

New & Forthcoming from Edward Elgar Publishing



The WTO and Trade in Services

Edited by
Bernard Hoekman

Two volume set
2012 1,320 pp Hardback
978 1 84376 260 7 \$715.00
Critical Perspectives on
the Global Trading System
and the WTO series, #20



The WTO, Subsidies and Countervailing Measures

Edited by Marc Bacchetta and Michele Ruta

2011 960 pp Hardback 978 1 84844 450 8 \$525.00
Critical Perspectives on the Global Trading System and
the WTO series, #19

Economics of International Trade Law

Edited by Alan O. Sykes

Two volume set March 2013 c 1,356 pp
Hardback 978 1 84542 650 7 c \$645.00
Economic Approaches to Law series

Intellectual Property Rights in a Fair World Trade System

Proposals for Reform of TRIPS

Edited by Annette Kur

2011 640 pp Hardback 978 1 84980 009 9 \$160.00

Tax Free Trade Zones of the World and in the United States

Susan Tiefenbrun

2012 848 pp Hardback
978 1 84980 243 7 \$330.00

International Trade and Investment Law

Multilateral, Regional and Bilateral
Governance

Rafael Leal-Arcas

2010 360 pp Hardback 978 1 84980 319 9 \$140.00
2011 Paperback 978 0 85793 627 1 \$50.00

Understanding Trade Law

Michael J. Trebilcock

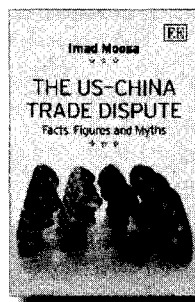
2011 224 pp Hardback 978 0 85793 145 0 \$125.00
2011 Paperback 978 0 85793 149 8 \$29.95

The US-China Trade Dispute

Facts, Figures and
Myths

Imad Moosa

July 2012
320 pp Hardback
978 1 78100 154 7 \$145.00



Trade and Competition Law in the EU and Beyond

Edited by Inge Govaere, Reinhard Quick
and Marco Bronckers

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

The Standard of Review in WTO Dispute Settlement

Critique and Development

Ross Becroft

Aug 2012 288 pp Hardback 978 1 78100 223 0 \$125.00

Research Handbook on the Protection of Intellectual Property under WTO Rules

Intellectual Property in the WTO, Volume I

Edited by Carlos M. Correa

2010 768 pp Hardback 978 1 84720 904 7 \$320.00
2012 Paperback 978 1 84980 952 8 \$65.00
Research Handbooks on the WTO series
ELGAR ORIGINAL REFERENCE

Research Handbook on the Interpretation and Enforcement of Intellectual Property under WTO Rules

Intellectual Property in the WTO, Volume II

Edited by Carlos M. Correa

2010 320 pp Hardback 978 1 84980 107 2 \$198.00
2012 Paperback 978 1 84980 953 5 \$50.00
Research Handbooks on the WTO series
ELGAR ORIGINAL REFERENCE

Research Handbook on the WTO Agriculture Agreement

New and
Emerging Issues
in International
Agricultural Trade
Law

Edited by
Joseph A. McMahon and
Melaku Geboye Desta

2012 336 pp Hardback 978 1 84844 116 3 \$195.00
Research Handbooks on the WTO series
ELGAR ORIGINAL REFERENCE



For your free
catalogue email
elginfo@e-elgar.com

MORE INFORMATION

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

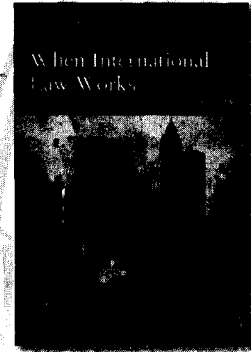
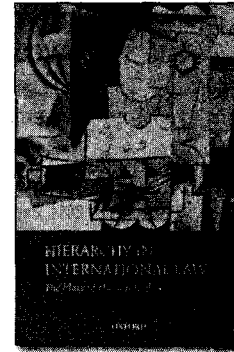
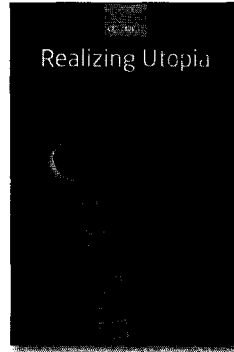
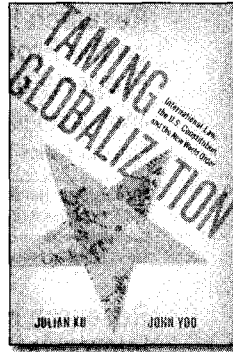
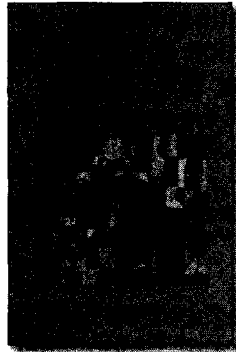
ORDERS

