MAX PLANCK YEARBOOK OF UNITED NATIONS LAW

WRITING GUIDE FOR AUTHORS

Note

Thank you for your interest in contributing to the Max Planck Yearbook of United Nations Law (UNYB)!

The following guidelines for writing an academic article have been curated specifically based on the nature and style of accepted articles that have been featured in the UNYB in previous years. Kindly note that the guidelines are merely suggestive for the benefit of authors, and are not compulsorily instructive for the guarantee of acceptance of a submission to the UNYB. The suggestions below are in no way compulsory or exhaustive. The editorial team at UNYB hopes that these guidelines will serve to the benefit of aspiring contributors and bolster the overall quality of their submitted work in pursuance of an eventual publication in the UNYB.

Table of Contents

1. Title, Abstract, Keywords

The title of the study is one of the most striking parts of the article. It should be precise, direct, informative, and interesting. Each article must start with an abstract of 150–250 words, and 4–8 keywords. Articles submitted to the UNYB are typically between 8,000–14,000 words. Consider writing the final abstract and keywords after the article is completely written.

Abstract

A strong abstract expresses the essence of the article, and influences readers to determine whether to read it or not. The abstract typically includes:

◇ A clear, legal research question
◇ The intended line of arguments to be furthered in the article
◇ A brief summary/road-map of the various points of discussion that will be found in the full paper
◇ The research methodology and tools used in the article

When drafting an article for the UNYB, authors are advised to consider the topical relevance of their research and the fit of the abstract within the Yearbook. Why choose to write on a particular topic and submit it to the UNYB? The UNYB is primarily a doctrinal, legal publication, and abstracts submitted to it should relate to that field.

Abstracts typically do not contain references, and often avoid the use of statements like 'I will demonstrate…' 'this article will examine…', though assertive statements are appropriate in an abstract if the same tonality of language is used throughout the article.

Keywords

There must be 4–8 keywords for an article, which should be words/terms that are the most relevant to the article. They should be selected by considering which words a targeted reader may search for to find such an article. Keywords must be as specific as possible to identify the main issues in the article. Keywords are essential to map the article within the broader scholarship on that subject matter.

Sample Abstracts

Consider the following abstract by Gerd Oberleitner in Volume 25 of the Yearbook.[1]

The creation of the United Nations (UN) in 1945 and the adoption of the Geneva Conventions of 1949 coincide but the relationship between the UN and international humanitarian law (IHL) remains uneasy. While the UN initially refrained from engaging with international humanitarian law, it contributed to making international humanitarian law more humanitarian through the development of human rights standards and their influence on international humanitarian law. The UN's peacekeeping operations continue to face challenges in applying IHL while preserving the impartial nature of peacekeeping, while the Security Council (primarily through its Protection of Civilians agenda) as well as UN human rights bodies have over the past decades become tools for monitoring and ensuring respect for international humanitarian law and investigating violations of it. The article examines how the UN has over the past 75 years developed, affirmed, investigated, respected, monitored, enforced, and adjudicated international humanitarian law, and analyses the challenges the UN has encountered in doing so.

indicates a clear, legal puzzle to address

indicates the intended argument of the article

Consider the following abstract by Rosana Garciandia and Philippa Webb in Volume 25 of the Yearbook.[2]

In 1997, the Commission on Human Rights and the United Nations General Assembly decided to convene the third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa. All the major United Nations treaties protecting individuals from racial discrimination had been adopted prior to 1997 and the mandate of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance had been created in 1993. But the Durban Conference, symbolically held in post-apartheid South Africa, generated new momentum for these political and legal commitments against racial discrimination. This chapter presents an overview of the United Nations mechanisms and initiatives tackling racial discrimination and the thematic developments since 1997. In light of contemporary challenges posed by the use of technology and pandemics, and reflecting on the intersectional nature of discrimination, it concludes with reflections on the strengths and weaknesses of the United Nations response to racial discrimination. The chapter identifies areas for further attention, including racial profiling in law enforcement and border security, racism in sport, and the deepening inequalities caused by global emergencies.

indicates methodology

indicates the intended argument of the article

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[1] G. Oberleitner,'The United Nations and International Humanitarian Law: The Past 75 Years' (2022) 25 Max Planck Yearbook of United Nations Law, available at <https://brill.com/view/journals/mpyo/aop/article-10.1163-18757413_02501009/article-10.1163-18757413_02501009.xml>.

[2] R. Garciandia and P. Webb, 'The UN's Work on Racial Discrimination: Achievements and Challenges' (2022) 25 Max Planck Yearbook of United Nations Law, available at <https://brill.com/view/journals/mpyo/aop/article-10.1163-18757413_02501020/article-10.1163-18757413_02501020.xml>.

