



ILA—Founded 1873

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Newsletter

INTERNATIONAL LAW WEEKEND 2015

International Law Weekend 2015 will take place in New York City November 5-7. The theme is "Global Problems, Legal Solutions: Challenges for Contemporary International Lawyers."

The Organizing Committee (Chiara Giorgetti, Tessa Walker, Jeremy Sharpe and Santiago Villalpando) has been working tirelessly to arrange an exciting and substantive program.

Registration for ILW 2105 is now open on the Branch website: http://www.ila-americanbranch.org/intl_law_wknd.aspx. Be sure to register and to make your travel reservations now.

The Weekend will begin, as usual, with a kickoff panel discussion in the Great Hall at the NYCBA building at 42 W. 44th Street, starting at 6:30 pm. The topic will be "The Rule of Law and the Post 2015 Development Agenda."

Members of the panel include: Ambassador David Donoghue, Permanent Representative of Ireland to the United Nations; Ambassador Juan Manuel Gómez Robledo, Member of the International Law Commission; Irene Z. Khan, Director General of the International Development Law Organization; and Lise Kingo, Executive Director of UN Global Compact. The panel has been organized by ABILA in consultation with the ABA's Section on International Law and the New York City Bar Association.

Immediately following the discussion, there will be a reception open to all attendees (sponsored by Shearman & Sterling LLP).

On Friday and Saturday, the conference continues at Fordham University School of Law (150 West 62nd Street). More than 30 expert panels will explore a variety of current themes (among the confirmed speakers are an ICJ judge and a former ICJ President).

A number of panels this year will be designated for mandatory continuing legal education credit (MCLE). MCLE credit will be offered to all ILW attendees at no additional cost through the sponsorship and assistance of White & Case LLP.

Friday's activities will include a keynote address at Fordham University School of Law, given by the Hon. Miguel de Serpa Soares, Under-Secretary-General and Legal Counsel of the United Nations. This event is open to all conference attendees.

On Friday evening, the Permanent Mission of the Republic of Singapore to the United Nations (318 E. 48th Street, New York, NY 10017) will host a reception for

a limited number of conference attendees. Pre-registration (and a modest payment) is required for this event. If you are attending, please remember to bring photo identification and your conference badge.

Saturday's events include panels, workshops on careers in international law, and general meetings of ABILA and ILSA members. All those interested in joining ILSA or ABILA are invited to attend these meetings.

Due to the generosity of co-sponsoring organizations, attendance at ILW is free for members of ABILA, ILSA, the New York City Bar Association, and other co-sponsoring organizations (such as the ASIL and ABA/SIL), as well as staff of the United Nations and Permanent Missions to the United Nations, and students. For all others, there is a fee of \$175.

Following ILW, the *ILSA Journal of International and Comparative Law* will publish an issue of the *Journal* that contains many of the papers presented at International Law Weekend. This issue is titled "The International Practitioner's Notebook." Please email il-sa.journal.novasoutheastern@gmail.com to subscribe to the *Journal* or purchase this issue. An electronic version of this issue will be sent to all American Branch members.

Annual Members Meeting

The annual meeting of the Branch membership will take place during ILW 2015, at 3:30 p.m. on Saturday, Nov. 7, at Fordham Law. As we approach the transition from an unincorporated association to a non-profit corporation, this will be a particularly important meeting, and all members are encouraged to attend.

ILW-Southwest 2016

Plans are underway to hold ILW-Southwest at SMU School of Law in Dallas on March 9-10. More information to become available shortly.

Branch Executive Committee Meeting

The next meeting of the Branch Executive Committee will take place at 12:30 p.m. on Saturday, November 7, at Fordham Law. A detailed agenda will be circulated to Committee members shortly. This is likely to be the final meeting of the Executive Committee of the unincorporated association, although the nonprofit corporation will continue as a "Branch" of the ILA itself.

As usual, the Committee will consider reports on recent and upcoming events and programs, budget and finances, membership and outreach, committee projects and publications. But the most important item at this meeting will be to conclude the main portion of the "good governance" process by transitioning from unincorporated association to corporation.

