

South Africa's governing African National Congress party criticized the decision and stated that "[t]he unalienable rights of the people of Western Sahara and Palestine to self-determination and freedom shall not be derailed by Trump's 'deal.'"⁴⁷

The Biden administration has yet to definitively comment or act on the Trump administration's recognition of Moroccan sovereignty over Western Sahara. When asked, a State Department spokesperson stated that he had "[n]o update," and explained:

I think what we have said broadly still applies. We welcome the new steps Morocco is taking to improve relations with Israel. The Morocco-Israel relationship will have long-term benefits for both countries. We will continue to support the UN process to implement a just and lasting solution to this longstanding dispute, the dispute in Morocco. We'll also support the work of the mission of the United Nations for the referendum in Western Sahara . . . to monitor the ceasefire and to prevent violence in the area.⁴⁸

Mouloud Said, the Polisario Front's representative in the United States, expressed hope that the Biden administration will reverse Trump's decision, stating, "[s]omeone with the background of President Biden cannot ignore international law, and we are confident that he will not endorse the illegal transaction done by former President Trump."⁴⁹

INTERNATIONAL ORGANIZATIONS

Biden Administration Reengages with International Institutions and Agreements
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The newly inaugurated administration of President Joseph R. Biden, Jr. took immediate steps to reengage with a variety of international institutions and agreements from which the Trump administration had withdrawn. On January 20, 2021, the administration deposited with the United Nations a new instrument of acceptance of the Paris Agreement on climate change, and it halted U.S. withdrawal from the World Health Organization (WHO). On January 21, the United States announced that it would participate in the COVID-19 Vaccines Global Access (COVAX) Facility, an international vaccine distribution scheme. The Biden administration also announced that it would reengage with and seek election to the UN Human Rights Council, and it quickly reached agreement with Russia for a five-year extension of the New Strategic Arms Reduction Treaty (New START), the last remaining arms control agreement between the two countries. These early moves are consistent with the foreign policy strategy President Biden previewed during the campaign when he promised

⁴⁷ Anita Powell, *US Proclamation Giving Morocco Sovereignty Over Disputed Region Draws Backlash in Africa*, VOA NEWS (Dec. 11, 2020), at <https://www.voanews.com/usa/us-proclamation-giving-morocco-sovereignty-over-disputed-region-draws-backlash-africa>.

⁴⁸ U.S. Dep't of State Press Release, Department Press Briefing (Feb. 22, 2021), at <https://www.state.gov/briefings/department-press-briefing-february-22-2021> [<https://perma.cc/ZY8E-BMYB>].

⁴⁹ Nicolas Niarchos, *How Biden Can Ease Tensions That Trump Stoked in the Western Sahara*, NEW YORKER (Feb. 10, 2021), at <https://www.newyorker.com/news/daily-comment/how-biden-can-ease-tensions-that-trump-stoked-in-the-western-sahara>.

to “renew American leadership” and “[e]levate [d]iplomacy.”¹ In his first speech on foreign policy as president, delivered at the U.S. State Department on February 4, Biden asserted that “America is back” and that “[d]iplomacy is back at the center of our foreign policy.”² To implement these objectives, Biden has appointed a slate of experienced foreign affairs officials, many of whom worked in the Obama administration.³

On Inauguration Day, Biden took steps to rejoin the Paris Agreement, fulfilling a campaign promise.⁴ The Trump administration had provided notice of U.S. withdrawal on November 4, 2019, citing “the unfair economic burden imposed on American workers,”⁵ and the withdrawal became effective on November 4, 2020,⁶ during a year that tied for the hottest on record.⁷ Hours after his inauguration, Biden reversed the withdrawal and “accept[ed] the said Agreement and every article and clause thereof on behalf of the United States of America.”⁸ The United States deposited a new instrument of acceptance with the United Nations on January 20, 2021,⁹ and the Agreement entered into force for the United States on February 19, 2021.¹⁰ Following the Obama administration’s approach in joining the Agreement in 2016, the Biden administration did not seek specific congressional authorization to rejoin the Agreement.¹¹

