

# ILA NEWSLETTER

## ADI - ACTUALITES

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2008 • No 27

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#### FROM THE EDITOR: Professor J. Craig Barker

I am pleased to bring you the latest issue of the ILA Newsletter. In addition to the usual news and reports from the Executive Council and from the Branches, I am pleased to include reports from two of the organisation's committees detailing some of their recent work. I hope that other committees will be in a position to use the Newsletter to publicise their activities in the future. In addition, I am delighted to be able to include a message from the President of the Brazilian Branch in advance of the 73rd Conference of the International Law Association which is to be held in Rio de Janeiro from 17-21 August 2008.

I was saddened, along with many colleagues in the United Kingdom and elsewhere, to learn of the death of Sir Arthur Watts QC. Sir Arthur was a staunch supporter of the work of the International Law Association over many years. As requested by the Executive Committee, I will include a tribute to Sir Arthur in the next issue of the Newsletter.

#### MESSAGE FROM THE PRESIDENT OF THE BRAZILIAN BRANCH

The Brazilian Branch is proud to host the 73rd Conference of the International Law Association – the first one to be held in Brazil. ILA biennial conferences are the occasion for its Committees and Study Groups to present the results of their work achieved during the preceding two years, as well as a unique opportunity for scholars, judges and practitioners from all over the world to meet and to assess the progress of contemporary international law.

The 2008 Conference theme is "Law for the Future", an expression intended to convey the idea that international law should be shaped to respond to the needs of the future. Building upon its 130-plus years of dedication to international law, the ILA has promoted the opening of new avenues in the study and practice of international law – ranging from sustainable development, human rights, minorities, refugees and indigenous peoples to international trade, international investments and international arbitration, as well as the use of force, space law, nuclear technology regulations and world governance, all of which will find room for discussions and propositions in Rio in the relevant Committee and Study Group meetings.

Running parallel to the Committee and Study Group meetings will be a rich complementary programme, structured in 6 different tracks, correlative to the work of the ILA: International Law on Natural Resources and Sustainable Development, The Human Person in International Law, International Law on Business and Trade, International Private

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Charles Clore House • 17 Russell Square • London • WC1B 5DR

T +44 (0)207 323 2978 • F +44 (0)207 323 3580 • E [info@ila-hq.org](mailto:info@ila-hq.org)

Dispute Resolution and Law on International Security. Delegates will certainly find a number of interesting topics in each of these tracks, details of which are shown in the Conference Programme.

As important and interesting as the contents of the Conference Programme will be, one cannot think of coming to Rio without expecting some fun. The Organizing Committee has prepared an exciting social programme, including a Welcome Reception on Sunday night, a

reception by the Governor of the State of Rio de Janeiro in the Government Palace on Monday night, the traditional Gala Dinner on Wednesday night, a sample of the world-famous Rio Carnival in the "Samba City" on Thursday night and, for those wishing to stay on at the end of the Conference, a day-out on a boat tour to a tropical island on Friday.

We are certain that the 73rd ILA Conference in Rio will offer to ILA members and all those interested in interna-

tional law a remarkable opportunity to gather and expand their horizons.

We hope to see you in Rio in August!

Eduardo Grebler  
President of the Brazilian Branch

The Website for the ILA2008 Conference in Rio de Janeiro, Brazil from 17-21 August is available at [www.ila2008.org.br/ila2008](http://www.ila2008.org.br/ila2008)

## News from the EXECUTIVE COUNCIL

A meeting of the Executive Council was held on Saturday 17 November 2007 in London.

Professor Mads Andenas (Norwegian); Professor Lauro de Gama e Souza (Brazilian); Mr Barry Leon (Canadian) were attending the Executive Council in London for the first time.

The death of Sir Arthur Watts KCMG QC, Honorary President of the British Branch was announced. A full obituary will be published in the next issue of the Newsletter.

The Treasurer, Professor Torsten Stein presented his first Report to the Executive Council. He drew attention to a proposal to upgrade the ILA website. The intention is to improve the appearance and navigability of the site and also to provide individual Branches and Committees with discrete and secure areas which will be available for their own use. This proposal was approved and work on these developments has now commenced. The President of the British Branch offered to make a financial contribution to assist in this project. It is hoped that other Branches will also do so.

