

## **SPRING ISSUE: FLOWERS BLOOM & KNOWLEDGE BLOSSOMS**

*The Amsterdam Law Forum Editorial Board*

The Amsterdam Law Forum editors and board are proud to present the 2019 Spring Issue. Continuing with the goal of the last issue, all scientific articles in the Spring Issue have gone through blind peer review. As such, we would like to thank all the peer reviewers for dedicating their time to review. We would also like to thank all the authors for their contributions. As the Spring Issue marks the middle issue, in between the first and the themed issue, we are aware that the end of this year's board will be coming to a close soon and thus we have taken the initiative to innovate ALF for the coming years.

The ALF board is fostering a community for knowledge by creating three key changes within ALF. The first revolves around the Advisory Board, which provides an advisory role to the ALF Board and is composed of several academic scholars, and their connection with the team of editors. This spring, we had our first meeting with the Advisory Board where they provided great insight on the upcoming conference. Bridging the gap between the editors and the Advisory Board was an innovative step taken to enhance knowledge sharing. We hope to have another meeting before summer. With this increase in knowledge, the editors and the board have been working hard on the conference and on the accompanying themed issue. But in between, another innovative step was taken. The first ever ALF legal day trip took the team to den Haag to experience a day of law in the internationally robust city. We attended a court hearing at the International Criminal Court, visited the Peace Palace, and visited the Humanity House where we ended the day by attending a seminar. It was an enjoyable day of learning and we hope to plan another one. The last innovative step is publication. Up until now the journal has been online-based. The Spring Issue marks the first issue of the Amsterdam Law Forum that has been physically published. Copies will be distributed at the conference and can be picked up at the Vrije Universiteit Amsterdam Law Faculty. Disseminating the issue through physical publishing cements the journal's purpose in providing a platform where ideas can be shared not only through an online medium, but also through real-life interactions. We hope this Spring Issue will bring about discussions and knowledge sharing.

The 2019 Spring Issue encapsulates opportunities to discuss. The three scientific articles and two commentaries deliver powerful statements about security, nuclear weapons, jurisdiction, crime, and issues facing the EU. They provide a wealth of legal knowledge and showcase the effects international law can have in not only creating discussions, but in bridging gaps as well.

Dimitris Liakopoulos, in his inductive piece, considers the international responsibility of the European Union in the implementation of the Common Security and Defence Policy (CSDP) following the introduction of the Lisbon Treaty. Herein, the author persuasively reasons that the CSDP naturally has not yet come to fruition as a straightforward security policy – but rather lies somewhere between such a security policy and mere civil action. Building upon this, the author moves to problematise a number of areas in terms of the EU's international responsibility within the CSDP framework: vagueness in the content of the obligations, an unclear indication of the division

of competences between the European Union, member states and third parties, and dual attribution of conduct issues.

In her piece, Christine Salamanca Mandap comparatively analyses the UK and the Netherlands and how their courts hold parent companies accountable for the actions of their foreign subsidiaries. Although the UK and the Netherlands are advanced in the field of foreign direct liability, their interpretations on the matter differ. Thus, the article aims to review how the two jurisdictions establish jurisdiction over a subsidiary that is not domiciled there. Multinational parent companies may bring benefits to trade, but the actions of their subsidiaries towards human and environmental rights requires a balance. The article discusses several recent cases to highlight the importance of this balance. Strategies in how foreign subsidiaries can be brought before British and Dutch courts are also mentioned. The trend towards globalization may bring benefits, but it also demands that the negative aspects be addressed in the courts.

The final scientific article, written by Adina Carla Loghin explores the Treaty on the Prohibition of Nuclear Weapons. It is argued that a major gap in the treaty consists in realization of the aim of the total elimination of nuclear weapons. First, stock is taken of the diverse literature on the topic and the author constructs an innovative framework of analysis. Different verification regimes are then discussed, judging the current regime on what is argued to be the ideal regime. Furthermore, considerable gaps in the Treaty are located, and a detailed assessment of article 4 is offered. Alternatives to solving the issue of finding a competent international authority are also examined, culminating in three main strategies.

In the first commentary, Maximilian Fenner reflects on a conference that took place on April 5th, 2019 at Groningen University: ‘The Future of European Integration and the Internal Market: Four Roundtables in Honour of J.W. Gormley’. The event, which was co-organised by the VU Interdisciplinary Centre for European Studies (VICES), brought together internationally acclaimed scholars in the field of European law, European integration and internal market law to honour Professor Laurance Gormley, Chair of European Law at the University of Groningen, who will be retiring this fall. The conference also announced a collection of essays that will be published in May 2019 by Cambridge University Press as “The Internal Market and the Future of European Integration: Essays in Honour of Laurence W. Gormley”. It features a wide range of scholars and most of them were present at the event. A diverse range of distinguished scholars came to speak on a roundtable or were present in the audience. The keynote lecture was held by Eleanor Sharpston QC, Advocate General at the CJEU since 2006, who talked about Brexit, the future of the European Union and other illuminating topics, including how to Twitter as a legal scholar, an apparent communication problem in mass media and British ski instructors in Austria.

Finally, this issue features a commentary article written by Argelyn Adlawon that documents a conference held by the Public International Law and Policy Group (PILPG), a global pro bono law firm, on the atrocity crimes committed against the Rohingya people. Their home country Myanmar has disenfranchised them and attempts to systematically eliminate the Rohingya people through human rights abuse and violence leading to their mass exodus. The law group conducted an unprecedented and comprehensive investigation on the crimes by conducting interviews with the Rohingya refugees. The conference showcased the methodology, the results, and the importance in continuing to investigate the crimes. The investigators revealed the pattern of violence that has been occurring to the Rohingya people and the prevalence in which the majority of the refugee interviewees

recollected accounts of killings, torture, and sexual crimes against the Rohingya. As the International Criminal Court is currently conducting a preliminary investigation on the atrocities committed, the PILPG investigative report can serve as an extensive guiding report, as well as a tool to spread awareness and a call to action towards the international community.

We hope the readers find the articles captivating and we thank them for their continuous support. We take great pride in our team of editors and the enthusiasm they carry about legal scholarship. We are excited for the upcoming sunny weather and for ALF's continued role in spreading knowledge. Lastly, we hope to spark some discussions!

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Ariana Lopez - Editor-in-Chief  
Sophia Mard - Associate Chief Editor  
Maximilian Fenner - Senior Editor

The ALF Board 2019