

AMERICAN BRANCH
OF THE
INTERNATIONAL LAW ASSOCIATION

(FOUNDED 1873)

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ILA NEWSLETTER

ISSUE NO. 39

September 1992

INTERNATIONAL LAW WEEKEND 1992 - November 5 to 7

International Law Weekend will be held as usual in New York City beginning on Thursday, November 5. This year's Thursday evening program will be on U.N. Peacekeeping and will feature the Hon. Edward Perkins, U.S. Ambassador to the United Nations, as a speaker. The program continues on Friday, November 6, and concludes with a luncheon on Saturday, November 7. This year's American Branch annual dinner will be held at the Yale Club of New York City, where the featured speaker will be the Ambassador of Egypt to the United States, the Honorable Dr. Nabil A. Elaraby. Appendix B of the Newsletter contains the program together with the registration and reservation form for International Law Weekend events. Attendance at the annual dinner and Saturday lunch, as well as "Box Lunches" for the Friday session, require advance registration and payment. While checks are preferred, to simplify payment this year participants may charge dinner and lunch fees to Visa or MasterCard. (See page vii of Appendix B for details.)

LETTER FROM THE PRESIDENT OF THE AMERICAN BRANCH

Dear American Branch Members:

Over the years that I have been president of the American Branch, I have tried to report to you regularly on the affairs of the Branch and of the ILA itself in our Newsletter. This time is special, however, as I shall be stepping down as President, or rather, as is our custom, moving up to Chair of the Executive Committee. (The Nominating Committee's proposals for, among other nominees, your new President, appear elsewhere in this Newsletter.) Thus, in addition to reporting to you on the 65th Conference of the ILA in Cairo, I would like to share with you in brief some of my thoughts, collected over six years of service as Chair of the Committee on Committees (now the Director of Studies) and almost six as President, that I gave to our Executive Committee at its meeting on June 5, 1992.

First as to Cairo: The Egyptian Branch, with the aid of the ILA's Director of Studies, Prof. James Crawford, formerly Dean of University of Sydney's Faculty of Law and now The Whewell Professor in Public International Law at Cambridge, and especially Mrs. Barbara Osorio, the ILA Headquarters' efficient, loyal and everlastingly industrious staff person, hosted an excellent Conference in April of this year. (Exceptionally, the Conference was in April as Cairo in August would have been too hot. Timing may have affected attendance, particularly for academics. The 66th Conference, to be hosted by the Argentine Branch, will be held August 14-21, 1994, in Buenos Aires.) As I am writing to you quite far from my files on the Cairo Conference, I do not have at hand the full list of American Branch members present. If memory serves, approximately forty U.S. persons (including accompanying persons) were present. As is usual when the Conference is held in a city with a U.S. Embassy, the Embassy held a garden party for the U.S. persons and invited a number of members of the Egyptian Bar. The prefatory briefing by the Ambassador was highly frank and informative.

As for the substantive work of the Conference, you will find elsewhere in this Newsletter reports from some of our members who attended the Workshops and Working Sessions of the International Committees. I attended the Working Sessions of the International Minatory Law Committee and the International Securities Law Committee, and an exploratory meeting of a new International Committee on International Trade. The International Minatory Law Committee heard an extremely timely report from Prof. Hugo Hahn on the minatory union aspects of Maastricht with commentary from the Committee member who is a member of the legal staff of the German Bundesbahn and from the General Counsel of the BIS, Mario Giovannoli. Unfortunately, the American Branch member who also was to report at Cairo, Richi Tigert, former Associate General Counsel of the Federal Reserve and now entering private practice, was unable to attend. Her paper will be debated at a future meeting of the Committee.

The International Securities Regulation Committee heard reports on legal issues in electronic trading, one theology of intergovernmental cooperation in enforcement, and the

growing cooperation between IOSCO and the Basle Committee of Bank Supervisors. The Committee will meet again in London in November 1992.

The International Trade Law Committee, under the direction of Profs. Jaenicue, Oppermann and Petersmann, expects to focus its work on questions of GATT law and reform. A first meeting of the Committee is planned for summer 1993. It is expected that Prof. John Jackson will be the American Branch member and Gary Horlick, Esq., the Alternate.

