

ABILA Newsletter

ISSUE NO. 61

ILA - FOUNDED 1873

SEPTEMBER 2001

INTERNATIONAL LAW WEEKEND

"International Law Odyssey 2001: Beyond the Limits" is the theme of International Law Weekend, October 25-27, at the House of the Association of the Bar of the City of New York (42 West 44th Street).

The Weekend will feature 27 panels starting at 4 p.m. on Thursday, October 25. As usual, the principal papers will be published in the International Practitioners Notebook, which will be distributed free of charge to all ABILA members. Dinner and luncheon talks will be published in the 2001-2002 Proceedings.

Judge Stephen M. Schwebel, President (1997-2000) and Judge (1981-1997) of the International Court of Justice, will speak at the annual dinner. His theme will be "Reflections on International Adjudication." The dinner will take place in the Princeton Club of New York at 15 West 43rd Street, New York City, on Friday, October 26, 2001. **Professor Anne-Marie Slaughter of the Harvard Law School and President-Elect of the American Society of International Law** will address participants during the annual luncheon, Saturday, October 27, at the meeting venue.

International Law Weekend is free to all ABILA members, students and members of co-sponsoring organizations. For others there is a fee of \$35. Pre-registration is not required, but reservations for the annual dinner and luncheon must be made and paid for in advance. All members will receive details and a printed program within a few weeks. You may also want to view the ABILA website (www.ila.ambranch.org).

Co-sponsoring organizations are the Association of the Bar of the City of New York-International Trade Committee, American Society of International Law, American Foreign Law Association, American Bar Association-International Law and Practice Section, New York County Lawyers' Association-Committee on Foreign and International Law, International Law Students Association, and ILSA Journal of International and Comparative Law.

The panels, in alphabetical order, include:

1. *Addressing Violations of International Law by Non-State Actors*-Moderator, Charles Siegal, Vice President and Director of Studies, ABILA
2. *Arms and the Law: The Legality of Nuclear Weapons and Missile Defense*-Moderator: Felicia Gordon, Esq., Past Chair, Foreign and International Law Committee, New York County Lawyers' Association
3. *Business Method Patents: Are There Limits To Subject Matter Patentability?*-Moderator: Professor William Hennessey, Franklin Pierce Law Center
4. *Defining Terms in the Law of the Sea Convention*-Moderator: Professor George Walker, Wake Forest University School of Law
5. *European Union: Moving Ahead or Marking Time?*-Moderator: Richard Lutringer, Esq., New York Bar
6. *How To Do Electronic Research in International Law*-Moderators: Jill McC. Watson, American Society of International Law; Marci Hoffman, Georgetown University Law Center
7. *International Environmental Law: Quo Vademus?*-Moderator: Rahamkrishna Kiliparti, Woods Hole Research Center
8. *International Human Rights and the U.S. Foreign Sovereign Immunities Act of 1976*-Moderator: Judge George Janis, New York Bar
9. *International Law Careers*-Moderator: Matthew Logterman, President, ILSA
10. *International Police Force or Tool for the Harassment of Human Rights Defenders and Political Adversaries? INTERPOL'S Rift with the Human Rights Community*-Moderator: Scott Horton, Esq., Chair, Committee on International Human Rights, ABCNY and member, Executive Committee, ABILA

