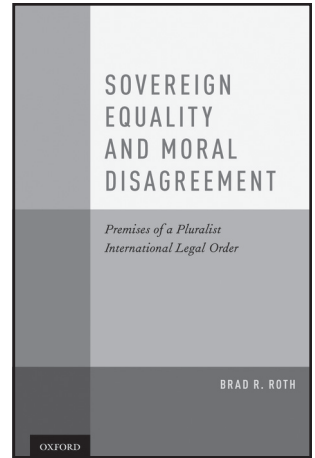
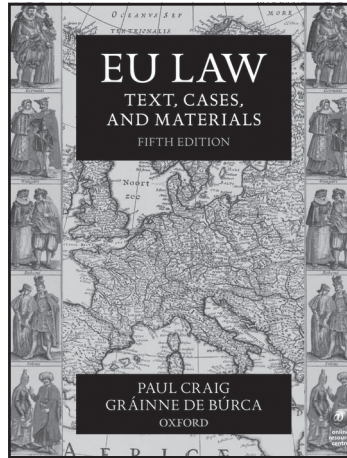
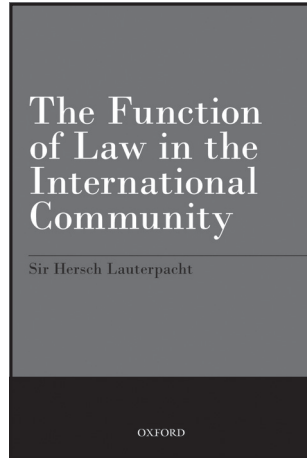
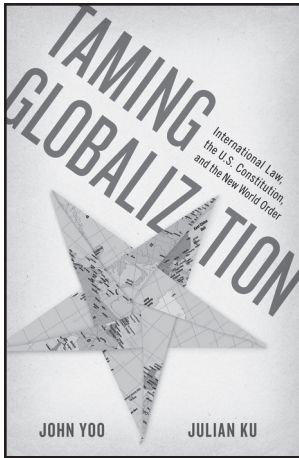




OXFORD UNIVERSITY PRESS

NEW AND NOTEWORTHY TITLES IN INTERNATIONAL LAW



General International Law

INTERPRETING THE NUCLEAR NON-PROLIFERATION TREATY

Daniel H. Joyner

2011 | 224 pages | 9780199227358
Hardback | \$100.00

TAMING GLOBALIZATION

John Yoo and Julian Ku

2012 | 274 pages | 9780199837427
Hardback | \$35.00

FROM BILATERALISM TO COMMUNITY INTEREST

Essays in Honour of Bruno Simma

Edited by **Ulrich Fastenrath, Rudolf Geiger, Daniel-Erasmus Khan, Andreas Paulus, Sabine von Schorlemer, and Christoph Vedder**

2011 | 1,312 pages | 9780199588817
Hardback | \$250.00

WHEN INTERNATIONAL LAW WORKS

Realistic Idealism After 9/11 and the Global Recession

Tai-Heng Cheng

2011 | 320 pages | 9780195370171
Hardback | \$65.00

THE POWER OF DELIBERATION

International Law, Politics and Organizations

Ian Johnstone

2011 | 240 pages | 9780195394931
Hardback | \$85.00

THE FUNCTION OF LAW IN THE INTERNATIONAL COMMUNITY

The Late **Sir Hersch Lauterpacht**

2011 | 512 pages | 9780199608812
Paperback | \$60.00

THE LAW OF TREATIES BEYOND THE VIENNA CONVENTION

Edited by **Enzo Cannizzaro**

2011 | 800 pages | 9780199588916
Hardback | \$180.00

EU LAW: TEXT, CASES, AND MATERIALS

Fifth Edition

Paul Craig and Grainne de Burca

2011 | 1,304 pages | 9780199576999
Paperback | \$75.00

SOVEREIGN EQUALITY AND MORAL DISAGREEMENT

Brad R. Roth

2011 | 320 pages | 9780195342666
Hardback | \$75.00

FORMALISM AND THE SOURCES OF INTERNATIONAL LAW

A Theory of the Ascertainment of Legal Rules

Jean d'Aspremont

2011 | 278 pages | 9780199696314
Hardback | \$140.00

FREEDOM FROM RELIGION

Amos N. Guiora

2011 | 192 pages | 9780199899111
Paperback | \$45.00

OXFORD
UNIVERSITY PRESS

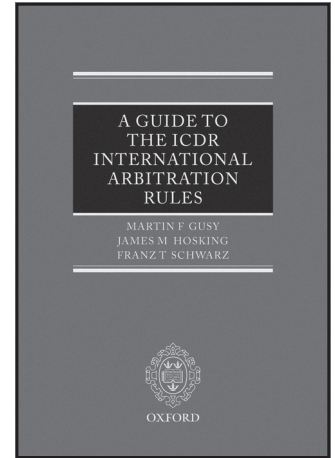
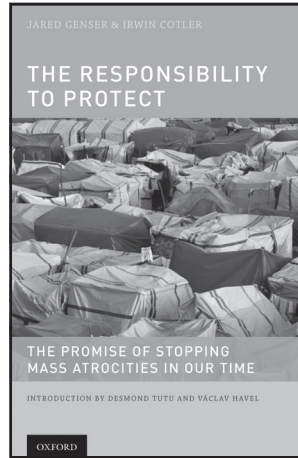
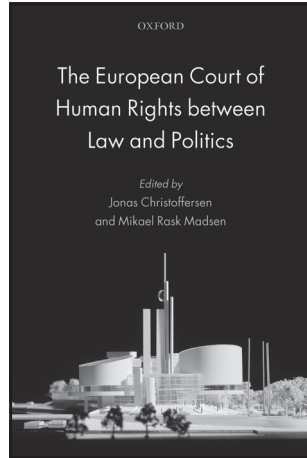
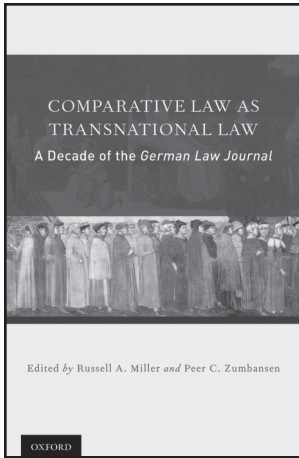
To place your order or for more information visit www.oup.com/us or call our customer service team at 1-866-445-8685.