2. Introduction

checklist

Background Information ☐

Research Question ☐

Thesis Statement / Main Argument ☐

Roadmap Paragraph ☐

quick tips

◇ make readers invested in the issue addressed in the article

◇ include an implicit or explicit research problem/question

◇ describe the article's main argument, thesis, approach and/or aim

◇ the last paragraph of the introduction must guide readers through the structure of the article (a roadmap paragraph)

Background Information

The opening paragraph(s) of the introduction should contain relevant background information. The information presented should engage readers and make them invested in the issue being addressed. Some information that might be included is:

◇ An anecdote/event relevant to the issue at hand

◇ Introduction of actors, organizations, agreements, or terms relevant to the article

◇ Establishment of the definitional foundations and scope of the article

◇ Engagement with prior literature on the topic

◇ Description of the timeliness and/or importance of the issue being addressed.

◇ The author's motivations and the significance of the research

◇ Research methodology

Depending on the length of the introduction, some background information may be provided before introducing the main research question and thesis, and some may follow the main question and thesis. Typically, if the introduction is long, information on prior literature, the significance of the research, author's motivations and methodology may be written after introducing the research question and argument.

Research Question

Each article should address a clear, legal research question or puzzle. The introduction of the article should articulate this question clearly and make readers curious and invested in the problem that the author identifies. The significance of the research question/problem can be illustrated in different ways, for example, (1) by identifying gaps in current literature on the issue (2) by describing the historical importance/timeliness of a particular problem, and/or (3) by describing the importance of answering/addressing the issue. The research question typically appears early on in the introduction, within the first 2–4 paragraphs.

In the following example, the author establishes the main research question explicitly, and makes the reader invested by describing (1) the timeliness of the issue at hand (2) the international attention the issue has gained and (3) the difficulty of resolving the issue. The example comes from Kirsten Schmalenbach's account of the Islamic State group's (IS) role in the theft of cultural heritage. Note that the extract below, including the research question (in blue), appears in the second paragraph of the article's introduction. The research question is followed, in the next paragraph, by the main aim/argument of the article.

> Given the ideological fervour seen in both IS's rhetoric and actions, it appears duplicitous that the destructive campaign consists not only of the physical havoc of antiquities but also of the looting and selling of these objects on the black market to finance their military operations in the region. The 9th century BC grand palace of the Assyrian King Ashurnasirpal II at Kalhu, the artefacts of which were broken up, sold piecemeal and recovered in various European cities, is but one example of the large-scale sell off conducted by is with the help of mafia-style artefact networks and States that turn a blind eye to such profitable cross border activities. This then begs the question, what is the international community's response to this appalling situation? The fact that not only members of society (inside and outside IS territory) along with academia, States and International Organizations beyond UNESCO are aware of the need and seemingly willing to take concerted action rates as one of the few good news items in the area of cultural heritage protection. The political exhortations and actions recently taken on the universal, regional and domestic level are numerous, diverse and of varying practical impact. Even so, there is no denying that the protection of cultural property is especially challenging in areas afflicted by both poverty and widespread lawlessness. If we add to this IS's ideological contempt for and repudiation of 'western' styled common values, individual rights, accountable governance and the secular rule of law (including international norms), the situation seems intractable.
>
> This article examines the international response to ideological warfare against cultural property with a specific focus on the deliberate destruction of artefacts and their trafficking conducted by IS and persons associated with it.[3]

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[3] K. Schmalenbach, 'Ideological Warfare against Cultural Property: UN Strategies and Dilemmas' in F. Lachenmann, T. Röder and R. Wolfrum (eds), *Max Planck Yearbook of United Nations Law vol. 19* (Brill Nijhoff 2015) 3, at 5; permission for the use of the quoted text has been granted by the contributor.

Thesis Statement / Main Argument

The introduction of an article typically contains an explicit statement describing the author's main thesis or intended arguments to be developed in the full article (moving forward, this guide uses the terms 'thesis statement(s)' and 'main argument(s)' interchangeably). Usually, this thesis statement appears early in the introduction, after a brief introduction to the topic and the description of the research question or problem being addressed. The main argument may also be posed as the aim of the article. Generally, a research question and thesis statement are related, but distinct: the research question sets up a problem to be solved or addressed, and the thesis statement describes how the article answers that question or addresses the problem established by the research question.

There is flexibility in how the research question and thesis statement/main argument are posed. Depending on the author's writing style, the research question and main argument may be articulated explicitly or implicitly. As general guidance, however, the introduction of an article should describe an analytical puzzle to the reader, making it clear what is the main area of interest or problem that the article is addressing. Further, the introduction should explain the role of the article in question, that is, either its aims or the answer it poses to the analytical puzzle.

In the following example, the author introduces the article's main argument (in blue) in the second paragraph of the introduction; the argument is introduced with the signposting 'this paper intends to'.