Edward Elgar Publishing Inc.
PO Box 960
Herndon, VA 20172-0960 US
Tel: (800) 390-3149
Fax: (703) 996-1010
elgar.orders@presswarehouse.com
www.e-elgar.com



Oxford University Press

AUTHORITATIVE RESOURCES FOR LEGAL RESEARCH



General International Law

TAMING GLOBALIZATION

International Law, the U.S. Constitution, and the New World Order

Julian Ku and John Yoo

2012 280 pages
9780199837427 Hardback \$35.00

WHEN INTERNATIONAL LAW WORKS

Realistic Idealism After 9/11 and the Global Recession

Tai-Heng Cheng

2012 364 pages
9780195370171 Hardback \$65.00

REALIZING UTOPIA

The Future of International Law

Edited by The Late Antonio Cassese

2012 728 pages
9780199647088 Paperback \$70.00
9780199691661 Hardback \$190.00

INTERNATIONAL LAW AS SOCIAL CONSTRUCT

The Struggle for Global Justice

Carlo Focarelli

2012 500 pages
9780199584833 Hardback \$140.00

HIERARCHY IN INTERNATIONAL LAW

The Place of Human Rights

Edited by Erika De Wet and Jure Vidmar

2012 390 pages
9780199647071 Hardback \$140.00

THE MAX PLANCK ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW

Rüdiger Wolfrum

2012 11,724 pages
9780199291687 10 Volume Set \$3,500.00

COUNTER-TERRORISM

International Law and Practice

Edited by Ana Maria Salinas De Frias, Katja Samuel, and Nigel White

2012 1,120 pages
9780199608928 Hardback \$290.00

DOES THE CONSTITUTION FOLLOW THE FLAG?

The Evolution of Territoriality in American Law

Kal Raustiala

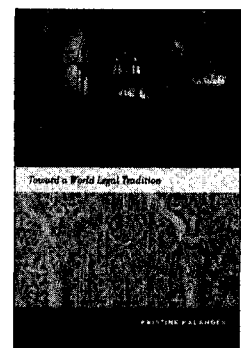
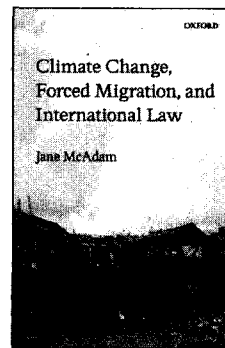
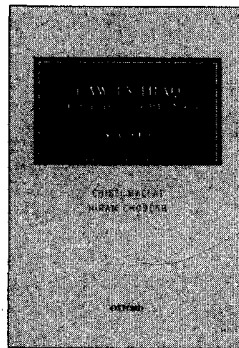
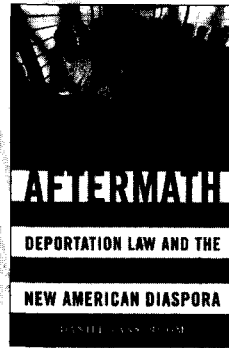
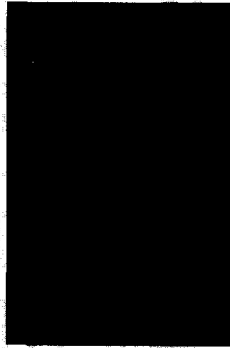
2011 328 pages
9780199858170 Paperback \$21.95

