

Editorial

DIFFERENT FIELDS, DIFFERENT VOICES

The Amsterdam Law Forum Editorial Board

Last November, the Amsterdam Law Forum (ALF) welcomed a new board and team of editors of varying academic backgrounds, interests, and talents. First and foremost, we want to take this opportunity to thank the previous ALF Board and our advisor, Anja Eleveld, for helping us transition into our new roles. Through these past months, we have tried to utilise the unique experiences of our editors to contribute to our publication, increase our reach, and decide on a conference theme. We are happy to announce that this summer, we will be organising the second annual ALF Conference and publishing the accompanying issue on the theme of *Corporations and International Law*.

In the age of globalisation and minimisation of barriers to trade, the increasing presence of corporations and their activities can be felt throughout the world. Thus corporations may fall under varying national jurisdictions and under the scope of international law. Now more than ever, corporations must ensure that they are abiding by international measures to ensure the safety and protection not only of their consumers and investors, but also of their workers and suppliers worldwide. Furthermore, certain measures must also be taken into account in consideration of the protection of the environment and natural resources. Unfortunately, there are only nonbinding soft laws in place to regulate the actions of multinational corporations. There is no existing hard law that establishes liability of multinationals in cases of violation of any human or environmental rights at an international level. This topic is still highly debated in a legal and political context. Hence the pressing question is whether it is time to move to uncharted waters of establishing international liability of multinationals whether in the sense of tort or criminal responsibility. We will delve deeper into this topic in our summer conference and publication.

The focus of this season's contributions is on themes varying from the field of the European Union (EU) law, to several topics concerning international criminal law. The first contribution to this publication is a scientific article by Mariia Domina Repiquett, a Ph.D. student at the University of Strasbourg. Repiquett's article analyses the recent reforms of a limited partnership used for structuring alternative investment funds. The introduction of the Alternative Investment Fund Managers Directive (2011) has prompted the European Union (EU) Member States to modernise their legal structures to get ahead of an increasing competition as a leading fund and fund manager domicile in the United Kingdom (UK) (2017), Luxembourg (2013) and France (2015) and argues that the UK Private Fund Limited Partnership is the most competitive legal structure in terms of management rights accorded to investors and tax-transparency. Luxembourg provides an equally competitive limited partnership model, which will be used extensively by fund managers and

investors post-Brexit. Regulatory competition in partnership law will incite other EU Member States to review their legislation applicable to this legal form.

The second contribution is a commentary to an event and this was written by the ALF Board member Ariana Lopez and a team of editors who attended the event organised by the Chinese Initiative of International Law titled “The Legacy of the ICTY and the Continuing Importance of Criminal Tribunals”. The event, which consisted of a documentary viewing of “What Our Fathers Did: A Nazi Legacy” and a talk with the former International Criminal Tribunal for the Former Yugoslavia (ICTY) judge, Judge Liu Daqun, examined the concept of legal responsibility. Beginning with the personal narratives of two descendants of Nazi officials who confront their fathers’ wrongdoing and arrive at different conclusions regarding their blameworthiness, this personal documentary was then followed by a discussion with Judge Liu Daqun who discussed the evolution of international criminal law, specifically the idea and scope of command responsibility from the Nuremberg and Tokyo Tribunals, to the ICTY and the International Criminal Court in The Hague.

The next section of contributions are two book reviews considering a single question: how do ordinary people become perpetrators of international crimes? Each book review is a reflection from two separate literature that attempts to answer the question by looking at the case study of a person who has undergone the transformation. The first book review is written by Szava Adel Tar, an ALF editor and an M.Sc. in International Crimes and Criminology candidate at the Vrije Universiteit (VU) Amsterdam. Tar reviews the *Lost Executioner* by Nic Dunlop, a biography of one of the perpetrators of the approximately three-decade-long conflict in Cambodia, under the Khmer Rouge. Pol Pot’s became synonymous with Khmer Rouge rule, however, he was but one of the several key figures responsible for the orchestration of mass cleansing and political reformation within the country. Journalist Nic Dunlop journeys into the depth of Cambodia to find prison commandant ‘Comrade Duch’ who alone was responsible for the death of tens of thousands of people. Dunlop’s aim in the book is thus to shed light to three largely important questions: to discover “how” and “why” the ordinary person Duch had come to be one of the most infamous mass murderers of the 20th century; and last but not least, how the world could have allowed this atrocity to happen on their watch.

The second book review is written by Mariah Crenshaw, another ALF editor and also an M.Sc. in International Crimes and Criminology candidate at VU Amsterdam. Crenshaw reviews *A Long Way Gone: Memoir of a Boy Soldier* by Ishmael Beah. In his book, Beah recounts his experiences during the decade-long conflict in Sierra Leone. At the start, Ishmael is an ordinary 12-year old who enjoys listening to rap music on his Walkman and performing choreographed dances to the songs with his friends and has an affinity for memorising and reciting Shakespeare. However, through a series of tribulations, Ishmael is forced to join the war as a child soldier fighting for the Sierra Leonean Army.

On behalf of my fellow board members, our team of student editors, the authors featured, and everyone else who made this issue possible, we present to you the 2018 Winter Issue. We hope you enjoy reading this engaging, albeit short, issue and that the articles contained within offer you an interesting insight into the different challenges of international law.

Eszter Boldis- Editor-in-Chief
Ariana Lopez- Assistant Editor-in-Chief
Christine Mandap- Assistant Editor-in-Chief

The ALF Board 2018