

Leiden Journal of International Law

Information

SUBMISSIONS

Articles in good English to be considered for publication should be submitted online at <http://mc.manuscriptcentral.com/ljil>. More information can be found at the editors' website www.grotiuscentre.org (under LJIL)

Leiden Journal of International Law is indexed and abstracted in the following Thomson Reuters products services: Current Contents®/Social and Behavioural Sciences; Social Sciences Citation Index®/Social Scisearch®; Journal Citation Reports/Social Sciences Edition.

Leiden Journal of International Law can be found on Cambridge Core at <http://cambridge.org/ljil>. For further information on other Press journals access <http://cambridge.org/journals>.

SUBSCRIPTIONS

Leiden Journal of International Law (ISSN 0922-1565) is published quarterly in March, June, September and December. Four parts form a volume. The subscription price which includes delivery by air where appropriate (but excluding VAT) of volume 37 (2024), which includes print and electronic access, is £423.00 (US\$685.00 in USA, Canada and Mexico) for institutions; £50.00 (US\$74.00 in USA, Canada and Mexico) for individuals, which includes print only. Students ordering direct from the publishers and certifying that the journal is for their personal use can subscribe to the print version at £36.00 (US\$53.00 in USA, Canada and Mexico). The electronic-only price available to institutions is £284.00 (US\$455.00). Single parts are £129.00 (US\$206.00 in USA, Canada and Mexico) plus postage. EU subscribers may be required to pay import VAT at their country's rate on receipt of physical deliveries. EU subscribers for electronic deliveries who are not VAT registered should add VAT at their country's rate. VAT registered subscribers should provide their VAT number. Japanese prices for institutions (including ASP delivery) are available from Kinokuniya Company Ltd, PO Box 55, Chitose, Tokyo 156, Japan.

Orders, which must be accompanied by payment, may be sent to a bookseller, subscription agent or direct to the publisher: Cambridge University Press, Journals Fulfillment Department, University Printing House, Shaftesbury Road, Cambridge CB2 8BS; or in the USA, Canada and Mexico: Cambridge University Press, Journals Fulfillment Department, One Liberty Plaza, Floor 20, New York, NY 10006, USA. Periodicals postage paid at New York, NY and at additional mailing offices.

COPYING

This journal is registered with the Copyright Clearance Center, 222 Rosewood Drive, Danvers, MA 01923, USA (www.copyright.com). Organizations in the USA which are also registered with the CCC may, therefore, copy material (beyond the limits permitted by, sections 107 and 108 of US Copyright law) subject to payment to the CCC. This consent does not extend to multiple copying for promotional or commercial purposes. Code 0922-1565/08. ISI Tear Sheet Service, 3501 Market Street, Philadelphia, PA 19104, USA, is authorized to supply single copies of separate articles for private use only. Organizations authorized by the Copyright Licensing Agency may also copy material, subject to the usual conditions. For all other use, permission should be sought from Cambridge or from the US branch of Cambridge University Press.

This journal issue has been printed on FSC™-certified paper and cover board. FSC is an independent, non-governmental, not-for-profit organization established to promote the responsible management of the world's forests. Please see www.fsc.org for information.

© Foundation of the Leiden Journal of International Law 2024
ISSN 0922-1565

Printed and bound by CPI Group (UK) Ltd,
Croydon, CR0 4YY

Leiden journal of international law

Contents

INTERNATIONAL LEGAL THEORY

- 305–322 Eradicating the exceptional: The role of territory in structuring international legal thought
Gail Lythgoe
- 323–338 Deciphering *Pesprit d'internationalité*: The 1872 *Alabama* arbitration and the pacifist antithesis of modern international law profession
Xiaohang Chen
- 339–358 Revisiting Jessup and the imperial origins of transnational law
Michael Elliot
- 359–378 From treaty to custom: Shifting paths in the recent development of international humanitarian law
Giovanni Mantilla

INTERNATIONAL LAW AND PRACTICE

- 379–399 Delimitation methodology for the continental shelf beyond 200 nautical miles: Three-stage approach as a way forward?
Xuexia Liao
- 400–422 Exploiting the deep seabed for the benefit of humankind: A universal ideology for sustainable resource development or a false necessity?
Rozemarijn J. Roland Holst
- 423–439 Dislodging the compulsory dispute settlement mechanism: Analysis of Article 281 of UNCLOS
Bjørn Kunoy
- 440–461 Seeing Santurbán through ISDS: A sociolegal case study of *Eco Oro v. Colombia*
Lorenzo Cotula and Nicolás M. Perrone
- 462–483 Mapping out due diligence in regional human rights law: Comparing case law of the European Court of Human Rights and the Inter-American Court of Human Rights
Medes Malaihollo and Lottie Lane

INTERNATIONAL CRIMINAL COURTS AND TRIBUNALS

- 484–505 The 'ideal victim': A cage for victims' narratives at the International Criminal Court
Alessandra Cuppini
- 506–527 Gravity of the crime and early release: A comparative study of early release practices in international tribunals
Cristina Fernández-Pacheco Estrada

BIBLIOGRAPHY

- 528–529 Books and Articles in the Field of the Prevention and Peaceful Settlement of Disputes
Raymond Ridderhof

BOOK REVIEW

- 530–533 Yuji Iwasawa, *Domestic Application of International Law: Focusing on Direct Applicability*
Mark Klamberg

CORRIGENDUM

- 534 Yuji Iwasawa, *Domestic Application of International Law: Focusing on Direct Applicability*, Brill | Nijhoff, 2022, 314 pp, ISBN 9789004509863 – CORRIGENDUM
Mark Klamberg

Cambridge Core

For further information about this journal please go to the journal website at:
[cambridge.org/ljil](https://www.cambridge.org/ljil)



CAMBRIDGE
UNIVERSITY PRESS