An unusual event, completely "off-the-record", took place the last day (Saturday) of the Conference. The International Court of Justice had just released its decision on Libya's Application for Provisional Measures in the so-called Locherbie Affair. With Lady Fox of the British Branch acting as Chairman and Professor Bothe of the German Branch describing the Security Council resolutions at issue in the case, about 50 members of the ILA discussed the issues in the case. The session was intended to be -- and succeeded in being -- an educational one for all concerned. A number of Legal Advisors or former Legal Advisors were there as well and their comments were of particular interest. Near the end of the session, Monroe Leigh of the American Branch described the U.S. judicial doctrine of "political question" and suggested that the ICJ might, when the full case is before it, have to fashion such a doctrine itself.

Now to turn to my thoughts concerning the administration of the American Branch.

The American Branch of the ILA is unique among U.S. international law societies in that it is the United States' arm of an international organization founded in 1873 and having branches in over 40 countries. The international organization does its work through its International Committees and their resolutions, declarations, model laws and draft conventions; the American Branch correspondingly participates in this important work through its own Committees and their reports.

Nevertheless, over the past 15 or 16 years that I have been active in the Branch, I have watched the Branch develop exponentially a function other than to serve as the U.S. arm of the London-headquartered ILA. From my observation, the American Branch has come to play a role domestically which resembles -- to the extent possible without paid staff and utilizing the small amount of dues left over from the Branch's \$20 per member contribution to Headquarters -- a sort of miniature American Society of International Law. International Law Weekend, founded some 17 years ago by Prof. Alona Evans and put on with a mimeographed program and minimal fanfare, has become a major event, a sort of Fall Annual Meeting of the international law community. *International Practitioner's Notebook ("IPN")*, originated some 15 years ago by Prof. Edward Gordon, has become a highly regarded publication, so much so that I recently received a request to reprint one of Prof. Alfred Rubin's *IPN* pieces in student teaching materials. (I may reiterate that both of these activities are carried out, as is the publication of our Newsletter, without any paid staff whatsoever in contrast to the American Society which presently has 22 persons on its payroll.)

The Branch appears to have members who seem primarily interested in the domestic activities of the Branch. Thus, one might say the Branch has functioned, for some years now, as an alternative participation in international law activities such as planning the program of International Law Weekend, publishing *IPN*, etc., for persons who for one reason or another preferred not to work so actively with the American Society. This would not present a problem except that, while our membership (around 550) provides through American Branch contributions over half the budget of Headquarters, the small number of our members participating in the ILA internationally by attending the Biennial Conferences (often no more than 20) or by working with the International Committees, appears to suggest that our presence within the ILA on the international level is not commensurate with our monetary contribution. Nor would this matter, so long as our domestically oriented members remain satisfied with the domestic programs. Yet, I have found over the 12 years that I have served first as Chair of the Committee on Committees and then as President of the Branch that it is becoming harder and harder to administer the domestic activities (all the while trying to administer the Branch's participation in the larger association) with no staff and no funds.

As President before me, Bob von Mehren was very fortunate to have the full backup of his firm, Debevoise & Plimpton, and I have been extremely fortunate in that Milbank, Tweed, Hadley & McCloy has supported me with secretarial help. Columbia Law School provided a great deal of help to David Leebron as Honorary Secretary; Kelley Drye & Warren is currently supporting Nicolai Sarad in his work as our new Honorary Secretary. Cleary, Gottlieb, Steen & Hamilton, through Jonathan Blackman, has provided that bookkeeping is done for the Branch as well as keeping our membership lists, soliciting for dues, bill paying, and the like -- all thankless but very necessary work. With Jonathan stepping down (and the loss of Sylvia Bloom who has done all the ministerial work), the Branch will have to rethink this structure. Jonathan Blackman, and especially Bob von Mehren's tax partner at Debevoise & Plimpton, spent a large number of hours working out the difficulties of our tax status, happily now resolved. Yes, all of your contributions (gifts, not dues) are gifts to a charitable organization.