The administration also took a number of other steps in its early days relating to climate change. Biden named former Secretary of State John Kerry as a cabinet-level special presidential envoy for climate¹² and revoked the permit for the Keystone XL Pipeline.¹³ In addition, Biden issued a broad executive order addressing domestic and international aspects of climate

¹ Joseph Biden, *The Power of America’s Example: The Biden Plan for Leading the Democratic World to Meet the Challenges of the 21st Century* (2021), at <https://joebiden.com/americanleadership> [<https://perma.cc/ZJF2-UV38>].

² White House Press Release, Remarks by President Biden on America’s Place in the World (Feb. 4, 2021), at <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/02/04/remarks-by-president-biden-on-americas-place-in-the-world> [<https://perma.cc/RAB9-WP95>].

³ Borzou Daragahl, “Getting the Gang Back Together”: Familiar Faces in Biden’s Foreign Policy Team Prompt Relief and Concern, *INDEPENDENT* (Jan. 15, 2021), at <https://www.independent.co.uk/news/world/biden-foreign-policy-obama-trump-b1787748.html>.

⁴ Valerie Volcovici, *Biden Unveils \$1.7 Trillion Climate Plan to End U.S. Carbon Emissions by 2050*, *REUTERS* (June 4, 2019), at <https://www.reuters.com/article/us-usa-election-biden-climate/biden-unveils-1-7-trillion-climate-plan-to-end-u-s-carbon-emissions-by-2050-idUSKCN1T515R>; White House Press Release, Paris Climate Agreement (Jan. 20, 2021), at <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/paris-climate-agreement> [<https://perma.cc/27DY-BFSF>].

⁵ Jean Galbraith, *Contemporary Practice of the United States*, 114 *AJIL* 124, 134 (2020) (quoting U.S. Dep’t of State Press Release, On the U.S. Withdrawal from the Paris Agreement (Nov. 4, 2019), at <https://2017-2021.state.gov/on-the-u-s-withdrawal-from-the-paris-agreement/index.html> [<https://perma.cc/B9TP-B294>]).

⁶ Valerie Volcovici & Kate Abnett, *U.S. Formally Exits Global Climate Pact Amid Election Uncertainty*, *REUTERS* (Nov. 4, 2020), at <https://www.reuters.com/article/us-climate-change-usa/u-s-formally-exits-global-climate-pact-amid-election-uncertainty-idUSKBN27K0JR>.

⁷ Henry Fountain, *2020 Ties 2016 as Hottest Yet, European Analysis Shows*, *N.Y. TIMES* (Jan. 8, 2021), at <https://www.nytimes.com/2021/01/08/climate/hottest-year-ever.html>.

⁸ White House Press Release, *supra* note 4.

⁹ Depositary Notification, Sec’y-Gen. of UN, Paris Agreement, Paris, Jan. 20, 2021, *entry into force* Feb. 19, 2021, available at <https://treaties.un.org/doc/Publication/CN/2021/CN.10.2021-Eng.pdf> [<https://perma.cc/E8NC-3795>].

¹⁰ U.S. Dep’t of State Press Release, The United States Officially Rejoins the Paris Agreement (Feb. 19, 2021), at <https://www.state.gov/the-united-states-officially-rejoins-the-paris-agreement> [<https://perma.cc/7732-H6CB>].

¹¹ Galbraith, *supra* note 5, at 133.

¹² Linda Friedman, *With John Kerry Pick, Biden Selects a “Climate Envoy” With Stature*, *N.Y. TIMES* (Nov. 23, 2020), at <https://www.nytimes.com/2020/11/23/climate/john-kerry-climate-change.html>; U.S. Dep’t of State, *John Kerry, Special Presidential Envoy for Climate*, at <https://www.state.gov/biographies/john-kerry>.

