

Volume 112 ■ Issue 2 ■ April 2018

ISSN 0002-9300

AJIL

American Journal of International Law

INSIDE THIS ISSUE

- The *Jus ad Bellum's* Regulatory Form
Monica Hakimi
- Specially-Affected States and the
Formation of Custom
Kevin Jon Heller
- Notes and Comments:
The Specially-Affecting States Doctrine
Shelly Aviv Yeini
- The 2017 Judicial Activity of
the International Court of Justice
Christine Gray

AMERICAN JOURNAL OF INTERNATIONAL LAW

Vol. 112

April 2018

No. 2

CONTENTS

PAGE

The *Jus ad Bellum*'s Regulatory Form

Monica Hakimi

151

This article argues that a form of legal regulation is embodied in decisions at the UN Security Council that condone but do not formally authorize specific military operations. Such decisions sometimes inflect or go beyond what the *jus ad bellum* permits through its general standards—that is, under the prohibition of cross-border force and small handful of exceptions. Recognizing that this form of regulation is both part of the law and different in kind from regulation through the general standards should change how we think about the *jus ad bellum*.

Specially-Affected States and the Formation of Custom

Kevin Jon Heller

191

Although the United States has relied on the ICJ's doctrine of specially-affected states to claim that it and other powerful states in the Global North play a privileged role in the formation of customary international law, the doctrine itself has never been systematically developed by the ICJ or by legal scholars. This article fills that lacuna by addressing two questions: (1) what makes a state "specially affected"?; and (2) what is the importance of a state qualifying as "specially affected" for the formation of custom? It concludes that a theoretically coherent understanding of the doctrine would give states in the Global South significant power over custom formation.

Notes and Comments

The Specially-Affecting States Doctrine

Shelly Aviv Yeini

244

The 2017 Judicial Activity of the International Court of Justice

Christine Gray

254

International Decisions

Edited by Ingrid Wuerth

Khlaifia and Others v. Italy (Jill I. Goldenziel)

274

European Court of Human Rights judgment on the rights of migrants

STC 3729/2017. Upon Unconstitutionality Actions 3729, 3751; Against Legislative Bill Bulletin No. 9895-11. (Ángel R. Oquendo)

280

Decision by the Constitutional Court of Chile on abortion

Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua) (Jason Rudall)

288

International Court of Justice judgment on compensation for environmental damage

Contemporary Practice of the United States Relating to International Law

*Edited by Jean Galbraith**

Executive Branch Imposes Limited Russia-Related Sanctions After Statutory Deadlines	296
Time-Limited Provisions of the Foreign Intelligence Surveillance Act Reauthorized Through 2023	303
President Trump Recognizes Jerusalem as the Capital of Israel	306
Trump Administration Ends Participation in Global Compact on Migration, Citing Concerns Regarding U.S. Sovereignty	311
United States Reaches Agreement to Limit Arctic Fishing	313
Trump Administration Continues Push to Reshape American Trade Relations by Imposing Tariffs on Steel and Aluminum Imports	315
Responses by the United States to Attacks on the Rohingya in Burma	322
President Trump Issues Executive Order Keeping the Guantánamo Bay Detention Camp Open	326

Recent Books on International Law

Book Reviews

Hathaway, Oona A., and Scott J. Shapiro. <i>The Internationalists: How a Radical Plan to Outlaw War Remade the World</i> (Anna Spain Bradley)	330
Putnam, Tonya L. <i>Courts Without Borders: Law, Politics and U.S. Extraterritoriality</i> (Peter D. Trooboff and Mawuse Barker-Vormawor)	335
Allott, Philip. <i>Eutopia: New Philosophy and New Law for a Troubled World</i> (Richard Falk)	343
Borch, Fred L. <i>Military Trials of War Criminals in the Netherlands East Indies 1946–1949</i> (Gary Solis)	349

Books Received	355
-----------------------	-----

International Legal Materials, Contents, Vol. 57, No. 1, No. 2	358
---	-----

* The section editor has been corrected since original publication. An erratum notice detailing this change was also published (DOI: 10.1017/ajil.2018.57).