Nevertheless, there is a limit to what one can expect from a purely volunteer organization. To give a minor illustration, seeing that International Law Weekend (for which there is no registration fee) had become much more expensive than in the past, I requested last year the participation in the deficit from the additional Bar Associations that had become "also sponsoring" organizations of the Weekend. (The Weekend received considerably more publicity because of the mailing of the Weekend's announcement through these organizations; but to make the arrangements for the "also sponsoring" organizations required, again, a considerable amount of the President's time.) All of the sponsoring organizations did agree to contribute, but unfortunately David Leebron did not have time to go over the cost of the Weekend to determine the size of the deficit to produce in sufficient time the kind of accounting necessary to request the contribution of the \$400 or so from the organizations that did not send funds in immediately.

Similar sorts of difficulties exist with *IPN* which will not be detailed here.

To summarize, I personally would see as an issue for the Branch whether the Branch in the future should continue the present level of its purely domestic activities, International Law Weekend, *IPN*, etc., while at the same time fulfilling all the service of the American Branch to the larger organization through its Committee work and its work with the International Law Association including participation in the biennial Conferences, the governance and funding of the ILA itself, etc. If the conclusion is that it is desirable for the Branch to continue both functions -- and thus to satisfy what might be described as two separate constituencies among its members -- then I believe the question of finding the resources to continue the domestic activities at the same level must be faced.

This latter question might raise again the issue whether there should be a registration fee for International Law Weekend, contrary to the tradition of offering it freely to the public. If charging for the Weekend is not desirable, how else might the Weekend be organized? Last year we were extremely fortunate in having a very energetic Committee, particularly Prof. Ruth Wedgwood who did an enormous amount of the planning working with David Leebron. Equally, we were fortunate in that the American Society sent up two members of its paid staff to man the tables of the Association of the Bar with information as well as aiding the students (ILSA) who hold their Fall Meeting at the same time as International Law Weekend. Administration of International Law Weekend raises the issue of the extent to which the American Society could or might want to continue to offer some of its administrative staff to participate in running the Weekend which is, after all, a regional meeting of the American Society. Equally, while most would agree that it is desirable to continue publishing *IPN*, the Branch will also need to consider in what way the selection of editors and the hard work of being editors might better be achieved than simply having the President of the Branch scramble every few years to talk someone into doing it.

Finally, as an Honorary Vice President of the ASIL and active member, I have recently observed with considerable interest the Society's largely successful effort to revitalize itself. In particular, the Society's new initiative with the Dutch International Law Society (NVIR, which is also, under a special system of check off for members, the Dutch ILA Branch; a similar system is used in Switzerland) to hold in the Hague in alternate years an International Law Conference would seem to engage the Society in an ILA-like activity. I understand that the Japanese Society and the ASIL may also be involved in a similar joint venture. As a member and officer of both organizations, I personally would like to see explored in what ways each organization can add to the strengths of the others. How can the scarce resources of each be better shared? Can the Society's revitalized Tillar House structure and computers be of help to us? Can we, with our long association with our colleagues in the bosom of the ILA, aid the Society in its program of cooperation with societies in other countries?

I hope the American Branch will in looking to its future begin to explore these questions. I welcome your, our members', thoughts.

Cynthia C. Lichtenstein
President

65TH ILA CONFERENCE HELD IN CAIRO, EGYPT

At the biennial meeting of the International Law Association held in Cairo, April 20-26, 1992, the Committee on Legal Aspects of Air Traffic Control concluded its work with a final Report, adopted unanimously. It referred legal questions of liability in the case of a civil aircraft accident to the law of the state whose air traffic authorities are responsible for the pertinent control services under Annex 11 to the 1944 Chicago Convention. It does not prejudge the applicability of that state's law to all aspects of the incident, but leaves that state's choice of law rules intact.

The Committee on the Formation of rules of Customary (General) International Law issued its 2nd Interim Report and continues its work. The Reporter, Professor Maurice Mendelson (British Branch), carries on.

