EDITORIAL: "COVID-19", THAT WHICH NOT TO BE NAMED

If one were to rank the most pronounced words of this year 2020, Covid-19 would probably come out on top. Scientific journals, legal or not, have devoted one of their issues to the consequences of the virus on our societies. However this single issue of 2020 of the Sorbonne Student Law Review-*Revue juridique des étudiants de la Sorbonne*, will not mention this pandemic. The implications of Covid-19 will no doubt be the subject of articles in future issues, as it has changed so many paradigms.

While, as of this editorial, the cultural scene is still in lockdown, you will be able to rediscover the sensations of a theatre by immersing yourself or by plunging back – for those lucky enough to have attended – into the exciting legal-operatic quarrels surrounding the 'privilege' of the Ducke of Choiseul's box at the centuries-old Opéra-comique theatre. This corpus of transdisciplinary texts stems from a conference organised in November 2019, during which we had the privilege of receiving three professors from the University of Versailles Saint – Quentin-en-Yvelines (Paris-Saclay University) who are experts and above all passionate about opera: Emmanuelle Saulnier-Cassia, Professor of Public Law, Jean-Claude Yon, Professor of History, and Franck Monnier, Lecturer in Legal history.

The Covid-19 should not prevent legal experts from taking an interest in other topics that are still highly relevant even though they remained in the shadows. At a time of a resurgence of terrorist attacks by non-State actors, one can question the principle of self-defence set in Article 51 of the United Nations Charter. This is the subject of Amael Notini Moreira Bahia's contribution. In the only article of this issue written in English, the author recalls this notion in international law, then analyses it regarding attacks perpetrated by non-state actors without the consent of the host state. Finally, the author adds a touch of originality to her article by studying this principle in the light of the events linked to the Islamic State of Iraq and Syria (ISIS) in Syria. Still in the news of international law, the high-profile investigations by the American authorities involving French companies (e.g. Alstom) and financial institutions (e.g. BNP Paribas) are reviving debates regarding the application of extraterritorial legislation in international trade. Besides, the reinstatement of sanctions for dealing with Iran and the withdrawal of the United States on 8 May 2018 from the Vienna Agreement on Iran's nuclear programme (or Joint Global Action Plan) are once again generating growing interest in these laws and their impact on international trade. This is the topic of Marjolaine Abada-Fasquelle

(Sorbonne Law School) and Jan Dunin-Wasowicz's (Lawyer at the Paris and District of Columbia Bars) article. This report written under the direction of Professors Mathias Audit (EDS), Georges Bermann (Columbia Law School) and Étienne Pataut (EDS) provides elements to the debate on the American approach to the extraterritorial application of American legislation in two areas: anti-corruption law and economic sanctions. The Franco-American approach adopted by the authors allows for the development of possible proposals to remedy the difficulties associated with this practice.

International trade and specifically international arbitration have been the subject of articles in previous issues[1]. Let us continue in this path with an article focused on financial law, areas which can present very intricate aspects. While the notion of securitisation may seem very obscure to the neophytes, it often refers to the subprime crisis of 2007–2008 which revealed the shortcomings of the mechanisms for protecting investors in these transactions. The article written by Victoria Baruselli Cabral de Melo, a graduate student from the Sorbonne Law School and lawyer in Brazil, offers a study, from the perspective of domestic and EU law, of investor protection in the context of securitisation transactions, which are complex and risky. Through an analysis of the Securitisation Regulation[2], the author highlights the different means of protection as well as the duty of diligence imposed on institutional investors in order to contribute to the proper functioning of the securitisation market.

Since the creation of our review, at least one article in each issue has focused on constitutional law. This is also the case for this new issue. Custom or mere coincidence? Whereas in the previous issues, the authors were interested in foreign constitutional systems[3], our review publishes for the first time a contribution on French constitutional law. In recent years, the focus has often been on the contentious aspect of constitutional law. Victor-Ulysse Sultra (Sorbonne Law School) shares with us his article on dissolution. The election of the President and that of Members of Parliament for the same duration and on the same dates, then

[1] See for example on arbitration in Israel : A. Luzon, "More efficient arbitration clauses?", *Sorbonne Student Law Review*, 2018, vol. 1, N.1, p.197-229, or Y. M. Bourgeois' article on the legitimacy challenges in international investment arbitration: "International Investment Arbitration. Legitimacy challenges and prospects for future reforms", *Sorbonne Student Law Review*, 2019, vol.2, n.2, p. 93–129.

[2] Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation, and amending Directives 2009/65/EC, 2009/138/EC and 2011/61/EU and Regulations (EC) No 1060/2009 and (EU) No 648/2012.

[3] See for example on transformative constitutionalism : C. Bernal (transl. A. Martin), "Les stratégies judiciaires du constitutionnalisme transformateur pour réduire la pauvreté et les inégalités", *Sorbonne Student Law Review*, 2019, vol.2, n.2, p.33-65 or on Japanese constitutional law : H. Yamamoto, (transl. V. Pinel le Dret, S. Savarin) "Vers une dérive autoritaire du constitutionnalisme japonais ?", *Sorbonne Student Law Review*, 2019, vol. 2, n.1, p. 111–143.

the establishment of a "fait majoritaire", are often used as explanations for the disappearance of parliamentary dissolution in France. The author refuses to consider this as the only justification, because "[…] these elements are of a purely factual, accidental and historical nature, which does not prevent their change in law: the majority may cease to be disciplined, the Prime Minister may decide to claim power for himself – to apply the Constitution in short…" (p.156) Through an analysis of the French system, supported by examples of German, English and American constitutional law, the author questions our relationship to dissolution, and in particular why it seems impossible to us. To better understand why this instrument has fallen into nonuse, it is interesting to look at all the intra- and extra-legal reasons.

This year has been difficult. It is time for the author of these few lines to thank all the people who are behind this review and who keep it alive. First, I would like to thank Valentin Pinel le Dret and Paul Heckler, former Editors-in-Chief and founding members of the review, for having welcomed me to this adventure since 2018 and for having placed their full confidence in me by entrusting me with the role of Editor-in-Chief. I would also like to thank them for all the work they have done since 2017 to ensure the sustainability of the journal's activities.

The publication of this issue would not have been possible without the invaluable and unfailing help of the Editorial Committee. Finally, I would like to express my gratitude to senior and junior members of the reading committee who have done important work in particularly difficult circumstances.

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