<https://doi.org/10.5305/intelegamate.50.6.fm> Published online by Cambridge University Press



OXFORD UNIVERSITY PRESS

NEW AND NOTEWORTHY TITLES IN INTERNATIONAL LAW



Comparative Law

INTERNATIONAL LAW AND DOMESTIC LEGAL SYSTEMS
Incorporation, Transformation, and Persuasion

Edited by **Dinah Shelton**
2011 | 724 pages | 9780199694907
Hardback | \$245.00

ISLAMIC LAW IN ACTION
Authority, Discretion, and Everyday Experiences in Mamluk Egypt

Kristen Stilt
2011 | 336 pages | 9780199602438
Hardback | \$100.00

COMPARATIVE LAW AS TRANSNATIONAL LAW
A Decade of the German Law Journal

Edited by **Russel A. Miller** and **Peer C. Zumbansen**
2011 | 528 pages | 9780199795208
Hardback | \$125.00

CONSTITUTIONALISM IN ISLAMIC COUNTRIES

Between Upheaval and Continuity

Rainer Grote and Tilmann Röder
2011 | 752 pages | 9780199759880
Hardback | \$150.00

Human Rights Law

WAR BY CONTRACT
Human Rights, Humanitarian Law, and Private Contractors

Edited by **Francesco Francioni** and **Natalino Ronzitti**
2011 | 580 pages | 9780199604555
Hardback | \$160.00

THE OPTIONAL PROTOCOL TO THE UN CONVENTION AGAINST TORTURE

Rachel Murray, Elina Steinerte, Malcolm Evans, and Antenor Hallo de Wolf
2011 | 276 pages | 9780199602193
Hardback | \$140.00

THE EUROPEAN COURT OF HUMAN RIGHTS BETWEEN LAW AND POLITICS

Edited by **Jonas Christoffersen** and **Mikael Rask Madsen**
2011 | 256 pages | 9780199694495
Hardback | \$120.00

HUMAN RIGHTS IN TIMES OF CONFLICT AND TERRORISM

Louise Doswald-Beck
2011 | 575 pages | 9780199578948
Paperback | \$60.00

THE RESPONSIBILITY TO PROTECT

Jared Genser and Irwin Cotler
With a Preface by **Desmond Tutu** and **Václav Havel**
2011 | 368 pages | 9780199797769
Hardback | \$85.00

Arbitration and International Dispute Settlement

A GUIDE TO THE ICDR INTERNATIONAL ARBITRATION RULES

Martin F. Gusy, James M. Hosking, and Franz T. Schwarz
2011 | 384 pages | 9780199596843
Hardback | \$160.00

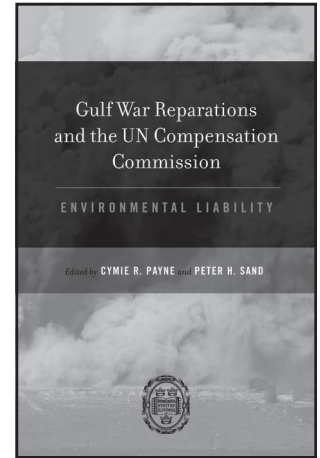
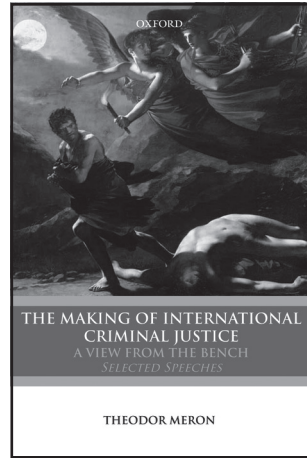
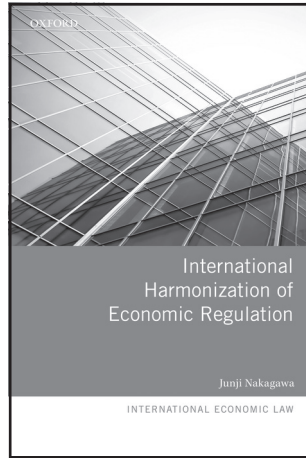
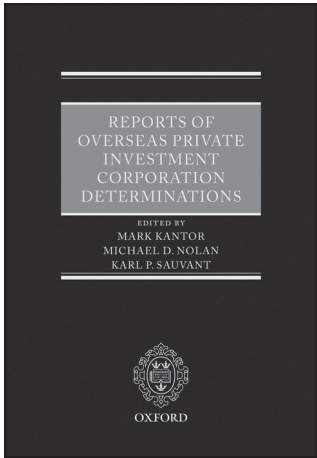
COMPENSATION AND RESTITUTION IN INVESTOR-STATE ARBITRATION

Principles and Practice
Borzu Sabahi
2011 | 302 pages | 9780199601189
Hardback | \$140.00



OXFORD UNIVERSITY PRESS

NEW AND NOTEWORTHY TITLES IN INTERNATIONAL LAW



International Investment and Economic Law

THE EVOLVING INTERNATIONAL INVESTMENT REGIME
Expectations, Realities, Options

Edited by **Jose E. Alvarez and Karl P. Sauvant**
With **Kamil Gérard Ahmed**
and **Gabriela P. Vizcaino**

