

THE GLOBAL COMMUNITY

Yearbook of International Law
and Jurisprudence

2017

Edited by

Giuliana Ziccardi Capaldo

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Contents

<i>Aims & Scope</i>	<i>xv</i>
<i>Outline of the Parts</i>	<i>xix</i>

EDITORIAL

Getting to a Global Constitution Expanding Human Rights Law: The Application of the No-Impunity Principle to Tax Fraud Offences	3
<i>Giuliana Ziccardi Capaldo</i>	

IN MEMORIAM

M. Cherif Bassiouni (1937–2017)	15
<i>Anja Matwijkiw & Bronik Matwijkiw</i>	

PART 1: ARTICLES

The Decline of the Liberal Global Order and the Revival of Nationalism	31
<i>Yale H. Ferguson & Richard W. Mansbach</i>	
A Bifurcated Global Nuclear Order: Thou May vs. Thou Shall Not Possess or Use Nuclear Weapons	71
<i>Ramesh Thakur</i>	

PART 2: NOTES AND COMMENTS

Normatividad Internacional en Colisión con la Norma Fundamental del Derecho Internacional/International Normativity in Collision with International Law's Constitution	115
<i>Luis A. López Zamora</i>	

Bahrain Anno 2017: Peace or Regime-Change? The Ongoing Human Rights Dilemma and the Ethics Pillar as a Measurement	131
<i>Anja Matwijkiw & Bronik Matwijkiw</i>	

PART 3: IN FOCUS—GLOBAL POLICIES AND LAW

Rise and Shine: The No Harm Principle’s Increasing Relevance for the Global Community	149
<i>Jelena Bäumlér</i>	
Global Migration Governance: Beyond Coordination and Crises	175
<i>Nicholas R. Micinski & Thomas G. Weiss</i>	
Appendix of the Part—Topics Covered in the Previous Issues (2008–2016)	195

PART 4: FORUM—JURISPRUDENTIAL CROSS-FERTILIZATION: AN ANNUAL OVERVIEW

I. Introductory Module—MISSION AND CONCEPTS	201
I.1 Contemporary International Tribunals: Jurisprudential Cross-Fertilization in the Case-Law of International Tribunals in Their Common Mission of Realization of Justice, <i>Antônio Augusto Cançado Trindade</i>	203
II. Module—CRIMINAL LAW—The Relationship Between International Criminal Tribunals and Their Relationship with the ICJ or Another International Court or Arbitral Tribunal	211
II.1 International Human Rights Law in the Reparation Practice of the Extraordinary Chambers in the Courts of Cambodia, <i>Juan-Pablo Perez-Leon-Acevedo</i>	213
III. Module—HUMAN RIGHTS LAW—The Relationship Between Courts of Human Rights and Their Relationship with the ICJ or Another International Court or Arbitral Tribunal	243
III.1 Human Dignity as the Foundation for the Democratic Rule of Law: <i>J.C. Hernandez v. J. Mesa Jr.</i> 582 U.S. ____ (2017) as an Illustrative Case, <i>Sonja C. Grover</i>	245
IV. Module—ENVIRONMENTAL LAW, LAW OF THE SEA, GLOBAL COMMONS LAW—The Relationship Between the ITLOS and the ICJ or Another International Court or Arbitral Tribunal	263
IV.1 Dual Provisional Measures Prescribed by ITLOS and Annex VII Arbitral Tribunal: Reflections on the “<i>Enrica Lexie</i>” Incident Case, <i>Yoshifumi Tanaka</i>	265