The Committee on Maritime Neutrality received a Report from Michael Bothe (German Branch), the Reporter, indicating the many areas of disagreement. It is envisaged that the Committee will be expanding its membership somewhat and will work intensively during the next biennium, but there are so many areas of the law that are unclear or disputed that it is not certain that it will be able to complete its work soon. Professor Alfred P. Rubin (American Branch) was invited to join the Committee. National Branches were strongly encouraged to set up parallel Committees, and the appropriate members of the American Branch are being approached for that purpose. Any interested members of the American Branch should contact Professor Rubin as soon as possible.

The newly formed Committee on Extradition and Human Rights met in an open session attended by Professors John Dugard (South Africa: Co-Reporter), Kai Hailbronner (Germany), Alfred P. Rubin (USA: Chairman), Ivan Shearer (Australia), Torsten Stein (Germany), Christine van den Wyngaert (Belgium: Co-Reporter) and two observers who appeared to prefer not to be recorded.

Membership was discussed. It was agreed that the widest possible representation should be sought and names were requested. Several members offered suggestions and the Chairman undertook to write to a distribution of them inviting membership. He indicated that he had already written to several prospective members and at least one, Professor Maureen Williams (Argentina), had responded affirmatively.

The substantive agenda supplied by the Reporters was discussed at some length. It appeared to be the consensus that so many substantive issues existed when legal problems of extradition were measured against legal and moral human rights imperatives that it would be impractical to attempt to prepare a comprehensive Report in one gulp. The problems should be attacked in order of importance as judged by the Reporters in light of the discussion.

It was agreed that as soon as the size and composition of the Committee could be estimated, the Chairman should seek funding and other arrangements for a meeting of the full Committee in 1993.

A Committee on International Law in National Courts is now in existence. The American Branch member is Judge Stephen Schwebel. Professor Edward Gordon is the alternate member. A parallel Committee of the American Branch is being formed under the Chairmanship of Professor David Bederman (Emory Law School) with Professor Joel Trachtman (The Fletcher School of Law & Diplomacy) as primary Reporter. All interested members of the Branch should contact Professor Bederman as soon as possible.

A session in Cairo on Islamic Law and International Affairs attracted such a large audience and lively discussion that it was continued for a second period. Arguments that Islamic principles required the sort of peaceful relations that we all yearn for were met with assertions that Christian principles did the same, and in neither case was it clear that states adopting those principles as their national policies exhibited behavior much different from the secular states that dominate the international system today.

Alfred P. Rubin
Co-Director of Studies

REPORT OF THE CULTURAL HERITAGE LAW COMMITTEE

The Cultural Heritage Law Committee, of which I am the rapporteur, met during the Cairo Conference in four working sessions to review the Report and Draft Convention on the Protection of the Underwater Cultural Heritage. The sessions elicited a number of technical improvements in the text of the convention. The sessions also included a thorough discussion of law of the sea and criminal law aspects of the Draft Convention, on the basis of suggestions requested from other committees of the ILA. The concluding sessions of the Committee focused on several policy issues and the question of how to proceed with a final version of the Draft Convention, which is expected to be ready for adoption at the 1994 Conference.

The final plenary session in Cairo adopted the following resolution:

The 65th Conference of the International Law Association held in Cairo, Egypt,
April 20-26 1992:

NOTING the second Report submitted by the Committee on Cultural Heritage Law, and the comments and suggestions made at the working session of the Committee;

ENCOURAGES the Committee to continue its work on the underwater cultural heritage, taking into account these comments and suggestions, with a view to completing a draft Convention on the Underwater Cultural Heritage for submission to the 66th Conference, and in the expectation that the Draft Convention will be referred to UNESCO for consideration and eventually to States for adoption;

RECOMMENDS that the Committee convene a working session prior to the 66th Conference to consider the proposed Draft Convention;

ENDORSES proposals made for the Committee to consult with other relevant ILA Committees, and with other international organizations such as the United Nations Law of the Sea Office, the International Committee on the Underwater Cultural Heritage of the International Council on Monuments and Sites, and the Comité Maritime International.

