

# Bibliography

## International Law

Since 2023

Prepared on the basis of available resources  
in IUB Library

Platform: EBSCOhost



27-Mar-24

## International Law

---

International law firms double down on Saudi expansion. *International Financial Law Review*. 12/25/2023. ().

### Abstract

Clifford Chance and King & Spalding share their views on what makes the country so attractive for the global legal sector

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=174425633&site=ehost-live>

National Labor Relations Act — Administrative Law — Preemption — Primary Jurisdiction — *Glacier Northwest, Inc. v. International Brotherhood of Teamsters Local Union No. 174*. *Harvard Law Review*. Nov 2023. 137(1).

### Abstract

The article presents the discussion on doctrine of primary jurisdiction. Topics include justified as the combined application of two well-established doctrines such as conflict preemption and primary jurisdiction; and Union filed an unfair labor practice (ULP) charge with the Board against Glacier for unlawfully retaliating against drivers who participated in the strike.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=173678390&site=ehost-live>

Personal Jurisdiction — General Jurisdiction — Consent-by-Registration Statutes — *International Shoe and Its Progeny — Mallory v. Norfolk Southern Railway Co.* *Harvard Law Review*. Nov 2023. 137(1).

### Abstract

The article presents the discussion on personal jurisdiction comports with the Fourteenth Amendment. Topics include Supreme Court upheld against due process challenge a state consent-by-registration statute, which required that corporations registered to do business in state also consent to general jurisdiction; and Norfolk Southern operated in Pennsylvania, Mallory countered that it was required to register as a foreign corporation there.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=173678381&site=ehost-live>

### Abdullahi, Abdirizak Osman

A Decade of Conflict in Syria: An Analysis of International Law. *Journal of East Asia & International Law*. 2023. 16(2).

### Abstract

The Syrian crisis has been persisting for more than eleven years, but shows no signs of resolution or end yet. Various reports from the United Nations and other reputable organizations have extensively documented a multitude of atrocities perpetrated by all factions involved in the conflict. This article examines the Syrian crisis from a perspective of international law. The author analyses the legal justifications put forward by the parties involved in the conflict, including humanitarian intervention, the responsibility to protect, etc. This research paper employs an analytical and descriptive research methodology. The finding concludes that the Syrian Civil War is not likely to be over for the foreseeable future in spite of many efforts under international law. The author also finds that there have been numerous violations of international law by both sides in the conflict related to human rights and humanitarian protection.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=174356100&site=ehost-live>

## **Abu Rous, Fawzi; Riano, Ivy**

Challenges Faced by J-1 International Medical Graduates (IMGs) During COVID-19 Pandemic. *Cancer Investigation*. Mar 2023. 41(3).

### **Abstract**

In March 2020, WHO declared COVID-19 a global pandemic which led to many countries closing their borders to contain the spread of the virus, stay-at-home mandates were announced and governmental entities started working on minimal capacity. Delays in visa processing and renewal is one aspect that was hugely impacted by the pandemic and led to interruption in the training of many international medical graduates (IMGs). In this manuscript, we share our stories and perspective on the challenges faced by IMGs holding J-1 visa during COVID-19 pandemic.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=162056611&site=ehost-live>

## **Ahmad, Nehaluddin; Lilienthal, Gary; Ahmad, Siti Sara**

Islamic Laws of War and Contemporary International Humanitarian Law: Discrimination and Proportionality. *Journal of East Asia & International Law*. May 2023. 16(1).

### **Abstract**

Since the beginning of the seventh century, Islamic law has played an essential role in protecting the personal, economic, judicial, and political rights of civilians during armed conflict. Fourteen centuries before the Universal Declaration of Human Rights was drafted in 1948, it had already initiated a human revolution consisting of a set of human principles. In addition, Islamic law has made a significant contribution to international humanitarian law (IHL). This paper focuses on two specific legal constructs in warfare: the definition of the combatant and the principle of distinction. This article comparatively examines how these two laws deal with different aspects of war that fall under jus ad bellum, jus in bello, and jus post bellum. A comparative analysis of the various elements and aspects of just war theory in Islamic and contemporary international law provides a much deeper understanding of its limitations. We can safely conclude that there is a unique relationship between the Islamic law of war and IHL.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=164969813&site=ehost-live>

## **Ahmad, Nehaluddin; Mustafa, Faizan; Aziz, Hanan Abdul**

Responsibility to Rescue Refugees at Sea under International Law. *Journal of East Asia & International Law*. 2023. 16(2).

### **Abstract**

This research examines the rescue of refugees at sea in the context of international law and human rights. The article focuses on the search and rescue obligations outlined in the United Nations Convention on the Law of the Sea. The article also discusses other international initiatives relevant to the rescue of refugees at sea, including the International Convention for the Safety of Life at Sea and the Global Compact on Refugees. The challenges surrounding the rescue of refugees at sea are also analysed, including issues such as delays and refusals in assistance. The authors further explore disagreements over responsibility and jurisdiction in rescue operations involving refugees. Finally, the article underscores the need for a comprehensive understanding of international legislation and basic humanitarian principles when addressing the rescue of refugees at sea. It offers insights into potential solutions for addressing the challenges and controversies encountered in these rescue operations.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=174356098&site=ehost-live>

**Aldatmaz, Serdar; Brown, Greg W.; Demirgüç-Kunt, Asli**

Determinants of International Buyout Investments. *Journal of Financial & Quantitative Analysis*. Mar 2023. 58(2).

### Abstract

Using a proprietary data set on international private equity activity, we study the determinants of buyout investments across 61 countries and 19 industries over the period of 1990 to 2017. We find that countries with cyclically strong economies, more active stock and credit markets, and better rule of law experience more buyout activity. Countries also receive more buyout capital following investor protection and contract enforcement reforms. The set of determinants we identify appear somewhat unique to buyout investments, because other forms of investment such as foreign direct investment, gross capital formation, investments in R&D, and M&A activity do not respond similarly to these factors.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=162846717&site=ehost-live>

**Alford, Roger P**

Christianity and International Law: An Introduction. Edited by Pamela Slotte and John D. Haskell. *Journal of Church & State*. Winter 2023. 65(1).

