

LEIDEN JOURNAL *of* INTERNATIONAL LAW

A. General

1. Editorial Policy

Firmly established as one of Europe's leading journals in the field, the *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.

2. Submissions

All material submitted must be *original*. Submissions to LJIL must be exclusive. LJIL does not evaluate papers that are scheduled for publication or are currently under review elsewhere.

Only articles which fall within the scope of the Journal, as formulated above, will be considered for publication and submitted to the review procedure. A request to submit a contribution to the LJIL is not a guarantee that the contribution will be published

LJIL has a double blind review procedure, and hence all submissions should exclude any information that explicitly or implicitly identifies the authors.

All submissions should be written in good English (UK spelling preferred), and should follow LJIL's points of style and rules of citation, as formulated below.

In addition, there are the following requirements to submitted texts:

- Double-space the text and use a font no smaller than twelve points; number the pages consecutively.
- Include an abstract of maximum 250 words and 5 key words.
- Ensure that the submission is anonymous. This means that in this version you should not thank colleagues in notes or elsewhere in the body of the paper or mention institution names, web page addresses, or other potentially identifying information. Citations to previous work by the author should not be made so as to identify the author.

Articles for LJIL should be submitted through the ScholarOne system, by logging into: <http://mc.manuscriptcentral.com/ljil>.

In case an author is invited to *revise and resubmit*, s/he is asked to provide an accompanying letter in which s/he explains both what revisions have been made to the original article, as well as, if applicable, where and why the author disagreed with the suggestions by the reviewer.

Per section, the following specific requirements apply:

International Legal Theory

- In order to be considered for the International Legal Theory (ILT) section, papers should specifically engage with and contribute to discussions within international legal and/or political theory, or provide a refreshing and innovative conceptual approach of a question of international law.
- Contributions for the ILT section should be approximately 10,000 words long, including all notes and references.

International Law & Practice

- In order to be considered for the International Law & Practice (IL&P) section, papers should specifically and primarily deal with a current development in international law. IL&P articles should provide an utterly original approach, offering a real addition to existing literature and case-law on the subject.
- Contributions for the IL&P section should be approximately 8,000-10,000 words long, including all notes and references.

Hague International Tribunals

ICJ

- In order to be considered for the ICJ section, papers can address all aspects of the International Court of Justice and its work (institutional, procedural, substantive, etc). The submission of case-notes is discouraged.
- Contributions should be approximately 8,000 words long, including all notes and references.

ICTY

- In order to be considered for the ICTY section, papers can discuss case law of the ad hoc international tribunals (ICTY and ICTR) and the internationalized tribunals and courts (e.g., the SCSL and STL). The papers ideally provide the reader with an innovative and comparative law perspective and profess a scholarly approach. Papers on national adjudication of international crimes can also be published in this section as long as such papers build on case law produced by the ICTY or other internationalized courts and tribunals. The submission of case-notes that merely discuss and refer to case law of the international courts and tribunals is discouraged.
- Contributions should be approximately 8,000 words long, including all notes and references.

ICC

- In order to be considered for the ICC section, papers can engage in an in-depth and original analysis of the law and practice of the ICC, including court policies, situations and cases and their context. This section is open to comparative research, interdisciplinary analysis and input from other disciplines on core themes of international criminal justice. Contributions should make a certain claim or argument (rather than presenting cases, laws or procedures). The submission of case-notes is discouraged.
- Contributions should be approximately 8,000 words long, including all notes and references.

Book reviews and essays

- The book reviews and essays section welcomes reviews of books that cover one of LJIL's

areas of interest, in particular, though not limited to, international legal theory and international dispute settlement. The section publishes two types of book-reviews:

- Regular book-reviews (approximately 1,500-2,000 words) which briefly and objectively present an individual text. Book-reviews should be thorough and analytical, and provide more than a mere reproduction of the table of contents.
- Review-essays (approximately 5,000-8,000 words) which are more extensive and argumentative contributions. These discuss one or more book(s) in the context of a common/overarching theme and/or the existing scholarship on the topic.
- All book-reviews and review-essays are subject to the standard LJIL review process. The section does not send books to unsolicited reviewers.

3. Procedure

After the article is received, the editors will decide whether or not to send it out for review. LJIL works with a double blind review procedure. On the basis of the review reports, the author might be invited to *revise and resubmit* the article on the basis of the comments by our expert reviewers.