BOARD OF EDITORS

Editors in Chief

JOSÉ ENRIQUE ALVAREZ
New York University School of Law

BENEDICT KINGSBURY
New York University School of Law

DAPO AKANDE
Oxford University
KAREN J. ALTER
Northwestern University
ANTONY ANGHIE
National University of Singapore
EYAL BENVENISTI
Cambridge University
LAURENCE BOISSON DE CHAZOURNES
University of Geneva School of Law
CURTIS A. BRADLEY
Duke University School of Law
CHRISTOPHER BRUMMER
Georgetown University Law Center
BHUPINDER SINGH CHIMNI
Jawaharlal Nehru University
HARLAN COHEN
University of Georgia School of Law
GRÁINNE DE BÚRCA
New York University School of Law
JAMES THUO GATHII
Loyola University Chicago School of Law
TOM GINSBURG
University of Chicago Law School
JACK GOLDSMITH
Harvard Law School
MONICA HAKIMI
University of Michigan Law School

LAURENCE R. HELFER
Duke University School of Law
ALEXANDRA HUNEEUS
University of Wisconsin Law School
KAREN KNOP
University of Toronto Faculty of Law
KATERINA LINOS
Univ. of California, Berkeley School of Law
DONALD M. McRAE
University of Ottawa Faculty of Law
CATHERINE POWELL
Fordham Law School
KAL RAUSTIALA
Univ. of California (UCLA) School of Law
NATALIE REID
Debevoise & Plimpton
HENRY J. RICHARDSON III
Temple University Beasley School of Law
ANNELISE RILES
Cornell Law School
ANTHEA ROBERTS
Australian National University
GREGORY SHAFFER
Univ. of California, Irvine School of Law
ALAN O. SYKES
Stanford Law School
INGRID WUERTH
Vanderbilt Law School

ex officio

LUCINDA LOW
MARK DAVID AGRAST
Honorary Editors

GEORGE H. ALDRICH
St. Michaels, Maryland
MAHNOUSH ARSANJANI
New Haven, Connecticut
RICHARD B. BILDER
University of Wisconsin Law School
CHARLES N. BROWER
The Hague, the Netherlands
EDITH BROWN WEISS
Georgetown University Law Center
THOMAS BUERGENTHAL
George Washington Univ. Law School
DAVID D. CARON (1952–2018)
The Hague, the Netherlands
CHRISTINE M. CHINKIN
London School of Economics
JAMES R. CRAWFORD
The Hague, the Netherlands
JOHN R. CROOK
Potomac, Maryland
ANTHONY D'AMATO (1937–2018)
Northwestern University School of Law
RICHARD FALK
University of California, Santa Barbara
TOM J. FARER
University of Denver
MICHAEL J. GLENNON
Fletcher School, Tufts University

ROSALYN HIGGINS
The Hague, the Netherlands
FREDERIC L. KIRGIS
Washington and Lee Univ. School of Law
CYNTHIA CRAWFORD LICHTENSTEIN
Boston College Law School
DAVID A. MARTIN
University of Virginia School of Law
MICHAEL J. MATHESON
George Washington Univ. Law School
THEODOR MERON
The Hague, the Netherlands
JOHN NORTON MOORE
University of Virginia School of Law
BERNARD H. OXMAN
University of Miami School of Law
W. MICHAEL REISMAN
Yale Law School
STEPHEN M. SCHWEBEL
South Woodstock, Vermont
DINAH SHELTON
George Washington Univ. Law School
DAVID P. STEWART
Georgetown University Law Center
PETER D. TROOBOFF
Covington & Burling LLP
RUTH WEDGWOOD
Johns Hopkins University

