

Editorial

Editorial: EJIL: News!: Call for Expressions of Interest for a New Co-Editor-in-Chief of EJIL; EJIL: News!: Thank you Wanshu – Welcome Abhimanyu!; In This Issue; In This Issue – Reviews; Vital Statistics

EJIL: News!: Call for Expressions of Interest for a New Co-Editor-in-Chief of EJIL

The *European Journal of International Law* welcomes expressions of interest in fulfilling the role of Co-Editor-in-Chief (Co-EiC).

The role involves, among others:

- Reading and deciding on all manuscripts (re)submitted to EJIL;
- Deciding on the contents of each issue;
- Contributing editorials;
- Leading a team of associate editors who communicate with authors and peer reviewers and the managing editor;
- Leading a team of editors of the book reviews, EJIL: Talk! and EJIL: The Podcast! and their associate editors;
- Convening meetings of the EJIL Advisory and Executive Boards;
- Ensuring a mutually beneficial relationship with the publisher;
- Reporting to the EJIL Board of Management;
- Representing EJIL at events;
- Overseeing EJIL's finances;
- Promoting a vibrant, inclusive, excellent and diverse [EJIL ecosystem](#) (journal, blog, podcast, video series, social media).

The time commitment is, at present, approximately two days per week. There is no financial compensation for the role.

The new Co-Editor-in-Chief will serve for a term of five years, renewable once. In the initial years, the new Co-EiC will work with incumbent EiC Sarah Nouwen. When

she steps down, the Board of Management, with the involvement of the Co-EiC, will recruit a new Co-EiC.

A committee will evaluate the applications. This committee will draw up a shortlist, which will then be taken to the Management Board for the final decision.

Prior experience of editing international law journals will be considered an advantage.

To express interest, please send a letter of motivation and CV to Anny.Bremner@eui.eu before 1 May 2025. The new co-EiC is expected to start in September 2025.

*Sarah M.H. Nouwen,
on behalf of the EJIL Management Board*

EJIL: News!: Thank You Wanshu – Welcome Abhimanyu!

As EJIL authors and peer reviewers will know, the Associate Editors are a key part of the EJIL machinery. They receive articles, send them out for review and communicate with authors and peer reviewers. It is a lot of work and can be quite intense. The role provides great insights into the world of publishing, but if one does it for too long, there is a risk of having too little time for one's own research. So EJIL is tremendously grateful for the time and energy our Associate Editors give the journal during a few intense EJIL years, with the hope that afterwards they will have more time for teaching and their own scholarship.

Dr Wanshu Cong stepped down as EJIL Associate Editor at the end of February 2025, having served since July 2021. In the meantime, she became lecturer at the Australian National University College of Law, Governance and Policy. Her incisive analyses of hundreds of articles and her meticulous communication with authors and peer reviewers have been tremendous gifts to the journal. We will continue to follow her contributions to the field of international law!

Wanshu has been succeeded by Dr Abhimanyu George Jain. After obtaining an LLB from the National Law School of India University, an LLM from Georgetown University and a PhD from the Graduate Institute in Geneva, he now works as a legal advisor with the ICRC. (Abhimanyu's work for EJIL is carried out in his personal capacity and does not reflect or represent the views of the ICRC.) Authors and peer reviewers, look out for his emails!

Sarah M.H. Nouwen

In This Issue

This issue, and this volume, opens with our annual EJIL Foreword, authored this year by *Susan Marks*. Marks provides a critical exploration of the enduring metaphor of the world as a family, examining the ideas about family that both influence and are influenced by it. Through a careful analysis of three prominent familial tropes – the human family, the family of nations and the need to take action for the sake of

our children – Marks reveals the set of real and idealized family models mobilized in international discourse. While recognizing the role of familial language in emancipatory discourses, Marks warns that such language promotes a false notion of unity grounded in biological filiation, which ultimately reinforces social divisions, entrenches hierarchies and depoliticizes urgent global challenges.

In our Articles section, *Jarrod Hepburn* examines the doctrine of legitimate expectations in international investment law. Hepburn emphasizes that the doctrine lacks a textual foundation in investment treaties and criticizes the frequent justification for this doctrine as reflecting a general principle of law. Hepburn explores four alternative legal justifications, ultimately concluding that the most plausible basis for the doctrine lies in its status as a rule of special custom, applicable between states that have manifested acceptance of it in pleadings before investment tribunals.

The second article, by *Ka Lok Yip*, criticizes two dominant approaches to interpreting the right to life under international human rights law (IHRL) during the conduct of hostilities. Yip argues that both the ‘traditional’ approach, which defers to international humanitarian law (IHL) as *lex specialis*, and the ‘normative’ approach, which treats any killing violating IHL as arbitrary under IHRL, sideline the underlying social issue; namely, the deprivation of life during war and what to do about it. In response, Yip proposes a social ontological approach, reconnecting the norms of IHL and IHRL with the structural causes of death during hostilities.

