Author's guidelines for YIHL
(including Information and notes for the editor)

1. General
2. Chapter structure and headings
3. Table of contents, List of abbreviations, Foreword, Preface, Acknowledgements (information for the editor)
4. Footnotes, References, Reference list
5. Figures, Terminology, Units, Abbreviations and Numbers, Text formatting and Sources
6. Table of Cases, Index
7. Submission of your contribution
8. Manuscript submission (information for the editor)
   Annex

1. GENERAL

The book you are a contributor to will be published by T.M.C. Asser Press. For the production, marketing, sales and distribution of its English-language publications, T.M.C. Asser Press works with Springer-Verlag (Heidelberg, Dordrecht, New York). Via Springer you will benefit from having your chapter(s) sold both in the conventional hardcopy format as well as in an electronic format (as (a) chapter(s) of an e-book). This innovative approach places certain demands upon the preparation and submission of your contribution, as a seamless transformation to various formats, such as an e-book, requires special and consistent structures.

Note to editor: Asser Press can only accept complete manuscripts as incomplete manuscripts cannot be submitted to Springer due to the demands of their digital system.

2. CHAPTER STRUCTURE AND HEADINGS

Your chapter should include:
- Your full name, affiliation, address, e-mail address and telephone number in an *unnumbered* footnote
- An abstract of the article of 150 to 250 words (N.B.: *no* footnotes in the abstract)
- A minimum of six keywords
- A reference list at the end of the article (see 4. below)
- Please check the validity of all links just before submitting your chapter and after the URL state Accessed on [date (format: DD MM YYYY, for instance: 1 January 2017)]; if the link refers to a specific page such as a news page that is no longer available, please add (link no longer active) after the link
- Language: either British or American English can be used, but be consistent within your contribution.
  - For American spelling please consult Merriam–Webster's Collegiate Dictionary; for British spelling you should refer to the Oxford English Dictionary if possible and otherwise to Collins English Dictionary.

- o If English is not your native language, please ask a native (or a near-native) speaker to read through your text thoroughly or arrange for your text to be checked by a professional editing service. Please incorporate their final corrections in your chapter before submitting the article.
- Check for consistent spelling of names, terms, and abbreviations, including the spelling contained in tables and figure captions. And remember to <u>always</u> perform a spelling check on your contribution.
- You do not need to provide a separate table of contents for your contribution; Springer will generate these using the table of contents for the book in its entirety compiled by the editor of the volume. However, you should be allocated a chapter number by the editor at the earliest possible stage so that you can employ the correct numbering with regard to, for instance, the numbering of heading levels and any internal links within your chapter.
- Please do not use more than three **heading levels** and use the decimal system**:**
1.   Chapter title
1.1.   Section
1.1.1.   Subsection
1.1.1.1. Sub-subsection
- Note: All heading levels should start with the chapter number. So all heading levels within Chapter 2 should start with a 2 (2.1, 2.1.1., etc.).
- In the **table of contents** only *three* levels will be included.
- In **cross-references** to other parts of the chapter, please give the chapter or section number in the following way: for instance, see Sect. 3.5.1. Volume, Chapter, Section, Figure etc. are abbreviated as respectively Vol., Chap., Sect., Fig.; they are not abbreviated if they appear at the beginning of a sentence. This only applies to cross-references to other parts of the book/chapter(s); references to parts of external publications are not abbreviated.

Submissions should be in **Word** format.

Note to editor: Once Asser Press has sent the manuscript to Springer Production, changes to title or authorship are no longer possible.

3. TABLE OF CONTENTS, LIST OF ABBREVIATIONS, FOREWORD, PREFACE, ACKNOWLEDGEMENTS (INFORMATION FOR THE EDITOR)

Table of contents
- List all parts, chapters, and back matter material (e.g., an index) in the final sequence.
- Number chapters using Arabic numerals and number them consecutively throughout the book (Chapter 1, Chapter 2, etc.), i.e., do not start anew with each part.
- If there are parts, use Roman numerals for these (Part I, Part II, etc.).

List of abbreviations (optional)
A list of abbreviations and/or symbols is optional but it may be very helpful if numerous abbreviations and special symbols are used throughout the text.

Foreword (optional)
A foreword is usually written by an authority on the subject, and serves as a recommendation of

the book.
- The name of the foreword's contributor is always given at the end of the foreword; affiliations and titles are generally not included, but the date and place of writing may be.
- A foreword, if opted for, forms part of the front matter and should be submitted as part of the manuscript.