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

OXFORD
UNIVERSITY PRESS

Oxford University Press

AUTHORITATIVE RESOURCES FOR LEGAL RESEARCH



General International Law

INTERNATIONAL CO-OPERATION IN CIVIL AND CRIMINAL MATTERS

Third Edition
David McClean

2012 400 pages
9780199602063 Hardback \$190.00

EU ADMINISTRATIVE LAW

Second Edition
Paul Craig

2012 840 pages
9780199568635 Paperback \$80.00
9780199568628 Hardback \$220.00

RELIGIOUS LIBERTY IN WESTERN AND ISLAMIC LAW

Toward a World Legal Tradition
Kristine Kalanges

2012 208 pages
9780199859467 Hardback \$85.00

LAW IN IRAQ: A DOCUMENT COMPANION

Edited by Chibli Mallat and Hiram Chodosh

2012 1,072 pages
9780199929122 Two Volume Set \$190.00

CLIMATE CHANGE, FORCED MIGRATION, AND INTERNATIONAL LAW

Jane McAdam

2012 322 pages
9780199587087 Hardback \$140.00

FREEDOM OF ESTABLISHMENT AND PRIVATE INTERNATIONAL LAW FOR CORPORATIONS

Paschalis Paschalidis

2012 288 pages
9780199698042 Hardback \$190.00

THE OXFORD HANDBOOK OF COMPARATIVE CONSTITUTIONAL LAW

2012 1,100 pages
9780199578610 Hardback \$250.00

AFTERMATH

Deportation Law and the New American Diaspora
Daniel Kanstroom

2012 264 pages
9780199742721 Hardback \$29.95

A NEOFEDERALIST VISION OF TRIPS

The Resilience of the International Intellectual Property Regime
Graeme B. Dinwoodie and Rochelle C. Dreyfuss

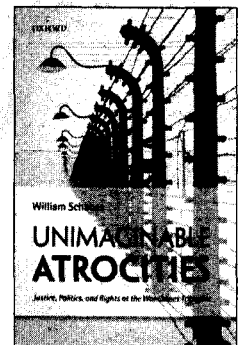
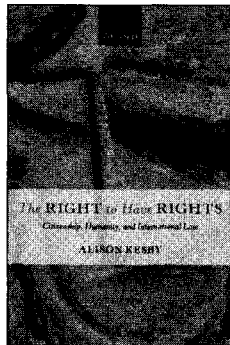
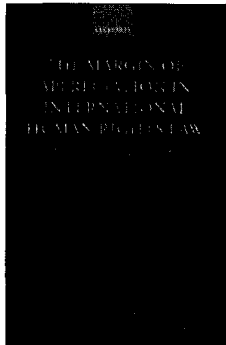
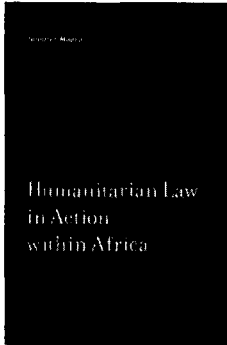
2012 288 pages
9780195304619 Hardback \$85.00

