



ABILA Newsletter

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April 2006

MESSAGE FROM THE PRESIDENT

It will be springtime when you receive this, so it's worth commenting on the flowering of international law conferences during this year's blooming season. The American Society for International Law celebrated its 100th birthday at the end of March. To commemorate that, Jim Nafziger of our branch assembled a fascinating panel on cultural law – from undersea artifacts to international sports law. The next week, we co-sponsored a meeting of the international law section of the American Bar Association. To close out the season, the International Law Association will hold its biennial conference in Toronto from June 4 to June 8, with a side trip to Niagara Falls on June 9.

The abundance of conferences with international lawyers talking to other international lawyers (and to the media) illustrates both the pervasiveness of international legal issues in virtually every realm touched by law, as well as controversies regarding the reach and even definition of international law. The ASIL has focused, in part, in recent meeting on the interaction between international and domestic law, in particular with its sessions with members of the Supreme Court and the Courts of Appeals. The upcoming ILA Conference will not explicitly consider issues of the intertwining (or not) of international and domestic norms, but those issues are clearly implicit. For example, the human rights committee is investigating the extent to which international human rights norms are adopted by domestic courts.

The evolution of those issues is clearly at the forefront of current scholarship, as well as very real cases. It will be part of our International Law Weekend in October. That conference will provide another forum to explore that central issue of the relation – if any, some would say – between international and domestic rules.

If any of you would like to submit a short piece for future Newsletters, I can assure you we would be happy to receive it. Pick your topic – the next one will be out in September. In the meantime, I hope to see you in Toronto: the conference is exciting and it's just next door.

UPCOMING CONFERENCES

JUNE 4-8, 2006

72ND BIENNIAL CONFERENCE OF THE INTERNATIONAL LAW ASSOCIATION IN TORONTO, CANADA

The Canadian Branch will host the 72nd Biennial Conference of the ILA. The ILA Conference will follow immediately after the 2006 International Council for Commercial Arbitration (ICCA) Congress in Montreal. ILA 2006 will provide a forum for the consideration and adoption of the reports and recommendations of the ILA Committees and Study Groups, and for an exciting series of complementary lectures and panel presentations by leading international academics, judges and practitioners on a wide range of matters of topical concern. Many prominent international law organizations and leading law firms are developing the complementary program, which will highlight key issues in areas related to the work of the Committees.

The organizers have cleverly arranged the committee sessions in five "tracks" – International Dispute Resolution, International Business Regulation, International Institutions, International Rule of Law and Human Rights, Environment, Development and Cultural Heritage, plus two sessions on Intellectual Property.

Other activities for the delegates and guests will include the Conference Excursion on June 9 to Niagara Falls, several hosted receptions throughout the Conference, and a gala closing dinner. *For more information, registration forms and costs, please visit the Conference website at www.ila2006.org.* (If the English version does not work, try the French one.)

OCTOBER 26-28, 2006

INTERNATIONAL LAW WEEKEND—2006 NEW YORK

This year's theme is *The Evolving World of International Law*. The co-chairs are Lorraine Brennan (lbrennan@uscib.org) and Professor Peter Yu (peteryu@law.msu.edu).

FEBRUARY 2-3, 2007
INTERNATIONAL LAW WEEKEND—WEST
2007, SANTA CLARA LAW SCHOOL

Looking way ahead, International Law Weekend—West 2007 will be held in Northern California for the first time, at Santa Clara Law School, in Santa Clara, California. You may contact Elizabeth Powers, Assistant Dean for the Center on Global Law & Policy, at epowers@scu.edu.

**MESSAGE FROM THE COMMITTEE ON THE
FORMATION OF CUSTOMARY INTERNATIONAL
LAW**

The Committee on the Formation of Customary International Law has decided on a topic for its next report: standards of proof for customary law at the international level and in American courts. The committee is searching for a reporter for this topic and interested candidates should contact the committee's chair, Prof. Philip Moremen, at moremeph@shu.edu. The committee may be open to a different proposed topic on customary law from an interested and qualified candidate.

BOOK REVIEW OPPORTUNITY

Oxford University Press has offered to provide complimentary evaluation copies of its international law books to dues-paying ABILA members who prepare short book reviews (no more than 500 words) for publication in the ABILA Newsletter. Members interested in this program should review the list of recently published international law titles on Oxford University Press's website at www.us.oup.com/us/catalog/general/subject/Law/InternationalLaw/?view=usa. Members may also receive details of new Oxford University Press books in their chosen area of interest on a regular basis by signing up at www.us.oup.com/us/subscriptions/subscribe/?view=usa. Thereafter, they should contact Executive Committee member David Stewart at stewartdp@state.gov. Mr. Stewart, who serves as the ABILA liaison to Oxford University Press and oversees the Branch's book review program, will work out the necessary arrangements.

We are attaching updated lists of American Branch Committee Chairs and International Law Association Committee Chairs, Rapporteur(s), and American Branch Committee Members.