On acceptance of the paper the contributor will be asked to assign copyright to the Foundation of the Leiden Journal of International Law. Typographical or factual errors only may be changed at proof stage. The publisher reserves the right to charge authors for correction of non-typographical errors.

Contributors are responsible for obtaining permission to reproduce any materials, including photographs and illustrations for which they do not hold copyright in both print and electronic formats and for ensuring that the appropriate acknowledgements are included in the manuscript.

4. Proofs and offprints

Authors of articles, review essays and book reviews will receive a PDF file of their contribution and a complimentary issue upon publication. Offprints can be purchased if the form is completed and returned to the publisher on receipt of the first proofs.

5. Contact

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B. Points of style

1. Main text

Subsections

An article may be divided into sections, subsections, and sub-subsections, using Arabic numerals. Only the initial word and proper names in words should be capitalized. The LJIL uses the following heading levels:

Example:

1. UN peace-keeping operations

1.1. Introduction

1.1.1. *East Timor*

Punctuation

Punctuation should be consistent in the following ways:

- single quotation marks should be used, except for quotations within quotations (which will have double quotation marks) and extracts broken off from the text (which will be set off from the text with no quotation marks);
- punctuation will follow closing inverted commas except for grammatically complete sentences beginning with a capital – e.g. He maintained: ‘The book under discussion breaks new ground.’
- The serial comma (i.e. the one before ‘and’ in ‘red, white, and blue’) is used.

Quotations

Quotations of fewer than 40 words are to be included in the main text, between single quotation marks. *Longer quotations* should begin on a new line, without quotation marks, and be indented from the left to indicate that it is to be set as a separate block of text.

Style: The original capitalization, spelling etc. of the quotation should be preserved. Place any change made to a quoted text between square brackets. Where you use an ellipsis to indicate omissions within the quoted text, do not enclose it in square brackets ([...]), unless the quoted author also uses an ellipsis. Use ‘*sic*’ between square brackets to signify obvious mistakes in the quoted text. If you wish to add specific emphasis to part of the quoted text, this should be done by the use of italics, and ‘(emphasis added)’ should be added to the source note. Quotations should always be followed by a footnote with a reference to the source.

Lists

Numbered lists: use Arabic numbers followed by a full point. Separate each part with a semi-colon, ending the last one with a full point, and adding ‘and’ after the last semi-colon.

Example:

Certain rights are specifically designed for the protection of minorities:

1. the right to non-discrimination;
2. the right of preservation of identity;
3. the right to strike; and
4. the right to establish and maintain institutions.

No ordinary unnumbered lists should have bullets, and that where necessary, for clarity, sub lists should start with a dash.

Listed items within a sentence: where these consist of more than single words or phrases, they should be separated by a semi-colon, e.g., ‘Head of Research, T.M.C. Asser Institute, The Hague, The Netherlands; CEO, Shell; General Editor, Banking News; and Professor of Economic Law, University of Maastricht, The Netherlands.’ Use lower-case roman numerals in parentheses for a numbered list.

Italics

Italics should be used sparingly. Only the following should be italicized in the main text:

- Case names (but not ‘v.’) and all procedural phases (*in re, ex parte*): *Corfu Channel case*
- Titles of publications: *Wall Street Journal, Yale Law Journal, International Institutional Law*
- Words requiring special emphasis: ‘*never use bold type*’ Words or phrases in languages other than English which are not in common use

Important: Full quotations in a foreign language are *not* italicized (and a translation should be provided in a footnote).

Abbreviations

Abbreviations that are in *common use* (UN, EC, EU, US, NATO) need not be given in full on first use. Other abbreviations should be spelt out on first use with the abbreviation given immediately following in parentheses, e.g. ‘World Health Organization (WHO)’. However, do not use an abbreviation if the name in question is only mentioned a few times – always give it in full.

Acronyms and lettered abbreviations will be rendered with no stops.

Terms such as ‘article’, ‘resolution’, ‘paragraph’, and ‘declaration’ should not be abbreviated (unless they are given in footnotes, see below). Paragraph numbers of articles should be given in parentheses, e.g. ‘Article 5(6b)’; ‘Article XII(1)’.

Numbers

Numerals will be written out up to and including ten; 11 and above will be given in figures.

Number spans are elided to the shortest pronounceable form, so 375–6, not 375–76 or 375–376 (but 317–18).

Dates

Use the form day–month–year, e.g. 2 November 2002.

Decades: always use ‘1960s’, not ‘sixties’ or ‘60s’. Centuries are spelt out.