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

OXFORD
UNIVERSITY PRESS

Oxford University Press

AUTHORITATIVE RESOURCES FOR LEGAL RESEARCH



Human Rights Law

THE RIGHT TO HAVE RIGHTS

Citizenship, Humanity, and International Law

Alison Kesby

2012 230 pages
9780199600823 Hardback \$120.00

THE MARGIN OF APPRECIATION IN INTERNATIONAL HUMAN RIGHTS LAW

Deference and Proportionality

Andrew Legg

2012 276 pages
9780199650453 Hardback \$140.00

INTERNATIONAL HUMAN RIGHTS LAW IN AFRICA

Second Edition

Frans Viljoen

2012 478 pages
9780199645596 Paperback \$80.00
9780199645589 Hardback \$190.00

HUMANITARIAN LAW IN ACTION WITHIN AFRICA

Jennifer Moore

2012 384 pages
9780199856961 Hardback \$85.00

CASES, MATERIALS, AND COMMENTARY ON THE EUROPEAN CONVENTION ON HUMAN RIGHTS

Third Edition

Alastair Mowbray

2012 900 pages
9780199577361 Paperback \$65.00

THE SLAVE TRADE AND THE ORIGINS OF INTERNATIONAL HUMAN RIGHTS LAW

Jenny S. Martinez

2011 264 pages
9780195391626 Hardback \$29.95

International Criminal Law

REIMAGINING CHILD SOLDIERS IN INTERNATIONAL LAW AND POLICY

Mark A. Drumbl

2012 276 pages
9780199592661 Paperback \$35.00
9780199592654 Hardback \$110.00

UNIMAGINABLE ATROCITIES

Justice, Politics, and Rights at the War Crimes Tribunals

William Schabas

2012 240 pages
9780199653072 Hardback \$70.00

THE PROSECUTOR IN TRANSNATIONAL PERSPECTIVE

Edited by Erik Luna and Marianne Wade

2012 480 pages
9780199844807 Hardback \$135.00

INTERNATIONAL PROSECUTORS

Edited by Luc Reydam, Jan Wouters, and Cedric Ryngaert

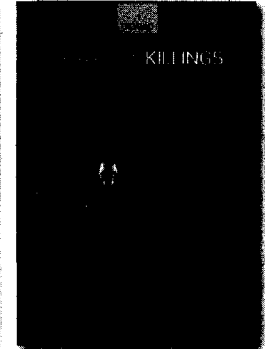
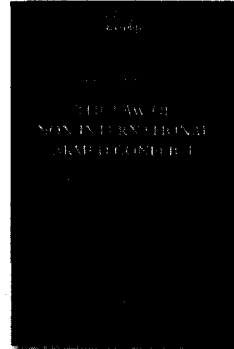
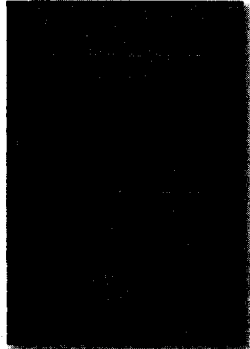
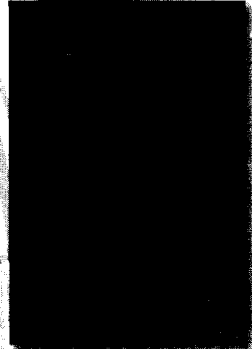
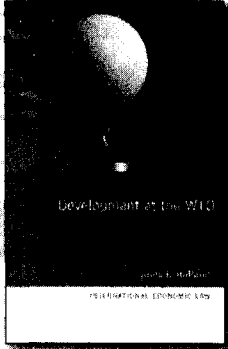
2012 780 pages
9780199554294 Hardback \$190.00

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

OXFORD
UNIVERSITY PRESS

Oxford University Press

AUTHORITATIVE RESOURCES FOR LEGAL RESEARCH



International Criminal Law

INTERNATIONAL CRIMINAL PROCEDURE

Christoph Safferling

2012 450 pages
9780199562886 Hardback \$160.00

TREATY INTERPRETATION IN INVESTMENT ARBITRATION

J Romesh Weeramantry

2012 312 pages
9780199641475 Hardback \$250.00

International Economic Law & Arbitration

INTERNATIONAL COMMERCIAL ARBITRATION IN NEW YORK

Edited by James H. Carter and John Fellas

2012 726 pages
9780199938612 Paperback \$75.00

Use of Force and the Law of Armed Conflict

TARGETED KILLINGS

Law and Morality in an Asymmetrical World

Edited by Claire Finkelstein, Jens David Ohlin, and Andrew Altman

2012 440 pages
9780199646487 Paperback \$70.00
9780199646470 Hardback \$190.00

DEVELOPMENT AT THE WTO

Sonia E. Rolland

2012 400 pages
9780199600885 Hardback \$140.00

THE LAW OF NON-INTERNATIONAL ARMED CONFLICT

Sandesh Sivakumaran

2012 370 pages
9780199239795 Hardback \$140.00

CONSENT IN INTERNATIONAL ARBITRATION

Andrea M. Steingruber

2012 344 pages
9780199698158 Hardback \$250.00

ON THE FRONTLINES

Gender, War, and the Post-Conflict Process

Fionnuala Ní Aoláin, Dina Francesca Haynes, and Naomi Cahn

2011 376 pages
9780195396652 Paperback \$29.95
9780195396645 Hardback \$99.00

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

OXFORD
UNIVERSITY PRESS

Recueil des cours de l'Académie de la Haye en ligne / The Hague Academy Collected Courses Online



