

ILA-general

AMERICAN BRANCH
OF THE
INTERNATIONAL LAW ASSOCIATION

(FOUNDED 1873)

PRESIDENT

CYNTHIA C. LICHTENSTEIN
c/o MILBANK, TWEED, HADLEY & McCLOY
1 CHASE MANHATTAN PLAZA, 48TH FLOOR
NEW YORK, N.Y. 10005
TEL: (212) 530-5922

VICE PRESIDENT AND SECRETARY

P. NICHOLAS KOURIDES
c/o THE CHASE MANHATTAN BANK, N.A.
1 CHASE MANHATTAN PLAZA, 29TH FLOOR
NEW YORK, N.Y. 10081
TEL: (212) 552-1604

CHAIRMAN, EXECUTIVE COMMITTEE

ROBERT B. VON MEHREN

TREASURER

JONATHAN I. BLACKMAN
c/o CLEARY, GOTTlieb, STEEN & HAMILTON
ONE STATE STREET PLAZA, NEW YORK, N.Y. 10004
TEL: (212) 344-0600

**ILA NEWSLETTER
ISSUE No. 33**

September 1987

**International Law Weekend 1987
November 6 and November 7 - Program Below**

LETTER FROM THE NEW PRESIDENT OF THE AMERICAN BRANCH

"This is my first opportunity as President of the American Branch to communicate with those of you who have joined the International Law Association through our Branch. For the longtime members of the Branch, I only wish to tell you how pleased I am to be able to try to follow in the footsteps of John Hazard and Robert von Mehren and I hope that the Branch under my leadership will live up to the standards set by them. As for newer members, I have a sense that there may not be a full understanding of how the Branch goes about doing its work and what membership in the Branch means. I hope therefore to use this opportunity to give you my impression of our Branch work.

In the last fifteen years since the late Professor Alona Evans of Wellesley College instituted the tradition of International Law Weekend, the Branch as chief sponsor of that Weekend has become much more visible. Adding to our new visibility is the publication of International Practitioner's Notebook, originated by Professor Edward Gordon, who is now our Chairperson of the Committee on Committees. This visibility, which may have attracted some of you to membership, does not, however, tell you how the American Branch participates in the progressive development of international law. Also, the relationship of the Branch to the ILA itself headquartered in London and the ILA's own work may be unclear. For more clarity, I recommend to you the brief summary in our Proceedings and Committee Reports of 1985-86 on page 1, 'The Functions of the International Law Association'. That summary gives a little of our history and the history of the ILA itself and explains the centerpiece of the ILA work, the biennial Conferences of the ILA held in different countries. All members of all branches are invited and encouraged to attend the Conferences: the next Conference in August 1988 is to be held in Warsaw, Poland.

In addition to the biennial Conferences, the branches coordinate their work and keep in touch with the work of the ILA and its international committees by electing delegates to the Executive Council of the ILA which traditionally meets at the Headquarters in London in October and May. As many of you may know, the Chairman of the Executive Council and thus the Head of the International Law Association is our own Cecil Olmstead. At present, the "delegates" to the Executive Council meetings from the American Branch

are myself, Robert von Mehren, Chairman of our American Branch Executive Committee, and Professor Richard Lillich. In the absence of or the inability of any one of these three to attend an Executive Council session, I shall ask another member if he or she would be able to attend to represent the Branch. It is at the Executive Council meetings that the planning for the biennial Conferences takes place and, above all, reports are made by the ILA's Director of Studies, currently Professor Ian Brownlie, QC, on the progress of the work of the international committees.

While it is not at all difficult to work with the American Branch by indicating your interest in one of our American Branch Committees, membership in an international committee is by invitation only and therefore a mark of the scholarly expertise of the individual concerned in the particular topic to be considered by the international committee. Since, in general, the international committees attempt to allocate their membership over the nationalities of the more than forty branches of the Association, usually there are no more than one or two Americans on any international law committee. However, to the extent that our Branch committees are organized to parallel the work of the international committees, valuable work and insights may be funnelled to an international committee. One of our younger members, and a relatively new member of our Executive Committee, Professor Mark Janis of the University of Connecticut School of Law, is particularly interested in encouraging and assisting younger members of our Branch and/or students of international law to participate in the work of the committees, both of our Branch and of the ILA itself. He suggests that for any of you who are also professors and would like to involve your more interested students, you write him to coordinate with him on involvement in the work of the ILA.