2011 | 308 pages | 9780199793624
Hardback | \$85.00

REPORTS OF OVERSEAS PRIVATE INVESTMENT CORPORATION DETERMINATIONS

Edited by **Mark Kantor, Michael D. Nolan,**
and **Karl P. Sauvant**

2011 | 1,872 pages | 9780199596850
Two Volume Pack | \$850.00

YEARBOOK ON INTERNATIONAL INVESTMENT LAW & POLICY 2010-2011

Edited by **Karl P. Sauvant**

2011 | 960 pages | 9780199812356
Hardback | \$195.00

INTERNATIONAL HARMONIZATION OF ECONOMIC REGULATION

Junji Nakagawa

2011 | 437 pages | 9780199604661
Hardback | \$140.00

EU FOREIGN INVESTMENT LAW

Angelos Dimopoulos

2011 | 416 pages | 9780199698608
Hardback | \$150.00

International Courts and Tribunals

RECLAIMING JUSTICE

The International Tribunal for the Former Yugoslavia and Local Courts

Sanja Kutnjak Ivkovich and John Hagan

2011 | 200 pages | 9780195340327
Hardback | \$85.00

THE NUREMBERG MILITARY TRIBUNALS AND THE ORIGINS OF INTERNATIONAL CRIMINAL LAW

Kevin Jon Heller

2011 | 300 pages | 9780199554317
Hardback | \$120.00

THE LEGACY OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

Edited by **Bert Swart, Alexander Zahar,**
and **Goran Sluiter**

2011 | 640 pages | 9780199573417
Hardback | \$180.00

THE MAKING OF INTERNATIONAL CRIMINAL JUSTICE

The View from the Bench: Selected Speeches

Theodor Meron

2011 | 240 pages | 9780199608935
Hardback | \$120.00

GULF WAR REPARATIONS AND THE UN COMPENSATION COMMISSION
Environmental Liability

Edited by **Cymie Payne and Peter Sand**

2011 | 392 pages | 9780199732203
Hardback | \$150.00



OXFORD UNIVERSITY PRESS

NEW AND NOTEWORTHY TITLES IN INTERNATIONAL LAW

THE MAX PLANCK ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW

Announcing a Major New Reference Work in Public International Law
FULLY REVISED AND UPDATED PRINT EDITION — 10 VOLUME SET

General Editor: RÜDIGER WOLFRUM, Director of the Max Planck Institute for Comparative Public Law and International Law

Written by over 800 of the world's leading authorities and edited at the premier research institution for international law, this new edition of the definitive reference work on international law contains over 1,619 articles covering the full breadth of the subject. Articles address the history and theory of international law; all sub-fields such as international criminal law, environmental law, and economic law; leading cases; and significant treaties, organizations, armed conflicts, and geographical issues.

Each article contains cross-references to related articles, and includes a carefully selected bibliography of the most important writings and primary materials as a guide to further reading. Every article has been thoroughly peer reviewed giving readers total confidence in the quality and accuracy of the content.

- **Recommended for practitioners, scholarly researchers, professors and students of international law**
- **More than 700 new topics not covered in the previous edition**
- **Each article has been rigorously peer reviewed by the members of the advisory board with relevant specialist expertise**

The Online Edition of the Definitive Reference Work on Public International Law

The image displays two screenshots of the Max Planck Encyclopedia of Public International Law website. The left screenshot shows the home page with a search bar, navigation links, and a list of articles under the heading 'Articles listed alphabetically'. The right screenshot shows a detailed view of an article titled 'Debt Crisis' by Christian Walter, including a table of contents and the beginning of the text.

Now Available Online: WWW.MPEPIL.COM

OXFORD
UNIVERSITY PRESS

Order today to take advantage of our pre-publication offer. For free-trials, subscriptions and more information visit www.oxfordonline.com or call our library sales team at 1-800-624-0153.

NEW & FORTHCOMING EDWARD ELGAR PUBLISHING



EU Intellectual Property Law and Policy

Catherine Seville, Newnham College, University of Cambridge, UK

2009 488 pp Hardback 978 1 84720 123 2 \$170.00

© 978 1 84980 124 0

Elgar European Law series

The Law and Economics of Class Actions in Europe

Lessons from America

Edited by Jürgen G. Backhaus, Erfurt University, Germany, Alberto Cassone, Università del Piemonte Orientale and Giovanni B. Ramello, Università del Piemonte Orientale and IEL-Collegio Carlo Alberto, Italy

April 2012 c 384 pp Hardback 978 1 84720 803 3 c \$135.00

© 978 1 78100 124 0

New Horizons in Law and Economics series

EU Private International Law

Second Edition

Peter Stone, University of Essex, UK

2011 576 pp Hardback 978 1 84844 083 8 \$270.00

© 978 1 84980 716 6

Elgar European Law series

Economic and Social Integration in Europe

The Challenge for EU Constitutional Law

Dagmar Schiek, University of Leeds, UK

Sept 2012 c 224 pp Hardback 978 1 84844 542 0 c \$110.00

Cultural Property Law and Restitution

A Commentary to International Conventions and European Union Law

Irina A. Stamatoudi, LL.M., Ph.D

2011 416 pp Hardback 978 1 84844 661 8 \$160.00

© 978 0 85793 030 9

IHC Series in Heritage Management

The Many Concepts of Social Justice in European Private Law

Edited by Hans-W. Micklitz, European University Institute, Italy

Nov 2011 488 pp Hardback 978 1 84980 260 4 \$195.00

© 978 0 85793 589 2

European Competition Law: The Impact of the Commission's Guidance on Article 102

Edited by Lorenzo Federico Pace, University of Molise and Member of the Bar of Rome, Italy

2011 192 pp Hardback 978 1 84844 773 8 \$110.00

© 978 0 85793 313 3

EU Labour Law

Anne Davies, Brasenose College, Oxford, UK

Aug 2012 c 256 pp Hardback 978 1 84844 998 5 c \$110.00

Elgar European Law series

Theory and Practice of Harmonisation

Edited by Mads Andenæs, University of Oslo, Norway, formerly of the British Institute of International and Comparative Law, London and King's College, University of London, UK and Camilla Andersen, University of Leicester, UK and Institute of Commercial Law at Pace, New York, US, formerly of Queen Mary College, University of London, UK and University of Copenhagen, Denmark