> During the last century, international organizations have developed from humble facilitators of global cooperation into strong actors in their own right. However, their emergence as autonomous participants in the international arena has naturally raised the question of their accountability, a matter that has not yet found an easy solution. Autonomy and accountability act largely in opposite directions: accountability is justified by the need to constrain the autonomous exercise of an organization's tasks and duties. Given this unresolved dichotomy, the meaning and role of these two terms appear to move between the analytical and the programmatic.
>
> This paper intends to explore this tension within the United Nations (UN) with a focus on one specific manifestation: the UN international responsibility in the context of peacekeeping operations. In particular, the case study is represented by the recent failure of the UN in the Central African Republic (CAR) to prevent and respond to crimes of sexual exploitation and/or abuse (SEA) committed by UN peacekeepers (the 'CAR Case'). [4]

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[4] G. Le Moli, 'Autonomy and Accountability of the UN in Peacekeeping Operations: The Case of the Central African in A. Frowein and R. Wolfrum (eds), *Max Planck Yearbook of United Nations Law vol. 20* (Brill Nijhoff 2016) 213, at 213–214.

In the following example, the author describes the main argument/aim of the article after stating the problem the article is addressing. The main research query of the article is signposted by 'the issue addresses…' and the main aim is signposted by 'to answer this question, this article will…' Note that, in this case, the problem the article is addressing is written as a statement not a question, though it functions in the same way as what this guide refers to as the 'research question'.

> The issue addressed in this article is whether and to what extent the gravity threshold in the Rome Statute serves its purpose in determining case admissibility to the ICC. To answer this question, the article will analyse the problems and pitfalls inherent in the concept and drafting of the threshold. These problems include, (1) the lack of a definition for the term 'gravity' and the difficulty of drafting a definition, (2) the problems associated with using the threshold as a justification for choosing some cases over others, (3) the overlap with the ICC's subject matter jurisdiction and (4) the loose justiciability of the Prosecutor's discretion in case selection. The article will proceed to suggest possible solutions to these problems.[5]

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5 G. Popalzai and H. Thobani, 'The Complexities of the Gravity Threshold in the International Criminal Court: A Practical Necessity or an Insidious Pitfall?' in A. Frowein and R. Wolfrum (eds), *Max Planck Yearbook of United Nations Law vol. 20* (Brill Nijhoff 2016) 150, at 152.

Roadmap Paragraph

The last paragraph of an article's introduction should guide the reader through the structure of the rest of the paper. It thus functions something like a Table of Contents for the article. This paragraph should explicitly state the subsequent 'moves' of the article. Consider some examples below, with the key signposts indicating a roadmap paragraph in blue:

> The next section will provide an overview on the CRPD and its core features. Subsequently, the third section will explore and critically assess the notion of non-discrimination with emphasis on the material scope of protection, the principle of reasonable accommodation, and the intersectionality of disability and gender. The final section will draw a conclusion, summarizing the findings and defining challenges to the UN human rights system that lie ahead. [6]

> The article will discuss this case in four parts, first by examining the events occurred in the CAR and the role and failings of the UN in its response to them (Part II). It will then analyse the legal framework of the afore-mentioned dichotomy by discussing the meaning of autonomy of international organizations, its limitations and difficulties in the field of international responsibility (Part III). The article then considers issues of attribution of conducts to the UN or to individual States, outlining the role of immunity and discussing the main challenges to accountability (Part IV). Lastly, it advances possible solutions to develop mechanisms to redress accountability deficits (Part V).[7]

It is usually easier to finalize the roadmap paragraph after the rest of the article has been written and edited, so that it can closely follow the structure of the overall paper.

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[6] W. Ringel, 'Non-discrimination, Accommodation, and Intersectionality under the CRPD: New Trends and Challenges for the UN Human Rights System' in A. Frowein and R. Wolfrum (eds), *Max Planck Yearbook of United Nations Law vol. 20* (Brill Nijhoff 2016), at 100.

[7] G. Le Moli, 'Autonomy and Accountability of the UN in Peacekeeping Operations: The Case of the Central African Republic', at 214.

Sample Introduction

Below is an example of an introduction that brings together the different ideas detailed in this guide.[8]

Whereas civilian police personnel have formed part of United Nations (UN) field missions since 1960, formed police units (FPUs) have been utilized for less than two decades.[1] Today, FPU officers – amounting to about seventy percent of all police personnel currently deployed by the UN[2] – constitute one of the largest personnel categories (next only to military members of national contingents (MMsNCs) and to local civilian personnel) in UN peacekeeping operations.[3]

In introducing formed police units in the UN (peacekeeping) system, existing personnel categories were apparently taken as examples, and legal arrangements applicable to those were followed to the extent feasible and justified by the characteristics of FPU officers and by the nature of their functions. However, members of FPUs constitute a Janus-faced group, resembling in significant respects two distinct personnel categories employed in UN peacekeeping operations: experts on mission and MMsNCs. They are UN civilian police (CIVPOL) officers. Accordingly, their overall status is similar to that of individually seconded UN (civilian) police personnel (individual police officers or IPOs) who are unanimously recognized to have the status of experts on mission for the United Nations. However, FPUs' mandate – while in essence similar to the traditional CIVPOL tasks – may involve the use of firearms and executive functions usually preserved for military personnel. In addition, the manner and structure wherein they are contributed to the UN resembles the contribution of military contingents by Member States.[4] However, the status, immunities and criminal accountability of IPOs differ significantly from the relevant rules applicable to MMsNCs.[5] For *inter alia* these reasons, (the optimal regulation of) the status of members of FPUs and the extent and holders of criminal and disciplinary authority over them have been subjects of protracted debate.