Having received the IRS's long-awaited 501(c)(3) letter, we now need to wrap up the affairs of the unincorporated American Branch and, convening as the corporation's Board of Directors, to adopt the necessary policies and procedures to bring the corporation to life.

The annual meeting of the unincorporated association's membership and the corporation's membership will follow the Executive Committee / Board of Directors meeting. On the agenda will be reports by the President, the Honorary Treasurer, the Honorary Secretary, and the Directors of Studies.

You'll hear more about these meetings in the weeks to come, but please make every effort to attend these meetings. A quorum is required, and the issues are consequential. We need your participation. If you cannot attend, kindly advise the Honorary Secretary, Amity Boye, at your earliest convenience.

MEMBER NEWS

Please let us know your news, including announcements of publications, appointments, achievements, success and other noteworthy accomplishments. Simply email abilanews@gmail.com.

CALENDAR

Oct. 20-24, 2015—ABA/SIL Fall Meeting, Montreal, Canada

Oct. 23-24, 2015—ASIL Research Forum, Washington, D.C.

Nov. 2, 2015—Conference on the Hague Service and Evidence Conventions, Georgetown University Law Center, Washington, D.C. (cosponsored by ABILA). Register at <http://www.law.georgetown.edu/academics/centers-institutes/business/rsvp-hague-conf.cfm>.

Jan. 25, 2016—Conference on Foreign Sovereign Immunities Act, Georgetown University Law Center, Washington, D.C. (cosponsored by ABILA).

Jan. 28, 2015—ILW-West, BYU School of Law, Provo, UT.

Feb. 3-9, 2016—ABA Section of International Law, San Diego, CA

Mar. 30-Apr. 2, 2016—ASIL Annual Meeting, Washington, D.C.

Apr. 8-9, 2016—British Branch ILA Spring Conference, University of Lancaster

Apr. 12-16, 2016—ABA Section of International Law, New York

May 24-26, 2016—Global Legal Skills Conference, Verona, Italy

Aug. 7-11, 2016—ILA Biennial, Johannesburg, South Africa

International Law Weekend—Midwest 2015

On September 18, 2015, the Frederick K. Cox International Law Center at Case Western Reserve University School of Law hosted *International Law Weekend—Midwest* on the topic "New Beginnings, Resets and Pivots: The International Legal Practice of the Obama Administration."

Some two dozen leading experts discussed a fascinating range of issues ranging from climate change and immigration, to international tax and international criminal justice. Approximately 175 members of the Cleveland and CWRU community attended the conference, the law school's first event in the newly-opened and ultra-modern Tinkham Veale University Center.

Former Ambassador for War Crimes Stephen Rapp delivered the keynote address, describing the delicate *pas de deux* the Obama Administration has performed with the International Criminal Court. While not a member of the ICC, the U.S. has supported its work in several ways, from witness resettlement and information sharing, to forensics help and rewards for those who provide information on persons of interest. This support marks a dramatic shift from the Bush Administration, which actively opposed the ICC.

The first panel discussed the Obama Administration's various responses to the current unrest in the Middle East. The Law School's Dean Michael Scharf, a member of the Branch's Executive Committee, explored the numerous rationales the Administration has used to intervene in Syria, concluding that this "carousel approach" has not helped advance international humanitarian law doctrine. Prof. David Stewart, President of the American Branch, opined that the time was not yet ripe to define Obama's legacy but cited a series of failures and successes that could at least initiate the

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For inquiries about ABILA membership, please contact:

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Los Angeles, CA 90071-1560

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Save the Date:
ILW-West
January 29, 2016

International Law Weekend – West will take place at the J. Reuben Clark Law School of Brigham Young University in Provo on January 28, 2016. Many thanks to Branch member Prof. David Moore, who has agreed to host the event. The program is tentatively entitled “International Law in a Divided World.”

From the program announcement: “We live in a divided world. States and non-state actors cooperate with and combat each other, including on the cyber frontier. International organizations like the International Criminal Court are accused of pursuing their missions along disturbing lines. The President contends with Congress. Secularism contends with religion. Many have; more have not. In the midst of these divisions, what role can international law play? What role should it play? These and other questions will be addressed by keynote, panel, and roundtable discussions at International Law Weekend-West, held at Brigham Young University Law School on January 29, 2016. Registration will open shortly. In the meantime, Save the Date for this exciting conference held while the Sundance Film Festival and snow skiing are in swing in the Rocky Mountains of Utah.”