March 2012 c 736 pp Hardback 978 1 84980 001 3 c \$295.00

© 978 0 85793 317 1

European Patent Law

Towards a Uniform Interpretation

Stefan Luginbuhl, European Patent Office, Germany

2011 360 pp Hardback 978 1 84980 105 8 \$135.00

© 978 0 85793 321 8

Transforming European Employment Policy

Labour Market Transitions and the Promotion of Capability

Edited by Ralf Rogowski, University of Warwick, UK, Robert Salais, Centre Marc Bloch, Berlin, and formerly Ecole Normale Supérieure de Cachan, France and Noel Whiteside, University of Warwick, UK

March 2012 c 304 pp Hardback 978 1 84980 256 7 c \$125.00

© 978 1 78100 117 2

European Foreign Policy

Legal and Political Perspectives

Edited by Panos Koutrakos, University of Bristol, UK

2011 320 pp Hardback 978 1 84980 409 7 \$125.00

© 978 1 84980 861 3

Research Handbook on European State Aid Law

Edited by Erika Szyszczak, University of Leicester, Littleton Chambers, Temple, UK

Nov 2011 456 pp Hardback 978 1 84980 274 1 \$199.95

© 978 0 85793 642 4

Research Handbooks in European Law series

ELGAR ORIGINAL REFERENCE

Before and After the Economic Crisis

What Implications for the 'European Social Model'?

Edited by Marie-Ange Moreau, University Lyon 2, France and Inter-University Research Centre on Globalization and Work (CRIMT), Montréal, Canada

Dec 2011 336 pp Hardback 978 1 84980 992 4 \$135.00

© 978 1 84980 995 5

The Lisbon Treaty and the Future of the European Union

Edited by Martin Trybus and Luca Rubini, University of Birmingham

Aug 2012 c 256 pp Hardback 978 0 85793 255 6 c \$110.00

© 978 0 85793 256 3

Trade and Competition Law in the EU and Beyond

Edited by Inge Govaere, Ghent University, Reinhard Quick, Verband der Chemischen Industrie, e. V., Germany and Marco Bronckers, University of Leiden, The Netherlands

Nov 2011 512 pp Hardback 978 0 85793 566 3 \$199.95

© 978 0 85793 567 0



MORE INFORMATION

Edward Elgar Publishing Inc.
William Pratt House
9 Dewey Court
Northampton, MA 01060-3815 US
Tel: (413) 584-5551
Fax: (413) 584-9933
elgarinfo@e-elgar.com

ORDERS

Edward Elgar Publishing Inc.
PO Box 574
Williston, VT 05495-0575
Tel: (800) 390-3149
Fax (802) 864-7626
eep.orders@aidcvt.com

www.elgar.com

For your free
catalog(s) email:
elgarinfo@e-elgar.com



INDEX TO FOREIGN LEGAL PERIODICALS

Now Available from HeinOnline!

*Redeveloped, rebranded and now available on
HeinOnline's user-friendly platform!*

In conjunction with the **American Association of Law Libraries** and the **Berkeley Law Library at the University of California**, HeinOnline is pleased to introduce the availability of the **Index to Foreign Legal Periodicals (IFLP)**.

The **Index to Foreign Legal Periodicals** is the preeminent multilingual index to articles and book reviews appearing in more than 500 legal journals published worldwide. It provides in-depth coverage of public and private international law, comparative and foreign law, and the law of all jurisdictions other than the United States, the UK, Canada, and Australia. The IFLP also analyzes the contents of about eighty individually published collections of legal essays, Festschriften, Mélanges, and congress reports each year.

**For more information, contact
marketing@wshein.com or 800-828-7571!**



The International Journal of the Jurisprudence of the Family (IJJF)

is exclusively available through Hein & HeinOnline!

The *International Journal of the Jurisprudence of the Family* is an academic journal established to foster the publication of scholarly works relating to the foundations of family life and family law. It aims to contribute to an understanding and appreciation of the contributions made by families to the flourishing of individuals and of societies. It explores the meaning of provisions which protect the family, such as the statement in the Universal Declaration of Human Rights that the family is the “natural and fundamental group unit of society.” It seeks to promote a deeper understanding of the principles upon which families are based and of the standards of law and the governmental policies through which family life can be recognized and promoted.

Visit www.wshein.com to learn about our new current online subscription model for this exclusive journal!



Contact us today for details about this exclusive journal!
marketing@wshein.com | 800-828-7571 | www.wshein.com

The International Law Reports



online

It's a small world now.

For the **first time ever** the full archive of the International Law Reports is available in a fully searchable form online via the award-winning Justis platform. Features include:

- ▶ **Cases in English from international and national courts worldwide**
- ▶ **Full coverage from 1919 to the most current rulings**
- ▶ **Full cross-linking and cross-referencing**
- ▶ **Advanced search capabilities**

Covering all significant cases of public international law, the collection spans from the postwar Treaty of Versailles era to a cyberspace-influenced 21st century, featuring an enormously diverse range of topics along the way, including:

- ▶ **International boundaries**
- ▶ **Numerous treaties between states**
- ▶ **Refugee law**
- ▶ **Terrorism**
- ▶ **State and diplomatic immunity**
- ▶ **War**

The International Law Reports *Online* is a must for all practitioners and academics specialising in international law and is the only database in the world devoted to the regular and systematic reporting of decisions on points of international law from every relevant jurisdiction - international and national.

For more information on the **International Law Reports *Online***, please visit www.justis.com/ILM2011

Foreword

From its beginning, the Society established as one of its primary functions the regular collection, publication, and dissemination of important international legal materials. These materials were first published as a section of the *American Journal of International Law*, and since the 1960s as the current stand-alone *International Legal Materials* publication. The publication met a critical need in that earlier era—when access to primary source legal materials was limited. Today, access to information is no longer a problem. Indeed, our challenge is too much information. And therein we find a continuing mission for *International Legal Materials*.