Senior Copyeditor
ERIN LOVALL

Cite-checker
CATHERINA VALENZUELA

Assistant to the Editors in Chief
RACHEL JONES

Submissions Editor 2017–18
SEBASTIAN DUTZ

Associate Submissions Editors 2017–18
SARAH COCO
NAHUEL MAISLEY
CLAIRE SCHUPMANN

AMERICAN JOURNAL OF INTERNATIONAL LAW

The *American Journal of International Law (AJIL)* has been published quarterly since 1907. It features articles, editorials, notes, and comments by pre-eminent scholars on developments in international law and international relations. *AJIL* contains summaries and analyses of decisions by national and international courts and arbitral or other tribunals, and of contemporary U. S. practice in international law. Each issue lists recent publications in English and other languages, many of which are reviewed in depth. The *AJIL* is indispensable for all professionals working in international law, economics, trade, and foreign affairs.

It is the policy of the American Society of International Law not to take an official position, by resolution or otherwise, upon controversial questions. The views expressed in the articles, editorial comments, book reviews, and all other contributions to the *AJIL* are those of the individual authors and are not to be taken as representing the views of the Board of Editors or the Society.

THE AMERICAN SOCIETY OF INTERNATIONAL LAW

The American Society of International Law (ASIL) is a nonprofit, nonpartisan, educational membership organization founded in 1906 by U.S. Secretary of State Elihu Root and chartered by Congress in 1950. Headquartered in Washington, D.C., its mission is “to foster the study of international law and to promote the establishment and maintenance of international relations on the basis of law and justice.” ASIL holds Special Consultative Status with the Economic and Social Council of the United Nations and is a constituent society of the American Council of Learned Societies.

ASIL’s nearly four thousand members hail from more than one hundred nations with nearly 40 percent residing outside the United States. Its members include scholars, jurists, practitioners, government officials, leaders in international and nongovernmental organizations, students, and others interested in international law. Through its many publications, conferences, briefings, and educational events, ASIL seeks to serve the needs of its diverse membership and to advance understanding of international law among policymakers and the public.

ASIL is a volunteer-led organization governed by a sixty-member Executive Council elected by its membership. In partnership with the elected leadership, ASIL is led by an executive director and supported by a professional staff.

Become a member

asil.org/membership

Join one of the Society’s Partner Programs and receive complimentary ad space in *AJIL*

asil.org/financial-support/sponsors-and-institutional-supporters

Follow the Society on Twitter

twitter.com/asilorg

Like us on Facebook

facebook.com/AmericanSocietyofInternationalLaw

OFFICERS AND EXECUTIVE COUNCIL OF THE SOCIETY, 2018–2019

<i>President</i>	SEAN D. MURPHY
<i>Honorary President</i>	W. MICHAEL REISMAN
<i>Vice Presidents</i>	HANNAH L. BUXBAUM, TAI-HENG CHENG, E. WHITNEY DEBEVOISE II, OONA A. HATHAWAY
<i>Executive Vice President and Executive Director</i>	MARK DAVID AGRAST
<i>Secretary</i>	JAMES A. R. NAFZIGER
<i>Treasurer</i>	NANCY L. PERKINS
<i>Assistant Treasurer</i>	RONALD J. BETTAUER
<i>Audit Committee Chair</i>	SUSAN KARAMANIAN

Past Presidents: JOSÉ E. ALVAREZ, CHARLES N. BROWER, JAMES H. CARTER, LORI FISLER DAMROSCH, DONALD FRANCIS DONOVAN, LUCINDA A. LOW, LUCY F. REED, ARTHUR W. ROVINE, ANNE-MARIE SLAUGHTER, PETER D. TROOBOFF, EDITH BROWN WEISS

Honorary Vice Presidents: LORI FISLER DAMROSCH, DONALD FRANCIS DONOVAN, LUCINDA A. LOW