It is my hope as President that we can encourage this sort of participation and involvement. As the summary on the functions of the International Law Association that appears in our 1985-86 Proceedings states: "[Our] reports represent no official United States view but rather the divergent views of committee members". There is thus not only opportunity for work, but also an assurance that an individual perspective on contemporary problems in international law will be given its day. I hope that all of you who wish to become more involved in the work of the Association will write to Professor Janis, Professor Gordon or myself with your proposals and interests.

Sincerely,

Cynthia C. Lichtenstein
President"

INTERNATIONAL LAW WEEKEND

International Law Weekend will be held as usual in New York City and will take place this year on Friday, November 6, and Saturday, November 7, 1987. The American Foreign Law Association, The American Society of International Law and the Committee on International Law of The Association of the Bar of the City of New York will again join the American Branch in sponsoring the Weekend. An excellent weekend is scheduled. Panel discussions are planned for Friday morning and Friday afternoon and Saturday morning and possibly Saturday afternoon.

The American Branch is privileged to have as its speaker at the dinner Friday night the Chairman of the Executive Council of the International Law Association, Cecil J. Olmstead, and to have present at the Friday night dinner, Professor Jerzy Makarczyk, President, Polish Branch of the ILA, who will discuss the 1988 Conference to be held in Warsaw. Also, the American Branch is pleased to have as its speaker at the luncheon Saturday afternoon, Steven J. Stein, Chairperson of the Committee on the International Law, The Association of the Bar of the City of New York. All events will be held at The House of the Association of the City of New York, except for the Friday night dinner on November 6 which will be held at The Princeton Club of New York. Mr. Frederick Tipson, Ms. Jan Schneider and Professor Michael Glennon have organized the program for the Weekend.

Details of International Law Weekend are set forth below. Please note that no reservations for the annual dinner on Friday night will be accepted after 10:00 a.m. on Wednesday, November 4, and no reservations for

the Saturday lunch will be accepted after 10:00 a.m. on Thursday, November 5, or at such earlier time when all places are taken. Because the American Branch has incurred large deficits in the past for persons reserving places for dinner or lunch and then not attending, payment for the Friday night dinner and Saturday lunch must be received in advance at least two days prior to the respective event or reservations will be automatically cancelled. A registration and reservation form is enclosed herewith for your convenience.

63RD CONFERENCE OF THE ILA TO BE HELD IN WARSAW, POLAND

The 63rd Conference of the International Law Association is scheduled to take place on August 21 through 28, 1988, in Warsaw, Poland. The Intercontinental Victoria Hotel will serve as the Conference Center. Brochures have been mailed to each member requesting initial interest in attending the Conference. A US \$300 conference fee for participants has been proposed.

ILA EXECUTIVE COUNCIL MEETINGS

The Executive Council of the ILA met on November 15, 1986 and on May 2, 1987.

At the November 1986 Executive Council meeting, at which Professors Lichtenstein and Lillich and Mr. Von Mehren attended for the American Branch, the Council devoted substantial attention to reviewing and confirming the results of the Seoul Conference and to reviewing initial plans for the Warsaw Conference in 1988.

At the May 1987 Executive Council meeting, Professors Lichtenstein and Lillich attended for the American Branch. The Council considered in depth matters relating to the International Committees and the Director of Studies' Report. Professor Brownlie reviewed the work of the International Committees and asked for the advice of the Council with respect to certain issues. Specific matters were discussed on aspects relating to the following Committees: "International Recognition of Adoption," "Legal Problems of Divided States," "State Immunity," "New International Economic Order," "Legal Aspects of Extra-Territorial Jurisdiction," "Securities Regulations (Harmonization and Extra-Territorial Effects)," "Water Resources," "Exclusive Economic Zone," "The Right to Food," and "International Committee on Arbitration."

The Council also reported that the Egyptian Branch of the ILA had been reactivated.

In addition, the Council discussed the possibility of having the 64th Conference of the ILA in Australia in 1990, and this matter would be pursued further with the Australian Branch.

JUDGE JOHN EDWARDS

We announce with great regret the death of Judge John Edwards on July 9. Mr. Edwards was the Honorary Secretary-General of the ILA for many years.

CHANGES IN OFFICERS OF THE ILA

We are pleased to announce that Mr. Bruce Mauleverer has become the Honorary Secretary-General of the ILA, replacing Mr. John Edwards, and that Mr. F.L. de May has become the Secretary of the ILA, replacing Mr. R.C. H. Briggs.

