

**Vol. 14, No. 1 (2024)**

## **Editorial**

Dear Readers,

We are delighted to present Volume 14, No. 1. The Issue contains five articles covering important areas of international law, with the aim of stimulating discussion and academic research.

The Issue starts with an article concerning COVID-19 and international investment protection and further transitions into a special section dedicated to examining the complexities of migration control and human rights within the framework of international law. We are pleased to finally publish this focus section on “The Law of Search and Rescue” and would like to thank *Prof. Dr. Nora Markard* for bringing this collaboration to GoJIL.

The Issue begins with *Kayla Maria Rolland's* article, “When the Exception Overtakes the Rule: COVID-19, Security Exemption Clauses, and International Investment Agreements.” The article provides an analysis of how the COVID-19 pandemic has reshaped the interpretation and application of security exemption clauses in international investment agreements, with a detailed case study of a bilateral investment treaty. *Rolland's* work offers a crucial perspective on the changing dynamics of global trade and investment in the face of unprecedented challenges. This is the winning submission of the GoJIL's latest Student Essay Competition on the topic of “International Law in Times of a Pandemic”.

Our special section opens with “Remedying a Legal Black Hole: The Future of Human Rights Jurisdiction in the Mediterranean Sea” by *Alison Beuscher*. This article examines the decline in search and rescue efforts in the Mediterranean Sea and proposes an innovative jurisdictional approach to address the maritime human rights obligations of coastal States, drawing on case law from the Inter-American Court of Human Rights and the United Nations Human Rights Committee.

Subsequently, *Laura Goller*’s “A Right to Come Within the Jurisdiction of a State under Non-Refoulement? Interpreting Article 1 of the European Convention on Human Rights in Good-faith Within the Context of Extraterritorial Migration Control” challenges traditional interpretations of non-refoulement in the context of European human rights law, focusing on the evolving practices of extraterritorial migration control.

In the fourth article, “Containing the Containment: Using Art. 16 ASR to Overcome Accountability Gaps in Delegated Migration Control”, *Lina Sophie Möller* brings into focus the legal and ethical complexities that arise when States delegate migration control, using the Italian-Libyan cooperation as a case study to explore the implications for state responsibility and human rights.

The section concludes with *Sarah Isabel Pfeiffer*’s article, “Nigerien Law 2015-36: How a New Narrative in the Fight Against Smugglers Affects the Right to Leave a Country,”. *Pfeiffer* analyzes the impact of Niger’s anti-migrant smuggling law on the fundamental right to freedom of movement. Her work offers a critical examination of the legal provisions and its implications for non-Nigerien nationals. The article is of particular interest as the military government abolished Law 2015-36 in November 2023.

In times of great political uncertainty, it is more important than ever to protect and value our legal systems. However, this also includes regularly scrutinizing the law that defines international coexistence and evaluating our past decisions in order to make even better ones in the future.

We hope you find this new Issue thought-provoking and wish you an exciting time reading the articles. We would especially like to thank the authors for their very valuable contributions.

We would also like to express our condolences to the relatives, friends and colleagues of *Prof. Dr. Dr. h.c. Dietrich Rauschning*, who passed away on 17 September 2023 at the age of 92 years. *Prof. Rauschning* influenced the Institute of International and European Law at the University of Göttingen for over fifty years and played a main part in establishing the importance of the study of International Law here. He was a member of GoJIL's Advisory Board since its foundation in 2008 and a great benefactor for the Journal's work. We mourn the loss of a bright scholar and will honor his life and memory.

The Editors