

FROM THE PRESIDENT AND THE EXECUTIVE DIRECTOR

We share our column space in this issue. As many will recall from our December 2008 email notice, late last year we discovered that the Society had been the victim of an embezzlement scheme stretching back nearly four years. The former ASIL Director of Finance and Administration is now the subject of a U.S. federal criminal investigation of this matter. Because this investigation is still ongoing, we cannot offer full details of the nature and scale of the scheme. What we can do is describe the steps we have taken to secure ASIL funds, pursue recovery of lost funds, and strengthen our financial management going forward.

We have been proactive and aggressive since uncovering the evidence of embezzlement. First, with expert legal and accounting advice, we took immediate steps to protect Society bank accounts and other funds. Second, Lucy, as President, appointed a subcommittee of the Executive Committee to work with the two of us in weekly meetings to formulate and implement a plan of action. That plan has included



Lucy F. Reed



Elizabeth Andersen

referral of the case to federal law enforcement authorities in Washington, DC, retention of counsel to review our options for civil remedies, and engagement of forensic auditors to help us understand exactly what happened and how it happened, so we can avoid any recurrence.

The forensic auditors have now completed their work. Their report confirms our initial understanding of the nature of the scheme and our estimate of a total of approximately \$400,000 embezzled since 2005. It also confirms our assessment that grant funds and Patron contributions to the Society's endowment were not affected. Importantly, the auditors' report has helped us understand the financial vulnerabilities of a small organization such as the Society. The auditors have advised us of policies and practices that, even in a small organization, can provide checks and balances on financial management. Although our financial controls were strong, there are additional steps we can take and are already taking.

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ICC TASK FORCE ISSUES REPORT

ASIL's independent Task Force on U.S. Policy Toward the International Criminal Court (ICC) issued a report of its findings on March 27, 2009, at the 103rd Annual Meeting. The ICC Task Force expanded on its statement recommending that the President announce a policy of positive engagement with the Court. The Task Force, created this past summer, is chaired by former Legal Advisor to the State Department and Deputy Secretary of Defense **William H. Taft, IV**, and former U.S. federal appellate and International Criminal Tribunal for the Former Yugoslavia (ICTY) Judge **Patricia M. Wald**. Other members of the Task Force are former Congressman **Mickey Edwards**, Vanderbilt Law School Professor **Michael A. Newton**, former U.S. Supreme Court Justice **Sandra Day O'Connor**, former International Court of Justice President **Stephen M. Schwebel**, former Deputy Prosecutor of the ICTY **David Tolbert**, and Johns Hopkins School for Advanced International Studies Professor **Ruth Wedgwood**. Following is the initial statement from the Task Force of their findings, issued on February 2, 2009. The full text of the report is available at asil.org.

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NEWS OF MEMBERS

Judge Owada Named ICJ President



Hisashi Owada

Judge **Hisashi Owada** was elected President of the International Court of Justice (ICJ) by his peers in February 2009 and will serve a term of three years. Owada has been a member of the ICJ since 2003. Prior to joining the Court, he had a distinguished career in the Japanese Foreign Ministry where his service included posts as Deputy Minister of Foreign Affairs, Vice Minister of Foreign Affairs, Permanent Representative of Japan to the United Nations and to the OECD, and Special Adviser to the Minister for Foreign

Affairs. He has also led numerous Japanese delegations to international conferences, taught in a visiting capacity at more than a dozen universities around the world, and published widely on international law. Owada, who first joined ASIL in 1958, was recognized by the Society with its lifetime Honorary Membership certificate in 2006 and was elected as an ASIL Counsellor at the 2009 Annual meeting.

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ASIL RESEARCH AND EDUCATION PROGRAMS UPDATE

ASIL Publishes First Discussion Paper

ASIL has published the first in its new series of Discussion Papers. The paper, entitled *Promises Not to Torture: Diplomatic Assurances in U.S. Courts*, was authored by ASIL member **Ashley Deeks**. The 78-page article examines how “In an effort to navigate among...three imperatives – no indefinite detention, no transfers to torture, and no outright releases into the detaining state’s territory – the United States, Canada, and European states often have relied on diplomatic assurances from a state willing to receive a particular individual being removed that it will treat the individual humanely once it takes custody of him.” Deeks is an attorney-adviser in the Office of the Legal Adviser at the U.S. State Department where she gives counsel on questions of international law enforcement, extradition, and diplomatic property. She was previously an International Affairs Fellow at the Council on Foreign Relations. The full text of her paper can be viewed at www.asil.org/discussionpaper1.

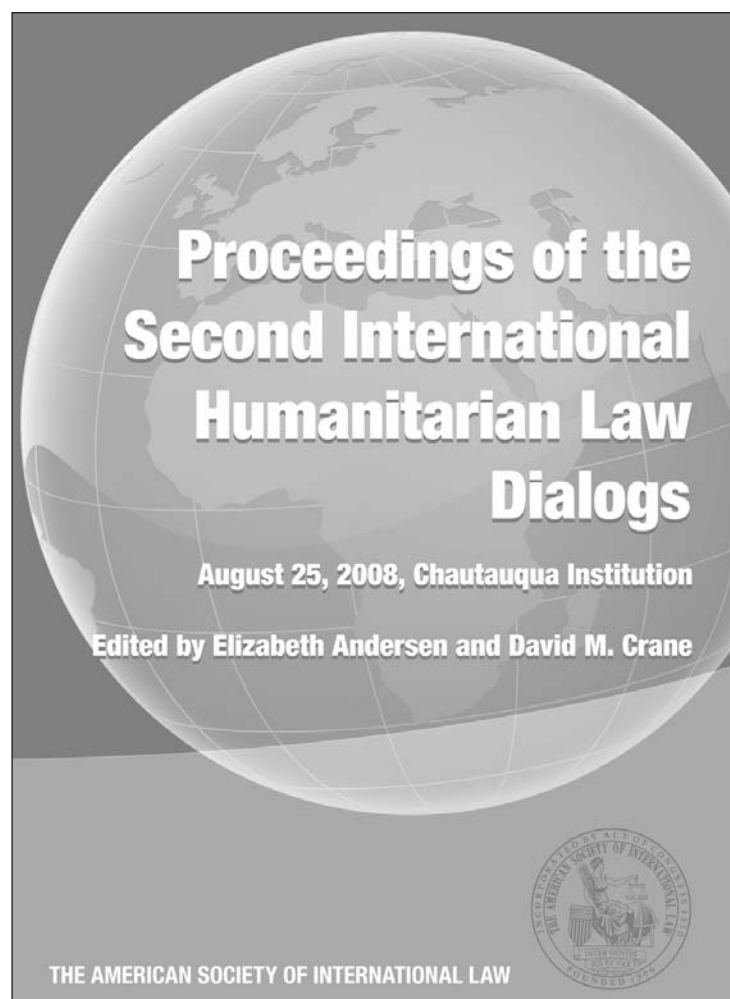
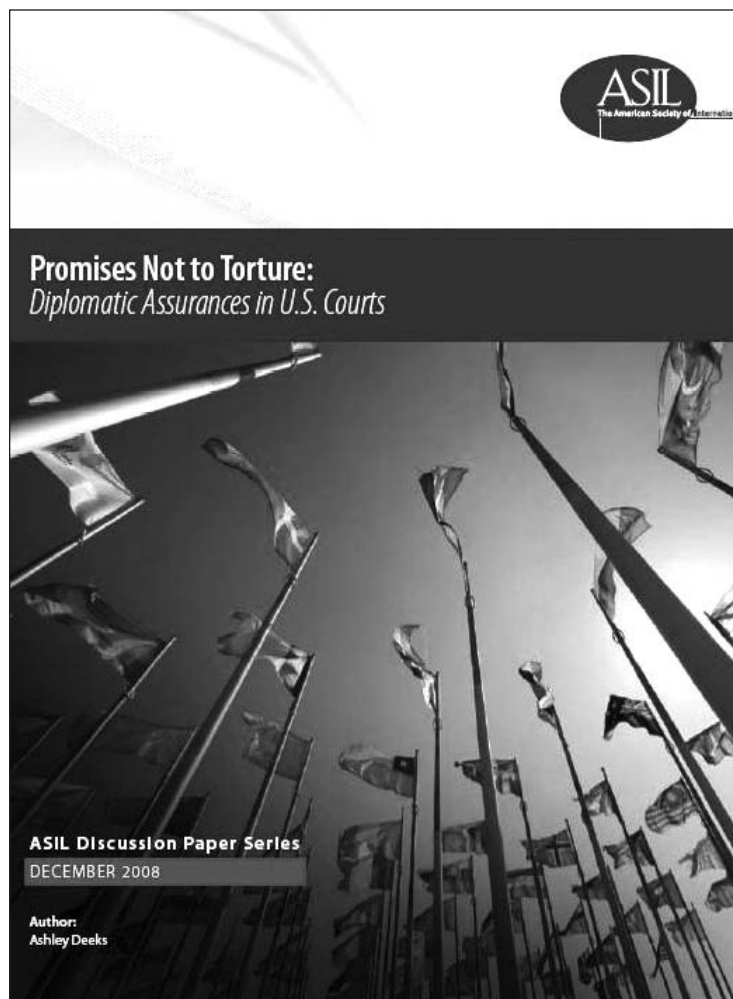
The ASIL Discussion Paper Series, launched in 2008, is a collection of cutting-edge research papers by leading international