BOOK REVIEW EDITOR NEEDED

After many years of superb service, Tiffany Basciano is stepping aside as our Book Review Editor. We thank her for all her fine work and now solicit someone to take up her duties. It's an excellent way for a Branch member to contribute, and Tiffany will be able to aid in the transition. Please contact Branch President David Stewart.

NEWS OF ABILA COMMITTEES

The Co-Directors of Studies, **Profs. Aaron Fellmeth** and **Chiara Giorgetti**, have submitted the following report on ABILA committee activities.

During the past year (2014-15), the **International Humanitarian Law Committee** helped draft a report for an event co-hosted by Georgetown University Law Center's Military Law Society and the International Committee of the Red Cross (ICRC), entitled "Is It Time to Ratify AP I?"

The panelists represented 3 different governments, two of which had ratified Additional Protocol I (Canada and France) and the U.S. (which has not), and they were joined by a legal advisor from the ICRC. The discussion that took place covered both the historical underpinnings of AP I, the ratification history in the U.S., how States that have ratified AP I handle interoperability issues with coalition partners, and the practical consequences of choosing whether to ratify AP I or not. The chair drafted the report, and feedback was provided by various members of the IHL Committee. The report can now be accessed on the IHL Committee's webpage.

Additionally, the IHL Committee is organizing a panel for ILW 2015, entitled “The Department of Defense Law of War Manual: The Tension between State and Non-State Expressions of Customary International Humanitarian Law.” This panel will bring together a representative from the Department of Defense who worked on the Law of War Manual, an ICRC legal advisor with experience working on the ICRC's Customary Law Database, and other experts in the field to discuss the formation of customary international humanitarian law (CIHL), using such specific examples as the new DoD Law of War Manual or the ICRC Study on CIHL. The panelists will discuss how CIHL emerges and the weight to be given to differing assessments of the customary status of specific IHL topics.

Looking ahead to 2015-2016, due to the lack of a confirmation of a Legal Adviser for the State Department, the IHL Com-

mittee decided not to go forward with a letter recommending certain IHL priorities for the Legal Adviser's term. However, the Committee hopes that by 2016 a new Legal Adviser will be confirmed, in which case the IHL Committee will be in a better position to draft such a letter.

The IHL Committee also plans on organizing more IHL panels in 2016, including for ILW 2016. As the ICRC's Commentary to Geneva Convention I will be released at the end of 2015, there will also be an opportunity to possibly organize a panel based on the new commentary, or to organize a blog post series with IHL Committee members to be posted on various IHL blogs like Lawfare or Just Security.

Prof. Jack Beard (University of Nebraska Law School) has agreed to serve as chair of the Branch **Use of Force Committee**.

Prof. Haider Hamoudi (University of Pittsburgh School of Law) has agreed to chair the Branch's **Islamic Law Committee**.

Rahim Moloo (Gibson Dunn) chairs the Branch **Committee on Disputes Involving States**.

John Kim has stepped down as chair of the Branch **Arms Control & Disarmament Committee**, which is now looking for a new chair. Interested members should contact the Co-Directors of Studies.

Prof. Jennifer Trahan (NYU) reports that the Branch **ICC Committee** is pleased once again to sponsor a panel at International Law Weekend, this one entitled “Accountability for Crimes in Syria and Iraq.” The Chair encourages Committee members to attend and welcomes them to meet with her during ILW. In addition, the Committee is working on two documents that it plans to release at the upcoming International Criminal Court's Assembly of States Parties meetings in November in The Hague.

International Law Weekend—Midwest 2015 (cont'd)

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debate. Other panelists gave the Administration mixed reviews; some praised the Administration's renewed energy to engage on a diplomatic level, while others criticized its reluctance to devote military resources in the world's thorniest conflicts.