AMERICAN BRANCH COMMITTEES

Listed below are the present committees of the American Branch and the name and address of the Chairperson. If any members of the Branch have a particular interest in a Committee and feel they could make a contribution to the work of the Committee, please write the appropriate Chairperson. General questions should be addressed to Professor Edward Gordon, the Chairperson of the Committee on Committees.

Committee

Air and Space Law

Antarctica

Exclusive Economic Zone

Foreign Investment

Formation of Customary
International Law

Human Rights

International Commercial
Arbitration

International Monetary Law

Legal Aspects of a New
International Economic OrderLegal Aspects of the Internationalization
of the Capital MarketsTransnational Recognition
and Enforcement of
Foreign Public LawUse of Force in Relations
Among States**Chairperson**Professor Stephen Gorove
University of Mississippi Law School
University, MS 38677Prof. Christopher C. Joyner
Dept. of Political Science
The George Washington University
Washington, DC 20052Prof. L. F. E. Goldie
Syracuse Univ. College of Law
Ernest I. White Hall
Syracuse, NY 13210David G. Gill, Esq.
Exxon Corporation
1251 Avenue of the Americas
Room 4822
New York, NY 10020Prof. Jonathan I Charney
Vanderbilt University School of Law
Nashville, TN 37340Professor James A.R. Nafziger
Willamette University College
of Law
Ferry & Winter Streets, S.E.
Salem, OR 97301Philip D. O'Neil, Jr., Esq.
Hale & Dorr
60 State Street
Boston, Ma 02109Prof. Richard. W. Edwards, Jr.
University of Toledo
College of Law
2801 W. Bancroft St.
Toledo, OH 43606Peter Trooboff, Esq.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
Washington, DC 20044Russell B. Stevenson, Jr., Esq.
Hale & Dorr
1455 Pennsylvania Avenue, N.W.
Washington, DC 20004Professor Willis Reese
Columbia University
Parker School of Foreign &
Comparative Law
435 W. 116th Street
New York, NY 10027William D. Rogers, Esq.
Arnold & Porter
1200 New Hampshire Avenue, N.W.
Washington, DC 20036

LIBER AMICORUM FOR LORD WILBERFORCE

A Liber Amicorum for Lord Wilberforce has been approved for publication by the Executive Council of the International Law Association. The book focuses principally upon matters of commercial law and arbitration and questions of international law. It will be edited by Dr. Maarten Bos and Professor Ian Brownlie and is expected to be published by the Oxford University Press towards the end of 1987. Copies will be available to members of the International Law Association at a substantial discount. The topics covered in the publication will be as follows:

Public International Law:

The General Assembly and the Problems of Enhancing the Effectiveness of the Non-use of Force in International Relations: by H.E. Judge Elias, Member and former President of the International Court of Justice

Legal Issues Involved in the Potential Military Uses of Space Stations: by Professor Dr. D. Goedhuis, Chairman of the International Law Association

Universal International Law in a Multicultural World: by H.E. Judge Sir Robert Jennings, QC, Member of the International Court of Justice, former Director of Studies of the International Law Association

Diversion of Waters and the Principle of Equitable Utilisation: A Short Outline of a Complex Problem: by Judge Eero Manner, Chairman of the International Committee on International Water Resources Law of the International Law Association

Global Satellite Telecommunications: The End of a Dream? by Professor Nicolas Matte, OC, QC, Former President of the International Law Association, Director of the Centre for Research on Air and Space Law, McGill University

Lord Wilberforce and International Law: by Professor C. J. Olmstead, Chairman of the International Law Association

The Distinguishing Characteristics of the Concept of the Law of Nations as It Developed in Ancient India: by H. E. International Court of Justice

Arbitration and Commercial Law:

Commercial Dispute Resolution: The Changing Scene: by The Rt. Hon. Lord Justice Kerr, Lord Justice of Appeal

State Corporations in International Relations: by Dr. F. A. Mann, CBE, FBA, Solicitor of the Supreme Court, London, Honorary Professor of Law at the University of Bonn

The New Lex Mercatoria: The First Twenty-five Years: by The Rt. Hon. Lord Justice Mustill, Lord Justice of Appeal

Fault in the Common Law of Contract: by Professor G. H. Treitel, QC, FBA, Vinerian Professor of English Law in the University of Oxford.

European Community Law:

The Impact of Community Law on Indirect Taxation: by N.P.M. Elles, Chairman, Value Added Tax Appeals Tribunal

Public Law:

Lord Wilberforce and Administrative Law: by Professor D. G. T. Williams, Rouse Ball Professor of English Law in the University of Cambridge, President of Wolfson College, Cambridge.