law practitioners and scholars in order to facilitate a better public understanding of the international relations and foreign policy dimensions of timely issues of international law and practice. Papers in this series are also used by ASIL in outreach and educational programming for the legal profession, including the judiciary. The Discussion Paper Series will examine key issues of international law and their international and foreign policy implications in eight areas: human rights and humanitarian law; international development; international security; reform of international institutions and organizations; science, technology and the environment; trade and investment; transnational litigation and arbitration; and women in international law.

IHL Dialogues Published

On March 24, 2009, ASIL published the *Proceedings of the Second International Humanitarian Law Dialogs*, the most recent volume in its Studies in Transnational Legal Policy series. This volume provides a record of the proceedings of the second meeting of international prosecutors at the Chautauqua

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Institution in late August 2008. Included are speeches, commemorative papers, and summaries of the meeting discussions on the international tribunals from Nuremberg to the International Criminal Court. The second International Humanitarian Law Dialogs marked the 60th anniversary of the Genocide Convention, and as a result the meeting focused on this “crime of crimes.”

Judicial Advisory Board Meeting

On March 19, 2009, ASIL hosted its Ninth Judicial Advisory Board meeting. The Board, which is chaired by Supreme Court Justice **Ruth Bader Ginsburg**,

consists of representatives from each of the twelve federal appeals courts, in addition to several state supreme court justices. The Board met to discuss ASIL's successes in judicial education and outreach during 2008, including facilitating presentations at three Federal Judicial Center conferences and the rollout of the i.lex database on U.S. court decisions involving international law. (This new online resource is available to the public at ilex.asil.org.) At the meeting, the Society's International Law in Domestic Courts Interest Group led a discussion on “Official Immunities in International Litigation.”

TILLAR HOUSE FELLOW OPPORTUNITIES

ASIL Invites Applications for 2009-2010 Tillar House Sabbatical Fellows

ASIL is currently inviting applications for Tillar House Sabbatical Fellowships. Fellows are expected to spend 3 to 12 months in residence at ASIL's Tillar House, located at Sheridan Circle, the heart of Washington's Embassy Row, during the 2009-2010 academic year. Short-term fellowships for Summer 2009 are also possible. The Tillar House Sabbatical Fellowship is intended to provide ASIL members with a Washington, DC, institutional home during a sabbatical or other leave from their regular positions. Fellows are expected to be engaged in independent research in the field of international law and to contribute periodically to relevant ASIL Tillar House events and publications (*e.g.*, *ASIL Insights*, *International Law in Brief*, and *International Legal Materials*). Fellows are also expected to serve as resident advisors on other ASIL activities within their field(s) of expertise, including with respect to outreach efforts to the news media and to Congress. Although the fellowship is unsalaried, ASIL will provide office space, computer, telephone, etc, as well as unlimited access to ASIL's deFord Library and Information Center.

Fellows must satisfy the following minimum eligibility requirements: JD or equivalent degree with a concentration or focus on international and/or comparative law; at least three years prior professional experience related to international and/or comparative law; record of scholarship; strong writing and presentation skills; and ASIL membership. Applications should include the following: brief cover letter; summary of proposed sabbatical research project(s); CV, including professional and educational experience and list of publications; short writing sample (5-10 pages) on a relevant international law topic; and list of (no fewer than 3) references. Please submit application materials to “ASIL Fellowships” at sabbatical@asil.org by April 19, 2009.



Current Tillar House Fellow Rafael Leal-Arcas.

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ASIL Members: Interest Group Co-Chairs

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INTEREST GROUP SPOTLIGHT: News from some of ASIL's 22 Interest Groups

Rights of Indigenous Peoples Interest Group

The Rights of Indigenous Peoples Interest Group held its annual gathering on March 26, 2009, during ASIL's Annual Meeting. The event included a substantive program where **Siegfried Wiessner**, Professor of Law at St. Thomas University School of Law, Founder/Director of its LL.M./J.S.D. Program in Intercultural Human Rights, and Chair of the International Law Association's Committee on the Rights of Indigenous Peoples, outlined the challenges facing further elaboration and implementation of the United Nations Declaration on the Rights of Indigenous Peoples. Dr. **Omnia El-Hakim** of the National Science Foundation discussed educational diversity and outreach programs with an emphasis on indigenous peoples, and Group Co-Chair Dr. **Jolande Goldberg** provided the audience with a presentation on new web-based, bibliographic tools for accessing information regarding indigenous peoples.

International Economic Law Interest Group

The International Economic Law Interest Group, under the leadership of **Tomer Broude** and **Amy Porges**, held or co-sponsored three conferences in three cities between November 2008 and February 2009: the Interest Group's biennial conference in November 2008, on *The Politics of International Economic Law: The Next Four Years* (at George Washington University Law School in Washington, DC); an International Workshop in January 2009 on *International Law and Regulatory Change: New Models for Japan and China* (at the University of Washington in Seattle), and in February 2009, the Group's first-ever *International Economic Law Research Colloquium* (at UCLA Law School, chaired by **Richard Steinberg**). The colloquium was held at the UCLA School of Law and featured more than 20 speakers from law schools across the United States and Canada. They presented current work in a range of economic law areas, including international trade, investment, and financial law. Sessions included Theories of

International Economic Law, Re-regulating Global Investment and Financial Markets, WTO Adjudication and Effects, and Investor-State Relations. Papers from the colloquium are available at www.asil.org/UCLAevent.

