Foreword

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The Board of Editors is pleased to introduce the first issue of the *Netherlands International Law Review* of this year. This issue contains two regular articles, five thematic articles, nine book reviews and the recurring overview of the case law from the judicial institutions in The Hague.

This issue starts with two regular articles: one by Dr. Dam and one by Dr. Ruwebana and Prof. Brus.

Dr. Dam examines to what extent international law provides a legal basis for the exploitation of natural resources by armed opposition groups. Dr. Ruwebana and Prof. Brus examine whether and to what extent under the existing rules of international law on the prevention of genocide it is possible to hold territorial states responsible for a breach of that obligation before genocide occurs or never occurs.

The five thematic articles are the result of a seminar held at Utrecht University on 13 December 2013 on Shared Responsibility and Organised Non-State Actors. The seminar was jointly organised by the University of Amsterdam (Amsterdam Center for International Law, SHARES Project), Utrecht University (Utrecht Centre for Accountability and Liability Law), Leuven University (Centre for Global Governance Studies), and the International Law Association's Committee on Non-State Actors. The articles—edited by Prof. d'Aspremont, Prof. Nollkaemper, Dr. Plakokefalos, and Prof. Ryngaert (who is also a member of the Board of Editors of the *Netherlands International Law Review*)—examine situations where non-state actors and states may share responsibility for their contribution to harmful outcomes.

The four guest editors set the stage with a conceptual introduction on 'Sharing Responsibility between Non-State Actors and States in International Law'. Their contribution is followed by four articles which discuss whether and to what extent the concept of shared responsibility can be applied to the interactions between states and four specific organized non-state actors: armed opposition groups (Dr. Bilkova), multinational corporations (Dr. Karavias), private military/security corporations

(Dr. McLeod), and terrorists (Dr. Trapp). All authors have reservations regarding the ‘lock, stock, and barrel’ transposition of the *ex post* state responsibility regime to the relations between states and non-state actors, on the grounds that it is unclear whether non-state actors are addressees of primary norms of international law in the first place, and that non-state actors are radically different from states in terms of their organization and legitimacy. In view of these limitations, a turn to an *ex ante* approach to questions of shared responsibility, through standard-setting, is suggested in respect of the activities of a number of non-state actors. Nonetheless, both approaches—*ex post* and *ex ante*—may well be applied simultaneously.

The Board is grateful to all contributors to this first issue of 2015. Their articles provide a fine image of the current international legal scholarship in the field of public international law.

The *NILR*’s next issue will be a Special Issue related to the fall of Srebrenica on 11 July 1995. In order to commemorate this tragedy, the Board of Editors decided to invite a select number of authors to contribute in order to discuss the impact of the fall of Srebrenica on various areas of public and private international law.

The Board of Editors