PART 5: GLOBAL JUSTICE—DECISIONS OF INTERNATIONAL COURTS AND TRIBUNALS IN 2016

Edited by Giuliana Ziccardi Capaldo

Systematic Classification Scheme	287
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I. INTERNATIONAL COURT OF JUSTICE	307
I.1 INTRODUCTORY NOTE, <i>John G. Merrills</i>	309
I.2 LEGAL MAXIMS: SUMMARIES AND EXTRACTS FROM SELECTED CASE LAW (<i>Giuliana Ziccardi Capaldo</i>)	319
I.2.1 <i>Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. India)</i>, Jurisdiction of the Court and Admissibility of the Application, Judgment, 5 October 2016	321
I.2.2 <i>Immunities and Criminal Proceedings (Equatorial Guinea v. France)</i>, Request for the indication of provisional measures, Order, 7 December 2016	327
Systematic Index of the Section	331
II. INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA	333
II.1 INTRODUCTORY NOTE, <i>Tullio Treves</i>	335
II.2 LEGAL MAXIMS: SUMMARIES AND EXTRACTS FROM SELECTED CASE LAW (<i>Emilio Sessa</i>)	341
II.2.1 <i>The M/V “Norstar” Case (Panama v. Italy)</i>, Case No. 25, Preliminary Objections, Judgment, 4 November 2016	343
Systematic Index of the Section	349
III. WTO DISPUTE SETTLEMENT SYSTEM	351
III.1 INTRODUCTORY NOTE, <i>Joanna Gomula</i>	353
III.2 LEGAL MAXIMS: SUMMARIES AND EXTRACTS FROM SELECTED CASE LAW (<i>Joanna Gomula</i>)	363
III.2.1 <i>European Communities—Definitive Anti-Dumping Measures on Certain Iron or Steel Fasteners from China. Recourse to Article 21.5 of the DSU by China (WT/DS397/AB/RW)</i>, Appellate Body Report circulated on 18 January 2016, adopted on 12 February 2016	365
III.2.2 <i>Argentina—Measures Relating to Trade in Goods and Services (WT/DS453/AB/R/)</i>, Appellate Body Report circulated on 14 April 2016, adopted on 9 May 2016	370
III.2.3 <i>Columbia—Measures Relating to the Importation of Textiles, Apparel and Footwear (WT/DS461/AB/R/)</i>, Appellate Body Report circulated on 7 June 2016, adopted on 22 June 2016	376
III.2.4 <i>Russia—Tariff Treatment of Certain Agricultural and Manufacturing Products (WT/DS485/R/)</i>, Panel Report circulated on 12 August 2016, adopted on 26 September 2016	379
III.2.5 <i>United States—Anti-Dumping and Countervailing Measures on Large Residential Washers from Korea (WT/DS464/AB/R/)</i>, Appellate Body Report circulated on 7 September 2016, adopted on 26 September 2016	382
III.2.6 <i>India—Certain Measures Relating to Solar Cells and Modules (WT/DS456/AB)</i>, Appellate Body Report circulated on 16 September 2016, adopted on 14 October 2016	387

III.2.7 <i>European Union—Anti-Dumping Measures on Biodiesel from Argentina (WT/DS473/AB), Appellate Body Report circulated on 6 October 2016, adopted on 26 October 2016</i>	391
Systematic Index of the Section	395
IV. INTERNATIONAL CRIMINAL COURT	397
IV.1 INTRODUCTORY NOTE, <i>Geert-Jan Alexander Knoops</i>	399
IV.2 LEGAL MAXIMS: SUMMARIES AND EXTRACTS FROM SELECTED CASE LAW, (<i>Anna Buono, Anna Oriolo, Caterina Tuosto, Anna Vigorito</i>)	409
IV.2.1 SITUATION IN MALI	411
IV.2.1.1 <i>The Prosecutor v. Ahmad Al Faqi Al Mahdi</i> , Case No. ICC-01/12-01/15, Trial Chamber VIII, Judgment, 27 September 2016	411
IV.2.2 SITUATION IN THE CENTRAL AFRICAN REPUBLIC	415
IV.2.2.1 <i>The Prosecutor v. Jean-Pierre Bemba Gombo</i> , Case No. ICC-01/05-01/08-3343, Trial Chamber III, Judgment, 21 March 2016	415
IV.2.3 SITUATION IN UGANDA	419
IV.2.3.1 <i>The Prosecutor v. Dominic Ongwen</i> , Case No. ICC-02/04-01/15-422-Red, Pre-Trial Chamber II, Decision on the confirmation of charges against Dominic Ongwen, 23 March 2016	419
IV.2.4 SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO	422
IV.2.4.1 <i>The Prosecutor v. Thomas Lubanga Dyilo</i> , Case No. ICC-01/04-01/06, Trial Chamber II, Order, 21 October 2016	422
Systematic Index of the Section	425
V. INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA	427
V.1 INTRODUCTORY NOTE, <i>Rafael Nieto-Navia</i>	429
V.2 LEGAL MAXIMS: SUMMARIES AND EXTRACTS FROM SELECTED CASE LAW (<i>Anna Buono, Anna Oriolo, Caterina Tuosto</i>)	443
V.2.1 <i>Prosecutor v. Radovan Karadžić</i> , Case No. IT-95-5/18-T, Trial Chamber, Judgment, 25 March 2016	444
V.2.2 <i>Prosecutor v. Vojislav Šešelj</i> , Case No. IT-03-67-T, Trial Chamber III, Judgment, 31 March 2016	448
V.2.3 <i>Prosecutor v. Mićo Stanišić and Stojan Župljanin</i> , Case No. IT-08-91-A, Appeals Chamber, Judgment, 30 June 2016	452
Systematic Index of the Section	459
VI. COURT OF JUSTICE OF THE EUROPEAN UNION	461
VI.1 INTRODUCTORY NOTE, <i>Francesco Seatzu</i>	463
VI.2 GENERAL COURT	471