¹³ Exec. Order No. 13,990, 86 Fed. Reg. 7,037, 7,041 (Jan. 20, 2021).

change, including announcing plans to convene international summits and making it a “[U.S.] priority to press . . . climate considerations across a wide range of international fora.”¹⁴ The order declared that “[i]t is the policy of my Administration that climate considerations shall be an essential element of [U.S.] foreign policy and national security.”¹⁵

International officials praised the U.S. return to the Paris Agreement. UN Secretary-General António Guterres “warmly welcome[d] President Biden’s steps to re-enter the Paris Agreement,” noting that the “climate crisis continues to worsen.”¹⁶ European Union officials similarly “welcome[d] the decision,” finding that the “climate crisis is the defining challenge of our time.”¹⁷ However, some U.S. politicians criticized the administration’s reliance on executive powers and called for Biden to “submit the Paris Agreement to the Senate” as an Article II treaty.¹⁸

On January 20, Biden also announced that the United States would reengage with the WHO. President Trump suspended U.S. funding to the WHO in April 2020, citing mismanagement of the coronavirus pandemic.¹⁹ Trump subsequently announced on May 29 that the United States would withdraw from the WHO, and the departure would have become effective on July 6, 2021.²⁰ In a letter to the UN secretary-general, Biden rescinded the notice of withdrawal:

This letter constitutes a retraction by the Government of the United States of the letter dated July 6, 2020, notifying you that the Government of the United States intended to withdraw from the World Health Organization (WHO), effective July 6, 2021. The United States intends to remain a member of the World Health Organization.

The WHO plays a crucial role in the world’s fight against the deadly COVID-19 pandemic as well as countless other threats to global health and health security. The United States will continue to be a full participant and a global leader in confronting such threats and advancing global health and health security.²¹

On January 21, officials announced that the United States plans to “resume regular engagement” with the WHO and “fulfill its financial obligations to the organization.”²² Biden also

¹⁴ Exec. Order No. 14,008, 86 Fed. Reg. 7,619, 7,620 (Jan. 27, 2021).

¹⁵ *Id.* at 7,619.

¹⁶ UN Sec’y-Gen. Press Release, Statement by the Secretary-General—On US Steps to Re-enter the Paris Agreement on Climate Change (Jan. 20, 2021), at <https://www.un.org/sg/en/content/sg/statement/2021-01-20/statement-the-secretary-general—us-steps-re-enter-the-paris-agreement-climate-change> [<https://perma.cc/8WEU-N246>].

¹⁷ Eur. Comm’n Press Release, Joint Statement by Executive Vice-President Frans Timmermans and High Representative/Vice-President Josep Borrell on the United States Re-joining the Paris Agreement (Jan. 20, 2021), at https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT_21_172 [<https://perma.cc/6RU7-SCJZ>].

¹⁸ *See, e.g.*, Sen. Steve Daines Press Release, Daines Blasts Biden for Re-entering Paris Climate Agreement, Will Introduce Resolution Calling for Senate Review (Jan. 20, 2021), at <https://www.daines.senate.gov/news/press-releases/daines-blasts-biden-for-re-entering-paris-climate-agreement-will-introduce-resolution-calling-for-senate-review> [<https://perma.cc/Z6RQ-GRNL>].

¹⁹ Jean Galbraith, *Contemporary Practice of the United States*, 114 AJIL 757, 766–67 (2020).

²⁰ *Id.* at 768–69.

²¹ White House Press Release, Letter to His Excellency António Guterres (Jan. 20, 2021), at <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/letter-his-excellency-antonio-guterres> [<https://perma.cc/ZF38-KWCR>].