Council Members: PERRY S. BECHKY, KRISTEN BOON, ANNA SPAIN BRADLEY, TODD F. BUCHWALD, JACOB KATZ COGAN, JEFFREY L. DUNOFF, CHIARA GEORGETTI, MONICA HAKIMI, REBECCA HAMILTON, DAWN YAMANE HEWETT, STEVEN HILL, CHRISTINA HIIOREAS, MÉLIDA HODGSON, TIYANJANA MALUWA, SAIRA MOHAMED, RAHIM MOLOO, JAYA RAMJI-NOGALES, SERGIO PUIG, VICTORIA SHANNON SAHANI, TAMARA A. SHOCKLEY, DAVID L. SLOSS, ELIZABETH TRUJILLO, SAMUEL M. WITTEN, JARROD WONG

Councillors: DAPO AKANDE, DIANE MARIE AMANN, LAURENCE BOISSON DE CHAZOURNES, NICOLA BONUCCI, MARINN CARLSON, MARCELLA DAVID, JAMES T. GATHIL, HAROLD HONGJU KOH, PETER MASON, M. MARGARET MCKEOWN, MAKAU MUTUA, JOSEPH E. NEUHAUS, STEPHEN W. PRESTON, BALAKRISHNAN RAJAGOPAL, HÉLÈNE RUIZ-FABRI, LEILA NADYA SADAT, DAN SAROOSHI, STEVEN M. SCHNEEBaum, RICHARD H. STEINBERG, JANE E. STROMSETH, BRUCE C. SWARTZ, PETER TOMKA, ADRIEN K. WING, NASSIB G. ZIADÉ

PHILANTHROPY AND THE SOCIETY

The American Society of International Law is grateful to its Patrons and the many members who contribute to the Annual Fund and the Endowment. Patron-level donors and Heritage Circle members who have included the Society in their estate plans are acknowledged below. The Society gratefully acknowledges the support of its Law Firm, Publisher and Academic Partners, who are listed on the next page. All institutional partners and individual donors of \$500 and above are acknowledged in the Society's annual Year-in-Review for the year in which the gift was made.

LEADERSHIP PATRONS

This category recognizes extraordinary and sustained philanthropic support of the Society.

HOWARD M. HOLTZMANN*

CHARLES N. BROWER

PATRONS (2014–2018)

Elihu Root Patron (\$50,000)

ANONYMOUS
DONALD K. ANTON
GARY B. BORN
DAVID D. CARON* AND SUSAN SPENCER
LORI FISLER DAMROSCH
DONALD FRANCIS DONOVAN AND
JENNIFER LAKE
LUCINDA A. LOW AND
DANIEL B. MAGRAW
LUCY F. REED
W. MICHAEL REISMAN AND
MAHNOUSH H. ARSANJANI
ARTHUR W. ROVINE

Cordell Hull Patron (\$25,000)

CATHERINE M. AMIRFAR
R. DOAK BISHOP

JAMES H. CARTER
TAI-HENG CHENG
ELI WHITNEY DEBEVOISE II
SUSAN L. KARAMANIAN
EDWARD G. KEHOE
JAMES G. LETTNER AND TRACY HIGGINS
ABBY COHEN SMUTNY

James Brown Scott Patron (\$15,000)

MARK D. AGRASST AND DAVID M. HOLLIS
JOSÉ E. ALVAREZ AND SUSAN DAMPLO
ANDREA K. BJORKLUND
CHARLES H. CAMP
DAVID COLSON
GLENN P. HENDRIX
JUDD KESSLER
BENEDICT KINGSBURY
CHARLOTTE KU

EDWARD KWAKWA
ALOYSIUS LLAMZON
STEPHEN C. MCCAFFREY
GABRIELLE KIRK MCDONALD
SEAN D. AND JULIE MURPHY
JOSEPH E. NEUHAUS
MARY ELLEN O'CONNELL
DANIEL M. PRICE
STEVEN M. SCHNEEBAUM
MORTIMER N.S. SELLERS
ANDRES RIGO SUREDA
JUDGE BRUNO E. SIMMA
BETH VAN SCHAACK
DON WALLACE, JR.
ADRIEN K. WING
MARCIA A. WISS

LEGACY PATRONS (TO 2014)