### Abstract

The second half of the book focuses on recurring themes that arise in the modern period regarding the relationship between Christianity and international law. Second, the book includes themes that routinely resurface within contemporary international legal thought, including topics such as religious freedom, human rights, and refugees and asylum. One can quibble with the choice of topics in an introduction to the nexus of Christianity and international law.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=161964040&site=ehost-live>

**Alshareef, Salam**

China's Insertion in the International Patent Regime: Shaking the Rules Widens the Development Policy Space. *Journal of Economic Issues (Taylor & Francis Ltd)*. Sep 2023. 57(3).

### Abstract

Much has been written about the effects of China's rising role in global economic governance, but the consequences for the development policy space have received little attention. This article examines whether China's mode of insertion in the international patent regime widens the restricted policy space of its developing country partners to shape their national patent system in a way that facilitates technical progress. Results show that China adopts a minimalist interpretation of the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement as it incorporates its flexibilities at the bilateral and national levels, thus preserving and potentially widening its partners' development policy space.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=172784771&site=ehost-live>

# International Law

---

## **ALVAREZ, JOSE W.**

A COMPARATIVE ANALYSIS OF DOMESTIC AND INTERNATIONAL LEGISLATION ON COMBATING INTERNATIONAL BRIBERY AND CORRUPTION. *American University International Law Review*. 2023. 38(4).

### **Abstract**

This composition compares and contrasts the legislation used in addressing and preventing transnational bribery and corruption at the domestic, regional, and international level. Using the history and current application of the United States Foreign Corrupt Practices Act as a foundation, this composition analyzes the legislation of fifteen nations, two international organizations, and three regional bodies, and their approaches in combating the growing issue of transnational bribery and corruption. This composition analyzes and interprets the common themes, historical and contemporary patterns, as well as trends at each government level, and potential future courses of action. The denouement of this work seeks to present an egalitarian solution that accentuates the noteworthy characteristics of each level, and how they can function in a single, harmonious mechanism.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=174653708&site=ehost-live>

## **Auh, Justin**

Leveling the Playing Field: How to Get International Student-Athletes Paid under Name, Image, and Likeness. *Northwestern Journal of International Law & Business*. Spring 2023. 43(3).

### **Abstract**

Select few international student-athletes can benefit from NIL by switching their student visas to P-1A or O-1A visas. Other international student-athletes may opt for more creative solutions, such as returning to their home countries to pursue NIL ventures. In general, all international student-athletes can at least earn passive income from group licensing opportunities, which likely would not violate their F-1 visas. Regulatory changes are necessary to benefit those whose circumstances or lack of prominence would not allow them to explore NIL opportunities in their home countries or successfully apply for other temporary nonimmigrant visas. Amending the F-1 visa through codification to allow international student-athletes majoring in sports or business to pursue any NIL opportunity is ultimately the only viable blanket solution, and the resulting promotion of financial equity would outweigh concerns about national security and human trafficking with respect to international students.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=174053252&site=ehost-live>

# International Law

---

## **Ba, Oumar**

Constructing an international legal order under the shadow of colonial domination. *Journal of Human Rights*. Jan-Mar 2023. 22(1).

### **Abstract**

It is often pointed out that African states were early and eager supporters of the international criminal justice regime. Yet the current international legal order is starkly different from the one African states had envisioned. By revisiting the archives of two pivotal moments in the establishment of the current international legal order—the work of the International Legal Commission (ILC) in drafting the Code of Crimes against the Peace and Security of Mankind and negotiations that led to the draft statute of the ICC—we find that Africa had proposed a different version of the international legal order. I contend that the visions African states held were reflective of their experience of colonial subjugation. Therefore, the Draft Code and establishment of the ICC were meant to provide an avenue for redress, amid a deep mistrust between Africa and "international law." This article offers a revisionist historiography of the international criminal justice regime, which "writes Africa in," and presents Africans as challengers and advocates of norms and a legal architecture borne out their experience of global marginality and the shadow of colonial domination.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=161761756&site=ehost-live>

## **BARNES, MANDELA**

SPEECH GIVEN BY STATE OF WISCONSIN LIEUTENANT GOVERNOR MANDELA BARNES AT THE WISCONSIN INTERNATIONAL LAW JOURNAL SYMPOSIUM ON FRIDAY, APRIL 1, 2022. *Wisconsin International Law Journal*. Spring 2023. 40(2).

### **Abstract**

The article features a speech by Lieutenant Governor Mandela Barnes at the Wisconsin International Law Journal Symposium. He expresses his excitement for the conversation and emphasizes the importance of finding solutions to combat climate change, highlighting Wisconsin's potential to become a leading state in addressing the issue. He also discusses the impacts of climate change on the state and emphasizes the need for immediate action.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=163898528&site=ehost-live>

## **Bilginsoy, Cihan**

Book Reviews: Work and Labor Relations in the Construction Industry: An International Perspective. Edited by Dale Belman, Janet Druker, and Geoffrey White. *ILR Review*. Oct 2023. 76(5).

### **Abstract**

Book Review.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=171374115&site=ehost-live>

# International Law

---

**Buchwald, Todd F.**

INTERNATIONAL LAW AND THE "NEW COLD WAR": AN OPPORTUNITY FOR REFLECTION ON INTERNATIONAL LAW IN THE "OLD" COLD WAR. *Case Western Reserve Journal of International Law*. Spring 2023. 55(45293).

## Abstract

The inspiration for this presentation is an oral history interview of the person, Jolin Maktos, who served as the State Department's first Assistant Legal Adviser for United Nations Affairs - a position in which I would come to serve nearly five decades later. The bulk of the interview concerns what he considered the five most noteworthy international law issues on which he worked. What is striking about the list is the familiarity of the issues to this day-to-me, as a subsequent incumbent of the position, and to international lawyers generally. These were issues that arose in the course of the first wave of Cold War legal issues, but they were not necessarily tied particularly closely to the dynamics of the Cold War. This led me to think more carefully about whether our experience of the "old Cold War" is likely to be a good predictor of our experience in the years ahead, and also about why that would (or would not) be true. My thesis for the presentation this morning is that the old Cold War will be a surprisingly good predictor of the kinds of issues that we are likely to face, but not because the period we are entering is particularly similar to the Cold War. The presentation below has four parts. Part I sets the stage by very briefly explaining that the overall political dynamics of the old Cold War are similar only in limited ways to the dynamics of the situation that we are likely to face in the years ahead. As discussed in Part II, there was in fact a vast and eclectic range of issues that required the attention of international lawyers, but only a portion of them were driven primarily or at all by Cold War dynamics. In those limited areas where the dynamics today are similar, the Cold War experience is likely to be a good predictor. As discussed in Part III, however, a broad range of other issues that commanded the attention of international lawyers during the Cold War were primarily driven by separate dynamics. It is of course impossible to enumerate or summarize all these "other issues" and we thus turn to the five issues that Maktos considered the most noteworthy to illustrate the point. It is these other drivers, each of which has a certain timeless quality, that make them useful for helping us predict the kinds of issues that we will face in the years and months ahead. Part IV then offers some modest observations and conclusions.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=163651670&site=ehost-live>

**Buns, Melina Antonia**

Making a model: the 1974 Nordic Environmental Protection Convention and Nordic attempts to form international environmental law. *Scandinavian Journal of History*. Feb 2023. 48(1).

