

# ILA Newsletter

ISSUE NO. 54

ILA - Founded 1873

January 1999

## International Law Weekend 1998

International Law Weekend 1998 took place 12-14 November at the House of the Association of the Bar of the City of New York, 43 West 44th Street.

The gala dinner on Friday evening, 13 November, at the Harvard Club, 27 West 44th Street, was addressed by the Hon. Antonia Chayes, former Undersecretary of the Air Force and a Professor at Harvard University and Director and Senior Adviser, Conflict Management Group, Cambridge, MA.

The luncheon on Saturday, 14 November, was honored with an address by Professor Thomas M. Franck, President of the American Society of International Law.

The reception preceding the annual dinner was generously sponsored by the Chicago law firm of Altheimer & Gray.

The other co-sponsoring organizations were:

The Association of the Bar of the City of New York; the

American Society of International Law; the American Foreign Law Association; the International Law and Practice Section of the American Bar Association; the International Law Students Association and its Journal of International and Comparative Law.

Tapes of the recorded panels are available from our Hon. Treasurer:

Stephen J. Shapiro, Esq.  
101 West 57th St., Suite 2D  
New York, NY 10019-2215

The Program Committee for ILW 1999 Chair is:

Professor Kelly Askin  
University of Notre Dame  
Center for Civil & Human Rights  
Notre Dame, IN 46556

## International Practitioner's Notebook

The International Law Students Association (ILSA) published the 1998 IPN in September as the Spring 1998 Issue of the ILSA Journal of International and Comparative Law. It began with tributes to our much lamented colleague Professor Richard B. Lillich and was filled with papers presented at the 1997 International Law Weekend. Papers presented at International Law Weekend 1998 will be featured in the next IPN.

## American Branch Proceedings

The 1998-1999 Proceedings of ABILA have been sent to all 1997 members of the Branch. If you have not received yours or wish an extra copy, please inform the Editor:

Professor John E. Noyes, Director  
International Legal Studies Program  
California Western School of Law  
225 Cedar Street

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San Diego, CA 92101

The 1999-2000 Proceedings will be sent after International Law Weekend 1999 to all 1999 members of the ABILA. They will, as usual, contain copies of the luncheon and dinner speeches at International Law Weekend, and Reports of our active Committees.

The Editor will again be Prof. John E. Noyes.

## ABILA Executive Committee Meeting

The Executive Committee of ABILA met during International Law Weekend. Three new members were elected to the Executive Committee: Professor Joel Trachtman (Hon. Secretary 1995-1998); Professor Leila Sadat Wexler (Chair of the Committee on the International Criminal Court); and Mark Zaid, Esq. (Program Chair for International Law Weekend in 1997 and 1998).

It was also agreed to raise the annual dues of Institutional Members to \$80 from the previous \$70 in light of ILA Headquarters charging us £50 per Institutional Member.

A motion to authorize the election of a "President-Elect" was referred to a drafting committee. Meantime, on the motion of the President, it was agreed that the President should send to the existing Vice-Presidents copies of all his outgoing e-mails relating to the ABILA.

## Other Activities of the ABILA

A web-page was established containing our basic documents and reports of our most recent activities. It can be visited at <http://www.ila.ambranch.org>. We are very much indebted to James P. Beggans, Esq., for his work in establishing the site. Those interested in the work of maintaining the page and updating its contents should contact Mr. Beggans directly:

James P. Beggans, Jr.  
9 Luddington Terrace  
West Orange, NY 07052  
[intellex@home.com](mailto:intellex@home.com)

Houston Putnam Lowry, Esq., of Brown & Welsh, P.C., in Meriden, CT, has volunteered to help.

## Other Meetings of Interest

American Branch *of the International Law Association*

The ABILA is co-sponsoring a Conference on "**Competing Competition Laws: Do we Need a Global Standard?**" to be held at New England School of Law in Boston on Friday, 19 March 1999. Other co-sponsors include the ABA's Committee on International Institutions, the ASIL Interest Group on International Organizations and ILSA. For further details, please contact:

Professor Michael P. Scharf  
Director of the Center for International Law and Policy  
New England School of Law  
154 Stuart Street  
Boston, MA 02116

Phone:(617)457-3009  
Fax:(617)422-7453  
[mscharf@fac.nesl.edu](mailto:mscharf@fac.nesl.edu).

Of course, the **Annual Meeting of the American Society of International Law** is scheduled to be held at the ANA Hotel in Washington, DC, 24-27 March 1999.

The ABILA is co-sponsoring a meeting of the **ABA Section on International Law and Practice** to be held in Hamilton, Bermuda, 29 April-2 May 1999. ABILA members will receive additional information directly from the ABA.