11. *International Trade and the Environment: WTO and NAFTA*—Moderator: Professor Ved Nanda, University of Denver College of Law and member, Executive Committee, ABILA
12. *Investor-State Disputes Under NAFTA: The Empire Strikes Back*—Moderator: Professor Charles H. Brower, II, University of Mississippi School of Law
13. *Justice for the Victims of the Holocaust*—Moderator: Professor Keith Nunes, American Jewish Congress Institute on the Holocaust and Law, Touro Law Center
14. *Lawyers Crossings Borders to Promote Rule of Law, Human Rights and Peaceful Conflict Resolution*—Moderator: Christina M. Storm, Esq., Lawyers Without Borders, Inc. (USA)
15. *Military Commanders and the Law of Armed Conflict: Applying Law to the Battlefield*—Moderator: Professor Andru Wall, Lt., Judge Advocate General's Corps, United States Naval War College
16. *Minorities, Political Participation and Peace*—Moderator: Professor David Wippman, Cornell Law School
17. *Peacekeeping: Legal and Political Issues*—Moderator: Dr. Roy S. Lee, UNITAR
18. *Public Accountability 2001: States, International Organizations, NGO's and Individuals: Who Has a Right To Know What They Are Up To?*—Moderator: Professor Edith Brown Weiss, Georgetown University Law Center
19. *Recent Developments in International Banking and Finance*—Moderator: Professor Keith Fisher, Suffolk University Law School
20. *Recent Developments in International Criminal Tribunals, Hybrid Tribunals and Transitional Justice*—Moderator: Kelly Askin, Esq., Carr Center for Human Rights, Harvard University
21. *The Impact of Sanctions on Law Development*—Moderator: Professor Peter Winship, Southern Methodist School of Law and member, Executive Committee, ABILA
22. *The International Criminal Court: Issues for Potential Practitioners*—Moderators: John Washburn, American NGO Coalition for the ICC; Jennifer Trahan, Esq., member, Special Committee on the U.N., ABCNY
23. *The Limits of International Law*—Moderator: Ralph Wilde, Trinity College, Cambridge University
24. *The Status of Scientific Research Whaling in International Law*—Moderators: Howard S. Schiffman, School of Continuing and Professional Studies, New York University; William C.G. Burns, Co-chair, ASIL Wildlife Interest Group
25. *Trade Policy Under the Bush Administration*—Moderator: Professor Chantal Thomas, Fordham University School of Law
26. *Where Public Meets Private: Does the International Commercial Arbitration Model Work for Public International Law Disputes?*—Moderator: Barton Legum, Office of the Legal Adviser, United States Department of State
27. *Will the United States Follow I.C.J. Orders? The LaGrand Case*—Moderator: Professor Edward Gordon, Former President, ABILA

Professor Valerie Epps of the Suffolk University Law School is Chair of the Planning Committee for the Weekend. She can be reached at vepps@acad.suffolk.edu.

NOMINATIONS

The ABILA's nominating committee proposes the following candidates for election during International Law Weekend:

Honorary Secretary:

Carlos Pelayo is an associate at the law firm of Davis Polk & Wardwell in New York. Since June he has been serving as Acting Honorary Secretary of the ABILA. Mr. Pelayo has represented U.S. and non-U.S. clients in a variety of transactions and litigation, ranging from public securities offerings to white-collar criminal defense. He received his bachelors degree from Boston College, his M.A. in Law and Diplomacy from The Fletcher School of Law & Diplomacy at Tufts University, and his J.D. from the University of Pennsylvania Law School, where he was awarded the Dolores K. Sloviter Prize. Before entering law practice he clerked for the Honorable Jan E. DuBois, U.S. District Court, Eastern District of Pennsylvania.

Executive Committee (two openings):

Alison Dundes Renteln is Associate Professor of Political Science at the University of Southern California, where she teaches Public International Law and International Human Rights Law and Policy. She has

published two books, *INTERNATIONAL HUMAN RIGHTS: RELATIVISM VERSUS UNIVERSALISM* and *FOLK LAW: ESSAYS IN THE THEORY AND PRACTICE OF LEX NON SCRIPTA*, and many articles. Her research interests include cultural rights, customary law, and philosophical foundations of international law. As an active member of ABILA, Professor Renteln has chaired and otherwise participated in panel discussions at International Law Weekend.

Professor Renteln is interested in encouraging more interdisciplinary work in the field of public international law. She would like to involve more non-lawyers in the discipline and would like to help organize judicial education seminars focused on international law topics.

