

ASIL 101ST ANNUAL MEETING

The Future of International Law

March 28 - 31, 2007 • The Fairmont Washington, D.C.







Dear Colleague:

As the American Society of International Law enters its second century, the 101st Annual Meeting will challenge scholars and practitioners to reflect on “The Future of International Law.” While the future cannot be predicted, certain trends are shifting the stakes of the international order.

For example, the gap between the richest and poorest countries is increasing. Demographic pressures are affecting the developed and developing worlds. Global pandemics pose serious threats to international order. Resource scarcities and environmental degradation continue to grow.

In addition to these socioeconomic dynamics, military trends also will affect the future of international law. Ongoing affronts to global security defy traditional concepts of war and peace. How will international law manage future conflicts? How will it respond to the changing face of weapons proliferation?

Such substantive challenges raise important institutional questions. What are the consequences of increasingly institutionalized dispute settlement? What about the resurgence of “private international law” in structuring international relations? In what ways is the international legal system moving away from the Westphalian order and toward new forms of ordering? What of the move to “governance” as a mode of lawmaking, involving multilayered interactions between various actors within states as well as nonstate actors? How does changing technology affect these institutional developments?

Finally, what innovations are emerging in practice, teaching, and scholarship? How should international lawyers adapt to emerging trends and new forms of complexity? What are the professional responsibilities of international lawyers in this new environment?

We hope that the program for the 101st Annual Meeting of the American Society of International Law will help us answer these questions and generate new ideas about the future of international law and the role of international lawyers. Our challenge is to assess these trends while at the same time interrogating claims of their “newness.” We must temper our visions of the future’s promise and peril with the recognition that such visions, whether utopian or dystopian, can distract from our treatment of the present. Understanding and molding our transition into the future will require critical thinking, creativity, interdisciplinary focus, and a willingness to take risks.

We hope you enjoy this richly diverse and stimulating agenda about the future.

William Aceves
Charles Hunnicutt
Chantal Thomas
*Co-Chairs, Program Committee,
ASIL 101st Annual Meeting, 2007*



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General Information

Meeting Location

The Fairmont Washington, D.C.
2401 M Street, NW
Washington, DC 20037
(202) 429-2400

Onsite Registration

The ASIL Meeting Registration Desk is located on the Mezzanine Level. Registration hours are as follows:

Wednesday, March 28:
10:00 am – 6:00 pm

Thursday, March 29:
8:00 am – 6:00 pm

Friday, March 30:
8:00 am – 7:00 pm

Saturday, March 31:
8:00 am – 12 noon

Name Badges

Name badges must be worn for admittance to all meetings, receptions, and the Annual Dinner.

Meal Tickets

Meal tickets are required for access to the WILIG Luncheon, Hudson Medal Luncheon, and the Annual Dinner. Meal tickets are purchased in advance during registration. A limited number of tickets are available onsite; inquire at the Registration Desk. Refunds for meal tickets are not available. ASIL cannot replace lost tickets.

Lunch Options

The Juniper restaurant in The Fairmont is open daily for lunch and dinner. Alternatively, there are several cafes within walking distance of the hotel. Below are two suggestions. A more complete list of cafes and restaurants is available at the Registration Desk.

- *Bread & Chocolate* - Bakery, Casual
2301 M Street, NW
Turn left on M Street, then left on 23rd Street. Located on the left side.
- *Cosi* - Coffee & Sandwich shop
1919 M Street, NW
Turn left on M Street. Located on the left at 19th and M Street.

Disclaimer: Photos and videos taken of attendees during ASIL events will remain the property of ASIL, and may be used in future marketing materials.

Exhibit Hours

The Exhibits, located on the Ballroom level, will be open during the following hours:

Wednesday, March 28: 2:00 pm - 7:00 pm

Thursday, March 29: 9:00 am- 6:00 pm

Friday, March 30: 9:00 am - 6:30 pm

Saturday, March 31: 9:00 am – 12:00 pm

Internet Access

Wireless Internet is available in the hotel lobby, in the Ballroom level, and in the 3rd floor meeting rooms at a cost of \$13.95 for a 24-hour period, charged to your credit card. If you are a guest of the hotel and would prefer to have the charge billed to your guestroom, you will need to log on in your room first (guest rooms are not wireless), or you will be double-charged. Internet access is also available in the hotel's Business Center on the Mezzanine level. Business Center hours are 7am–4pm. All other hours are self-service using a major credit card.

Coat Racks and Storage

There are only two coat racks available: one is located near the far corner entrance to Ballroom I, and the other is located across from the entrance to Latrobe and Culpeper.

There is no storage available for bags, suitcases, or personal belongings. ASIL is not responsible for lost or stolen items.

Cell Phone Use

We kindly ask that you silence your cell phones during the meetings.

Non-smoking Law

Washington D.C. law prohibits smoking in all areas of the hotel except for designated smoking guest rooms. Smoking is no longer allowed in the lobby, meeting rooms or courtyard. Attendees who would like to smoke may either go to their designated smoking guest room or to the M Street entrance of the hotel located by the Gift Shop.

Save the Dates for Future ASIL Annual Meetings!

ASIL 102nd Annual Meeting

April 9 – 12, 2008
The Fairmont Washington, D.C.

ASIL 103rd Annual Meeting

March 25 – 28, 2009
The Fairmont Washington, D.C.

PHILIP C. JESSUP INTERNATIONAL LAW MOOT COURT COMPETITION

The 2007 Shearman & Sterling International Rounds of the Philip C. Jessup International Law Moot Court Competition are being held from March 25 to March 31 here at The Fairmont Washington, D.C. The International Rounds are the culmination of the Annual Jessup Competition. This year, over 500 teams from nearly 90 countries participated at the same level in the competition, with over 70 teams – the winners of the National and Regional Rounds - in attendance at the International Rounds to vie for the world championship title known as the Shearman & Sterling Jessup Cup.

ASIL Annual Meeting attendees are invited to attend the Advanced Rounds of the Competition, which will be held at The Fairmont on Thursday at 9:00am and 3:00pm, and on Friday at 9:00am (Quarterfinals) and 3:00pm (Semifinals). Rounds take approximately two hours each. ILSA requests that observers do not enter or leave a match while it is in session. The Championship Match will be held on Saturday afternoon, April 1, at a place and exact time to be determined. Please stop by the Jessup Information Desk for more information.