Closing the Articles section, *Jens Theilen* addresses the ongoing significance of colonialism within the European human rights project. Drawing on the preparatory works of the European Convention on Human Rights, Theilen demonstrates how civilizational hierarchies between Europe and other regions were foundational to European human rights from their inception. Theilen further argues that these hierarchies persist today, by looking at two central legal dimensions: the territorial and extraterritorial applicability of the Convention and the notion of ‘European consensus’ associated with the margin of appreciation.

Roaming Charges often takes us to ‘Places with a Soul’. In this issue that place is a hairdressing salon in Kibera, Nairobi.

Finally, The Last Page features a new poem by international lawyer *Gregory Shaffer*.

FJQ

In This Issue – Reviews

After seven years, this is our last ‘In This Issue’. We are signing off with a bumper issue full of reviews in different shapes and sizes.

Two review essays offer in-depth engagement with foundational questions. *Fuad Zarbiyev* reflects on Alain Pellet’s 2018 Hague Academy General Course, now published in book form. Pellet’s vision of the ‘elusive theory of reality’ (*l’introuvable théorie de la réalité*) in international law leaves Zarbiyev puzzled at times, as its biases and limitations seem so striking. But he ends on a ‘sentimental’ note, recognizing his secret desire that Alain Pellet, as the ‘*Père Fouettard*’ of international law with a long record of ‘dispensing

beatings to “naughty” colleagues... would come back and restore some order in the discipline’.

Jed Odermatt reimagines international law teaching in his essay, reviewing four books all published in 2024 on the topic: Folúkẹ́ I. Adébíṣí, Suhraiya Jivraj and Ntina Tzouvala’s *Decolonisation, Anti-Racism, and Legal Pedagogy: Strategies, Successes, and Challenges*, Paul F. Diehl and Charlotte Ku’s *Teaching International Law*, Jean-Pierre Gauci and Barrie Sander’s *Teaching International Law: Reflections on Pedagogical Practice in Context* and Peter Hilpold and Giuseppe Nesi’s *Teaching International Law*. Odermatt argues that ‘international law teaching today requires more than simply introducing students to fundamental concepts, it demands equipping students with the tools to critically engage with the international legal system’.

The two essays are followed by five regular reviews. The reviews reflect how pervasively international courts and tribunals (of specialist or generalist vocation) shape our discipline.

We begin with Ergün Cakal’s review of *Between Forbearance and Audacity: The European Court of Human Rights and the Norm against Torture*, by Ezgi Yildiz. Cakal finds this book an ‘unparalleled contribution’ to scholarship and a ‘fresh’ take on how the norm against torture has developed in Europe. From human rights courts to investor-state dispute settlement, Güneş Ünüvar looks at how the concept of coherence has been used in arbitral tribunals in his review of *Manifestations of Coherence and Investor-State Arbitration*. Engaging with Charalampos Giannakopoulos’ argument and the idea of coherence (and what it is not: consistency, correctness and comprehensiveness), Ünüvar finds this ‘a brilliant piece of scholarship’. We next visit international criminal proceedings with Sophie Rigney’s *Fairness and Rights in International Criminal Procedure*, where the idea of coherence makes an appearance again. Anni Pues finds Rigney’s argument for developing a coherent law of international criminal procedure ‘compelling’, although she would have liked to have seen more discussion on the rights of victims and witnesses. We travel back in time with Kristen Sellars in her review of Gary J. Bass’ *Judgment at Tokyo: World War II on Trial and the Making of Modern Asia*. Sellars argues that by paying attention to the trial as a ‘legal event’, we can better understand the work that legal mechanisms do in creating power relations: in this case, how the prosecution’s construction of the case transformed their countries’ participation in the conflict into a ‘more flattering narrative’ of a just war conducted by ‘peace-loving peoples’. The fifth regular review takes us back to the core. Eran Sthoegeer reviews the *Cambridge Companion to the International Court of Justice*, edited by Carlos Esposito and Kate Parlett: a volume that, in the view of Sthoegeer, illustrates the centrality of the Court (whose ‘views... on any question of international law are integral to any serious legal analysis’) to the legal discourse, but invites further reflection on ‘whether the quality of the Court’s legal analysis justifies the role it has been given by the international legal community over time’.

Finally, this issue completes our symposium on The Hague Academy’s centenary, which has spanned the last four issues of the Journal. In our short prologue, published in issue 35:2 (2024), we had expressed our hope for a ‘mosaic’ of short

reflections that would open up diverse avenues for engaging with the Academy's work. Four issues on, we end on a fittingly 'mosaic' note. The pieces included in this fourth instalment of the symposium interrogate the Academy and its outputs from feminist (*Juliana Santos de Carvalho*), postcolonialist (*Sué González Hauck*) and empirical (*Niccolò Ridi* and *Thomas Schultz*) perspectives. They highlight the work of two Hague stalwarts, René-Jean Dupuy (*Valentina Vadi*) and André Mandelstam (*León Castellanos-Jankiewicz* and *Momchil Milanov*). And they emphasize links between the Academy and its neighbour, the International Court of Justice (ICJ) (*Vladyslav Lanovoy*). We would like to thank all the reviewers who helped us reflect on The Hague Academy's centenary.