## Dues

The time has come for payment of membership dues for 1999. The Executive Committee affirmed that dues must be paid by 30 April 1999 for 1999 calendar year membership. Reminders and a formal application form are being sent separately to all 1997 and 1998 members of ABILA, but payment of dues is always welcome. Please be sure that your name and address are included with your payment. The ABILA is a tax exempt 501(c)(3) organization and no goods or services are provided to members in return for their dues.

## News of Members

Professor Ved Nanda, long a member of the ABILA Executive Committee and Director of the International Legal Studies Program at the University of Denver College of Law, was named to an endowed professorship on 26 October 1998. The University of Denver considers the new chair "as a tribute to his immense contribution to promoting world peace and respect for human rights." Ved is Vice Provost for Internationalization at the University of Denver.

# International Law Association Executive Council Meeting

The Executive Council of the International Law Association met in London on 21 November 1998. The time and place for the next biennial Conference of the Association was fixed for the last week in July of the year 2000 in London. The Conference for 2002 will be held at Easter time in New Delhi, India; Berlin, Germany, will be host to the meeting in 2004.

A Study Group on the Law of State Responsibility was formed. The American Branch member will be Professor David Caron of Boalt Hall.

Several new ILA Committees were proposed, but no action was taken to give them official sanction. The proposals include committees on electronic contacts, international insolvency, biotechnology; humanitarian law and the international criminal court; organized crime; intellectual property; the evolving UN Charter; the Law of the Sea; and international law in national courts (focusing on the problems raised by the Breard case -- the Paraguayan executed for murder in the United States despite the failure of the prosecuting authorities to notify the Paraguayan Consul of his arrest, as apparently required by the 1963 Vienna Convention on Consular Relations; Paraguay's complaint to the International Court of Justice has recently been dropped, but the issue of co-ordinating the international obligations of the United States with our federal/state system have been with us for two hundred years and persist).

## ILA Committee Membership Policy

Under rules adopted formally at Taipei, Chairs of ILA committees are empowered to nominate up to three persons to membership in their committees regardless of Branch affiliation. Each such nomination needs the approval of the Director of Studies. This procedure does not limit the existing authority of each Branch to nominate members to places in ILA committees subject to the approval of the chair of the committee, but provides the chairs with an additional source of expertise in case more than one, two or three members of any particular branch has expertise believed important to the work of the ILA committee. Nor does the new procedure limit the existing arrangement whereby chairs and reporters' positions can be filled by the Director of Studies without regard to Branch memberships.

Branches with more than 100 members may nominate two members to ILA Committees; branches with more than 250 members may nominate up to three. The American Branch currently has 258 members. All nominations are subject to the approval of the chairs of the respective committees and appointments to ILA committees are made by the ILA Executive Council at its semi-annual meetings.

Membership in international committees is based on individual reputation and achievement and does not represent any Branch orthodoxy. Nominations by the American Branch to international committees are normally reserved to members of the Branch who have achieved a reputation sufficient to support the nomination. Active work as reporter or chair of a Branch committee is frequently the most persuasive criterion to establish a reputation adequate to support nomination to an international committee.

Several international committees do not have American Branch members or alternates. The easiest way to be nominated to membership in an international committee is to serve as an organizer/chairman or reporter of an American Branch committee dealing with a related subject.

If there is no international committee currently dealing with a significant topic of sufficient interest, the easiest way to form one is to organize an American Branch committee on that topic, produce a report that can be circulated to our counterparts in the parent organization, and then propose an international committee. The successful proposer of an international committee is usually asked to be its organizer, chair or reporter. The process is not difficult.

There is constant turnover in membership of both American Branch and ILA committees. Those members of the Branch interested in participating more actively in the committee work of the organization at any level should contact the chairs of existing committees or the Branch's Director of Studies directly.

A full list of American Branch committees and their chairs, and of international committees and their American Branch members and alternates, is included in this Newsletter.

For further information, please contact the Branch Director of Studies:

Charles D. Siegal, Esq.  
Munger Tolles & Olson, 35th Fl.  
355 South Grand Avenue  
Los Angeles, CA 90071-1560  
SiegalCD@mto.com

## American Branch Committee Activities

There were several changes in ABILA Committees recently. The Committee on Extradition and Human Rights, having completed its work of supporting the ILA Committee, whose final Report was adopted in Taiwan, was reconstituted. The new Chairman is Professor William Aceves, California Western School of Law. Our thanks to Professor Christopher Pyle, the outgoing Chairman, for the job just finished.

Similarly, the Committee on Maritime Neutrality completed its work and was discharged. The Chairman, Professor George Walker, Wake Forest University Law School, will continue working in the ABILA Committee on the Law of the Sea.