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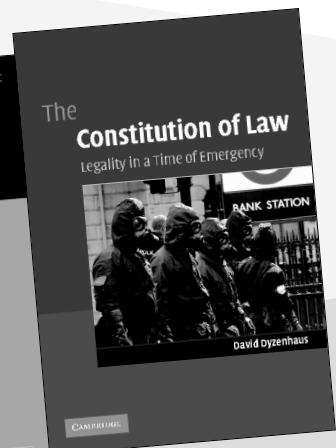
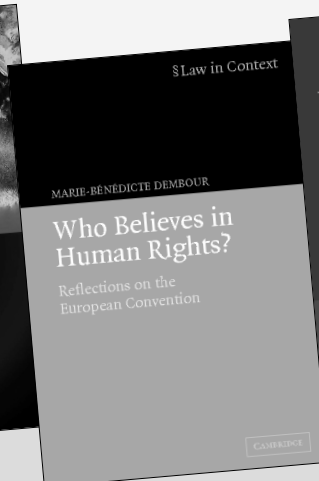
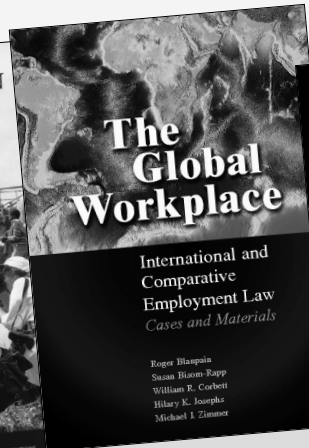
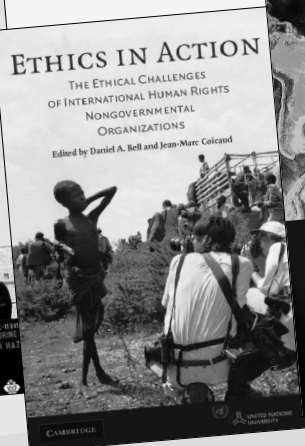
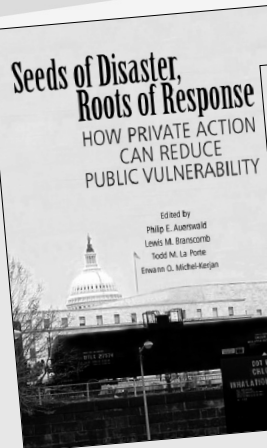
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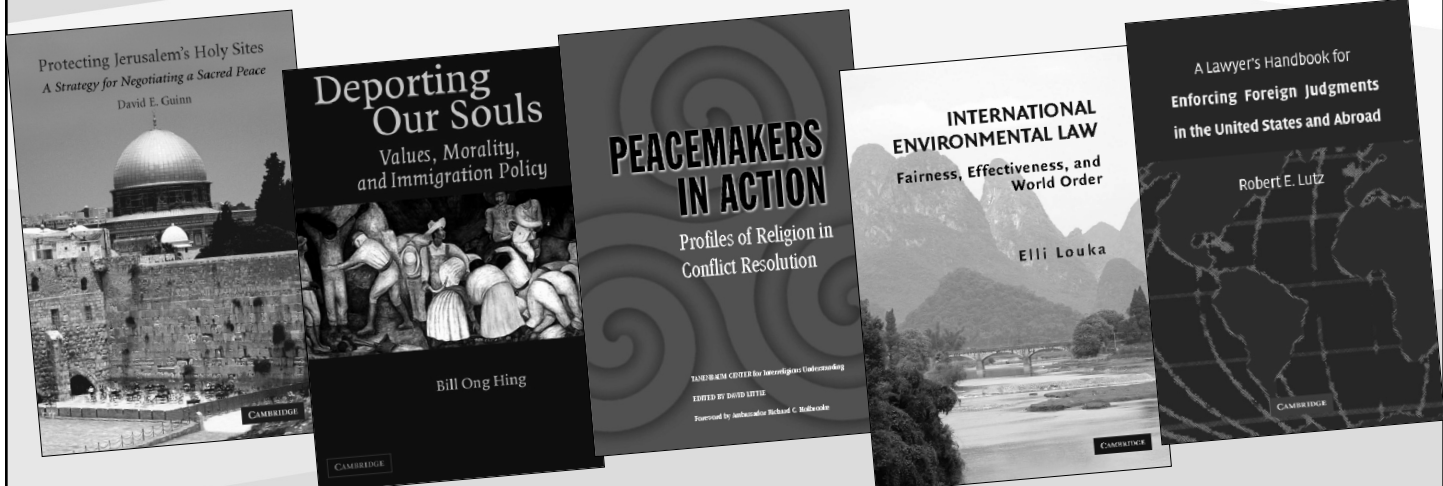
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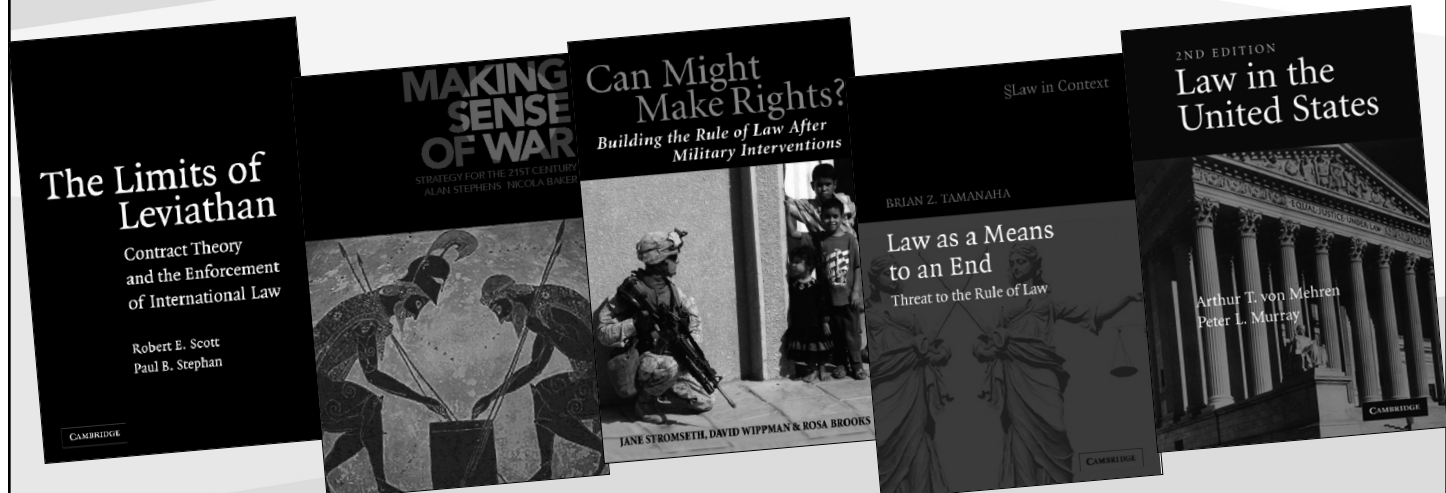
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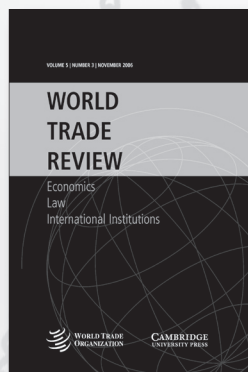
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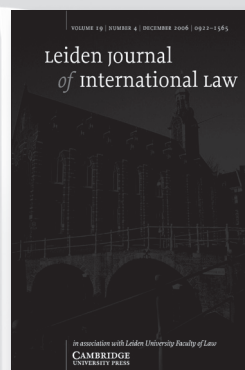
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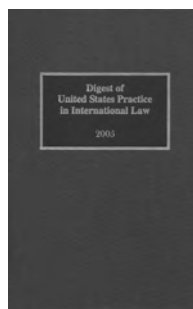
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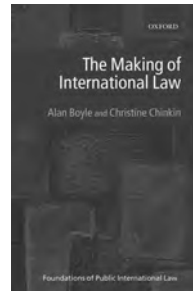
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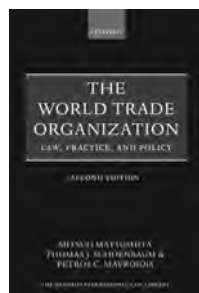
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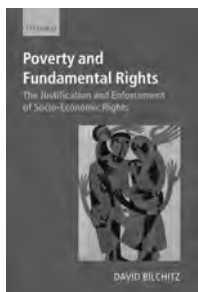
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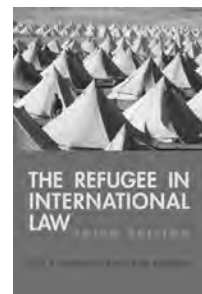
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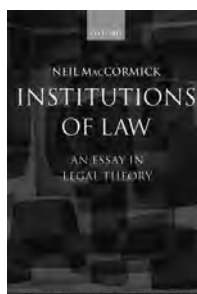
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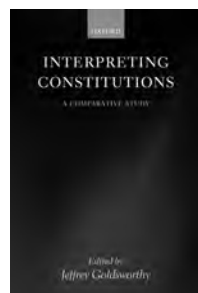
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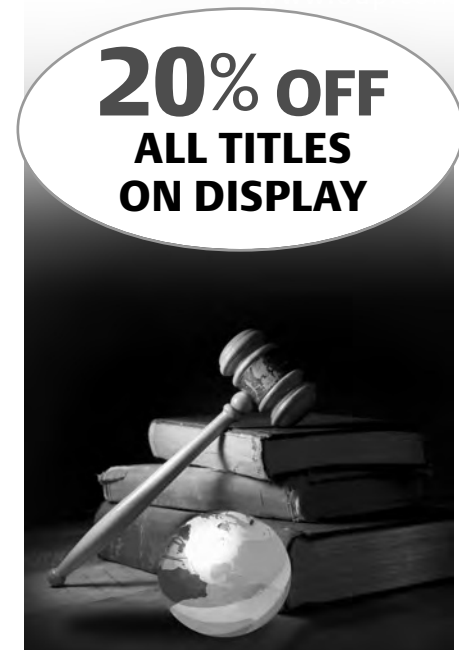
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Mattias Ahrén	Catriona Drew	Arthur Lerner-Lam	Sonia Elise Rolland
Adesegun Akin-Olugbade	Paul R. Dubinsky	Jeremy Levitt	Darren Rosenblum
Alex Aleinikoff	Dorothy Dwoskin	Peter Lichtenbaum	Dean S. Rowan
Merle Alexander	Esther Dyson	John Louth	Christos Rozakis
William Alford	Chinwe Esimai	Lucinda Low	Kim Rubenstein
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José E. Alvarez	David Fisher	Gabrielle Marceau	Leila Nadya Sadat
Diane Amann	Martin Flaherty	Susan Martin	Saskia Sassen
Kevin Bales	Marjorie Florestal	Stefan Matiation	Ingeborg Schwenzer
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Clifford Bob	Erika George	Victor Mosoti	Peter Spiro
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Laura Dickinson	Jim Landers	Kerry Rittich	
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101st Annual Meeting Agenda

Wednesday, March 28

ASIL Executive Council Meeting

9:00 am – 2:30 pm • Ballroom I

The Future of Arbitrations Involving States

9:00 am – 1:30 pm • Ballroom II

Co-Sponsored by the Institute for Transnational Arbitration's Academic Council. Separate registration and fee required.

Grotius Lecture

Multinational Corporations: Balancing Rights and Responsibilities

4:15 pm – 5:30 pm • Ballrooms I & II

Co-sponsored by American University Washington College of Law

Lecturer: Joseph Stiglitz, Columbia University

Discussant: Rachel Kyte, International Finance Corporation

Grotius Reception

5:30 pm – 7:30 pm • Colonnade

Co-Sponsored by American University Washington College of Law

American Journal of International Law Board of Editors Dinner

7:30 pm – 10:00 pm • Latrobe

By invitation only.

Thursday, March 29

Interest Group Meetings

7:45 am – 8:45 am

Africa Interest Group **Latrobe**

International Organizations Interest Group **Colonnade**

Feeling the Heat? Climate Change Litigation in the 21st Century

9:00 am – 10:30 am • Ballroom II

This panel will survey efforts to address climate change through adjudicative and quasi-adjudicative mechanisms at the international level in the face of the failure of institutional responses such as the United Nations Framework Convention on Climate Change and the Kyoto Protocol to meaningfully address the specter of climate change. Panelists will discuss actions initiated in international forums such as the Inter-American Commission on Human Rights as well as potential actions in other international forums, such as the World Trade Organization and the United Nations Tribunal on the Law of the Sea.

Moderator: Andrew Strauss, Widener University School of Law

Panelists: William C.G. Burns, Santa Clara University School of Law; Don Goldberg, Center for International Environmental Law; Karl R. Moor, Southern Company; Hari Osofsky, University of Oregon School of Law



Thursday, March 29 (continued)

The Canada-U.S. Border: Free Trade in a Time of Enhanced Security

9:00 am – 10:30 am • Executive Forum

Co-sponsored by the Canadian Council on International Law

As the Canadian and U.S. economies become increasingly integrated, border security measures are on the rise. This panel will feature Canadian Ambassador Michael Wilson with commentary by Canadian and US experts on issues including border thickening and its effect on trade flows and competitiveness, data collection and privacy issues, and pre-clearance matters.

Moderator: Jonathan Fried, International Monetary Fund

Speaker: Ambassador Michael Wilson, Canadian Foreign Ministry

Commentators: Jon Johnson, Goodmans; Peter Lichtenbaum, BAE Systems

Social Justice Advocacy in the United States: What Role for International Law?

9:00 am – 10:30 am • Ballroom I

U.S. social justice advocates are increasingly resorting to international human rights standards and strategies to advance their domestic agendas, notwithstanding significant obstacles that range from a lack of awareness about these standards to official hostility. This session will explore this trend. It will examine how and why social justice advocates are using international law, what impact it has on recognition of these norms in the United States, and how it will likely affect international human rights institutions.

Moderator: Steven M. Watt, American Civil Liberties Union

Panelists: Aryeh Neier, Open Society Institute; Clifford Bob, Duquesne University; Monique Harden, Advocates for Environmental Human Rights; Walter Kalin, U.N. Human Rights Committee

Roundtable on Citizenship

9:00 am – 10:30 am • Roosevelt

Citizenship has traditionally been considered a core element of sovereignty, part of a domain beyond the reach of international law. Changing state practice suggests the possible emergence of new international norms regarding naturalization, birthright citizenship, and dual citizenship. However a parallel trend, in which the rights of non-citizens receive international legal protection as human rights, is also visible. Citizenship, like sovereignty and property, can be disaggregated into its constituent components; it is not surprising that there are now a number of competing conceptions of citizenship in circulation in the international order. These developments generate a number of questions for the emerging global legal order. What are the salient forces and who are the influential actors? How do international law and domestic law interact, and where are there conflicts within emerging international norms?

Moderator: Peter Spiro, Temple University School of Law

Panelists: Linda Bosniak, Rutgers University; Gerald Neuman, Harvard Law School; Karen Knop, University of Toronto; Kim Rubenstein, Australian National University; Saskia Sassen, University of Chicago

The Future of Food

10:45 am – 12:15 pm • Ballroom I

Agriculture and food supply are crucial for sustainable human development. Multilateral legal regimes significantly affect this supply, but so too do regional arrangements. Indeed, the future of our food supply could be strongly influenced by South-South cooperation and regional programs designed to promote local food production and food processing both for domestic consumption and for exports. Of course, the regional efforts must progress within the confines of existing international trade and investment agreements concerning market access, domestic and export subsidies, food safety and environmental requirements, and investment incentives, among others. The panelists, experts in their fields, will lead the audience through the current and future regional legal developments that will influence the future of our food supply and will debate the relative importance of the national, regional and multilateral rules and case law.

Moderator: Janet Nuzum, Former U.S. International Trade Commissioner

Panelists: Peggy Clarke, Powell Goldstein LLP; Siphwe Mkhize, Embassy of South Africa; Victor Mosoti, Development Law Service UN Food and Agriculture Organization



Thursday, March 29 (continued)

Tsunamis, Hurricanes, Earthquakes, and Asteroids: Are We Ready for the Next 100 Years?

10:45 am – 12:15 pm • Ballroom II

Despite countless advances in science and technology, little can be done to prevent catastrophic events such as tsunamis, hurricanes, or earthquakes. And as recent events have graphically demonstrated, these natural disasters can cause untold destruction and human suffering on a massive scale. But what have these disasters revealed about international law? While international law cannot control nature, can it mitigate its negative effects?

Moderator: James Gathii, Albany Law School

Panelists: Michael Cohen, The New School; David Fisher, International Federation of Red Cross and Red Crescent Societies; Arthur Lerner-Lam, The Earth Institute at Columbia University

Queering International Law

10:45 am – 12:15 pm • Executive Forum

With recent expansion of international legal discourse to encompass new approaches, it is no longer tenable to understand international legal theory only in terms of its origins in mainstream liberal thought. However, the process of opening up legal theory to hitherto ignored intellectual developments is an ongoing one, and a continuing gap in the intellectual canon of international law is the tradition of 'queer theory,' an approach to ideas rooted in the subaltern position of non-heterosexual sexualities in the world. The application of queer theory to the subject has a rich potential to enhance understandings of the discipline and intellectual tradition of international law. Panelists from diverse viewpoints will offer insights from queer theory to understandings of international law, including the nature of the treatment of gay lesbian bisexual and trans people in international law and the controversy concerning the non-accreditation of the International Gay and Lesbian Association (ILGA) as an NGO at the United Nations.

