

Volume 118 ■ Issue 1 ■ January 2024

ISSN 0002-9300

AJIL

American Journal of International Law

INSIDE THIS ISSUE

- An Imperial History of Race-Religion in International Law
Rabiat Akande
- Unlocking CEDAW's Transformative Potential: A Gender Lens on Asylum Jurisprudence
Madeline Gleeson

AMERICAN JOURNAL OF INTERNATIONAL LAW

Vol. 118

January 2024

No. 1

CONTENTS

PAGE

Articles

An Imperial History of Race-Religion in International Law

Rabiat Akande

1

More than half a century after the UN's adoption of the International Convention on the Prohibition of All Forms of Racial Discrimination, a debate has emerged over whether to extend the Convention's protections to religious discrimination. This article uses history to intervene in the debate. It argues that racial and religious othering were mutually constitutive in the colonial encounter and foundational to the making of modern international law. Moreover, the contemporary proposal to address the interplay of racial and religious othering is hardly new; iterations of that demand surfaced in the earlier twentieth century, as well. By illuminating the centrality of race-religion othering to the colonial encounter and chronicling failed attempts by Europe's "others" to secure international legal protections, this article makes a case for crafting an attuned response in the present.

Unlocking CEDAW's Transformative Potential: A Gender Lens on Asylum Jurisprudence

Madeline Gleeson

41

One of the most important developments in international law for the protection of displaced women and girls—the implied *non-refoulement* obligation in the Convention on the Elimination of Discrimination Against Women has received little scholarly or jurisprudential attention. This Article presents, for the first time, a doctrinal analysis of the full corpus of asylum complaints decided by the Committee on the Elimination of Discrimination Against Women (Committee). It analyzes the early development of a prohibition on return to real, personal, and foreseeable risks of serious forms of discrimination against women; highlights critical shortcomings in the Committee's asylum practice; identifies key areas for improvement; and reflects on the Committee's as-yet-unrealized potential to contribute to international law in this area.

Current Developments

Corporate Accountability by Treaty: The New North American Rapid Response Labor Mechanism

Kathleen Claussen and Chad Bown 98

The International Law Commission's Seventy-Fourth (2023) Session: General Principles of Law and Other Topics

Charles Chernor Jalloh 120

International Decisions

Edited by Olabisi D. Akinkugbe

Certain Iranian Assets (Islamic Republic of Iran v. United States) (Annamaria Viterbo) 145

This judgment by the International Court of Justice is steeped in the 1955 Treaty of Amity, Economic Relations, and Consular Rights, and concerns measures taken by the United States to seize certain Iranian entities to compensate U.S. victims of terrorist attacks committed abroad with the alleged support of Iran.

Prosecutor v. Dominic Ongwen, Judgment on the Appeal of Mr. Ongwen Against the Decision of Trial Chamber IX of 4 February 2021 Entitled "Trial Judgment" and Judgment on the Appeal of Mr. Dominic Ongwen Against the Decision of Trial Chamber IX of 6 May 2021 Entitled "Sentence" (Cóman Kenny) 153

In which the Appeals Chamber of the International Criminal Court affirmed the Trial Judgment against Mr. Ongwen regarding his alleged role as a high-level commander of the Lord's Resistance Army and being complicit in the sexual and gender-based crimes, forced marriage, among others that took place in Northern Uganda between July 1, 2002 and December 31, 2005.

Bank Melli Iran v. Telekom Deutschland GmbH (Leonardo Borlini) 160

This preliminary ruling by Court of Justice of the European Union arises from the interpretation of the first paragraph of Article 5 of Council Regulation (EC) No 2271/96 of 22 November 1996 (Blocking Regulation) protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereto.