Capitalization

Avoid capitalization as much as possible – when they are used generically do not capitalize such words or phrases as ‘state’, ‘state parties’, ‘members’, ‘contracting parties’, ‘treaty’, and so on.

Courts, tribunal chambers and personnel: capitalize specific chambers, such as ‘Appeals Chamber’, ‘Trial Chamber I’, a generic term such as ‘trial chamber’ should not be capitalized. Where the formal functions of the Office of the Prosecutor are being discussed, then ‘Prosecutor’ should be capitalized, but it should not be when the term is used generically. Similarly, ‘defence’, ‘defendant’, ‘accused’, ‘applicant’, ‘respondent’, ‘judge’, and so on should not be capitalized. When a reference is made to the contracting parties of GATT as a body, leave capitalization the way the author has indicated.

The following should always be capitalized: 'article', 'chapter', and 'section', when followed by a number, and 'resolution', 'treaty', 'draft', etc. when referring to a specific text.

Spelling, miscellaneous

Please note that the following should be used:

- First World War, Second World War, *not* World War I, World War II
- '*jus*', not '*ius*' (except where the latter is given in a quotation)
- -ize endings, but 'analyse'
- third world (noun), third-world (adjective) G7, etc.
- fora
- co-operation, co-ordination etc.
- 2 bis, ter etc.

2. Footnotes

Abbreviations

The following should always be abbreviated in footnotes:

Annex(es):	Ann.
Appendix(-ices)	App.; Apps.
Article(s)	Art.; Arts.
Paragraph(s)	Para.; Paras.
Decision(s)	Dec.; Decs.
Regulation(s)	Regs.
Resolution(s)	Res.

Page references

Never use p. or pp. (this is only used in the main text of Book Reviews).

Use 'at' if the page number may be confused with another part of the citation.

Cross-references

- The first reference to any source must be given in full (for format see 'Rules for citation' below).
- Authorities and textual sources cited elsewhere in the article may be referred to by using a condensed reference, adding '*supra*' or '*infra*'. This also applies to case names.
- For a reference to the author, simply use the last name (no initials). Where two authors are cited give both names, but for three or more name only the first author, followed by 'et al.'.
- Use 'note' or 'notes' when referring to other footnotes within the article.
- Do not use page numbers for references within an article, as they will change when the issue is typeset. Instead, refer to (sub)sections or text at notes.
- References such as 'op. cit.', 'loc. cit.', '*idem*' ('id.') are not used; only '*ibid.*' should be used, when referring to the source cited immediately above.

Examples:

- See Falk, *supra* note 17, at 86.
- See *Western Sahara case*, *supra* note 20, at 12. *Ibid.*, at 24.
- Cf. Section 5, *infra*. See note 10, *infra*.
- See also text at notes 35-37, *infra*.
- See notes 12-15 and accompanying text, *supra*. See, e.g., cases cited at note 24, *supra*.

C. Rules of citation

1. Books

Author, *Title* (year), page

Examples:

- L. Davies, *Law of the Antarctic* (1976), 432
- N. Blokker and S. Muller (eds.), *Towards More Effective Supervision by International Organizations – Essays in Honour of Henry G. Schermers* (1994), Vol. I, at 178

Author: cite initials (spaced), not full first names, and full last name. If a book has more than one author, cite them all the first time the book is mentioned, with a maximum of three. If a book has more than three authors, mention the last name of the first author only, followed by 'et al'.

Title: give the full title in italics as it appears on the title page of the book, including subtitle. Capitalize the initial word, the word immediately following a colon, and all other significant words except articles, conjunctions, and prepositions of less than four letters. Do not underline or italicize.

Page: cite page number if a specific reference is made; do not use 'p.' or 'pp.' Use 'at' if the page number may be confused with a part of the title or any other numerical sequence.

Editions: do not indicate the edition: the year of publication insufficient.

Volume number: if the book consists of several volumes, the volume number is placed after the full title, and followed by a comma.

2. Articles

Author, 'Title', (year) volume *Periodical* [or abbreviation in roman font] first page, at page of quote.

Examples:

- M. Koskenniemi, 'Faith, Identity, and the Killing of Innocent: International Lawyers and Nuclear Weapons', (1997) 10 LJIL 137, at 154
- J. Donnelly, 'Human Rights in the Next Century', 1985 *Journal of World Politics* 75
- F. Ox, 'Federalism and International Law', 1966 (July) *Civis Mundi* 34
- C. N. Brower, 'The Iran–United States Claims Tribunal', 224 RCADI 123, at 150 (1990/V)

Author: cite initials (spaced), not full first names, and full last name. If an article has more than one author, cite them all the first time the article is mentioned, with a maximum of three. If an article has more than three authors, mention the last name of the first author only, followed by 'et al'.