Moderator: Ralph Wilde, University College London

Panelists: Doris Buss, Carleton University; Aeyal Gross, Tel Aviv University; Diane Otto, University of Melbourne; Amr Shalakany, American University in Cairo

Africa: A New Voices Panel

10:45 am – 12:15 pm • Roosevelt

This panel will feature new voices addressing themes at the intersection of African governance and its international legal obligations. The panel will feature a rich combination public and private governance issues. One of the presentations will focus on the challenges of designing a framework for the protection of the rights of women in Africa, while another will focus on the rights of foreign investors and the contractual obligations of the Chadian government in relation to the Chad pipeline project. Another new voice will address constitution making in post conflict countries. A final presentation will examine the contemporary global trading system in light of the Berlin West African conference.

Moderator: Joel Ngugi, University of Washington Law School

Panelists: Angela Banks, Harvard Law School; Chinwe Esimai, MetLife, Inc.; Marjorie Florestal, University of the Pacific McGeorge School of Law; Sevidzem Kingah, Institute for European Studies, Faculty of Law, Vrije Universiteit



Thursday, March 29 (continued)

1907 Hague Convention and 1977 Geneva Protocols: Looking Back and Thinking Ahead

10:45 am – 12:15 pm • Latrobe

The anniversaries of these two core law of war instruments provide a convenient time for discussion of the major contributions and shortcomings of each treaty with respect to more effective regulation of means and methods of warfare and to the shaping of customary international law. This panel will discuss the role that each has played in international criminal tribunals and prospects for the future shaping of international humanitarian law - the Hague Convention since the era of the Nuremberg and Tokyo Tribunals and the Geneva Protocols since the creation of the ICTY, ICTR, and ICC as well as the Special Court for Sierra Leone and the Iraqi High Tribunal.

Moderator-Discussant: Jordan Paust, University of Houston Law Center

Panelists: Laura Olson, International Committee of the Red Cross; David Graham, U.S. Army Judge Advocate General's Legal Center and School; Koji Teraya, University of Tokyo

Hudson Medal Luncheon, The Public/Private Distinction in International Law: Have We Finally Killed It?

12:30 pm – 2:00 pm • Colonnade

Ticketed event; attendees must present ticket for entrance.

Honoree/Speaker: Andreas Lowenfeld, New York University School of Law

Discussant: Harold Hongju Koh, Yale Law School

Paving the Way? Africa and the Future of International Criminal Law

1:00 pm – 2:30 pm • Executive Forum

The establishment of new human rights courts in the continent, the continued work of the ad hoc criminal tribunals for Rwanda and Sierra Leone, and all of the cases pending before the International Criminal Court make Africa the testing ground for international accountability for gross violations of human rights. This panel of leading jurists and experts will explore the impact of these international legal institutions on peace building efforts in Africa, and in turn, how the African experience will shape the future of international criminal law.

Moderator: Vincent Nmehielle, Special Court for Sierra Leone

Panelists: Vernice Guthrie-Sullivan, ABA Africa Law Institute; Jeremy Levitt, Florida International College of Law; Simone Monasebian, UN Office on Drugs and Crime (UNODC)

Institutions and the Rule of Law: A New Voices Panel

1:00 pm – 2:30 pm • Latrobe

This ASIL new voices panel will consist of four papers offering different perspectives on the development and effectiveness of different institutions in fostering the international "rule of law." The panelists' presentations will address this topic with reference to different institutions as examples, including the WTO, UN peacekeeping operations, UN sanctions programs, and domestic courts.

Moderator: Richard Gardner, Columbia Law School

Panelists: Sungjoon Cho, Chicago-Kent College of Law; Jeremy Farrall, Australian National University; Susan Notar, American Society of International Law; Christopher Whytock, Duke University



Thursday, March 29 (continued)

Collapse: Can International Law Protect the Earth's Natural Resources?

1:00 pm – 2:30 pm • Roosevelt

Drought and famine have caused more deaths around the world in the past 100 years than any military conflict. At the same time, human consumption is depleting a number of natural resources, including fish, timber, minerals, natural gas, and oil. Access to clean water and arable land pose significant challenges in many parts of the world. Environmental changes, demographic trends, and economic progression play a role in these developments. Does international law offer any solutions to the increasing scarcity of natural resources? Or is a paradigm shift necessary to prevent a collapse of the global ecosystem?

Moderator: John Setear, University of Virginia School of Law

Panelists: Natasha Affolder, University of British Columbia Faculty of Law; David Freestone, The World Bank; Lakshman D. Guruswamy, University of Colorado School of Law

The Globalization of the American Law School

2:45 pm – 4:15 pm • Roosevelt

Globalization, and what it means for the development of law, raise important questions for law schools and lawyers. Past Annual Meetings have explored manifestations of this phenomenon in the substantive curriculum taught in U.S. law schools. This session will examine the institutional efforts now underway by American law schools to build global linkages. The globalization of the American law school appears to be multidirectional, involving not only greater extraterritorial extension of U.S. faculty and students through enhanced international exchange programs, study abroad opportunities for students, and teaching abroad for American faculty and international internships; but also deeper integration of foreign law faculty and students into domestic education. This roundtable will survey recent developments and discuss their implications.

Moderator: Chantal Thomas, University of Minnesota Law School

Panelists: Joseph Weiler, New York University School of Law; William Alford, Harvard Law School; Alex Aleinikoff, Georgetown University Law Center

The Future of Internet Governance

2:45 pm - 4:15 pm • Executive Forum

In 2005, the United States warded off an effort by a coalition of European and developing countries to place certain Internet governance functions under international control. Yet the debate remains over who should govern key Internet functions. Today, the United States and other powerful nations dominate. Is this right? Should international agreements play a greater role in regulating the Internet? Or should a wholly different arrangement be used?

Moderator: Tim Wu, Columbia University School of Law

Panelists: Esther Dyson, former chair, ICANN; Michael Fromkin, University of Miami School of Law; Ambassador David A. Gross, U.S. Department of State; Miriam Sapiro, Summit Strategies International

Annual General Meeting & President's Address

2:45 pm – 4:15 pm • Ballrooms I & II

- Election of ASIL Officers and Members of the Executive Council
- Election of the 2007 Nominee for ASIL Honorary Member: Professor Brigitte Stern
- Presentation of Honors and Awards
 - 2007 Recipient of the Manley O. Hudson Medal: Professor Andreas Lowenfeld
 - 2007 Recipients of the Goler T. Butcher Medal: Mr. José Miguel Vivanco and Judge Antônio Augusto Cançado Trindade
 - Recipients of the 2007 Book Awards and Deák Prize: To be Announced.
- President's Address, The Future of Our Society: José E. Alvarez, Columbia University School of Law



Thursday, March 29 (continued)

Breaking Developments in International Law: A Conversation on the ICJ's Opinion in *Bosnia and Herzegovina v. Serbia and Montenegro*

4:30 pm – 5:30 pm • Ballrooms I & II

On February 26, 2007, the International Court of Justice (ICJ) issued its long-awaited decision in the case concerning *Bosnia and Herzegovina v. Serbia and Montenegro*. The decision examines various issues, including a detailed analysis of the elements of genocide under the Genocide Convention. The ICJ concluded that the acts committed at Srebrenica in July 1995 constituted genocide. While the ICJ determined that Serbia had not committed or conspired to commit genocide nor was complicit in genocide, it found that Serbia had violated its obligations to prevent genocide in respect to the Srebrenica massacre and in its failure to cooperate with the International Criminal Tribunal for the former Yugoslavia. This conversation brings together noted scholars and advocates to discuss the ICJ's decision and to reflect on its broader implications for the future of international criminal law.

Moderator: Judge Theodor Meron, International Criminal Tribunal for the former Yugoslavia

Panelists: Leila Nadya Sadat, Washington University School of Law; Brigitte Stern, University of Paris I - Panthéon Sorbonne

Executive Council Meeting & Reception

5:30 pm – 6:30 pm • Latrobe

Interest Group Meeting

6:00 pm – 8:00 pm • Longworth

International Environmental Law Interest Group

Transportation to Georgetown University Law Center

6:00 pm – 9:45 pm

Buses will circulate between The Fairmont Hotel and Georgetown University Law Center.
Meet buses at M Street entrance, off lobby near hotel gift shop.

The Future of International Law— Members' Reception and Plenary Panel, Georgetown University Law Center

6:30 pm - 9:30 pm: Members' Reception • Georgetown University Law Center

7:30 pm – 9:30 pm: Plenary Panel • Georgetown University Law Center

Hosted by Georgetown University Law Center

As the Society enters its second century, the 101st Annual Meeting will challenge scholars and practitioners to reflect on "The Future of International Law." While the future cannot be predicted, certain trends are shifting the stakes of the international order. Our challenge is to assess these and other trends while at the same time interrogating claims of their "newness." We must temper our visions of the future's promise and peril with the recognition that such visions, whether utopian or dystopian, can distract from our treatment of the present. Understanding and molding our transition into the future will require critical thinking, creativity, interdisciplinary focus, and a willingness to take risks.

Moderator: Anne-Marie Slaughter, Woodrow Wilson School, Princeton University

Panelists: Barry Carter, Georgetown University Law Center; Lori Fisler Damrosch, Columbia Law School; Judge Hisashi Owada, International Court of Justice; Judge Antônio Augusto Cançado Trindade, Inter-American Court of Human Rights

Co-sponsored by Fulbright & Jaworski, LLP

**Friday, March 30****Interest Group Meeting**

7:45 am – 8:45 am • Latrobe

International Economic Law Interest Group

What Future for the Doha Development Agenda and the Multilateral Negotiating Regime?

9:00 am – 10:30 am • Ballroom II

This panel will discuss the implications of the suspension of the Doha Development Agenda in 2006 for the future of the multilateral trade regime. Panelists including leading experts and participants in the Doha negotiations will consider the actual effect of Doha on the “Development Agenda” and developing country issues in general and whether there will be a recovery in the form of Doha-lite or something more substantial. They will also consider the impact of Doha on the WTO, as well as the U.S., the E.U. and developed countries, and also discuss the role played at Doha by newly active members China, Brazil, India and the G-20. Finally, they will look to the future and consider whether Doha marks the end of multilateral negotiating rounds in favor of a swing toward regional or bilateral trade agreements.

Moderator: Gabrielle Marceau, World Trade Organization**Panelists:** Raj Bhala, University of Kansas School of Law; Dorothy Dwoskin, Office of the U.S. Trade Representative; Sonia E. Rolland, University of Cambridge Faculty of Law**Implementation of International Health Law: A Challenge for the Future**

9:00 am – 10:30 am • Executive Forum

This panel will discuss the legal and practical dimensions of contemporary international health regulation. The speakers will discuss the nature of the major international health law instruments and touch on the “soft law versus hard law” issue. The speakers will then discuss the challenges to implementation in terms of “compliance versus cooperation,” creating incentives, resources and political will of States Parties and international organizations. Finally, the panel will consider the role of civil society in implementation and in promoting research towards future cures.