James A. R. Nafziger
Co-Director of Studies

REPORT ON ENVIRONMENTAL LAW

The Branch has received permission to reprint an article on EC environmental law and policy prepared by Marina Wheeler (Stanbrook & Hooper, Brussels) and Marc Pallemarts (Vrije Universiteit Brussel), which was printed in *1 Reciel 171*. As it is too long for republication in this Newsletter, the piece is under consideration for reprint in *IPN*.

REPORT ON THE INTERNATIONAL COMMERCIAL ARBITRATION COMMITTEE

The Committee on International Commercial Arbitration of the International Law Association met for a full day on April 22, 1992, at the 65th Conference of the ILA in Cairo. The meeting capped a two year project of the Committee, which is chaired by Emmanuel Gaillard, on "Transnational Rules in International Commercial Arbitration." The morning session examined the validity and enforceability of awards based on transnational rules in the following situations: (1) where the parties specifically provided for the application of transnational rules; (2) where the parties provided application of a specified national law in either private or state contracts; and (3) where the parties were silent as to the applicable law.

The afternoon session focused on specific transnational rules to determine whether in fact common principles existed under different legal systems. The particular rules considered included (1) interpretation of contracts, (2) imprevision and duty to renegotiate in good faith, (3) exceptio non adimpleti contractus, (4) estoppel, (5) force majeure, (6) damages, and (7) interest. The speakers, in addition to Professor Gaillard, included David Rivkin of the American Branch, and a paper was presented on behalf of Philip O'Neill of the American Branch by Nawaf Salam of Lebanon. Other speakers were Ahmed El-Kosheri of Cairo, Yves Derains and Isabelle Hautot of Paris, Hans van Houtte and Bernard Hanotiau of Brussels, Paul Bowden of London and Pierre Karrer of Zurich. Many who attended also made comments from the audience.

Following the discussions on enforceability of such awards, the Committee adopted a resolution recommending: "The fact that an international arbitrator has based an award on transnational rules (general principles of law, principles common to several jurisdictions, international law, usages of trade, etc.) rather than on the law of a particular State should not in itself affect the validity or enforceability of the award:

- (1) where the parties have agreed that the arbitrator may apply transnational rules; or
- (2) where the parties have remained silent concerning the applicable law.

The Committee hopes to have its papers on the subject published in a book by Kluwer. The Committee is beginning work on projects for the meeting in Buenos Aires in 1994.

David W. Rivkin

66TH ILA CONFERENCE TO BE HELD IN BUENOS AIRES

The Argentine Branch, which will host the 66th Conference of the ILA in Buenos Aires in 1994, has distributed a preliminary program for the Conference. If you would like a copy, please contact the Honorary Secretary, Nicolai J. Sarad, at the address set forth on page 1. The second announcement for the Conference will be distributed by the Argentine Branch in September 1993. Questions may also be addressed directly to the Argentine Branch, at Congresos Internacionales S.A., Moreno 584-PISO 9, 1091 Buenos Aires, (tel) 54-1/342-3408, (fax) 54-1/331-0223.

PREPARATION OF THE SECOND EDITION OF ABA GUIDE TO FOREIGN LAW FIRMS

The International Law Section of the American Bar Association is now preparing the Second Edition of its *Guide to Foreign Law Firms*. As part of the process of collecting information about law firms in approximately 150 foreign countries, it would be very helpful to the Editors of the *Guide*, James R. Silkenat and Howard B. Hill, to receive information from American Branch members about the law firms they actually use and recommend in different foreign countries. Please complete the form attached as Appendix A to this Newsletter (or copies thereof) for the countries (other than the United States) with which you have regular contact and return the form to the Editors as indicated. The Editors of the *Guide* encourage suggestions for more than one law firm in each country.