Preface (optional)
The preface should be about the book: why it was written, who it is aimed at, the way the book is organised, and/or the selection of contributors.
- Acknowledgments of support or assistance in preparing the book can be included as the last paragraph(s) of the preface. If the acknowledgment is more than one page long, it should start on a separate page under the heading **Acknowledgments**.
- A preface, if opted for, forms part of the front matter and should be submitted as part of the manuscript.

Acknowledgements (optional)
- Acknowledgments of support or assistance in preparing the book can be included either as the last paragraph(s) of the preface or, if the acknowledgments will more than one page long, they should be submitted as a separate page under the heading **Acknowledgments**.
- The acknowledgements, if opted for, form part of the front matter and should be submitted as part of the manuscript.

4. FOOTNOTES, REFERENCES, REFERENCE LIST

Footnotes
- Use footnotes, not endnotes. The notation for footnote is n., for example n. 4, n. 5 etc.
- Footnotes to the text are numbered consecutively.
- Footnotes to figures/tables should be indicated by superscript lower-case letters (or asterisks) and included beneath the figure table body.
- Footnotes to the title or the author(s) of the chapter should be unnumbered. The same holds for any acknowledgements and suchlike.
- No footnotes are allowed on the first page of a chapter.

References

References to books
References should be cited in the footnotes. References to literature should be given in a shortened form and only include author name(s), year of publication (without brackets) and page number or paragraph (margin) number. Some examples:
- One author: Miller 1991, p 17 *or* Miller 1991, para 30
- Two authors: Miller and Smith 1991, p 17 *or* Miller and Smith 1991, para 30
- Three authors or more: Miller et al. 1991, p 17 *or* Miller et al. 1991, para 30

In case there are two or more titles by one author in the same year, use a, b, c etc.
So for example:
- Barnard 2008a, p 341

- Barnard 2008b, p 295
- Barnard 2008c, p 131

The complete bibliographical information regarding the citation should be given in a **Reference list** at the <u>end</u> of the chapter (for more information, see **Reference list** further on in this document and in the **Annex**).

References to cases
References should be cited in the footnotes. The first time in full in the following manner:
[Court], [*CaseName*], [TypeOfJudgment], [Date], [CaseNumber or ICJReportCitation], [para / p] [Page/ParaNumber].

The full information regarding the citation should be given in a **list of cases** at the <u>end</u> of the chapter (for more information, see **Case references** in the **Annex** at the end of this document).

References to treaties
References should be cited in the footnotes. The first time in full in the following manner:
[Title], [Parties (where relevant)], [opened for signature [Date]], [Treaty Series], [entered into force [Date]], [art/arts][Article number]

After the first reference, cross-references are used for treaties in the footnotes in the following manner:
[Treaty Abbreviation], [above n. [Original Footnote Number]], [art/arts][Article Number]
An abbreviation of the treaty, usually a shorter version of the treaty's title (for example, TFEU), is used for cross-references.
If a treaty is referenced more than once, this abbreviation should be placed with the initial treaty reference in the following manner:
[Title], [Parties (where relevant)], [opened for signature [Date]], [Treaty Series][entered into force [Date]][Treaty Abbreviation].

References to news articles
References to news articles should remain in the footnotes and be referenced in the following manner:
[Author's surname and initial(s) if available][year of publication between brackets][Title of article][URL][Accessed [format: DD MM YYYY, for instance: 1 January 2017].

Please note: only if the reference section is structured as outlined above, can individual references be cross-linked with other sources. This is an important benefit of the electronic version of the book. If the footnotes and references are not submitted in this form, the copy editor will carry out the necessary corrections.

Please also note: if the title to the article is not in English, please provide a translation in square brackets after the reference in the source language.

Reference list
Each chapter should end with a list of references (if any) cited by the author. Entries in the list must be listed alphabetically. Further rules are:

- All works by the author on their own should be ordered chronologically by year of publication
- All works by the author with a co-author should be ordered alphabetically by author and then co-author
- All works by the author with several co-authors should be ordered chronologically by year of publication.
- Authors whose surname starts with de or De should be listed in the relevant position under the D, authors whose surname starts with a v or V should be listed under the V. Therefore, for example, van der Wilt, H does not belong under the W but under the V.
- Please ensure capital letters (and lower case letters) are used where and when necessary, for instance where names of treaties, countries or persons are concerned
- News articles should remain in the footnotes and not be included in the reference list.