Contemporary Practice of the United States Relating to International Law

Edited by Jacob Katz Cogan

The United States Signs the High Seas Treaty 169

The United States Accepts the WTO's Fisheries Subsidies Agreement 173

The Department of Defense Updates the Law of War Manual 178

The United States Takes Actions to Combat International Fentanyl Trafficking 183

The United States and Bahrain Sign Comprehensive Security Integration and Prosperity Agreement 190

The Department of Homeland Security Issues First Guidance on Statelessness 194

Recent Books on International Law

Edited by Jeffrey L. Dunoff

Book Reviews

Johns, Fleur. *#Help: Digital Humanitarianism and the Remaking of International Order*
Reviewed by Wendy Wong 199

Raustiala, Kal. <i>The Absolutely Indispensable Man: Ralph Bunche, the United Nations, and the Fight to End Empire</i>	Reviewed by Blanca Montejo	205
Puig, Sergio. <i>At the Margins of Globalization: Indigenous Peoples and International Economic Law</i>	Reviewed by Michael Fakhri	212
Pauwelyn, Joost, Maggetti, Martino, Bütte, Tim, and Berman, Ayelet (eds.). <i>Rethinking Participation in Global Governance: Voice and Influence After Stakeholder Reforms in Global Finance and Health</i>	Reviewed by Melissa J. Durkee	219
Soave, Tommaso. <i>The Everyday Makers of International Law: From Great Halls to Back Rooms</i>	Reviewed by Tamar Megiddo	224

No Books Received

BOARD OF EDITORS

Editors in Chief

MONICA HAKIMI
Columbia Law School

INGRID (WUERTH) BRUNK
Vanderbilt University Law School

Section Editors

OLABISI AKINKUGBE
Dalhousie University Schulich School of Law
JACOB KATZ COGAN
University of Cincinnati College of Law
JEFFREY L. DUNOFF
Temple University Beasley School of Law

ANNE VAN AAKEN
University of Hamburg
E. TENDAYI ACHIUME
University of California, Los Angeles Law School
OLABISI AKINKUGBE
Dalhousie University Schulich School of Law
S. JAMES ANAYA
University of Colorado Law School
JULIAN ARATO
University of Michigan Law School
ASLI BÄLI
Yale Law School
KARIMA BENNOUNE
University of Michigan Law School
GRÁINNE DE BÚRCA
European University Institute, New York University
School of Law
JACOB KATZ COGAN
University of Cincinnati College of Law
HARLAN GRANT COHEN
Fordham Law School
JEFFREY DUNOFF
Temple University Beasley School of Law
MELISSA J. DURKEE
Washington University in St. Louis School of Law
JEAN GALBRAITH
University of Pennsylvania Carey Law School
NEHA JAIN
Northwestern University Pritzker School of Law

CHARLES CHERNOR JALLOH
Florida International University College of Law
BING BING JIA
Tsinghua University School of Law
FLEUR JOHNS
Univ. of New South Wales, Sydney School of Law
JOHN H. KNOX
Wake Forest University School of Law
KATERINA LINOS
Univ. of California, Berkeley School of Law
TIMOTHY MEYER
Duke University School of Law
OBIORA OKAFOR
Johns Hopkins University School of Advanced
International Studies
SERGIO PUIG
European University Institute, The University of
Arizona James E. Rogers College of Law
LAVANYA RAJAMANI
University of Oxford School of Law
JAYA RAMJI-NOGALES
Temple University Beasley School of Law
PATRICIA VISEUR SELLERS
International Criminal Court, The Netherlands
MATIANGAI SIRLEAF
University of Maryland, Francis King Carey School of Law
CHANTAL THOMAS
Cornell Law School
ADRIEN K. WING
University of Iowa College of Law

ex officio

GREGORY SHAFFER
Georgetown University Law Center
MICHAEL D. COOPER
American Society of International Law
Honorary Editors