²² U.S. Dep’t of Health & Hum. Serv. Press Release, Dr. Anthony S. Fauci Remarks at the World Health Organization Executive Board Meeting (Jan. 21, 2021), at <https://www.hhs.gov/about/news/2021/01/21/dr-anthony-s-fauci-remarks-world-health-organization-executive-board-meeting.html> [<https://perma.cc/B6N9-JWJX>].

directed the U.S. government to join the COVAX Facility, which supports equitable global distribution of vaccinations.²³ The administration has pledged to provide up to four billion dollars of financing for COVAX, with two billion provided immediately and the remaining two billion to be released throughout 2021 and 2022 as donor pledges are fulfilled and vaccines are distributed.²⁴

UN Secretary-General Guterres praised the U.S. action, describing support for the WHO as “critical to the world’s efforts for a better coordinated response against COVID-19.”²⁵ WHO Secretary-General Tedros Adhanom similarly commended the decision, stating that “[t]his is a good day for WHO, and a good day for global health.”²⁶ China also “welcome[d] the return of the United States to WHO” and reiterated a “willing[ness] to strengthen cooperation with the United States and other countries.”²⁷ Domestic political reactions fell along party lines, with Democratic legislators supporting Biden²⁸ and Republican legislators expressing criticism, including asserting that “[t]he WHO shielded China from accountability” regarding the virus.²⁹

In early February, the United States also announced plans to reengage with the UN Human Rights Council. Trump withdrew from the body in June 2018, citing political biases and ineffectiveness in combatting human rights abuses.³⁰ While “recogniz[ing] that the Human Rights Council is a flawed body, in need of reform to its agenda, membership, and focus,” U.S. Secretary of State Antony Blinken noted that the U.S. withdrawal “did nothing to encourage meaningful change, but instead created a vacuum of U.S. leadership, which countries with authoritarian agendas have used to their advantage.”³¹ Blinken explained that “[i]n the immediate term, the United States will engage with the Council as an observer,” and that “[i]t is our view that the best way to improve the Council is to engage with it and its members in a principled fashion.”³² He later announced that the United States will seek

²³ *Id.*

²⁴ U.S. Dep’t of State Press Release, President Biden to Take Action on Global Health Through Support of COVAX and Calling for Health Security Financing (Feb. 18, 2021), at <https://www.whitehouse.gov/briefing-room/statements-releases/2021/02/18/fact-sheet-president-biden-to-take-action-on-global-health-through-support-of-covax-and-calling-for-health-security-financing> [<https://perma.cc/4LKM-LH5A>].

²⁵ UN Sec’y-Gen. Press Release, Secretary-General Welcomes United States Re-engagement with World Health Organization, Stressing Critical Need for Global Anti-COVID-19 Solidarity (Jan. 20, 2021), at <https://www.un.org/press/en/2021/sgsm20546.doc.htm> [<https://perma.cc/K37K-2DWL>].

²⁶ WHO Sec’y-Gen. Press Release, WHO Director-General’s Remarks at the 148th Session of the Executive Board (Jan. 21, 2021), at <https://www.who.int/director-general/speeches/detail/who-director-general-s-remarks-at-the-148th-session-of-the-executive-board> [<https://perma.cc/7PQF-6YPD>].

²⁷ China Ministry of Foreign Aff. Press Release, Foreign Ministry Spokesperson Hua Chunying’s Regular Press Conference on January 21, 2021 (Jan. 21, 2021), at https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/t1847711.shtml [<https://perma.cc/W3DP-VV82>].

²⁸ See, e.g., Sen. Jacky Rosen Press Release, Rosen Statement Applauding President Biden’s Day One Executive Actions (Jan. 20, 2021), at <https://www.rosen.senate.gov/rosen-statement-applauding-president-bidens-day-one-executive-actions> [<https://perma.cc/9XF3-HRKD>].

²⁹ House Comm. on Oversight & Reform Press Release, Comer & Scalise Blast Biden’s Decision to Rejoin the World Health Organization (Jan. 20, 2021), at <https://republicans-oversight.house.gov/release/comer-scalise-blast-bidens-decision-to-rejoin-the-world-health-organization> [<https://perma.cc/H6FZ-TAQC>].

³⁰ Jean Galbraith, Contemporary Practice of the United States, 112 AJIL 734, 745–46 (2018).

³¹ U.S. Dep’t of State Press Release, U.S. Decision to Reengage with the UN Human Rights Council (Feb. 8, 2021), at <https://www.state.gov/u-s-decision-to-reengage-with-the-un-human-rights-council> [<https://perma.cc/C2K4-S95Y>].