AMERICAN BRANCH COMMITTEES

ARMS CONTROL AND DISARMAMENT

Chair: *Larry D. Johnson*
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COMMERCIAL DISPUTE RESOLUTION

Chair: *Professor Louise Teitz*
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INTERNATIONAL ENVIRONMENTAL LAW

Chair: *Professor Gunther F. Handl*
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EXTRADITION AND HUMAN RIGHTS

Chair: *Professor William Aceves*
wja@cwsl.edu

EXTRATERRITORIAL JURISDICTION

Chair: *David P. Stewart, Esq.*
stewartdp@state.gov

FEMINISM AND INTERNATIONAL LAW

Chair: *Janie Chuang*
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FORMATION OF RULES OF CUSTOMARY INTERNATIONAL LAW

Chair: *Professor Philip M. Moremen*
moremeph@shu.edu

HUMAN RIGHTS

Co-Chairs: *Christina Cerna*
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Scott Horton, Esq.
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INTERGOVERNMENTAL SETTLEMENT OF DISPUTES

Chair: *Pieter H.F. Bekker*
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INTERNATIONAL INTELLECTUAL PROPERTY

Chair: *Aaron Fellmeth*
aaron.fellmeth@asu.edu

INTERNATIONAL JUDICIAL INTEGRITY COMMITTEE

Chair: *Lawrence W. Newman*
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INTERNATIONAL COMMERCIAL LAW

Chair: *Houston Putnam Lowry, Esq.*
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INTERNATIONAL CRIMINAL LAW

Chairs: *Dr. Kelly D. Askin*
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Leila Nadya Sadat
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INTERNATIONAL FAMILY LAW

Chair: *Professor Barbara Stark*
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INTERNATIONAL HUMANITARIAN LAW

Chair: *Professor David Kaye*
dkisaway@yahoo.com

INTERNATIONAL MONETARY LAW

Chair: *James Lynch*
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INTERNATIONAL TRADE LAW

Chair: *Professor Alan C. Swan*
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INTERNATIONAL WILDLIFE COMMITTEE

Chair: *Professor William Burns*
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ISLAMIC LAW

Chair: *Professor Seval Yildirim*
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LAW OF THE SEA

Chair: *Professor George K. Walker*
Wake Forest University School of Law
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SPACE LAW

Chair: *Professor Carl Q. Christol*
CarlQC@cox.net

TEACHING INTERNATIONAL LAW

Chair: *Professor Valerie Epps*
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USE OF FORCE

Chair: *Professor James Gathii*
JGath@mail.als.edu

International Law Association Committees and U.S. Members

COMMITTEE NAME	CHAIR	RAPPORTEUR(S)	U.S. MEMBER(S)
Aspects of the Law of State Succession	Gerhard Hafner	Wladyslaw Czaplinski Marcelo Kohen	
Compensation for Victims of War	Luke T. C. Lee	Shuichi Furuya Rainer Hofmann	James Nafziger
Cultural Heritage Law	James Nafziger	Robert Paterson	
Diplomatic Protection of Persons and Property	Francisco Orrego Vicuna	David Bederman Juliane Kokott	Richard Bilder David Caron
Feminism and International Law	Sujata V. Manohar	Annette Lansink	Janie Chuang
International Civil Litigation and the Interests of the Public	Catherine Kessedjian	Richard Garnett	
International Commercial Arbitration	Filip De Ly	Audley Sheppard	Charles Brower Philip O'Neill Louise Ellen Teitz
International Criminal Court	Torsten Stein	William Schabas Goran Sluiter	Leila Nadya Sadat Michael Scharf
International Family Law		William Duncan	
International Human Rights Law and Practice	Martin Scheinin	Andrew Byrnes Menno Kamminga	William Aceves Christina Cerna Hurst Hannum (Alternate) Charles Siegal
International Law on Biotechnology	Thomas Cottier	Michael Blakeney Michael Halewood	Marsha Echols Constance Wagner
International Law on Foreign Investment	Christoph Schreuer	Amazu Asouzu Peter Muchlinski	Jeffrey Atik Andrea Bjorklund Daniel Magraw, Jr.
International Law on Sustainable Development	Nicolaas Schrijver	Duncan French Ximena Fuentes	
International Monetary Law	William Blair QC		Thomas Baxter, Jr. Lee C. Buchheit James Freis, Jr. Sean Hagan Cynthia Lichtenstein Andre Newburg Ernest Patrikis
International Securities Regulation	Edward Fleischman		Barbara Green Roberta Karmel Cynthia Lichtenstein
International Trade Law	E. U. Petersmann	Frederick Abbott Petros Mavroidis Friedl Weiss	Gary Horlick Joel Trachtman John Jackson Alan Swan
Islamic Law and International Law	HE Judge Awn Al-Khasawneh	James Busuttil Khadija Elmadmad	
Outer Continental Shelf	Dolliver Nelson	David Ong A.G. Oude Elferink	John Noyes
Practice and Procedure of International Tribunals	Campbell McLachlan Philippe Sands		
Space Law	Maureen Williams	Stephan Hobe	Carl Q. Christol Edward Finch, Jr. Joanne Irene Gabrynowicz
Teaching of International Law	Neville Botha	John Gamble	Valerie Epps Charlotte Ku Michael Scharf
Transnational Enforcement of Environmental Law	A. E. Boyle	Christophe Bernasconi Gerrit Betlem	David Bederman Gunther Handl Stephen McCaffrey Edith Brown Weiss
UNCITRAL	Paul Volken		
What Is War?	Mary Ellen O'Connell		James Gathii