JOSÉ E. ALVAREZ
New York University School of Law
MAHNOUSH ARSANJANI
New Haven, Connecticut
RICHARD B. BILDER
University of Wisconsin Law School
DAN BODANSKY
Arizona State University
Sandra Day O'Connor College of Law
CHARLES N. BROWER
The Hague, the Netherlands
EDITH BROWN WEISS
Georgetown University Law Center
HILARY CHARLESWORTH
Melbourne Law School, Australia
STEVE CHARNOVITZ
The George Washington University
Law School
CHRISTINE M. CHINKIN
London School of Economics
JOHN R. CROOK
Potomac, Maryland
LORI FISLER DAMROSCH
Columbia Law School
RICHARD A. FALK
University of California, Santa Barbara
TOM J. FARER
University of Denver
MICHAEL J. GLENNON
Fletcher School, Tufts University

HAROLD HONGJU KOH
Yale Law School
DAVID A. MARTIN
University of Virginia School of Law
MICHAEL J. MATHESON
George Washington Univ. Law School
THEODOR MERON
University of Oxford School of Law
JOHN NORTON MOORE
University of Virginia School of Law
BERNARD H. OXMAN
University of Miami School of Law
W. MICHAEL REISMAN
Yale Law School
HENRY J. RICHARDSON III
Temple University Beasley School of Law
DINAH L. SHELTON
George Washington Univ. Law School
BETH SIMMONS
University of Pennsylvania
Carey Law School
DAVID P. STEWART
Georgetown University Law Center
JANE STROMSETH
Georgetown University Law Center
ALAN SYKES
Stanford Law School
JOEL P. TRACHTMAN
The Fletcher School of Tufts University
PETER D. TROOBOFF
Covington & Burling LLP

Senior Copyeditor
ERIN LOVALL

Cite-checker
KRISTINA LONG

Administrative Editor
MEAGHAN KELLY

AMERICAN JOURNAL OF INTERNATIONAL LAW

The *American Journal of International Law* (*AJIL*) has been published quarterly since 1907. It features articles, essays, and editorial 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.

AJIL (ISSN: 0002-9300) is published quarterly (January, April, July, October) in print and digitally by Cambridge University Press (One Liberty Plaza, 20th floor, New York, NY 10006) on behalf of the American Society of International Law. Periodicals postage rate paid at New York, NY, and at additional mailing offices. POSTMASTER: Send address changes in the USA, Canada, and Mexico to: *American Journal of International Law*, Cambridge University Press, Journals Fulfillment Department, One Liberty Plaza, 20th floor, New York, NY 10006. Send address changes elsewhere to *American Journal of International Law*, Cambridge University Press, Journals Fulfillment Department, UPH, Shaftesbury Road, Cambridge CB2 8BS, England.

As a nonpartisan organization whose members hold a diversity of views, the Society refrains from taking positions on policy matters, except in accordance with the formal process set forth in the ASIL Constitution and Regulations. The views expressed in the articles, editorial comments, book reviews, and all other contributions to *AJIL* are those of the individual authors and do not necessarily represent 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 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 3,500 members come 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 an elected Executive Council and administered by an executive director and 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

Follow the Society on LinkedIn

linkedin.com/company/american-society-of-international-law/

OFFICERS AND EXECUTIVE COUNCIL OF THE SOCIETY

<i>President</i>	GREGORY SHAFFER
<i>Honorary President</i>	CHRISTOPHER GREENWOOD
<i>President-Elect</i>	MÉLIDA N. HODGSON
<i>Vice Presidents</i>	MARNEY CHEEK, STEVEN HILL, SAIRA MOHAMED, CATHERINE POWELL
<i>Executive Vice President and Executive Director</i>	MICHAEL D. COOPER
<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 L. KARAMANIAN

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

Honorary Vice Presidents: CATHERINE AMIRFAR, LUCINDA A. LOW, SEAN D. MURPHY, CATHERINE POWELL