³² *Id.*

election to the Council in 2022.³³ The UN secretary-general “welcome[d] the decision of the United States of America to re-engage” with the Council and noted that the UN “looks forward to hearing the crucial voice of the United States across the Council’s urgent work.”³⁴

In addition to reengaging with multilateral agreements and institutions, Biden quickly moved to extend the bilateral New START Treaty with Russia, which was set to expire on February 5, 2021.³⁵ President Obama signed the agreement with Russia on April 8, 2010,³⁶ and it entered into force on February 5, 2011.³⁷ The treaty sets an aggregate limit of 1,550 deployed nuclear warheads,³⁸ and both parties remained in compliance, with fewer than 1,460 deployed warheads as of late 2020.³⁹ The treaty specified that it would “remain in force for 10 years,” but by mutual agreement, the parties could extend it “for a period of no more than five years.”⁴⁰

Trump reportedly criticized the New START Treaty during his first call with Russian President Vladimir Putin in 2017,⁴¹ and his administration subsequently withdrew the United States from two other arms control-related treaties. Trump notified Russia on February 2, 2019, that the United States intended to pull out of the Intermediate-Range Nuclear Forces Treaty.⁴² Withdrawal became effective six months later on August 2, 2019, with the United States citing “the Russian Federation’s continuing violation of the treaty” and a “noncompliant missile system.”⁴³ Russia noted that the treaty “cease[d] to have effect automatically” on that date.⁴⁴ On May 21, 2020, the Trump administration announced its intention to withdraw from the multilateral Open Skies Treaty (OST), citing Russian violations.⁴⁵ The OST allows parties to conduct observation flights over each other’s

³³ U.S. Dep’t of State Press Release, Putting Human Rights at the Center of U.S. Foreign Policy (Feb. 24, 2021), at <https://www.state.gov/putting-human-rights-at-the-center-of-u-s-foreign-policy> [<https://perma.cc/9S4C-RB2E>].

³⁴ UN Sec’y-Gen., Statement Attributable to the Spokesperson for the Secretary-General—on the US Intention to Re-engage with the Human Rights Council (Feb. 8, 2021), at <https://www.un.org/sg/en/content/sg/statement/2021-02-08/statement-attributable-the-spokesperson-for-the-secretary-general-%E2%80%93-the-us-intention-re-engage-the-human-rights-council>.

³⁵ The accord’s full name is the Treaty Between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, which is often shortened to the Strategic Arms Reduction Treaty [hereinafter New START Treaty]. U.S. Dep’t of State, *New START Treaty*, at <https://www.state.gov/new-start> [<https://perma.cc/FG36-SCSS>].

³⁶ John R. Crook, Contemporary Practice of the United States, 104 AJIL 489, 514 (2010).

³⁷ U.S. Dep’t of State, *supra* note 35.

³⁸ New START Treaty, Art. II(1)(b), Russ.-U.S., Apr. 8, 2010, TIAS 11-205.

³⁹ U.S. Dep’t of State Press Release, New START Treaty Aggregate Numbers of Strategic Offensive Arms (Dec. 1, 2020), at <https://www.state.gov/new-start-treaty-aggregate-numbers-of-strategic-offensive-arms-15> [<https://perma.cc/BCF2-6QEY>].

⁴⁰ New START Treaty, *supra* note 38, Art. XIV(2).

⁴¹ Jonathan Landay & David Rohde, *Exclusive: In Call with Putin, Trump Denounced Obama-Era Nuclear Arms Treaty—Sources*, REUTERS (Feb. 10, 2017), at <https://www.reuters.com/article/us-usa-trump-putin-idUSKBN15O2A5>.

⁴² Jean Galbraith, Contemporary Practice of the United States, 113 AJIL 600, 631–34 (2019).

