

Editorial #3 – International crime, Earth and theory

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Calendars blessed us with a square-shaped February 2021 – the month began on a Monday, the 1st of February, and ended on Sunday, 28th of February. All four weeks aligned perfectly; rather neat one would think. The complexity of world affairs, however, does not succumb to calendar shapes: The pandemic is in full swing with large parts of the world's population still unvaccinated ([Ghana](#) being the first country to receive vaccine for Covid-19 through the Covax program last week). The [Gulf Stream System](#) is at its weakest in over a millennium, while the [Earth](#) keeps getting warmer by the minute. And most recently, the [US](#) carried out airstrikes in Syria – once again.

Many of the blogposts published on *Völkerrechtsblog* in the last few weeks relate to these events and give them legal meaning. Merely a week before the US airstrikes, the [Higher Regional Court of Koblenz](#) found Eyad A, a member of the Syrian General Intelligence Service, guilty of aiding and abetting torture and aggravated deprivation of liberty in Syria (see our earlier posts on the al-Khatib trial [here](#), [here](#), [here](#) and [here](#)). International criminal law was also applied in a judgment by the German Federal Supreme Court, finding that Ahmed Zaheer D, former first lieutenant of the Afghan army, was not protected by jurisdictional immunity under international law (see [Lorenz Rubner's](#) critical evaluation). At the international level, the ICC Trial Chamber IX found [Dominic Ongwen](#) guilty of crimes in Northern Uganda and the Pre-Trial Chamber I held that the ICC has [jurisdiction](#) to investigate crimes that have taken place in the West Bank, East Jerusalem and Gaza. [Solon Solomon](#) considers the Pre-Trial Chamber's decision from a critical perspective.

In the meantime, the issue of climate change was addressed by the [Tribunal Administratif de Paris](#). [Liv Christiansen](#) argued that its judgment could prove an important step towards holding states accountable for environmental harm caused by carbon emissions. More generally, Earth and its resources informs many of last month's posts: [Nele Matz-Lück](#) looked at the issue of fisheries rights in the waters approximating the rocky island of Rockall in the Atlantic Ocean after Brexit. Maritime waters are disputed in the Aegan Sea as well, with Turkey and Greece arguing about the breadth of their maritime zones (see [Jason Halog's](#) post). Meanwhile, [Lisa M. Cohen](#) considered China's and India's dam projects over internal waters in the Himalayas, the Brahmaputra river. Land was at stake in [Lys Kulamadayil's](#) attempt to make sense of India's farmer protests and [Mona El Abbadi's](#) perspective on the Sahrawi people's claim over the Western Sahara. Furthermore, [Elena Cirkovic](#) considered Earth's hydrosphere suggesting a fresh approach by applying cosmo-legal approaches to international law.

Human rights law formed a further core theme in February: [Rishi Gulati](#) addressed the right to freedom of expression in light of the Facebook Oversight Board, while [Johan Heymans](#) shed light on enforced disappearances in Turkey (see also our earlier [symposium](#) on enforced disappearances) and [Philip Nedelcu](#) evaluated the ECtHR's recent judgment in the case of [Selahattin Demirtaş v. Turkey \(no. 2\)](#).

As if all of this wouldn't make for sufficient editorial work, our incredible team found time to conclude the month with a [symposium on the role of the ILC](#), edited by Justine Batura, Sué González Hauck and Sophie Schubert. The symposium engages with questions raised by [Danae Azaria's](#) recently published article on the ILC as an interpreter of international law, including a [critical view](#) on the impossibility of engaging in purely doctrinal scholarship. For readers interested in such theoretical perspectives, Ignacio de la Rasilla's post on the relevance of the history of international law as well as [Alexandra Kemmerer's](#) interview with Sundhya Pahuja should make for formidable further readings. Last month's other interview was conducted by [Julian Hettihewa](#) with Ina Heusgen on Germany's two year membership in the UN Security Council.

We hope that you, as our readership, found some enjoyment in engaging with these topics, even in times of a global pandemic. Naturally, we did not entirely disregard the legal issues surrounding Covid-19: The [second episode](#) of our monthly *Völkerrechtspodcast* discussed the challenges of ensuring global access to vaccines, featuring an interview with Henning Grosse Ruse-Khan and reviewing the theoretical foundations of international trade law and intellectual property law. Stay tuned for our next episode to be published on the 5th of March.

Wishing you all a healthy March 2021, we look forward to engaging with you further on the blog and [beyond](#) in the coming weeks.