Council Members: OLABISI D. AKINKUGBE, SYED ARIF HYDER ALI, SIMON N. BATIFORT, DAVID M. BIGGE, JAY BUTLER, ROSA CELORIO, MANJIAO (CLIFF) CHI, MEG DE GUZMAN, CHRISTIE EDWARDS, JILL GOLDENZIEN, NIENKE GROSSMAN, KATHLEEN HELEN HOOKE, NEHA JAIN, DARIN EDWARD-WESLEY JOHNSON, BEN LOVE, PEDRO J. MARTINEZ-FRAGA, RAFAEL A. PORRATA-DORIA, JR., THERESA (TRACY) ROOSEVELT, ÁLVARO SANTOS, ASHIKA SINGH, FRÉDÉRIC GILLES SOURGENS, MILENA STERIO, NAWI UKABIALA, CAN YEGINSU

Counselors: FRITS E. BONTEKOE, KAREN R. BRAVO, JOHN R. CROOK, CHARLES DI LEVA, TIMOTHY L. DICKINSON, BRIAN EGAN, MEG KINNEAR, GABRIELLE MARCEAU, NATALIE Y. MORRIS-SHARMA, ERUCH (ELCHI) NOWROJEE, HARI MICHELE OSOFSKY, MÓNICA PINTO, BALAKRISHNAN RAJAGOPAL, JAYA RAMJI-NOGALES, STEVEN R. RATNER, NATALIE REID, VICTORIA SHANNON SAHANI, DAN SAROOSHI, MICHAEL P. SCHARF, DAVID L. SLOSS, ABBY COHEN SMUTNY, EDWARD T. SWAINE, BRUCE C. SWARTZ, XUE HANQIN

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 Report for the year in which the gift was made.

LEADERSHIP PATRONS

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

CHARLES N. BROWER DONALD FRANCIS DONOVAN AND JENNIFER LAKE HOWARD M. HOLTZMANN*

CURRENT PATRONS

Elihu Root Patrons (\$50,000)

CATHERINE AMIRFAR
CHARLES N. BROWER
THE FAMILY OF ROBERT E. DALTON
LORI FISLER DAMROSCH
DONALD FRANCIS DONOVAN AND
JENNIFER LAKE
SUSAN L. KARAMANIAN
CHARLOTTE KU
JAMES LEITNER AND TRACY HIGGINS
LUCINDA A. LOW AND
DANIEL BARSTOW MAGRAW
PATRICK W. PEARSALL
ARTHUR W. ROVINE
GREGORY SHAFFER AND
MICHELE BRATCHER GOODWIN

Cordell Hull Patrons (\$25,000)

ARIF HYDER ALI
JUDGE ROSEMARY BARKETT
PERRY S. BETCHKY
RAYMOND DOAK BISHOP
JOHN R. CROOK
STEVEN A. CROWN

WHITNEY DEBEVOISE II
SIR CHRISTOPHER GREENWOOD
JENNIFER ANNE HILLMAN AND
MITCHELL R. BERGER
CAROLYN B. LAMM
PEDRO J. MARTINEZ-FRAGA
SEAN D. AND JULIE MURPHY
JENNIFER G. NEWSTEAD
NATALIE L. REID
ABBY COHEN SMUTNY
ADRIEN K. WING
LEE S. WOLOSKY
SIR MICHAEL CHARLES WOOD

James Brown Scott Patrons (\$15,000)

MARK D. AGRAST AND DAVID M. HOLLIS
JOSÉ ALVAREZ
SIMON N. BATIFORT
JULIE BEDARD
ANDREA K. BJORKLUND
DAVID BOWKER
CHARLES H. CAMP
MARNEY L. CHEEK
TIMOTHY L. DICKINSON

JONATHAN DRIMMER
BRIAN J. EGAN
MÉLIDA N. HODGSON
ERIC J. KADEL
RACHAEL KENT
EDWARD K. KWAKWA
BRYAN MACPHERSON AND
PAMELA VAN HINE
JOSEPH E. NEUHAUS
CYMIE R. PAYNE
NANCY L. PERKINS
MÓNICA PINTO
INA POPOVA
LUCY F. REED
LISA REINSBERG
CAROLINE S. RICHARD
ELIZABETH RODRIGUEZ-SANTIAGO
STEVEN M. SCHNEEBEUM
MORTIMER N.S. SELLERS
CHRISTOPHER K. TAHBAZ
ROBERTO GUSTAVO VOLTERRA
DON WALLACE, JR.
BRUCE ZAGARIS