VI.2.1	LEGAL MAXIMS: SUMMARIES AND EXTRACTS FROM SELECTED CASE LAW (<i>Sébastien Brisard, Guglielmo Cantillo, Victoria Hanley-Emilsson, Ramona Grimbergen, Norbert Kucharik, Eirini Pantelodimou, Sabina Ruffo; Roberto Soprano, Alessandro Spano, Caterina Tuosto, Anna Vigorito</i>)	473
VI.2.1.1	<i>Toshiba Corp. v. European Commission</i> , Case T-404/12, First Chamber, Judgment, 19 January 2016	475
VI.2.1.2	<i>Ante Šumelj v. European Commission</i> , Joined Cases T-546/13, T-108/14 and -109/14, Judgment, 26 February 2016	478
VI.2.1.3	<i>Dextro Energy GmbH & Co. KG v. European Commission</i> , Case T-100/15, Fifth Chamber, Judgment, 16 March 2016	480
VI.2.1.4	<i>Costantini and Others v. Commission</i> , Case T-44/14, First Chamber, Judgment, 19 April 2016	483
VI.2.1.5	<i>Mimoun Khachab v. Subdelegación del Gobierno en Álava</i> , Case T-558/14, Fourth Chamber, Judgment, 21 April 2016	485
VI.2.1.6	<i>Ireland and Aughinish Alumina Ltd v. European Commission</i> , Joined Cases T-50/06 RENV II and T-69/06 RENV II, First Chamber, Extended Composition, Judgment, 22 April 2016	488
VI.2.1.7	<i>Germany v. Commission</i> , Case T-47/15, Third Chamber, Judgment, 10 May 2016	491
VI.2.1.8	<i>Growth Energy and Renewable Fuels Association v. Council of the European Union</i> , Case T-276/13, Fifth Chamber, Judgment, 9 June 2016	493
VI.2.1.9	<i>CW v. Conseil de l'Union européenne</i> , Case T-224/14, Eighth Chamber, Judgment, 30 June 2016	496
VI.2.1.10	<i>Future Enterprises v. EUIPO</i> , Case T-518/13, First Chamber, Judgment, 5 July 2016	500
VI.2.1.11	<i>Globo Comunicação e Participações v. EUIPO</i> , Case T-408/15, Second Chamber, Judgment, 13 September 2016	503
VI.2.1.12	<i>Pietro Ferracci v. European Commission</i> , Case T-219/13, Eighth Chamber, Judgment, 15 September 2016	506
VI.2.1.13	<i>Hamcho and Hamcho International v. Council</i> , Case T-153/15, Seventh Chamber, Judgment of the Court, 26 October 2016	509
VI.2.1.14	<i>Mohammed Al-Ghabra v. European Commission</i> , T-248/13, Third Chamber, Judgment, 13 December 2016	512
	Systematic Index of the Section	515
VI.3	COURT OF JUSTICE	517
VI.3.1	LEGAL MAXIMS: SUMMARIES AND EXTRACTS FROM SELECTED CASE LAW (<i>Federico Bianchi, Sébastien Brisard, Guglielmo Cantillo, Victoria Hanley-Emilsson, Eirini Pantelodimou, Norbert Kucharik, Anna Oriolo, Maria Pilar Nunez Ruiz, Daniela Rodríguez Bautista, Roberto Soprano, Alessandro Spano, Caterina Tuosto, Zsofia Varga</i>)	519