At the November 2008 conference, **Susan Franck** (Washington and Lee University School of Law) and **Gregory Shaffer** (University of Minnesota Law School) were elected as the Interest Group's Co-Chairs for 2009-11. They took office at the Society's 103rd Annual Meeting in late March.



From left to right: Andrew Guzman, Ken Abbott, William Dodge, Joel Trachtman, and Kal Raustiala at the UCLA International Economic Law Colloquium, cosponsored in February 2009 by the Society's International Economic Law Interest Group.

International Law in Domestic Courts Interest Group

The International Law in Domestic Courts Interest Group held its annual workshop in December 2008. Temple Law School generously hosted the event, at which the following papers were discussed: **A.J. Bellia** and **Bradford Clark's** *The Federal Common Law of Nation*; **William Dodge's** *International Comity in American Courts*; **Chimène Keitner's** *Constitutions Across Borders: Conscience, Compact, or Code?*; **John Parry's** *Congress, the Supremacy Clause, and the Implementation of Treaties*; and **Ed Swaine's** *Youngstown's Seizure*.

At the December meeting, **Curt Bradley** stepped down as Co-Chair and was replaced by **Paul Stephan** and Ed Swaine.

International Environmental Law Interest Group

In December 2008 the International Environmental Law Interest Group cosponsored the talk "A Rights Based

Approach to Conservation" featuring George Washington University Professor **Dinah Shelton**. Shelton's remarks focused on the work of the World Conservation Union (ICUN) in articulating a methodology to prevent the infringement of rights in conservation projects, including those involving protected areas, forests, and climate change mitigation. The event was held in Washington, DC, in cooperation with the Center for International Environmental Law.

ASIL-West

ASIL-West hosted a December 2008 daylong scholarly roundtable among ASIL-West academic members located in Northern California. The papers presented included "Finding the Tort of Terrorism in International Criminal Law," presented by **Beth Van Schaack** (Santa Clara), with **Allen Weiner** (Stanford) as commentator; "Constitutions Beyond Borders: Recourse for Extraterritorial Rights Violations in Comparative Perspective," presented by **Chimène Keitner** (California-Hastings), with **Diane Marie Amann** (California-Davis) as commentator; "John F. Kennedy, Globalization and Development: A Legacy," presented by **Marjorie Florestal** (Pacific McGeorge), with **Joel Paul** (California-Hastings) as commentator; "Imbalance of Power: The Growth of Presidential Power Over U.S. International Lawmaking," presented by **Oona Hathaway** (California-Berkeley), with **John Cary Sims** (Pacific McGeorge) as commentator; and "The Future of Freedom," presented by **John Barton** (Stanford), with **David Caron** (California-Berkeley) as commentator.

In early March 2009, ASIL-West cosponsored the event "Piracy Off of the Coast of Somalia: Challenges to Deterrence, Pursuit, and Prosecution" along with the Center for Global Business and Development at the University of the Pacific, McGeorge School of Law. The program centered on a discussion of the significant challenges that modern-day piracy is posing for the world community and featured remarks by the Honorable **Fausto Pocar**

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(Appeals Chamber, ICTY and ICTR). Judge Pocar's comments were followed by a general discussion that included audience members and experts Diane Marie Amann (ASIL-West Co-Chair), David Caron (ASIL-West Co-Chair), **Linda Carter** (Pacific McGeorge), **Franklin Gevurtz** (Pacific McGeorge), John Sims (Pacific McGeorge), and **Beth Van Schaack** (Santa Clara).

Nonproliferation, Arms Control, and Disarmament Interest Group

ASIL's new Nonproliferation, Arms Control, and Disarmament Interest Group co-sponsored a panel discussion in January 2009 at Georgetown University's James Martin Center for Nonproliferation Studies. The event was entitled *Preventive War: Do Weapons of Mass Destruction Change the Rules?* and featured panelists **Anthony Arend**, Director of the Master of Science in Foreign Service Program at Georgetown; the Honorable **James Baker**, U.S. Court of Appeals for the Armed Forces; **Sean Murphy**, the Patricia Roberts Harris Research Professor of Law at George Washington University; and Col **Guy Roberts**, USMC (Ret), Deputy Assistant Secretary General for WMD, NATO. The speakers addressed the issue of whether or not the destructive power of weapons of mass destruction permits states to act in self-defense against WMD programs, even when the threats they pose are not immediate or clearly-defined.

Transitional Justice and Rule of Law Interest Group

On January 22, 2009, ASIL's Transitional Justice and Rule of Law Interest Group joined with the United States Institute for Peace International Network to Promote the Rule of Law and the American Bar Association's Section of International Law to host a program entitled *Transitional Justice and Rule of Law and the Creation of the Civilian Response Corps U.S. Government Expeditionary Capacity*. The event, which took place at Tillar House, brought together US State Department Ambassadors to discuss a new post-conflict civilian corps initiative by the US government. Speakers included Ambassador **John Herbst**, Coordinator for Reconstruction and

Stabilization, U.S. Department of State, and **Clint Williamson**, Ambassador at Large for War Crimes Issues, U.S. Department of State. In this program, Ambassadors Herbst and Williamson discussed their experiences and impressions of this critical area of reconstruction and stabilization and the importance and significance of establishing this new U.S. government expeditionary capacity. To read a transcript or listen to audio from this event, visit www.asil.org/CivilianResponse.

The Civilian Response Corps (CRC) will be a group of full-time civilian federal employees from across several agencies in a combination of Active and Standby roles working on international reconstruction and stabilization work. The Department of State is developing such a capacity in coordination with an initial seven other U.S. government executive agencies – USAID, Department of Justice, Department of Homeland Security, Department of Agriculture, Department of Commerce, the Department of Health and Human Services, and the Treasury Department. The CRC eventually plans to include experts from the private sector and state and local governments who will serve as CRC Reservists. The Corps members

will be pre-vetted, pre-trained, and equipped to deploy rapidly to countries in crisis or emerging from conflict, as well as to participate in Washington- and regionally-based planning and collaborative civilian-military exercises, in order to provide coordinated reconstruction and stabilization assistance.

On March 11, 2009, the TJROLIG co-sponsored a related event at the New York City Bar Association concerning the CRC entitled *U.S. Response to Judicial Rule-of-Law Challenges in Countries in Crisis*. In addition to Ambassador Herbst, Judge **Victor Marrer**, U.S. District Judge for the Southern District of New York; **Phillip Rapoza**, Chief Justice of the Massachusetts Appeals Court; and **Bruce Swartz**, Deputy Assistant Attorney General in the Criminal Division of the U.S. Department of Justice addressed the audience. **Melanne Civic**, TJROLIG Co-Chair, acted as moderator for both events. For more information about the Civilian Response Corps, contact Civic, who serves as Senior Rule of Law Advisor in the U.S. State Department's Office of the Coordinator for Reconstruction and Stabilization, at MCivic@yahoo.com.