ANNUAL MEETING OF THE AMERICAN BRANCH

The Annual Meeting of the American Branch will be held at 4:30 p.m. on November 6 at the Association of the Bar of the City of New York. (The Room will be announced at International Law Weekend.) We would like to begin promptly so that Annual Dinner participants can arrive promptly at the Yale Club for that event. All members are invited to attend. The tentative agenda is as follows:

1. Nominating Committee Report and elections of Officers to fill Executive Committee vacancies
2. Report on *IPN*
3. Report on the American Branch Committees
4. Report on the finances and membership of the American Branch
5. Report on 1992 International Law Weekend and Annual Dinner
6. Report on the Administration of the American Branch (*See also* the President's letter above in this Newsletter)
7. Consideration of any other matter which may be brought before the Annual Meeting

REPORT OF THE NOMINATING COMMITTEE

The Nominating Committee of the American Branch, consisting of P. Nicholas Kourides (Chair), Valerie Epps, David W. Leebron and Cecil J. Olmstead, has prepared the following proposed slate of officers and members of the Executive Committee:

President

Edward Gordon

Vice-Presidents

Thomas M. Franck
Theodore R. Giuttari
P. Nicholas Kourides
Richard B. Lillich
Alfred P. Rubin

Honorary Vice-Presidents

Nicholas R. Doman
John N. Hazard
Louis Henkin
Monroe Leigh
Myres S. McDougal
Cecil J. Olmstead
Oscar Schachter
Louis B. Sohn
Robert B. von Mehren
Richard Young

Honorary Secretary

Nicolai J. Sarad

Honorary Treasurer

Jonathan I. Blackman

Executive Committee

Cynthia C. Lichtenstein, Chairperson

James P. Beggans, Jr.
Robert E. Bostrom
Charles N. Brower
Valerie Epps
David G. Gill
Malvina Halberstram
Howard B. Hill
Gary N. Horlick
Karen Hudes
Mark L. Jones

Luke T. Lee
David W. Leebron
John F. Murphy
James A. R. Nafziger
Ved P. Nanda
John Noyes
W. Michael Reisman
Jan Schneider
Ruth Wedgwood

The Nominating Committee will present its full report at the Annual Meeting on November 6. Voting will follow the presentation of said report.

AMERICAN BRANCH COMMITTEES

A report on the status of American Branch Committees will be given at the Annual Meeting of the Branch referred to above. General questions may be addressed to the Co-Directors of Studies, Profs. James A.R. Nafziger and Alfred P. Rubin.

CHANGES OF ADDRESSES

Members are reminded that all changes of address and other corrections should be sent directly to the Honorary Treasurer, Jonathan I. Blackman, at the address set forth on page 1.

APPENDIX A

ABA Guide to Foreign Law Firms: Second Edition

Questionnaire Re Non-U.S. Law Firms

Date: _____

Prepared by: _____

1. Country: _____
2. Firm Name: _____
3. Address: _____

4. Telephone Number(s): _____

5. Telex Number(s): _____

6. Cable Number(s): _____
7. FAX Number(s): _____

8. Name(s) of Partner(s) to Contact: _____

9. Location (cities) of Other Offices: _____

10. Number of Lawyers in Firm: _____

11. Firm's Area of Expertise: _____

Please send to James R. Silkenat, Winthrop, Stimson, Putman & Roberts, One Battery Park Plaza, New York, NY 10004.

APPENDIX B

**INTERNATIONAL
LAW
WEEKEND**

November 5, 1992 to November 7, 1992

Held at
Association of the Bar of the City of New York
42 West 44th Street
New York, New York

Sponsored by:

AMERICAN BRANCH, INTERNATIONAL LAW ASSOCIATION
ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK
AMERICAN SOCIETY OF INTERNATIONAL LAW
AMERICAN FOREIGN LAW ASSOCIATION
AMERICAN BAR ASS'N, SECTION ON INT'L LAW & PRACTICE

Featured Speakers:

AMBASSADOR EDWARD J. PERKINS
Permanent Representative of the United States
to the United Nations

AMBASSADOR DR. NABIL A. ELARABY
Permanent Representative of Egypt
to the United Nations

PROFESSOR LOUIS HENKIN
Columbia University School of Law
President, American Society of International Law

Prof. Cynthia C. Lichtenstein, President
American Branch, International Law Association

