of International and Comparative Law

https://www.euppublishing.com/loi/ajicl

- Volume 27, Issue 4, November, 2019: https://www.euppublishing.com/toc/ajicl/27/4
- Volume 27, Issue 3, August, 2019: https://www.euppublishing.com/toc/ajicl/27/3

Asian Journal of International Law

https://www.cambridge.org/core/journals/asian-journal-of-international-law

- Volume 9 - Issue 2 - July 2019: https://www.cambridge.org/core/journals/asian-journal-of-international-law/latest-issue

Journal of International Dispute Settlement

https://academic.oup.com/jids

- Volume 10, Issue 3, September 2019: https://academic.oup.com/jids/issue/10/3

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

- Número actual: https://brill.com/view/journals/jhil/21/3/jhil.21.issue-3.xml

The Law and Practice of International Courts and Tribunals

- Número actual: https://brill.com/view/journals/lape/18/2/lape.18.issue-2.xml

Journal of Conflict Resolution

http://journals.sagepub.com/home/jcr

- Volume 63 Issue 7, August 2019: https://journals.sagepub.com/toc/jcrb/63/7
- Volume 63 Issue 8, September 2019: https://journals.sagepub.com/toc/jcrb/63/8
- Volume 63 Issue 9, October 2019: https://journals.sagepub.com/toc/jcrb/63/9
- Volume 63 Issue 10, November 2019: https://journals.sagepub.com/toc/jcrb/63/10

Journal of Arbitration International

https://academic.oup.com/arbitration

- Volume 35, Issue 3, September 2019: https://academic.oup.com/arbitration/issue/35/3

Journal of International Criminal Justice

https://academic.oup.com/jicj

- Volume 17, Issue 3, July 2019: https://academic.oup.com/jicj/issue/17/3

Human Rights Quarterly

https://www.press.jhu.edu/journals/human-rights-quarterly

International & Comparative Law Quarterly

- Volume 68 - Issue 4 - October 2019: https://www.cambridge.org/core/journals/international-and-comparative-law-quarterly/issue/31C65F4C3B4F1D37F42B6746110D6885

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VOLVER AL INDICE

Sección 5 / Calendario Académico

Capacitación en áreas relacionadas con el Derecho Internacional

Sección 5 / Calendario Académico
Capacitación en áreas relacionadas con el Derecho Internacional

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Especialización en Derecho Internacional de los Derechos Humanos

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

Maestría en Relaciones Internacionales

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

Maestría en Derecho Internacional de los Derechos Humanos

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

Maestría en Derecho Internacional Privado

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Maestría en Derecho Penal del MERCOSUR

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

Maestría en Relaciones Económicas Internacionales

Más información: http://www.economicas.uba.ar/posgrado/

Doctorado en Derecho Internacional

Más información: http://www.derecho.uba.ar/academica/posgrados/doctorado.php

Universidad Nacional de La Plata (UNLP)

Maestría en Relaciones Internacionales

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

Doctorado en Relaciones Internacionales

Más información: http://www.iri.edu.ar/index.php/2015/10/31/doctorado/

Universidad Nacional de Quilmes

Maestría en Comercio y Negocios Internacionales

Más información: www.unq.edu.ar/carreras/56-maestr%C3%ADa-en-comercio-y-negociosinternacionales.php

Universidad Nacional de Rosario

Doctorado en Relaciones Internacionales

Más información: http://www.fcpolit.unr.edu.ar/posgrado/doctorado-en-relaciones-internacionales/

Universidad Nacional de Tres de Febrero (UNTREF)

Curso de Posgrado en Integración Latinoamericana y dilemas de inserción internacional de la región

Más información: http://untref.edu.ar/posgrados/curso-de-posgrado-en-integracionlatinoamericana-y-dilemas-de-insercion-internacional-de-la-region/

Universidad Abierta Interamericana

Diplomatura en Relaciones Internacionales

Más información: https://www.uai.edu.ar/cursos-y-eventos/derecho-y-ciencias-pol%C3%ADticas/diplomatura-en-relaciones-internacionales/