LEGACY PATRONS

DOMINGO E. ACEVEDO
GERALD ARSEN
ARTHUR R. ALBRECHT
GEORGE H. ALDRICH
TEYMOUR A. ALIREZA*
JOSE E. ALVAREZ AND
SUSAN DAMPLO
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 BROWNLE*
EDITH BROWN WEISS
LEE C. BUCHHEIT
THOMAS BUERGENTHAL*
WILLIAM J. BUTLER*
DAVID D. CARON* AND
SUSAN SPENCER
HUGO AND SUSANA CAMINOS
DAVID A. COLSON
JAMES R. CRAWFORD*
JOHN R. CROOK
ANTHONY D'AMATO*
ARTHUR H. DEAN*
SARAH WHITCRAFT DEFORD*
THOMAS A. DUBBS
EDWARD DUMBAULD*

RICHARD W. EDWARDS, JR.
ALONA E. EVANS*
BENJAMIN B. FERENCZ*
DONALD FERENCZ
JEAN BAUER FISLER*
THOMAS M. FRANCK*
ALWYN V. FREEMAN*
JOHN KING GAMBLE
RONALD E.M. GOODMAN
SIR CHRISTOPHER J. GREENWOOD
JOHN LAWRENCE HARGROVE
VICTORIA M. HARIRI*
OONA A. HATHAWAY
RITA E. HAUSER
JOHN N. HAZARD*
GLENN P. HENDRIX
ALICE AND LOUIS* HENKIN
ROBERT E. HERZSTEIN*
ROSALYN HIGGINS
KEITH HIGGET*
CHRISTINA G. HIOUREAS
HOWARD M. HOLTZMANN*
CHARLES A. HUNNICUTT
JOHN H. JACKSON*
ANDREW J. JACOVIDES
MARK R. JOELSON
RICHARD A. JOHNSON
O. THOMAS JOHNSON
KENNETH I. JUSTER
JUDD KESSLER
BENEDICT KINGSBURY
FREDERIC L. KIRGIS
JEFFREY LANG
SIR ELIHU LAUTERPACHT*

ROY S. LEE
JEREMY I. AND CANDACE C. LEVITT
CYNTHIA C. LICHTENSTEIN
RICHARD B. LILlich* AND
GERDA HEIDEL*
ALOYSIUS LLAMZON
A. VAUGHAN LOWE
ANDREAS F. LOWENFELD*
HOUSTON PUTNAM LOWRY
BRUNSON MACCHESNEY
ROBERT MACCRATE*
RONALD ST. JOHN MACDONALD*
ERIC C. MALLEY
D. STEPHEN MATHIAS
STEPHEN C. McCAFFREY
GABRIELLE KIRK MCDONALD
EDWARD WATSON McWHINNEY*
ROBERT F. MEAGHER*
THEODOR MERON
HUSAM MESHAL
W. ROBERT MORGAN*
JAMES A.R. NAFZIGER
VED P. NANDA
ANDRE NEWBURG
MARY ELLEN O'CONNELL
SHIGERU ODA
BERNARD H. OXMAN
JAN PAULSSON
NANCY L. PERKINS
HERMAN PHLEGGER*
B. DONOVAN PICARD
DANIEL M. PRICE
LUCY F. REED
PAUL S. REICHLER