A number of other ABILA committees have been relatively inactive for the past two years and their chairs are now vacant. Persons interested in subject matter that might come within the purview of any of those committees and with a plan for a reporter or other active work should contact the Director of Studies. In the absence of interest in continuing the work of those committees, they will be "sunsetting."

## American Branch Committee Policy

Branch committee chairs are always looking for reporters and members who want to be active. A current listing of Branch Committees and their chairs and reporters is appended to this Newsletter. 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 proposing a topic, a reporter, and a plan for the recruitment of qualified members. The proposer may also take the chair and serve as reporter for a new committee if a membership of the committee that is large enough and diverse enough can be achieved.

## Committees of the American Branch, ILA

### ARMS CONTROL AND DISARMAMENT

Chair: vacant

### COMMERCIAL ARBITRATION

Co-Chairs:

David W. Rivkin, Esq.  
Debevoise & Plimpton  
875 Third Ave.  
New York, NY 10022

Donald Francis Donovan, Esq.  
Debevoise & Plimpton  
875 Third Avenue  
New York, NY 10022

### COMMERCIAL LAW

Chair: Houston Putnam Lowry, Esq.  
Brown & Welsh, P.C.  
Meriden Executive Park  
538 Preston Ave.  
P.O. Box 183  
Meriden, CT 06450-0183  
71561.1601@compuserve.com  
Tel: (203)235-1651  
Fax: (203)235-9600

### ECONOMIC SANCTIONS

Chair: Prof. John F. Murphy  
Villanova Law School  
299 North Spring Mill Road  
Villanova, PA 19085-1682  
Tel: (610)519-7065  
Fax: (610) 519-5672

### ENVIRONMENT

Chair: Prof. Günther Handl  
John Giffen Weinmann Hall  
6329 Freret St.  
Tulane Univ. School of Law  
New Orleans, LA 70118-5670  
Tel: (504) 862-8825  
Fax: (504) 862-8855  
ghandl@law.tulane.edu

## EXTRADITION AND HUMAN RIGHTS

Chair: Professor William Aceves  
California Western School of Law  
225 Cedar Street  
San Diego, CA 92101

## EXTRATERRITORIAL JURISDICTION

Chair: vacant

## FORMATION OF RULES OF CUSTOMARY INTERNATIONAL LAW

Chair: Davis R. Robinson, Esq.  
Leboeuf Lamb Leiby & MacRae  
Suite 1200  
1875 Connecticut Ave., NW  
Washington, DC 20009  
Fax:(202) 986-8102

## HUMAN RIGHTS

Chair: Charles D. Siegal, Esq.  
Munger, Tolles & Olson  
355 S. Grand Ave., 35th Fl.  
Los Angeles, CA 90071-1560

## INTELLECTUAL PROPERTY

Chair: Professor Karl Jorda  
Franklin Pierce Law Ctr.  
2 White St.  
Concord, NH 03301  
kjorda@fplc.edu

## INTERNATIONAL CIVIL AND COMMERCIAL LITIGATION

Chair: Peter Trooboff, Esq.  
Covington & Burling  
P.O. Box 7566  
1201 Pennsylvania Ave. N.W.  
Washington, D.C. 20044

## INTERNATIONAL CRIMINAL COURT

Chair: Prof. Leila Sadat Wexler  
Washington University  
School of Law  
Campus Box 1120  
One Brookings Drive  
St. Louis, MO 63130-4899

## INTERNATIONAL MONETARY LAW/LEGAL ASPECTS OF SECURITIES REGULATION

Chair: vacant

## INTERNATIONAL TRADE LAW

Chair: Professor Alan C. Swan  
P.O. Box 248087  
University of Miami  
School of Law  
Coral Gables, FL 33124-8087

## ISLAMIC LAW

Chair: Professor Frank Vogel  
Harvard Law School  
Cambridge, MA 02138

## LAW OF THE SEA

Chair: Dr. Samuel Pyeatt Menefee  
Center for Oceans Law and Policy  
Univ. of Virginia School of Law  
580 Massie Road  
Charlottesville, VA 22903-1789  
Tel: (804)924-7441  
Fax:(804)924- 7362  
colp@virginia.edu

## LEGAL ASPECTS OF INTER-COUNTRY ADOPTION AND PROTECTION OF THE FAMILY

Chair: Prof. Gail McKnight Beckman  
Georgia State University  
Atlanta, GA 30303-3083  
Tel: (404) 651-2715  
Fax: (404) 651-4219

## REFUGEE LAW

Chair: Professor Stephen H. Legomsky  
Washington University School of Law  
One Brookings Drive  
St. Louis, Missouri 63130-4899  
Tel: (314) 935-6469  
Fax: (314) 935-6493