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Coursera:

International Law in Action: A Guide to the International Courts and Tribunals in The Hague

Más información: https://www.coursera.org/learn/international-law-in-action

International Law In Action: Investigating and Prosecuting International Crimes

Más información: https://www.coursera.org/learn/international-law-in-action-2

Introduction to International Criminal Law

Más información: https://www.coursera.org/learn/international-criminal-law

Global Diplomacy: the United Nations in the World

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Introduction to Environmental Law and Policy

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International Law in Action: the Arbitration of International Disputes

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International Law

Más información: https://www.edx.org/micromasters/louvainx-international-law

International Criminal Law

Más información: https://www.edx.org/course/guo-ji-xing-fa-xue-international-pekingx-02930106x-0

International Investment Law

Más información: https://www.edx.org/course/international-investment-law-0

International Human Rights Law

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International Law

Más información: https://www.edx.org/course/international-law

VOLVER AL INDICE

Sección 6 / Entrevista

Profesor Marcelo F. Trucco[1]

Es un gran placer para el Instituto de Derecho Internacional del CARI poder entrevistar en este número de nuestro Boletín al Profesor Marcelo F. Trucco, a quien agradecemos su tiempo y su deferencia en concedernos la entrevista que presentamos a continuación.

1) ¿Qué motivó su interés en dedicarse académicamente al derecho internacional y a los derechos humanos? ¿Tuvo durante su formación de grado algún maestro o figura que haya sido determinante en su elección?

Desde muy joven tuve interés en mantenerme actualizado sobre las relaciones internacionales llevadas adelante por los Estados. También por todo lo vinculado a la política y a las ciencias sociales en general. Desde chico leo mucho las secciones de diarios que abordan esas temáticas como así también libros de historia y política nacional e internacional. Luego durante la carrera de abogacía, al cursar las materias Historia, derecho político, derecho constitucional y Derecho Internacional Público me apasionó poder profundizar en dichas temáticas y descubrir que vocacionalmente era lo que anhelaba dedicarme en un futuro académico. Tuve la suerte de tener muy buenos docentes en cada una de esas materias. En el caso concreto de los derechos humanos, pienso que el haber estudiado derecho constitucional contemporáneamente a la reforma constitucional de 1994 y haber vivenciado muy de cerca todo el proceso de recepción constitucional de los tratados de derechos humanos ratificados hasta ese momento por nuestro país hizo que acrecentara el interés y la pasión por el estudio de los derechos humanos. Luego, ya en estudios de posgrado, el haber leído, compartido clases magistrales y también charlas con el Profesor Néstor Sagüés, comprender los desafíos de la operatividad a nivel interno de los derechos humanos receptados convencionalmente, el funcionamiento del sistema interamericano de derechos humanos, determinó definitivamente que eligiera el Derecho Internacional de los Derechos Humanos como temática preferente en mi especialización académica.

2) ¿Es posible identificar diferencias entre la academia universitaria y la práctica del derecho internacional a partir de su función como Secretario de Derechos Humanos de la

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Provincia de Santa Fe? ¿Qué desafíos sintió que debió afrontar al asumir un cargo público vinculado a temas sensibles?

Creo que cuando uno tiene la oportunidad de asumir una función pública, y especialmente en mi caso, en el ámbito de los derechos humanos, entiende las diferencias que presenta el abordaje de una determinada temática desde lo teórico con lo que luego te toca ver al momento de su concreción en la práctica. Me permitió por ejemplo analizar en lo cotidiano las acciones llevadas adelante por el Estado para poder dar efecto útil a las obligaciones asumidas en el plano internacional. Especialmente entender la absoluta necesidad que aquellos que expresan la voluntad del Estado asuman con responsabilidad las obligaciones comprometidas por el Estado. Me permitió también llevar adelante políticas públicas concretas para garantizar derechos. Otro tema interesante fue poder ver en la práctica cómo se pueden concretar ciertos aspectos que uno presenta desde la academia, como por ejemplo el agotamiento de los recursos internos, como requisito previo a presentar una petición individual ante el sistema interamericano de derechos humanos.

