

■ PREFACE

Claudia Fuchs & Konrad Lachmayer

Preface

Starting with Volume 4 (2010), the ICL-Journal introduced a new focus on human rights developments in International Constitutional Law. Thus, the Journal initiated a cooperation with the interdisciplinary European Master's Programme in Human Rights and Democratisation (E.MA). This postgraduate Master aims to reflect the indivisible links between human rights, democracy, peace and development. It is operated by the European Inter-University Centre for Human Rights and Democratisation (EIUC) and ranks among the leading Human Rights education programs worldwide. Up to 90 'Masterini' annually are required to spend the first semester on the Lido in Venice (Italy) and the second in one of the 41 partner universities spread out all over Europe.

According to our cooperation with the EIUC, the four most outstanding legal E.MA-Theses will be published in the ICL-Journal each year. Based on a call for papers which the ICL-Journal issued in summer 2009, the editors decided to aim at theses which focus on democracy, human rights and the rule of law, with an aspect of international, European or comparative law. As we received a lot of excellent papers the selection decision has certainly not been easy. We are however proud to present four distinguished theses, each thesis being published in one of this year's issue. We will start our newly established E.MA@ICL-Section with *Anete Erdmane's* thesis on "Liberty behind closed doors ...? Involuntary placement and medical treatment in psychiatric institutions from the human rights perspective".

In the Articles Section, issue 1/2010 deals with the following topics:

Cornel Marian interlinks the terrorism debate with the discussion on comparative constitutional law and supreme courts. Interpreting counter-terrorism measures has become a global task. Comparative learning becomes a metaphor for judicial networks of constitutional comparison.

Quoc Loc Hong deals with the questions of militant democracy and free speech from a Kelsenian point of view. Arguing with the concept of democracy as legislative self-restraint the traditional concept of democracy as popular self-legislation is restricted.

Finally, *Gregor Heissl* analyzes deportations and removals in Australia from a human rights perspective, especially by focussing on questions of family protection.

The Constitutional Developments Section examines the principle of protection for reliance on existing law which has been established by the Austrian Constitutional Court in the last decades as being an integral part of the Equal Protection clause.

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Anke Sembacher gives an introduction into the topic; the Constitutional Court's case-law on the matter is translated and discussed by *Rene Mertens*, *Claudia Priewasser* and *Sandra Kremer*.

Also in this issue: *Bernhard Knoll* reviews *Ralph Wilde's* book on "International Territorial Administration".

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