The dramatic growth in the international legal field makes it nearly impossible for scholars and practitioners—let alone the general public—to keep abreast of the most important international legal developments. Fortunately they can rely on our staff and Editorial Advisory Committee to sift through the vast array of documents, identify those that are truly significant, and highlight them in *International Legal Materials* and our bi-weekly electronic bulletin, *International Law in Brief*. The Society's periodic *ASIL Insights* provide additional analysis of particularly high-profile developments.

Beginning in 2007, we have been supplementing all documents published in *International Legal Materials* with an introductory note from one of the many experts ASIL counts among its members. These notes provide summaries of the documents and key insights into their significance. In this volume we feature notes by Alka Pradhan, Ruth Frolich, Alison Plenge, Björn Arp, Chiara Giorgetti, Ioana Cismas, and Erin Louise Palmer. We are extremely grateful to these authors, and we are confident that you will value their contributions as well.

Please send us your comments and suggestions as we continue our efforts to meet the evolving needs of the international legal community.

Sincerely,

Elizabeth Andersen
Chair
Editorial Advisory Committee
International Legal Materials

INTERNATIONAL LEGAL MATERIALS®

Statement of Editorial Policy

International Legal Materials is a core publication of The American Society of International Law that reproduces texts of documents reflecting the broad scope and evolution of international law. The range of covered subjects has expanded from traditional topics such as international organizations, jurisdiction, and international trade to include developments in fields such as intellectual property, environmental law, nuclear non-proliferation, human rights, and international criminal law.

International Legal Materials serves as both a bi-monthly information service and a widely recognized archive of international law documents for a diverse, global community of legal scholars, government officials, private practitioners and institutions sharing a common interest in international law. To meet the varied demands of such a readership, documents are selected from world-wide sources on the basis of their present and future legal significance.

International Legal Materials is prepared for publication in Washington, D.C., with both the advice of the Editorial Advisory Committee and the assistance of Corresponding Editors around the world. In order to reproduce the texts of selected documents under tight production schedules, the best available source is used, whether electronic or printed.

Readers are invited to send comments to:

Djurdja Lazić
Managing Editor, *International Legal Materials*
The American Society of International Law
2223 Massachusetts Avenue, NW
Washington DC 20008-2864

Subscription Information

International Legal Materials (ISSN 0020-7829) is published bi-monthly (in January, March, May, July, September and November) by The American Society of International Law, 2223 Massachusetts Avenue, NW, Washington, DC 20008-2864.

Starting in January 2011, ASIL members will receive an electronic subscription to ILM as part of membership benefits. Members may add on the print version of ILM for an extra \$150, plus \$30 for shipping beyond the U.S. Membership rates range from \$55 to \$210, depending on member type. Freestanding (non-member) subscription price: \$280 per year (\$260 for electronic delivery only) plus \$40 for shipping the print version beyond the U.S. Subscriptions are on an anniversary basis of twelve months starting from start of subscription.

Back Issues and Indices

ILM Volumes 1-49 (1962-2010) are available from William S. Hein & Co., 1285 Main Street, Buffalo, NY 14209-1987, toll-free (800) 828-7571, <http://www.wshein.com>. Hein's prices for back issues vary according to the ILM volume.

Both an annual table of contents and an annual index are carried in the November issue of each volume. Decennial Indices for *International Legal Materials* are available from Hein for the following periods: 1962-1969, 1970-1979, and 1980-1989.

ILM is also indexed by ABC POL SCI, IBZ-International Bibliography of Periodical Literature, Marine Affairs Bibliography, and Public Affairs Information Service.

Online Access and Microfiche

International Legal Materials is available online through: LEXIS/NEXIS — <http://www.lexis-nexis.com>
Westlaw — <http://www.westlaw.com>

Complete and odd volumes of *International Legal Materials* are available on microfiche from William S. Hein & Company, 1285 Main Street, Buffalo, NY 14209-1987, toll-free (800) 828-7571, <http://www.wshein.com>

ILM Tables of Contents — Online

Recent ILM Tables of Contents are stored at The American Society of International Law website, <http://www.asil.org>. The Society's search engine can also be used to find the ILM citation of recently reproduced documents.

Advertising

Inquiries about advertising rates and specifications should be directed to the Marketing Manager at the above address, phone or fax (but not e-mail address).

Change of Address, Claims and Correspondence

Please inform the ASIL Service Center of a change of address in writing at least 60 days prior to moving in order to assure uninterrupted receipt of ILM. Your post office will not automatically forward your subscription. Claims for undelivered issues must be made in writing within three months of the publication date, which is available online at <http://www.asil.org/claims.htm>.

All correspondence regarding subscriptions and claims should be addressed to:

ASIL Service Center
Telephone: (202) 939-6001
Fax: (202) 319-0296
E-mail: services@asil.org
<http://www.asil.org>

Authorization to Photocopy

For **permission to reuse** materials from *International Legal Materials*, please access www.copyright.com, or contact the Copyright Clearance Center, Inc. (CCC), 222 Rosewood Drive, Danvers, MA 01923, USA, (978) 646-2600. CCC is a not-for-profit organization that provides licenses and registration for a variety of users.

Statement of Ownership, Management, and Circulation (Act of August 12, 1970; 39 U.S.C. §3685)

Filed October 2011, *International Legal Materials* (issued six times a year, January, March, May, July, September, November, and December), Cadmus Professional Communications, 3575 Hempland Road, Lancaster, PA 17601. Published by the American Society of International Law, 2223 Massachusetts Avenue, NW, Washington D.C. 20008-2864. Managing Editor: Djurdja Lazic, American Society of International Law, 2223 Massachusetts Avenue, NW, Washington D.C. 20008-2864. Owner, The American Society of International Law. *Average* number of domestic and international copies per issue, last 12 months: total printed, 1813; mail subscriptions, 1189; total paid circulation, 1689; free distribution, 41; total distribution, 1730. For *single* issue nearest to filing date: total printed, 1269; mail subscriptions, 929; total paid circulation, 1179; free distribution, 40; total distribution, 1119.

