

American Branch of the International Law Association

ABILA Newsletter

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INTERNATIONAL LAW WEEKEND 1999

International Law Weekend 1999 was held 4-6 November 1999 at the House of the Association of the Bar of the City of New York. It featured 33 panels and was probably the best attended International Law Weekend in our history. Our thanks to the co-sponsoring organizations for their many contributions to the success of the panels and the hospitality that could be extended to participants and attendees. The principal papers will be published in the next issue of the International Practitioners Notebook, now published annually by the International Law Students Association's Journal of International and Comparative Law. It is distributed free of charge to all our members.

The Annual Dinner of the ABILA was held at The Harvard Club. It was addressed by the Hon. John Carey. His address will be published in our biennial Proceedings.

The next day, the luncheon was addressed by the Hon. Edwin Williamson. It, too, will be published in our biennial Proceedings.

For the year 2000, the dates have already been fixed: 26-28 October 2000. Fixing it for the last week in October instead of the first week in November will help our more distant members avoid the hotel crunch that accompanies the annual New York Marathon. The place will be the same: 42 West 44th Street, the House of the Association of the Bar of the City of New York, a co-sponsoring organization.

The chair of the program committee will again be:

Dr. Kelly D. Askin, Legal Coordinator
War Crimes Research Office, Rm. 312
Center for Human Rights and Humanitarian Law
American University, Washington College of Law
4801 Massachusetts Avenue NW
Washington, DC 10016
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If all goes as planned, the annual dinner will be held on Friday evening, 27 October 2000. But more about that when the time draws closer.

Organizational Changes

At the meeting of the Executive Committee of the ABILA, Michael Gruson of the law firm Shearman and Sterling was formally and unanimously elected Hon. Treasurer. Saurabh Shah of Davis, Polk and Wardwell was formally and unanimously elected Hon. Secretary.

International Practitioner's Notebook

The International Law Students Association (ILSA) is set to publish a selection of the 1999 ILW papers in the International Practitioner's Notebook again. Editor-in-Chief for 1999-2000 is:

Jason Ciofalo, Esq.
ILSA Journal of International & Comparative Law
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American Branch Proceedings

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 gala luncheon and dinner speeches at the preceding two International Law Weekends, and Reports of our active Committees.

The Editor will again be: Prof. John E. Noyes, Director
International Legal Studies Program
California Western School of Law
225 Cedar Street
San Diego, CA 92101

ABILA Executive Committee Meeting

International Law Association Executive Council Meeting

The ILA Executive Council met in London on Saturday, 13 November 1999. Most of the meeting was spent arranging for the biennial ILA Conference, to be held in London the last week in July, 2000.

Those making early arrangements should plan on arriving in London on Sunday, 23 July 2000. The next day, Monday, will be the excursion day, and plans are being made for boat trips on the Thames and other events. The evenings are also being planned, and we anticipate a very busy and joyous time until the final dinner on Friday, 28 July, and the open plenary session of the ILA on Saturday morning, 29 July 2000.

Committee work will fill the days Tuesday through Friday. A detailed program is being prepared. Every effort is being made to limit conflicts between Committee meetings with over-lapping subjects of interest, but with so many committees so active, it is impossible to avoid all possible conflicts. We will publish more on the full program when it is ready.

The formal cite of the Conference will be the Barbican. Hotel accommodations will range in price from 30 for student lodgings to over 200 per night. More details will be announced when available.

For those anticipating our events well in advance, the biennial grand Conference for 2002 will be held at Easter time in New Delhi, India; Berlin, Germany, will be host to the meeting in 2004.

Regional Conferences of the ILA are also being set. A Caribbean Regional Conference is planned for Barbados in April 2001. Those interested should contact our member in the ILA organizing committee:

Professor Cynthia Lichtenstein

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As noted in the September Newsletter, the first edition of "International Law FORUM du droit international" has appeared. The bilingual title symbolizes the two official languages and multinational composition of the ILA. It is multi-disciplinary and welcomes submissions. It costs US\$ 41 to individual members of the ILA (the regular price will be US\$ 127!), including all regular and contributing members of the American Branch. The FORUM will be available for no extra cost at the ILA website: <http://www.ila-hq.org> but to access the Forum, a password will be needed. Members of the ILA will be advised of the password in due course.

Manuscripts should be sent to: Ms Annebeth Rosenboom
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The publisher requests four double-spaced typewritten copies with consecutively numbered footnotes. 25 free offprints will be provided for each accepted paper.

Other items of interest to some of our members are the receipt of new Constitutions from the Polish Branch and the Greek Branch. The provisions of those Constitutions are being examined further.

The People's Republic of China, which has not Branch in the ILA yet but would like to participate in our work, has proposed that the name of the current "China (Taiwan)" Branch be changed to "Taipei, China." This modification was accepted for purposes of the Asia Development Bank, but it is not yet clear that it will be acceptable to the authorities of the Republic of China in other contexts. More on this when the situation clarifies.

Parts of the library of the ILA in London seem to be deteriorating seriously, and arrangements have been made to sell the valuable works to the London University's Institute of Advanced Legal Studies. The volumes would continue to be kept at Clore House in Russell Square and be freely available to members of the ILA.

The next meeting of the ILA Executive Council is scheduled to be held in London on Saturday, 20 May 2000

In ILA Committees, The Chair of the Committee on Accountability of International Organizations, Judge Peter Kooijmans, has resigned. It seems likely that Sir Franklin Berman, shortly due to retire from the post of Legal Adviser to the British Foreign and Commonwealth Office, will take over those responsibilities.