DOMINGO E. ACEVEDO
GERALD ARKEN
ARTHUR R. ALBRECHT
TEYMOUR A. ALIREZA*
GEORGE H. ALDRICH
DIANE MARIE AMANN
JAMES G. APPLE
FRANK A. BAUMAN*
MRS. RICHARD BAXTER*
DAVID J. BEDERMAN* AND
LORRE B. CUZZE
DANIEL L. BETHLEHEM
RICHARD B. BILDER
JOHN A. BOYD
JOHN BRISCOE
CHARLES N. BROWER
IAN BROWNLIE*
EDITH BROWN WEISS
LEE C. BUCHHEIT
THOMAS BUERGENTHAL
WILLIAM J. BUTLER
HUGO AND SUSANA CAMINOS
JAMES RICHARD CRAWFORD
JOHN R. CROOK
ANTHONY D'AMATO
ARTHUR H. DEAN*
SARAH WHITCRAFT DEFORD*
TIMOTHY L. DICKINSON

THOMAS A. DUBBS
EDWARD DUMBAULD*
RICHARD W. EDWARDS, JR.
ALONA E. EVANS*
BENJAMIN B. FERENCZ
DONALD FERENCZ
THOMAS M. FRANCK*
ALWYN V. FREEMAN*
JOHN KING GAMBLE
RONALD E.M. GOODMAN
CHRISTOPHER J. GREENWOOD
JOHN LAWRENCE HARGROVE
VICTORIA M. HARIRI*
OONA A. HATHAWAY
RITA E. HAUSER
JOHN N. HAZARD*
ALICE AND LOUIS* HENKIN
ROBERT E. HERZSTEIN*
ROSALYN HIGGINS
KEITH HIGGET*
HOWARD M. HOLTZMANN*
CHARLES A. HUNNICUTT
JOHN H. JACKSON*
ANDREW J. JACOVIDES
MARK R. JOELSON
RICHARD A. JOHNSON
KENNETH I. JUSTER
FREDERIC L. KIRGIS

JEFFREY LANG
SIR ELIHU LAUTERPACHT*
ROY S. LEE
JEREMY I. AND CANDACE C. LEVITT
CYNTHIA CRAWFORD
LICHTENSTEIN
RICHARD B. LILLICH* AND
GERDA HEIDEL*
A. VAUGHAN LOWE
ANDREAS F. LOWENFELD*
HOUSTON PUTNAM LOWRY
BRUNSON MACCHESNEY
ROBERT MACCRATE*
RONALD ST. JOHN MACDONALD*
D. STEPHEN MATHIAS
EDWARD WATSON MCWHINNEY*
ROBERT F. MEAGHER*
THEODOR MERON
HUSAM MESHAL
W. ROBERT MORGAN*
JAMES A.R. NAZIGER
VED P. NANDA
ANDRE NEWBURG
SHIGERU ODA
BERNARD H. OXMAN
JAN PAULSSON
NANCY L. PERKINS
HERMAN PHLEGER*

B. DONOVAN PICARD
NATALIE L. REID
SANG-MYON RHEE
DAVIS R. ROBINSON
WILLIAM D. ROGERS*
SEYMOUR J. RUBIN*
PHILIPPE J. SANDS
OSCAR SCHACHTER*
STEPHEN M. SCHWEBEL
ANNE-MARIE SLAUGHTER
EARL A. SNYDER*
BARBARA STARK
ERIC STEIN*
CHARLES W.T. STEPHENSON
JOHN R. STEVENSON*
DAVID P. STEWART
LAURENCE STORCH
ENRIQUE P. SYQUIA
GENEVIEVE EAGON TILLAR*
PETER D. TROOBOFF
DETLEY F. VAGTS*
CHARLES O. VERRILL, JR.
JILL MCCLANAHAN WATSON
RUTH WEDGWOOD
BURNS H. WESTON*
EDWIN D. WILLIAMSON
BASIL S. YANAKAKIS
NASSIB G. ZIADÉ

THE ASIL HERITAGE CIRCLE

Members who have advised the Society that they made provisions to include the Society in their estate plans.