The following examples illustrate how different sources of texts should be referenced:

- *Book*
  Bantekas I (2009) Trust funds under international law. T.M.C. Asser Press, The Hague

- *Journal article*
  Kireeva I (2009) European case law and the WTO ruling on conflicts between geographical indications and trademarks. ERA forum 10:199-214 (volume number: page numbers)

- *Book chapter in edited volume*
  Van Hulle K, van der Tas L (2001) European Union – individual accounts. In: Ordelheide D (ed) Transnational accounting, 2nd edn. Palgrave, Basingstoke, pp 772-826

- *Journal article or book chapter by DOI*
  McCormack G (2014) Reconciling European conflicts and insolvency law. EBOR DOI:10.1017/S1566752914001153

- *Online document*
  War crimes Research Office (2009) The gravity threshold of the ICC.
  www.wcl.america.edu/warcrimes/icc/icc_reports.cfm. Accessed 3 September 2009
  [Name Organisation/Last Name Author]([First Initial Author])[(Year)][Title of Article][URL (incl. http:// or https://)][Access date]

- *UN document*
  [UN Body] (year) [Title of Report or Document] [UN Doc. [Number]]

5. FIGURES, TERMINOLOGY, UNITS, ABBREVIATIONS AND NUMBERS, TEXT FORMATTING, AND SOURCES AND PERMISSIONS

Figures
- For the best quality final product, please submit all figures/illustrations – photographs, line drawings, charts, tables etc. – to the editor in an electronic format and in as high a quality as possible. Preferably in a jpeg format (150 dpi black&white / 300 dpi colour minimum)
- Figures and/or other illustrations should be numbered consecutively per chapter in Arabic numbering, for instance Figure 4.1, Figure 4.2, etc.
- Reference to the figures in the text should be in the same order as the figures and the figure referred to in the text should be positioned as close as possible to the section of text where it is first mentioned. So if Figure 4.1 is referenced in the text, the figure itself should be positioned as closely as possible either above or below that section of text.
- Each figure should have a concise caption describing accurately what the figure depicts. Include the captions in the text file of the contribution, not in the figure file itself.

Terminology, Units, Abbreviations and Numbers
- Technical terms and abbreviations should be defined the first time they appear in the text.
- Please always use internationally accepted signs and symbols for units, so-called SI units.
    - If used in connection with numbers, the following items are abbreviated:
        - Units, for instance 20 ml or 40 km
- Numerals should follow the British/American method of decimal points to indicate decimals and commas to separate thousands.
- Digits are used for all numbers larger than ten, the numbers 1-10 are written as words.
    - When a number is used with a unit, the numeral is used and the unit is abbreviated (for instance 10 ml).

Text formatting
- Italics should be used for emphasized words or phrases in the text, but do not format entire paragraphs in italics as this affects online readability.
- Do not set entire pages as boxes, as this also affects online readability.

Sources and permissions
If you copy long text passages, figures or tables from other works, you must obtain **permission** from the copyright holder (usually the original publisher) for both the print and the online format. The source must be acknowledged in the legend or table heading. If the reference to the source is not in English, please provide a translation in square brackets after the reference in the source language.

Note to editor: If the manuscript contains a large number of terms and abbreviations, a list of abbreviations or a glossary is advised.

6. TABLE OF CASES, INDEX

A Table of Cases and an Index to be included at the end of the book will be compiled by an external indexer according to the revised proof; this will be arranged for and overseen by Asser Press.

7. SUBMISSION OF YOUR CONTRIBUTION

- Check for consistent spelling of names, terms and abbreviations, including the text used in tables and figure captions. In addition, please remember to <u>always</u> perform a thorough spelling check on your text.
- Check all links shortly before submitting the chapter to the editor to ensure they are still correct.
- Save each chapter or contribution, including the accompanying references, figure legends and tables as separate Word files (***.doc** or *.**docx**).
- Save any illustrations as separate files, preferably as jpegs to ensure the highest possible quality.
- Please enclose a list of all the files when submitting your contribution to the editor.

Please ensure the text contained in your contribution is of the highest possible quality as corrections to be made in both the uncorrected and the revised proof stages will be restricted to those regarding typographical errors and serious errors of fact and any corrections should be as short as possible to prevent an increase in the number of pages of the total manuscript.