W. MICHAEL REISMAN AND
MAHNOUSH H. ARSANJANI
SANG-MYON RHEE
DAVIS R. RHINE
WILLIAM D. ROGERS*
SEYMOUR J. RUBIN*
OSCAR SCHACHTER*
JUDGE STEPHEN M. SCHWEBEL
JUDGE BRUNO E. SIMMA
ANNE-MARIE SLAUGHTER
ABBY COHEN SMUTNY
EARL A. SNYDER*
BARBARA STARK
ERIC STEIN*
CHARLES W.T. STEPHENSON
JOHN R. STEVENSON*
DAVID P. STEWART
LAURENCE STORCH
ANDRES RIGO SUREDA
ENRIQUE P. SYQUIA*
GENEVIEVE EAGON TILLAR*
PETER D. TROOBOFF
DETLEV F. VAGTS*
BETH VAN SCHAACK
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
CHARLES N. BROWER
JAMES H. CARTER

MICHAEL AND MARY ANN FARLEY
SUSAN L. KARAMANIAN
CHIMENE KEITNER
CHARLOTTE KU

CYNTHIA CRAWFORD LICHTENSTEIN
LUCINDA A. LOW
SEAN D. AND JULIE MURPHY
MARY ELLEN O'CONNELL

LUCY F. REED
STEPHEN SCHER
GREGORY SHAFFER AND
MICHELE BRATCHER GOODWIN

* DECEASED

LAW FIRM PARTNERS

Platinum

ALLEN & OVERY LLP
ARNOLD & PORTER KAYE SCHOLER LLP
DEBEVOISE & PLIMPTON LLP
FOLEY HOAG LLP
FRESHFIELDS BRUCKHAUS DERINGER LLP
KING & SPALDING LLP
SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP
WHITE & CASE LLP
WILMER HALE LLP