## Abstract

This article investigates the 1974 Nordic Environmental Protection Convention. It shows that the ulterior motives for such a convention were Nordic ambitions to regulate and reduce transboundary pollution originating outside of the Nordic region. Emphasizing the inter-organizational dynamics between institutionalized Nordic cooperation and international organizations, it examines how the Nordics drew on developments within international organizations and how they pursued their agenda of shaping international environmental law within the OECD. Ultimately, the article argues that the Nordic countries tried to create a model convention to be exported to and implemented at the international level with the aim of reducing transboundary pollution and establishing transnational responsibilities and accountabilities. By setting out this argument and shedding light on the first legally binding international convention to address transboundary pollution with procedural principles, the article breaks new ground on the history of Nordic environmental cooperation as well as on the development of international environmental law.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=161687690&site=ehost-live>

## **BYRNE, MICHAEL**

EXPORTING VIOLATIONS OF INTERNATIONAL POLICING NORMS: THE US BORDER PATROL'S "BORTAC" SPECIAL OPERATIONS UNIT PROMOTES VIOLATIONS OF INTERNATIONAL NORMS AND REQUIRES SIGNIFICANT REFORM. Wisconsin International Law Journal. Spring 2023. 40(3).

### **Abstract**

The article examines the activities and impact of the U.S. Border Patrol's special operations unit, known as BORTAC. It investigate whether BORTAC's operations comply with international norms and standards related to policing and migration. It further traces the evolution of BORTAC, highlights international norms and agreements, and analyzes how BORTAC's activities may violate these norms.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=169903817&site=ehost-live>

## **Bytyqi, Vilard; Morina, Fitore**

The International Standards on the Protection of the Environment through Criminal Law - Special Focus on the EU Directive on Environmental Crime. Polish Journal of Environmental Studies. 2023. 32(2).

### **Abstract**

Protecting the environment from various exogenous factors that threaten its degradation has been part of the priorities of the governments of different states, initiatives that date back to the 1960s. This paper aims to address the problem of recognizing the importance of environmental protection within criminal law by sanctioning actions that degrade the environment. The study examined and analyzed the importance of international standards and EU directives for the protection of the environment and also for harmonization and standardization of the legal framework in the European area, including member states and aspiring countries in the EU. The paper has used the method of qualitative legal analysis to treat in the analytical sense the standards of many international instruments for environmental protection through criminal law and has also used the different literature and legislation. The results indicate that all states aspiring to EU membership should prioritize the environmental issue, because environmental protection is seen as an area of common interest among all EU countries. The study also recommends not overlooking the crucial importance of environmental protection alongside economic development. This study provides help to policymakers while designing and drafting their national legislation to understand the importance of EU standards and directives.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=162525096&site=ehost-live>

## **Carroll, Francis**

International Law and the Politics of History: by Anne Orford, Cambridge, Cambridge University Press, 2021, 382pp., £59.99 (hardback), ISBN 978-1-108-48094-9; £22.99 (paperback), ISBN 9781-108-70362-8. Diplomacy & Statecraft. Mar 2023. 34(1).

### **Abstract**

In Orford's judgement, serious academic historical research, for all its merits, is not the apolitical/empirical panacea it is purported to be by some practicing international lawyers and international legal scholars. International Law and the Politics of History: by Anne Orford, Cambridge, Cambridge University Press, 2021, 382pp., £59.99 (hardback), ISBN 978-1-108-48094-9; £22.99 (paperback), ISBN 9781-108-70362-8 Professor Anne Orford has produced a distinctive commentary on international law and history.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=163192881&site=ehost-live>

### Chen, Zhen

Internet, consumer contracts and private international law: what constitutes targeting activity test? *Information & Communications Technology Law*. Mar 2023. 32(1).

#### Abstract

A foreign business is subject to consumer jurisdiction and applicable law rules provided in Articles 17–19 Brussels Ibis Regulation and Article 6 Rome I Regulation only if it conducts commercial activities targeted at the consumer's home country. This paper aims to answer the question what constitutes targeting activity test, especially in the context of the Internet and E-commerce, for the purpose of applying such pro-consumer private International law rules. To this end, it is necessary to examine the non-exhaustive list of factors given by the CJEU in the influential Pammer and Hotel Alpenhof judgment. This paper argues that no single factor is decisive, instead, an overall assessment should be conducted. Moreover, the targeting test should perhaps be supplemented by the dis-targeting test, which focuses more on the ring-fence mechanism. In this regard, apart from asking consumers individually about their whereabouts, it can be done by exploiting geo-location and geo-blocking technologies to technologically block unsolicited consumers.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=ufh&AN=162598684&site=ehost-live>

### Ewing, Christopher

Defining Sex Tourism: International Advocacy, German Law, and Gay Activism at the End of the Twentieth Century. *Journal of the History of Sexuality*. Jan 2023. 32(1).

