

Editorial

## Moving on

*Louis Middelkoop\**

This is the last issue that is published under the leadership of the 2011/2012 board. We look back on a successful year. Each issue was filled with interesting reads on a wide range of topics relating to international law and legal theory. Moreover, Amsterdam Law Forum has begun peer reviewing submitted manuscripts, resulting in an increase in quality of the journal. In the future we hope to have all of our scientific articles refereed.

In addition to publishing the journal, ALF's editors hosted a conference on the 10th anniversary of the ICC at VU University in May. ICC judges, defence counsels, representatives of the prosecutor's office, non-governmental organisations, and academia engaged each other and the audience on the challenges that the court has been facing and will face in the future. The likes of William Schabas, Judge Howard Morrison, Judge Ekaterina Trendafilova, Goran Sluiter and Elies van Sliedregt were not shy about speaking up, which resulted in lively debates about the workings of the court, the politics of international justice.

The issue before you is a mixture of commentaries to the implications for society of legal developments and legal and philosophical reflection on developments in society and technology. In particular, the issue is themed around targeting in armed conflict, the rights of victims in international law, and the ideological motivations behind certain legal-political developments.

Jonathan Herbach discusses the implications of technological advancements in weaponry for international humanitarian law. In particular he reflects on the precaution principle and robot commanded drones. Herbach distinguishes between states that can afford such technology and states that do not, suggesting that different responsibilities lie for each of them.

Anja Wiersing comments on the consequences for victim reparations in the recently handed trial judgment against Congolese warlord Thomas Lubanga Dyilo. She argues that *Lubanga* poses challenges to the pre-existing framework, which is already problematic in itself. In particular, the reparation system is, paradoxically enough, heavily focused on the perpetrators. Only victims of crimes that Lubanga was convicted for may apply for compensation. This means that only child soldiers and their relatives are included, but victims of sexual violence and other crimes are not, as Lubanga was not charged with these offenses.

Diana Contreras-Garduño contributes a good complement to Wiersing's article. Contreras examines the jurisprudence of the inter-American Court of Human Rights with regard to the circle of beneficiaries of victim reparation schemes. This is a welcome perspective on this thorny issue, which shows that approaches alternative to those based on the scope of the convictions are quite viable. These two articles create a good impulse for the on-going debate on victims and international justice, a debate

---

\**Louis Middelkoop LLM, MSc is Editor in Chief of Amsterdam Law Forum.*

that has been said to dominate the work of the international criminal court in the decades to come.

Moving on to a different topic, in her contribution Stephanie Veille takes a post-liberal approach to transitional justice. She argues that the workings of mechanisms set up to deal with post-conflict or post-dictatorship societies are normative instead of neutral. Current mechanisms impose a liberal-western 'rule of law' view upon these societies, thereby colonising the justice system in the country which is moving away from a period of gross human rights violations. Definitely a good read for anyone interested in the *metajuridica* of international law.

In our discussion section, Judge Abdel Maged of the Egyptian Court of Cassation discusses the contents of the "Al-Azhar Declaration in Support of the Arab Revolutions." The Al-Azhar University, an institute of intellectual and religious authority within the Islamic world, issued statements in support of the uprisings against dictatorships across the Arab countries. Judge Maged's article provides fascinating insight rarely found in the English language into middle-eastern intellectualism and its expressed views on democracy.

Although different in nature than in the Middle-East, the turmoil in Greece has attracted much public debate recently. With the Euro-crisis ever prolonged, criminologist Effi Lambropoulou offers her views on the corruption and nepotism purported to poison Greek public administration. Lambropoulou tries to challenge popular opinion with a good discussion of previous research and pointing out that cleansing the system from corruption often serves ulterior neo-liberal and capitalist free market ideals. Lambropoulou thereby places the current handling of the crisis within an ideological framework and makes the political mechanism behind tried solutions visible.

After the publication the present board will resign as its members have graduated and are moving on to different places. Quite literally I can say, as our team is currently spread throughout the world: former members recently moved for internships, field research, graduate studies, and work to South Africa, Burundi, Scotland, Norway, Italy, France, Bolivia, and Tanzania. I am also pleased to announce to the new board composition, with Sander Couch as editor-in-chief, Malte Werner as his associate and Anne Timmerman as senior editor. I wish them all the best of luck as we all embark on new adventures. I hope you, as a reader, will enjoy this issue and we thank you for your continued interest in Amsterdam Law Forum and the issues that it covers.

LM