Title: give the full title in quotation marks. Capitalize the initial word, the word immediately following a colon, and all other significant words.

Volume number: the volume number is placed before the name of the periodical. Where issues within a volume of a journal/periodical are not consecutively paginated, the issue number should be included in parentheses after the volume number. Otherwise, the issue number should not be

included.

Periodical: the name of the periodical should be abbreviated as indicated by the periodical itself unless it is relatively unknown, when the full name should be given in italics.

Page: Use 'at' if the page number may be confused with a part of the title or any other numerical sequence. Give the number of the first page of the article, followed by 'at' and the page of the article where the quote can be found.

3. Contributions in compilations and edited volumes

Author, 'Title', in editor's name (ed.), *Compilation* (year), first page at page of quote

Example:

- M. Akehurst, 'Humanitarian Intervention', in H. Bull (ed.), *Intervention in World Politics* (1979), 97 at 99.

Author: cite initials (spaced), not full first names, and full last name. If a contribution has more than one author, cite them all the first time it is mentioned, with a maximum of three. If a contribution has more than three authors, mention the last name of the first author only, followed by 'et al'.

Title: give the full title in quotation marks. Capitalize the initial word, the word immediately following a colon, and all other significant words.

Editor: Cite initials and last name of the editor, followed by '(ed.)'. If the volume is edited by more than one editor, cite all names, with a maximum of three, followed by '(eds.)'.

Title of volume: Give the full title in italics as it appears on the title page, including subtitles. Capitalize the initial word, the word immediately following a colon, and all other significant words.

Page: the page number follows the title of the book, not the title of the contribution. Use 'at' if the page number may be confused with a part of the title or any other numerical sequence. Give the number of the first page of the contribution, followed by 'at' and the page of the contribution where the quote can be found.

4. Newspaper articles

Author, 'Title', *Paper*, date, page.

Example:

- Lewis, 'The War Crimes Tribunal Works', *International Herald Tribune*, 31 July 1995, 5.

Author: if the name of the author is available, cite initials (spaced), not full first names, and full last name. *Title*: give the full title in quotation marks. Capitalize the initial word, the word immediately following a colon, and all other significant words except articles, conjunctions, and prepositions of less than four letters. The title must be italicized.

Paper: Give the full name, in italics. Note, however, that the definite article should not be used except for *The Times*.

5. Cases

5.1. International Court of Justice

Full case name (*Party v. Party*), Phase, Kind of Decision, date, [year] publication, first page, at page of quote, paragraph.

Examples:

- *Maritime Delimitation and Territorial Questions Between Qatar and Bahrain (Qatar v. Bahrain)*, Jurisdiction and Admissibility, Judgment of 15 February 1995, [1995] ICJ Rep. 6, at 8, para. 4.
- *Military and Paramilitary Activities in and Against Nicaragua (Nicaragua v. United States)*, Jurisdiction and Admissibility, Judgment of 26 November 1984, [1984] ICJ Rep. 500, at 562 (Judge Schwebel, Dissenting Opinion).
- *Military and Paramilitary Activities in and Against Nicaragua (Nicaragua v. United States)*, Jurisdiction and Admissibility, Judgment of 26 November 1984 (not yet published).

Declaration, Separate Opinions: Cite the name of the judge(s) in brackets.

Publication: if the case has not yet been published, cite full name followed by '(not yet published)'.

5.2. Permanent Court of International Justice

Full case name (*Party v. Party*), Phase, Kind of Decision, date, Publication Series No, at page.

Example:

- *SS Lotus case (France v. Turkey)*, PCIJ Rep Series A No 10, at 28

Series: The Series in which the case was published is given between brackets, followed by the number.

Page: the page number is preceded by 'at', in view of possible confusion with the publication number.

5.3. International Criminal Tribunal for the Former Yugoslavia

Full case name, Kind of Decision, Case number, chamber, date.

Examples:

- *Prosecutor v. Tadic*, Decision on the Prosecutor's Motion Requesting Protective Measures for Victims and Witnesses, Case No. IT-94-1-T, T.Ch. II, 10 August 1995.
- *Prosecutor v. Erdemovic*, Dissenting Judgment, Case No. IT-96-22T, T.Ch. I., 29 November 1996.