Subsequent panels discussed the work the Obama administration has done to shore up American influence in the Asia-Pacific. Others addressed immigration and tax issues. A final panel assessed the U.S.'s major contributions to international criminal law. As Syracuse Law Professor David Crane aptly put it, the U.S. built the house of international criminal law, but then promptly left the building.

Videos of the keynote speech and conference panels are available online at <http://law.case.edu/Lectures.aspx>. Articles by the conference participants will be published in volume 48 of the *Case Western Reserve Journal of International Law* (2016).

Thanks for this report go to CWRU Assistant Professor Tim Webster, who chaired the Conference Organizing Committee.

Can You Help with the Branch Newsletter?

The Newsletter is one of the best ways to communicate with Branch members about events and developments of shared interest. To contribute materials, to assist or to volunteer to be the editor, please email abilanews@gmail.com.

INTERNATIONAL LAW ASSOCIATION NEWS

The next meeting of the Executive Council of the International Law Association will take place in London on November 14. Among the items on the agenda are the nominations of several Branch members to ILA committees.

The following report on the Executive Council meeting in April 2015 has been provided by **Prof. Andrea K. Bjorklund**, former Branch Director of Studies.

I had the privilege and the pleasure of attending the ILA Executive Council meeting in London in April. I highly recommend that Branch members who are interested in the ILA attend to get an idea of how the organization functions.

One of the first orders of business was the approval of a new ILA Committee on International Investment Law and the Rule of Law. The Committee is to be chaired by August Reinisch (Austrian Branch) and the co-rapporteurs are Prof. Andrea Bjorklund (American Branch) and Prof. Andreas Ziegler (Swiss Branch). This Committee grew out of the Study Group on Soft Law Instruments and International Investment Law, which itself has grown out of the International Investment Law Committee chaired by Christoph Schreuer. The proposal was subject to a great deal of discussion about the political sensitivities in international investment law and the highly visible nature of the topic. After cautions that the Committee leadership ensure that there be a balance of interests represented by members of the Committee, the new Committee was approved.

The meeting also featured some discussion of the next ILA biennial, which will be held in Johannesburg from August 7 to 11, 2016. The theme is International Law and State Practice. The organizers expect good pan-African representation. The first draft of the program should be ready soon. Those who plan to attend can register their interest now: <http://ila2016.com>.

For planning purposes, the 2018 biennial will be held in Sydney, and the 2020 biennial will be in Kyoto (the dates for the

Kyoto meeting have already been fixed — 23 to 27 August 2020).

In 2023 the ILA will celebrate its 150th anniversary. Prof. Catherine Kessedjian of the French Branch offered to plan a commemorative event, an offer that the Belgian branch (the ILA was founded in Belgium) has accepted as it is too small to organize the event itself. More information will be forthcoming.

Torsten Stein was re-elected as Treasurer of the Association on an unopposed ballot.

Three new ILA branches will commence their activities soon: (1) a Palestinian branch; (2) an Armenian branch; and (3) a Singaporean Branch. Other new branches are possible in Indonesia and Belarus, too, although those proposals are less far advanced.

The ILA has new scholarship and fundraising committees (the scholarship committee features our own Cynthia Lichtenstein among its membership).

Further discussion revolved around the establishment of a new website for the ILA, a long-overdue project given that the current site dates to 1997 and is cumbersome and difficult to operate. Establishing the new website will likely cost in the neighborhood of £25,000. The Council agreed that this expenditure was necessary, though Lord Mance and others will see more information and possibly another bid in addition to the one already received.

The next two meetings of the Executive Council will be 14 November 2015 and 7 May 2016. There is not likely to be a November 2016 meeting because the Committee will meet in Johannesburg in August.

