

University of Miami International and Comparative Law Review

Volume 28
Issue 2 *Spring 2021*

Article 1

5-21-2021

Front Matter and Table of Contents

Follow this and additional works at: <https://repository.law.miami.edu/umiclr>



Part of the [Comparative and Foreign Law Commons](#)

Recommended Citation

Front Matter and Table of Contents, 28 U. Miami Int'l & Comp. L. Rev. Iss. 2 (2021)

Available at: <https://repository.law.miami.edu/umiclr/vol28/iss2/1>

This Prefatory Matter is brought to you for free and open access by the Journals at University of Miami School of Law Institutional Repository. It has been accepted for inclusion in University of Miami International and Comparative Law Review by an authorized editor of University of Miami School of Law Institutional Repository. For more information, please contact library@law.miami.edu.

UNIVERSITY OF MIAMI
INTERNATIONAL AND COMPARATIVE LAW REVIEW

VOLUME 28 ISSUE 2 SPRING 2021

ARTICLES

- I. THE ISTANBUL CONVENTION'S EVIDENTIARY REQUIREMENTS IN THE LIGHT OF LAWS ON SELF-DEFENCE AND MITIGATING CRIMINAL RESPONSIBILITY209
Alexandra Molitorisová and Ciarán Burke
- II. ETHICAL CONSIDERATIONS IN FINANCIAL (TAX) AND NON-FINANCIAL CORPORATE HUMAN RIGHTS REPORTING.....267
Ilias Bantekas and Alexander Ezenagu
- III. BAD ROLE MODELS? AMERICAN INFLUENCE ON ISRAELI CRIMINAL JUSTICE POLICY.....309
Hadar Aviram
- IV. ADDRESSING VACCINATION HESITANCY.....375
Savannah Young
- V. CIRCUMSCRIBING THE RIGHT TO BEAR ARMS: THE SECOND AMENDMENT, GUN VIOLENCE, AND GUN CONTROL IN CALIFORNIA AND MISSISSIPPI.....405
Fahim A. Gulamali
- VI. A TALE OF TWO SYSTEMS: A COMPARATIVE ANALYSIS OF SCOTLAND'S COMMUNITY-BASED JUVENILE JUSTICE AND AMERICA'S PROSECUTORIAL DISCRETION LAWS.....437
Tiffany Hornback
- VII. INDIA'S CITIZENSHIP AMENDMENT ACT VIOLATES INTERNATIONAL HUMAN RIGHTS.....463
Talia Lewis
- VIII. INDIA'S REMOVAL OF KASHMIR'S SPECIAL PROTECTION STATUS: AN INTERNATIONAL WRONGFUL ACT?.....493
Gita Howard

The University of Miami School of Law

The *University of Miami International and Comparative Law Review* welcomes submission of articles of substantial legal merit and creativity authored by scholars and practitioners of private and public international law. The *University of Miami International and Comparative Law Review* was founded in 1991 and publishes twice a year by students at the University of Miami School of Law.

It is the policy of the University of Miami that no person within the jurisdiction thereof shall, on the basis of race, religion, color, sex, age, disability, sexual orientation, gender identity or expression, veteran status, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination or harassment (including all forms of sexual harassment and sexual violence) under any program or activity of the University, regardless of whether such program or activity occurs on campus or off campus.

The *University of Miami International and Comparative Law Review* is available on Westlaw, Lexis, Hein Online, the University of Miami Institutional Repository website at <http://repository.law.miami.edu/umiclr/>, as well as on our organizational website at <http://international-and-comparative-law-review.law.miami.edu>.

SUBMISSIONS: *University of Miami International and Comparative Law Review* invites the submission of unsolicited manuscripts and comments. All manuscripts should conform to the style set forth in the 20th Edition of *The Bluebook: A Uniform System of Citation*. Authors seeking publication in the *University of Miami International and Comparative Law Review* should submit manuscripts in Microsoft Word format electronically to umiclr@law.miami.edu or as otherwise provided at <http://international-and-comparative-law-review.law.miami.edu/submissions/>.

Although the *University of Miami International and Comparative Law Review* generally gives great deference to an author's work, the *Review* retains the right to determine the final published form of every article. Articles should have footnotes with citations that should conform to the 20th Edition of *The Bluebook: A Uniform System of Citation*. The *Review* assumes no responsibility for the return of any material. All articles represent the opinions of the noted authors and do not necessarily reflect the opinion of the editorial board.