Another issue he raised was the problem with certain Branches who have made no contact with HQ for several years. While Branches should not be dissolved unless really necessary, it was decided that individuals who had not been able to pay their own Branch should be allowed to continue their ILA Membership by other means. Members of the Croatian, Estonian, Irish and Serbia & Montenegro Branches will therefore be invited to join ILA HQ until such time as their local Branches have

been revived. It is hoped that the Chilean Branch will make progress with its newly appointed President.

The Director of Studies, Professor Christine Chinkin presented her report. New Rapporteurs were appointed to the Non State Actors Committee (see under **International Committees**).

A proposal for a new Study Group on **Sovereign Insolvency** had been submitted. Professor Chinkin warmly welcomed the initiative taken here, in particular the process. A young scholar had approached the President of his Branch with his initial idea for this project. This had then been passed on to others with expertise in the field and as a result, this proposal had been put forward and was approved.

Various possible topics for new ILA committees were discussed. The Director of Studies stated that whilst ideas for topics were welcome, what was essential for any of these to be taken forward, was an individual to be identified who was willing to work on a proposed mandate, act as Chair or as Rapporteur of any proposed new Committee or Study Group.

The Director of Studies thanked the individuals on the Advisory Committee on Research who had entered an open-ended commitment when they agreed to serve on that useful body. She proposed that the current Committee should also be wound up at the Rio Conference and new Members be appointed for a new four year term.

Mr Eduardo Grebler and Professor Lauro da Gama e Souza of the Brazilian Branch reported on progress made

towards the 2008 Biennial Conference in Rio de Janeiro (17-21 August 2008) at Intercontinental Hotel on Sao Conrado Beach ([www.rio-de-janeiro.brazil.intercontinental.com](http://www.rio-de-janeiro.brazil.intercontinental.com)).

The Brazilian Branch website has been set up [www.ilabrasil.org.br](http://www.ilabrasil.org.br) and has a link to the Conference page.

The registration fees are €620 for ILA Members (early booking) and €730 (late). There will be concessionary fees for students and delegates from developing countries.

The Netherlands Branch has yet to decide whether The Hague Conference will take place in June or August 2010.

The Chairman complimented the South African Branch on the excellent SABILA Regional Conference which had taken place in Pretoria in August 2007 and which he attended.

More details of the proposed regional conference in India in 2009 are awaited.

The next Executive Council meeting will be held in Rio de Janeiro during the ILA2008 Conference. The following one will be on Saturday 15 November in London at 10am.

## INTERNATIONAL COMMITTEES

Professor Malgosia Fitzmaurice (British) and Cedric Ryngaert (Belgian) were appointed Co-Rapporteurs of the Committee on Non-State Actors.

## STUDY GROUPS

Professor Vera Gowlland-Debbas (British) has joined the Study Group on UN Reform.

A new Study Group on Sovereign Insolvency was approved.

## COMMITTEE MEMBERSHIP

The following appointments to ILA Committees were made:

### Cultural Heritage Law

Mr Kevin John Chamberlain  
British Member

Ms Viviane Contin-Williams  
British Alternate to  
Kevin Chamberlain

Mr Maarten Vidal  
Belgian Member

### International Arbitration

Ms Louise Barrington  
Hong Kong Member

Guy Keutgen  
Belgian Member

### International Criminal Court

Squadron Leader Kathryn Cochrane  
Australian Member

### International Family Law

Mr James Ding  
Hong Kong Member

### International Law on Foreign Investment

Mr Andres Rigo Sureda  
Spanish Member

### International Law on Sustainable Development

Professor Frank Maes  
Belgian Alternate to  
Marc Pallemmaerts

Marc Pallemmaerts  
Belgian Member

### International Monetary Law

Dr Mohammed Alsheaibi  
Headquarters Member

Marcus Jewett  
Canadian Member

Gopala Krishnan K. Sundaram  
Headquarters Member

### International Regulation

Mr David Chaikin  
Australian Member

### Islamic Law & International Law

Mr Alejandro Carballo  
Spanish Member

### Non-State Actors

Ms Veronika Bilkova  
Czech Republic Member

Pauline Collins  
Australian Member

Ms Suzannah Linton  
Hong Kong Member

Professor Michele Olivier  
South African Member

Professor Anna Wyrozumska  
Polish Member

### Nuclear weapons, non proliferation & contemporary int'l law

Professor Mitsuru Kurosawa  
Japan Member

Professor Akira Mayama  
Japan Alternate to  
Professor Kurosawa

Mr Andreas Persbo  
Swedish Member

Professor David Ruzie  
French Member

Ms Vasilka Sancin  
Slovene Member

### Space Law

Professor Anatoly Kapustin  
Russian Member  
(Nominee of Chair)