For information about ILA, ABILA and co-sponsored events, please see:

[www.ila-americanbranch.org/
ABILA_ILA_Events.aspx](http://www.ila-americanbranch.org/ABILA_ILA_Events.aspx)

MEMBERSHIP

We Welcome New ABILA Members

The Branch extends a warm welcome to the following new members:

James Boykin
Prof. Carol Mates
Ank Santens
Kabir Duggal
Alexandre Pozdnyakov
Ian Comisky
Kenneth August
Lawrence Gostin
Alan Anderson
Vincent Johnson
Roxanna Nazari
Kimberley Ducimo
Megan Mattimoe
Richard Parker
Pamela Stevens
Ka hye Chin
Crystal Green
Sean O'Loughlin
Gerald Neuman
Mouhamadou Madana Kane
Michael Newton
Aleksejs Babics

PATRONS

Our thanks to our ABILA Patrons:

Charles N. Brower
Lee Buchheit
David D. Caron
Christina Cerna
Edward Gordon
Tony Lee Larson
Cynthia Lichtenstein
Houston Putnam Lowry
Roberto Aquirre Luzi
John F. Murphy
James A. R. Nafziger
Ved P. Nanda
Andre Newberg
John E. Noyes
Aníbal Sabater
Paul B. Stephan
David P. Stewart
Ruth Wedgwood

Report of the ILA-UN Liaison

Recently appointed ILA-UN liaison, Arnold Pronto, Senior Legal Officer in the United Nations Office of Legal Affairs, presented his first report on legal activities at the United Nations. The report, available on the ABILA website, provides an overview of international law related activities taking place at or under UN auspices during the first half of 2015. The coverage includes the activities of the principal organs of the organization, including the General Assembly, the Security Council and International Court of Justice, as well of subsidiary bodies and other entities, including treaty-bodies.

Highlights include the following:

— the General Assembly's decision to negotiate a new treaty on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction;

— the Security Council's resolutions recognizing the first-ever documented use of a chemical weapon within the territory of a party to the Chemical Weapons Convention, as well as on the civilian character of schools under international humanitarian law;

— the ICJ's judgment in the case concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide* (Croatia v. Serbia); and

— the advisory opinion of the International Tribunal for the Law of the Sea on obligations of the Flag State with regard to vessels flying its flag in relation to laws and regulations, adopted by certain States, concerning marine living resources within their exclusive economic zones, for purposes of conservation and management of such resources.

Information about legal activities at the United Nations can also be obtained by following Arnold on twitter at @arnoldpronto.

A further report, covering the second half of 2015, will be prepared in early 2016.

News of Branch Members

George K. Walker, Dean's Research Professor of Admiralty and International Law at Wake Forest University School of Law and former Branch President, has published "The First Great Common," on the law of the sea, in 20 *Ocean and Coastal Law Journal* 41 (2015). The article is a version of Prof. Walker's opening remarks as co-moderator of the LOS-Space Law Committee joint panel in 2013.

Prof. **Michael Scharf**, member of the Branch Executive Committee, has been appointed co-Dean of Case Western Reserve University's School of Law. With co-Dean Jessica Berg, Prof. Scharf has led the school on a temporary basis since the fall of 2013, during which time the school has made significant gains in fundraising, reputation and admissions applications. The school recently tied with Notre Dame's law school for the 25th position in a ranking of the scholarly impact of the nation's top 70 law schools.

Branch Honorary Treasurer **Houston Putnam Lowry** has joined Richard Polivy, Craig Taschner and Dale Clayton in the practice of business law and related litigation in Hartford, Connecticut. The practice will be known as Polivy, Taschner, Lowry & Clayton, LLC. Lowry will continue his practice in the contentious aspects of domestic and international commercial transactions (including arbitration and mediation).

Prof. **Diane Marie Amann**, Associate Dean for International Programs and Strategic Initiatives & Emily and Ernest Woodruff Chair in International Law at the University of Georgia's School of Law, draws our attention to the rededication of the Louis B. Sohn Library on International Relations, in its new home in the renovated Dean Rusk International Law Center, from 4-6 p.m. of Monday, October 26, 2015. The Library comprises 5,000 volumes donated from Prof. Sohn's per-

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GLIMPSES OF OUR HISTORY

TWENTY-FIVE YEARS AGO AT THE AMERICAN BRANCH

Several members of the American Branch attended the International Law Association's 64th biennial conference in Queensland, Australia in August 1990. Those participating included American Branch President Professor Cynthia Lichtenstein, Aron Broches, Nicholas Doman, Luke Lee, Monroe Leigh, Peter Trooboff, and Professors Gail Beckman, Edward Gordon, Richard Lillich, James Nafziger, and Oscar Schachter. Gordon, Lichtenstein, Lillich, and Trooboff contributed to discussions leading to an ILA resolution on the illegality of Iraq's invasion of Kuwait.