Program Committee
Prof. Ruth Wedgwood, Chair
Yale Law School
(203) 432-4946

Prof. Sherri Burr
Univ. of New Mexico
School of Law

David W. Rivkin, Esq.
Debevoise & Plimpton

Prof. Daniel Magraw
Univ. of Colorado
School of Law

Nicolai J. Sarad, Esq.
Kelley Drye & Warren

10:00 am
- 12:00 pm

THE LAW OF PRIVATIZATION IN LATIN AMERICA AND EASTERN EUROPE

Mario Baeza, Esq., *co-moderator*
Partner, Debevoise & Plimpton

Donald Rivkin, Esq., *co-moderator*
Partner, Schnader, Harrison, Segal & Lewis

Julian Lew, Esq.
S.J. Berwin & Co. (London)

James Silkenat, Esq.
Partner, Winthrop, Stimson, Putnam & Roberts
Former Chair, Section on Int'l Law and Practice, American Bar Association

Frank Gonzalez, Esq.
Vice President-Legal, Morgan Guaranty Company

10:00 am
- 12:00 pm

CULTURAL HERITAGE VS. CULTURAL INTEGRITY: REPATRIATION OF WORKS OF ART

Prof. James Nafziger, *moderator*
Willamette University College of Law

Richard West
Director, Museum of the American Indian
Smithsonian Museum

Andre Emmerich
The Emmerich Gallery

Margie Stone, Esq.
General Counsel & Senior Vice President, Sotheby's Inc.

Prof. Sharon Williams
Osgoode Hall Law School
Author, THE INTERNATIONAL AND NATIONAL PROTECTION OF MOVABLE CULTURAL PROPERTY

FRIDAY, NOVEMBER 6

12:30 pm
- 2:00 pm

BOX LUNCH SEMINARS

(Advance reservation required for a box lunch by Oct. 30, see below;
auditors welcome without reservation)

INTELLECTUAL PROPERTY AND INTERNATIONAL LAW

Cultural Property in the European Community
Professor Dr. Dr. Georg Röss
Europa Institut, University of Saarlandes,
Germany

The Internationalization of Intellectual Property
Victoria Cundiff, Esq.
Partner, Paul, Hastings, Janofsky & Walker

ANTITRUST AND INTERNATIONAL TRADE

Charles Rule, Esq.

Partner, Covington & Burling (Washington, D.C.)

Former Assistant Attorney General for Antitrust, U.S. Department of Justice

Robert Herzstein, Esq.

Partner, Shearman & Sterling (Washington, D.C.)

Former Undersecretary for International Trade, U.S. Department of Commerce

THE INTERNATIONAL LAW OF WATER RIGHTS IN THE MIDDLE EAST

Karen Hudes, Esq.

Member, D.C. Bar

2:00 pm
- 4:00 pm

**ARE WOMEN'S RIGHTS PART OF
INTERNATIONAL HUMAN RIGHTS?**

Prof. Elizabeth DeFeis, *moderator*

Seton Hall University School of Law

Dorothy Thomas, Esq.

Women's Rights Project, Human Rights Watch

Prof. Theodore Meron

New York University School of Law

Dr. Ronaq Jahan

Fellow, Southern Asian Institute, School of International Affairs, Columbia University

Former Head, Rural Women's Employment Program, International Labour Organization

2:00 pm
- 4:00 pm

**BRIDGING THE RIO GRANDE:
MEXICAN LAW AND THE NORTH AMERICAN FREE TRADE AGREEMENT**

Prof. Andreas Lowenfeld, *moderator*

NYU Law School

Robert Herzstein, Esq.

Partner, Shearman & Sterling (Washington, D.C.)

Former Undersecretary for International Trade, U.S. Department of Commerce

Alexander Hoagland, Esq.

Partner, Curtis, Mallet-Prevost, Colt & Mosle

William Kryzda, Esq.

Partner, Goodrich & Riquelme (Mexico)

Julio Treviño, Esq.