Ambassadors Clint Williamson and John Herbst speak to a Tillar House audience on the U.S. State Department's new Civilian Response Corps. Transitional Justice and Rule of Law Interest Group Co-Chair Melanne Civic moderated the discussion.

RECENT EVENTS

CLE Seminar: Introduction to International Law

On January 28, 2009, ASIL President & Freshfields partner **Lucy Reed** and past ASIL President and Columbia Law Professor **José Alvarez** offered a primer on international law to attendees at the New York City Bar Association. The purpose of the course was to provide practicing attorneys who had not previously studied international law with a basic overview of the field and to refresh the memories of those who had. The seminar focused on concepts, sources, actors, and specialized practices of international law with particular attention to the application of international law in U.S. law, including in key U.S. Supreme Court cases. The overall aim was to assist law firm practitioners in better advising clients in the increasingly international commercial world.

ICC Moot Court Competition

In partnership with ASIL and the Dutch government, Pace University Law School held its fourth annual International Criminal Court Moot Court Competition January 30-February 1, 2009. This year, for the first time, the Pace competition acted as the North American regional qualifying round for the Global ICC Trial Competition of the International Criminal Law Network (ICLN). With the assistance of **Richard Gerding**, Counselor at the Dutch Embassy, ASIL received funds from the Dutch Foreign Ministry to support the Pace moot court. At the event, ASIL member **Michael Newton** of Vanderbilt Law School delivered the keynote address. Former ASIL President José Alvarez represented the Society at the opening dinner, and ASIL President Lucy Reed made remarks at the awards ceremony, along with Dutch Ambassador to the United Nations **Frank Majoer**. Nine schools competed in the event, and the Santa Clara University team came in first place, with Yale and Pace Universities as first and second runners-up respectively.

Just two weeks later, qualifying teams representing 19 schools from 14 countries, including the Pace event's top teams from Santa Clara and Yale, convened in the Netherlands to participate in the final round competition in The Hague. On opening day, Judge **Theodor Meron** welcomed the competitors on behalf of ASIL. This year's international champion was the team from Bond University in Australia. Also competing in the final international round, however, were the teams from Yale and Utrecht Universities, who rounded out the top three.



Dutch UN Ambassador Frank Majoer, Pace Professor Matthew E. B. Brotmann (director of the competition), and ASIL President Lucy Reed with the Pace Moot Court Competition winners from Santa Clara University School of Law.

As announced in the July/September 2008 issue of the *ASIL Newsletter* (p. 14), in its sponsorship of the Global ICC Trial Competition, the Society has joined in partnership with Pace, the Dutch Foreign Ministry, the University of Amsterdam, and ICLN – the organizer of the finals competition in The Hague. The competition aims to increase awareness of international criminal law and international law generally, as well as of some of the primary international legal institutions in The Hague. ASIL Executive Director **Elizabeth Andersen** sits on its five-person Advisory Board.

To hear the keynote address by Professor Newton and view a video of the final round of the Pace competition, visit www.asil.org/pacemoot. To read Judge Meron's welcome statement from the finals, visit www.asil.org/iclnfinals.

Sister Society – ISIL Celebrates 50th Anniversary

ASIL's sister society, the Indian Society of International Law (ISIL), celebrated its Golden Anniversary during its 6th International Conference on "International Law in the Contemporary World." The Honorable **M. Hamid Ansari**, Vice President of India, launched the event, which was held February 1-4, 2009, in New Delhi. The conference brought together over 50 professors from Europe, Asia, Africa, and the Americas to discuss topics including the present state and relevance of public international law, issues in private international law, the impact of the World Trade Organization, and international arbitration. ISIL was founded in 1959 and was formally inaugurated by Prime Minister Jawaharlal Nehru, the first Prime Minister of independent India.

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HELP ASIL GET TO KNOW YOU AND CONNECT WITH OTHERS – UPDATE YOUR ONLINE ASIL PROFILE

This past fall ASIL launched a new database that has vastly increased the Society's ability to collect information about its members and make the information its members want to share available to others. To help the Society and your colleagues learn more about you and to facilitate our being in touch with you about opportunities appropriate to your expertise, please take a few minutes to complete your online profile with the Society today.

Most ASIL members joined the Society long before we had a database that could capture detailed information about the specialties and areas of interest of our members, so even if you have been a member of the Society for decades, your attributes on asil.org are empty, unless you have taken the time to fill them in.

In response to last summer's survey results, the Society wants to be more proactive in reaching out to members worldwide and connecting you not only with ASIL headquarters but also to your fellow members. By following the simple steps below, within five minutes you will become findable and known to the ASIL community by more than just your name.

The new ASIL database Profile section

Here is how to proceed.

- 1) From www.asil.org, click on "sign in." (Upper right corner)
- 2) Fill in your user id and password. (If these are unknown, click on "Forgot my login information," or call or write the ASIL Service Center (+1.856.380-6810 and services@asil.org.)
- 3) You should then be taken to a page within the "My Membership" area that says "My Profile" at the top. Verify your contact information, and at the bottom of the page

click on the degree of privacy you want regarding your listing in the Member Directory.

- 4) Click "Update," if you made any changes.
- 5) Now scroll back up the page until you see the heading "Attributes," and click on it.
- 6) On this new page, click as many items in the four categories listed (*Profession, Areas of Expertise, Regions of Expertise, and Membership Activities of Interest to You*) that apply to you.
- 7) Click "Update," and you are done!

STAFF NEWS

Kaitlin Beach joined ASIL in February 2009 as Communications and Development Assistant. She is a recent graduate of Barnard College with a degree in Comparative Religion concentrating on South Asia. Beach has been involved with the work of several internationally-focused organizations, including the Foreign Policy Association and The Hunger Project, and was recently the recipient of a U.S. State Department grant for Hindi language study.

Jeanne Duvall also joined ASIL in February 2009 as Director of Finance and Administration. Duvall comes to the Society with over 20 years' experience as a financial manager. She has shown a dedication to the non-profit sector throughout her career and has directed the finances of a variety of organizations including the National Hispanic Medical Association, Smart Growth America, the National Breast Cancer Coalition, the Washington Area Council on Alcoholism and Drug Abuse, and the Junior League of Washington. Duvall holds a degree in Accounting from American University.



Rick LaRue

After 10 years' service to ASIL, Deputy Director **Rick LaRue** moved on in February 2009 to become the Director of Development at the Solar Electric Light Fund (www.self.org), a nonprofit organization engaged in solar rural electrification in the developing world. Its work, in more than a dozen countries, powers such projects as drip-irrigation systems, health clinics, schools, and micro-enterprises. Rick joined ASIL in 1999 as its first-ever Director of Development. His primary duties were to raise funds to renovate Tillar

House (successfully concluded in 2002) and, through individual and institutional giving, build philanthropic support for the organization. Upon the conclusion of the capital campaign and in anticipation of the centennial, Rick was promoted to Deputy Director in 2003. In addition to his fundraising portfolio, which he retained (and grew to include various sponsorship and partnership programs), he edited the ASIL Newsletter, managed the development and publication of the popular and repeatedly reprinted centennial public education booklet, *International Law: 100 Ways It Shapes Our Lives*, and supported the publication of ASIL Secretary **Rick Kirgis'** history *The American Society of International Law's First Century*. LaRue also edited nine *ASIL Annual Reports*.