Professor Frank Maes  
Belgian Member

### Securities

## Teaching of International Law

Professor Evgeny Lyahov  
Russian Alternate to  
Professor Tiunov

Dr Jane McAdam  
Australian Member

Professor Oleg Tiunov  
Russian Member

## COMMITTEE ACTIVITIES

### Committee on the International Law on Foreign Investment - Vienna Conference on Standards of Investment Protection

On Friday 21 September 2007, on the eve of a Meeting of the ILA Committee on the International Law on Foreign Investment (Chair Professor Schreuer), the Section of International Law and International Relations of the University Vienna hosted a Conference on Standards of Investment Protection. It brought together a group of distinguished academics and practitioners in the field of investment arbitration who analyzed the way how the standards routinely included in numerous BITs and other international investment agreements are actually applied. The speakers were mostly members of the ILA Committee, among them Christoph Schreuer (University of Vienna), who introduced the overall theme of the Conference, Anna Joubin-Bret (UNCTAD, Geneva) who spoke on Admission Standards, Andrea K. Bjorklund (University of California Davis) discussing National Treatment, Andreas

Ziegler (Université de Lausanne) on MFN Treatment, Veijo Heiskanen (Lalive and Partners, Geneva) on Arbitrary and Unreasonable Measures, Catherine Yannaca-Small (OECD, Paris) who analyzed Fair and Equitable Treatment, Giuditta Cordero Moss (University of Oslo) who looked into Full Protection and Security, Anne K. Hoffmann (Python & Peter, Geneva) dealing with Indirect Expropriation, August Reinisch (University of Vienna) on the Legality of Expropriations, and Thomas Wälde (University of Dundee) who discussed Transfers. The Conference took place on the top floor of the Juridicum, the University's Law School building. It was organized by Professor August Reinisch und Dr. Christina Knahr and sponsored by the Austrian Science Fund (FWF).

### Committee on State Succession

On 1 and 2 February 2008, a meeting of the Committee on State succession took place in Vienna under the Chairmanship of Professor Gerhard Hafner, in which members from eight

different countries participated, including the two co-rapporteurs, Professor Marcelo Kohen and Professor Wladislaw Czaplinski. The purpose of this meeting was the preparation of the final report of this Committee to be submitted to the Conference of the International Law Association in August of this year in Rio de Janeiro. The meeting was rather successful and reached agreement on the structure and substance of the final report. Nevertheless, certain disagreements on substance remained among the members; the meeting took also note of the fact that the topic of State succession, including that of the distinction between identity and continuity of States on the one hand and succession of States on the other, continued to figure on the present political agenda as well as on that of the imminent future.

Gerhard Hafner, Wien

### American Branch

#### International Law Weekend 2008

The American Branch will again hold its annual International Law Weekend in New York, featuring numerous panels, a distinguished speaker, receptions, and the Branch's annual meeting. International Law Weekend 2008 will take place on October 16-18, 2008, at the Association of the Bar of the City of New York. The Weekend's overall theme is "The United States and International Law: Legal Traditions and Future Possibilities." Co-chairs of ILW 2008 are Catherine Amirfar of Debevoise Plimpton ([cmamirfar@debevoise.com](mailto:cmamirfar@debevoise.com)), Katarina Grenfell of the United Nations Office of Legal Affairs ([grenfell@un.org](mailto:grenfell@un.org)), and John Noyes of California Western School of Law ([jnoyes@cwsl.edu](mailto:jnoyes@cwsl.edu)).