Moderator: Fernando Gonzalez-Martin, World Health Organization**Panelists:** Gian Luca Burci, World Health Organization; Lawrence Gostin, Georgetown University Law Center; Bruce Plotkin, World Health Organization**Customary International Law as Federal Law after *Sosa v. Alvarez-Machain***

9:00 am – 10:30 am • Ballroom I

2007 marks the tenth anniversary of Bradley and Goldsmith’s classic Harvard Law Review article challenging the status of customary international law (CIL) as domestic federal law. That article generated a flood of academic debate, and the issue has found its way in front of various courts in various guises. A recent Supreme Court case, *Sosa v. Alvarez-Machain*, acknowledged and weighed in on the debate, although what it said remains a matter of debate. This panel of leading thinkers will present the contending sides, to address the future of customary international law in the wake of *Sosa*. The debaters will consider: what is the core meaning of *Sosa* for the CIL debate? How have lower courts reacted, and how should they be expected to react? What are the implications for future debates, both among legal academics and in court? Is the debate over the status of CIL over or only just beginning?

Moderator: Martin Flaherty, Fordham University School of Law**Panelists:** Julian Ku, Hofstra University School of Law; David Moore, University of Kentucky; Ralph Steinhardt, George Washington University School of International Affairs; Beth Stephens, Rutgers University

**Friday, March 30 (continued)****Slave Trafficking 200 Years After Abolition****9:00 am – 10:30 am • Roosevelt**

Marking the 200th anniversary of the passage of laws in Congress and the British Parliament abolishing slave trafficking, this multidisciplinary panel of experts will survey that 200-year history. Topics to be explored will include the transformation of slave trafficking from an accepted international practice to one of the first international crimes against humanity; vestiges of slavery and reparations proposals; and contemporary manifestations of slavery and slave trafficking.

Moderator: Adrien K. Wing, University of Iowa College of Law

Panelists: Diane Amann, University of California, Davis School of Law; Kevin Bales, Free the Slaves; Adrienne Davis, University of North Carolina School of Law

Internationalizing International Law Societies: A Dialogue on Building a Global Scholarly Network**9:00 am – 10:30 am • Latrobe**

With the deepening of globalization and its associated implications for the study and practice of law, it becomes both possible and critically important to create networks among international law societies, and similarly oriented associations, around the world. This resource session seeks to foster dialogue among international law societies. Topics of discussion will include the scope and purpose of the networks, how associations can best support and facilitate such networks without losing sight of their own distinctive purpose and contributions. The discussions will also touch on the emergence and experience of regional international law societies in Africa, Europe, and Asia. In addition to the panelists listed, others who have worked with ASIL on scholarly networking projects in Japan and in Europe will be invited to participate.

Moderator: Charlotte Ku, Lauterpacht Centre for International Law and the University of Illinois College of Law

Panelists: Shinya Murase, Sophia University; Dante M. Negro, Organization of American States; Hélène Ruiz-Fabri, University of Paris I (Pantheon-Sorbonne), President of the European Society of International Law; Sir Michael Wood, Lauterpacht Centre for International Law, University of Cambridge and 20 Essex Street Chambers

Justice Should Be Done, But Where? The Relationship Between National and International Courts**10:45 am – 12:15 pm • Ballroom II**

As the experiences of international criminal courts reveal, the relationship between national and international courts has become a key issue in creating an international justice architecture that works. What role can and should transnational prosecutions play in this architecture? Can international justice mechanisms take into account local or informal forms of justice while maintaining due process standards and the need to combat impunity? Are hybrid tribunals, which incorporate elements of both national and international systems, better able than international criminal courts to investigate and prosecute cases, and to act as a catalyst for national courts to act? This panel will survey recent controversies and attempt to look forward.

Moderator: Naomi Roht-Arriaza, University of California, Hastings College of the Law

Panelists: Laura Dickinson, University of Connecticut School of Law; Christopher K. Hall, Amnesty International; Paul Seils, Office of the Prosecutor, International Criminal Court; Kimberly Theidon, Harvard University



Friday, March 30 (continued)

Toward International Order in Migration and Trade?

10:45 am – 12:15 pm • Executive Forum

As wealthy countries with aging workforces seek new pools of labor, and as many poor people in developing countries yearn to improve their position, it is likely that states will increasingly work together to allow workers to be more mobile. Compared to the law that regulates the flow of goods, services, and investments, the international law of labor migration is rudimentary. The U.N. Secretary General has called for a high level dialog on international migration and development. This panel will evaluate the possibilities for greater international legal order in the field of labor migration, and the extent to which such a legal regime might contribute to global and local security by reducing population pressure in poor countries, enhancing incomes through migration itself and through remittances, and increasing cross-cultural exchange.

Moderator: Joel Trachtman, Fletcher School of Law and Diplomacy

Panelists: Tomer Brode, Hebrew University in Jerusalem; Howard Chang, University of Pennsylvania; Bimal Ghosh, International Organization of Migration; Susan Martin, Institute for the Study of International Migration, Georgetown University

Indigenous Rights, Traditional Knowledge, and Access to Genetic Resources - New Participants in Future International Law Making

10:45 am – 12:15 pm • Roosevelt

The international legal system is being tested by non-state actors, including indigenous peoples, who, thanks to their unique relationship with state actors and their claims to a right of self-determination challenging state sovereignty, may have a particularly profound impact on international law making. The State Parties to the Convention on Biological Diversity (CBD) are currently negotiating an international regime on access and benefit sharing respecting genetic resources and associated traditional knowledge. Indigenous rights and interests are fundamentally implicated, and indigenous peoples are playing a significant role in the process. Using this example of international law making as a case study, the panel will discuss the implications of indigenous peoples' participation for the future of international law.

Moderator: Stefan Matiation, Privy Council Office, Government of Canada

Panelists: Mattias Ahrén, Saami Council; Merle Alexander, Boughton Law Corporation; Valerie Phillips, University of Tulsa College of Law

Ethics, Legitimacy, and Lawyering: How Do International Lawyers Speak Truth to Power?

10:45 am – 12:15 pm • Ballroom I

How do we define the responsibility of international lawyers in advancing the legitimacy and fairness of international law? How have international lawyers historically participated in public discourse on the applicability of international law to political controversies of the day? What role can and do lawyers' associations play in expanding awareness of international law and its implications? How should international lawyers work, both in the academy and in practice, in the face of governmental disregard of legal norms? Should "relevance" be defined in terms of affiliation with power?

Moderator: Thomas Franck, New York University School of Law

Panelists: Richard Bilder, University of Wisconsin Law School; Kathleen Clark, Washington University School of Law; Ben Davis, University of Toledo College of Law; William H. Taft IV, Fried, Frank, Harris, Shriver & Jacobson LLP

**Friday, March 30 (continued)****International Law 2.0: How to Maximize Technology for Research & Scholarship**

10:45 am – 12:15 pm • Latrobe

Today's technology is turning traditional consumers into content-providers. Web 2.0 applications (blogs, wikis, social bookmarking, and more) are appearing everywhere. What is the new role for universities, publishers, and scholarly societies that traditionally have mediated information as creators, guides, editors, quality controllers, and evangelists? By contrast, what is the role of the individual? How do these new roles impact the greater international law community? This session will explore both ends -- users and creators -- of the Web 2.0 trend to analyze how these new resources serve the international community while cutting across territories, disciplines and subject specialties. Speakers will assess how to use existing resources for research purposes, and also look at the pros and cons of collaboratively building new ones.

Moderators: Dean S. Rowan, University of California at Berkeley; Jill Watson, Washington, DC

Panelists: Christopher Borgen, St. John's University School of Law; Ellen Callinan; John Louth, Oxford University Press

Women in International Law Interest Group (WILIG) Luncheon

12:30 pm – 2:30 pm • Colonnade

Ticketed event; attendees must present ticket for entrance.

Speaker: Judge Taghrid Hikmet, International Criminal Tribunal for Rwanda

International Economic Law Research, Teaching & Practice: Report of the International Economic Law Interest Group Bretton Woods Conference

1:00 pm – 2:30 pm • Roosevelt

In November 2006, the International Economic Law Interest Group (IELG) held a conference at Bretton Woods, New Hampshire, to begin a conversation on the future of international economic law (IEL). The conference employed workshops on the development of IEL through the three pillars of teaching, research and practice. Esteemed members of the field led the workshops, serving as rapporteurs. At this resource session, the rapporteurs will present their findings and conclusions in order to both further refine their ideas through dialog, and to enlist broader support for the projects that they might suggest be undertaken by the IELG, the ASIL, and others in the field - both individual and institutional.

Moderator: Isabella Bunn, Oxford University

Panelists: Karen Bravo, Indiana University School of Law; Colin Picker, University of Missouri-Kansas City School of Law; Amy Porges, Sidley, Austin, Brown & Wood LLP; Gregory Shaffer, Loyola University Chicago School of Law

The Supreme Court and the War on Terrorism

1:00 pm – 2:30 pm • Ballroom II

The Supreme Court's June 2006 decision in *Hamdan v. Rumsfeld* is extraordinarily rich in its assessment of U.S. foreign affairs powers in time of war and its use of international law as a check on executive power. The immediate effect of the decision was to preclude trials before the U.S. administration's specially-created military commissions, but the broader ramifications of the Court's decision are still evolving. This panel of experts representing governments, non-governmental organizations, and the legal academy with divergent views on the *Hamdan* decision will examine the decision, subsequent developments, and the longer-term implications for the inter-branch balance of power in time of war or national crisis.

Moderator: Elizabeth Rindskopf Parker, University of the Pacific, McGeorge School of Law

Panelists: John B. Bellinger III, U.S. Department of State; Sean Murphy, George Washington University School of Law; Jide Nzelibe, Northwestern University School of Law; Dinah PoKempner, Human Rights Watch; Franklin Berman, Essex Court Chambers



Friday, March 30 (continued)

Roundtable on the News Media and International Law

1:00 pm – 2:30 pm • Executive Forum

In a global information society, the media plays an ever-increasing role in identifying, clarifying and analyzing the relevance of international law to current affairs. This discussion with leading members of the media will explore how journalists cover international legal developments, the role they perceive international law to play in current events, the obstacles they face in explaining international law to their audiences, and how international lawyers might help journalists increase the public's understanding and appreciation of international law.

Moderator: Bruce Stokes, National Journal

Panelists: Anne Gearan, Associated Press; Roy Gutman, McClatchy Newspapers; Jim Landers, Dallas Morning News; Ari Shapiro, National Public Radio

Divergence and Harmonization in Private International Law

1:00 pm – 2:30 pm • Ballroom I

Once conceived as focused on issues of conflicts of law, recognition and enforcement of foreign judgments, service of process and collection of evidence, the field of private international law today sweeps ever more broadly. Efforts are underway to harmonize diverse national laws and to adopt new international instruments in such varied areas as international commercial arbitration and alternative dispute resolution mechanisms, secured transactions, government procurement, family law (abduction, adoption, maintenance), insolvency, transportation law, commercial fraud and consumer protection, wills and trusts, etc. This panel will explore recent developments in these areas and, at the same time, highlight the ways in which harmonization and modernization efforts serve to build bridges between differing legal systems in areas of procedural and substantive conflict, sometimes at the national level (i.e. through model laws), sometimes on a regional basis (through the EU and the OAS) and perhaps more successfully on a global basis (for example, the Hague Conference's recently adopted Choice of Court Agreements Convention and UNCITRAL's work on insolvency).

Moderator: David P. Stewart, U.S. Department of State.

Panelists: Christophe Bernasconi, The Hague Conference on Private International Law; Edwin E. Smith, Bingham McCutchen LLP; Robert G. Spector, University of Oklahoma Law Center; Louise Ellen Teitz, Roger Williams School of Law

Are We Teaching International Law or US Foreign Relations Law?

1:00 pm – 2:30 pm • Latrobe

What are some of the tensions and opportunities in teaching Public International Law and Foreign Relations Law? With regard to treaties and customary international law, what should students be taught? How should we analyze United States Supreme Court jurisprudence? Do we need to change anything in the way we teach public international law? This panel will address these and other critical questions facing teachers of international law today.