George K. Walker is Professor of Law at the Wake Forest University School of Law, where he teaches public international law, international civil litigation, conflict of laws and admiralty, among other subjects. He was reporter for and later chaired the ABILA Maritime Neutrality Law Committee, participating in drafting the *Helsinki Principles of Maritime Neutrality* that the ILA adopted at our 1998 Conference in Taipei. Professor Walker chairs the Law of the Sea Committee of the American Branch. Recently he published *THE TANKER WAR, 1980-88: LAW AND POLICY*, and his recent articles include studies on information warfare and anticipatory collective self-defense. He was Charles H. Stockton Professor of International Law at the Naval War College, 1992-93.

All three of these nominations are for one-year terms to fill vacancies. According to the ABILA Constitution and Bylaws, the Executive Committee votes on nominations between the normal even-year elections.

DUES FOR 2001

Thank you, continuing members, for your prompt payment of dues this year. We had a very good response to our annual solicitation.

We are distributing this Newsletter to both paid members and a group of past members whose dues we have not yet received. **If you plan to remain an ABILA member, please check your records to confirm that you have paid your 2001 dues.** For those of you who are receiving this Newsletter but have not yet paid your dues, please send your check for Regular (\$60), Sustaining (\$100) or Institutional (\$80) Membership, payable to the American Branch, ILA, c/o our Honorary Treasurer: Michael Gruson, Esq., Shearman & Sterling, 599 Lexington Avenue, New York, NY 10022.

FREE MEMBERSHIP!

The American Branch has relied heavily on word of mouth to recruit new I.L.A. members. Many if not most of us joined the organization on the recommendation of active members. **The ABILA will offer a free membership for 2002 to the member who recruits the most new paid members between September and December 2001.** All you have to do to compete for the free membership is to report the names of the new paid members whom you have recruited. Please send this information to Mary Ann Vellucci at Davis Polk & Wardwell, 450 Lexington Avenue, New York, NY 10017-3911, not later than January 15, 2002.

BIENNIAL CONFERENCE IN NEW DELHI

The ILA's next biennial conference will take place April 2-6, 2002 in New Delhi, India. As usual, the conference will feature working sessions of the ILA's substantive committees and study groups. Draft reports, guidelines and legal instruments will be presented for discussion and vote before referral to governments and international bodies for adoption. Following the final ceremony, on April 7, a tour to Agra has been arranged for participants.

Detailed materials including the tentative program of the conference, hotel accommodations, and a listing of pre- and post-conference tours, are available at www.ila2002.org. You may also write Mr. P.H. Parekh, Honorary Organizing Secretary, Parekh Chambers, 30 School Lane, Bengali Market, New Delhi 110001. His phone is 91-11-3311838 and his fax is 91-11-3311951.

CAREERS IN INTERNATIONAL LAW

The ABA Section of International Law and Practice has published a second edition of *CAREERS IN INTERNATIONAL LAW*. Edited by Mark W. Janis and Salli A. Swartz, the 224-page book includes such intriguing topics as *The International Lawyer as Conductor of the Global Symphony*, *Still In-house and Over Here*, *From New York to Madrid via Paris: Smaller Pond, Bigger Fish?*, *Practicing International Environmental Law: The Search for Green Pastures*, *Fair Winds and Following Seas: A Career in Admiralty Practice*, and *Life in Paris: An Expatriate's Story*. The book's appendices include information on ABA-Approved Foreign Summer Programs, Nongovernmental Organizations Dealing with International Issues, and Internet Resources. The regular price of the book is \$64.95 and the student price is \$34.95. To order a copy,

you can call toll-free 1-800-285-2221 or visit www.ababooks.org on the internet.

INTERNALLY DISPLACED PERSONS: NEW SUPPORT FOR THE I.L.A. DECLARATION

The February 2001 Newsletter reported on the I.L.A.'s recently adopted Declaration of International Law Principles on Internally Displaced Persons. On March 25, 2001, the United Nations Association-U.S.A., a 20,000-member organization, during its biennial meeting in New York, adopted a resolution (S. 9, 2001) that calls for measures to strengthen international protection of and assistance to internally displaced persons. The UNA-USA Resolution specifically cited the I.L.A. Declaration as a basis for the recommended action.