background information introducing issue

In spite of such controversies and of the fact that FPUs have become a central factor in UN peacekeeping, legal scholarship has shown very little interest in (members of) formed police units and in particular in their status, immunities and criminal accountability.[6] In contrast, these issues have been contentious for over a decade between troop and police contributing countries (TCCs and PCCs) (members of the UN General Assembly's Special Committee on Peacekeeping Operations (C-34)[7]) and the UN (Secretariat). The position of the main actors was clear from the beginning: the UN considered FPU officers, like other CIVPOL personnel, as experts on mission for the Organization, protected by immunities *ratione materiae* but in certain cases subject to host State criminal jurisdiction. In contrast, the C-34 emphasized similarities with MMsNCs and insisted on granting PCCs exclusive criminal jurisdiction over FPU officers (and in fact over CIVPOL personnel in general).

This struggle resulted in some significant changes, and the official position moved back and forth. In addition, information published and legal documents and reports adopted by various UN organs and bodies have not always

background information referring to prior scholarship, presenting importance/debatability of the issue

been up-to-date or accurate in terms of their position on these issues.[8] As a result, a quick review of existing UN materials may blur the already unclear picture even further. The effect: uncertainty and ambiguity, to the extent that in the past over a decade it may at times have proven somewhat of a challenge to come to a correct conclusion regarding the legal status and criminal accountability of FPU officers.[9]

However, these issues are not inconsequential: not only do FPU officers constitute a considerable share of all UN field personnel (with over 10,000 individuals!),[10] they are also implicated in a significant percentage of recent accusations of sexual exploitation and abuse (SEA)[11] allegedly involving UN mission personnel.[12] In addition, these issues gain further importance now, at a moment when exclusive TCC criminal jurisdiction over MMsNCs becomes drawn into question even in UN circles.[13] For these reasons, this article aims to clarify the current status of members of FPUs as well as the rules governing their criminal accountability and to assess the likelihood of change. To provide for a better understanding of the presently unambiguous legal situation, we will approach these issues through the looking glass of the developments that have led to the current *status quo*.

◇ further explication of the importance of the topic/study
◇ clear statement of the aims of the article
◇ description of the author's approach and methodology

The study will start out with a short description of UN (civilian) police and FPUs, paying attention to their origins, tasks and main characteristics. Next, it will provide a brief overview of the original rules concerning the legal status, privileges and immunities, and criminal accountability of CIVPOL (experts on mission for the UN), MMsNCs and FPU officers in broad lines. The main body of the article examines the struggle between the C-34 and the UN (Secretariat), both sturdy in their respective views and sentiments. Through presenting both positions and relevant developments, the author offers gradually to clarify the central issues of this study: the status and criminal accountability of FPU officers. The last substantive section addresses the likelihood that the current *status quo* represents a final solution. The article concludes with a summary of the findings and presents some lessons learned and implications for the criminal accountability of MMsNCs.

roadmap paragraph

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3. Main Body of the Article

checklist

Subsection Organization ☐
Paragraph-Level Clarity ☐
Cohesiveness: Argument Flow, Transitions, Bridging Sentences ☐
Sentence-Level Clarity ☐

quick tips

◇ ensure *every* paragraph contributes to the overall argument of the article
◇ add transitions and bridging sentences between paragraphs and especially between sections
◇ ensure every paragraph has a topic sentence and conveys a *single* argument
◇ flag long sentences, read them aloud to check for clarity, split into shorter sentences if necessary.
◇ before submission, ask a peer to read through your article for feedback on substantive and stylistic clarity

Subsection Organization

Typically, subsections of an article are determined during the planning/outline phase of writing an article. The number and length of subsections vary depending on the argument presented. Each new subsection should represent a new step in the author's argument, or present information on a different part or theme of the argument. A good article should hold the thread of the main argument throughout the body of the article, across the different sections.

The organization of subsections in an article can be reviewed and changed in the revision stage of an article, such as in the second drafting stage. Some questions to consider when reviewing subsections are:

◇ Do the subsections logically follow from each other and follow the overall thread of the argument? Do the sections need to be reordered or changed?
◇ Are all the subsections necessary for the argument – can anything be cut, shortened, or combined into other sections?
◇ Do the paragraphs within each subsection logically follow from each other? Do all the paragraphs contribute to the main argument, or can they be shortened/cut? Would any of the paragraphs fit better in a different section?

◇ Do the subsections reflect that adequate research methodologies and tools have been used to address the research question the article seeks to achieve? (This can help authors to introspect about the broadness of their research topic and ensure that it can be feasibly argued within a single article).

