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## **PREFACE**

The Institute of International Legal Studies (IILS) of the University of the Philippines (UP) Law Center is pleased to announce the release of the 2024 Edition of the Asia-Pacific Journal of International Humanitarian Law. With the guidance of the Journal's esteemed Board of Experts, the APJIHL continues to provide commentaries on significant developments in International Humanitarian Law and related fields, emphasizing the voices and perspectives of the region. Now in its fifth year of publication, we take stock of the Journal's gains over the years.

The Inaugural Issue of the APJIHL (2020 Edition), published at the height of the COVID-19 pandemic, was formally launched on 10 November 2020. Drawing on their expertise and experience, former International Criminal Court Judge Raul C. Pangalangan of the University of the Philippines College of Law, Dr. Helen Durham of the International Committee of the Red Cross, and Prof. Suzannah Linton of China University of Political Science and Law led the discussion on international humanitarian law (IHL) in the Asia-Pacific, with emphasis on the region's perspective and contribution to the development of this body of rules.

The 2020 Edition included the following articles:

- Deciphering the Landscape of International Humanitarian Law in the Asia-Pacific
- Crime and Omission: Command Responsibility from Manila to Rome
- Malaysia and the Rome Statute of the International Criminal Court: A Call for Ratification
- Gunshot Wound Reporting Legislation in the Asia-Pacific Region: A Need to Ensure Better Consistency with IHL
- The Road to Ongwen: Consolidating Contradictory Child Soldiering Narratives in International Criminal Law
- Justice for Syrians Under the International Criminal Court: Applying the Myanmar Model of Territorial Jurisdiction for Cross-Border Crimes

- Radio Silence: Autonomous Military Aircraft and the Importance of Communication for their Use in Peace Time and in Times of Armed Conflict under International Law
- Grey Zone Conflict in the South China Sea and Challenges Facing the Legal Framework for the Use of Force at Sea
- Malaysia and the Rome Statute: Panel Discussion during the Margins of the IHL Moot Court Competition at the International Islamic University Malaysia on 12 October 2019

The 2021 Edition was formally released in the Philippines on 16 October 2021 and in Malaysia on 1 November 2021. A smaller launch event for New Zealand was also held in November 2021, led by APJIHL Board of Experts members Professor Alberto Costi and Dr. Marnie Lloyd of Te Herenga Waka-Victoria University of Wellibong.

The 2021 Edition featured the following articles:

- Interview with Judge O-Gon Kwon
- Introductory Remarks on the Use of Lethal Autonomous Weapons System: An IHL Perspective
- The Humanitarian Exemption Challenge: Security of the Humanitarian Space Amidst Domestic Counterterrorism Measure
- The Red Cross Society of China in the Beiyang Government Period (1912-1927): A Civil Society Organization in an Early Democracy
- The Use of Military Units and Personnel for International Rescue and Relief Operations: Pertinent Issues Related to the 2011 East Japan Earthquake
- Displacement of the Rohingya before the ICJ and the ICC: Same conduct, different crimes in international law
- Prosecution of war crimes in Australia: prospects for victim participation
- Promoting the Comprehensive Protection of Cultural Property: The 8th Regional Conference on International

Humanitarian Law in Asia-Pacific, 24-26 September 2019, Bali, Indonesia

- Course and Meeting Report: International Humanitarian Law Course for Academicians and Practitioners 2019

For the first time since the Journal's inception, the 2022 Edition was launched in person in Manila, Philippines, on 12 October 2022. This was followed by an online launch event in Indonesia in November and an in-person launch in New Zealand in December of the same year.

The 2022 Edition included the following articles:

- Interview with Dr. Helen Durham
- Book Review of "Revisiting the Geneva Conventions: 1949-2019"
- Redefining Rescue Operations in Contemporary Naval Warfare: A Necessary Interplay between Maritime Bodies in International Law
- Commissions of Inquiry as Bulwarks Against Impunity

In 2023, the Philippine Launch was once again held online and had Dr. Ai Kihara-Hunt of the University of Tokyo, Mr. Jonathan Kwik of the T.M.C. Asser Institute, The Hague, and Ms. Kelisiana Thynne of the International Committee of the Red Cross as panelists.