En relación a los desafíos que debí afrontar asumiendo la representación pública de los derechos humanos a nivel provincial, creo que el principal fue entender que desde el Estado es indispensable asumir los derechos Humanos desde su transversalidad, integralidad e interrelación. Me propuse comprender que la secretaría de derechos humanos debía avanzar en otras temáticas, conforme los desafíos y los nuevos tiempos. Si bien hemos mantenido como decisión política irrenunciable del gobierno de Santa Fe las políticas vinculadas a la memoria, la verdad y la justicia o aquellas orientadas a preservar la vida e integridad de las personas privadas de libertad o sus condiciones de detención de manera compatible con la dignidad de todas las personas, entendí que era también indispensable avanzar en la formación y capacitación en derechos para la ciudadanía, trabajar en la prevención de la violencia institucional, en el derecho a la identidad de quienes buscan sus orígenes, en la lucha contra la trata de personas.

Salir al territorio recepcionando denuncias o inquietudes de ciudadanos que están en situaciones de especial vulnerabilidad, en relacionarnos con instituciones académicas, con organismos de la sociedad civil, atender a la prevención de la violencia de género, el respeto por la diversidad y la lucha por la no discriminación, en asumir la representación del Estado provincial ante los organismos internacionales universales y regionales de derechos humanos, entre otras cuestiones. Desafíos que considero hemos podido cumplir, visibilizando un Estado presente para asumir estas políticas públicas claves para respetar y garantizar derechos.

3) Hemos recordado que su tesis doctoral (2013) trataba sobre la República Argentina ante el Sistema Interamericano de Derechos Humanos (1945-2010). Luego de una década de continuar su análisis en distintos libros y artículos ¿es posible reafirmar la conclusión que hizo en su oportunidad o estamos ante un estadio diferente en materia de derechos humanos en la región? ¿Existen tendencias que deban observarse para los próximos años?

Las circunstancias políticas avanzan y cambian vertiginosamente en la región. La realidad en nuestro país y en la mayoría de los países de América latina no es la misma que hace 10 años, por lo que las lecturas o conclusiones que hice en aquel momento quizás deban actualizarse o reforzarse a la luz de estos vaivenes que motivan nuevos planteos y reflexiones. No obstante, pienso que hay un denominador común, y esto es la necesidad que los Estados reafirmen su compromiso en la defensa irrestricta del sistema democrático y de los derechos humanos fundamentales. En este aspecto la labor de los organismos internacionales de derechos humanos tanto a nivel universal como regional resulta clave para no solo promover o defender esos principios, sino fundamentalmente para

escuchar y recibir las denuncias o quejas de los ciudadanos víctimas de violaciones a derechos fundamentales por parte de sus países. En este sentido, creo que, como lo expuse en mi tesis doctoral, los Estados deben concentrar sus esfuerzos en cumplir a nivel interno con las obligaciones que asumen a nivel internacional. Estar atentos también a las "alertas tempranas" que los órganos de protección internacional dirigen a los Estados, y por supuesto, la necesidad que los Estados den cumplimiento estricto a las reparaciones ordenadas por los tribunales de derechos humanos y asuman las garantías de no repetición, cumpliendo en todos los niveles del Estado con las interpretaciones emanadas por los organismos internacionales como intérpretes auténticos y finales de las Convenciones ratificadas.

4) Como especialista en el área de los derechos humanos ¿quiénes son sus referentes?

En Argentina y en América Latina tenemos excelentes especialistas en derechos humanos. Siempre es odioso hacer una "selección de referentes" pero sin duda entre mis preferidos puedo nombrar a Néstor Sagüés, Fabián Salvioli, Mónica Pinto, Antonio Cancado Trindade, Eduardo Ferrer Mc Gregor, Sergio García Ramírez, Javier Salgado, entre otros/as.