• E-ISSN 1875-8096

Purchase options

- Annual subscription
- Outright purchase price with installment fee

Leading institutions no longer rely simply on printed material, but provide a range of new media solutions which vastly expand research opportunities. One such initiative is The Hague Academy and Brill's digitalized version of the *Recueil des Cours/Collected Courses* which launches an established encyclopedic collection into the modern age. Ease and efficiency are the hallmarks of this digital version: hundreds of volumes are accessible at the click of a button, allowing the remote reader to make precision searches through more than 150,000 pages. The print edition of *Recueil des Cours/Collected Courses* remains a stalwart fixture in law libraries, providing library visitors with the opportunity to browse through volumes, extracting nuggets of specialist information, while occasionally diverting along intriguing byways. By subscribing to both the print and online versions, libraries serve all their readers, and acknowledge the need for diverse and flexible solutions.

International Maritime Boundaries Online

Edited by Coalter G. Lathrop, *Sovereign Geographic*

Co-publication with: The American Society of International Law



• E-ISBN 978 90 04 22101 7

Purchase options

- Annual subscription
- Outright purchase price

International Maritime Boundaries Online - the ultimate guide to international maritime boundaries is now available online. Updated content from the complete six-volume series is organized by region, complete with maps and keyword search functionality. Annual online updates keep the collection current. *International Maritime Boundaries* is an unmatched comprehensive reference for international state practice concerning maritime boundary delimitation, and is used and referenced widely by practitioners and scholars of international law.

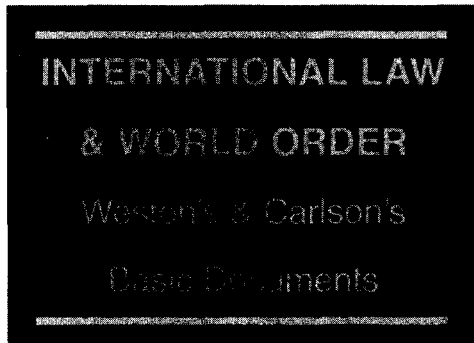
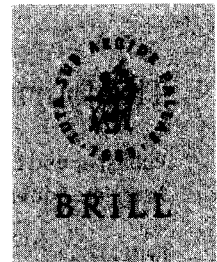
Brill | Martinus Nijhoff Publishers

Please send an email to sales@brillonline.com for a 30-day free institutional trial, consortia deals and other pricing options. For more information please visit brill.nl or follow us on www.facebook.com/Law or Twitter: @Brill_Law.

International Law & World Order

Weston's and Carlson's Basic Documents

Burns H. Weston and Jonathan C. Carlson



• E-ISSN 2211-4394

Purchase options

- Annual subscription
- Outright purchase with installment fee

International Law & World Order *Weston's and Carlson's Basic Documents* brings together all significant documentary sources of international law, arranged according to the categories in which international law has developed. The instruments are drawn from the declarations, resolutions, statutes and conventions of organizations both global and regional, as well as from multilateral treaties. This *Online* documentary collection reproduces diverse treaty and non-treaty instruments prominent in the following realms of international and transnational relations: *Constitutive/Organic* (Title I), *War/Peace* (Title II), *Human Rights/Social Justice* (Title III), *Trade/Finance/Development* (Title IV), and *Earth/Space Environment* (Title V). Additionally, it provides up-to-date information on the legal status of these instruments, cites their official and unofficial sources, and references hundreds of other treaty and non-treaty instruments in the same realms. Continuously updated, the collection is rich in information on both the history and current state of international law and affairs.

Handbook of WTO/GATT Dispute Settlement Online



• E-ISSN 2211-4386

Purchase options

- Annual subscription
- Outright purchase with installment fee

Created by experts with international trade law practitioners in mind, the *Handbook of WTO/GATT Dispute Settlement Online* offers instant access to a vast legal research database that includes: Updated summaries of 300+ WTO/GATT panel, Appellate Body, or arbitrator reports; Nine comprehensive indexes cross-referencing the reports by key word, article, country, subject, panelist, member, and more; Easy citation lists to track adoption status of reports. *Handbook of WTO/GATT Dispute Settlement Online* is an essential resource for trade law practitioners that want to navigate and quickly master complex WTO/GATT reports spanning hundreds of pages in length.