REGIONAL WEEKENDS

The Executive Committee, meeting on April 6, 2001, commended the organizers of the first International Law Weekend-West (see the February Newsletter). The Executive Committee decided to encourage the organization of periodic regional meetings in other locations as well. Members interested in organizing a regional meeting should contact Jim Nafziger, ABILA President (tel. 503-370-6408 or e-mail: jnafzige@willamette.edu).

REGIONAL CONFERENCE IN BARBADOS

The ILA, in cooperation with the University of the West Indies, is organizing a regional conference for March 26-29, 2003 in Barbados. The schedule will enable members to attend the ABILA's executive committee meeting and annual meeting of the American Society of International Law, both of which will take place the following week. Further details will appear in the ABILA Newsletter.

DO YOU KNOW WHERE YOUR ILA PASSWORD IS?

The last Newsletter included details about the ILA's new scholarly journal, INTERNATIONAL LAW FORUM DU DROIT INTERNATIONAL. As a special privilege of ILA membership, all members will now have free internet access to the FORUM. You will need a password, which you can obtain after October 1 at our international headquarters by e-mailing a request to [<secretariat@ila-hq.org>](mailto:secretariat@ila-hq.org). As we noted in the last issue of the Newsletter, our pocket-sized journal is thought-

provoking, controversial, current and truly international. The journal's authors include both distinguished practitioners and scholars as well as fresh, new voices in international law. Each issue of the journal contains an editorial and several features entitled In the News, Recurring Themes, Work in Progress, a Profile, Conference Scene, and the Bookshelf of a distinguished guest.

If you would like to purchase a hard copy of the FORUM, individual ILA members and students may subscribe at the reduced rate of only £25.50 per volume. Your subscription can be ordered by fax from Kluwer Law International (+31-78-654-6474) or by e-mail (sales@kli.wkap.nl). For more information or for a free sample copy, please visit the journal's homepages at www.kluweronline.com.

IN MEMORIAM: STEPHEN GOROVE

Professor Stephen Gorove, Chair of the ABILA Committee on Space Law, died August 20, 2001 in Oxford, Mississippi. He was born in Transylvania and educated at the University of Budapest and Yale University. A long-time member of the University of Mississippi faculty and Director of the graduate program there, Professor Gorove was one of the pioneers and most distinguished experts in the field of space law. He founded the Journal of Space Law in 1974 and served as Chairman of its Board of Editors until 2000.

ABILA COMMITTEES

Any member who is interested in becoming an active member of an ABILA committee should contact the chair of that committee, as listed below. Any member of the Branch wishing to organize a new Branch committee on any topic within the purview of the ILA should contact the Director of Studies to propose a topic, a reporter, and a plan for the recruitment of qualified members. The Director of Studies will then make a recommendation to the Executive Committee for a decision on the proposal. The Director of Studies is Charles D. Siegal, Esq., Munger Tolles & Olson, 35th Fl., 355 South Grand Avenue, Los Angeles, CA 90071-1560, SiegalCE@mto.com.

ARMS CONTROL AND DISARMAMENT

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ECONOMIC SANCTIONS

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ENVIRONMENTAL LAW

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EXTRADITION AND HUMAN RIGHTS

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HUMAN RIGHTS

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INTELLECTUAL PROPERTY

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INTERNATIONAL COMMERCIAL LAW

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INTERNATIONAL CRIMINAL COURT

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INTERNATIONAL TRADE LAW

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ISLAMIC LAW

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LAW OF THE SEA

Chair: Professor George K. Walker
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**LEGAL ASPECTS OF INTER-COUNTRY ADOPTION
AND PROTECTION OF THE FAMILY**

Chair: Professor Gail McKnight Beckman
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SPACE LAW

Chair: Vacant

REFUGEE LAW

Chair: Professor Stephen H. Legomsky
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TEACHING INTERNATIONAL LAW