Gold

BRYAN CAVE LEIGHTON PAISNER LLP
SULLIVAN & CROMWELL LLP

Silver

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

PUBLISHER PARTNERS

Premium

BRILL NIJHOFF PUBLISHERS
CAMBRIDGE UNIVERSITY PRESS

Regular

EDWARD ELGAR PUBLISHERS
SPRINGER NATURE

ACADEMIC PARTNERS

AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW
ARIZONA STATE UNIVERSITY SANDRA DAY O'CONNOR COLLEGE OF LAW
BENJAMIN N. CARDOZO SCHOOL OF LAW
BOSTON COLLEGE LAW SCHOOL
BOSTON UNIVERSITY SCHOOL OF LAW
BRIGHAM YOUNG UNIVERSITY J. REUBEN CLARK LAW SCHOOL
BROOKLYN LAW SCHOOL
CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW
COLUMBIA LAW SCHOOL
CORNELL LAW SCHOOL
DUKE UNIVERSITY SCHOOL OF LAW
DURHAM LAW SCHOOL
EMORY UNIVERSITY SCHOOL OF LAW
THE FLETCHER SCHOOL, TUFTS UNIVERSITY
FLORIDA INTERNATIONAL UNIVERSITY COLLEGE OF LAW
FLORIDA STATE UNIVERSITY COLLEGE OF LAW
FORDHAM UNIVERSITY SCHOOL OF LAW
GEORGE WASHINGTON UNIVERSITY LAW SCHOOL
GEORGETOWN LAW CENTER
HAMAD BIN KHALIFA UNIVERSITY COLLEGE OF LAW
HARVARD LAW SCHOOL
HEBREW UNIVERSITY OF JERUSALEM FACULTY OF LAW
INDIANA UNIVERSITY MAURER SCHOOL OF LAW
INDIANA UNIVERSITY MCKINNEY SCHOOL OF LAW
IVAN FRANKO NATIONAL UNIVERSITY OF LVIV FACULTY OF LAW
KYIV SCHOOL OF ECONOMICS
LAW SCHOOL OF THE UKRAINIAN CATHOLIC UNIVERSITY
LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW
LOYOLA UNIVERSITY NEW ORLEANS COLLEGE OF LAW
NATIONAL UNIVERSITY OF KYIV-MOYHLA ACADEMY
NEW YORK UNIVERSITY SCHOOL OF LAW
NORTHWESTERN UNIVERSITY PRITZKER SCHOOL OF LAW
NOTRE DAME LAW SCHOOL
PEPPERDINE UNIVERSITY RICK J. CARUSO SCHOOL OF LAW
QUEEN MARY UNIVERSITY OF LONDON SCHOOL OF LAW
RUTGERS LAW SCHOOL
SAINT LOUIS UNIVERSITY SCHOOL OF LAW
SANTA CLARA UNIVERSITY SCHOOL OF LAW
STANFORD LAW SCHOOL
SYRACUSE UNIVERSITY COLLEGE OF LAW
TARAS SHEVCHENKO NATIONAL UNIVERSITY OF KYIV INSTITUTE OF INTERNATIONAL RELATIONS
TEMPLE UNIVERSITY JAMES E. BEASLEY SCHOOL OF LAW
UNIVERSITY OF BALTIMORE SCHOOL OF LAW
UNIVERSITY OF CALIFORNIA, BERKELEY SCHOOL OF LAW
UNIVERSITY OF CALIFORNIA, DAVIS SCHOOL OF LAW
UNIVERSITY OF CALIFORNIA, IRVINE SCHOOL OF LAW
UNIVERSITY OF CALIFORNIA, LOS ANGELES SCHOOL OF LAW
UNIVERSITY OF CHICAGO LAW SCHOOL
UNIVERSITY OF CINCINNATI COLLEGE OF LAW
UNIVERSITY OF COLORADO LAW SCHOOL
UNIVERSITY OF DENVER STURM COLLEGE OF LAW
UNIVERSITY OF GENEVA FACULTY OF LAW
UNIVERSITY OF GEORGIA SCHOOL OF LAW
UNIVERSITY OF HAMBURG FACULTY OF LAW
UNIVERSITY OF HAWAII WILLIAM S. RICHARDSON SCHOOL OF LAW
UNIVERSITY OF HOUSTON LAW CENTER
UNIVERSITY OF IOWA SCHOOL OF LAW
UNIVERSITY OF MIAMI SCHOOL OF LAW
UNIVERSITY OF MICHIGAN LAW SCHOOL
UNIVERSITY OF OTTAWA FACULTY OF LAW
UNIVERSITY OF THE PACIFIC, MCGEORGE SCHOOL OF LAW
UNIVERSITY OF PENNSYLVANIA CAREY LAW SCHOOL
UNIVERSITY OF PITTSBURGH SCHOOL OF LAW
UNIVERSITY OF RICHMOND SCHOOL OF LAW
VANDERBILT LAW SCHOOL
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. 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 www.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 www.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 **Articles, Essays, and Current Developments** via *AJIL*'s electronic submission website mc.manuscriptcentral.com/ajil or through Scholastica at ajil.scholasticahq.com/.

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 editor of that section, Jacob Katz Cogan, and outside submissions are not accepted. The **Recent Books on International Law** section contains book reviews that are solicited by invitation of the editor, Jeffrey L. Dunoff. *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 Olabisi Akinkugbe, focuses on final decisions (not subject to further appeal) of international courts or national courts on international law issues. It consists of contributions that are mostly proposed to the editor by readers of the *AJIL*. Proposals for International Decisions should be sent to Olabisi.Akinkugbe@dal.ca.

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 admin_ajil@columbia.edu.

All submissions must follow the *AJIL* Style Guide. Full instructions on how to prepare and submit your paper may be found here:
www.cambridge.org/core/journals/american-journal-of-international-law/information/instructions-contributors

Claims and Address Updates

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

Copyright and Permissions

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

To Advertise in the Journal

ad_sales@cambridge.org

Abstracting and Indexing Services

www.cambridge.org/ajil/abstracting

For other ASIL Publications

www.asil.org

Proper Citation

AJIL shall be cited according to the following example:

116 *AJIL* 219 (2022)

ISSN: 0002-9300

E-ISSN: 2161-7953

© American Society of International Law