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## **Editorial**

Dear Readers,

at the release of our previous issue, the Ukraine crisis, the conflict between Israel and Gaza as well as the activities of IS were dominant in the media.<sup>1</sup> The problems have not at all lost any of their relevance (rather quite contrary), but the omnipresent topic these days is Greece's barely averted exit of the EU's Economic and Monetary Union.<sup>2</sup> Irrespective of the fact that the whole issue complex primarily relates to the EU, the effect however has a wider international reach. Today, austerity measures – in which European political decision-makers still see the medium- to long-term solution of the Greek debt crises – are increasingly looked at not only from their economic dimension, but also from a legal point of view.<sup>3</sup> Apart from the question, if different actions are compatible with EU primary law and human rights provisions, the relationship between law, politics and economics in general becomes subject of the public and academic debate.

But there are also other questions, not as such related to Greece's economical crisis, which are put forth in this context. The Greek government recently claimed reparation payments from Germany for atrocities and forced loans, which had taken place during Second World War.<sup>4</sup> Besides the disputed question,

<sup>1</sup> Cf. The Editors, 'Editorial', 6 *Goettingen Journal of International Law* (2014) 1, 3, 3.

<sup>2</sup> This does not mean that a so-called 'grexit' is excluded entirely for the future, as the current discussions since the agreement of 13 July show. See e.g., M. Eddy, 'Germany's Tone Grows Sharper in Greek Debt Crisis' (16 July 2015), *The New York Times*, available at [http://www.nytimes.com/2015/07/17/world/europe/eurozone-greece-debt-germany.html?\\_r=0](http://www.nytimes.com/2015/07/17/world/europe/eurozone-greece-debt-germany.html?_r=0) (last visited 10 August 2015).

<sup>3</sup> See e.g., M. E. Salomon, 'Of Austerity, Human Rights and International Institutions', 21 *European Law Journal* (2015) 4 (forthcoming). See also A. Fischer-Lescano, *Human Rights in Times of Austerity Policy: The EU Institutions and the Conclusion of Memoranda of Understanding* (2014).

<sup>4</sup> See e.g., H. Smith, 'Greece Sours German Relations further with Demand for War

whether the issue of reparations is ultimately resolved, this is also a matter of basic principles of immunity in international law (which were approved by the International Court of Justice not too long ago). Immunities are also the subject matter of the first article of GoJIL's present issue:

In 'Between Evolution and Stagnation – Immunities in a Globalized World', *Heike Krieger* is exploring two contradictory aspects of development of immunities in public international law. The author reflects on how the simultaneous evolution and stagnation of immunities can be explained and how they may be put in relation to one another. For that purpose she analyses the current state of legal development and clarifies which structural parameters have led to a certain stagnation of legal development. In this context, the author discusses as to whether immunities meet the demands of a globalized world.

Another aspect at issue with regard to the question of Greece's eurozone membership, is the concept of solidarity.

The article 'Opening the Forum to the *Others*: Is There an Obligation to Take Non-National-Interests Into Account Within National Political and Juridical Decision-Making-Processes?' by *Sergio Dellavalle* takes an abstract look at the concept of "solidarity". The author reflects on the current state of this concept, defined as the legal obligation to take non-national interests into account, and introduces arguments against and in favor of the solidarity concept. In conclusion, he argues that the concept of solidarity has to be enhanced on both the international and national level.

In the third article of this issue, 'The 'Bonn Powers' of the High Representative in Bosnia Herzegovina: Tracing a Legal Figment', *Tim Banning* describes a European example of the exercise of public authority by an international institution (the OHR) in the aftermath of the Dayton Peace Agreement. He critically scrutinizes different interpretations of possible bases on which the OHR could have developed several (vast) authorities and describes their effectiveness from a legal perspective. Besides, he questions whether these powers of an international institution over local authorities should be temporally limited.

Reparations', *The Guardian* (11 March 2015), available at <http://www.theguardian.com/world/2015/mar/11/greece-sours-german-relations-further-demand-war-reparations> (last visited 6 August 2015).

In this regard, the Editors are pleased to announce that the upcoming *GoJIL* Vol. 7, No. 1 will address the topic of international public authority in more detail.

Last but not least, the present issue also contains the winning contribution of GoJIL's yearly Essay Competition. Out of a variety of submissions on the topic 'Principles of International Criminal Law', the Editors declared 'Determining the Relationship Between International and Domestic Laws within an Internationalized Court: An Example From the Cambodian Extraordinary Chambers' Jurisdiction Over International and Domestic Crimes' the winner. In this article, *Melanie Vianney-Liaud* sheds light on the conflictual relationship between international and domestic law within internationalized criminal courts, so called hybrid tribunals that combine domestic and international legal strategies. The combination itself is the root of the question whether domestic or international law is the appropriate legal basis. Examining the work of the Extraordinary Chambers in the Courts of Cambodia, the author illustrates how international and domestic legal strategies can diverge and how this challenges the work of the judges in charge.

We hope that these thoroughly selected articles provide for yet another worthwhile read to our readership.

The Editors