Moderator: Mark Wojcik, John Marshall Law School

Panelists: Marjorie Cohn, Thomas Jefferson School of Law; Craig Jackson, Thurgood Marshall School of Law; Ved Nanda, University of Denver School of Law; Mary Ellen O'Connell, Notre Dame Law School

ASIL Interest Groups: What They Are, How to Start One and How to Become Involved.

2:45 pm – 4:15 pm

The session will spotlight the ASIL Interest Groups, providing useful information on how to join, how to form a new group, and how to become more involved. Presenters will give an overview of the benefits of interest group membership, including the resources available on the interest group web portals. Participants will also have an opportunity to share ideas on how to make the interest groups more effective.

**Friday, March 30 (continued)****The Future of Transnational Litigation in U.S. Courts: Distinct Field or Footnote?****2:45 pm – 4:15 pm • Executive Forum**

Twenty years after the first edition of Gary Born's *International Civil Litigation in U.S. Courts* suggested that litigation with an international dimension had to be understood as a distinct field, separate in important ways from domestic litigation, law schools across the U.S. offer courses on transnational litigation and more than a half dozen case books now cover the "field." Has the anticipated transformation in how American lawyers think about transnational disputes come about? Or are such disputes largely seen as footnote-worthy variations on familiar domestic frameworks? Evaluating US legal developments with respect to jurisdiction, choice of law, sovereign immunity, and the relevant Hague Conventions, the panel will draw on experience from other jurisdictions and consider what the future will bring in terms of separate and specialized US procedural rules for transnational disputes.

Moderator: Paul R. Dubinsky, Wayne State University Law School

Panelists: Donald Francis Donovan, Debevoise & Plimpton LLP; Mathias W. Reimann, University of Michigan Law School; Linda Silberman, New York University School of Law

Democracy, Gender, and Governance**2:45 pm – 4:15 pm • Roosevelt**

Since at least the mid-1990s and the Fourth World Conference for Women in Beijing, gender – as an analytic category, as a programmatic concern - has become a mainstream part of international law. While feminists have traditionally understood their relation to international law in critical terms and from their positions as outsiders, this turn toward gender equality places at least some feminists and some of their projects within part of the governance structure of international law itself. What are the implications of understanding gender activism as a part of global governance? How is a focus on gender equality justified, and what do these institutions hope to gain from embracing it? What should we make of the moving trajectory of international women's rights concerns? What issues still remain outside the international agenda, and why?

Moderator: Darren Rosenblum, Pace Law School

Panelists: Sonia E. Alvarez, University of Massachusetts-Amherst; Janie Chuang, Washington College of Law, American University; Janet Halley, Harvard Law School

Commentator: Kerry Rittich, University of Toronto Law School

The Future of International Labor Law**2:45 pm – 4:15 pm • Latrobe**

The field of international labor law, and its leading institution, the International Labor Organization, have recently been rejuvenated in defense of "fair globalization." This session offers a discussion with leading commentators and actors in the field of international labor law, including one of its pioneering and preeminent scholars, Dr. Virginia Leary. The panelists will draw on their areas of experience and expertise to identify the challenges that face international labor law in the future.

Moderator: Adelle Blackett, McGill University

Panelists: Janelle Diller, International Labour Organization; Laurence R. Helfer, Vanderbilt University Law School; Brian Langille, University of Toronto; Virginia Leary, University of Buffalo Law School

**Friday, March 30 (continued)****Plenary Corporate Counsel Forum: The Impact of International Law on Multinational Corporations**

4:30 pm – 5:45 pm • Ballrooms I & II

Co-sponsored by George Washington University Law School

This panel will address the increasing role that international law plays in the work of corporate counsel, the significance and impact that it has on companies and the opportunities that it provides for them. The panel will also address the future role of international law for corporations. The panel consists of high-ranking corporate legal officers, including current and former general counsel and deputy general counsel for international litigation.

Moderator: Lucinda Low, Steptoe and Johnson LLP**Panelists:** Thomas Gottschalk, General Motors; Paul Wright, ExxonMobil**President's Reception**

6:00 pm – 8:00 pm • Colonnade

Co-sponsored by George Washington University Law School

Alumni Reception, Office of the Legal Adviser's Office, U.S. Department of State

6:30 pm – 8:00 pm • Roosevelt

Event is open to current and former staff of the Legal Adviser's Office

Patrons Reception

7:00 pm – 8:00 pm • Latrobe

By invitation only

Opinio Juris Reception on International Law Blogging

7:30 pm – 8:30 pm • Imperial II

Annual Dinner**The Future of International Security—Four Scenarios**

8:00 pm – 11:00 pm • Ballrooms I & II

Ticketed event; attendees must present ticket for entrance.

In this address, Prof. Bobbitt will present four alternative futures for the next 30 years. These possible worlds—called “American Buffalo,” “The Real Thing,” “The Spanish Prisoner,” and “Otherwise Engaged,”—clarify the choices to be made in the coming era of WMD proliferation, multipolarity, and increasing civilian vulnerability to catastrophe.

Introduction: Sarah Cleveland, Harvard Law School (visiting)**Speaker:** Philip C. Bobbitt, University of Texas School of Law

**Saturday, March 31****Interest Group Chairs Breakfast**

7:45 am – 8:45 am • Longworth

The UN Sale of Goods Convention: Perspectives on the Current State-of-Play

9:00 am - 10:30 am • Executive Forum

Does the United Nations Convention on Contracts for the International Sale of Goods (CISG) succeed in regulating global business law? With well over sixty signatories, the CISG has contributed to the harmonization of contract law across territorial boundaries. At the same time, difficulties persist in the interpretation and implementation of the CISG, arising under a range of key issues such as “gap-filling” mechanisms, contract avoidance, and remedies. Moreover, the CISG’s reach has remained limited both formally, in that most developing countries have refrained from joining it; and informally, as some courts and tribunals in signatory states resist applying CISG norms. This session will examine current controversies and issues and address possible solutions.

Moderator: Gabriel Wilner, University of Georgia School of Law

Panelists: Eduardo Grebler, Catholic University of Minas Gerais Law School and the International Law Association, Brazilian Branch; Ingeborg Schwenzer, University of Basel, Switzerland; Paul Stephan, University of Virginia School of Law

Strengthening Human Rights Mechanisms Around the World

9:00 am – 10:30 am • Ballroom I

Over the past few years, reform has ranked high on the agenda of the United Nations and the regional human rights systems. Featuring experts with U.N. and regional experience as well as outside commentators, this panel will explore the strengths and weaknesses of current human rights structures, with particular focus on their capacity to address contemporary human rights crises.

Moderator: John Cerone, New England School of Law

Panelists: Ngonlardje Mbaidjol, Office of the High Commissioner for Human Rights; Judge Cecilia Medina, Inter-American Court of Human Rights; Judge Fatsah Ouguergouz, African Court of Human Rights; Judge Christos Rozakis, European Court of Human Rights

How Can the Nuclear Nonproliferation Regime Be Repaired? What If It Can't?

9:00 am - 10:30 am • Ballroom II

The North Korean nuclear test, the Iranian nuclear program, the A.Q. Khan nuclear smuggling network, the U.S.-India nuclear deal, the U.S.’s faulty intelligence on Iraqi WMD, the increasing availability of nuclear technology (including over the Internet), and al Qaeda efforts to acquire nuclear weapons have all raised questions about the viability and scope of the current nuclear nonproliferation regime. The regime has been criticized for having weak verification mechanisms, inconsistently sanctioning noncompliance, insufficiently addressing non-state actors, being slow to adapt to the diffusion of nuclear technology, and being “discriminatory” for accepting five nuclear weapons states while prohibiting others. The panel will discuss how and why the nuclear nonproliferation regime is failing, how it can be improved, how a cascade of proliferation might affect international law, and what lessons from nuclear nonproliferation’s challenges may be applicable to other weapons proliferation initiatives such as those relating to chemical and biological weapons.

Moderator: Orde F. Kittrie, Sandra Day O’Connor College of Law, Arizona State University

Panelists: Joseph Cirincione, Center for American Progress; Patricia McNerney, U.S. Department of State



Saturday, March 31 (continued)

Counterinsurgency and the War on Terror: A Deadly Convergence?

10:45 am – 12:15 pm • Ballroom II

This panel will look at the increasing convergence of two of the key modern challenges to the law of war: first, the phenomenon of insurgencies led by non-state groups with the aim of territorial control, spanning the spectrum from Franco's fascist insurgency in the 1930s to anti-colonial movements in the 1950s and 1960s to the anti-American Iraqi and Afghan insurgencies in the 2000s; and second, the phenomenon of transnational ideologically-based movements employing violence to achieve political ends, spanning the spectrum from the Communist International in the 1930s to the left-wing internationalism of the Che Guevara variety in the 1960s to Al Qaeda in the 2000s. The panel will discuss how the convergence of these two phenomena challenges the laws of war to such an extent as to place that law in a troubled relationship to the key conflicts in the world.

Moderator: Nathaniel Berman, Brooklyn Law School

Panelists: Catriona Drew, School of Oriental and African Studies, University of London; David Kennedy, Harvard Law School; Jelena Pejic, International Committee of the Red Cross

Investment Law, Dispute Resolution, and the Development Promise: Back to the Future

10:45 am – 12:15 pm • Ballroom I

This panel of leading experts and practitioners will explore the historical evolution of investment law and its current challenges. Panelists will assess initiatives to balance legal security and development goals in cross-border investment through discussion of two regional examples: bilateral investment treaties (BITs) and commercial law harmonization initiatives in Africa, and increasing cooperation and competition in administrative law for investment in Latin America. Looking to the future, they will also discuss the merits and prospects of an appellate body structure for resolving international investment disputes.

Moderator: Doak Bishop, King & Spaulding

Panelists: Adesegun Akin-Olugbade, African Development Bank; Jack Coe, Pepperdine University School of Law; Susan D. Franck, University of Nebraska College of Law; W. Michael Reisman, Yale Law School; Javier Robalino, Perez Bustamonte Perez

Roundtable: A Multiplicity of Actors and Transnational Governance

10:45 am – 12:15 pm • Roosevelt

This roundtable will critically consider the variety of roles that sub-national or non-state actors play in shaping, reshaping or resisting transnational norms. Panelists will explore how actors such as multinational corporations, immigrants, cities, local governments and financial intermediaries are influencing or being affected by transnational governance in a variety of areas. While some panelists will focus on migrant worker remittances and the role of financial institutions such as Central Banks, others will focus on the role of domestic courts in international investment and environmental disputes as well as on the human rights responsibilities of multinational corporations and the complex effects of the global economy on poverty, wealth and inequality at the individual level. This panel challenges us to think of the multiple and interconnected arenas within which law, politics and power intersect to constantly renovate and renew international legal norms.

Moderator/Discussant: Jose Gabilondo, College of Law, Florida International University

Discussants: Timothy Canova, Chapman University Law School; Robert Wai, Osgoode Hall Law School; Erika George, University of Utah College of Law; Branko Milanovic, The World Bank; Dan Danielsen, Northeastern University Law School

Interest Group Meetings

12:15 pm – 1:15 pm • Imperial II

Human Rights Interest Group

1:00 pm – 3:00 pm • Latrobe

Lieber Society Interest Group

International Community Law Review

Editor-in-Chief: Malgosia Fitzmaurice



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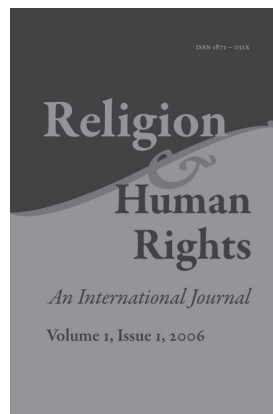
“International law can only prosper if careful attention is given to all the voices expressing themselves on current legal issues [...]. Any striving for hegemony threatens to undermine the legitimacy of international law.” From the Foreword by Christian Tomuschat and Jean-Marc Thouvenin to *The Fundamental Rules of the International Legal Order: Jus Cogens and Obligations Erga Omnes*.