## SPACE LAW

Chair: Prof. Stephen Gorove  
University of Mississippi  
School of Law  
University, MS 38677

## TEACHING INTERNATIONAL LAW

### Co-Chairs:

Professor Valerie Epps  
Suffolk University School of Law  
41 Temple St.  
Boston, MA 02114  
Tel: (617)573-8562  
Fax: 573-8143

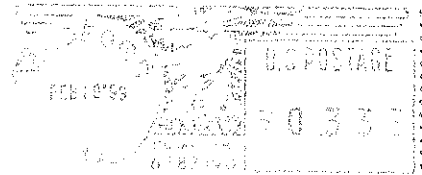
Professor Michael P. Scharf  
New England University School of Law  
154 Stuart St.  
Boston, MA 02116  
Tel: (617)457-3009  
Fax: 422-7453  
mscharf@fac.nesi.edu

## ILA Committees 1998

<i>Committee Name</i>	Chair	Reporter(s)	U.S. Member(s)
Accountability of International Organizations	P.H. Kooijmans (Neth)	Malcolm Shaw (UK) K. Wellens (Neth)	Paul Szasz
Arms Control and Disarmament Law	J. Dahlitz (A)	D. Fleck (G) E. Dahinden (Swi)	John Rhineland Thomas Graham George Walker
Coastal State Jurisdiction Over Marine Pollution	K. Hakapää (Fi)	E. Franckx (B/Lux) E. Molenaar (Neth)(ass't)	John E. Noyes
Cultural Heritage Law	P. J. O'Keefe (NZ)	James A.R. Nafziger (USA)	
Diplomatic Protection of Persons & Property	R. Bilder (USA)	B. Kokott (G)	David Caron David Bederman
Feminism and International Law	C. Chinkin (Aus)	K. Knop (Can) A-R Ketokoski (Fi)	Virginia Leary
Formation of Rules of Customary International Law	M.H. Mendelson (UK)	R. Müllerson (HQ/Est)	Davis Robinson
International Family Law	(being reorganized)		Gail McK. Beckman
Internally Displaced Persons	Luke T. Lee (USA)	R. Hoffman (G) Y. Shimada (J)	James A.R. Nafziger Mary Ellen Fullerton
International Civil and Commercial Litigation	P.E. Nygh (A)	C. McLachlan (UK) P. Blanquier-Cirelli (Fr)	Peter Trooboff Friedrich K. Juenger

<i>Committee Name</i>	<i>Chair</i>	<i>Reporter(s)</i>	<i>U.S. Member(s)</i>
International Commercial Arbitration	E. Gaillard (Fr)	P. Bowden (UK) H.A. Grigera Naon (Arg)	Philip D. O'Neill
International Environmental Law	A.E. Boyle (UK) (being formed)	S. McCaffrey (USA)	
International Human Rights Law and Practice	M. Scheinin (Fi)	Iwasawa (J) A. Byrnes (HK)	Thomas M. Franck Hurst Hannum Charles D. Siegal
International Law in National Courts	G. Guillaume (Fr)	I. Shearer (Aus) T. Stein (G)	S. Schwebel E. Gordon
International Monetary Law	M. Giovanoli (Swi)	D. Carreau (Fr) T. Treves (It)	Cynthia Lichtenstein Michael Gruson A.W.G. Newburg Ernest Patrikis
International Securities Regulation	Edward H. Fleishman (USA)	K. Hobér (Swed) P. Willis (Aus)	Barbara J. Green Roberta Karmel Cynthia Lichtenstein
International Trade Law	E.-U. Petersmann (Swi)	Fred Abbott (USA)	John Jackson Gary N. Horlick (alt) Alan Swan
Islamic and International Law	vacant	vacant	Frank E. Vogel
Refugee Procedures	K. Hailbronner (G)		Ved Nanda S. Legomsky
Regional Economic Development Law	J. Dutheil de la Rochère (Fr)	R. Ida (J) H. Hartnell (USA) P. Borba Casella (Brz)	Eric Stein Fred Abbott
Space Law	K.-H. Böckstiegel (G)	M. Williams (Arg)	Carl Q. Christol Stephen Gorove Michael Schmitt
State Succession	H. Bokor-Szegö (Hn)	B. Stern (Fr)	
Sustainable Development	K. Hossain (B'desh)	N.C. Schrijver (Neth)	David Leebron Oscar Schachter
Water Resources Law	C.B. Bourne (Can)	J. Dellapenna (USA) P. Wouters (UK) (ass't)	

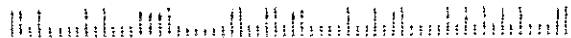
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