#### Abstract

The revised Paragraph 176 came into force in August 1993, and the revised Paragraph 182 replaced Paragraph 175 and Paragraph 149 the following year. The group argued that "this form of sexual abuse is to be seen also in relation to other forms of sexual exploitation, especially trafficking in children and women as well as sex tourism to countries in the Third World." [63] When the proposals were brought to the Bundestag for debate that October, Alliance '90 / Green Party representative and women's speaker Christian Schenk argued that expanding criminal provisions against child pornography and sex tourism was necessary because "60 percent of all German tourists in Thailand are sex tourists. The ruling Christian Democrats and Free Democrats had established in their 1990 coalition agreement that they would abolish Paragraph 175 while leaving the East German Paragraph 149 in force for the former East German states in the interim, but they made no promises about changes to Paragraph 176. While many women representatives in the Bundestag sought to prevent abuse of women and girls at home and abroad, gay activists and Bundestag representatives in favor of the abolition of Paragraph 175 sought both to prevent exploitation and to end discrimination against gays and lesbians in German law.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=161621342&site=ehost-live>

# International Law

---

**GEIGER, CHRISTOPHE; JÜTTE, BERND JUSTIN**

CONCEPTUALIZING A "RIGHT TO RESEARCH" AND ITS IMPLICATIONS FOR COPYRIGHT LAW: AN INTERNATIONAL AND EUROPEAN PERSPECTIVE. *American University International Law Review*. 2023. 38(1).

## Abstract

Copyright, at international, European, and national levels, does not provide a legal framework that prioritizes enabling and incentivizing research using protected works and information to the extent necessary and desirable in a digital, data-driven society in order to build a sustainable ecosystem for innovation and creativity. While small progress has been made, for example with the recent introduction of specific exceptions for research purposes and for text and data mining in certain national legislations as well as in the European Union law, a horizontal approach towards a more research-friendly copyright ecosystem has so far failed to evolve. By revisiting international and European human and fundamental rights instruments as well as the aims and objectives of the European Union, it is possible to distill research as a constitutional and ethical imperative. Conceptualizing a fundamental "Right to Research" and integrating it into a constitutional dialogue provides a convincing argument to rethink copyright towards a research-oriented normative system.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=164239622&site=ehost-live>

**Goodluck, ETINAGBEDIA**

NATURE OF THE POLITICS OF INTERNATIONAL LAW WITHIN THE NIGERIAN STATE. *Journal of Public Administration, Finance & Law*. 2023. (29).

## Abstract

The paper looks at the nature of international law politics within the Nigerian state and the challenges Nigeria faces in implementing it successfully. Neorealism theory, which relies on secondary data gathered from documentation through published and unpublished books, journals, articles, and other publications on human rights and maritime/environmental treaties, was used as the intellectual framework and adopted the qualitative synthesis of the scientific method. It was also discovered that the majority of international treaties are less enforceable due to the National Assembly's inability or negligence in domesticating the laws to which Nigeria is a party. The conclusions drawn from these observations lead to the following recommendations, which are listed in no particular order. The 2004 Treaties Act comes first. should be changed right away to make consultation with the appropriate National Assembly committees a prerequisite for making treaties. In the same vein, training and capacity building for the bureaucracy and other pertinent agencies are necessary to guarantee the efficient execution of the numerous international legal instruments to which Nigeria is a party.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=175928809&site=ehost-live>

**Hulsroj, Peter**

The emptiness at the heart of international law. *World Affairs*. Mar 2024. 187(1).

## Abstract

"What is not prohibited is allowed" is the principle at the heart of international law. Yet the principle is empty. It originates in the Lotus judgment of the Permanent Court of International Justice of 1927 where Turkey was allowed to prosecute a French citizen at the expense of the authority of France to have exclusive jurisdiction. This article recounts the history of "what is not prohibited is allowed" and explains where it has led us astray and where it is in the process of doing so. It recalls that the intention of the creators of the Permanent Court of International Justice was very different, namely that equitable balancing would take place when no specific international law norm could be identified. The article suggests how, through an Advisory Opinion by the International Court of Justice, equitable balancing can be re-established as the fallback principle when international law is otherwise silent.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=175968819&site=ehost-live>

## Jl, Hua

Book Review of Benoit Mayer, *International Law Obligations on Climate Change Mitigation*. *Chinese Journal of International Law*. Mar 2023. 22(1).

### Abstract

Mayer expresses his critical thinking against the judicial function of human rights treaties in implementing climate mitigation obligations. 1. The monograph under review is Benoit Mayer, *International Law Obligations on Climate Change Mitigation*, Oxford University Press, 2022, xlv+340 pp. index; ISBN 9780192843661 (e-book). This assertion rests on the relationship between customary and treaty obligations: climate treaties help to interpret customary international law and vice versa (p.128).

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=163883128&site=ehost-live>

## Kapidžić, Damir

The rise and fall of peacebuilding in the Balkans: by Roberto Belloni, Cham: Springer International Publishing (Imprint: Palgrave Macmillan), 2020, 250 pp., €72.79 (hardback), ISBN: 978-3-030-14423-4. *Journal of Balkan & Near Eastern Studies*. Jan 2023. 25(1).

### Abstract

Belloni adopt a procedural approach and traces the evolution of this agenda in the Balkans, asking why internationally lead liberal peacebuilding has failed to live up to expectations. In *The Rise and Fall of Peacebuilding in the Balkans*, Belloni skilfully guides us through the early, recent, and contemporary phases of peacebuilding in the region, stretching from the 1990s until today. Roberto Belloni described *The Rise and Fall of Peacebuilding in the Balkans* as the book he did not intend to write.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=161588067&site=ehost-live>

## Karim, Ridoan

Toward an International Law of Just AI Development. *Journal of East Asia & International Law*. 2023. 16(2).

### Abstract

AI-driven technology is becoming an integral part of our daily lives, spanning from smart home devices to social media platforms. However, the uneven distribution of AI technologies could result in a scenario where certain groups exert dominance over the direction of AI development. The consequences of inequality in AI evolution could further exacerbate existing economic gaps by concentrating benefits among a privileged few with access to advanced AI technologies. To address this question the, international communities should come forward and regulate the just development of AI with new and existing international laws. Although the existing international legal frameworks can be adapted to address AI-specific issues without the need for entirely new laws, however, the novel challenges presented by AI require unique and new international laws. Issues such as data sovereignty, data privacy, and data localization are areas where international laws and agreements need to evolve to accommodate the just development of AI.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=174356092&site=ehost-live>

**Kim, Jeonghyeon**

The role of international intervention in managing refugee crises: lessons from Vietnamese and North Korean refugee cases in China. *Pacific Review*. Jan 2023. 36(1).