INTRODUCTORY NOTE TO UNITED NATIONS SECURITY COUNCIL RESOLUTIONS 1816, 1846 & 1851 - PIRACY AND ARMED ROBBERY AT SEA BY JANE G. DALTON, J. ASHLEY ROACH, AND JOHN DALEY



Six times each year, ASIL's International Legal Materials publishes basic, primary documents of research and analysis for scholars, practitioners, and others, both in the United States and abroad. Each issue contains the full texts of important treaties and agreements, judicial and arbitral decisions, national legislation, international organizations' resolutions, and other documents.

ILM now includes Introductory Notes to each of its published legal documents. The Notes provide summaries of the documents and key insights into their legal significance. A sample Note, absent endnotes, concerning UN resolutions related to piracy and armed robbery at sea, appears below. This article is forthcoming in the next issue of ILM (Vol. 48 No.1).

All of the authors are serving or have recently served as Attorney Advisers in the Legal Adviser's Office of the U.S. Department of State. The opinions expressed herein are theirs alone and do not necessarily reflect those of the U.S. Department of State or the U.S. Government. To subscribe to ILM, go to www.asil.org/ilm.cfm.

Piracy is a phenomenon as old as sea-faring itself. Wherever international commerce and communications have been conducted by sea-going vessels, pirates have preyed on those vessels, their passengers and crews –

committing murder, plundering cargoes, taking hostages and endangering navigation. Because pirates threaten legitimate maritime commerce world-wide with their lawless and abhorrent acts, piracy has long ago been recognized under customary international law as one of only two truly international crimes of universal jurisdiction – the slave trade being the other. This customary crime of piracy is now recognized in Articles 100-107 of the United Nations Convention on the Law of the Sea. The Convention provides, inter alia, that “[o]n the high seas, or in any other place outside the jurisdiction of any State,” warships, military aircraft, and other duly authorized ships or “aircraft clearly marked and identifiable as being on government service and authorized to that effect” may board any ship (other than sovereign immune vessels) suspected of being engaged in piracy and “may seize a pirate ship or aircraft, or a ship or aircraft taken by piracy[,] ... arrest the persons and seize the property on board.” These authorities do not apply in the territorial sea.

Until about four years ago, the primary threat from piracy and armed robbery was found in the Straits of Malacca and Singapore. There, with the leadership of the International Maritime Organization (IMO) and the dedicated efforts of countries in the region, the international shipping industry and non-governmental organizations, a number of multilateral initiatives have resulted in improved maritime safety, security, and environmental protection in the Straits. But just as progress was being realized in Southeast Asia, a dramatic and alarming surge in piracy and armed robbery occurred in the waters off the coast of Somalia. Fueled by the violent political and economic instability in Somalia, the lack of a viable infrastructure to counter lawlessness, and the continued proliferation of ever-more-sophisticated small arms and light weapons (despite a nearly 17-year-long United Nations Security Council arms embargo), piracy and armed robbery have increasingly endangered legitimate shipping in the waters off the coast of Somalia. In contrast to more traditional forms of piracy, the pirates hijack commercial ships off Somalia and hold the ships and their crews hostage for ransom.

An IMO Assembly resolution first brought the matter to the United Nations Security Council's attention in 2005. In addition to concern about the impact of piracy and armed robbery on human life, the safety of navigation and the environment, of particular concern were attacks on ships carrying humanitarian aid to Somalia under the auspices of the World Food Programme. Following the IMO resolution, the President of the United Nations Security Council issued a statement on March 15, 2006, encouraging United Nations member States to take action to assist and protect merchant shipping against piratical acts, particularly those ships transporting humanitarian aid. Despite a brief reduction in the reported number of acts of piracy and armed robbery in the region, the attacks increased in mid-2007. Accordingly, on November 29, 2007, the IMO Assembly adopted Resolution A.1002 (25), which proposed a legal framework later adopted through the United Nations Security Council Resolutions published in this issue.

IMO Resolution A.1002 (25) contained several provisions urging governments to increase efforts to prevent and repress piracy and armed robbery against ships wherever such acts occur, to cooperate with other governments and international organizations, and to take all necessary legislative, judicial and law enforcement action to be able, pursuant to their domestic law, to receive and prosecute or extradite any pirates or suspected pirates and armed robbers arrested by authorized government ships or aircraft. But the Resolution also introduced some unique provisions directed to the Transitional Federal Government (TFG) of Somalia. Specifically, the Resolution requested the TFG to advise the United Nations Security Council that it consented to warships (or other appropriate ships or aircraft operating in the Indian Ocean) to enter its territorial sea when engaging in operations against pirates or suspected pirates and armed robbers endangering the safety of life at sea, whether the ships were carrying aid to Somalia or leaving Somali ports after having discharged their cargo.

On February 27, 2008, the Permanent Representative of the Somali Republic to

the United Nations conveyed the consent of the TFG for “urgent assistance in securing the territorial and international waters off the coast of Somalia for the safe conduct of shipping and navigation.” Thus was laid both the groundwork and the framework for Security Council Resolution 1816, a Resolution unique in the history of United Nations Security Council resolutions. Acting under Chapter VII of the United Nations Charter, the Security Council essentially decided that cooperating States could treat the territorial waters of Somalia as if they were the high seas for purposes of “repressing acts of piracy and armed robbery at sea.” The authorization was valid for a period of six months from the date of the Resolution (June 2, 2008), and required advance notification by the TFG to the Secretary General of those States that agreed to cooperate with the TFG in repressing piracy and armed robbery off the Somali coast pursuant to Resolution 1816.

Operative paragraph (OP) 9 is an innovation meeting the differing needs of the Members, some of whom have not recognized the TFG. First, for those States that recognized the TFG as the government of Somalia, OP 9 makes clear that the Resolution accomplishes no more than what Somalia and cooperating States could have accomplished on their own; however, for those who have not publicly recognized TFG, the Resolution provides the legal basis for repressing piracy in Somalia’s territorial sea. Second, notwithstanding the view of many States that Somalia is a “failed State,” OP 9 affirms that it “applies only with respect to the situation in Somalia and shall not affect the rights or obligations or responsibilities of member states under international law, including any rights or obligations under the [United Nations Convention on the Law of the Sea].” Third, OP 9 underscores that the resolution “shall not be considered as establishing customary international law.”

The added value of Resolution 1816 was that it provided a strong political statement that the United Nations Security Council is seized with the issue of piracy and armed robbery in the waters off the coast of Somalia, and is keen to see the situation resolved. It also provides a political “top-cover” for those States that need something more than a request by the TFG to take action against pirates and armed robbers in Somalia’s territorial waters. On September 1, 2008, the President of the Federal Republic of Somalia advised the United Nations Secretary General that Canada, Denmark, France, Spain and the United

States were cooperating with the TFG in the fight against piracy and armed robbery off the coast of Somalia. The TFG subsequently reported that the NATO Standing Naval Maritime Group, Russia, the United Kingdom, the European Union, and China would also be cooperating with the TFG.

