

## EDITORIAL

On behalf of myself and the editorial board of the journal, we are pleased to present the first issue for 2019. In this issue, which now allows us to bring the journal publication up to date to the year of publication, we present two separate co-authored articles, both of which should be of great interest to readers.

The first article, by Joseph Rikhof and Silviana Cocan, examines the notions of control in international law. This concept, which like the idea of proportionality is found in various areas of international law such as international humanitarian law, international human rights law and general international law including State responsibility, is a cross-cutting theme. The article provides a useful exposé of how international law has treated this concept in the different contexts, including in the works of international courts and tribunals settling disputes between States, as well as in criminal tribunals and in human rights courts. As part of this, the article discusses how the International Court of Justice has used the effective control test compared to the overall control test advanced by the International Criminal Tribunal for the former Yugoslavia. Finally, the article analyzes other aspects of control and considers the jurisprudence of regional human rights courts, such as the European Court of Human Rights and the Inter-American Court of Human Rights. It proposes that when employing concepts of control, we could be more precise in our use in order to distinguish the different concepts and contexts of the use of the notion of control in international law.

The second contribution, by Ken Roberts and James Stewart, analyzes forced displacement of civilian populations which is now prohibited under international criminal law. This article traces the jurisprudential history of the crime, and its evolution from crimes against humanity to war crimes. It seeks to enhance clarity concerning the treatment of this crime which has been varied and inconsistent over the years. Like the first article, the paper highlights the need for precision when using important terms like 'deportation' and 'forcible transfer.' The article concludes by providing an explanation of the clear framework that has developed after many years of litigation. The authors also outline how this framework has been applied and how a new set of issues makes this area of the law relevant.

Lastly, by way of reminder, we always welcome comments and reactions from our readers and subscribers to the articles, legal documents and other materials included in the journal. We are also always looking for volunteer expert reviewers for inclusion in our database of manuscript reviewers. All correspondence, and expressions of interest, should be directed to the editor at africanjicj@gmail.com.

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Founding Editor

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