Paragraph-Level Clarity

When revising paragraphs pay special attention to (1) paragraph length (2) the main argument or thesis of the paragraph itself.

A good rule of thumb for paragraph length is that each paragraph should contain a single argument/point. Thus, if a paragraph contains more than one argument/main point it can tend to be too long, and if consecutive short paragraphs elaborate on the same argument/point they can often be combined. If a paragraph is a full page long or longer, it likely needs to be shortened or separated into multiple paragraphs.

The argument/main point of a paragraph is often called a 'topic sentence'. The topic sentence is the main opinion, analysis, or argument an author conveys in the paragraph. Typically, the topic sentence should be the first sentence of the paragraph, to signal the main purpose and point of the paragraph to the reader. In practice, however, in the initial drafting phase, authors tend to write the topic sentence at the end of the paragraph, as the paragraph builds to that point.

When reviewing an initial draft, pay attention to each paragraph with the following questions in mind:

◇ Does this paragraph have a topic sentence that conveys its main argument? Is this topic sentence at the beginning of the paragraph? It may be helpful to move the last sentence of the paragraph to the beginning.
◇ Does this paragraph contain a single main point/argument/topic sentence? If the paragraph contains more than one point, it may be helpful to split it into two and create two shorter paragraphs instead.

A common structure for a paragraph in academic writing is as follows: a topic sentence; followed by a few sentences elaborating on the main point, giving examples/evidence of the main point, and/or providing further analysis; lastly, a final sentence that reiterates the main point and/or transitions to the next paragraph.

Note that identifying topic sentences in the paragraphs of an article can help with several key elements of good editing:

◇ Ensuring that each paragraph contributes to the main argument
◇ Signalling clearly to the reader what the purpose of a paragraph is
◇ Identifying whether a paragraph is too long or too short

Cohesiveness: Argument Flow, Transitions, and Bridging Sentences

A well-written article typically creates a cohesive argument that flows smoothly from paragraph to paragraph and section to section. Creating a cohesive article entails, firstly, ensuring that the argument proceeds in a logical order, and secondly, ensuring that the paragraphs and sections of the article transition smoothly from each other.

Argument Flow

To create a cohesive argument throughout the article, take steps during the planning and outline phase of writing to structure the argument well and clearly across the sections, and paragraphs within a section.

During the revision stage/second drafting stage of writing, review the article with careful attention to how each paragraph moves the argument further. Pay careful attention to whether each paragraph (1) functions to further the argument and (2) follows logically from the previous paragraph. If a paragraph does not meet these two purposes then consider: (1) if the paragraph needs to be moved to a different stage of the paper/argument (2) if the paragraph needs to be re-written to clarify its role in the argument and (3) if the paragraph needs to be deleted or shortened. Also consider if any paragraphs are repeating information, arguments or claims already given, in which case they can usually be deleted or merged.

Transitions

Transitions or segues between paragraphs and sections are essential tools to convey meaning and create clarity and cohesiveness in an article. Effective transitions signal the moves of the argument to a reader, allowing the reader to follow the argument through grammatical cues. Transitions also serve the purpose of signaling to a reader why certain information is included in the article, and what purpose it plays in the overall argument.

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To ensure the article has good transitions, review the article in a second drafting phase, paying special attention to the start of new paragraphs and sections. Ensure that the transitions from one paragraph to another are smooth and contain transition words.

Below are some examples of common transitions and their usage.

to make comparisons	also, similarly, likewise
to contrast or disagree	on the other hand, yet, still, however, in spite of, rather, conversely
to provide examples	for instance, in fact, for example, to illustrate
to provide additional information	also, in addition to, furthermore, moreover, further
to show qualified agreement	while, however
to introduce or highlight	notably, especially
to show causation or effect	because, thus, consequently

Transitions between sections may be more extensive than those between paragraphs. Transitions between sections may consist of entire sentences that summarize the main conclusion/purpose of the section just completed, and/or signal the role of the upcoming section. During a review phase of a first draft, pay special attention to the transitions between sections and ensure that they signal to the reader the moves and flow of the overall argument.

For more examples of transition words, see the following guide by Wordvice.[9]

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[9] 'Effective Transition Words in Academic Papers' Wordvice, available at <https://blog.wordvice.com/common-transition-terms-used-in-academic-papers> (accessed 20 September 2022).

Bridging Sentences

Bridging sentences are a type of topic sentence that connects an idea expressed previously to the main idea of the next paragraph. It conveys the main idea of a paragraph, while also connecting it to the paragraph before it. The transition words and phrases included above can help to signpost or construct bridging sentences. Looking out for effective bridging sentences in a review stage of an article can help an author to assess the overall flow and connectivity of an article.