INTERNATIONAL LAW ASSOCIATION CONFERENCE, OCTOBER 28 AND 29, 1987

The International Law Association and the European Study Conferences will sponsor a two-day conference in London on October 28 and 29, 1987 entitled "Financial Services and Securities Markets: Deregulation and Internationalization." This Conference will focus on developments in the securities markets, compliance and enforcement measures, regulatory problems for commercial banks and developments in banking practice and regulation. Among the speakers will be the following:

Professor Cecil J. Olmstead
Chairman ILA Executive Council

The Rt. Hon Lord Wilberforce CMG OBE
Patron ILA

Sir Kenneth Berrill
Chairman, Securities & Investments Board

Dr. Edward G. Boehne
President, Federal Reserve Bank
Philadelphia

Graeme Brister
Linklaters & Paines, London

Keith Clark
Clifford Chance, London

Geoffrey Fitchew
Director General, Financial Institutions & Company
Law Commission of the European Communities

Hon. Edward H. Fleischmann
Commissioner, Securities & Exchange Commission

Rodney Galpin
Executive, Director Bank of England

Sir Nicholas Goodisonn
Chairman, Stock Exchange

Professor L. C. B. Gower
Consultant to Securities & Investments Board

Professor Dr. Iur. Hugo J. Hahn
Alte Universität Würzburg
West Germany

Hon. Robert M. Kimmitt
General Counsel, US Treasury

Sadaaki Hosoya
Bank of Japan

Wolfgang Kuntze
President, German Federal Office
Banking Surveillance

Edward R. Leahy
Counsel, House of Representatives
Subcommittee on Telecommunications and Finance

Peter Leslie
Deputy Chairman & Managing Director
Barclays Bank plc

Professor Cynthia C. Lichtenstein
Boston College Law School

Francis D. Logan
Milbank Tweed Hadley & McCloy
New York

Dr. F. A. Mann
Herbert Smith, London

The Hon. Francis Maude MP
Under Secretary of State,
Department of Trade & Industry

Dr. Ekkehard Storck
Managing Director, Deutsch Bank
Luxembourg SA

The Hon. Sir Gordon Slynn
Advocate-General, European Court
Luxembourg

Andrew Vollmer
Wilmer Cutler & Pickering
London & Washington

Jean-Pierre Wellens
Senior Chief Manager, Banque
Bruxelles Lambert SA

Any person needing further information or who would like to attend the Conference should contact immediately European Study Conferences Limited, Douglas House, Queen's Square, Corby, Northants NN17 1PL, England.

CASSETTES OF INTERNATIONAL LAW WEEKEND

Condyne/The Oceana Group, 75 Main Street, Dobbs Ferry, New York 10522, has reproduced in cassette form certain of the panel discussions of International Law Weekend from 1975 through 1986. Members who are interested in obtaining cassettes and finding out which panels are available should contact Ms. Yvonne Heenan, Vice President at Condyne/The Oceana Group, for further information. For example, from International Law Weekend 1986, the following four panels are now available on cassettes: "International Telecommunications;" "International Economic Policy Coordination: The New Bretton Woods?"; "Prospects for Multilateral Trade Negotiations," and "International Law and the Use of Force." From International Law Weekend 1985, the following panels are available: "Revised Restatement of the Foreign Relations Law of the United States: Issues, Comments and Questions"; "Terrorism and Countermeasures: Is Section 905 Helpful?"; and "Immunity of Central Bank Assets."

REGIONAL ILA CONFERENCE IN BUENOS AIRES, DECEMBER 3-5, 1987

A regional conference of the International Law Association will take place in Buenos Aires, Argentina, on December 3-5, 1987. The topics to be considered will be "International Adjudication of Foreign Investment Disputes and International Commercial Arbitration," "The Antarctic Treaty," "Human Rights and New International Economic Order," "Space Law and Satellite Communications," "Natural Resources (Laws of the Sea, Space and Environment)," and "International Responsibility of the Control Organism of Air Transport."

CHANGES OF ADDRESSES

Members are reminded to send change of address information immediately to the Honorary Treasurer, at the above address, to prevent any interruption in receiving materials.

INTERNATIONAL LAW WEEKEND

Program*

November 6-7, 1987

Friday, November 6, 1987

10:00 a.m. - 12:15 p.m.