Copyright © 2011 by The American Society of International Law.

Printed by Cadmus Professional Communications, Lancaster, PA 17601

Periodicals postage paid at Washington, DC and additional mailing offices. POSTMASTER: Send address changes and returns to ILM, 2223 Massachusetts Avenue, NW, Washington, DC 20008-2864. Return postage guaranteed.

© The American Society of International Law 2011

Guidelines for Submission of Documents

The ILM Office welcomes any effort to bring suitable documents to the Office's attention. Electronic files or web links are required for publication, although printed texts can be used for initial deliberations regarding republication.

The authenticity (i.e., official version status) of submitted documents must be easily verifiable. This is facilitated by submitting files or print versions which are clearly attributable to the original source, or by providing links to documents on the original source's official website.

If the official version of a document is not available in English, an unofficial translation is acceptable. The original text must accompany such a translation.

Introductory Notes

Introductory Notes are brief articles from one to three pages in length which are intended to provide background information for a document reproduced in ILM.

For example, an Introductory Note for a treaty might include a short history of the negotiations, the dates of signature, and entry into force. An Introductory Note for legislation would give its history and international significance, while one for judicial proceedings would provide the background of the case.

The views of authors in Introductory Notes are their own and do not necessarily reflect those of either the American Society of International Law or the Managing Editor.

Acceptance of Materials and Corrections

Print submissions cannot be returned. Translators and others submitting material will be notified of the acceptance of their document for publication.

Once a translation or Introductory Note has been accepted for reproduction, the American Society of International Law will send a publication agreement to the author.

Translators and Introductory Note Authors shall be acknowledged in *International Legal Materials*.

In some cases minor editorial or typographical alterations may be made without contacting the author or translator. Major corrections will be sent to the author or translator for approval. Corrected Introductory Notes or translations must be returned within the time specified.

Contributions and Correspondence

Please address all correspondence to:

Djordja Lazić
Managing Editor, *International Legal Materials*
2223 Massachusetts Avenue, NW
Washington, DC 20008-2864

Telephone: (202) 939-6000

Fax: (202) 797-7133

E-mail: dlazic@asil.org

International Law In Brief

The Attorney-Editor of *International Legal Materials* also publishes the e-mail newsletter *International Law In Brief*, which contains objective abstracts of recently released documents pertinent to international law.

Documents abstracted in *International Law In Brief* are later considered for reproduction in *International Legal Materials*.

A complete *International Law In Brief* archive is located at The American Society of International Law website (<http://www.asil.org>). A search engine provides an easy way to find abstracts of specific documents.

The *International Law In Brief* publication is free, but has an independent subscription.

To subscribe, visit us at:

<http://www.asil.org/subscribeelectronic.cfm>

Leave the subject blank, and in the message space write:
For further information, please contact:

Djordja Lazić at dlazic@asil.org

Managing Editor

Djurđja Lazić

Editorial Advisory Committee

Elizabeth Andersen, *Chair*
Christiane Bourloyannis-Vrailas
Christina M. Cerna
Chiara Giorgetti
Anne Joyce

