

VOLUME 37 | NUMBER 1 | MARCH 2024 | 0922-1565

Leiden journal *of* international law

*In association with the Grotius Centre for International Legal
Studies, Leiden University and Campus The Hague*



CAMBRIDGE
UNIVERSITY PRESS

Leiden Journal of International Law

Leiden Journal of International Law is published by Cambridge University Press for the Foundation of the Leiden Journal of International Law.

Firmly established as one of Europe's leading journals in the field, *Leiden Journal of International Law* (*LJIL*) provides a forum for two vital areas, namely international legal theory and international dispute settlement. It is unique in providing the most comprehensive coverage of the world's most important international tribunals in The Hague and elsewhere (such as the ICJ, ICTY, ICC and others), as well as examining new trends in international legal thinking. *LJIL* is essential reading for academics and practitioners who need to stay abreast of recent developments in these areas.

EDITORS

Surabhi Ranganathan (Editor-in-Chief)
Ingo Venzke (Editor-in-Chief)
Eliana Cusato (International Legal Theory), *University of Amsterdam, The Netherlands*
Geoffrey Gordon (International Legal Theory)
Sofia Stolk (International Legal Theory)
Rebecca Mignot-Mahdavi (International Legal Theory)
Renske Vos (International Legal Theory)
Julie Fraser (International Law and Practice)
Mamadou Hébié (International Law and Practice)
Machiko Kanetake (International Law and Practice)
Panos Merkouris (International Law and Practice)
Daniel Peat (International Law and Practice)
Marta Bo (International Criminal Courts and Tribunals)
Joseph Powderly (International Criminal Courts and Tribunals)
Lachezar Yanev (International Criminal Courts and Tribunals)
Jason Morgan-Foster (International Court of Justice)
Giulia Pinzauti (International Court of Justice)
Philippa Webb (International Court of Justice)
Anna Marhold (Book Reviews)
Vid Prislán (Book Reviews)
Raymond Ridderhof (Bibliography)
Jean d'Aspremont (General Editor)
Thomas Skouteris (General Editor)
Carsten Stahn (General Editor)
Larissa van den Herik (General Editor)

EDITORIAL POLICY

Leiden Journal of International Law is firmly established as one of Europe's leading journals in the field. It provides a forum for two vital areas, namely international legal theory and international dispute settlement. It is unique in providing the most comprehensive coverage of the world's most important international tribu-

EDITORIAL OFFICE

Bojana Ristić (Chair, Managing Editor)
Jude Chillman (Copy Editor)

STUDENT EDITORS

Lena Raxter (Student Editor)
Andrea Martínez Bernáldez (Student Editor)
Deepabali Datta (Student Editor)
Guanghui Liang (Student Editor)
Natalia Venegas Arango (Student Editor)
Vincenzo Elia (Student Editor)
Carla Karch Brosa (Student Editor)
Ahmed AlAmmar (Student Editor)

ADVISORY EDITORS

Nathaniel Berman (New York)
Laurence Boisson de Chazournes (Geneva)
Hilary Charlesworth (Canberra)
Christine Chinkin (London)
John Dugard (Leiden)
Horst Fischer (Bochum & Leiden)
Rick Lawson (Leiden)
Philippe Sands (London)
Michael P. Scharf (Ohio)
Christoph Schreuer (Vienna)
Bruno Simma (The Hague)
Makau Wa Mutua (Buffalo)

nals in The Hague and elsewhere (such as the ICJ, ICTY, ICC and others), as well as examining new trends in international legal thinking. *LJIL* is essential reading for academics and practitioners who need to stay abreast of recent developments.

Only articles which fall within the scope of the journal will be considered for publication.