**Canada-United States
Free Trade Negotiations**

Moderator: (To be announced)

Panelists: Ambassador Simon Reisman
Chief Negotiator for Canada

The Honorable Leonard Legault
Deputy Chief of Mission of
Canada to the United States

Shirley Coffield
Skadden, Arps, Slate, Meagher
& Flom
Washington, D.C.

(Fourth Panelist to be announced)

12:30 - 2:00 p.m.

Mid-Year Business Meeting/Constitutional Conven-
tion Association of Student International Law
Societies (ASILS)

2:00 - 4:15 p.m.

Panel 1

**The Iran/Contra Affair:
A Need for Structural Change?**

Moderator: Thomas Franck
New York University
School of Law

Panelists: Paul Stevens
Legal Adviser
National Security Council

W. Clark McFadden
General Counsel
Tower Commission

Louis Fisher
Senior Analyst
Congressional Research
Service

Professor Michael J. Glennon
School of Law
University of California,
Davis

*Unless otherwise indicated, all events will be held at The House of the Association of the Bar of the City of New York, 42 West 44th Street, New York, N.Y.

Panel 2

**Regulating International Securities
Markets: Firms and Offerings**

Moderator: Russell Stevenson
Hale & Dorr
Washington, D. C.

Panelists: Richard Ketchum
Dir., Div. of Market
Regulation
Securities and Exchange
Commission

Elisse B. Walter
Dir., Div. of Corporate Fin.
Securities and Exchange
Commission

Jonathan L. F. Brayne
Allen & Overy

Margaret Grieve
Chase Manhattan Bank

4:30 - 5:30 p.m.

Annual Business Meeting of the American Branch of
the International Law Association

4:30 - 6:15 p.m.

Student Workshops

6:45 - 7:30 p.m.

Reception, The Princeton Club of New York

7:30 p.m.

Dinner, The Princeton Club of New York,
15 West 43rd Street, New York, N.Y.
(Black tie optional- \$40 per person)

Speaker: Cecil J. Olmstead
Chairman, Executive Council
International Law
Association

Remarks: Prof. Jerzy Makarczyk
President, Polish Branch of
the International Law
Association—"The 1988
ILA Conference in Warsaw"

Saturday, November 7, 1987

10:00 a.m. - 12:00 noon

Panel 1

**Insider Trading Liability:
A World Perspective**

Chairman: Bernard J. Reverdin
President
American Foreign Law
Association

Moderator: Prof. Roger Goebel
School of Law
Fordham University

Panelists: (on treatment of insider trading liability
problems in the U.S., the U.K., and
Germany)

Panel 2

Extradition for Terrorists Offenses

Moderator: Alfred P. Rubin
Fletcher School of Law
& Diplomacy

Panelists: Mary Mochary
Deputy Legal Adviser
Department of State

Robert A. Friedlander
Special Minority Counsel
Senate Foreign Relations
Committee

Christopher Pyle
Mount Holyoke College

Torsten Stein
Max Planck Institute
Heidelberg

Christine Van den Wijngaert
University of Antwerp

12:00 - 2:15 p.m.

Luncheon, The Association of the Bar of the City of
New York
42 West 44th Street, New York, N.Y.
(\$25 per person)

Speaker: Steven J. Stein
Chairman, Committee on
International Law, The Association of
the Bar of the City of New York

_____ 2:15 p.m.

Possible panel on late-breaking event

INTERNATIONAL LAW WEEKEND 1987
REGISTRATION AND RESERVATION FORM

To: Owen Kupferschmid
Shearman & Sterling
599 Lexington Avenue
New York, New York 10022
Telephone: (212) 848-7375

1. Please register the following participants:

Name: _____

Address: _____

Telephone No.: _____

(Registration is for statistical and planning purposes only; there is **no** registration fee.)

2. Please make the following reservations for the dinner on Friday, November 6 and the luncheon on Saturday, November 7:

(a) Dinner, Friday, November 6 — The Princeton Club of New York
(Black Tie optional) — \$40* per person.

List number of reservations and names for designated seating:

(b) Luncheon, Saturday, November 7 — The Association of the Bar —
\$25* per person.

List number of reservations (no designated seating):

Enclosed is my check in the amount of \$_____.
(Please make check payable to the American Branch of the International Law Association.)

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COMPLETE FORM AND MAIL PRIOR TO OCTOBER 28, 1987
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* Payment must be received at least two days prior to the date of the event or reservations will be automatically cancelled.