ANONYMOUS (2)
ELIZABETH ANDERSEN
JAMES G. APPLE
FRANK A. BAUMAN*
CHARLES N. BROWER
JAMES H. CARTER

SARAH WHITCRAFT DEFORD*
MICHAEL AND MARY ANN FARLEY
THOMAS M. FRANCK*
CHRISTIAN A. HERTER, JR.*
CHIMENE KEITNER

CHARLOTTE KU
CYNTHIA CRAWFORD LICHTENSTEIN
H.C.L. MERILLAT*
SEAN D. AND JULIE MURPHY
MARY ELLEN O'CONNELL

OSCAR SCHACHTER*
STEPHEN SCHER
ERIC STEIN*
JOHN R. STEVENSON*
GENEVIEVE EAGON TILLAR*
RICHARD YOUNG*

* deceased

LAW FIRM PARTNERS

Leadership Circle

ARNOLD & PORTER LLP
DEBEVOISE & PLIMPTON LLP
FOLEY HOAG LLP
FRESHFIELDS BRÜCKHAUS DERINGER LLP
WHITE & CASE LLP
SIDLEY AUSTIN LLP

President's Circle

SULLIVAN & CROMWELL LLP

Counselors

COVINGTON & BURLING LLP
CURTIS MALLETT-PREVOST, COLT &
MOSLE LLP
KING & SPALDING LLP
STEPTOE & JOHNSON LLP

PUBLISHER PARTNERS

Platinum

BRILL NIJHOFF PUBLISHERS
CAMBRIDGE UNIVERSITY PRESS

Gold

OXFORD UNIVERSITY PRESS

Bronze

EDWARD ELGAR PUBLISHING
HART PUBLISHING
ROUTLEDGE – TAYLOR AND FRANCIS
PUBLISHING
SPRINGER PUBLISHING

ACADEMIC PARTNERS

AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW
ARIZONA STATE UNIVERSITY SANDRA DAY O'CONNOR COLLEGE OF LAW
BOSTON UNIVERSITY SCHOOL OF LAW
BROOKLYN LAW SCHOOL
CASE WESTERN UNIVERSITY SCHOOL OF LAW
COLUMBIA LAW SCHOOL
CORNELL LAW SCHOOL
DUKE UNIVERSITY SCHOOL OF LAW
EMORY UNIVERSITY SCHOOL OF LAW
GEORGETOWN UNIVERSITY LAW CENTER
GEORGE WASHINGTON UNIVERSITY LAW SCHOOL
HARVARD LAW SCHOOL
INDIANA UNIVERSITY MAURER SCHOOL OF LAW
INDIANA UNIVERSITY MCKINNEY SCHOOL OF LAW
LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW
NEW YORK UNIVERSITY SCHOOL OF LAW
NORTHWESTERN UNIVERSITY PRITZKER SCHOOL OF LAW
NOTRE DAME LAW SCHOOL
MCGEORGE SCHOOL OF LAW UNIVERSITY OF THE PACIFIC
PENNSYLVANIA STATE UNIVERSITY DICKINSON SCHOOL OF LAW
PEPPERDINE UNIVERSITY SCHOOL OF LAW
STANFORD UNIVERSITY LAW SCHOOL
SYRACUSE UNIVERSITY COLLEGE OF LAW
UNIVERSITY AT BUFFALO SCHOOL OF LAW
UNIVERSITY OF CALIFORNIA, BERKELEY SCHOOL OF LAW
UNIVERSITY OF CALIFORNIA, IRVINE SCHOOL OF LAW
UNIVERSITY OF CALIFORNIA, LOS ANGELES SCHOOL OF LAW
UNIVERSITY OF CINCINNATI COLLEGE OF LAW
UNIVERSITY OF COLORADO, BOULDER SCHOOL OF LAW
UNIVERSITY OF DENVER STURM COLLEGE OF LAW
UNIVERSITY OF GENEVA FACULTY OF LAW
UNIVERSITY OF GEORGIA SCHOOL OF LAW
UNIVERSITY OF IOWA SCHOOL OF LAW
UNIVERSITY OF MIAMI SCHOOL OF LAW
UNIVERSITY OF MICHIGAN SCHOOL OF LAW
UNIVERSITY OF PENNSYLVANIA LAW SCHOOL
UNIVERSITY OF PITTSBURGH SCHOOL OF LAW
UNIVERSITY OF RICHMOND SCHOOL OF LAW
UNIVERSITY OF SAN FRANCISCO SCHOOL OF LAW
UNIVERSITY OF SOUTHERN CALIFORNIA GOULD SCHOOL OF LAW
VANDERBILT UNIVERSITY SCHOOL OF LAW
VERMONT LAW SCHOOL
WASHINGTON AND LEE UNIVERSITY SCHOOL OF LAW
WASHINGTON UNIVERSITY SCHOOL OF LAW
YALE LAW SCHOOL