COPYRIGHT: The copyright in the Journal shall be owned by the University of Miami as a collective work pursuant to the Copyright Act, 17 U.S.C. §§101 and 103 (b). The copyright in the Work shall be owned by the Author pursuant to the Copyright Act, 17 U.S.C. § 201 (c). This issue may be reproduced and distributed, in whole or in part, by nonprofit institutions for educational purposes, including distribution to students, provided that the copies are distributed at or below cost and that those copies identify the Author(s), the University of Miami International and Comparative Law Review, the volume, the number of the first page, and the year of publication.

Please address all editorial correspondence to:

University of Miami School of Law
UM International & Comparative Law Review
P.O. Box 248087
Coral Gables, Florida 33124
umiclr@law.miami.edu

UNIVERSITY OF MIAMI SCHOOL OF LAW

ADMINISTRATION

Julio Frenk, M.D., M.P.H., Ph.D., *President of the University*
Jeffrey Duerk, B.S., M.S., Ph.D., *Provost & Executive Vice President*
Anthony E. Varona, A.B., J.D., LL.M., *Dean & M. Minnette Massey Professor of Law*
Caroline M. Bradley, B.A. (Hons), LL.M., *Dean's Distinguished Scholar & Professor of Law and Associate Dean for International and Graduate Programs*
James M. Bond, B.A., M.A., *Associate Dean, Finance and Budget*
Andrew B. Dawson, B.A., J.D., *Vice Dean for Academic Affairs, Judge A. Jay Cristol Chair in Bankruptcy Law & Professor of Law*
Osamudia R. James, B.A., J.D., LL.M., *Dean's Distinguished Scholar & Associate Dean for Diversity, Equity, and Community & Professor of Law*
Lili Levi, A.B., J.D., *Vice Dean for Intellectual Life, Dean's Distinguished Scholar & Professor of Law*
Janet E. Stearns, B.A., J.D., *Dean of Students & Lecturer in Law*
Michael Chiorazzi, B.A., M.L.L., J.D., *Associate Dean for Information Services; Dean's Distinguished Director, Law Library and Lecturer in Law*
Katrin Hussmann Schroll, B.A., J.D., *Associate Dean for Admissions & Enrollment Management*
Greg Levy, B.A., J.D., *Associate Dean Law Academic & Student Services and Strategic Initiatives; Director, Entertainment, Arts and Sports Law LL.M.*
Raquel M. Matas, B.A., J.D., *Associate Dean for Administration & Counsel to the Dean*
Kele Stewart, B.S., J.D., *Associate Dean, Experiential Learning; Co-Director, Children and Youth Law Clinic; & Professor of Law*
Georgina Angones, B.A., *Assistant Dean, Law Development & Alumni Relations*
Marcelyn Cox, B.A., J.D., *Assistant Dean, Career Development Office*
Marni B. Lennon, B.A., Ms.Ed., J.D., *Assistant Dean, Public Interest & Pro Bono; Director, HOPE Public Interest Resource Center & Lecturer in Law*
Carmen Perez-Llorca, J.D., LL.M., *Assistant Dean for International and Graduate Programs; Director, International Graduate Law Programs & Lecturer in Law*
William P. VanderWyden, III, B.A., M.Ed., J.D., *Assistant Dean, Professional Development*

FACULTY

Anthony V. Alfieri, A.B., J.D., *Dean's Distinguished Scholar; Professor of Law & Director, Center for Ethics & Public Service*
Bianca Anderson, B.A., M.L.I.S., J.D., *Librarian Associate Professor and Reference Librarian (Foreign/International Law) & Lecturer in Law*
Paula Arias, J.D., *Director, International Moot Court Program & Lecturer in Law*
Jill Barton, B.J., B.A., M.S., J.D., *Director, Legal Communication and Research Skills Program and Professor of Legal Writing & Lecturer in Law*
Ricardo J. Bascuas, B.A., J.D., *Professor of Law*
Caroline Bettinger-López, B.A., J.D., *Professor of Law & Director, Human Rights Clinic*
William S. Blatt, A.B., J.D., *Professor of Law*
William W. Bratton, B.A., J.D., *de la Cruz Mentschikoff Chair in Law and Economics & Senior Lecturer*
Patricia A. Brown, B.S.F.S., J.D., *Director, Graduate Program in Taxation and Lecturer in Law*