In the immediate aftermath of Resolution 1816, little improvement appeared in the waters off the coast of Somalia. In late August 2008, the U.S. established a Maritime Security Patrol Area in the Gulf of Aden. In October 2008, about 100 crew members from various vessels were being held hostage, and more than \$30 million in ransom money had been paid during 2008 to organized criminal groups in Somalia. The attacks on shipping reflected the use of heavier weaponry, the use of long-range assets such as mother ships, more sophisticated organization and methods of attack, and an ever-expanding geographic scope. Accordingly, that same month NATO announced that in response to a request from the United Nations Secretary General, NATO would send three warships (from Italy, Greece and the United Kingdom) to escort merchant vessels carrying World Food Programme cargo to Somalia. The warships provide close protection to specific merchant vessels, as well as a deterrent presence by patrolling various routes most susceptible to criminal acts against merchant vessels. Then in November, the Council of the European Union approved the first European Union maritime operation, Operation Atalanta, to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the coast of Somalia against vessels carrying World Food Programme cargo and other vulnerable merchant vessels in the area.

The Security Council adopted three additional Chapter VII resolutions in 2008 specifically addressing the issue of piracy and armed robbery off the coast of Somalia. Resolution 1838 urged States with the capacity to do so to cooperate with the TFG in conformity with the provisions of Resolution 1816, and urged States and regional organizations to continue to take action to protect the World Food Programme maritime convoys. Resolution 1846 extended for 12 months the mandate of Resolution 1816 concerning Somalia’s territorial waters, and also contained several strong pleas for states to cooperate in investigating and prosecuting persons responsible for acts of piracy and armed robbery, and to create criminal offenses, establish jurisdiction, and accept delivery of persons respon-

sible for or suspected of piracy or armed robbery, as parties to the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation are required to do. In addition, Resolution 1846 called upon the states to enhance the capacity of Somalia and nearby coastal states to ensure maritime security, including combating piracy and armed robbery at sea off the Somali and nearby coastlines. Finally, Resolution 1851, in addition to repeating some of the calls to action of the earlier resolutions, decided, in response to a request from the TFG of December 9, 2008, that for a 12-month period beginning December 2, 2008, States and regional organizations cooperating in the fight against piracy and armed robbery at sea off the coast of Somalia (and notified by the TFG to the Secretary General) may undertake “all necessary measures that are appropriate in Somalia, for the purpose of suppressing acts of piracy and armed robbery at sea.” Resolution 1851 drew attention to the need to “establish an international cooperation mechanism to act as a common point of contact between and among states, regional and international organizations on all aspects of combating piracy . . . ;” “a center in the region to coordinate information;” and shiprider agreements or arrangements. All three resolutions contain the same caveats discussed above and found in Resolution 1816, that the authorizations apply only to the situation in Somalia; that they do not affect the rights, obligations or responsibilities of Member States under international law; and that they do not establish customary international law.

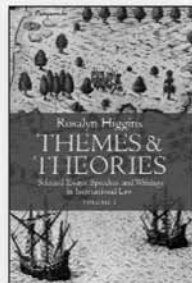
Whether these Security Council Resolutions will have the desired effect, only time will tell. The maritime efforts of individual cooperating States and organizations, when coupled with the willingness of regional states, such as Kenya, to prosecute captured pirates, should provide a disincentive to would-be pirates and armed robbers off the coast of Somalia, only if their presence is wide-ranging and ubiquitous enough to draw the attention of the desired audience. Piracy is certainly a unique issue for the Security Council to tackle, and, although the resolutions by their terms do not contribute to the development of international law on the subject, it is encouraging to see the international community united against one of the longest-standing security threats to sea-faring nations.

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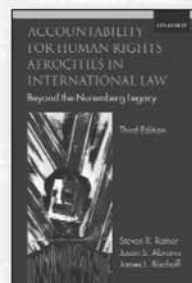


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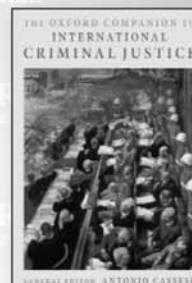
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ICC Task Force Issues Report

—continued from page 1

ASIL Task Force on U.S. Policy Toward the International Criminal Court Statement of Policy Recommendations

In August 2008, the American Society of International Law established a Task Force to evaluate and reconsider U.S. policy toward the International Criminal Court. The eight-member Task Force met five times and received written and oral briefings from more than a dozen experts who presented varied perspectives. The Task Force has reviewed U.S. policy, from the negotiating history of the Rome Statute through to the present, as well as the performance of the Court. It has also studied the complex legal issues presented in this area. The Task Force released a report containing detailed findings and recommendations at the ASIL Annual Meeting.

The ASIL Task Force on U.S. Policy Toward the International Criminal Court takes note of the desirable evolution in the de facto policy of the United States toward the Court in the last few years. In light of the Court's record over the past seven years and its involvement in compelling situations—such as Darfur, Uganda, and the Democratic Republic of Congo—that are of great concern to the United States, there is an auspicious opportunity to put U.S. relations with the Court on an articulated course of positive engagement. The Task Force recommends that the President take prompt steps to announce a policy of positive engagement with the Court, including:

- a stated policy of the U.S. Government's intention, notwithstanding its prior letter of May 6, 2002 to the U.N. Secretary General, to support the object and purpose of the Rome Statute of the Court;
- examination of methods by which the United States can support important criminal investigations of the Court, including cooperation on the arrest of fugitive defendants, the provision of diplomatic support, and the sharing of information, as well as ways in which it can cooperate with the Court in the prevention and deterrence of genocide, war crimes, and crimes against humanity;
- examination of U.S. policy concerning the scope, applicability, and implementation of "Article 98 Agreements" concerning the protections afforded to U.S. personnel and others in the territory of States that have joined the Court;
- U.S. participation as an observer in the Assembly of States Parties to the Rome Statute, including the Special Working Group on the Crime of Aggression and the 2010 Review Conference of the Rome Statute;
- the issuance of any presidential waivers in the interests of the United States that address restrictions on assistance to and cooperation with the Court contained in the American Service-members' Protection Act of 2002 (ASPA) and advice to the Congress on the need for further amendments of ASPA;
- identification of a high-ranking official to serve as the focal point within the executive branch to coordinate U.S. cooperation with the Court and monitor ICC performance in order to inform the further development of U.S. policy in this area;
- U.S. development assistance focused on rule-of-law capacity building, including that which enables countries to exercise their complementary jurisdiction to the Court effectively;
- support for the continued development of contacts between the various branches of the U.S. Government and the Court;
- support for the legislative agenda detailed below; and
- an inter-agency policy review to re-examine, in light of the Court's further performance and the outcome of the 2010 Review Conference, whether the United States should become a party to the Rome Statute with any appropriate understandings and declarations as other States Parties have done.

The Task Force further recommends that Congress pursue a legislative agenda on the Court that includes:

- amendment of the American Service-members' Protection Act and other applicable laws to the extent necessary to enhance flexibility in the U.S. Government's engagement with the Court and allies that are State Parties to the Rome Statute;
- consideration of amendment to U.S. law to permit full domestic U.S. prosecution of crimes within the jurisdiction of the Court so as to ensure the primacy of U.S. jurisdiction over the Court's jurisdiction under the complementarity regime; and
- hearings to review and monitor Court performance in order to identify means by which the United States can support the Court consistent with the interests of the United States and the international community and to re-examine whether the U.S. should become a party to the Rome Statute with any appropriate understandings and declarations as other States Parties have done.