5) ¿Qué obras jurídicas considera de referencia obligatoria para el ejercicio profesional y académico del derecho internacional y los derechos humanos?

Por supuesto hay muchas que se podrían nombrar. Pero recuerdo las que me acompañaron en mi formación. En el campo del Derecho Internacional Público los clásicos: el tratado del Prof. Julio Barboza, como así también los manuales de Teresa Moya Domínguez, Diez de Velazco, Podestá Costa/Ruda, Verdross. En relación a derechos humanos, me gusta mucho la obra "La humanización del derecho internacional contemporáneo" de Cancado Trindade, "Historia de los derechos humanos y garantías" de Juan Antonio Travieso, "Sistema Interamericano de Derechos Humanos, de Felipe Gonzales Morales, "La denuncia ante la CIDH" de Mónica Pinto, el tratado de Derecho Constitucional de Néstor Sagüés y "Control de convencionalidad" coordinado por Susana Albanese, entre otros.

6) Como experto en la jurisprudencia de la Corte Interamericana de Derechos Humanos y su actuación ¿cuál es el grado de contribución real que pueden tener las personas o instituciones en carácter de amicus curiae? ¿Observa diferencias con otros tribunales?

Considero que la figura del amicus curiae puede contribuir mucho a la labor de la Corte Interamericana, especialmente como aporte al momento de entender los contextos en los que se dan determinadas violaciones de derechos humanos. Escuchar a las organizaciones de la sociedad civil, a organismos de derechos humanos, las interpretaciones que pueden acercar instituciones académicas, son contribuciones que deben ser receptadas con amplitud por el Tribunal regional.

7) ¿Qué reflexiones le merece la figura del Defensor Público Interamericano?

Me parece una figura muy importante. Es un actor procesal indispensable para garantizar el derecho de acceso y permanencia de todas las personas, en este caso, a un proceso internacional. Debemos entender que el derecho de acceso a la justicia como derecho humano no solo debe garantizarse a nivel interno, sino que también es un imperativo que debe respetarse y garantizarse a nivel internacional. El sistema interamericano siempre buscó que la falta de recursos económicos no represente un obstáculo para que las personas puedan acceder al sistema. Contar con un Defensor

interamericano que pueda ejercer la función de representación ante la Corte Interamericana de personas que no cuenten con recursos necesarios permite también, a mi entender, separar en el proceso ante el Tribunal regional, el rol de la CIDH, como promotor y garante del sistema y a la vez, como representante del interés público interamericano.

8) Finalmente ¿qué consejos puede brindarle a los jóvenes que deseen realizar una carrera profesional vinculada a los derechos humanos?

Cuando tengo la oportunidad de hablarles especialmente a los jóvenes, me gusta terminar esas charlas trasmitiendo la idea que todas las personas debemos asumir la obligación de ser militantes de los derechos humanos. Esto es, no ser indiferentes con lo que le pasa al otro. De que el conocimiento de los derechos es la garantía de su mejor defensa. Nunca dejar de militar. Que luego cada uno/a elija el ámbito que quiera, la familia, grupo de amigos/as, barrio, club, aula, organización social, ong, órgano estatal, centro de estudiantes, universidad, etc, siempre hay ámbitos para comprometerse y hacer algo con sentido social y comunitario.

Luego, para los estudiantes de abogacía en particular, les diría que la protección, defensa y promoción de los derechos humanos es la razón de ser de nuestra querida profesión. Que los abogados/as tenemos la enorme responsabilidad y el hermoso desafío de que nuestro conocimiento pueda estar al servicio de todas las personas, especialmente de aquellos grupos más vulnerables, y que nuestro aporte es clave para llevar a la práctica y hacer cumplir en la realidad, las obligaciones de respeto y garantía que el Estado ha asumido en las normas internas e internacionales. Si podemos llegar a comprender nuestra profesión desde ese sentido de vocación social, lograremos dimensionar nuestra función como operadores en la búsqueda de garantizar justicia, desde el reconocimiento y concreción de la dignidad humana y la plena inclusión e igualdad de todas las personas.

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