#### Fifth Annual International Law Weekend – West Salem, Oregon March 6-7 2009

The fifth International Law Weekend-West will be hosted by the Willamette University College of Law. ILW-West offers a particularly convenient opportunity every two years for our western members to convene for panel discussions and other activities, but all members are welcome to attend the conference. Further details will appear in later Newsletters of the American Branch and versions at the American Branch website. If you would like to organize a panel, please send a short proposal to the Chair of our Executive Committee, Prof. James Nafziger, Willamette University College of Law, 245 Winter St. S.E., Salem, OR 97301, or by e-mail to [jnafzige@willamette.edu](mailto:jnafzige@willamette.edu).  
Global Legal Studies Conference - Monterrey, Mexico  
February 28-March 1, 2008

The third Global Legal Skills Conference was held February 28 to March 1, 2008 in Monterrey, Mexico at

the Facultad Libre de Derecho de Monterrey. The first two global skills conferences were held at The John Marshall Law School in Chicago in 2005 and 2007. Information about the conference is available at [www.fldm.edu.mx](http://www.fldm.edu.mx). In 2009, the Global Legal Skills Conference will return to the United States, and is planned to be held at Georgetown University. Information is also available from the Conference Co-Chair, Prof. Mark E. Wojcik, at [7wojck@jmls.edu](mailto:7wojck@jmls.edu).

#### American Branch Co-Sponsors Series on International Humanitarian Law

The ABILA co-sponsored a speaker series on "The Future of International Humanitarian Law." The speakers looked at the roles of the military, non-governmental organizations, international criminal tribunals, the U.S. government's civilian leaders, and private contractors. The series was held at the University of California, San Diego (UCSD) and at California Western School of Law in San Diego (CWSL). Speakers to date have included: Lt. Cmdr. Charles Swift, now of Emory University Law School; Prof. Harvey Rishikof of the National Defense University; and Gabor Rona, the international legal director of Human Rights First, Ambassador David Scheffer, now of Northwestern University Law School; Prof. Laura Dickinson of the University of Connecticut School of Law; Prof. Diane Amann of the University of California, Davis School of Law. For more information, see the American Branch's website.

### French Branch

Le Président de la Branche française de l'International Law Association est M. Gilbert Guillaume, Juge et ancien Président de la Cour Internationale de Justice (CIJ)

#### 2006

**Conférences.** En 2006, 3 conférences ont été organisées par la Branche française (les conférences se déroulent dans les locaux de la Cour de cassation française) :

23 janvier 2006 – Yves Daudet, Secrétaire général de l'Académie de droit international : « L'Académie de droit international de La Haye »

3 avril 2006 – François-Xavier Train, Professeur à l'Université Paris X - Nanterre : « Arbitrage international et déni de justice »

23 octobre 2006 – M. Laurent Grosse, Directeur de la Gestion et du Budget à Interpol : « Considérations sur le statut juridique de l'O.I.P.C. – Interpol »

#### Fonctionnement de l'Association.

En juin 2006, M. Dominique Hascher, Conseiller à la 1<sup>re</sup> Chambre C de la Cour d'appel de Paris, a quitté ses fonctions de Secrétaire général de la Branche française de l'ILA. M. François-Xavier Train, Professeur à l'Université Paris X-Nanterre, lui a succédé.

#### 2007

**Conférences.** En 2007, 3 conférences ont été organisées par la Branche française de l'ILA :

23 janvier 2007 : M. Christophe Séraglini, Professeur à l'Université Paris XI et M. Denis Bensaude, Avocat aux Barreaux de Paris et New York : « Les recommandations de l'ILA sur l'autorité de chose jugée des sentences arbitrales et la litispendance »

4 avril 2007 : M. Alain Pellet, Professeur à l'Université Paris X-Nanterre, Membre et ancien Président de la Commission du droit international : « Les activités récentes de la Commission du droit international : un bilan mitigé »

2 octobre 2007 : M. Stephen Rapp, Procureur près le Tribunal Spécial pour la Sierra Leone (TSSL) : « Le Tribunal Spécial pour la Sierra Leone : bilan et perspectives »

#### Fonctionnement de l'Association.

En 2007, M. Philippe Khan, Professeur émérite de l'Université de Bourgogne, a quitté ses fonctions de Vice-Président de l'Association. M<sup>me</sup> Catherine Kessedjian, Professeur à l'Université de Paris 2, ancien Secrétaire général de



l'Association, lui a succédé. Monsieur le Professeur David Ruzié est devenu membre d'un nouveau Comité de l'ILA, « Armes nucléaires, Non-prolifération et Droit international contemporain » ;

Pour l'année **2008**, la première conférence aura lieu le 25 février 2008. M. Hubert Legal, ancien Juge au Tribunal de Première Instance des Communautés Européennes, interviendra sur le thème : l'organisation et les activités du Tribunal de Première Instance des Communautés Européennes. Deux autres conférences sont prévues, une au printemps l'autre à l'automne.