The Executive Council unanimously approved all nominations to international committees made by the Branch.

ILA Committees 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 ILA Branch has expertise believed important to the work of the 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.

Any Branch may nominate one member to any ILA committee. 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 about 300 members. Under current ILA regulations, nominations must be made by the President of a Branch and be approved by the chair of the relevant committee before final appointment by action of the Executive Committee at one of its semi-annual meetings. It is important that nominations be submitted well in advance and be accompanied by a recent CV.

ILA Committee Membership Policy

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.

For example, a new ILA committee on Teaching International Law has just been organized. The reporter is Professor John King Gamble, and the two co-chairs of the parallel American Branch Committee, Professors Michael Scharf and Valerie Epps, have been nominated to be the ABILA members. The nomination of a third is currently under consideration.

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.

ILA Study Groups

The ILA has begun forming "Study Groups" to supplement the work of its committees. One member from each of up to ten Branches is selected by the chair of the Study Group subject to the approval of the Director of Studies and the president of the pertinent Branch.

To date, there have been two such Study Groups established. One on the proposed International Criminal Court is headed by John Dugard of the South African Branch; the ABILA member he requested is Professor Leila Sadat Wexler, the chair of the parallel American Branch committee. Another is a Study Group on the Law of State Responsibility. Its charge is to help evaluate the work of the International Law Commission on this topic. The Chair is Professor Dr. Peter Malanczuk of the Netherlands Branch; the ABILA member is Professor David Caron.

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 Director of Studies directly.

A full list of ILA committees, their chairs, reporters and American Branch members is appended to this Newsletter.

DUES

It is time to pay dues for membership in the American Branch of the International Law Association for 2000. The dues are \$60 for Regular membership; \$100 for Sustaining membership; \$80 for Institutional membership. Student membership is free, but does not carry with it membership in our parent organization, the International Law Association.

Dues should be paid by check made out to the American Branch, International Law Association. The check should be sent to our new Hon. Treasurer:

Michael Gruson, Esq.
Shearman & Sterling
599 Lexington Ave.
New York, NY 10022

Since 25 of each Regular or Sustaining member's annual dues and 50 of each Institution's dues must be paid to help defray the costs of our international headquarters in London, we would not survive financially without your prompt payment. We barely break even although no part of your dues goes to pay any expenses of the Executive Committee or our officers. Copies of the dues payment form may be found in our website: www.ila.ambranch.org. We will accept your annual payment even without it! Additional contributions to the Branch pay for the distribution of educational materials to our free student members.

Because we operate on such a limited budget, your check must serve as your receipt, although we hope to be able to distribute some form of acknowledgment in due course.

The ABILA is a tax exempt 501(c)(3) organization and no goods or services are provided to members in return for their dues.

American Branch Committee Activities

A number of 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 report 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."

ABILA 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.

News of Members

Charles N. Brower has been appointed by the Government of Bolivia to be its Judge *Ad Hoc* in the Inter-American Court of Human Rights in a case involving that Government.

ILA Committees 1999

Committee Name	Chair	Reporter(s)	U.S. Member(s)
Accountability of International Organizations	Sir Franklin Berman (UK)	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)	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 Louis Sohn
International Civil and Commercial Litigation	P.E. Nygh (A) P. Blanquier-Cirelli (Fr)	C. McLachlan (UK)	Peter Trooboff Friedrich K. Juenger
International Commercial Arbitration	Pierre Mayer (Fr)	P. Bowden (UK) Nagla Nassar (Eg)	Philip D. O'Neill Charles N. Brower Michael F. Hoellering David W. Rivkin
International Environmental Law	A.E. Boyle (UK)	S. McCaffrey (USA)	Gunther Handl Edith Brown Weiss David Bederman
International Human Rights Law and Practice	M. Scheinin (Fi)	Iwasawa (J) A. Byrnes (HK)	Thomas M. Franck Hurst Hannum Charles D. Siegal
International Monetary Law	M. Giovanoli (Swi)	D. Carreau (Fr) T. Treves (It)	Cynthia Lichtenstein Michael Gruson A.W.G. Newburg Ernest T. Patrikis
International Securities Regulation	Edward H. Fleishman (USA)	K. Hober (Swed) P. Willis (Aus)	Barbara J. Green Roberta Karmel Cynthia Lichtenstein
International Trade Law	E.-U. Petersmann (Swi)	P. Mavroidis	John Jackson

		Frederick M. Abbott (USA)	Gary N. Horlick Alan Swan
Islamic and International Law	vacant	vacant	Frank E. Vogel
Refugee Procedures	K. Hailbronner (G)		Ved Nanda Stephen 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 Edward R. Finch (Alt.)
State Succession	Brigitte Stern (Fr)	Wlad. Czaplinsky (Po)	
Sustainable Development	K. Hossain (B'desh)	N.C. Schrijver (Neth)	David Leebron Oscar Schachter
Teaching International Law	Hilary Charlesworth (Austral)	John King Gamble (USA)	Valerie Epps Michael Scharf
Water Resources Law	C.B. Bourne (Can)	J. Dellapenna (USA) P. Wouters (UK) (ass't)	
ILA Study Group on State Responsibility	Peter Malanczuk (Neth)		David Caron
ILA Study Group on the International Criminal Court	John Dugard (S. Afr)		Leila Sadat