Partner, Camil & Treviño (Mexico)

2:00 pm
- 4:00 pm

**INTERDICTION, INTERVENTION AND
THE NEW FRONTIERS OF REFUGEE LAW AND POLICY**

Prof. David Martin, *moderator*

University of Virginia School of Law

Michael Stopford

Principal Officer, Dept. of Humanitarian Affairs, United Nations

Prof. Harold Koh
Yale Law School

Doris Meissner
Carnegie Endowment for International Peace
Former Acting Commissioner of Immigration & Naturalization, U.S. Dept. of Justice

6:30 pm

**COCKTAIL RECEPTION AND
DINNER, YALE CLUB OF NEW YORK, 50 VANDERBILT AVENUE**
(advance reservation required by Oct. 30, see below)

Keynote Speaker:

AMBASSADOR DR. NABIL A. ELARABY

Permanent Representative of Egypt to the United Nations

SATURDAY, NOVEMBER 7

10:00 am
- 12:00 pm

**1492 AND INTERNATIONAL LAW: THE QUINCENTENARY
OF CONTACT OF NATIVE AMERICANS AND EUROPEANS**

Prof. Richard Falk, *moderator*
Princeton University

Philip Sam Deloria
Director, American Indian Law Center
University of New Mexico School of Law

Prof. Alfred P. Rubin
The Fletcher School of Law and Diplomacy

Prof. James Anaya
University of Iowa College of Law

Prof. Howard Berman
California Western School of Law

10:00 am
- 12:00 pm

**LAW OF THE SEA: CURRENT DEVELOPMENTS
IN BOUNDARY LAW AND THE LAW OF THE SEA CONVENTION**

Prof. Edward Gordon, *moderator*
Albany Law School

Ambassador Satya N. Nandan
Distinguished Visiting Fellow, United States
Institute of Peace

Former Undersecretary General of the United Nations and Special Representative of the
Secretary-General for Ocean Affairs and Law of the Sea

Prof. Bernard Oxman
University of Miami School of Law

Prof. Jonathan Charney
Vanderbilt University School of Law

Moritaka Hayashi, Esq.
Principal Officer, Office for Ocean Affairs and the Law of the Sea, United Nations

12:00 pm

**ANNUAL LUNCHEON AT THE ASSOCIATION OF THE BAR OF THE
CITY OF NEW YORK, 42 WEST 44th STREET**
(advance reservation required by Oct. 30, see below)

Keynote Speaker:

PROFESSOR LOUIS HENKIN

Columbia University School of Law

President, American Society of Int'l Law

Reporter, Restatement (Third) of the Foreign Relations Law of the United States

International Law Weekend—1992

To: Nicolai J. Sarad
 Kelley Drye & Warren
 101 Park Avenue
 New York, NY 10178

I(We) would like to attend the following functions
 (advance reservation required):

	<u>Number</u>	<u>Total Cost</u>
Dinner & Cocktails (cash bar), Friday, November 6, 1992, Yale Club of New York (Ambassador Dr. Nabil A. Elaraby, Keynote Speaker)	_____	_____
@ \$60.00/ea. (Student rate @ \$42.00/ea.)		
Box Lunch for Box Lunch Seminars Friday, November 6, 1992, Association of the Bar of the City of New York @ \$10.00/ea.	_____	_____
Luncheon Saturday, November 7, 1992, Association of the Bar of the City of New York (Louis Henkin, Keynote Speaker)	_____	_____
@ \$35.00/ea.		
Voluntary contribution to help subsidize students (suggested amount \$18.00)	_____	_____
Total:		_____
Credit Card Surcharge (6%)		_____
Grand Total:		_____

Please make Checks payable to the International Law Association, American Branch, and mail to the address above. Checks are easier for us to handle; Visa or MasterCard will also be accepted (*please add 6% to the total if you use a credit card*).

Name: _____ Type of Card: VISA MasterCard
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Credit Card Authorizations can be FAXED to Nicolai J. Sarad, fax no. (212) 808-7898/7899 (*please use this form*). For further information, including a complete program, call Office of Nicolai J. Sarad, (212) 808-7808.

PLEASE NOTE: RESERVATIONS AND PAYMENT FOR ANNUAL DINNER, SATURDAY LUNCHEON, AND BOX LUNCH SEMINARS MUST BE RECEIVED BY OCTOBER 30, 1992.

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