### German Branch

The German Branch held its annual meeting on 1 June 2007 in Heidelberg. It was dedicated to Professor *Karl-Heinz Böckstiegel*, long time President of the German Branch (1993-2006), who was elected as its Honorary President. Professor *Torsten Stein*, his successor as President, held the *laudatio* on *Karl-Heinz Böckstiegel* and highlighted some of the major aspects of his outstanding career both as scholar and practitioner: For many years, *Böckstiegel* was Director of the Institute for Air and Space Law and held the Chair for International Business Law at the University of Cologne; he was most active in promoting and developing air and space law including in his capacity as long-time member, rapporteur and chairman (1985-2001) of the ILA Committee on Space Law; he was a member of several international tribunals and similar bodies, including his very successful terms as President of the Iran-United States Claims Tribunal at The Hague (1984-1988), as Panel Chairman of the United Nations Compensation Commission (1994-1996) or as President of the London Court of International Arbitration (1993-1997). *Böckstiegel* continues to be most actively involved in international arbitration proceedings, including investment dispute cases before tribunals established under ICSID and other arbitral regimes. His most important achievement for the ILA was the organization of the Berlin Conference in 2004 and his ensuing

two-year term as President of the ILA.

These two focal points of the professional interests of *Böckstiegel* were reflected in the two lectures given: First, Professor *Stephan Hobe*, *Böckstiegel's* successor as Director of the Institute for Air and Space Law and as Professor for International Economic Law at the University of Cologne, spoke on *Current Developments in Air and Space Law*. Secondly, Dr *Richard H. Kreindler*, Partner with Shearman & Sterling LLP, Frankfurt am Main, presented *Past, Present and Future Challenges to International Arbitration*.

As regards Air Law, *Hobe* discussed several issues including the problems connected with the transfer of aircraft passenger data based on the pertinent agreements concluded between the European Union and the United States; recent developments concerning the liability of aircraft carriers; changes in the international air traffic insurance system as a result of "9/11"; and the effects of the privatization of air traffic control in Germany with respect to claims for compensation against the Federal Republic of Germany in the context of the *Überlingen* crash of 1 June 2002. With respect to Space Law, *Hobe* noted the current decrease of the normative effects of space treaties, discussed some legal aspects of space tourism and presented recent developments concerning the Space Assets Protocol to the Cape Town Convention on International Interests in Mobile Equipment. He also reported on current initiatives in the field of national space legislation and indicated new developments in the relations between the European Union and the European Space Agency (ESA).

*Kreindler* began by stressing the increasing institutionalization of international arbitration which has resulted in the creation of certain common procedural and substantive standards. He also discussed the issue of the binding effect of arbitral awards and identified as serious challenges to the whole arbitration system recent cases in which such arbitral awards had been quashed or annulled by courts purporting to exercise jurisdiction even where the seat of arbitration was elsewhere.

As further challenges to arbitration *Kreindler* identified demands for increasing transparency in arbitration procedures, in particular as regards international investment arbitration. He reported on the current debate on the contents of such central terms as *investment, fair and equitable treatment or lost profit* and the notion of *umbrella clauses*. He concluded by discussing the *pros and cons* of the introduction of an appellate structure in the ICSID system or even in international commercial arbitration in general. Both lectures were followed by most lively discussions. The meeting continued with reports from various working groups such as the one on International Trade Law which had organized a workshop in Saarbrücken on developments in WTO-law and the one on Air and Space Law which had held its annual conference in Cologne on the creation of the European Aviation Safety Agency (EASA). Finally, information was given on the activities of some ILA Committees such as those on Compensation for Victims of War, Foreign Investment Law, and Human Rights. Before the annual meeting the interest group on *Parliament and Public International Law* had met and discussed legal issues of international contacts between sub-national (regional) parliaments.