Merging *Non-State Actors and International Law* (ISSN 1567-7125) and the *International Law FORUM du droit international* (ISSN 1388-9036), the *International Community Law Review* (ICLR) addresses all aspects of international law and the international community. The journal aims to explore the implications of various traditions of international law, as well as more current perceived hegemonic trends, for the idea of an international community. The journal will also look at the ways and means in which the international community uses and adapts international law to deal with new and emerging challenges. Non-state actors - intergovernmental and non-governmental organisations, individuals, peoples, transnational corporations and civil society as a whole - have changed our outlook on contemporary international law. In addition to States and intergovernmental organizations, they now play an important role. Rather than regional, the focus of ICLR will be multicultural, including alternative and/or critical approaches, with contributions written by scholars from all parts of the globe. *The International Community Law Review*, published four times a year, consists of articles, shorter articles/comments, case notes and book reviews.

Religion and Human Rights

An International Journal

Managing Editor: Nazila Ghanea



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Religion & Human Rights provides a unique academic forum for the discussion of issues which are of crucial importance and which have global reach. The Journal covers the interactions, conflicts and reconciliations between religions or beliefs on the one hand; and systems for the promotion and protection of human rights, international, regional and national, on the other. The Journal tackles these issues fearlessly, and draws its materials from all relevant disciplines - theology, anthropology, history, international relations, human rights, religious studies, and many others - but with special emphasis on legal frameworks. It is an indispensable source for all those concerned with monitoring, studying, teaching, analysing or developing policies on the relationship between religion and human rights today.



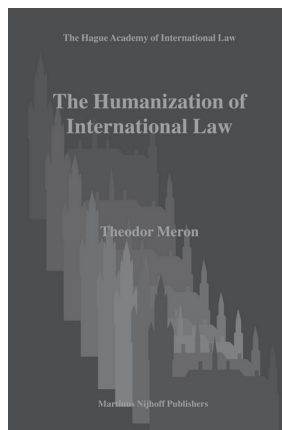
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The Humanization of International Law

Theodor Meron



- May 2006
- ISBN 978 9004150 60 7
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- List price EUR 146.- / US\$ 197.-
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- The Hague Academy of International Law Monographs, 3

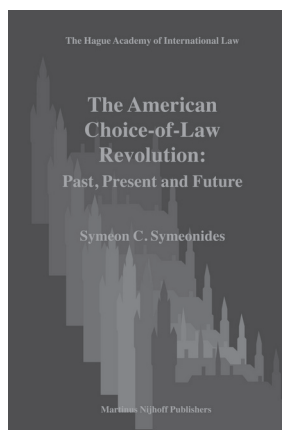
This work aims to consider the influence of human rights and humanitarian law on general international law: the humanization of international law. Although human rights and humanitarian norms are central to the book, it is not a book about human rights and humanitarian law. Rather, it deals with the radiation,

or the reforming effect, that human rights and humanitarian law have had on other fields of public international law. Because of the peculiarities of human rights law, this influence cannot be taken for granted. It is sometimes said that the elaboration of human rights norms and institutions has produced no less than a revolution in the system of international law. Is this true and if so in which parts of international law? By examining most areas of public international law, the author attempts to demonstrate that the influence of human rights and humanitarian norms has not remained confined to one sector of international law, but that its influence has spread to many parts, albeit to varying degrees.

The Humanization of International Law is a revised and expanded version of the General Course on Public International Law delivered by the author at the Hague Academy of International Law in 2003

The American Choice-of-Law Revolution: Past, Present and Future

Symeon C. Symeonides



- September 2006
- ISBN 978 9004152 19 9
- Hardback (xxviii, 480 pp.)
- List price EUR 140.- / US\$ 182.-
- The Hague Academy of International Law Monographs, 4

This book is an updated and expanded version of the General Course delivered by the author at the Hague Academy of International Law in 2002. The book chronicles and evaluates the intellectual movement known as “the revolution” in American private international law. This movement began in the 1960s, caught fire in the ‘70s, spread in the ‘80s and declared victory in the ‘90s, leading to the abandonment of the centuries-old choice-of-law system, at least for torts and contracts. This book: explores the revolution’s philosophical and methodological underpinnings; provides the most comprehensive and systematic analysis of court decisions following the revolution; identifies the revolution’s successes and failures; and proposes ways and means (including a new breed of “smart” choice-of-law rules) to turn the revolution’s victory into success.

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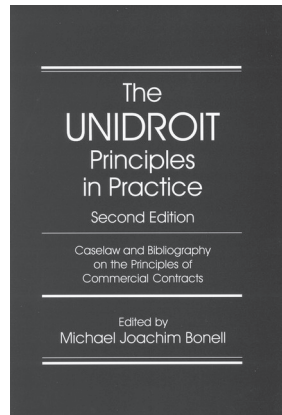


BRILL

The UNIDROIT Principles in Practice

Caselaw and Bibliography on the Principles of Commercial Contracts, Second Edition

Edited by M. Joachim Bonell



- September 2006
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- List price EUR 95.- / US\$ 95.-

The UNIDROIT Principles of International Commercial Contracts, published in 1994, were an entirely new approach to international contract law. Prepared by a group of eminent experts from around the world as a “restatement” of international commercial contract law, the Principles are not a binding instrument but are referred to in many legal matters. They are widely recognized now as a balanced set of rules designed for use throughout the world irrespective of the legal traditions and the economic and political conditions of the countries in which they are applied. The UNIDROIT Principles in Practice provides a comprehensive collection of international caselaw and bibliographic materials relating to the Principles. In particular, it contains: the text and official comments of the UNIDROIT Principles; over 70 decisions by courts and

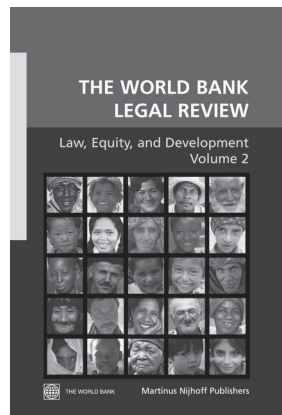
arbitral tribunals worldwide referring to the UNIDROIT Principles; a vast bibliography. In addition to a general bibliography, there are bibliographical references pertinent to individual articles.

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The World Bank



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- ISBN 978 9004155 61 9
- Hardback (xiv, 590 pp.)
- List price EUR 115.- / US\$ 150.-
- The World Bank Legal Review, 2

The World Bank Legal Review is a publication for policy makers and their advisers, attorneys, and other professionals engaged in the field of international development. It offers a combination of legal scholarship, lessons from experience, legal developments, and recent research on the many ways in which the application of the law and the improvement of justice systems promote poverty reduction, economic development, and the rule of law.



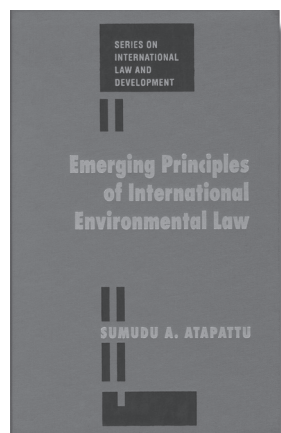
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Emerging Principles of International Environmental Law

Sumudu A. Atapattu



- December 2006
- ISBN 978 15 7105182 0
- Hardback (350 pp.)
- List price EUR 125.- / US\$ 125.-

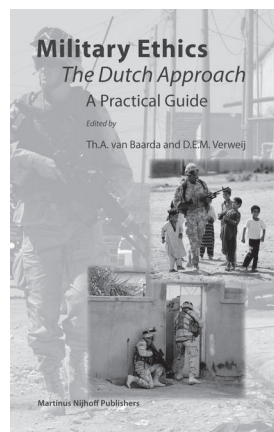
Emerging Principles of International Environmental Law is ideally suited for any law or environmental studies student, practitioner or law academic who is interested in the legal status of emerging principles in the field of international environmental law. Among its highlights, the text examines the interaction of principles/concepts such as sustainable development, the precautionary principle etc., with one another and how the present international environmental law regime has taken the vast disparity between developed and developing countries into account in designing innovative methods to accommodate this disparity.

Published under the Transnational Publishers imprint.

Military Ethics

The Dutch Approach - A Practical Guide

Edited by Th.A van Baarda and D.E.M. Verweij



- November 2006
- ISBN 978 9004154 40 7
- Hardback (xx, 396 pp.)
- List price EUR 98.- / US\$ 132.-

This collection is a unique joint venture of teachers in, and practitioners of military ethics. Representatives of each branch of the Armed Forces, i.e. the Navy, the Army, the Air Force and the Military Police, discuss their branch-specific experiences with moral questions and dilemma's. The moral questions and dilemma's which arise in their work are also discussed by certain professional groups within the Armed Forces, such as the Military Medical Service and the Military Psychological Service. Detailed attention is given to how junior commanders can enhance morally responsible behaviour within their unit. A substantial part of the book focuses on teaching military ethics. It includes the Socratic dialogue, decision-making skills, and a chapter containing fictitious moral dilemmas that can be used as exercises.

IMPORTANT ANNOUNCEMENT

We are pleased to announce that as of October 1, 2006 the publishing activities of Transnational have joined the International Law program of Martinus Nijhoff Publishers.

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Agenda by Track

Track »	Plenary	Environment	International Economic Law/Private International Law	Use of Force/ International Humanitarian Law	International Legal Theory	Development	Human Rights	Interest Groups, Resource Sessions, and Other
Wednesday, March 28								
9:00am								9:00am-2:30pm ASIL Executive Council
4:15pm-5:30pm	Grotius Lecture, Co-Sponsored by American University Washington College of Law							
5:30pm-10:00pm	5:30pm-7:30pm Grotius Reception, Co-Sponsored by American University Washington College of Law							7:30pm-10:00pm American Journal of International Law Board of Editors Dinner
Thursday, March 29								
7:45am-8:45am								Interest Group Meetings
9:00am-10:30am		Feeling the Heat? Climate Change Litigation in the 21st Century	The Canada-U.S. Border: Free Trade in a Time of Enhanced Security		Roundtable on Citizenship		Social Justice Advocacy in the US: What Role for International Law?	
10:45am-12:15pm		Tsunamis, Hurricanes, Earthquakes and Asteroids: Are We Ready for the Next 100 Years?	The Future of Food	1907 Hague Convention and 1977 Geneva Protocols: Looking Back and Thinking Ahead	Queering International Law	Africa: A New Voices Panel		
1:00pm-2:30pm	12:30pm-2:00pm Hudson Medal Luncheon	Collapse: Can International Law Protect the Earth's Natural Resources?			New Voices on Institutions and the Rule of Law		Paving the Way? Africa and the Future of International Criminal Law	
2:45pm-4:15pm	Annual General Meeting & President's Address		The Future of Internet Governance					The Globalization of the American Law School
4:30pm-6:30pm	4:30pm-5:30pm Breaking Developments in International Law: A Conversation on the ICJ's Opinion in <i>Bosnia and Herzegovina v. Serbia and Montenegro</i>							5:30pm-6:30pm Executive Council Meeting & Reception
6:00pm-10:00pm	6:30pm-9:30pm Members' Reception and Plenary Panel: The Future of International Law; Hosted by Georgetown University Law Center; Co-sponsored by Fulbright & Jaworski, LLP							6:00pm-8:00pm Interest Group Meetings
Friday, March 30								
7:45am-8:45am								Interest Group Meetings
9:00am-10:30am			What Future for the Doha Development Agenda & the Multilateral Negotiating Regime?		Customary International Law as Federal Law After <i>Sosa v. Alvarez-Machain</i>	Implementation of International Health Law: A Challenge for the Future	Slave Trafficking 200 Years After Abolition	Internationalizing International Law Societies: A Dialogue on Building a Global Scholarly Network