VI.3.1.1	<i>J. N. v. Staatssecretaris van Veiligheid en Justitie</i> , Case C-601/15 PPU, Grand Chamber, Judgment, 15 February 2016	521
VI.3.1.2	<i>Vestische Arbeit Jobcenter Kreis Recklinghausen v. Jovanna García-Nieto, Joel Peña Cuevas, Jovanlis Peña García, Joel Luis Peña Cruz</i> , Case C-299/14, First Chamber, Judgment, 25 February 2016	524
VI.3.1.3	<i>Kreis Warendorf and Amira Osso v. Region Hannover and Ibrahim Alo</i> , Cases C-443/14 and C-444/14, Grand Chamber, Judgment, 1 March 2016	527
VII.3.1.4	<i>Spain v. Commission</i> , Case C-26/15P, Seventh Chamber, Judgment, 3 March 2016	531
VI.3.1.5	<i>Shiraz Baig Mirza v. Bevándorlási és Állampolgársági Hivatal</i> , Case C-695/15 PPU, Fourth Chamber, Judgment, 17 March 2016	534
VI.3.1.6	<i>Pál Aranyosi and Robert Căldăraru</i> , Case C-404/15 and C-659/15 PPU, Grand Chamber, Judgment, 5 April 2016	537
VI.3.1.7	<i>Puligienica Facility Esco SpA (PFE) v. Airgest SpA</i> , Case C-689/13, Grand Chamber, Judgment, 5 April 2016	540
VI.3.1.8	<i>Caner Genc v. Integrationsministeriet</i> , Case C-561/14, Grand Chamber, Judgment, 12 April 2016	543
VI.3.1.9	<i>Giovanni Pesce and Others, Cesare Serinelli and Others v. Presidenza del Consiglio dei Ministri and Others</i> , Joined Cases C-78/16 and C-79/16, Judgment, First Chamber, 9 June 2016	546
VI.3.1.10	<i>Criminal Proceedings Against Piotr Kossowski</i> , C-486/14, Grand Chamber, Judgment, 29 June 2016	549
VI.3.1.11	<i>Johannes Tomana and Others v. Council of the European Union and European Commission</i> , Case C-330/15 P, First Chamber, Judgment, 28 July 2016	551
VI.3.1.12	<i>Aleksei Petruhhin v. Latvijas Republikas Ģenerālprokuratūra</i> , Case C-182/15, Grand Chamber, Judgment, 21 September 2016	554
VI.3.1.13	<i>Vincent Deroo-Blanquart v. Sony Europe Limited</i> , Case C-310/15, Eighth Chamber, Judgment, 7 September 2016	557
VI.3.1.14	<i>GS Media BV v. Sanoma Media Netherlands BV e.a.</i> , Case C-160/15, Second Chamber, Judgment, 8 September 2016	559
VI.3.1.15	<i>Tobias Mc Fadden v. Sony Music Entertainment Germany GmbH</i> , Case C-484/14 RP, Third Chamber, Judgment, 15 September 2016	562
VI.3.1.16	<i>European Federation for Cosmetic Ingredients v. Secretary of State for Business, Innovation and Skills</i> , Case C-592/14, First Chamber, Judgment, 21 September 2016	566