Over the course of the past seven years, we have had the opportunity to see just under 200 contributions through to publication, covering much ground, from ICJ counterclaims to Australia's offshore detention system. Nothing is ever perfect, and not all of our ideas have proved feasible. But we sign off with gratitude and three big 'thank you's': to the EJIL editors-in-chief, Joseph Weiler and Sarah Nouwen, for taking the Book Review section seriously and giving it much space in the pages of the Journal; to Anny Bremner, EJIL's managing editor, who has held it all together; and to well over one hundred contributors, whose reviews show that books matter a great deal (and are still read carefully). We look forward to seeing the EJIL Review section evolve, as Anne Lagerwall and Doreen Lustig take charge, and wish them all the best.

GCL and CJT

Vital Statistics

Each year the EJIL editors read and evaluate hundreds of manuscripts submitted to the journal for possible publication. The vast majority of those submissions, including the manuscripts that are accepted and then published in our pages, come to us, not by invitation, but rather through our online submission system. EJIL commissions only a very small portion of articles published in EJIL – the Foreword article and accompanying Afterwords, occasional Debate Replies (some also come in spontaneously) and the ESIL corner. In addition, EJIL manuscripts are subjected to double-blind peer review, so factors of geography, first language or gender do not influence our peer reviewers. Given these two factors, we believe that the statistics we draw up on an annual basis, notwithstanding their limitations and flaws, provide a picture of the range of authors submitting to and publishing in EJIL. In addition, they may over the years also provide information on changing trends in the who's who of publishing in EJIL and perhaps more generally in international law scholarship.

That said, our statistics come with a number of caveats. Our submissions database provides only basic, sometimes incomplete data – our information on regional origin is based on professional affiliation rather than nationality, simply because we do not have that information; so too, linguistic origin is determined on the basis of affiliation, which produces awkward results, such as a Chilean author in the US being counted as English-speaking, whilst an Australian author in Germany is counted as non-English-speaking; the database provides information only on the contact author, which means that co-authors are neglected by the system. We manually count all the authors of multi-authored pieces for *accepted* and *published* articles, but the volume of manuscripts we receive each year makes it impossible to count all authors for the *submissions* category.

Here then are the statistics for 2024.

1: Region of authors' affiliation (in percentages of total)

	All submissions*	Accepted articles**	Published articles**
Europe (which includes the UK)	50	66	66
Oceania	8	17	12
Africa	3	0	1
Asia	26	6	6
South America	2	3	4
North America	11	8	11

* Number of submissions ** Number of authors

2: Linguistic origin (in percentages of total)

	All submissions*	Accepted articles**	Published articles**
English-speaking countries	21	45	42
Non-English-speaking countries	79	55	58

* Number of submissions ** Number of authors

3: Gender (in percentages of total)

	All submissions*	Accepted articles**	Published articles**
Male	58	54	55
Female	42	46	45

** Number of authors

Finally, returning to our earlier point that these statistics may offer information over time regarding publishing trends, [Figure 1](#) tracks the percentages of male and female authors published in EJIL from 2014, when we began to compile statistics, to 2024, the latest statistics available. It would appear, with an occasional blip, that there has been a gradual increase in the percentage of female authors of published EJIL articles.

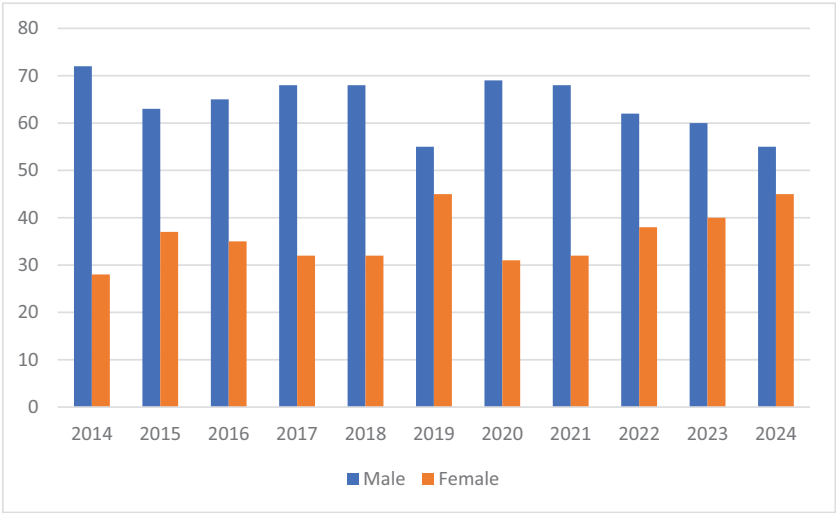


Figure 1 : Authors published in EJIL 2014 – 2024 by gender (in percentages of total)