Agenda by Track (continued)

Track »	Plenary	Environment	International Economic Law/Private International Law	Use of Force/ International Humanitarian Law	International Legal Theory	Development	Human Rights	Interest Groups, Resource Sessions, and Other
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10:45am-12:15pm			Toward International Order in Migration and Trade?	Justice Should Be Done, But Where? The Relationship Between National and International Courts	Ethics, Legitimacy and Lawyering: How Do International Lawyers Speak Truth to Power	Indigenous Rights, Traditional Knowledge and Access to Genetic Resources: New Participants in Future International Law Making		International Law 2.0: How to Maximize Technology for Research & Scholarship
12:30pm								12:30pm-2:30pm WILJG Luncheon
1:00pm-2:30pm			Divergence and Harmonization in Private International Law International Economic Law Research, Teaching, & Practice: Report of the IEL IG Bretton Woods Conference	The Supreme Court and the War on Terrorism				Roundtable on the News Media and International Law Are We Teaching International Law or US Foreign Relations Law
2:45pm-4:15pm			The Future of Transnational Litigation in U.S. Courts: Distinct Field or Footnote?		Democracy, Gender and Governance		The Future of International Labor Law: A Conversation	ASIL Interest Groups: What They Are, How to Start One and How to Become Involved.
4:30pm-5:45pm	Plenary Corporate Counsel Forum: The Impact of International Law on Multinational Corporations (Co-sponsored by George Washington University Law School)							
6:00pm-8:00pm	President's Reception (Co-sponsored by George Washington University Law School)							6:30pm-8:00pm Alumni Reception, Office of the Legal Adviser, U.S. Department of State 7:00pm - 8:00pm Patrons Reception 7:30pm-8:30pm Opinio Juris Reception on International Law Blogging
8:00pm-11:00pm	Annual Dinner							
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9:00am-10:30am			The UN Sale of Goods Convention: Perspectives on the Current State-of-Play	How Can the Nuclear Nonproliferation Regime Be Repaired? What if it Can't?			Strengthening Human Rights Mechanisms Around the World	
10:45am-12:15pm			Investment Law, Dispute Resolution and the Development Promise: Back to the Future	Counter-insurgency and the War on Terror: A Deadly Convergence?	A Multiplicity of Actors and Transnational Governance			
12:15pm-3:00pm								Workshops & Interest Group Meetings

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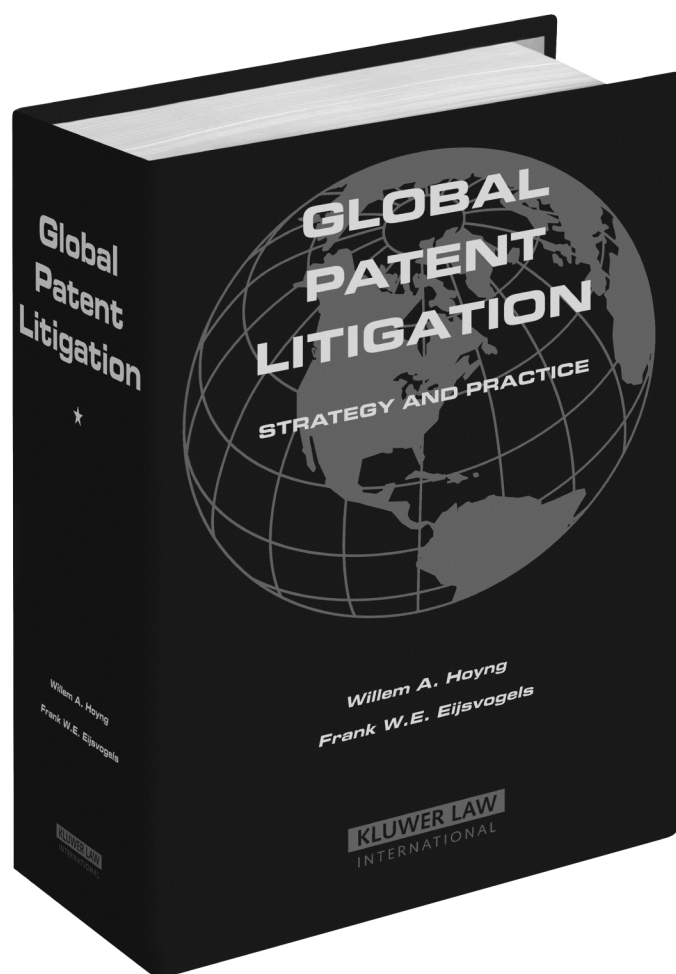
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Agenda at a Glance

Wednesday, March 28

9:00 am – 2:30 pm	ASIL Executive Council Meeting	Ballroom I
9:00 am – 1:30 pm	The Future of Arbitrations Involving States	Ballroom II
4:15 pm – 5:30 pm	Grotius Lecture: Multinational Corporations: Balancing Rights and Responsibilities	Ballrooms I & II
5:30 pm – 7:30 pm	Grotius Reception	Colonnade
7:30 pm – 10:00 pm	<i>American Journal of International Law</i> Board of Editors Dinner	

Thursday, March 29

7:45 am – 8:45 am	Interest Group Meetings	
9:00 am – 10:30 am	Feeling the Heat? Climate Change Litigation in the 21st Century	Ballroom II
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10:45 am – 12:15 pm	Africa: A New Voices Panel	Roosevelt
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12:30 pm – 2:00 pm	Hudson Medal Luncheon, Is the Focus on Reasonableness Unreasonable?	Colonnade
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5:30 pm – 6:30 pm	Executive Council Meeting & Reception	Latrobe
6:00 pm – 8:00 pm	Interest Group Meeting: International Environmental Law Interest Group	Longworth
6:00 pm – 9:45 pm	Transportation to Georgetown University Law Center	M Street entrance, near hotel gift shop
6:30 pm – 9:30 pm Members' Reception 7:30 pm – 9:30 pm Plenary Panel	The Future of International Law— Members' Reception and Plenary Panel	Georgetown University Law Center

Friday, March 30

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Agenda at a Glance (continued)

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7:30 pm – 8:30 pm	<i>Opinio Juris</i> Reception on International Law Blogging	Imperial II
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12:15 pm – 1:15 pm	Interest Group Meeting: Human Rights Interest Group	Imperial II
1:00 pm – 3:00 pm	Interest Group Meeting: Lieber Society	Latrobe



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September 2006, Volume 1, Issue 4

Justice in Profile



Judge Rudiger Wolfrum of Germany is the President of the International Tribunal for the Law of the Sea, which sits in Hamburg, Germany. [Read more >](#)

International Tribunal Spotlight



European Court of Human Rights (ECtHR) [Read more >](#)

Significant Judicial Developments

[UN Urges Renewed Pledge to Timor-Leste Judiciary](#)

[Is Russia Ready for Jury Trials?](#)

[India: New System Sought for Judges' Appointment](#)

[Vietnamese Judicial Reforms Encourage Equity](#)
([More Judicial Developments >](#))

International Resources

[Supreme Courts in an Internationalized World \(HIL\)](#)

[Hague Service Convention Handbook \(HCCH\)](#)

[Rule of Law and Due Process in Criminal Justice Systems \(OSCE\)](#)

[African Judicial Network \(AJN\)](#)
([More International Resources >](#))

Rule of Law Survey

Should Common Article 3 of the Geneva Conventions apply as a matter of international law to the US conflict with al Qaeda and other non-state actors?

Yes

No

Uncertain

[See Survey Results](#)

Calendar of Events

September 26, 2006
[Update on Hague Service Convention >](#)

September 26, 2006
[Examining the Implications of Hamdan v. Rumsfeld >](#)

([More Events >](#))

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NEWS AND PROGRAMMATIC HIGHLIGHTS

ASIL Sidebar

Judicial Education and the Emergence of a Global Legal Environment

The growing impact of international law and transnational legal practice on legal systems the world over during the past several decades has led to increased emphasis on ensuring that members of the judiciary obtain training in substantive and procedural aspects of international law and how it is incorporated domestically. ([Read More >](#))

IJA Docket

Second Sir Richard May Seminar

The second Sir Richard May Seminar on International Law and International Courts is being held in The Hague, Netherlands, September 24-29, 2006. ([Read More >](#))

Cases of Note

[European Court of Justice: Commission of the European Communities v. Ireland \(May 30, 2006\) >](#)

[Supreme Court of the United States: Hamdan v. Rumsfeld, Secretary of Defense et al. \(June 29, 2006\) >](#)

[International Court of Justice: Pulp Mills on the River Uruguay \(Argentina v. Uruguay\) \(Rejection of request for provisional measures\) \(July 13, 2006\) >](#)


[Court of Justice of the European Communities: European Parliament v. Council of the European Union and European Parliament v. Commission of the European Communities \(May 30, 2006\) >](#)

([More Cases >](#))

OPINIONS AND COMMENTARY

Global Judicial Dialogue

The Value of International Programs For Judges



Hon. Linda Ludgate, Pennsylvania Court of Common Pleas Judge, Berks County, Pennsylvania

Since becoming a state trial judge in the Commonwealth of Pennsylvania in 1990, I have attended numerous courses at the National Judicial College in Reno, Nevada, obtaining valuable information that has assisted me in my duties as a trial judge. ([Read More >](#))


General Principles of International Law

Treaty Interpretation

Articles 31 and 32 of the Vienna Convention on the Law of Treaties (VCLT) set forth the basic rules of treaty interpretation. ([Read More >](#))

Leading Figures in International Law


Dr. Leandro O. Despouy, Human Rights Advocate and Scholar



Dr. Leandro Despouy, a human rights advocate and scholar from Argentina, is spearheading the international protection of the independence of judges, lawyers, and prosecutors. ([Read More >](#))

Justice Sector Assessment


Rule of Law Lessons-Learned in UN Complex Multidimensional Peacekeeping



United Nations complex multidimensional peacekeeping operations initiated under Chapter VII of the UN Charter have become increasingly involved in rule of law (ROL) issues and programming. ([Read More >](#))

In Review: New Publications on International and Comparative Law

A New World Order





By Anne-Marie Slaughter
Princeton University Press 2005

"New world order" is neither a new idea nor a new phrase. That fact is simply demonstrated by doing a quick "Google" search of the term, which yields some eight million, three hundred and ninety thousand references. ([Read More >](#))

International Judicial Monitor
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Editors: James G. Apple, Joseph Patton and Andrew Solomon.
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and updates on the SCHOOL OF INTERNATIONAL AFFAIRS

Eleven International Publishing is a new international legal publishing company, established in October 2003.

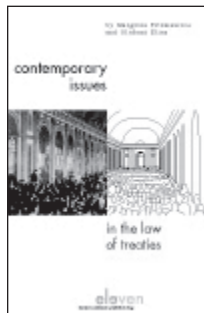
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Contemporary Issues in the Law of Treaties

by Malgosia Fitzmaurice and Olufemi Elias



This book is a collection of essays dealing with issues of contemporary significance in the law of treaties. It neither purports nor aspires to provide a general overview of all aspects of the law of treaties, and it is by no means intended to be a comprehensive textbook.

The discussion of the subjects selected in this book shed some light on a number of areas of the contemporary law of treaties, and, consequently, on some important features of the international legal system at the beginning of the twenty-first century.

ISBN: 978-90-77596-06-7

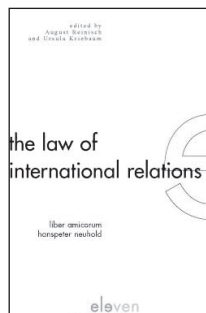
Hardbound,
xvi + 398 pages
Pub. date: July 2005
Price: € 75

The relevance of the rules governing the law of treaties for other central fields of international law continue to be the subject of frequent doctrinal discussion. In addition, some rapidly developing newer areas of public international law, which are regulated for the most part by treaties, have renewed the importance of some older problems, for example, the question of conflicts between treaties regulating the same subject-matter and the matter of treaty interpretation. One other important issue is the relevance of the emergence of new actors and factors, other than states, in the international legal order in general, and in the law of treaties in particular.

