

EDITOR'S NOTE

The International Legal Studies Journal (ILSJ) is the successor of The World Bulletin, the former journal of the Institute of International Legal Studies (IILS) and the International Studies Institute of the Philippines (ISIP). Since 1985, The World Bulletin has published articles on international law and international relations relevant to the Philippines. Due to institutional changes, The World Bulletin was discontinued. With the growing interest in scholarship on international law and international relations, IILS decided to revive the publication and rebrand it to fit evolving circumstances; hence, the journal was renamed to ILSJ.

Yet, the shift represents far more than a superficial name change. The ILSJ is a peer-reviewed interdisciplinary academic journal featuring articles, commentaries, and notes on issues arising at the intersection of international law and other political, socio-economic, and cultural phenomena. It offers views on developments in international law using a variety of approaches, combining conceptual and theoretical treatment of international law issues with practical grounding. It builds on the interdisciplinary and contextual approach initiated by the World Bulletin materials and captures the breadth of international legal studies by contextualizing recent events in international law through a mix of problematizing international law instruments and reviewing new materials on legal issues.

ILSJ is managed by a Board of Editors who are experts in their respective areas of study in international law. It engages scholars from around the world to analyze international legal developments using theoretical and practical approaches and to provide scholarly inquiry into alternative approaches or strategies for foreign policy and international legal questions. The aim of ILSJ is to be eventually registered and recognized in SCOPUS, the largest bibliographic database of peer-reviewed literature in the social, medical, and technical sciences. For its first issue, the ILSJ provides a diverse selection of articles.

The first article is titled “**Marine Environmental Protection and Cooperation in the South China Sea**” and is written by Prof. Rommel J. Casis. The article argues that states bordering the South China Sea have a mandatory duty under international law to cooperate in protecting its marine environment,

despite unresolved territorial disputes. It identifies the legal basis of this duty based on existing international treaties. The article emphasizes that UNCLOS and other environmental treaties require states to prevent pollution, protect biodiversity, conduct environmental assessments, share scientific data, and prioritize ecological preservation over unilateral exploitation.

The second article, titled **“Case Report: *The Prosecutor v. Charles Ghankay Taylor*: The Treatment of Head of State Immunity under International Criminal Law by the Special Court for Sierra Leone,”** written by Atty. Jamil Sahid Fofanah, examines the landmark case of *The Prosecutor v. Charles Ghankay Taylor* heard by the Special Court for Sierra Leone (SCSL). The article highlights its significance in shifting international criminal law from head-of-state immunity toward individual accountability for serious international crimes. It explains how the ruling reinforced that official status does not shield leaders from prosecution, while also noting ongoing debates over selective justice, sovereignty, enforcement challenges, and transitional justice.

Written by Atty. Justine Kaye O. Solano, the third article titled **“Where Will They Go: A Case Study on the Application of the Non-Refoulement Principle during the COVID-19 Pandemic”** examines the non-refoulement principle during the COVID-19 pandemic. The article examines how Turkey, Germany, and the United States applied the non-refoulement principle during the COVID-19 pandemic. It argues that although states faced legitimate public health and national security concerns, they remained bound by international obligations not to return or reject asylum seekers without due process. The article concludes that each country’s pandemic-era policies created risks or violations of non-refoulement, showing how crises can be used to limit refugee protections.

This maiden issue of ILSJ also features several essays commemorating the 40th anniversary of the EDSA Revolution. In the first essay titled **“Reflections on EDSA and Access Rights in Environmental Law,”** Atty. Cecilia Therese "Niner" Guiao & Atty. Jurella Guiahara D. Santos examined the impact of the EDSA Revolution and how it restructured the Philippines’ legal framework in improving environmental governance, making the state more accountable and participatory in environmental access rights. The essay explains how the 1987 Philippine Constitution expanded environmental access rights after the EDSA Revolution, including rights to information, public participation, and a balanced and healthful ecology. It notes that later laws and court rules reinforced these principles, but

implementation remains weak due to threats against environmental human rights defenders. The essay ultimately calls for stronger environmental justice, climate litigation, and protection of defenders to preserve democratic access rights.

The second essay titled **“Considering ‘People Power’ through the Idea of Revolutions under International Law,”** written by Atty. Ruby Rosselle L. Tugade, looks at the events of EDSA, or the People Power Revolution, through the lens of revolutions under international law. The essay explains how revolutions, though not clearly defined under international law, are often judged through “authorized” modes of political transformation that affect recognition, legitimacy, and self-determination. Using the People Power Revolution as an example, it argues that international and domestic legal frameworks can validate peaceful regime change while also narrowing acceptable forms of revolutionary struggle by criminalizing other methods as terrorism or violence.

Lastly, the third essay written by Atty. Samantha Tirthdas van der Kleij titled **“The Good, The Bad, and The Ugly: Myths and Realities of Philippine Trade during the Marcos Regime”** examines the economic and trade policies and timeline of the Marcos Sr. regime through the lens of international trade law. The essay argues that the Marcos Sr. regime’s trade and industrial policies failed to produce meaningful economic progress despite claims of “golden years.” It highlights persistent protectionism, selective reforms, favoritism toward capital-intensive industries and family-linked conglomerates, and debt-driven policies that weakened the economy, burdened the Philippines with massive debt, and showed how politics can distort trade policy with lasting consequences.

The inaugural issue of ILSJ would not have been possible without the hard work of many colleagues in IILS, in particular, Associate Editor Ruby Rosselle L. Tugade and IILS Senior Research Associate Chloe Cheyne Wu.

The other members of the editorial team include Patricia Isabel G. Arago (Layout and Copyediting), John Paolo V. Cabrera (Copyediting, Proofreading, and Source Checking), Aira Lynn M. Cunanan (Copyediting, Proofreading, and Source Checking) Maria Franchesca Louise P. Fajemolin (Research Support), Mackie N. Valenzuela (Cover Design and Art) and Elma Patrisha Latayan (Layout, Administration, and Author Coordination).