8. MANUSCRIPT SUBMISSION (INFORMATION FOR THE EDITOR)

- Give each file the first editor's surname (or abbreviation) and the chapter number, for example Smit_Chapter-1, Smit_Figure_1.1, etc.
  Please enclose a list of all the files when submitting the manuscript to Asser Press.

Spring 2017

- Annex: more detailed instructions, including examples, on referencing

ANNEX: more detailed instructions, including examples, on referencing

<u>Reference List</u>
The Reference List should only include **books, articles, websites and UN documents.** Each source should be cited in full and listed alphabetically in one list as per the Spring 2017 guidelines above.

Where an author wishes to include sources that are not referenced in the footnotes, the heading **Other Consulted Sources** is used after the Reference List. Sources must be cited in full and listed alphabetically.

<u>References & Examples</u>

1. **Books, chapters and articles** are referenced in the Reference List as per the Author's Guidelines above.

   o For footnotes, the reference is as follows:
   [AuthorLastName] [Year], [p / para] [Page/ParaNumber] (e.g. footnote 2, 5 and 7 of Example 1)

   o This reference is repeated in full each time unless the reference is in the preceding footnote. In this case – **Ibid, [para / p] [Page/ParaNumber]** (see footnote 8 of Example 1) – is used.

      ▪ When using Ibid, a pinpoint reference is only necessary if the new footnote pinpoint reference differs from the footnote directly above.

   o Cross-references are not used.

Example 1

2 For a history on the Mexican drug trade, see Grillo 2012.
3 Bolton 2012; Carpenter 2013, p 163.
4 Vulliamy 2014.
5 Grillo 2012, p 10.
6 Mirnoff and Booth 2013.
7 Grillo 2012, pp 109-130.
8 Ibid.

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2. **Websites** are referenced in the Reference List as per the Author's Guidelines.

   o The citation for the Reference List is as follows:
   [AuthorLastName] [AuthorFirstInitial] (Year) [TitleOfArticle]. [URL].

Accessed [Date].

- For some websites, there may not be an author listed. If this is the case, list the institution, company, name of the website or whatever seems most appropriate depending on the source. This is then used in the footnotes instead of the author's last name.

  o For footnotes, the reference is as follows:
  [AuthorLastName] [Year], [p / para] [Page/ParaNumber]. (where page or paragraph references are available). (e.g. footnotes 9-13, 15-21 in Example 2)

  o **Ibid** is used (as described in point 1 above) where the preceding footnote is the same source (e.g. footnote 14 of Example 2).

  o Cross-references are not used.

Example 2

8 Ibid.
9 Agren 2016.
10 FIDH et al. 2014.
11 Bolton 2012. FIDH estimates 70,000 deaths.
12 Rosenberg 2011.
13 FIDH et al. 2014, p 3.
14 Ibid.
15 Graham 2014.
16 Mirnoff and Booth 2013.
17 Marquez 2006.
18 Alexander 2013.
19 Vulliamy 2014.
20 FIDH et al. 2014, p 4.
21 Burnett 2009.

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3. **Case references** are given in full <u>the first time</u> they are used in footnotes as per the following format (e.g. footnotes 47 & 51 in Example 3):
   [Court], [*CaseName*], [TypeOfJudgment], [Date], [CaseNumber or ICJReportCitation], [para / p] [Page/ParaNumber].

   o After the first reference, cross-references are used for cases. This is done as follows:
   [CaseAbbreviation], above n [OriginalFootnoteNumber], [p / para] [Page/ParaNumber].

- An abbreviation of the case name, usually the defendant's last name, is used for cross-references (e.g. footnotes 47, 48, 49 & 51 in Example 3). If a case is referenced more than once, this abbreviation should be put with the initial case reference as follows:
  [*CaseName*], [TypeOfJudgment], [Date], [CaseNumber or ICJReportCitation], [(*CaseAbbreviation*)]. (e.g. footnote 47 in Example 3).

- Where multiple cases concerning the same defendants are used, add the year of the judgment after the initial abbreviation (e.g. footnotes 47 & 51 in Example 3).

o **Ibid** is used (as described in point 1 above) where the preceding footnote is the same source.

- Where there are multiple references in the preceding text, use the ordinary cross-references (e.g. footnotes 48 & 49 in Example 3).

o Cases are listed in the Reference List at the end of the article.