ASIL does not generally take positions on substantive issues, including the ones addressed by this Task Force on U.S. Policy Toward the International Criminal Court. The findings and views expressed by the group members are their own and do not necessarily reflect the views of the Society or its members. The Society's convening of the Task Force is funded by grants from the John D. and Catherine T. MacArthur Foundation and the Planethood Foundation.



ASIL's ICC Task Force: (from left) David Tolbert, Sandra Day O'Connor, Mickey Edwards, William H. Taft, IV, Patricia M. Wald, Michael Newton, Stephen Schwebel, and Ruth Wedgwood.

Council of Europe Manuals - Human Rights in Culturally Diverse Societies



Malcolm D. Evans and Anne Weber

- November 2008
- ISBN 978 90 04 17274 6
- Paperback (Part I: viii, 136 pp. Part II: vi, 98 pp. with English and French texts, 2 vols.)
- List price EUR 70.- / US\$ 112.-

These volumes, written by human rights experts and commissioned by the Council of Europe, offer an overview of two contentious topics - the wearing of religious symbols in public areas and the issue of hate speech - and supply insight into key concepts in the jurisprudence of the Court, the role and responsibilities of the state and individuals, key definitions and essential questions for policy makers.

Violations of the Rules Applicable in Non-International Armed Conflicts and Their Possible Causes - *The Case of Somalia*

Omar Abdulle Alasow



- May 2009
- ISBN 978 90 04 16475 8
- Hardback (392 pp.)
- List price EUR 120.- / US\$ 192.-
- International Humanitarian Law Series, 21

This study is aimed at understanding the possible factors that may cause parties to non-international armed conflicts to engage in violations despite the fact that not only international humanitarian law but also other bodies of rules (e.g. legal and moral) impose restrictions and obligations similar to international humanitarian law. Somalia, which for over 15 years has been experiencing internal armed conflicts marked by widespread violations, is a typical case.

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Commentary on the 1969 Vienna Convention on the Law of Treaties



Mark E. Villiger

- January 2009
- ISBN 978 90 04 16804 6
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The 1969 Vienna Convention on the Law of Treaties, regulating treaties between States, lies at the heart of international law. This commentary interprets the Convention's 85 articles clearly and precisely. It covers such major topics as reservations to treaties, their interpretation and the grounds for terminating a treaty, for instance breach. Emphasis is placed on the practice of States and tribunals and on academic writings.

It contains further sections on customary international law and the Convention's history while providing up-to-date information on ratifications and reservations.

International Legal Dimension of Terrorism

Edited by Pablo Antonio Fernández-Sánchez,
University of Seville



- November 2008
- ISBN 978 90 04 17053 7
- Hardback (xiv, 514 pp.)
- List price EUR 150.- / US\$ 240.-
- International Humanitarian Law Series, 23

This volume offers reflections on the international legal theory of terrorism, international responsibility, the obligation to prevent terrorist acts, terrorism in armed conflicts, the responses to terrorism by regional international organizations and the legal limits to the fight against terrorism.

News of Members

—continued from page 1

Judge **Peter Tomka** was elected Vice-President of the ICJ in February 2009 and will complete a three-year term alongside Judge Owada. Tomka has served on the ICJ since 2003. Previously, he held several positions in the Slovakian Ministry of Foreign Affairs, including Legal Adviser and Director of the International Law Department, Director General for International Legal and Consular Affairs, and Permanent Representative of Slovakia to the United Nations. During a decade's work at the United Nations, he acted as chairman of several committees addressing issues of international law. Tomka has been a member of ASIL since 2000.



Anne-Marie Slaughter

Former ASIL President **Anne-Marie Slaughter** was appointed the new Director of Policy Planning at the U.S. State Department. She will provide Secretary of State Hillary Rodham Clinton with strategic policy analysis aimed at advancing U.S. interests around the world. Upon her appointment as Director on January 23, 2009, Slaughter became the first woman Director of Policy Planning in the department's history. Prior to joining the State Department, Slaughter was Dean of the Woodrow Wilson School of Public and International Affairs and Professor of Politics and International Affairs at Princeton University.

On February 5, 2009, Professor **Ved Nanda** was awarded the Life Time Best Teachers Award by the All-India Law Teachers Congress (AILTC). Justice Rajinder Sachar, formerly Judge of the High Court of Delhi, conferred the award, which was given by the AILTC Executive Council for "distinguished services rendered to the legal communities." Nanda teaches at the University of Denver Sturm College of Law which in 2007 launched the Ved Nanda Center for the Study of International and Comparative Law. Nanda is a former Honorary Vice President and Counsellor of ASIL.

Professor **Laurence R. Helfer**, an ASIL Executive Council member and currently on the faculty of Vanderbilt University Law School, will join the Duke University School of Law as Professor of Law and Co-Director of the Duke Center for International and Comparative Law (CICL) in July 2009. CICL coordinates and supports a range of international law programming, including conferences, symposia, speaker series, and courses such as the Global Law Workshop, as well as faculty research.



Diane Marie Amann

ASIL Executive Council member **Diane Marie Amann** has been appointed Director of the University of California-Davis School of Law's new California International Law Center (CILC). CILC (pronounced "silk") will foster the work of faculty, students, and alumni in international, comparative, and transnational law through, for example, speaker series, curricular and career development, and partnerships with organizations such as ASIL and the Robert F. Kennedy Center for Justice and Human Rights.

Professor **David A. Martin** has been appointed as Principal Deputy General Counsel in the Department of Homeland Security where he will be the Department's second-highest-ranking lawyer. Martin has

been teaching international law at the University of Virginia School of Law and is a former General Counsel for the U.S. Immigration and Naturalization Service. He has been a member of ASIL since 1979.

Correction: In the News of Members section of Issue 4, Vol 24 (October/December 2008), the person who nominated Dr. **Jeremy Levitt** Chair of the International Technical Advisory Committee of the Liberian Truth and Reconciliation Commission was incorrectly named. Levitt was nominated by Louise Arbour, UN High Commissioner for Human Rights, and appointed by President Ellen Johnson-Sirleaf.

PASSINGS



Thomas Wälde

Professor and lawyer **Thomas Wälde** passed away on October 11, 2008, after an accident at his family's vacation home in the south of France. Wälde was a leading scholar in the field of international investment law concerning energy and natural resources. Wälde grew up in Heidelberg, Germany, and studied law in Germany and Switzerland before receiving his LL.M. from Harvard University. In 1980, he took up a post with the United Nations where he provided guidance to developing country governments on international investment policy and petroleum and mineral legislation. From 1991-2001, he served as Director of the Centre for Energy, Petroleum, and Mineral Law and Policy at the University of Dundee. At the time of his death, he was Professor and Jean-Monnet Chair of International Economic, Natural Resources, and Energy Law at Dundee. A prolific writer, speaker, and educator, Wälde was a noted expert on investment law as it applied to the energy sector and served as an expert witness, counsel, and arbitrator in many international investor-state disputes. Wälde first joined ASIL in 1976.