VI.3.1.17	<i>Aleksandrs Ranks and Jurijs Vasiļevičs v. Finanšu un ekonomisko noziegumu izmeklēšanas prokuratūra and Microsoft Corp</i> , Case C-166/15, Third Chamber, Judgment, 12 October 2016	569
VI.3.1.18	<i>Simba Toys GmbH & Co. KG v. European Union Intellectual Property Office</i> , Case C-30/15P, First Chamber, Judgment, 10 November 2016	572
VI.3.1.19	<i>Vereniging Openbare Bibliotheken (VOB) v. Stichting Leenrecht</i> , Case C-174/15, Third Chamber, Judgement, 10 November 2016	574
VI.3.1.20	<i>European Commission v. Hellenic Republic</i> , Case C-504/14, Fourth Chamber Judgment, 10 November 2016	577
VI.3.1.21	<i>Fernand Ullens de Schooten v. État belge</i> , Case C-268/15, Grand Chamber, Judgment, 15 November 2016	582
VI.3.1.22	<i>Noémie Depesme and Others v. Ministre de l'Enseignement supérieur et de la recherche</i> , Joined Case C-401/15 to C-403/15, Second Chamber, Judgment, 15 December 2016	584
	Systematic Index of the Section	587
VII.	EUROPEAN COURT OF HUMAN RIGHTS	589
VII.1	INTRODUCTORY NOTE, <i>Guido Raimondi</i>	591
VII.2	LEGAL MAXIMS: SUMMARIES AND EXTRACTS FROM SELECTED CASE LAW (<i>Tarik Atmane, Simona Fanni, Adriana Fillol Mazo, Ana Cristina Gallego Hernández, Yolanda Gamarra, Francisco García-Garrido, Rosa Giles-Carnero, Diana Marín Consarnau, Juan F. Moreno-Dominguez, Anna Oriolo, Ángel Tinoco Pastrana, Caterina Tuosto</i>)	607
VII.2.1	<i>Case of Meier v. Switzerland</i> , Application No. 10109/14, Third Section, Judgment, 9 February 2016	609
VII.2.2	<i>Case of Mozer v. the Republic of Moldova and Russia</i> , Application No. 11138/10, Grand Chamber, Judgment, 23 February 2016	612
VII.2.3	<i>Case of Pajić v. Croatia</i> , Application No. 68453/13, Second Section, Judgment, 23 February 2016	616
VII.2.4	<i>Case of Arlewin v. Sweden</i> , Application No. 22302/10, Third Section, Judgment, 1 March 2016	619
VII.2.5	<i>Case Tabbane v. Switzerland</i> , Application No. 41069/12, Third Section, Decision, 1 March 2016	623
VII.2.6	<i>Case of F.G. v. Sweden</i> , Application No. 43611/11, Grand Chamber, Judgment, 23 March 2016	626
VII.2.7	<i>Case of Blokhin v. Russia</i> , Application No. 47152/06, Grand Chamber, Judgment, 23 March 2016	628
VII.2.8	<i>Case of Ivanova and Cherkezov v. Bulgaria</i> , Application No. 46577/15, Fifth Section, Judgment, 21 April 2016	632
VII.2.9	<i>Case of Karácsony and Others v. Hungary</i> , Application No. 42461/13 and 44357/13, Grand Chamber, Judgment, 17 May 2016	635

VII.2.10	<i>Case of Avotiņš v. Latvia</i> , Application No. 17502/07, Grand Chamber, Judgment, 23 May 2016	637
VII.2.11	<i>Case of Biao v. Denmark</i> , Application No. 38590/10, Grand Chamber, Judgment, 24 May 2016	645
VII.2.12	<i>Case of Al-Dulimi and Montana Management Inc. v. Switzerland</i> , Application No. 5809/08, Grand Chamber, Judgment, 21 June 2016	647
VII.2.13	<i>Case of Baka v. Hungary</i> , Application No. 20261/12, Grand Chamber, Judgment, 23 June 2016	652
VII.2.14	<i>Affaire Sakir c. Grèce</i> , Requête No. 48475/09, Première Section, Arrêt, 24 Juin 2016	654
VII.2.15	<i>Case of Buzadji v. The Republic of Moldova</i> , Application No. 23755/07, Third Section, Judgment, 5 July 2016	657
VII.2.16	<i>Case of Jeronovičs v. Latvia</i> , Application No. 44898/10, Grand Chamber, Judgment, 5 July 2016	660
VII.2.17	<i>Case of J.K. and Others v. Sweden</i> , Applications No. 59166/12, Fifth Section, Judgment, 23 August 2016	663
VII.2.18	<i>Case of Ibrahim and Others v. the United Kingdom</i> , Applications Nos. 50541/08, 50571/08, 50573/08 and 40351/09, Grand Chamber, Judgment, 13 September 2016	666
VII.2.19	<i>Affaire Versini-Campinchi et Crasnianski c. France</i> , Requête No. 49176/11, Cinquième Section, Arrêt, 16 Octobre 2016	670
VII.2.20	<i>Case of Magyar Helsinki Bizottság v. Hungary</i> , Application No. 18030/11, Grand Chamber, Judgment, 8 November 2016	673
VII.2.21	<i>Case of Khlaifia and others v. Italy</i> , Application No. 16483/12, Grand Chamber, Judgment, 15 December 2016	675
	Systematic Index of the Section	679
VIII.	INTER-AMERICAN COURT OF HUMAN RIGHTS	683
VIII.1	INTRODUCTORY NOTE, <i>Roberto F. Caldas</i>	685
VIII.2	LEGAL MAXIMS: SUMMARIES AND EXTRACTS FROM SELECTED CASE LAW (<i>Vivian Cubero Mora, Julie Recinos</i>)	689
VIII.2.1	<i>Case of Duque v. Colombia</i> , Judgment, 26 February 2016, Series C No. 310	690
VIII.2.2	<i>Case of Flor Freire v. Ecuador</i> , Judgment, 31 August 2016, Series C No. 315	692
VIII.2.3	<i>Case Workers of Fazenda Brasil Verde v. Brasil</i> , Judgment, 20 October 2016, Series C No. 318	694
VIII.2.4	<i>Case of I.V. v. Bolivia</i> , Judgment, 30 November 2016, Series C No 329	697
	Systematic Index of the Section	701
IX.	INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES	703
IX.1	INTRODUCTORY NOTE, <i>August Reinisch</i>	705
IX.2	LEGAL MAXIMS: SUMMARIES AND EXTRACTS FROM SELECTED CASE LAW (<i>Jose Magnaye</i>)	717