⁴³ U.S. Dep’t of State Press Release, U.S. Withdrawal from the INF Treaty on August 2, 2019 (Aug. 2, 2019), at <https://2017-2021.state.gov/u-s-withdrawal-from-the-inf-treaty-on-august-2-2019/index.html> [<https://perma.cc/452W-6GNP>].

⁴⁴ President of Russ. Press Release, Statement by the President of Russia on the Unilateral Withdrawal of the United States from the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles (Aug. 5, 2019), at <http://en.kremlin.ru/events/president/news/61271> [<https://perma.cc/KDY8-B25Y>].

⁴⁵ Jean Galbraith, Contemporary Practice of the United States, 114 AJIL 757, 779–81 (2020).

territory to improve transparency and monitoring in relation to arms control agreements.⁴⁶ U.S. withdrawal took effect on November 22, 2020.⁴⁷ Russia announced its intention to leave the treaty in mid-January 2021, a step that requires parliamentary approval.⁴⁸ As a result, by the end of the Trump administration, New START stood as the last bilateral nuclear treaty between the United States and Russia.⁴⁹

Instead of simply extending the New START Treaty as contemplated in the treaty itself, the Trump administration sought throughout 2020 to renegotiate key provisions. The United States proposed a cap on the total number of nuclear weapons—not just strategic weapons—as well as a freeze on warhead production, calling extension without the latter measure “a non-starter.”⁵⁰ Russia rejected this proposal and sought to extend the existing provisions of the treaty.⁵¹ The United States also pushed to bring China into the agreement,⁵² an offer China rebuffed unless the United States and Russia agreed to reduce their nuclear stockpiles to match China’s smaller arsenal.⁵³

On their first call after Biden’s inauguration, Biden and Putin agreed to extend New START without preconditions.⁵⁴ A State Department press release explained:

President Biden pledged to keep the American people safe from nuclear threats by restoring U.S. leadership on arms control and nonproliferation. Today, the United States took the first step toward making good on that pledge when it extended the New START Treaty with the Russian Federation for five years

[The Treaty’s] verification regime enables us to monitor Russian compliance with the treaty and provides us with greater insight into Russia’s nuclear posture, including through data exchanges and onsite inspections that allow U.S. inspectors to have eyes on Russian nuclear forces and facilities. The [U.S.] has assessed the Russian Federation to be in compliance with its New START Treaty obligations every year since the treaty entered into force in 2011.⁵⁵

⁴⁶ *Id.* at 779.

⁴⁷ U.S. Dep’t of State Press Release, Treaty on Open Skies (Nov. 22, 2020), at <https://2017-2021.state.gov/treaty-on-open-skies//index.html> [<https://perma.cc/HB88-TT7A>].

⁴⁸ Vladimir Isachenkov, *Russia Follows US in Withdrawal from Open Skies Treaty*, ASSOC. PRESS (Jan. 15, 2021), at <https://apnews.com/article/russia-leaves-open-skies-treaty-e58019b80ae95e12007265aedfac229b>.

⁴⁹ Andrew Higgins, *U.S. Rebuffs Putin Bid to Extend Nuclear Arms Pact for a Year*, N.Y. TIMES (Oct. 16, 2020), at <https://www.nytimes.com/2020/10/16/world/europe/putin-nuclear-new-start-treaty.html>.

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² *See id.*

⁵³ Steven Jiang & Ben Westcott, *China Says It Won’t Join Nuclear Talks Until the US Reduces Its Arsenal*, CNN (July 8, 2020), at <https://www.cnn.com/2020/07/08/asia/china-us-nuclear-treaty-intl-hnk/index.html>.

⁵⁴ U.S. Dep’t of State Press Release, Readout of President Joseph R. Biden, Jr. Call with President Vladimir Putin of Russia (Jan. 26, 2021), at <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/26/readout-of-president-joseph-r-biden-jr-call-with-president-vladimir-putin-of-russia> [<https://perma.cc/6NS8-XL7J>]; David E. Sanger & Anton Troianovski, *Biden and Putin Agree to Extend Nuclear Treaty*, N.Y. TIMES (Jan. 26, 2021), at <https://www.nytimes.com/2021/01/26/world/europe/biden-putin-nuclear-treaty.html>.