Sentence-Level Clarity

Use short sentences to convey meaning clearly. During a review of the first draft of an article, flag sentences of more than 2.5-3 lines long (approx. 30-40 words). Check if the sentences read smoothly and clearly (it can often be helpful to read the sentences aloud). Consider splitting longer sentences into several shorter ones. Sentences that are long or unclear often contain too many asides (or long asides). When using the word 'this', where possible, follow it with a noun. Eg., instead of 'this demonstrates' 'this decision demonstrates'. Specifying what 'this' is adds clarity to writing. Where appropriate, use active voice instead of passive voice. The following article at The University of Wisconsin-Madison Writing Center offers some clarity on how to use active and passive voice [10] ↗

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[10] 'Use the Active Voice' The Writing Center University of Wisconsin-Madison, available at <https://writing.wisc.edu/handbook/style/ccs_activevoice> (accessed 20 September 2022).

Sample Subsection

Consider the following excerpt from Omri Sender and Michael Wood's article on the International Law Commission (ILC).[11]

As the first paragraph of this sub-section, this paragraph functions somewhat uniquely, in that it contains important context for the argument of this sub-section, the methodology used for the review, and the author's main conclusion. It functions like an "abstract" for this particular subsection

3 The Commission's Procedures and Methods of Work

In 1996, at the request of the General Assembly, the Commission proceeded to a comprehensive review of its procedures and methods of work, and identified 'a number of ways in which the working methods of the Commission may be made more responsive and efficient'.[104] The working methods have since been kept under constant review, including through a Working Group on Methods of Work first established in 2011.[105] Looking back at the past 25 years, the Commission's working methods continue to be important for the quality of its output. Criticisms relating to these working methods have not always been well-informed, or fair: they often pull in opposite directions. Although the Commission generally follows established practices that have been developed over time with good reason, it has nevertheless shown itself to be quite flexible when necessary.

context

methodology

main argument

One obvious change has been the move to a split session, which has become standard practice since 1998.[106] This 'experiment', as the Commission referred to it at the time,[107] by which each session is divided into two approximately equal parts, with a four- or five-week interval, offers many practical advantages both for the members of the Commission and the Secretariat. Among its merits are that it allows time for careful reflection between the two parts of the session, as well as for the preparation of the necessary documents; it also facilitates the attendance of those members who have other employment (for example, at a university or government ministry), and for all members it ensures that they do not get tired and irritable.'*

topic sentence *and* bridging sentence: the first sentence introduces the main topic of this paragraph, i.e., the split session of the ILC. It also acts as a bridging sentence by connecting to the last sentence of the previous paragraph – the previous sentence mentions the flexibility of the ILC, and this bridging sentence builds on this to note one particular change.

Quite another matter is to hold a session in 'hybrid' format, whereby members may participate either in person or through an online platform. This was the format forced upon the Commission in 2021 and 2022 because of the COVID-19 pandemic. Despite great efforts that were made to ensure the smooth conduct of the Commission's deliberations, the normal work was disrupted significantly, in particular because detailed negotiation of texts and ensuring equality of participation were very challenging. This is not something that could become a regular practice if the quality of the Commission's work is to be maintained, even though the Commission made it clear that the convening of the hybrid session was worthwhile, and that 'some lessons may be learned that could be useful for adapting the working methods of the Commission'.[108] *

topic sentence and bridging sentence

*Note that both these paragraphs only include *a single argument and topic*, and the author begins a new paragraph to discuss the next topic.

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Flexibility has also been demonstrated by the convening of (usually open-ended) working groups (or informal consultations) in a range of situations. These working groups may play a crucial role at the start of work on a topic, when some general direction may be needed, or where a topic is facing difficulties and is in need of some more or less radical reassessment.[109] In any event, the concern that the profusion of different groups within the Commission (for example, drafting committees, planning group, study groups, other working groups), all working during the session, might lead to a fragmentation of the Commission's work,[110] has not been an issue. In fact, the Drafting Committee's role – and with it, its size – has expanded so as to embrace matters that in earlier times might have been considered by the plenary, a working group or informal consultations. The variety of fora offers valuable flexibility, and their use does not detract from the overall collective nature of the Commission's output.

The procedure for the adoption of commentaries continues to be rather unsatisfactory, in that it does not always afford sufficient time for proper consideration of these very important texts. In this regard, it has occasionally been found helpful to have working groups to review draft commentaries prepared by a Special Rapporteur before they are formally submitted for approval by the plenary during the adoption of the Commission's annual report.[111] On two recent occasions, for essentially practical reasons (of timing), the commentaries were adopted only when a full set of first-reading draft texts was available.[112] This has ensured a more coherent approach to the drafting of the commentaries, though it has also been criticized for not enabling States to study the evolving texts wi` their commentaries.[113]

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4. Conclusion

The conclusion of an article typically includes a review and summary of the main argument of the whole article, and may also refer to the main evidence provided to support that argument. The conclusion may also point towards further avenues for future research. The conclusion may include information about which issues or questions are yet unresolved in the research presented, or may include the author's speculations about these unresolved points of discussion. The exact nature of the conclusion can be quite flexible and varied, however, in general, the conclusion should provide closure to the reader, remind them of the contents and importance of the article and its arguments, and provide a clearer view of the bigger picture, both of the article's argument, and within the broader field of inquiry.