Co-chairs:

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ILA Committees and Study Groups

Committee Name	Chair	Reporter(s)	U.S. Member(s)
Accountability of International Organizations	Sir Franklin Berman (UK)	Malcolm Shaw (UK) K. Wellens (Neth)	Paul Szasz
Arms Control and Disarmament Law	J. Dahlitz (Switz)	D. Fleck (Ger) E. Dahinden (Switz)	John Rhinelander Thomas Graham George Walker
Cultural Heritage Law	P. J. O'Keefe (Austral)	James A.R. Nafziger (USA)	
Diplomatic Protection of Persons & Property	R. Bilder (USA)	B. Kokott (Ger)	David Caron David Bederman
Feminism and International Law	Sujata V. Manohar (India)	Annette Lansink (S. Africa)	Virginia Leary
International Family Law	J. Yokoyama (Jap)	W. Duncan (Ire)	Gail McK. Beckman
Internally Displaced Persons (in process of redesignation)	Luke T. Lee (USA)	R. Hoffman (Ger) Y. Shimada (Jap)	James A.R. Nafziger Mary Ellen Fullerton Louis Sohn
International Civil and Commercial Litigation	P.E. Nygh (Austral) P. Blanquier-Cirelli (Fr)	C. McLachlan (UK)	Peter Trooboff
International Commercial Arbitration	Pierre Mayer (Fr)	P. Bowden (UK) Nagia Nassar (Egypt)	Philip D. O'Neill Charles N. Brower Michael F. Hoellering David W. Rivkin
International Human Rights Law and Practice	M. Scheinin (Fin)	Iwasawa (Jap) A. Byrnes (HK)	William Aceves Hurst Hannum Charles D. Siegal

Committee Name	Chair	Reporter(s)	U.S. Member(s)
International Monetary Law	M. Giovanoli (Switz)	D. Carreau (Fr) T. Treves (It)	Cynthia Lichtenstein Michael Gruson A.W.G. Newburg Ernest T. Patrikis Thomas Baxter
International Securities Regulation	Edward H. Fleishman (USA)	K. Hober (Swed) P. Willis (Aus)	Barbara J. Green Roberta Karmel Cynthia Lichtenstein
International Trade Law	E.-U. Petersmann (Switz)	Frederick M. Abbott (USA)	John Jackson Gary N. Horlick Alan Swan Joel Trachtman (Alt)
Islamic Law and International Law	vacant	vacant	vacant
Legal Aspects of Sustainable Development	K. Hossain (B'desh)	N.C. Schrijver (Neth)	David Leebron Oscar Schachter
Legal Issues of the Outer Continental Shelf	L.D.M. Nelson (UK)	Alex Oude Elferink (Neth) David Ong (UK)	John Noyes
Refugee Procedures	K. Hailbronner (Ger)		Ved Nanda Stephen Legomsky
Regional Economic Development Law	J. Dutheil de la Rochère (Fr)	R. Ida (Jap) H. Hartnell (USA) P. Borba Casella (Brz)	Eric Stein Fred Abbott
Space Law	K.-H. Böckstiegel (Ger)	M. Williams (Arg)	Carl Q. Christol Edward R. Finch (Alt.)
State Succession	Gerhard Hafner (Aus)	Wlad. Czaplinsky (Pol) Marcelo Kohen (Arg)	
Teaching of International Law	Hilary Charlesworth (Austral)	John King Gamble (USA)	Valerie Epps Michael Scharf Charlotte Ku
Transnational Enforcement of Environmental Law	A.E. Boyle (UK)	S. McCaffrey (USA)	Guenther Handl Edith Brown Weiss David Bederman
Water Resources Law	C.B. Bourne (Can)	J. Dellapenna (USA) P. Wouters (UK)	
ILA Study Group on State Responsibility	Peter Malanczuk (Neth)		David Caron
ILA Study Group on the International Criminal Court	John Dugard (S. Africa)		Leila Nadya Sadat