### Abstract

This article examines the role of international intervention for refugee protection by conducting a within-case analysis of two similar groups in China: Vietnamese and North Korean refugees. It argues that states make refugee policy decisions based on cost-benefit calculations, but this self-centered behavior can be mitigated by international intervention. Without amending national laws and official policies, the international community can improve refugee protection in authoritarian regimes through external assistance and support that shares and reduces the burden on host states and persuades state behavior toward refugees. The evidence of this study further suggests that international intervention matters, but the formats of intervention are even more critical to improving a state's refugee protection, especially in dealing with a powerful authoritarian state like China in the context of the Post-Cold War era. More specifically, positive inducements are preferable than sanctions and criticism to address China's human rights violations regarding North Korean refugees because the strategies help China to leverage its power in the Korean peninsula and the Asian region more broadly by providing them enough political coverage to save its face from allies and constituents and maintain close diplomatic relationships with its all neighbors, including the two Koreas.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=161276321&site=ehost-live>

**Maesschalck, Sam**

Gentlemen, you can't fight in here. Or can you?: How cyberspace operations impact international security. *World Affairs*. Mar 2024. 187(1).

### Abstract

The military now views cyberspace as a new warfare domain, with constant cyber operations potentially causing significant consequences. Internationally, countries are heavily involved in cyberspace, but international law lags behind this evolution, raising questions about its application and retaliation measures. This article investigates international law in cyberspace and cyber operations in warfare and terrorism, exploring recent calls for increased legislation. The impact of cyberspace nonregulation on international security is examined from both positive and negative perspectives. It argues that solving anonymity and attribution issues requires state collaboration, with an initial step of cooperation against cyber-terrorism. The conclusion emphasizes the necessity of cyberspace regulation and legislation for international and national security, offering a starting point for discussion.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=175968822&site=ehost-live>

**Marie, Olivier; Pinotti, Paolo**

Immigration and Crime: An International Perspective. *Journal of Economic Perspectives*. Winter 2024. 38(1).

### Abstract

The association between immigration and crime has long been a subject of debate, and only recently have we encountered systematic empirical evidence on this issue. Data shows that immigrants, often younger, male, and less educated compared to natives, are disproportionately represented among offenders in numerous host countries. However, existing research, inclusive of our analysis of new international data, consistently indicates that immigration does not significantly impact local crime rates in these countries. Furthermore, recent studies underscore that obtaining legal status diminishes immigrants' involvement in criminal activities. Finally, we discuss potential explanations for the apparent incongruity between immigrants' overrepresentation among offenders and the null effect of immigration on crime rates.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=175326794&site=ehost-live>

### **MCNEIL, BRUCE J.**

International Employee Benefits. *Journal of Deferred Compensation*. Winter 2024. 29(2).

#### **Abstract**

The article focuses on Bruce J. McNeil, an esteemed expert in executive and deferred compensation, highlighting his extensive experience, contributions, and roles in providing expert testimony, engaging with government agencies, and contributing to publications in the field of employee benefits and compensation.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=173905416&site=ehost-live>

### **Minkova, Liana Georgieva**

The Fifth International Crime: Reflections on the Definition of "Ecocide". *Journal of Genocide Research*. Mar 2023. 25(1).

#### **Abstract**

The aim of the IEP is that the definition of "ecocide" would serve as a basis for an amendment to the Rome Statute, which would make "ecocide" the fifth international crime by adding a new Article 8ter. The IEP did not have to define the mental element of the proposed crime of "ecocide" because, unlike the statutes of previous international tribunals, Article 30 of the ICC Statute provides a general rule for establishing the mental element of criminal responsibility that is applicable to all crimes subject to the Courts jurisdiction. After several months of discussions, the IEP presented a legal definition of the crime of "ecocide" in June 2021.[10] According to the expert panel: ... "ecocide" means unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts. As the next section discusses, the definition of the mental element of liability for ecocide triggered similar problems: the IEP recognized that the crime may often be committed with reckless disregard for the environment rather than a concrete intent to harm it, but ambiguously relied on the term "knowledge" of the crimes in the actual definition.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=161062723&site=ehost-live>

### **Navarrete-Dechent, Cristian; Phillips, William; Nehal, Kiswher S; Shah, Kalee**

What is the margin threshold for tumour clearance when doing Mohs micrographic surgery? Comment on 'An international survey characterizing Mohs tissue processing techniques and Mohs margin thresholds: how close is too close?'. *Clinical & Experimental Dermatology*. Feb 2023. 48(2).

#### **Abstract**

What is the margin threshold for tumour clearance when doing Mohs micrographic surgery? Comment on 'An international survey characterizing Mohs tissue processing techniques and Mohs margin thresholds: how close is too close? An international survey characterizing Mohs tissue processing techniques and Mohs margin -thresholds: how close is too close?.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=162330262&site=ehost-live>

**NOVAK, Stjepan**

EXPULSION FROM THE EUROPEAN UNION FROM THE CUSTOMARY INTERNATIONAL LAW POINT OF VIEW. *Balkan Social Science Review*. Dec 2023. 22().

### Abstract

The expulsion of a member state from the European Union is not envisaged in the EU treaties. However, this paper considers this possibility based on customary international law, as codified in the Vienna Convention on the Law of Treaties. Specifically, it considers whether expelling a member state may take place based on a material breach of the EU Treaties as per Article 60 of the Vienna Convention. In doing so, the paper considers what procedural requirements may need to be followed to make a termination effective and the role of the Court of Justice of the EU (CJEU) in that process.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=175250015&site=ehost-live>

**Ou, Xiaoting; Lee, Vincent W. P.; Lai, Daniel W. L.**

Establishing community mental health facilities: a comparative review of Hong Kong and international jurisdictions. *BMC Health Services Research*. 1/7/2023. ().