Sample Conclusion

Consider the following example of the conclusion from Gerd Oberleitner's article (for context, see the example of Oberleitner's abstract earlier in this document.) [12]

> Over the past 75 years, the UN had repeatedly to adjust the position towards IHL. The organisation had to overcome its initial reluctance towards IHL and the perceived threat (that engaging with IHL damage the UN Charter) soon gave way to a more realistic assessment of the continuing importance of IHL. By then, however, States, in tandem with the ICRC, had already made IHL outside the UN. The UN did, however, exercise a subtle influence in this law-making process through the gradual and somewhat inadvertent infusion of the spirit, language, and law of human rights into IHL. The inclusion of human rights elements into the 1949 Geneva Convention and the 1977 Additional Protocol and the resulting and continuing entanglement of human rights and IHL opened an inroad for the UN into the development of IHL, past and present.
>
> From the 1960s onwards, IHL found a supporter in the UN. Through its resolutions, the General Assembly and the Security Council affirmed the applicability of IHL in various situations. Even though such affirmation was rarely supported by action and even though the choice of when to engage with IHL can be criticized as echoing the political character of both institutions, such resolutions kept IHL on the global agenda. This was a comparatively easy task compared to the challenge of respecting IHL when moving from words to deeds, most notably when authorizing and deploying peacekeeping operations. While not formally bound by IHL, the UN consistently opted to respect and adhere to IHL in such missions. Beyond such a principled commitment to IHL, however, the legal and practical challenges of adjusting the protective but

The conclusion reviews the major arguments and main evidence in the article, balancing specifics with a bigger-picture approach

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belligerent logic of IHL with the demands of impartial yet effective peacekeeping remain tremendously high and are yet unresolved. New forms of peacekeeping have led to more challenges in securing respect for IHL by all parties when force is used. The same can be said for ensuring effective protection of UN personnel on mission, an area in which the UN needs to steer carefully in complex conflict situations and post-conflict scenarios for which IHL had not been created but may nevertheless need to be applied. The UN and the IHL community need to find joint answers to such challenges.

Over the past 20 years, the Security Council's PoC agenda stood out as a way forward for securing operational protection of civilians on the basis of IHL rules. This agenda has led to the creation of operational tools which combine IHL as its legal foundation with the political clout of the Security Council (or, in light of the Council's structural shortcomings, at least the potential for such clout). Enforcement of IHL will also need the Council's continuous backing. The potentially biggest impact on ensuring respect for IHL, however, comes from the way in which UN human rights institutions attempt to fill the enforcement gap of IHL by managing States' compliance with IHL alongside reminding them of their human rights obligations. The Human Rights Council and treaty bodies (and more importantly, regional human rights courts) play an increasing role in securing respect for IHL. This should not so much be attributed to any kind of political activism but to the failure of IHL to provide effective supervisory and monitoring institutions within its own legal regime. Both the Security Council and human rights bodies have over the past decades stepped in as investigative, supervisory and monitoring tools for IHL. This process is not without challenges and the results are often disappointing, but this development will continue given the demands of war victims which go unheard elsewhere in international law. With this, the history of the UN in shaping, affirming, investigating, respecting, supervising, monitoring, managing, enforcing, and adjudicating IHL will continue.

The last few sentences look beyond the article and its argument to speculate about the future beyond the direct scope of the article

5. Citations and References

quick tips

◇ favour primary sources of data and peer-reviewed or academic secondary sources
◇ ensure that references cited fit into a broader discipline that relates to the article's argument
◇ cite all sources of data, including all important information in citations
◇ follow the UNYB citation style in Author Guidelines

Rigorous academic articles include adequate and accurate citations and references to any work from which the author has borrowed words or ideas. Referencing fulfills a number of key purposes in academic writing. It allows authors to acknowledge the contributions of other writers and researchers in their work, it protects the intellectual property rights of authors, and avoids plagiarism or academic dishonesty. Referencing also allows readers to assess the validity of an author's work by providing information about sources of knowledge. Further, the nature of references chosen for an article helps to embed the author's work within a broader field of expertise and academic discussion – understanding state-of-the-art literature in a particular field, and being able to position one's work in the context of that literature is a key aspect of academic writing that contributes to broader scholarship within a particular discipline.

Key issues to keep in mind when considering referencing and citations are:
◇ The types of sources used (including primary and secondary sources)
◇ Understanding how the works cited in an article contribute to a larger discipline of scholarship (often through a literature review)
◇ Identifying correctly which kinds of statements within a text require citations, and knowing how to cite accurately and in accordance with the UNYB house style

Types of Sources

In legal research, primary sources refer to sources that establish the law, including constitutions, court cases, statutes, protocols, and treaties. Primary sources can include any other first-hand or original records, including, for example, general statements, research reports or recommendations by relevant legal actors. Secondary sources are those that interpret and explain primary sources – these include books, journal articles, and newspaper articles. Secondary sources are useful resources to understand scholarly opinion and development within a field of research. They are also helpful in identifying relevant primary sources.

