

Editorial

SPRING ISSUE

The Amsterdam Law Forum Editorial Board

The board of Amsterdam Law Forum (ALF) hereby proudly presents the second issue published by its current editorial team. In this 2021 Spring Issue, we are delighted to introduce three peer-reviewed scientific articles which are the product of the combined efforts of authors, editors, and peer reviewers. Confident that the current relaxation of pandemic-related restrictions has stimulated and reignited the interest in transnational and international legal debate, we present three innovative contributions to intrigue and inspire our readers:

The first contribution by Victoria Priori scrutinises a cutting-edge topic in international migration that affects not only the regime of international human rights law but also poses fundamental questions to the sovereign rights of states. Approaching the Global Compact for Safe, Orderly and Regular migration (GCM) as a milestone political commitment in the management of international migration, Priori critically discusses the agreement's Objective 8 on missing and deceased migrants in light of potentially arising legal implications vis-a-vis the protection of migrants and the establishment of adequate search and rescue procedures. Whereas the first part of the article utilises the case law of international human rights courts and monitoring bodies to reframe Objective 8 as a restatement of the right to life, the second part of the analysis presents an intriguing account of the complex set of legal obligations arising for states at the intersection of international human rights law, international migration law, and maritime law in the context of distress at sea.

The second contribution in our Spring issue, written by Tonny Raimond Kirabira, develops a victim-oriented approach to justice in its examination of the sentencing practice at the International Criminal Court (ICC). Situating his contribution in the growing body of literature on victim's participation in international criminal procedure, Kirabira examines the Court's jurisprudence on sentencing for a) its consistency with the Rome Statute's legislative history and b) its subversive or adaptive tendencies toward victim-oriented justice. In carefully examining the discourses on aggravating factors in the period of the negotiations for the ICC's Rome Statute, the author convincingly reframes the drafter's vision of victim's rights and justice as instructive material to the ICC's jurisprudential sentencing policy. Ultimately, the author advocates for the alignment of the discourses on aggravating factors in sentencing with the ICC's broader aspirations for victim's justice through the jurisprudential outputs of its Chambers.

The final scientific article of this issue, authored by Boris Pavlovsky, contributes to the rich body of literature on 'actorness', that investigates the conditions under which international organisations evolve as independent and self-reliant actors in the international arena, by testing the model of EU actorness as developed by Thomas Gehring, Sebastian Oberthür and Marc Mühleck. Pavlovsky probes the model's basic assumptions, i.e. that actorness is linked to an organisation's competences in a certain policy area, by applying it to the World Intellectual

Property Organisation and the United Nations Educational, Scientific and Cultural Organisation. Upon encountering limitations in the causal variable's explanatory force, the analysis turns to alternative concepts to supplement the reference model. In doing so, Pavlovsky persuasively introduces normative power, soft power, and diffusion theory to the EU actorness debate.

On a final note, we would like to extend our sincerest gratitude to everyone involved in the output of the aforementioned articles and their invaluable contributions to this issue: to the authors for trusting us with their work and constantly striving for improvement; to the peer reviewers for their support of the forum and their contribution to the academic quality of its publications; and our team of editors, Georgina Booth, Myra Colis, Merel Gerritse, Marisa Gubbels, Nienke Heijne Makkreel, Anastasia Karatzas, and Ornella Varanini for their tireless work.

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