IX.2.1	<i>Philip Morris Brands Sàrl, Philip Morris Products S.A. and Abal Hermanos S.A. v. Oriental Republic of Uruguay</i> , ICSID Case No. ARB/10/7, Award, 8 July 2016	718
IX.2.2	<i>Rusoro Mining Limited v. The Bolivarian Republic of Venezuela</i> , ICSID Case No. ARB(AF)/12/5, Award, 22 August 2016	762
IX.2.3	<i>Urbaser S.A. and Consorcio de Aguas Bilbao Bizkaia, Bilbao Biskaia Ur Partzuergoa v. The Argentine Republic</i> , ICSID Case No. ARB/07/26, Award, 8 December 2016	804
	Systematic Index of the Section	839

**PART 6: RECENT LINES OF
INTERNATIONALIST THOUGHT**

The Construction of a Humanized International Law , <i>Antônio Augusto Cançado Trindade</i>	843
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INDICES

<i>Analytical Index</i>	857
<i>Table of Cases</i>	883

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AIMS & SCOPE

by Giuliana Ziccardi Capaldo*

The Global Community Yearbook of International Law and Jurisprudence (GCYILJ) is a peer reviewed annual journal, which was first published in 2001 and has seventeen editions on its publication record. Over the last two decades, the *Yearbook* has established itself as an authoritative resource on the most significant transformations in the world constitutive process.

The *Yearbook* makes it possible for its readers to monitor the development of the international order towards a legal system for a global community in a way that provides detailed insights into the incremental changes and from several perspectives.

While providing researchers and practitioners with access to a uniquely rich resource for the study of international jurisprudence, the *Yearbook* promotes ongoing discussion of both substantive and procedural aspects. As a platform for continuous analysis and assessment, the *Yearbook* welcomes interdisciplinary contributions too. In 2017 and in recognition of its impact on global law, global constitutionalism and global governance, ethics is listed among the areas and perspectives that form integral parts of the journal's process of continuous renewal.

In 2016, the *Yearbook* was accepted for inclusion in Scopus. I'm proud to announce that it is now in Scopus. This news will enable the *Yearbook* to strengthen its reputation as a leading journal in the field.

The *Yearbook* continues to address, discuss and monitor "the structuring process of a global community in which a coherent legal system for a universal human society is being built." The quote is from the inaugural editorial of this journal (G. Ziccardi Capaldo, 2001) and it is deliberately chosen to highlight the continuity of the *Yearbook's* overarching theme: global law, global constitutionalism and global governance. The theoretical parts of the *Yearbook* (Articles, Notes and Comments, In Focus, Forum) contain accounts provided by leading scholars and judges from all over the world on current and future developments

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in international law and global policies, as well as trends in global justice and the impact of judicial pronouncements pertaining to the building of the new legal world order.

The *Yearbook* has already celebrated its 15th anniversary. On that occasion, in 2015, I announced the most recent improvements and the future course of the journal. To enhance the *Yearbook* going forward, changes have been made.