Brill | Martinus Nijhoff Publishers

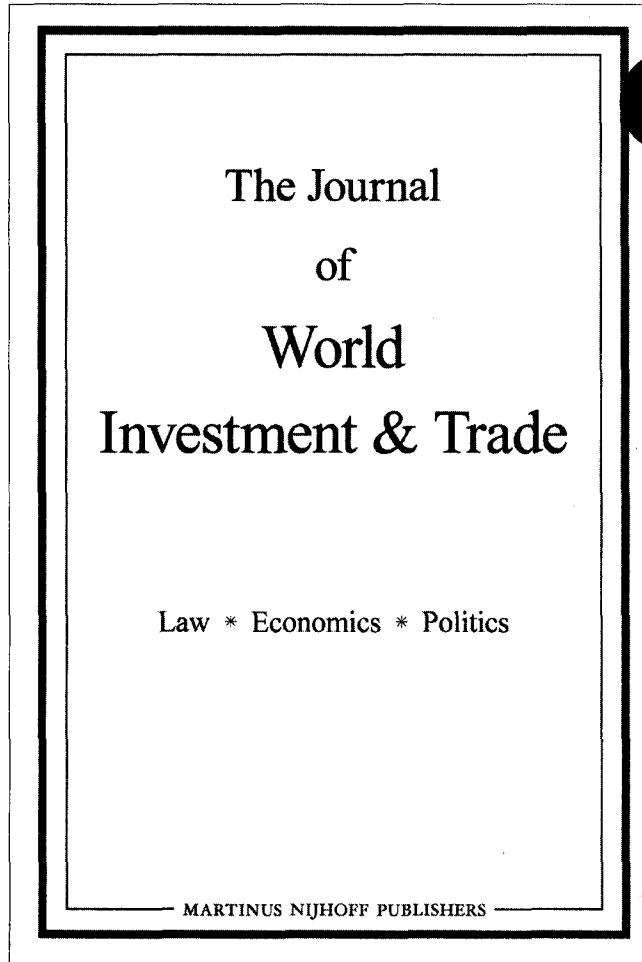
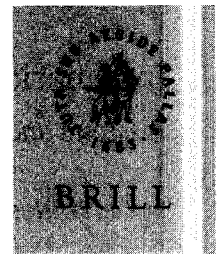
Please send an email to sales@brillonline.com for a 30-day free institutional trial, consortia deals and other pricing options. For more information please visit brill.nl or follow us on www.facebook.com/Law or Twitter: @Brill_Law.

The Journal of World Investment & Trade

Publisher and Editor: Jacques Werner

Associate Editors: Petros C. Mavroidis, Guiguo Wang and Thomas Wälde

brill.nl/jwit



- 2012: Volume (in 6 issues)
- ISSN 1660-7112 / E-ISSN 2211-9000
- Institutional subscription
Electronic only: EUR 762.- / US\$ 1,067.-
Print only: EUR 838.- / US\$ 1,174.-
Electronic + Print: EUR 914.- / US\$ 1,280.-
- Individual subscription rates
Print only: EUR 279.- / US\$ 391.-

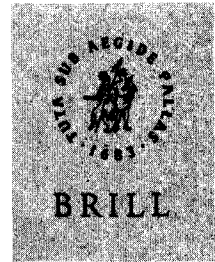
The Journal of World Investment & Trade (formerly *The Journal of World Investment*) is the recognized forum where the most current issues concerning foreign direct investment are debated: arbitration in investment disputes, bilateral and multilateral investment treaties, compensation in case of expropriation, analysis of investment flows and their effect, as well as the Wto trade issues which affect investment. Particular attention is paid to the conclusion of scores of investment treaties meant to regulate investment flows, both multilateral and bilateral - there are, at present, an estimated 1,800 bilateral investment treaties - and the many questions which the proliferation of these treaties provoke, such as their efficiency at increasing investment flows, their compatibility with State sovereignty, the working of their arbitral dispute settlement systems, the awards rendered by arbitral tribunals, and the like. It also covers the political aspects of these investment treaties within the wider context of inter-State relationships.

The Journal of World Investment & Trade is a refereed journal. It is listed in *The Index to Foreign Legal Periodicals*.

Brill | Martinus Nijhoff Publishers

For more information please visit brill.nl or follow us on www.facebook.com/Law or Twitter: @Brill_Law.