K. Russell LaMotte
Keith Loken
Nancy L. Perkins
Rafael Porrata-Doria
David Stewart

Charles Owen Verrill
Bruce Zagaris
Nassib G. Ziadé

Members Emeriti
John Lawrence Hargrove

ILM Corresponding Editors

Philip C. Aka (Int'l Human Rights Law)
Judge Leslie Alden (Int'l Ass'n Women Judges)
Evelina Teubal Alhadeff (Mercosur, Argentina)
Don Anton (Int'l Env., LOS)
Bjorn Arp (Pub. Int'l)
David J. Attard (Malta)
Valentina Azarov (Int'l Humanitarian Law)
Paolo Bargiacchi (Int'l Hegemonic Law)
Welber Barral (Brazil, Int'l Trade)
Elizabeth Stubbins Bates (Human Rights)
Philip A. Baumgarten (Envtl. Law, Taxation)
Delroy Beckford (Trade Remedies)
Jean-François Bellis (European Communities)
Dhrubajyoti Bhattacharya (Health Law)
Christiane Bourloyannis (Human Rights, UN)
Charles H. Brower, II (Pub. Int'l, Arbitration)
Gian Luca Burci (Int'l Health)
William E. Butler (CIS)
David JA Cairns (Investment Arbitration)
N. Jansen Calamita (Pub. Int'l and Investment Law)
Alejandra Torres Camprubí (Int'l Environmental Law)
James H. Carter (U.S. Second Circuit)
John P. Cerone (Human Rights)
Elizabeth Chien Hale (IP)
Sudhir Chopra (India)
Carl Q. Christol (Communications, Outer Space)
Nivoi Christopoulou (European Union)
Kathleen Claussen (Public Int'l Law, Arbitration, Int'l Crim. Law)
John P. Cogan, Jr. (U.S. Fifth Circuit)
Alice De Jonge (Multinational Corp. Resp.)
Melaku Geboye Desta (AU, Agriculture, WTO)
Christian De Vos (Human Rights)
Janelle Diller (Int'l Labor Law)
John R. Dugard (Southern Africa)
Mete Erdem (Int'l Env., Turkey)
Stephanie Farrior (Int'l Hum. Rights)
Richard I. Fine (U.S. Ninth Circuit)
Ruth Frolich (ICTY)
Kimberly Gahan (Nat'l Security)
Hannah R. Garry (Int'l Human Rights)
Giacomo Gattinara (Int'l Econ. Law)
Maria Gavouneli (Greece, Cyprus, LOS)
Dencho G. Georgiev (Bulgaria)
Kevin R. Gray (Int'l Trade and Environment)
Dermot Groome (Int'l Humanitarian)
Ryan Harrington (U.S. Law)
Eckhard Hellbeck (Int'l Dis. Res.)
Jean-Marie Henckaerts (Int'l Humanitarian Law)
Cecil Hunt (Anti-Bribery Laws and Regulations)
Chris Jenks (Int'l Human Rights, Int'l Humanitarian Law)
Larry D. Johnson (Int'l Atomic Energy Agency)
Scott T. Johnson (Int'l Criminal Law, Extradition)
Sami Kallel (Maghreb)
Jorge H. Kamine (Int'l Banking, Mergers & Acquisitions)
Mark Kantor (Int'l Bus., Int'l Arbitration)
Susan L. Karamanian (Investment Arbitration)
Nicholas Karambelas (Commercial Treaties, LOS)
Kenneth Klein (Int'l Taxation)
Christina Knahr (Int'l Investment Arbitration)
Jeffrey D. Kovar (Pub. and Private Int'l Law)
Yaraslau Kryvoi (Int'l Investment Arbitration)
Artur Kowalski (Poland, Pub. Int'l)
Yaraslau Kryvoi (Int'l Economic Law, Russia/CIS)
Karin Landgren (Children)
Vicheka Lay (Pub. & Priv. Int'l Law)
Arnold H. Leibowitz (Immigration)
Frankie F.L. Leung (Hong Kong)
John Linarelli (Int'l Public Procurement)
Ben Love (Int'l Investment Arbitration)
Jim Lynch (Int'l Tax)
Miguel Gonzalez Marcos (Treaty Implementation)
Pedro J. Martinez-Fraga (Int'l Litigation)
Chad G. Marzen (Int'l Law in U.S. Courts)
Viren Mascarenhas (Int'l Dispute Res.)
Andrew Mitchell (WTO)
Charbel A. Moarbes (Int'l Arbitration)
Saira Mohamed (Int'l Human Rights)
Lelia Mooney (Rule of Law Reform)
Jason Morgan-Foster (ICJ, ILC)
Daryl A. Mundis (ICC, ICTR, ICTY)
Boldizsár Nagy (Hungary)
Andrew Newcombe (Int'l Investment Arbitration)
Michael O'Boyle (European Court of Human Rights)
Kolawole Olaniyan (Africa)
Maria Angela Jardim de Santa Cruz Oliveira (WTO)
Fabrizio Pagani (OECD)
Erin Louise Palmer (Human Rights)
Jason Palmer (Pub. Int'l)
John R. Pate (Andean Community of Nations)
Bimal N. Patel (Pub. Int'l)
T. Michael Peay (Pub. Int'l)
Eric Pelofsky (Int'l Orgs.)
Hernan Perez-Loose (Int'l Investment)
Ryan Phair (Pub. Int'l)
Shawn Pompian (Int'l Trade)
Charles H. Poncet (Switzerland)
Amelia B. Porges (WTO)
Norman Printer (Int'l Humanitarian)
Vikram Raghavan (World Bank)
Heiko Recktenwald (German, WIPO)
Gustavo Ferreira Ribeiro (Brazil, Int'l Economic Law)
August Reinisch (European Law)
Kenneth M. Rosen (Reg. Int'l Bus.)
Nicholas Rostow (Pub. Int'l Law)
Timothy Rudy (OAS)
Christopher Ryan (Int'l Arbitration, Investment Law)
Ewa Sakiewicz-Munnerlyn (Poland)
Gerald S. Schatz (Bio-Medical Ethics/Health)
Richard F. Scott (International Energy Agency)
Jeremy Sharpe (Int'l Dis. Res.)
William Slomanson (Pub. Int'l)
Henri Smets (Int'l Env. Law, OECD)
Stefaan Smis (Belgium)
Brigitte Stern (France)
Sompong Sucharitkul (Southeast Asia and the Pacific)
Jennifer Thornton (Int'l Investment Arbitration)
Jiri Toman (Law of War)
Patricia Cassar Torregiani (LOS, Maritime Security)
Antônio Augusto Cançado Trindade (Brazil, IACHR)
Alexander Umole (Nigeria, IBT)
Kim Van der Borgh (Belgium)
Jorge A. Vargas (Mexico)
Manuel E. Ventura-Robles (IACHR)
Anatoly Vlasov (Int'l Crim. Law, Universal Jurisdiction)
Rebecca M.M. Wallace (United Kingdom)
John Wilson (Private Int'l Law)
Rick Wilson (Human Rights)
Anthony Winer (Caspian Sea, Corruption)
Yozo Yokota (Japan)
Simon Young (Money Laundering)
Alberto Zuppi (Int'l Crim.)

INTERNATIONAL LEGAL MATERIALS

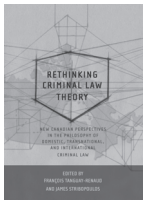
Volume 50 — No. 6 — 2011

— Contents —

European Court of Human Rights: <i>Al-Jedda v. United Kingdom & Al-Skeini and Others v. United Kingdom</i> Introductory Note by Alka Pradhan	947
International Criminal Tribunal for Rwanda: <i>Prosecutor v. Uwinkindi</i> , Decision on Prosecutor's Request for Referral to the Republic of Rwanda Introductory Note by Ruth Frolich.....	1051
Special Tribunal for Lebanon: Decision on the Disclosure of Materials from the Criminal File of Mr. El Sayed Introductory Note by Alison Plenge	1098
Treaty Between the Kingdom of Norway and the Russian Federation Concerning Maritime Delimitation and Cooperation in the Barents Sea and the Arctic Ocean & Agreement on Cooperation on Aeronautical and Maritime Search and Rescue in the Arctic Introductory Note by Björn Arp.....	1110
International Court of Justice: Order on the Request for the Indication of Provisional Measures: Request for Interpretation of the Judgment of 15 June 1962 in the Case Concerning the Temple of Preah Vihear (<i>Cambodia v. Thai.</i>) Introductory Note by Chiara Giorgetti.....	1131
Statute of the OIC Independent Permanent Human Rights Commission Introductory Note by Ioana Cismas	1148
U.S. Court of Appeals for the Seventh Circuit: <i>Flomo et al. v. Firestone Natural Rubber Co., LLC</i> Introductory Note by Erin Louise Palmer	1161
BRIEFLY NOTED	1172
RESOLUTIONS	1177
INDEX	1179
TABLE OF CASES	1185