The next annual meeting will take place on 13 June 2008, again in Heidelberg. Speakers will include *Tillmann Rudolf Braun*, Federal Ministry of Economics and Technology, Berlin, who will discuss the Effects of Globalization on International Investment Law and the German BIT practice, and Professor *Jan von Hein* (University of Trier) who will present the Regulation (EC) N° 864/2007 of 11 July 2007 on the Law Applicable to Non-contractual Obligations, better known as *Rome II*.

### Indian Branch

(1) Annual Seminar – The International Law Association (Regional Branch, India) is organizing its Annual Seminar in New Delhi on 14th April, 2008. Hon'ble Mr. Justice K.G. Balakrishnan, The Chief Justice of India and President

of the Branch will be inaugurating the Seminar. There will be two working sessions - (1) Arbitration & International Standards for Contract Law and (2) Legal Aspects of Terrorism. Each session will be presided over by a Judge of the Supreme Court. After the function is over, there will be election to the Executive Committee of the Branch.

(2) Regional Conference – The Indian Branch has offered to organize the ILA Regional Conference in New Delhi in 2009. Our offer has been accepted and we are working on the conference. The Executive Committee meeting chaired by Hon'ble Mr. Justice

## FORTHCOMING EVENTS

The Spring Conference of the British Branch of the International Law Association will be held at the offices of Clifford Chance, 10 Upper Bank Street, London E14 5JJ on Friday 16 and Saturday 17 May 2008 on the theme of “**Does International Law Mean Business – A Partnership for Progress?**”

The Conference will ask whether we can conceive of an international legal order in which business participates as a partner - alongside governments and international organisations - in confronting the challenge of moving fragile states and their people, through sustainable development, to peace, security and prosperity. Ten panels of international law experts from around the globe, plus practitioners, experts and business representatives from relevant fields, will address a variety of topical issues raised by the Conference theme.

Keynote speakers include **Professor Paul Collier** Professor of Economics, Oxford University and bestselling

K.G. Balakrishnan, The Chief Justice of India and President of the Branch was held on 22nd January, 2008 and unanimously decided to start preparing a preliminary brochure and other related arrangements.

Pravin H. Parekh, Honorary Organizing Secretary

### Announcement of the Slovene Branch

Due to the fact that the president of the Slovene Branch, Professor Danilo Türk, was elected the President of the

Republic of Slovenia and assumed his office on 23 December 2007, he resigned as the president of the national branch. On his proposal, Professor Mirjam \_krk, former judge of the Constitutional Court of Slovenia and its Vice-President in the period 2004-2007, was elected as the new president of the Slovene Branch, while H.E. Professor Danilo Türk has remained its member.

author of *The Bottom Billion: Why the Poorest Countries Are Failing and What Can be Done About it*, and **Professor John Ruggie** Special Representative of the United Nations Secretary-General on Human Rights and Transnational Corporations and other Business Enterprises and Professor of International Relations, Harvard University (Kennedy School of Government).

The Conference will follow a programme mixing plenary sessions with concurrent panels of speakers. On Friday the Conference will hear Professor Collier speak in open plenary followed by three sets of concurrent panels exploring topics ranging from the relationship of international law with poverty and with business to dealing with climate change, the race for resources, donors, lenders and governance and current human rights challenges.

Friday's session will be followed by a drinks reception and dinner. The

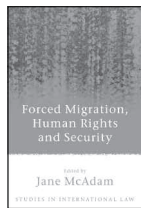
keynote address after dinner will be delivered by **Lord Malloch Brown**, Minister in the Foreign Office (and formerly UN Deputy Secretary General).

On Saturday morning, two sets of concurrent panels will address trade and poverty, post-conflict and security issues, transnational law and foreign direct investment and human rights. The Conference will conclude with another open plenary at which Professor Ruggie will deliver a keynote address.

Please contact [ilabbconference@cliffordchance.com](mailto:ilabbconference@cliffordchance.com) or visit <http://www.cliffordchance.com/expertise/events/details.aspx?LangID=UK&contentitemid=13414&contlangid=2> for further information.