New Journals from Brill | Martinus Nijhoff



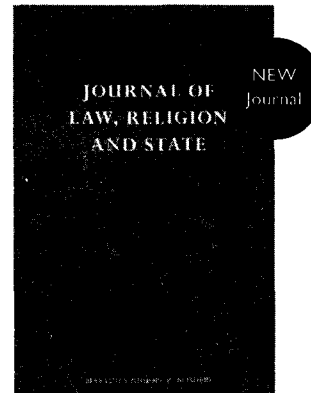
International Human Rights Law Review

Editors-in-Chief: Ilias Bantekas and Manisuli Ssenyonjo

brill.nl/hrlr

- 2012: Volume 1 (in 2 issues)
- ISSN 2213-1027 / E-ISSN 2213-1035

The *International Human Rights Law Review* is a bi-annual yearly peer-reviewed journal. It aims to stimulate research and thinking on contemporary human rights issues, problems, challenges and policies. It is particularly interested in soliciting papers, whether in the legal domain or other social sciences, that are unique in their approach and which seek to address poignant concerns of our times. One of the principal aims of the Journal is to provide an outlet to human rights scholars, practitioners and activists in the developing world who have something tangible to say about their experiences on the ground, or in order to discuss cases and practices that are generally inaccessible to European and North-American audiences. The Editorial Board and the publisher are keen to work hands-on with such contributors and to help find solutions where necessary to facilitate translation or language editing in respect of accepted articles. The journal is aimed at academics, students, government officials, human rights practitioners, and lawyers working in the area, as well as individuals and organisations interested in the areas of human rights law. The Journal publishes critical articles that consider human rights law, policy and practice in their various contexts, at global, regional, sub-regional and national levels, book reviews, and a section focused on an up-to-date appraisal of important jurisprudence and practice of the UN and regional human rights systems including those in the developing world.



Journal of Law, Religion and State

Editorial Board: Haim Shapira (chair),
Moshe Hellinger, Claire de Galambert and Zvi Zohar
Deputy Editor: Adi Libson

brill.nl/jlrs

- 2012: Volume 1 (in 3 issues)
- ISSN 2212-6465 / E-ISSN 2212-4810

The *Journal of Law Religion and State* is aimed to provide an international forum for the study of the interactions between law and religion and between religion and state. It seeks to explore these interactions from legal and constitutional as well as from internal religious perspectives. The JLRS is a peer-reviewed journal that is committed to a broad and open discussion on a cross-cultural basis. We welcome submission of articles in the following areas: religion and state; legal and political aspects of all religious traditions; comparative research of different religious legal systems and their interrelations. We encourage contributions from multidisciplinary and interdisciplinary perspectives.

Brill | Martinus Nijhoff Publishers

For more information please visit brill.nl or follow us on www.facebook.com/Law or Twitter: @Brill_Law.

Kluwer Law Online

 **Wolters Kluwer**
Law & Business

One of the most complete libraries on the web

LOOSELEAFS

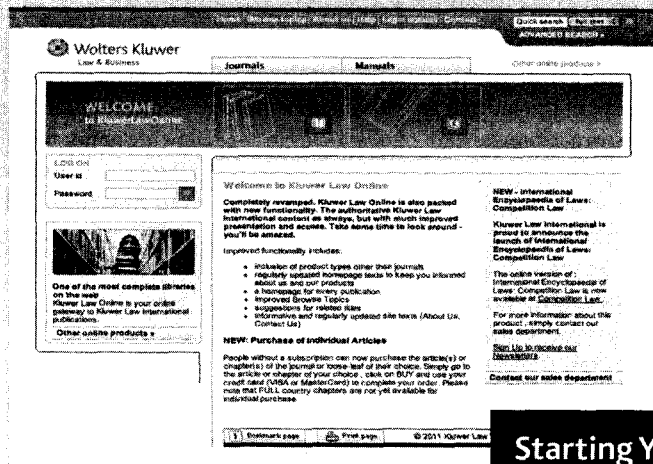
The up-to-date and authoritative content that you've come to expect from us, with easy navigation and much more information on all your favourite publications. Features include:

- Country-by-Country Overview
- Searchable PDFs, which is timesaving
- RSS feeds when updated
- Electronic Table of Contents (Etoc) alert

JOURNALS

Our online journals offer you the following features:

- Quick and easy navigation to the journal issues of your choice
- Electronic Table of Contents Alerts: Receive the Full Table of Contents via email
- RSS feeds; sign up to receive notification when a new journal is posted to the site



Starting Your Subscription Service is Easy.