A study by the Joint American Branch-American Society of International Law Committee on the Role of the Legal Adviser to the Department of State, chaired by Professor Schachter, was among ongoing American Branch committee projects. The study was published at 85 *American Journal of International Law* 358 (1991).

Plans for International Law Weekend 1990, scheduled for November 2-3, 1990, at the Association of the Bar of the City of New York (ABCNY), were well underway. The Weekend would feature six panels, on the European Community, self-determination, oil spill liability, structuring joint ventures, privatization in Eastern Europe, and the act of state doctrine. The Branch's annual dinner was scheduled for the Princeton Club, and Peter Trooboff of Covington & Burling (then ASIL President) was to speak at the annual luncheon at the ABCNY.

The Branch noted with sadness the passing of Professor Willis Reese of Columbia Law School (1913-1990), a preeminent authority on private international law and the conflict of laws. He had served as a member of the Executive Committee of the American Branch and chair of its Nominating Committee.

Submitted by former Branch President John Noyes

FIFTY YEARS AGO AT THE AMERICAN BRANCH

President Cecil Olmstead chaired the American Branch's annual meeting, held May 15, 1965 at New York University Law Center. American Branch working committee chairs reported on their committees' projects. Active committees included the Committee on Monetary Law (chaired by Charles Evans); the Committee on the Uses of Waters of International Rivers (chaired by Gove Harrington); the Committee on Succession of New States (chaired by Professor Oliver Lissitsyn); the Committee on Legal Problems of Asylum (chaired by Alona Evans); the Committee on Legal Aspects of Disarmament (chaired by Professor Louis Henkin); the Committee on International Trade and Investment (chaired by Richard Young); the Committee on Extraterritorial Application of Restrictive Trade Practices (chaired by G.W. Haight); the Committee on the Charter of the United Nations (chaired by James Hogg); and the Committee on Arbitration between Government-controlled Bodies and Foreign Business Firms (chaired by Martin Domke). The work of most of these committees was linked to projects of parallel international committees, which were to meet at the ILA biennial conference in Helsinki in 1966.

Professor Willis Reese summarized the work of the State Department's Advisory Committee on Private International Law, noting that the Branch's Executive Committee had unanimously voted to support U.S. ratification of the Hague Service Convention. (See Report of the Advisory Committee on Private International Law, 1965-1966 *Proceedings and Committee Reports of the American Branch* 97, 99.) Reese was the American Branch's representative to the Advisory Committee, which the Secretary of State had created in 1964.

The Branch's Secretary-Treasurer, Professor Thomas Franck, reported that Branch membership stood at 515. The

Executive Committee appointed a committee, chaired by Professor John Hazard and including Professor Louis Sohn, to evaluate, inter alia, the nature of the Branch's annual meeting, including "whether some form of public colloquy should be held."

Submitted by former Branch President John Noyes

News of Branch Members (cont'd)

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sonal collection. Sohn was not only the inaugural holder of the Emily & Ernest Woodruff Chair in International Law but also President of the American Society of International Law and Vice President of the American Branch of the International Law Association. Among those speaking at the rededication will be Branch member **Professor Harlan G. Cohen**.

The Branch Space Law Committee (co-chaired by **Matthew Schaefer** and **Henry Hertzfeld**) will again be sponsoring an ILW panel discussion, titled "Regulating On-Orbit Activities and Property Rights in Outer Space." It will examine recent congressional efforts to translate principles of the 1967 Outer Space Treaty into national law in a fashion that allows "light" regulation of on-orbit activities and some recognition or property rights over extracted resources. Over the past year the Committee has sponsored several other panels and it sent several letters to congressional leaders regarding proposed amendments to U.S. space legislation (in particular H.R. 1508 and S. 976).

Stay in touch! Join the American Branch group on LinkedIn.