VOLUME 50 — NUMBER 6

International Law from Hart Publishing



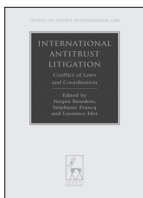
Rethinking Criminal Law Theory
New Canadian Perspectives in the
Philosophy of Domestic, Transnational,
and International Criminal Law
*Edited by François Tanguay-Renaud
and James Stribopoulos*

"Broad and deep in its coverage, the collection offers fresh approaches to a wide range of cutting-edge issues" Stuart Green, Rutgers University

This collection seeks to evidence the fact that criminal law theory is no longer to be associated exclusively with the older British, German, and American traditions. The topics covered include questions of philosophical methodology, the legitimate scope of domestic and international criminalization, rationales for criminal law defenses in both domestic and international law, the philosophical underpinnings of specific crimes and forms of joint responsibility, as well as the theorization of criminal procedure and evidence law.

François Tanguay-Renaud is Assistant Professor of Law and **James Stribopoulos** is an Associate Professor of Law, both at Osgoode Hall Law School, York University, Toronto.

Jan 2012 334pp Hbk 9781849460101 US\$100

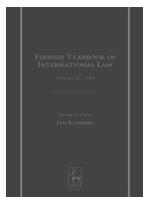


International Antitrust Litigation
Conflict of Laws and Coordination
*Edited by Jürgen Basedow,
Stéphanie Francq and Laurence Idot*

The decentralisation of competition law enforcement and the stimulation of private damages actions in the European Union go hand in hand with the increasingly international character of antitrust proceedings. As a consequence, there is an ever-growing need for clear and workable rules to co-ordinate cross-border actions, whether they are of a judicial or administrative nature. This book offers in-depth analysis of these long neglected yet practically most important topics. Each contribution critically analyses the existing legislative framework and formulates specific proposals that would consolidate and enhance cross-border antitrust litigation in Europe and beyond.

Jürgen Basedow is Director of the Max Planck Institute for Comparative and International Private Law, Hamburg. **Stéphanie Francq** is Professor at the University of Louvain and is the Chair for European Law. **Laurence Idot** is Professor at the University Paris II Panthéon-Assas and member of the French competition authority.

Feb 2012 468pp Hbk 9781849460392 US\$190



Finnish Yearbook of International Law
Volume 20, 2009
Editor-in-Chief Jan Klabbers

The Finnish Yearbook of International Law aspires to honour and strengthen the Finnish tradition in international legal scholarship. Open to contributions from all over the world and from all persuasions, the *Finnish Yearbook* stands out as a forum for theoretically informed, high-quality publications on all aspects of public international law, including the international relations law of the European Union. *The Finnish Yearbook* publishes in-depth articles and shorter notes, commentaries on current developments, book reviews and relevant overviews of Finland's state practice.

Sept 2011 476pp Hbk 9781849460712 US\$270

Published by Hart Publishing, Oxford, UK - US Distributors: ISBS, 920 NE 58th Ave, Suite 300, Portland, OR, 97213-3786, USA
Tel +1 503 287 3093 Fax +1 503 280 8832 E-mail orders@isbs.com Order Online www.hartpublishingusa.com
Website for customers outside US www.hartpub.co.uk

Hart Publishing Ltd. is registered in England No. 3307205

Essays on International Criminal Justice
Hector Olásolo

Crimes of atrocity have profound and long-lasting effects on any society. The idea of strengthening preventative action against them has taken on greater relevance, and is now encompassed in the emerging notion of 'responsibility to prevent'. International courts and tribunals contribute to this effort by ending impunity for past crimes. Focusing investigations and prosecution on the highest leadership maximizes the impact of this contribution. This new book of essays examines these issues and places particular emphasis in the additional preventative mandate of the ICC, the ICC complementarity regime, the new role granted to victims, and the prosecution of the highest leadership through the notion of indirect perpetration.

Hector Olásolo is Professor of International Criminal Law and International Criminal Procedure at the University of Utrecht.

Jan 2012 240pp Hbk 9781841130521 US\$100

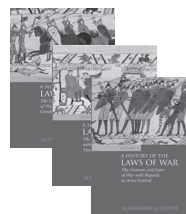


Select Proceedings of the European Society of International Law
*Edited by James Crawford
and Sarah Nouwen*

This book continues the series *Select Proceedings of the European Society of International Law*, containing the proceedings of the Fourth Biennial Conference organised by ESIL and the University of Cambridge in 2010. The title of the conference was "International Law 1989-2010: A Performance Appraisal". The highlights, selected for publication in this volume, cover a wide spectrum of topics in international law.

James Crawford is the Whewell Professor of International Law at the University of Cambridge and a Fellow of Jesus College. **Sarah Nouwen** is Mayer Brown Research Fellow in International Law at the University of Cambridge and a Fellow of Pembroke College.

Jan 2012 379pp Pbk 9781849462020 US\$130



A History of the Laws of War
3 VOLUME BOXED SET
Alexander Gillespie

This unique new work of reference traces the origins of the modern laws of warfare from the earliest times to the present day. Relying on written records from as far back as 2400 BC, and using sources ranging from the Bible to Security Council Resolutions, the author pieces together the history of a subject which is almost as old as civilisation itself. The work is divided into three substantial parts: volume 1 on the laws affecting combatants and captives; volume 2 on civilians; and volume 3 on the law of arms control. As a work of reference this set of three books is unrivalled, and will be of immense benefit to scholars and practitioners researching and advising on the laws of warfare. Each volume can be bought separately as well as part of this 3 volume boxed set.

Alexander Gillespie is Pro Vice-Chancellor for Research and Professor of Law at the University of Waikato, New Zealand.

Oct 2011 782pp Hbk 9781849462037 US\$250



HART
PUBLISHING