⁵⁵ U.S. Dep’t of State Press Release, On the Extension of the New START Treaty with the Russian Federation (Feb. 3, 2021), at <https://www.state.gov/on-the-extension-of-the-new-start-treaty-with-the-russian-federation> [<https://perma.cc/9TEX-JLKX>].

Russia stated that the treaty “makes it possible to maintain the transparency and predictability of strategic relations between Russia and the United States and to support global strategic stability.”⁵⁶ With New START now set to expire on February 5, 2026, the United States and Russia will have to revisit their arms control regime shortly after the next U.S. presidential election.

Other governments reacted positively to the treaty’s extension. China praised the agreement as “conducive to safeguarding global strategic stability and international peace and security” and hoped that it would contribute to “ultimate comprehensive and complete nuclear disarmament.”⁵⁷ The European Union emphasized the treaty “as a crucial contribution to international and European security,”⁵⁸ while Japan “welcome[d]” the extension.⁵⁹

Domestic reactions largely tracked party lines, with Republicans criticizing Biden’s failure to secure concessions from Russia⁶⁰ and Democrats supporting the treaty’s value as an arms control mechanism.⁶¹

More steps toward international reengagement will likely follow these initial moves. During the campaign, for example, Biden pledged to host a global “Summit for Democracy” and expressed a willingness to revive the Joint Comprehensive Plan of Action nuclear deal with Iran.⁶² Such efforts may prove more complicated than the administration’s early reversals of its predecessor’s actions and policies.

INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW

Trump Grants Clemency to Former Blackwater Contractors Convicted of War Crimes in Iraq and Associates Prosecuted Following the Mueller Investigation

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In the final months of his administration, President Donald Trump issued a variety of pardons and commutations, including a number related to foreign relations. His decision to issue

⁵⁶ President of Russ. Press Release, Law Ratifying Agreement on Renewing the Treaty Between Russia and the United States on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (Jan. 29, 2021), at <http://en.kremlin.ru/events/president/news/64949> [<https://perma.cc/C5C4-GQ79>].

⁵⁷ China Ministry of Foreign Aff. Press Release, Foreign Ministry Spokesperson Hua Chunying’s Regular Press Conference on January 22, 2021 (Jan. 22, 2021), at https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/t1847956.shtml [<https://perma.cc/E7T3-QQ8P>].

⁵⁸ Eur. Council Press Release, New START Extension: Declaration by the High Representative on Behalf of the European Union (Feb. 3, 2021), at <https://www.consilium.europa.eu/en/press/press-releases/2021/02/03/new-start-extension-declaration-by-the-high-representative-on-behalf-of-the-european-union> [<https://perma.cc/9Y9G-X9VB>].

⁵⁹ Japan Ministry of Foreign Aff. Press Release, Regarding the Extension of the New START Treaty (Statement by Foreign Minister Toshimitsu Motegi) (Feb. 4, 2021), at https://www.mofa.go.jp/press/release/press3e_000164.html [<https://perma.cc/484X-WGQK>].

⁶⁰ See, e.g., Sen. James Inhofe Press Release, Inhofe Statement on Extension of New START Treaty (Feb. 4, 2021), at <https://www.inhofe.senate.gov/newsroom/press-releases/inhofe-statement-on-extension-of-new-start-treaty> [<https://perma.cc/FLJ9-LN3P>].

⁶¹ See, e.g., Sen. Bob Menendez Press Release, Menendez Praises Biden Administration’s Plan to Fully Extend New START Treaty, Encourages Biden to Challenge Russian Malign Activities (Jan. 21, 2021), at <https://www.foreign.senate.gov/press/ranking/release/menendez-praises-biden-administrations-plan-to-fully-extend-new-start-treaty-encourages-biden-to-challenge-russian-malign-activities-> [<https://perma.cc/RVE3-73BA>].

⁶² Biden, *supra* note 1.