5.4. Court of Justice of the European Communities

Case Number, *Name*, [year] ECR number, at page.

Example:

- Case 26/62, *Van Gend en Loos*, [1963] ECR 1, at 28.

5.5. European Court of Human Rights

Party v. Party, Kind of Decision, date of decision, Volume publication (Series), at para.

Example:

- *Kostovski v. The Netherlands*, Decision of 23 May 1989, [1990] ECHR (Ser. A.), at 221.

Volume number: the year of publication is used as volume number.

5.6. GATT & WTO Panel Reports

GATT

Panel Report country – name (parties), adopted date, publication section/page.

Example:

- Panel Report United States – Measures Affecting Alcoholic and Malt Beverages, adopted 19 June 1992, BISD 39S/206.

WTO

Panel Report country – name (parties), adopted date, Number, Document, at page.

Example:

- Appellate Report United States – Standards for Reformulated and Conventional Gasoline, adopted 20 May 1996, AB-1996-1, WT/DS2/9, at 29.

5.7. Arbitral Awards, etc.

For arbitral awards, follow the official style, as indicated by the reporter. If published in periodicals use the style as indicated at Articles (see 3.2), but do not italicize the title of the case.

Example:

- Air Service Agreement of 27 March 1946 (United States of America v. France), 54 ILR 304 (1979).

5.8. National Courts

Follow the official national style as much as possible. If the result would be unclear, use the following basic rule.

Party v. Party, [year] or (year) (where volumes are numbered independently of year) report page (court date).

General example:

- *Argyll v. Argyll* [1967] 1 Ch 302 at 324, 332.

US example:

- *Smith v. Jones*, 32 JN 369 (Sup.Ct. 1867). i.e. *Party v. Party*, report page (court date).

Case name: use the case name as it appears at the beginning of the decision in the official reporter. If no name is given, use a popular name or cite as: Judgment of day-month-year (full date).

Court: use the abbreviated name of the court only if it is well known. If not, cite the full name of the court. Include, if possible, the exact date of the decision: at least the year of the judgment should be mentioned.

5.9 International Criminal Court

Full case name, Kind of Decision, Case number, chamber, date.

Example:

- *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*, Judgment on the Appeal of Mr Germain Katanga against the Oral Decision of Trial Chamber II of 12 June 2009 on the Admissibility of the Case, ICC-01/04-01/07-OA8, A.Ch., 25 September 2009.

6. Documents of international organizations

6.1. United Nations Documents – in general

Author, Title, UN Doc. Number (year), at page.

Examples:

- R. Rosenstock, First Report on the Law of the Non-Navigational Use of International Watercourses, UN Doc. A/CN.4/441 (1993), at 10-11. UN Doc. S/RES/242 (1967) UN Doc. A/RES/2625 (XXV)
- New citation: UN Doc. A/RES/49/75K (1994)

Author: if the document has a specific author, cite initials (spaced), not full first names, and full last name.

Title: if the document has a specific title, give full title as it appears on the title page. Capitalize the initial word, the word immediately following a colon, and all other words except articles, conjunctions, and prepositions of less than four letters.

Number: use the document number as it appears on the document itself.

Page: the page number follows the document number, not the title, and is preceded by 'at'. Resolutions: References to Security Council and General Assembly Resolutions also include the UN Doc.

6.2. United Nations Documents – ICTY Documents

Title, UN Doc. Number (year), at page.

Examples:

- Rules of Procedure and Evidence of the International Criminal Tribunal for the Former Yugoslavia, UN Doc. IT/32 (1994), at 67.
- ICTY Press Release 25, 13 March 2000, at 2. ICTY Weekly Update – 15, 21 August 2000, at 3.

6.3. United Nations Documents – YILC Documents

Title, year, YILC, Vol. number (Part), at page.

Example:

- ILC Draft Articles on State Responsibility, 1980 YILC, Vol. 34 II (Part Two), at 75.

6.4. GATT Documents

Title, GATT Doc. number (year), at page.

Example:

- GATT Doc. PREP.COM/W/2 (1982), at 2.

6.5. Other Documents

For all other documents, follow the official style as used by the organization itself.

7. Internet (url)

Full url (you can omit http://)

Example: www.un.org/icty

8. Treaties

Year, full title, reference (year of publication of reference, if available)

Examples:

- 1985 Vienna Convention for the Protection of the Ozone Layer, 24 ILM 1529 (1985).
- 1963 Vienna Convention on Consular Relations, 596 UNTS 261