The topics dealt with in this book are: the character of treaties, interpretation, material breach, fundamental change of circumstances, optional clause, and method of expression. Extensive attention is given to multilateral environmental agreements. The recent jurisprudence of the ICJ, which contributed to the development and clarification of a number of aspects of the law of treaties, is also covered, in particular the *Gabčíkovo-Nagymaros* case and the *Bakassi Peninsula* case.

The Law of International Relations Liber Amicorum Hanspeter Neuhold

edited by August Reinisch and Ursula Kriebaum



This liber amicorum was written by prominent colleagues and friends of Professor Hanspeter Neuhold in honor of his 65th birthday. The collection celebrates his lifelong career devoted to bridging the gap between international relations and public international law. Contributions cover the fields of international relations, international law, human rights, international organizations and the law of economic integration. Without any doubt this liber is not only a fine tribute to Hanspeter Neuhold, but also a welcome addition to every international law and international relations library.

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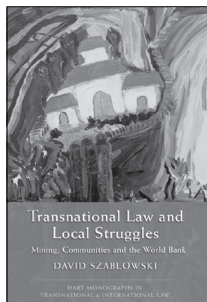
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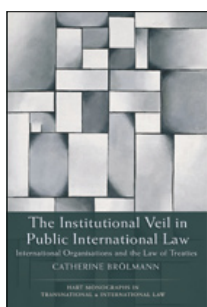
David Szablowski

The global spread of transnational mining investment, which has been taking place since the 1990s, has led to often volatile conflicts with local communities. This book examines the regulation of these conflicts through national, transnational and local legal processes. In doing so, it examines how legal authority is being redistributed among public and private actors, as well as national and transnational actors, as a result of globalizing forces. The book presents a case study concerning the negotiation of land transfer and resettlement between a transnational mining enterprise and indigenous peasants in the Andes of Peru. The case study is used to explore the intensely local dynamics involved in negotiations between corporate and community representatives and the role played by legal ordering in these relations. The book explores the nature and character of the World Bank regime and the multiple consequences of this projection of transnational law into a local dispute.

David Szablowski is Assistant Professor of Law and Society at York University in Toronto, Canada.

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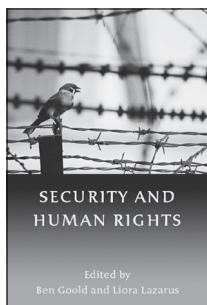
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Catherine Brölmann is an Associate Professor in the Department of International Law at the University of Amsterdam.

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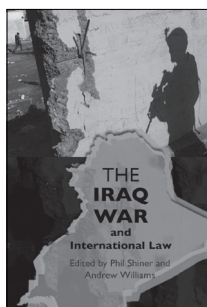
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Benjamin J Goold is a Lecturer in Law and Fellow of Somerville College, University of Oxford. Liora Lazarus is Fellow and Tutor in Law, St. Anne's College, Lecturer in Human Rights Law, and Associate, Centre for Criminological Research, University of Oxford.

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Andrew Williams is an Associate Professor in the School of Law at the University of Warwick. Phil Shiner is an Honorary Professor at the London Metropolitan University and a Visiting Fellow at the London School of Economics.

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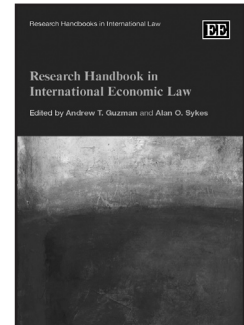
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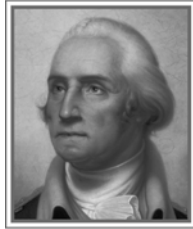
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Edward T. Swaine served as counselor on international law at the U.S. Department of State and was a professor at the Wharton School and the University of Pennsylvania Law School. The former editor-in-chief of the *Yale Law Journal*, Ed focuses on public international law, foreign relations law, and international antitrust. He has published in the *American Journal of International Law*, *Columbia Law Review*, *Duke Law Journal*, and *Stanford Law Review*.

David Fontana is a recent graduate of Yale Law School. He focuses on constitutional law, comparative constitutional law, comparative law, administrative law, judicial behavior, and public policy. David is completing a doctoral degree in socio-legal studies at Oxford University, and he has published in the *UCLA Law Review*, *Georgetown Law Journal*, and *Virginia Law Review*.

Professors Swaine and Fontana join our other faculty in international and comparative law and associated fields:

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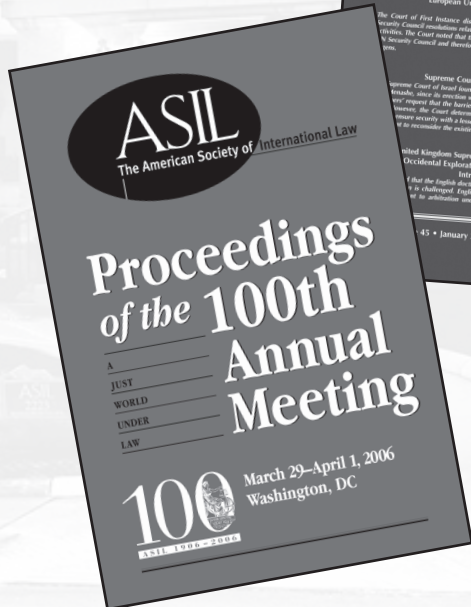
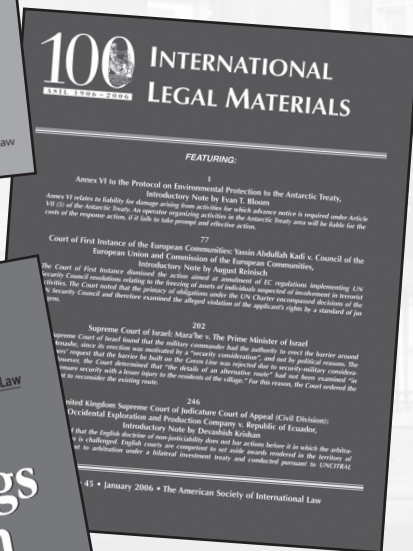
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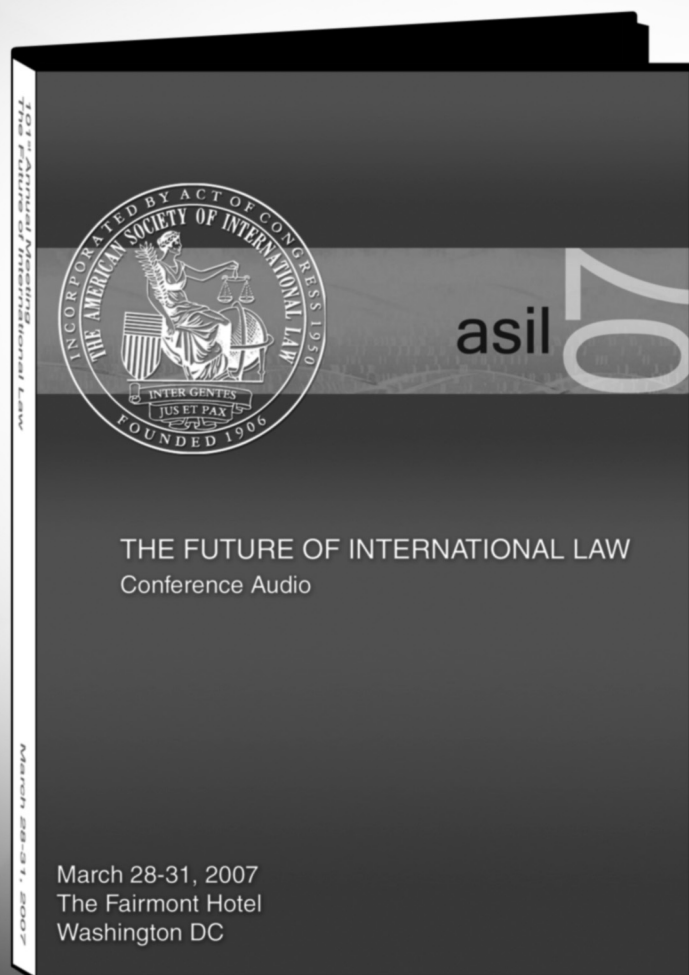
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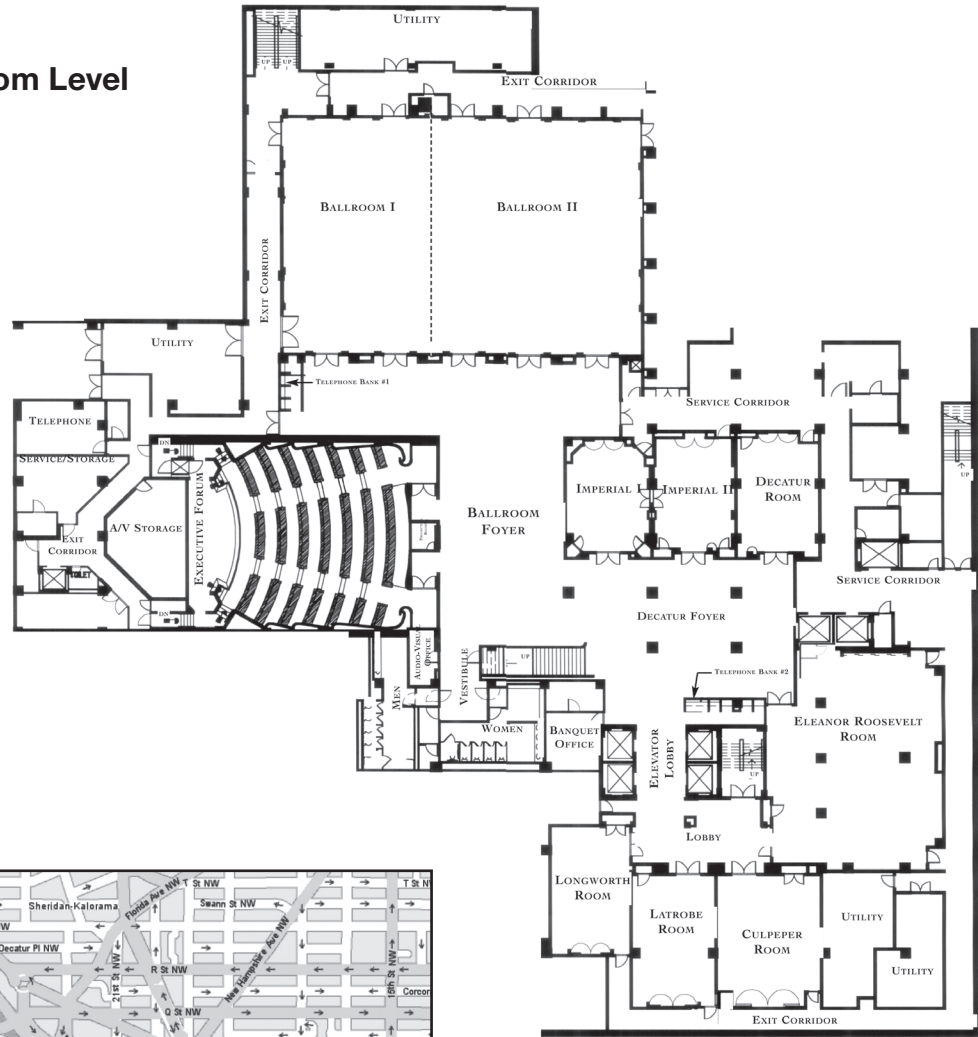
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