Glenn R. Butterton, A.B., M.A., Ph.D., J.D., *Lecturer in Law*
Sergio J. Campos, A.B., J.D., *Professor of Law*
Kathleen Claussen, B.A., M.A., J.D., *Associate Professor of Law*
Donna K. Coker, B.S.W., M.S.W., J.D., *Dean's Distinguished Scholar & Professor of Law*
Charlton Copeland, B.A., M.A.R., J.D., *Dean's Distinguished Scholar & Professor of Law*
Caroline Mala Corbin, B.A., J.D., *Dean's Distinguished Scholar & Professor of Law*
R. Denisse Córdova Montes, B.A. M.P.H., J.D., *Acting Associate Director, Human Rights Clinic & Lecturer in Law*
Christine Anne Darias Daniels, B.A., J.D., *Visiting Professor of Legal Writing & Lecturer in Law*
Michele DeStefano, B.A., J.D., *Professor of Law & Director, LawWithoutWalls*
Mónica Alexandra Durán, B.A., Ph.D., *Lecturer in Law*
Scott A. Eichhorn, B.S., J.D., *Practitioner in Residence & Supervising Attorney, Investor Rights Clinic*
Andrew Elmore, B.A., J.D., *Associate Professor of Law*
Tamar Ezer, B.A., J.D., LL.M., *Acting Director, Human Rights Clinic and Lecturer in Law*
Marc A. Fajer, A.B., J.D., *Professor of Law*
Zanita E. Fenton, A.B., J.D., *Professor of Law*
Harold A. Flegelman, B.A., J.D., *Director, Graduate Program in Entertainment, Arts and Sports Law; Director, Entertainment Law Track & Lecturer in Law*
Abigail Leigh Fleming, B.A., J.D., *Fredman Foundation Environmental Justice Clinic, Practitioner-in-Residence and Lecturer in Law*
Mary Anne Franks, B.A., M.Phil., Ph.D., J.D., *Dean's Distinguished Scholar & Professor of Law*
Sandra Friedrich, J.D., LL.M., *Director, White & Case International Arbitration LL.M. Graduate Program & Lecturer in Law*
Christina M. Frohock, B.A., M.A., J.D., *Professor of Legal Writing & Lecturer in Law*
A. Michael Froomkin, B.A., M.Phil., J.D., *Laurie Silvers and Mitchell Rubenstein Distinguished Professor of Law*
Patrick O. Gudridge, A.B., J.D., *Professor of Law and Dean's*
Susan Haack, B.A., M.A., B.Phil., Ph.D., *Distinguished Professor in the Humanities, Cooper Senior Scholar in Arts and Sciences, Professor of Philosophy & Professor of Law*
Stephen K. Halpert, A.B., J.D., *Professor of Law*
Frances R. Hill, B.A., M.A., Ph.D., J.D., LL.M., *Dean's Distinguished Scholar for the Profession & Professor of Law*
Elizabeth M. Iglesias, B.A., J.D., *Professor of Law*
Jan L. Jacobowitz, B.S., J.D., *Director, Professional Responsibility and Ethics Program & Lecturer in Law*
D. Marvin Jones, B.S., J.D., *Professor of Law*
Zubin Munafbhai Kapadia, B.A., J.D., LL.M., *Mysun Foundation Fellow*
Stanley I. Langbein, A.B., J.D., *Professor of Law*
Robert Latham, B.A., B.A., J.D., *Clinical Instructor & Practitioner-in-Residence, Children & Youth Law Clinic & Lecturer in Law*
Tamara Rice Lave, B.A., M.A., Ph.D., J.D., *Professor of Law*
Romy Lerner, B.A., J.D., *Associate Director, Immigration Clinic & Lecturer in Law*
Pam Lucken, B.S., M.L.S., J.D., *Head of Reference, Law Library & Lecturer in Law*
Martha R. Mahoney, B.A., M.A., J.D., *Dean's Distinguished Scholar & Professor of Law*
Nicholas Mignanelli, B.A., M.L.I.S., J.D., *Librarian Assistant Professor, Reference Librarian (Instructional Services) & Lecturer in Law*

