

AMERICAN JOURNAL OF INTERNATIONAL LAW

VOL. 109

July 2015

NO. 3

CONTENTS

PAGE

Exploring Comparative International Law

This symposium explores the possibilities of “comparative international law”: as a field, a cluster of inquiries using comparative methods, or a set of approaches to aspects of international law. These articles frame this inquiry, examine issues of methodology, discuss the uses and limits of comparative materials in adumbrations of general principles of (international) law and in analyses of customary international law and treaty law, and present comparative multicountry research on international law in national legal systems.

Comparative International Law: Framing the Field <i>Anthea Roberts, Paul B. Stephan, Pierre-Hugues Verdier, and Mila Versteeg</i>	467
How to Select and Develop International Law Case Studies: Lessons from Comparative Law and Comparative Politics <i>Katerina Linos</i>	475
Comparative International Law at the ICTY: The General Principles Experiment <i>Neha Jain</i>	486
Comparative International Law Within, Not Against, International Law: Lessons from the International Law Commission <i>Mathias Forteau</i>	498
International Law in National Legal Systems: An Empirical Investigation <i>Pierre-Hugues Verdier and Mila Versteeg</i>	514
Why Do National Court Judges Refer to Human Rights Treaties? A Comparative International Law Analysis of CEDAW <i>Christopher McCrudden</i>	534

Editorial Comment

The Executive's Misplaced Reliance on War Powers “Custom” <i>Michael J. Glennon</i>	551
--	-----

Notes and Comments

Response to Koh and Buchwald's Article: Don Quixote and Sancho Panza Tilt at Windmills <i>Alain Pellet</i>	557
The Crime of Aggression as Custom and the Mechanisms for Determining Acts of Aggression <i>Bing Bing Jia</i>	569
The Francis Deák Prize	582
Nominations for the Board of Editors	582

Current Developments

The 2014 Judicial Activity of the International Court of Justice <i>Christine Gray</i>	583
---	-----

International Decisions

<i>Prosecutor v. Ruto</i> (Charles Chernor Jalloh) International Criminal Court Appeals Chamber decision on power of trial chambers to subpoena unwilling witnesses and duties of states parties to comply	610
--	-----

<i>China—Measures Related to the Exportation of Rare Earths, Tungsten, and Molybdenum</i> (Elizabeth Trujillo)	616
World Trade Organization Appellate Body report on rare earths export restrictions of China under its GATT obligations regarding health and the environment	
<i>Shepherd v. Germany</i> (Klaus Ferdinand Gärditz)	623
European Court of Justice judgment on qualification of deserters claiming to be conscientious objectors for protection as refugees under European law	
<i>Konaté v. Burkina Faso</i> (Dinah Shelton)	630
African Court on Human and Peoples' Rights judgment on penalizing freedom of expression, especially of journalists charged with criminal defamation	
<i>Zivotofsky ex rel. Zivotofsky v. Kerry</i> (Ingrid Wuerth)	636
U.S. Supreme Court decision on president's constitutional authority to prohibit U.S. citizens born in Jerusalem from designating "Israel" as their birthplace on passports	

Contemporary Practice of the United States Relating to International Law

Edited by Kristina Daugirdas and Julian Davis Mortenson

United States Adjusts Aid to Egypt in Light of Legal and Political Developments	644
P5+1 and Iran Reach Agreement on Iranian Nuclear Program; Obama Administration Seeks Congressional Approval	649
United States Authorizes New Sanctions Program Aimed at Foreign Perpetrators of Cyberattacks and Cyberexploits	658
Normalization of Cuba-U.S. Relations Continues	663
U.S. Navy Continues Freedom of Navigation and Overflight Missions in the South China Sea Despite China's "Island-Building" Campaign	667
U.S. Department of Justice Charges Leaders of FIFA, Affiliate Soccer Organizations, and Sports Marketing Companies in 47-Count Indictment	672

Recent Books on International Law

Edited by Richard B. Bilder

Review Essay

Global Judicialization Revisited (José E. Alvarez)	677
--	-----

Book Reviews

Neff, Stephen C. <i>Justice Among Nations: A History of International Law</i> (Rüdiger Wolfrum)	686
Gostin, Lawrence O. <i>Global Health Law</i> (Gian Luca Burci)	691
Reisman, W. Michael, and Christina Skinner. <i>Fraudulent Evidence Before Public International Tribunals: The Dirty Stories of International Law</i> (Nancy Amoury Combs)	697
Llamzon, Aloysius P. <i>Corruption in International Investment Arbitration</i> (Stanimir A. Alexandrov)	702

Books Received

707

International Legal Materials, Contents, Vol. 54, No. 3, 4

710