As a general rule, primary sources should be used wherever they can be represented, for example, direct referencing to primary sources of law, instead of referencing secondary sources that in turn cite primary sources. Academic texts, like books and journal articles, are important secondary sources in academic scholarship: their roles include, for example, placing an article in conversation with other scholarly research, explaining relevant literature on a topic, and conveying scholarly views on primary sources. Secondary sources are also helpful in cases where an author does not have direct access to a particular primary source (this may occur with historical documents). Within secondary sources, the frequent use or over-dependence on newspaper articles or blogs, as opposed to journal articles, should generally be avoided, as these have less academic value than other primary and secondary sources. This preference reflects the intellectual rigor of peer-reviewed sources, particularly peer-reviewed journal articles.

Literature Review

A literature review is a survey of existing published work on a topic. It can be used to assess the state-of-the-art within a discipline or understand dominant consensuses and debates within a discipline. Formal, published literature reviews can be helpful sources of information to broadly understand a topic.

It can also be helpful for an author to construct an informal literature review of the sources they plan to reference or include within an article. While writing a literature review is certainly not necessary to write a good article, it is important to understand how the sources (particularly secondary sources) one cites in their article engage in a dialogue with each other. Seeking this understanding by constructing a literature review is a more formal and thorough approach, but a similar understanding can be found by simply reviewing the literature cited in an article or during the research process before writing an article.

When reviewing existing scholarly literature on a topic, an author might consider the following questions to ascertain the relevance of references to their article:

◇ Do these sources cover major debates and important work within a specified discipline?
◇ Do these sources fit together within a clearly demarcated discipline? If not, is it clear why these sources are still relevant to each other and my research?
◇ Are these sources peer-reviewed or otherwise verifiable in terms of academic quality?
◇ Can I position my article and argument within the debates and arguments reflected in these sources?
◇ Are there broad gaps in the knowledge reflected in these sources that suggest gaps in my survey of existing literature?
◇ Do any of these sources seem to be beyond the scope of a specific field? (This could be helpful if an author needs to narrow the scope of their article)

How to Cite Sources

Consult the UNYB Author Guidelines (available on the Foundation website) for information on the UNYB citation style and citation requirements for authors. The UNYB uses the OSCOLA referencing style; citations are put in footnotes at the bottom of the page.

For general tips and guidance on good practice in citations consider the following:

◇ Cite all external sources of information used within an article; however, citations are not necessary for general statements or claims of the author themselves.
◇ When citing a source as a whole, or an overall or general argument within a source, it is sufficient to simply cite the source, without reference to any specific page or paragraph pinpoint.
◇ When citing a specific argument, statement, article within a legal document, or quotation, a complete citation must include a page or paragraph pinpoint for the statement used.
◇ Position footnotes, where possible, at the end of a phrase or sentence, rather than in the middle of one.
◇ Avoid cross-references (e.g., see above, fn 34, infra, supra etc.).

◇ When citing quotations:

    o Always include page or paragraph pinpoints in citations.

    o Any changes to the quotation, however minor, should be included within square brackets. These changes include changes to capitalization, tense, addition or deletion of wording. Consider the following examples:

"'The aim of interpretation should be […] to give effect to the intention of the Council as expressed by the words used by the Council in the light of the surrounding circumstances.'" [13] (square brackets around ellipses when words are deleted from a quote)

"In paragraph 2 of the resolution, the Security Council '[c]ondemns especially the acts of violence committed by the Israeli security forces resulting in injuries and loss of human life.'" [14] (change from 'Condemns' with an uppercase 'C' to '[c]ondemns' with lowercase 'c' in square brackets)

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[13] M. Wood, 'The Interpretation of Security Council Resolutions, Revisited' in A. Frowein and R. Wolfrum (eds), Max Planck Yearbook of United Nations Law vol. 20 (Brill Nijhoff 2016) 3, at 4.
[14] M. Wood, 'The Interpretation of Security Council Resolutions, Revisited', at 13.

6. Checklist for Revising a First Draft

clear title and keywords ☐

abstract:
introduces a clear, legal research question ☐
clearly states the intended argument of the article ☐
states the research methodology for the paper ☐

introduction:
research question ☐
main argument ☐
roadmap paragraph ☐

organization:
subsections in logical order, contributing to overall argument ☐
every paragraph contributes to overall argument ☐

cohesiveness and clarity:
transition words between paragraphs ☐
transition sentences between subsections ☐
every paragraph has **one** topic sentence and appropriate length ☐
long sentences are checked for clarity, or shortened ☐

conclusion
provides closure for readers ☐
summarizes main idea and evidence ☐
brings the big picture into view ☐

citations and references
sources used are academically rigorous ☐
all sources used are cited appropriately, accurately, in every relevant ☐
instance
sources used are relevant to the article's arguments ☐
citations comply with UNYB Author Guidelines ☐