### Abstract

Background: The establishment of mental health facilities in the community has been hindered by opposition from local residents in Hong Kong. Through a comparative review, this study aimed to compare the issues related to the process of establishment of community-based mental health facilities between Hong Kong and selected overseas countries and regions. It will better inform the strategies and best practices that can be adopted for the establishment of mental health facilities in Hong Kong. Methods: Three electronic databases (PubMed, Scopus, and PsycINFO) were used to examine literature on nine jurisdictions in Asia and western societies from 2005 to 2019. In addition, we conducted a number of in-depth interviews with overseas experts to gain in-depth insights and clarify information that was unavailable or unclear. A total of 19,248 articles were identified through the initial search. 71 of them met the inclusion criteria. In addition, 20 articles about the establishment of other types of community facilities or sensitive facilities were identified from supplementary sources. Results: Most Western countries and Singapore have adopted regulations or laws to reduce public discrimination against particular groups, giving them corresponding human rights and legislating to demarcate the use of land in the community. Regions close to Hong Kong emphasize communication with community leaders to obtain support for sensitive services or facilities. Conclusions: Hong Kong may consider strengthening the land zoning ordinance in relation to community sensitive facilities, as well as increasing communication with the community and considering the possibility of locating facilities in government buildings.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=161190806&site=ehost-live>

**Ouliaris C; Gill N; Castan M; Sundram S**

OPCAT: How an international treaty regarding torture is relevant to the Australian mental health system. *The Australian and New Zealand journal of psychiatry*. 2024 Jan 13. ().

## Abstract

The United Nations Subcommittee on the Prevention of Torture visits signatory nations to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). Its role is to monitor and support signatory nations in implementing and complying with the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). In October 2022, the United Nations Subcommittee on the Prevention of Torture visited Australia but was barred from visiting mental health wards in Queensland and all detention facilities in New South Wales leading to the termination of its visit. This breach of Australia's obligations under the OPCAT presents a significant setback for the rights of people with mental illness and other involuntarily detained populations. This piece sets out to demonstrate the relevance of OPCAT to the mental health system in Australia. Individuals who are detained for compulsory treatment in locked facilities such as acute psychiatric inpatient wards and forensic mental health facilities are deprived of their liberty, often out of public view. Thus, it highlights the ethical and professional obligations of all mental health professionals, especially psychiatrists, to safeguard the human rights of individuals being detained in mental health facilities as enshrined in Australia's international legal obligations under the OPCAT. Adhering to these obligations diminishes the risk of future human rights violations of people with mental illness. Competing Interests: Declaration of Conflicting InterestsThe author(s) declared no potential conflicts of interest with respect to the research, authorship and/or publication of this article.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=cmedm&AN=38217424&site=ehost-live>

**Peak, Thomas**

Halting genocide in a post-liberal international order: intervention, institutions and norms. *International Affairs*. Mar 2023. 99(2).

## Abstract

Drawing on history and International Relations, this article considers how states might respond to genocide in a more realist, post-liberal international order (LIO). It argues that even within an emergent realist international order (RIO) that downgrades normative commitments to fundamental human rights, unchecked genocide will continue to pose a threat to international peace and security and states will be interested in halting it. Within an emergent RIO, many of the non-coercive tools for halting genocide made available by liberal order will be constrained. Yet, scholars have in any case found that where genocidal-type violence has already begun, non-coercive tools are rarely effective (Bellamy and McLoughlin, 2022; Broache and Cronin-Furman, 2021). This article suggests that within an RIO which encourages greater amounts of self-help, regional and local actors will have realpolitik motivations for undertaking military interventions which halt genocides occurring in their neighbourhood. While such dynamics are observable during earlier period of international history, an emergent RIO will also benefit from the persistence of fundamental norms such as the prohibition on genocide. Given these factors, and while it will be highly non-ideal, an emerging RIO might retain the possibility of effectively responding to some genocides.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=162394170&site=ehost-live>

**Peláez, Gara Lanzas**

Solving the Puzzle of Gender in the International Criminal Court: Does the Rome Statute Protect the LGBTQ+ Community from Persecution? *Berkeley Journal of International Law*. 2023. 41(1).

### Abstract

Despite the oppression that the LGBTQ+ community endures, persecution on the grounds of sexual orientation or gender identity has not yet come to the attention of the International Criminal Court. This study analyzes one of the main difficulties that a crime like persecution on the grounds of sexual orientation might face: whether sexual orientation and gender identity could be contemplated within the specific discriminatory grounds that art. 7(1)(h) of the Rome Statute provides for the crime of persecution. I argue that they are indeed included and that this ground is contained within the crime of gender-based persecution. To reach this conclusion, I examine the definition of gender within international law. First, I look into the elements of the crimes against humanity of persecution, to then examine the travaux préparatoires of the Rome Statute and the drafting process of its definition of gender. Second, given the relative lack of jurisprudential references on gender-based persecution in international criminal law, I delve into how other fields of international law have interpreted it. Particularly, I analyze the developments regarding the definition of gender in international human rights law and international refugee law. For this, I investigate international practice in cases of gender-based persecution, observing, in a somewhat consistent manner, that persecution against LGBTQ+ individuals has been regarded as gender-based persecution. This investigation suggests the existence of a tendency within international law, which could apply to eventual gender-based persecution cases before the International Criminal Court, that this crime is applicable when it is committed because of the sexual orientation or gender identity of the victim. I observe a proclivity towards an extended interpretation of gender, understanding the term as a social construction, a cumulus of social roles and norms. This would mean, I contend, that persecution against the LGBTQ+ community must be included within gender-based persecution since this persecution occurs because of the manifestation of one's gender and how this manifestation differs from what society expects from, in the case of the Rome Statute, a "female" or a "male".

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=170036135&site=ehost-live>

### **PERRY, FREDERICK V.**

THE RUSSIAN INVASION OF UKRAINE AND THE TOTTERING PRINCIPLES OF INTERNATIONAL LAW: RUSSIA'S ASSAULT ON WORLD NORMS. *Wisconsin International Law Journal*. Spring 2023. 40(3).