First, several other distinguished scholars agreed to join the boards (see Editor's Note, of this *Yearbook* 2015), just as we embarked on a number of new projects that are either in the planning phase or have begun. Unfortunately we must mention the departure of an authoritative member of the Board of Editors, Professor M. Cherif Bassiouni, which you can see on page 15 of this volume).

Second, the *Yearbook* has been redesigned. Previously, it was published in two volumes. The *Yearbook* now consists of one volume. Besides improving the user experience of the print version, this change will also improve the e-book and its Oxford Scholarship Online (OSO) version. The latter constitutes an important step and tool for the *Yearbook*. I would like to thank the Oxford University Press team for their patience throughout the process, especially the current editor, Dennis Gargano. He has been involved from the very beginning, in addition to taking care of the production of the journal with great skill and dedication.

Third, since 2015, the *Yearbook* regularly features commentaries on the OUPblog on a variety of subjects. The 2017 edition continues this activity with much enthusiasm (see my post *No-impunity as a Global Constitutional Principle*, January 11th, 2018 at <https://blog.oup.com/2018/01/no-impunity-constitutional/>).

However, the 2017 edition also introduces a couple of changes to the part entitled "Recent Lines of Internationalist Thought," which has been included in the *Yearbook* since 2006. The main purposes of this part are to give an overview and a critical appraisal of the current international law literature, provide readers with an opportunity to study and interpret issues from different perspectives, examine different methodologies, and explore ideas from different cultures. We have introduced a novelty with respect to this part. The novelty concerns the subject behind the original authorship—for the Scholar/Judge who contributes thoughts and ideas is also talking about his *own work*. It is customary for somebody in authority to talk about himself! The *Yearbook* wishes to utilize this as yet another platform for disseminating research findings as well as experiences of a more practical nature.

Professor Cançado Trindade inaugurates the new features of the part now mentioned. Being widely recognized for his very creative ideas and innovative approaches, the choice of Professor Trindade seems a perfect one for this very special occasion. We have used the form of a written interview to capture his experiences in different roles, from teaching international law to practicing as a Judge and President of international courts. One of the intentions is to cast light on the challenges facing the emerging world society.

Among the less recent changes I would like to address are the following.

Beginning with the 2009 issue, the *Yearbook* has undergone gradual restructuring to update the part that is now entitled "Global Justice—Decisions of International Courts and Tribunals." Between 2009 and 2017, we have set up a new format for "legal maxims" whereby the most important elements of the judicial decisions are now distilled, while leaving aside the facts of the case as far as is possible. This part, divided into eleven sections and primarily devoted to the highest judicial bodies, continues to report annually on significant international case law, as systematically collected in legal maxims. The extraction of legal maxims from the courts' decisions, together with their elaboration and systematic classification, is the peculiarity and uniqueness of the *Yearbook*. The remarkable development of the international courts and tribunals has made it increasingly difficult to follow closely the wealth of case law now emanating from the relevant jurisdictions, *without* the help of

an intermediary. Therefore, both originality and utility of the *Yearbook* lie precisely in its “intermediation” function—between case law and international scholars, practitioners, and students. A short, targeted index for each of those sections (the eleven sections devoted to the highest courts) has been included, making any research in the volume efficient and fruitful. However, as in the past, an Introductory Note by distinguished and internationally renowned academics and judges on each judicial body provides a synopsis of their activity over the course of the year.

Furthermore, beginning with the 2010 issue, the *Yearbook* has included a part entitled “Forum—Jurisprudential Cross-Fertilization: An Annual Overview.” Using comparative analysis, this highlights the interconnections between the decisions of international courts and tribunals. The *Yearbook* is the first academic journal to present an annual overview of the process of cross-fertilization between courts. A comprehensive and complete survey by eminent international law scholars exploring, evaluating and documenting this process has the potential to promote a favourable environment for the courts to advance judicial cooperation with a view to the possible harmonization of legal principles governing the global community.

Finally, among the noticeable improvements is the increased online availability of the *Yearbook* (see, at <http://www.universitypressscholarship.com/search?isQuickSearch=true&pageSize=10&q=global+community+yearbook+of+international+law+and+jurisprudence&sort=datedescending>) as well as the new journal’s website <http://www.globalcommunityyearbook.org/> that provides much more information on the journal (see the Archive of the editions from 2001 to date).

15th December 2017