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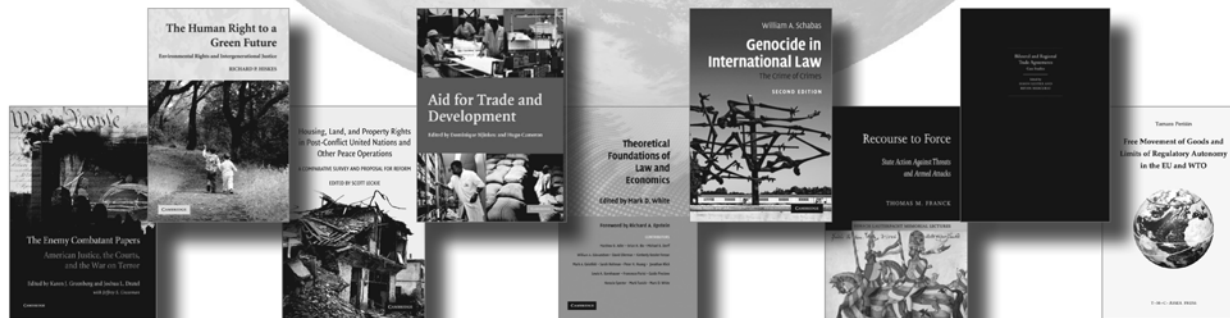
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UPCOMING EVENTS

ASIL-ESIL Third Research Forum

ASIL and its sister organization the European Society of International Law will host a research forum on the topic "Changing Futures? Science and International Law", October 2-3, 2009, in Helsinki, Finland. The Research Forum aims to chart the terrain and explore the complexities of the wide-ranging connections linking science and international law. The forum will feature discussion panels on topics such as Data Protection and International Law; Climate Change and Global Environmental Protection; Hermeneutics and Interpretation; Global Health Issues; Food Safety and the Protection of Animals, Plants, and Humans; The Metaphysics of Economics in International Law and Global Governance; Arms Control and Disarmament; Scientific Evidence in International Adjudication; Genetically Modified Organisms and the Law of World Trade; Intellectual Property Rights; International Law as Science;

and Developments in the Law of the Sea. These panels will be chaired by distinguished experts and will feature discussion of papers that have been competitively selected.

ASIL's participation in the conference is being coordinated by an advisory committee consisting of ASIL members **Kevin Gray, Faiza Patel King, and Cesare Romano**. To register for the forum, contact the University of Helsinki Erik Castrén Institute of International Law and Human Rights at esil-asil@helsinki.fi.

CONFERENCE FEES:

Forum plus gala dinner:

ASIL/ESIL members - 180 euros

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Accompanying partners' gala dinner fee:
60 euros

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On February 18, 2009, the Washington Association of Arab Journalists, led by Tarek Rashed (Bureau Chief of the Middle East News Agency of Egypt), met with a panel of experts at Tillar House to discuss the legal implications of the recent violence in Gaza. The panelists were Ambassador Hussein Hassouna of the Arab League, Professor Gary Solis of Georgetown Law School, and Professor Ruth Wedgwood of Johns Hopkins School of Advanced International Studies.

From the President and Executive Director

—continued from page 1

Specifically, the auditors have recommended:

- enhanced segregation of the duties of ASIL personnel responsible for different aspects of financial management to separate custody of assets from record-keeping;
- strengthening of regular financial reporting and reconciliation processes;
- enhancement of ASIL's insurance bonds covering employees responsible for financial management;
- development and/or strengthening of ASIL anti-fraud policies, including a whistleblower policy, record retention policy, code of conduct, conflict of interest policy, and fraud risk assessment policy;
- comprehensive and regular training of all ASIL staff on these policies; and

- appointment of an independent audit committee of the Society's leadership to provide oversight of the financial management of the Society.

We are already pursuing implementation of these recommendations, with a goal of having all of these safeguards in place by May 2009.

We have also taken a number of steps to attempt to recoup the funds lost, by pursuing recovery under our insurance coverage and evaluating civil legal action. At the same time, we have amended the Society's 2009 budget to cut nearly 10% of our operating expenses, achieved primarily through staff attrition and a hiring freeze. We are particularly grateful to ASIL's Tillar House staff, who have confronted this challenge with an impressive determination to do as much – indeed, more – with less. Their dedication and creativity are reflected in all that we do.

This is difficult news to relay, and we know that it is difficult news to receive. But notwithstanding this significant challenge, we are confident that the Society continues to have a critical role to play. We are determined to manage this

situation in ways that enable the Society to move on and build to even greater heights.

In this regard, planning for the 2009 Annual Meeting has been a terrific antidote to our financial problems. This year's program committee, ably led by co-chairs Anthea Roberts, Steve Mathias, and Carlos Vazquez, assembled a first-rate agenda to address pressing international legal topics ranging from piracy to the international financial crisis and from global warming to the new Convention on Choice of Court Agreements. Meeting preparations have reminded us of the foundation on which the Society is built—100-plus years of convening and publishing the very best in our field. That foundation remains solid.

Do not hesitate to contact either of us should you have questions, comments, or advice regarding our handling of our current financial situation. And please accept our sincere gratitude for your continued support as we, with the Society's other dedicated leaders, manage the Society back to financial health.

*Lucy F. Reed
Elizabeth Andersen*

Upcoming Events

—continued from page 15

Reed Speaks on International Claims Tribunals

On April 4, 2009, ASIL President **Lucy Reed** will speak at the University of Colorado-Boulder's law school on the creation in recent years of several international claims tribunals. Specifically, her talk will address the Iran-US Claims Tribunal, the UN Compensation Commission, the Claims Resolution Tribunal for Dormant Accounts in Switzerland, the Bosnia-Herzegovina and Kosovo Real Property Commissions, and the Eritrea-Ethiopia Claims Commission. In addition, she will cover the Rome Statute of the International Criminal Court, which envisions a claims process for victims. Reed will describe the origin, features, and performance of such tribunals, with emphasis on the ones with which she has been involved. This event is free and open to the public. For more information, contact University of Colorado Law at +1-303-735-5453 or hannah.garry@colorado.edu.

Crimes Against Humanity Initiative Experts' Roundtable

ASIL is co-sponsoring an Experts' Meeting for the Crimes Against Humanity Initiative, April 13-15, 2009, at the Washington University School of Law in Saint Louis, MO. This roundtable will convene as part of the Washington University Whitney R. Harris World Law Institute's two-year, landmark project to study international law regarding crimes against humanity and to draft a multilateral treaty condemning and prohibiting such crimes. The conference will feature several ASIL members including **Elizabeth Andersen, Leila Sadat, Mark Janis, Mark Drumbl, David Crane, and Richard Goldstone**. For more information, contact Linda McClain, Whitney R. Harris World Law Institute Assistant Director, at +1-314-935-7988 or lmcclain@wulaw.wustl.edu.

Human Rights and State Law: New Strategies for Economic Justice Advocacy

On April 17, 2009, the Human Rights Institute at Columbia Law School, with support from ASIL, will host a CLE event to educate lawyers on international human rights standards that may be used as interpretive tools to develop state law jurisprudence to protect economic and social rights (such as housing, health care, welfare, and education). The program will also give lawyers non-litigation human rights strategies for use in economic justice advocacy efforts. This CLE event is geared towards lawyers who practice in state courts and engage in non-litigation advocacy at the state and local levels on economic justice issues. The event will be held at Skadden Arps, Four Times Square New York, New York. For more information, contact the Human Rights Institute at Columbia Law School: hri@law.columbia.edu or +1-212-854-2493.

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