JOURNAL INFORMATION

AJIL is published in print and digitally by Cambridge University Press on behalf of the American Society of International Law. The journal publishes quarterly, in January, April, July, and October, and to reduce time between acceptance and publication, contributions may appear online as *FirstView* publications in advance of their scheduled publication in an issue. Discover the entire *AJIL* back archive at cambridge.org/ajil/issues.

Subscriptions

The electronic version of *AJIL* is available to all members of the American Society of International Law by login to the ASIL website www.asil.org. Print copies are also supplied to all members.

To subscribe as a non-member or recommend a subscription to your librarian go to cambridge.org/ajil.

Submission of Manuscripts

AJIL invites submission of manuscripts on international law subjects. *AJIL*'s coverage extends beyond public international law to closely related issues of global governance, transnational law, and national or sub-state law. It generally does not publish manuscripts focused on purely private or commercial law or on comparative or foreign law, including the internal law of the European Union. *AJIL* will not consider submissions whose content has been, or will be, published before it appears in this journal.

AJIL welcomes submissions for **Lead Articles**, and shorter **Current Developments** and **Notes & Comments** pieces via *AJIL*'s electronic submission website mc.manuscriptcentral.com/ajil.

Editorial Comments are written by members of the Board of Editors. Content for the **Contemporary Practice of the United States Relating to International Law** section of *AJIL* is generated by the editors of that section and outside submissions are not accepted. The **Recent Books on International Law** section contains book reviews that are solicited by invitation of the editor, Richard Bilder. *AJIL* strongly encourages authors and publishers to submit books for review in hard copy to: AJIL Book Review Office, 2223 Massachusetts Avenue, NW, Washington, DC 20008-2864, USA.

The **International Decisions** section, edited by Ingrid Wuerth, focuses on particularly significant decisions concerning important issues of (or developments in) international law. It consists of contributions that are mostly proposed to the editor by readers of the *AJIL*. Proposals for International Decisions should be sent to ingrid.wuerth@law.vanderbilt.edu.

AJIL Unbound, an online initiative to supplement *AJIL* by publishing short, original essays, periodically issues open calls for short contributions on specified topics.

AJIL is committed to publishing a diversity of authors, whether based in the United States or abroad, and to covering a wide range of subjects and approaches. Suggestions for topics for *AJIL* **symposia or Agora** should be sent to law.ajil.admin@nyu.edu.

All submissions must follow the *AJIL* Style Guide. Full instructions on how to prepare and submit your paper may be found here:
cambridge.org/ajil/afc

Claims and Address Updates

subscriptions_newyork@cambridge.org (in the USA, Canada and Mexico)

journals@cambridge.org (elsewhere)

Copyright and Permissions

cambridge.org/about-us/rights-permissions.

To Advertise in the Journal

ad_sales@cambridge.org

Abstracting and Indexing Services

cambridge.org/ajil/abstracting

For other ASIL Publications

www.asil.org

Proper Citation

AJIL shall be cited according to the following example:

112 *AJIL* 219 (2018)

ISSN: 0002-9300

E-ISSN: 2161-7953

© American Society of International Law