



# Editorial of Volume 40 Issue I of the Utrecht Journal of International and European Law

## EDITORIAL

CARLOS GABRIEL RAMAGLIA MOTA 

Dear Readers,

It is my pleasure to present Volume 40, Issue 1 of the Utrecht Journal of International and European Law (UJIEL). This edition reflects the critical engagement of our contributors with evolving legal challenges, as well as the dedication of our editorial board and external referees in ensuring the journal's scholarly rigour. We extend our sincere gratitude to all involved in the production of this issue.

This edition features two articles and two case notes that examine pressing topics across international and European law, ranging from the protection of essential rights in times of conflict to the evolving legal status of artificial intelligence.

In "The Centrality of Human Dignity in the Understanding of International Legal Protections from Starvation", Nicolás Carrillo-Santarelli and Francesco Seatzu explore the intersection of international humanitarian law, human rights law, and international criminal law to argue that starvation must be unequivocally prohibited under international law. Drawing on a human dignity-centered approach, the article critiques fragmented readings of legal regimes and promotes systemic integration to better safeguard access to food, water, and essential services in times of armed conflict. The authors address not only doctrinal debates around *lex lata* and *lex ferenda*, but also the moral responsibilities of state and individual actors in avoiding the instrumentalisation of human suffering.<sup>1</sup>

Michael Addaney's contribution, "International Climate Law: Principles and Obligations for Adaptation", assesses how foundational principles—such as precaution and common but differentiated responsibilities—shape the normative framework for climate adaptation. The article analyses key instruments including the UNFCCC and the Paris Agreement, highlighting emerging state obligations amid treaty ambiguity and implementation challenges. Addaney underscores the need for equity, legal clarity, and international cooperation in strengthening adaptation responses, especially for vulnerable populations.<sup>2</sup>

Turning to our case notes, Martina Olivera's "La Oroya Population v Peru: The Right to Development and the Right to a Healthy Environment before the Inter-American Court of Human Rights" offers a timely examination of the Court's recent judgment. The note traces the recognition of the right to a healthy environment and the growing significance of the right to development (RTD), not only in concurring opinions but also in the Court's broader reasoning. It marks a notable development in the IACtHR's jurisprudence, particularly by expanding the RTD beyond its traditional Indigenous peoples' context.<sup>3</sup>

In "Copyright Denied for Generative AI: Remarks on Thaler v Perlmutter", Saleh Al-Sharieh critically examines the United States District Court's decision to deny copyright protection for a work generated autonomously by an AI system. Engaging with statutory, constitutional, and doctrinal dimensions of authorship, the case note explores the limitations of human authorship requirements and considers the broader implications for innovation, copyright theory, and international legal divergence in the regulation of AI-generated content.<sup>4</sup>

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We hope these contributions inspire further dialogue and scholarly inquiry. Thank you for your continued engagement with UJIEL.

Warm regards,  
Carlos G. Ramaglia Mota

## NOTES

- 1 Nicolás Carrillo-Santarelli and Francesco Seatzu, 'The Centrality of Human Dignity in the Understanding of International Legal Protections from Starvation' (2025) 40(1) *Utrecht Journal of International and European Law* pp. 3-22.
- 2 Michael Addaney, 'International Climate Law: Principles and Obligations for Adaptation' (2025) 40(1) *Utrecht Journal of International and European Law* pp. 23-42.

- 3 Martina Olivera, 'La Oroya Population v Peru: The Right to Development and the Right to a Healthy Environment Before the Inter-American Court of Human Rights' (2025) 40(1) *Utrecht Journal of International and European Law* pp. 43-47.

- 4 Saleh Al-Sharieh, 'Copyright Denied for Generative AI: Remarks on Thaler v Perlmutter' (2025) 40(1) *Utrecht Journal of International and European Law* pp. 48-54.

## COMPETING INTERESTS

The author has no competing interests to declare.

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