# New Titles *from* Hart Publishing

Join our e-mail list to receive news on forthcoming titles such as 'The Legal Order of the Oceans' edited by A.V. Lowe and S.A.G. Talmon and 'Reappraising the Resort to Force' by Lindsay Moir with the opportunity to order at 10% discount. Please see our website for details on how to join or e-mail us at [mail@hartpub.co.uk](mailto:mail@hartpub.co.uk).



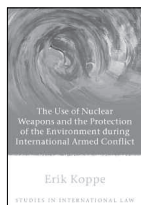
## Forced Migration, Human Rights and Security

*Edited by Jane McAdam*

The international protection regime for refugees and other forced migrants seems increasingly at risk as measures designed to enhance security—of borders, of people, of institutions, and of national identity—encroach upon human rights. This timely edited collection responds to some of the contemporary challenges faced by the international protection regime, with a particular focus on the human rights of those displaced. The book begins by assessing the impact of anti-terrorism laws on refugee status, both at the international and domestic levels, before turning to examine the function of offshore immigration control mechanisms and extraterritorial processing on asylum seekers' access to territory and entitlements (both procedural and substantive).

*Dr Jane McAdam is a Senior Lecturer and Director of International Law Programs at the University of New South Wales, Australia.*

Mar 08 Hbk 308pp 9781841137704 £35 €75



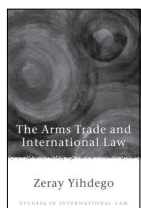
## The Use of Nuclear Weapons and the Protection of the Environment during International Armed Conflict

*Erik Koppe*

This book focuses on the question whether or not the use of nuclear weapons during international armed conflict would violate existing norms of public international law relating to the protection and safeguarding of the environment. Part I discusses the historical development and the effects of nuclear weapons; Part II discusses the protection of the environment during international armed conflict under *ius in bello*, *ius ad bellum* and *ius pacis*. Only then is it possible to assess the legality of the use of nuclear weapons under this particular set of rules.

*Erik V Koppe is a solicitor at Freshfields Bruckhaus Deringer and former research assistant in the Department of International Law at the University of Groningen, the Netherlands.*

Apr 08 Hbk 308pp 9781841137452 £50 €75



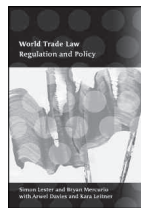
## The Arms Trade and International Law

*Zeray Yihdego*

This book deals with the proliferation of SALW and their unregulated trade and transfer across borders. It addresses questions of definition, manufacturing, trade/transfer, and issues relating to state responsibility. The primary focus is on conventional small arms, in particular military-style weapons. The book tackles the core and most divisive legal problem of whether or not the laws relating to arms control and relevant norms of international law provide substantive restrictions upon the transfer of small arms by states.

*Dr. Zeray Yihdego is a Research Fellow in Law at Oxford Brookes University.*

Nov 07 380pp Hbk 9781841137469 £50 €75



## World Trade Law Text, Materials and Commentary

*Simon Lester and Bryan Mercurio with Arwel Davies and Kara Leitner*

This new textbook on world trade law is the first book to combine the best aspects of both the casebook and legal analysis approaches, providing both detailed explanations and analysis of the law to help understand the issues as well as case extracts to offer a flavour of the judicial reasoning of trade adjudicators. Moreover, the book is truly global in outlook, being equally useful for students of international trade law in the UK, Europe, the US, Asia and elsewhere in the world. The authors draw on their diverse experiences and geographic backgrounds.

*Bryan Mercurio is Professor of Law at The Chinese University of Hong Kong. Simon Lester is President of WorldTradeLaw.net, LLC. Arwel Davies is a Senior Lecturer in law at Swansea University. Kara Leitner is a trade lawyer and partner in WorldTradeLaw.net, LLC.*

Mar 08 Pbk 892pp 9781841136608 £35 €52



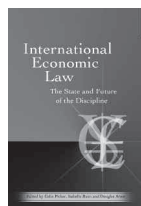
## Counterterrorism Democracy's Challenge

*Edited by Andrea Bianchi and Alexis Keller*

After reviewing some history of state responses to terrorist violence and their efficacy, this book sets out to assess the effects of contemporary counterterrorism law and policies on democratic states. In particular, it considers the interaction between national and international law in shaping and implementing anti-terror measures, and the difficult role of the judiciary in striking a balance between security concerns and fundamental rights.

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