The 2023 Edition had the following articles:

- Child Soldier to Warlord Overnight: Sentencing Ongwen in the International Criminal Court
- Prohibition of the use of nuclear weapons under Islamic Law: filling the gap of International Humanitarian Law?
- Ethical Paradigm of Buddhism: A Buttress for Compliance with International Humanitarian Law
- Protecting the child who bears arms: How the status of Zones of Peace for Children under Philippine Act No. 11188 distorts International Humanitarian Law

- Environmental destruction during armed conflict, anthropocentrism-ecocentrism divide and defining ecocide

After a rigorous publication process that involves several layers of article assessment, including a double-blind peer review, we are happy to publish the following articles this year: *Dominating Demography, Altering Destiny: India's settler-colonialism in Kashmir*, which delves into the issue of occupation, arguing that it accelerates loss of a native population's distinctiveness and capacity for self-determination; *Modern Interpretations of International Humanitarian Law's Martens Clause - Opening the Door to Strategies to Better Protect the Environment and Indigenous Peoples During Armed Conflict*, which explores modern interpretations of the field's Martens clause, originally used to "other" Indigenous Peoples, as having the potential to open the door to Indigenous knowledge and international environmental law, international human rights law and international criminal law principle through "the principles of humanity"; *Cultural Cleansing as an Emerging Form of Mass Atrocity: A Comparative Analysis of the Protection Against Intentional Destruction of Cultural Heritage under International Law and Islamic Law*, which argues that the gaps and limits of the international humanitarian and criminal law frameworks could be addressed by adopting a culturally and legally inclusive approach, using Islamic law as a case study; *The Relevance of the Islamic Principle of Humane Treatment of Prisoners of War (POWs) in Contemporary Practice: An Overview*, which investigates how Islamic Law of Armed Conflict (ILAC), in particular its principle of humane treatment, can play a role in modern conflicts due to its alignment with the same principle provided by IHL; and *China and Humanitarian Law: Evolution, Contemporary Influence and Prospects of Traditional Ethics in Modern-day Practice*, analyzes the historical evolution of Chinese humanitarian law ethics, examine the impact of ethics on the practice of IHL in China, explore the influence of Chinese ethics on the international community, and assess the application of IHL in China in conjunction with traditional Chinese ethics.

We are also excited to share that Board of Experts member Dr. Jonathan Kwik has published a new book for T.M.C. Asser Press entitled, "Lawfully using Autonomous Weapon Technologies." In his book, Dr. Kwik confronts the responsible use of autonomous weapons, combining law, technical

knowledge, and operational expertise for a practical examination of military artificial intelligence from the perspective of commanders on the field.

With what has been a fruitful five years, IILS would like to thank the research and administrative staff of the UP Law Center, particularly Ms. Marilyn Cellona, the Administrative Officer of IILS. The 2024 Edition would also not be possible without the continued hard work and efforts of Associate Editor Atty. Joan Paula Deveraturda, Assistant Editor Prof. Michael T. Tiu, Jr., Editorial Assistants Ella Edralin, Chester Louie Tan, Wenona Dawn Catubig and Aira Lynn Cunanan, Copy Editor Allison Riosa, and layout artist Alyanna Bernardo. We also thank the members of the Journal's Board of Experts and the blind peer reviewers, without whom the 2024 Edition would not have been possible.

While the intersections, challenges, and possibilities of ways forward for IHL scholarship continue to evolve, APJIHL will likewise continue to pursue its purpose of creating a space for inter-disciplinary discussions for voices from the region, necessary in advancing the body of rules in situations of armed conflict.

ROMMEL J CASIS  
Managing Editor

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