Example 3

47 ICC, *Prosecutor v Thomas Lubanga Dyilo*, Judgment Pursuant to Article 74 of the Statute, 14 March 2012, Case No. ICC-01/04-01/06-2842 (*Lubanga* 2012), para 536; ICC, *Prosecutor v Germain Katanga*, Jugement rendu en application de l'article 74 du Statut, 7 March 2014, Case No. ICC-01/04-01/07-3436 (*Katanga*), para 1185.

48 *Lubanga* 2012, above n 47, para 536; *Katanga*, above n 47, para 1185. It should also be noted that the *Katanga* Trial Chamber included the necessity of being able to implement IHL as a condition for being sufficiently organised. However, if able to meet other requisite standards, it is the authors' view that a group would also be capable of implementing IHL.

49 *Lubanga* 2012, above n 47, para 538; *Katanga*, above n 47, para 1187.

50 Interview with Kathleen Lawand 2012.

51 *Lubanga* 2012, above n 47, para 538, quoting ICTY, *Prosecutor v. Vlastimir Đorđević*, Public Judgment with Confidential Annex – Volume I of II, 23 February 2011, Case No. IT-05-87/1-T, para 1522. However, see ICC, *Prosecutor v Jean-Pierre Bemba Gombo*, Judgment pursuant to Article 74 of the Statute, 21 March 2016, Case No. ICC-01/05-01/08-3343, (*Bemba* 2016), para 139 where the Court states that "the concept of 'protracted conflict' has not been explicitly defined in the jurisprudence of this Court, but has generally been addressed within the framework of assessing the intensity of the conflict".

52 *Lubanga* 2012, above n 47, para 536. See also *Katanga*, above n 47, para 1186.

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4. **Treaty references** are given in full the first time they are used in footnotes as per the following format (e.g. footnote 1 in Example 4):
   [Title], [Parties (where relevant)], opened for signature [Date], [TreatySeries] (entered into force [Date]), [art / arts] [Article Number].

- After the first reference, cross-references are used for treaties. This is done as follows:

  [TreatyAbbreviation], above n [OriginalFootnoteNumber], [art / arts] [Article Number]. (e.g. footnotes 83-86 in Example 5)

  - An abbreviation of the treaty, usually a shorter version of the treaty's title, is used for cross-references. If a treaty is referenced more than once, this abbreviation should be put with <u>the initial treaty reference</u> as follows:
    [Title], [Parties (where relevant)], opened for signature [Date], [Treaty Series] (entered into force [Date]) [(TreatyAbbreviation)]. (e.g. footnote 1 in Example 4)

- Treaties are listed in the Reference List at the end of the article.

Example 4

¹ The principle of *in bello* proportionality prohibits attacks "which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated". Arts 51(5)(b), 35(2), 57(2)(a)(ii-iii) of Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, opened for signature 12 December 1977, 1125 UNTS 3 (entered into force 7 December 1979) (Additional Protocol 1). The norms incorporating the principle of proportionality in the context of rules of targeting discussed in this chapter are generally accepted as customary law applicable in both International and Non-International armed conflict. *See* Henckaerts and Doswald-Beck 2009, rules 14, 15, 17, 18, 19 and 21. *See also*, Schmitt and Widmar 2014 (arguing that the law of targeting is generally accepted as customary law applicable both in international and non-international armed conflicts).

Example 5

⁸³ For the rule of Military Necessity, *see* Additional Protocol I, above n 1, Art. 52(2). *See also* Dinstein 2009, p 4-5 (describing the principle of military necessity as the driving force of the laws of war).
⁸⁴ Saint Petersburg Declaration, above n 31 ("the only legitimate object which States should endeavor to accomplish during war is to weaken the military forces of the enemy").
⁸⁵ Additional Protocol I, above n 1, Art. 51(4).
⁸⁶ *See e.g.,* Saint Petersburg Declaration, above n 31. |

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5. **References for UN documents** (e.g. UNGA reports, UNSC resolutions or Human Rights Committee reports) are included in the Reference List and then cited in shorthand form (as with books, articles and websites) in footnotes.

   - In the Reference List, UN documents should be cited as follows:
     [UNBody] (Year) [Title of Report or Document], UN Doc. [Number].

- If providing a URL with a UN document, cite as follows: **[UNBody] (Year) [Title of Report or Document], UN Doc. [Number]. [URL]. Accessed [Date].**

- o For footnotes, the reference is as follows:
  [UNBody] [Year], [p / para] [Page/ParaNumber]. (where page or paragraph references are available).

- o **Ibid** is used (as described in point 1 above) where the preceding footnote is the same source.

- o Cross-references are not used.