#### **Abstract**

What is the "rule of law"? Does it protect us? Should we, as citizens of the world, be worried, or encouraged, if it changes? "The rules governing resort to force form a central element within international law, and together with other principles such as territorial sovereignty and the independence and equality of states provide the framework for international order." Russia seems not to have respected any of these principles recently. On February 24, 2022, Russia invaded the sovereign state of Ukraine, even as the Security Council was meeting to try to avoid conflict.<sup>2</sup> Speaking at that Security Council meeting, the Ukrainian ambassador said: "It is the responsibility of this body to stop the war. . . . I call on every one of you to do everything possible to stop the war."<sup>3</sup> Of course, the body was powerless to stop anything, since Russia vetoed a council resolution condemning Russian actions the next day. The stakes are very high, broader than the future of Ukraine; they include some of the foundations of international law and relations, the norms that have made our world work as it does. The purpose of this paper is not to examine international norms in depth, nor to provide an official indictment of Russian or Russian President Vladimir Putin's actions. Its purpose is simply to take a broad look at the backdrop of that invasion, what we know so far from the reporting, and some of the major rules of international law that are in play and some of the shortcomings of the system ostensibly designed to prevent the use of armed force, that is, the visible problem with the application of the rule of law on the international scene. Additionally, this paper will explore some suggested methods of dealing with Russian actions in this invasion and will suggest some opportunities for improvement in the broader system of international norms. The other question here is whether the world should have expected this invasion.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=169903814&site=ehost-live>

### **Pilkington, Timothy; Winterton, David**

The Possibility of Lawful Act Economic Duress: *Pakistan International Airlines Corp v Times Travel (UK) Ltd*. *Modern Law Review*. Jan 2023. 86(1).

#### **Abstract**

The voidability of a contract procured by 'economic duress' is now well-established, but the precise boundaries of the doctrine remain contested. In *Pakistan International Airlines Corp v Times Travel (UK) Ltd* [2021] UKSC 40, the Supreme Court confronted the longstanding controversy as to whether a threat to perform a lawful act can provide grounds for a threatened party to avoid a contract for economic duress. This note argues that the Court's decision to affirm the existence of 'lawful act duress' is welcome. It is further argued that the specific kind of lawful act duress identified by the majority and relevant to determining the appeal, described as 'deliberate maneuvering via illegitimate means', provides helpful (and defensible) clarification of the content of this doctrine, and that the Court was correct to hold that the contract in *Times Travel* was not voidable on this basis.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=160813657&site=ehost-live>

## International Law

---

### Pollack, Mark A.

International court curbing in Geneva: Lessons from the paralysis of the WTO Appellate Body. *Governance*. Jan 2023. 36(1).

#### Abstract

The 21st century has witnessed a backlash against many international courts (ICs). Studies of IC backlash have generally taken an optimistic tack, noting that most courts have survived backlash intact or—in the case of the paralyzed Appellate Body (AB) of the World Trade Organization (WTO)—are likely to do so after a temporary period of slumber. In this context, this paper analyzes the United States' successful effort to paralyze the AB, deriving lessons from this deviant case of backlash against one of the world's most active and independent ICs. Undertaken in the context of the "Reversing Delegation" research project, this account is organized in five parts. First, I demonstrate that the creation of the AB was a classic instance of delegation of dispute-settlement power, and that the AB quickly emerged as an active agent of trade liberalization. Second, I explore the roots of politicization, noting that dissatisfaction with AB jurisprudence preceded the Trump administration, although Trump's delegitimation of the AB was more far-reaching than that of his predecessors. Third, I examine the administration's use of the veto power to paralyze the AB, an act of de facto de-delegation. Fourth, I assess the pushback from the many other WTO members that sought to defend the AB, showing how they failed to blunt the US campaign. Fifth, I analyze the remarkably successful outcome of the US attack, and draw lessons for judicial independence and the rule of law in international politics.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=161084851&site=ehost-live>

### Quaglia, Lucia

The non-reversal of delegation in international standard-setting in finance: The Basel Committee and the European Union. *Governance*. Jan 2023. 36(1).

#### Abstract

International non-majoritarian institutions (NMIs) in finance have proliferated over the last decades. The Basel Committee on Banking Supervision (BCBS) is the main international NMI in finance and the European Union (EU) is one of its core jurisdictions. Despite the far-reaching effects of international banking standards in the EU, especially the Basel accords, there has been limited politicization of delegation to the BCBS and no attempt to reverse it. Why? By taking a "soft" principal-agent approach, this paper points out two explanatory factors: the composite nature of both the principal and the agent. It also identifies a pattern that can be generalized to other international NMIs in finance. Thus, following the initial delegation of international standard-setting to the BCBS, this international NMI considerably increased its activities, going beyond what certain elected officials wanted; the response from elected officials was limited to the use of relatively weak ex-ante and ex-post controls, including delayed compliance.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=161084852&site=ehost-live>

# International Law

---

## Rodenbaugh, Christopher R.

The Effect of the PRO Act on Secondary Activity and International Trade. *Northwestern Journal of International Law & Business*. Spring 2023. 43(3).

### Abstract

On May 2nd, 2019, Representative Bobby Scott (D-VA) introduced H.R. 2474, the Protecting the Right to Organize Act (PRO Act). American workers will gain a labor right held by citizens of most European countries<sup>146</sup>—one which is necessary in an era where workers increasingly find themselves in fissured and conglomerated workplaces. The current tools available to unions to assert their bargaining power have been rendered obsolete by these developments. For this reason, secondary activity is necessary to even the playing field. Because pressure will be heightened on employers to come to bargaining agreements on union terms, the Act will improve wages, benefits, and conditions for workers across the United States.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=174053253&site=ehost-live>

## Scharf, Michael P.; Peters, Emma

FOREWORD INTERNATIONAL LAW AND THE NEW COLD WAR. *Case Western Reserve Journal of International Law*. Spring 2023. 55(45293).

### Abstract

An introduction is presented in which editor discusses various articles within the issue on topics including implications of a new tribunal to prosecute crimes of aggression in the context of Russia's invasion of Ukraine; traditional notions of jus ad bellum and concept of jus cogens in Russia.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=163651664&site=ehost-live>

## Schutt, Gillian R.

(Dis)trust in the Process: U.S. Foreign Policy as an Obstacle to an Efficient International Intellectual Property Regime. *Texas Intellectual Property Law Journal*. Jan 2024. 32(2).

### Abstract

The United States has a reputation as a global hub of innovation and strives to maintain this identity on a global scale through the promotion of its intellectual property (IP) policies. While the U.S. advocates for increased cooperation and compromise to facilitate stronger and more efficient IP protection worldwide, progress thus far conforms to terms set by the United States requiring significant changes to foreign laws. However, the United States consistently opposes compromises requiring changes to American law. Despite technological progress that could facilitate communication between patent offices, there has been little change in the governing structures of international IP law. Consequently, inefficiencies during patent examination are causing significant backlog and monetary loss. In considering the current state of affairs in the international IP sphere, this Paper will analyze the history and original goals of international IP law, assess the deleterious effect of innovation nationalism on cooperation, and propose a mechanism using existing structures to build a sustainable globalized IP regime.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=175891227&site=ehost-live>

### SINGH, JUSTIN

RANSOMWARE GROUPS ON NOTICE: U.S. CYBER OPERATION AGAINST REVIL IS PERMISSIBLE UNDER INTERNATIONAL LAW. *American University International Law Review*. 2023. 38(1).