OUR BETTER PREDECESSORS: ABRAHAM LINCOLN AND THE MEXICAN-AMERICAN WAR

On May 13, 1846, Congress declared war on Mexico at the request of President James Polk, who two days earlier had famously said: "Mexico has passed the boundary of the United States, has invaded our territory and shed American blood upon American soil."

In less than two years, Mexico would ominously lose the war and give up large parts of its territory, including present-day California, Nevada, New Mexico, Utah, most of Arizona and Colorado, and parts of Kansas, Oklahoma, Texas, and Wyoming.

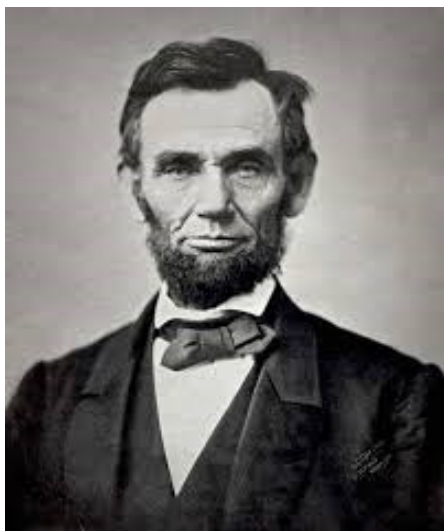
But if U.S. military might was overwhelming, domestic support for the war was not. Especially among Whigs, there was the suspicion—which later evidence turned into certainty—that the accusations against Mexico were trumped up and that the real U.S. impetus behind the war was expansionist and not defensive.

One of the most vocal opponents to the war was a lawyer and first-term Whig representative from Illinois who had joined Congress after the war declaration. In several "spot resolutions" he asked President Polk to exactly identify the place where war had begun and Mexico shed U.S. blood.

Receiving no meaningful response, he concluded that the war had been "unnecessarily and unconstitutionally commenced" and was thus contrary to the laws of civilization. At a speech in Congress on January 12, 1848, he stated that the reasons given to go to war and the evidence offered in support were, "from beginning to end, the sheerest deception."

Denouncing a successful military campaign, however, is rarely an expedient political ploy. Quite soon, the freshman congressman was denied the opportunity to run for reelection and went back to the practice of law.

That marked the beginning of his "desert years," some historians say, implying that



there is something pejorative in the practice of law when compared to plying the political trade.

Whether or not pleasant, those years came to an end in March 1861, when the freshman found himself returned to public office as the 16th President of the United States. Abraham Lincoln's time presiding over a Civil War-torn country, and his death 150 years ago now, deserve a separate chapter.

*Submitted by Branch Vice-President
Anibal Sabater*

RECRUIT A NEW MEMBER

Every Branch member is encouraged to recruit at least one new member in the next two months. Joining is easy: go to <http://www.ila-americanbranch.org>.

ILA Committee on the Protection of Privacy in Private International and Procedural Law

This committee was established in 2013 to create a forum on the protection of privacy in the context of private international and procedural law.

Chaired by Professor Burkhard Hess, it includes members from Belgium, France, Germany, Italy, Luxembourg, Slovenia, Spain, Australia, Brazil, China, Korea, Japan, the United Kingdom, and the United States.

At its first meeting in September 2014, the Committee discussed responses by national branches to a questionnaire about 'The Concept of Privacy in the National Systems.'

In February 2015, the Committee expanded the scope of its inquiry to cover data protection including in the social media context. The next meeting is scheduled for January 18, 2016, in preparation for its session at the 2016 ILA meeting in Johannesburg.

In connection with the Committee's work, the Max Planck Institute Luxembourg hosted, in September 2014, a conference on 'The Protection of Privacy in the Aftermath of the Recent Judgments of the CJEU – eDate Advertising, Digital Rights Ireland and Google Spain.'

Among other topics, the conference explored the individual's right to control personal data, implications of the 'right to be forgotten,' the CJEU's decisions on jurisdiction over personality rights, and recent libel tourism legislation.

The Conference proceedings have recently been published in *Protecting Privacy in Private International and Procedural Law and by Data Protection: European and American Developments*, Burkhard Hess and Cristina M. Mariotti (eds), 2015.