John M. Newman, B.A., J.D., *Associate Professor of Law*
JoNel Newman, B.A., J.D., *Director, Health Rights Clinic & Professor of Law*
Jessica Owley, B.A. MLA, M.S., J.D., Ph.D., *Faculty Director for the Environmental Law Program & Professor of Law*
Bernard H. Oxman, A.B., J.D., *Richard A. Hausler Endowed Chair & Professor of Law*
Kunal Parker, A.B., M.A., J.D., Ph.D., *Dean's Distinguished Scholar & Professor of Law*
Shara Kobetz Pelz, B.A., J.D., *Professor of Legal Writing & Lecturer in Law*
Bernard P. Perlmutter, B.A., J.D., *Co-Director, Children and Youth Law Clinic & Professor of Law*
Ileana Porras, B.A., M.Phil., J.D., *Senior Lecturer*
Alejandro Portes, B.A., M.A., Ph.D., *Professor of Sociology & Professor of Law*
Daniel B. Ravicher, B.S.C.E., J.D., *Director, Startup Practicum & Lecturer in Law*
Rodney P. Rawls, B.S., J.D., LL.M., *Associate Director, Academic Achievement Program & Lecturer in Law*
Jarrod F. Reich, B.A., J.D., *Professor of Legal Writing & Lecturer in Law*
Thomas A. Robinson, B.S., J.D., B.Litt., *Professor of Law*
Scott L. Rogers, B.S., M.S., J.D., *Director, Mindfulness in Law Program & Lecturer in Law*
Robert E. Rosen, A.B., M.A., J.D., Ph.D., *Professor of Law*
Pablo Rueda-Saiz, Ph.D., M.A. J.D., *Associate Professor of Law*
Andres Sawicki, S.B., J.D., *Professor of Law*
Robin Schard, B.A., M.L.S., J.D., *Associate Director, Law Library & Lecturer in Law*
Gabriel Scheffler, A.B., J.D., *Associate Professor of Law*
Alex Schimel, B.F.A., J.D., *Associate Director, Academic Achievement Program & Lecturer in Law*
K. Renee Schimkat, B.A., J.D., *Professor of Legal Writing & Lecturer in Law*
Stephen J. Schnably, A.B., J.D., *Professor of Law*
Rebecca Sharpless, B.A., M.Phil., J.D., *Director, Immigration Clinic & Professor of Law*
Sarah C. Slinger, B.A., M.L.I.S., J.D., *Librarian Assistant Professor & Reference Librarian & Lecturer in Law*
Irwin P. Stotzky, B.A., J.D., *Professor of Law*
Scott E. Sundby, B.A., J.D., *Dean's Distinguished Scholar & Professor of Law*
Melissa Gibson Swain, B.A., J.D., *Associate Director, Health Rights Clinic & Clinical Instructor, Health Rights Clinic*
Jessi Tamayo, B.A., J.D., *Director, Externships Program, Miami Street Law Program & Lecturer in Law*
Annette Torres, B.A., M.B.A., J.D., *Professor of Legal Writing & Lecturer in Law*
Craig J. Trocino, B.A., J.D., *Director, Innocence Clinic & Lecturer in Law*
Stephen K. Urice, B.A., Ph.D., J.D., *Dean's Distinguished Scholar & Professor of Law & Director, Arts Law Track-Graduate Program in Entertainment, Arts and Sports Law LL.M.*
Francisco Valdes, B.A., J.D., J.S.M., J.S.D., *Professor of Law & Dean's Distinguished Scholar*
Teresa J. Verges, B.A. J.D., *Director, Investor Rights Clinic & Lecturer in Law*
Marcia Narine Weldon, B.S., J.D., *Professor of Legal Writing & Lecturer in Law*
Patricia D. White, B.A., M.A., J.D., *Professor of Law, Dean Emerita, and Co-Director, Sports Law Track-Graduate Program in Entertainment, Arts and Sports Law LL.M.*
William H. Widen, A.B., J.D., *Professor of Law*
Cheryl E. Zuckerman, B.A., J.D., *Professor of Legal Writing & Lecturer in Law* ▲

EMERITI

David Abraham, B.A., J.D., *Professor of Law Emeritus*

Terence J. Anderson, B.A., J.D., *Professor of Law Emeritus*

Kenneth M. Casebeer, A.B., J.D., *Professor of Law Emeritus*

Stephen M. Diamond, J.D., *Professor of Law Emeritus*

Michael H. Graham, B.S.E., J.D., *Dean's Distinguished Scholar for the Profession Emeritus, Professor of Law Emeritus*

Dennis O. Lynch, B.A., J.D., J.S.D., LL.M., *Dean Emeritus & Professor of Law Emeritus*

Elliott Manning, A.B., J.D., *Professor of Law Emeritus*

George Mundstock, B.A., J.D., *Professor of Law Emeritus*

James W. Nickel, B.A., Ph.D., *Professor of Law Emeritus*

Jan Paulsson, A.B., J.D., *Michael Klein Distinguished Scholar Chair Emeritus*

Laurence M. Rose, B.A., J.D., *Professor of Law Emeritus & Director, Litigation Skills Program*

Keith S. Rosenn, B.A., LL.B., *Professor of Law Emeritus*

Edgardo Rotman, LL.M., Ph.D., LL.B., J.D., *Senior Lecturer in International & Comparative Law Emeritus*

Richard L. Williamson, Jr., A.B., M.A., J.D., *Professor of Law Emeritus*

Sally H. Wise, B.A., J.D., M.LL., *Professor of Law Emerita & Director, Law Library Emerita*