#### Abstract

The continued increase in the use of ransomware by cyber criminals has had a costly impact on businesses and organizations around the world. Ransomware groups continue to initiate attacks on businesses and organizations, and states have become increasingly concerned over the potential impact it may have on their critical infrastructure and economies. The United States' recent acknowledgement of cyber operations against ransomware groups highlights the seriousness of the issue and exposes areas of international law that are complicated when applied to cyber operations against these groups. This Comment explores the relevant international law as it applies to the United States and the cyber operation against the criminal ransomware group REvil in the summer of 2021. The relevant international law as it relates to a cyber operation from the United States is the U.N. Charter's Article 2(4) prohibition on the use of force, the prohibition on intervention under customary international law, and the role of sovereignty. In application to the U.S. operation against REvil, the operation is permissible under international law. It is recommended that the U.S. bolster its legal position by clarifying, promoting, and consolidating its position on the role of sovereignty in international law and its application to cyberspace operations.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=164239627&site=ehost-live>

### Sobion, Justin

Islands and International Law. *Island Studies Journal*. May 2023. 18(1).

#### Abstract

Book Review.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=164566858&site=ehost-live>

### Sterio, Milena

THE UKRAINE CRISIS AND THE FUTURE OF INTERNATIONAL COURTS AND TRIBUNALS. *Case Western Reserve Journal of International Law*. Spring 2023. 55(45293).

#### Abstract

The article focuses on future of international accountability mechanisms, exploring how the Ukraine crisis exemplifies the various international mechanisms and bodies required to bring justice in subsequent conflicts. It mentions preclusion through the application of international law immunity principle from prosecuting those lost responsible for the aggressive war against Ukraine. It also mentions International Criminal Court can prosecute individuals most responsible but lacks jurisdiction.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=163651678&site=ehost-live>

### Thornton, Christopher

All necessary measures? The United Nations and international intervention in Libya. *International Affairs*. Mar 2023. 99(2).

#### Abstract

For example, Martin rightly argues that the scattershot approach of Libya's transitional administration, the National Transitional Council (NTC), to funding in the informal security sector was highly destabilizing. Martin's book sheds light on the thinking of key international players in the 2011-2 intervention in Libya and holds important lessons for similar situations in the future. The Security Council mandate was, however, vastly overstepped when NATO and individual states began to pursue regime change.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=162394210&site=ehost-live>

### Tuškan, Dorotea

International Criminal Law and Sexual Violence against Women: The Interpretation of Gender in the Contemporary International Criminal Trial. *Politicka Misao: Croatian Political Science Review*. 2023. 60(2).

#### Abstract

Book Review.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=168777673&site=ehost-live>

### Xie, Lei; Xu, Lu; Yu, Qi

Benefit sharing in international rivers: A Q-methodology study of regional understanding and perception in Asia. *PLoS ONE*. 1/20/2023. 17(1).

#### Abstract

This study aims to identify and examine the different perception of benefit sharing in the sharing of international rivers in China, South Asia and Southeast Asia. Using the Q-Method, this study undertakes an in-depth analysis of the views of 35 experts of the field on hydrodiplomacy, international water law, benefit sharing and ecological benefits compensation. The results of the quantitative and qualitative analysis help to innovatively identify three streams of views among the participants, respectively described as supporters, idealists and pragmatists, each displaying strong geographical association to the three Asian regions. Supporters from Southeast Asia and pragmatists from China share much common ground on issues such as the types of benefits to share in international rivers, potentially providing the conceptual foundation for international cooperation. Idealists from South Asia prioritize and emphasise the role and importance of environmental benefits and ecological protection, yet differ greatly from the others on practical issues such as the inclusion of direct economic benefits and ecological compensation for using resources. This study contributes to the understanding of the theory and practice of benefit sharing in international rivers, as well as providing new perspectives to the interpretation and practice of hydrodiplomacy in Asian regions.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=161419511&site=ehost-live>

## International Law

---

**Yong Joong Lee, Eric; Ramachanderan, Ramya**

Is a Threat to Destroy Cultural Heritage a Violation of International Law? Tweet Diplomacy and Gaps in Cultural Property Protection. *Journal of East Asia & International Law*. May 2023. 16(1).

### Abstract

On January 4, 2020, the official Twitter account of the former US President Trump threatens to target Iran's cultural heritage sites conditioned on any Iranian retaliation on US military forces then stationed in the Middle East. The immediate context was that the US-led drone strike had killed Iran's Major General Qasem Soleimani in Iraq (Baghdad) only two days prior. This study critically analyzes whether "Tweets" uploaded to President Trump's Twitter account could reasonably be construed as a type of harm against international law instruments and framework on the safeguarding of cultural heritage. This paper provides a brief contextual overview of President Trump's Tweets; traces the historical destruction of cultural property during conflicts and discusses the preservation of heritage; delineates international laws and assesses whether President Trump and the US might be legally bound to refrain from threats to destroy cultural property; and examines the increasing role of social media in the evolution of the idea of diplomacy.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=164969814&site=ehost-live>

**Zhang, Luping**

Book Review of Yasuaki Onuma, *International Law in a Transcivilizational World*. *Chinese Journal of International Law*. Mar 2023. 22(1).

### Abstract

Divided into 10 chapters, the book allocates Chapter 1-5 to open general discussions in international law and Chapter 6-10 to further dissect specific issues in contemporary international society. Chapter 3 reveals the multi-layers of entities in international law and divides them into subjects and participants of international law. Chapter 1 sets the scene for interpreting international law in a multi-civilizational world, emphasizing the instrumentality aspect: international law as the law of international society and an inter-subjective product of humankind.

URL: <https://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=163883125&site=ehost-live>

---

**Articles listed in this document are accessible from IUB Campus. If you need assistance please contact us.**

### Contact:

Name:	Ms Samina Chowdhury
Designation:	Junior Assistant Librarian
E-mail:	chowdhury.samina@iub.edu.bd
Phone Extension:	2014