Simply contact your Territory Manager at +31 (0) 172 641562 or at sales@kluwerlaw.com

Please visit www.kluwerlawonline.com for the Electronic Table of Contents of the journals.

For more information on our journals and looseleaves please visit: www.kluwerlawonline.com

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 Dr. Guido Westkamp, Christiane Bourloyannis-Vrailas, Cindy Galway Buys, Chiara Giorgetti, Tania Voon, Christopher J. Brummer, and David P. Riesenberg. 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:

Djurđja 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.

A subscription to *International Legal Materials* (ILM) includes six issues from time of payment. ASIL members 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. Please contact JSTOR Fulfillment Services for new and renewing agency and institutional subscription inquiries at:

JSTOR Fulfillment Department
149 Fifth Avenue
8th Floor
New York, NY 10010
participation@jstor.org
(877) 786-7575

Back Issues and Indices

ILM Volumes 1-51 (1962-2012) are available from JSTOR, <http://www.jstor.org/>, and 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 ILM 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

ILM is available online through:

JSTOR — <http://about.jstor.org/>
LEXIS/NEXIS — <http://www.lexis-nexis.com>
Westlaw — <http://www.westlaw.com>

Complete and odd volumes of ILM 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/ilmindx.cfm>. The Society's search engine can also be used to find the ILM citation of recently reproduced documents.

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 © 2012 by The American Society of
International Law.

Printed by Cadmus Professional Communications,
Lancaster, PA 17601

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>

For further information, please contact:

Djordja Lazić at dlazic@asil.org

Managing Editor

Djurdja 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 Hum. Rights L.)
Judge Leslie Alden (Int'l Ass'n Women Judges)
Don Anton (Int'l Env. L., LOS)
Bjorn Arp (Pub. Int'l L.)
David J. Attard (Malta)
Valentina Azarov (Int'l Humanitarian L.)
Paolo Bargiacchi (Int'l Hegemonic L.)
Welber Barral (Brazil, Int'l Trade)
Elizabeth Stubbins Bates (Hum. Rights)
Philip A. Baumgarten (Int'l. Env. L., Int'l. Tax'n)
Jean-François Bellis (European Communities)
Dhrubajyoti Bhattacharya (Int'l. Health L.)
Charles H. Brower, II (Pub. Int'l L., Int'l. Arb.)
Gian Luca Burci (Int'l Health L.)
William E. Butler (CIS)
David J.A. Cairns (Inv. Arb.)
N. Jansen Calamita (Pub. Int'l & Inv. L.)
Alejandra Torres Camprubí (Int'l Env. L.)
John Carey (UN)
James H. Carter (U.S. Second Circuit)
John P. Cerone (Hum. Rights)
Sudhir Chopra (India)
Carl Q. Christol (Comm. L., Space L.)
Kathleen Claussen (Pub. Int'l L., Int'l. Arb., Int'l Crim. L.)
John P. Cogan, Jr. (U.S. Fifth Circuit)
Alice De Jonge (Multinational Corp. Resp.)
Melaku Geboye Desta (AU, Agric., WTO)
Christian De Vos (Hum. Rights)
Janelle Diller (Int'l Labor L.)
John R. Dugard (Southern Africa)
Mete Erdem (Int'l Env. L., Turkey)
Stephanie Farior (Hum. Rights)
Richard I. Fine (U.S. Ninth Circuit)
Ruth Frolich (Int'l Crim. L.)
Kimberly Gahan (Nat'l Sec.)
Hannah R. Garry (Hum. Rights)
Giacomo Gattinara (Int'l Econ. L.)
Maria Gavouneli (Greece, Cyprus, LOS)
Dencho G. Georgiev (Bulgaria)
T.D. Grant (State Immunity, Int'l Orgs.)
Kevin R. Gray (Int'l Trade and Env. L.)
Dermot Groome (Int'l Humanitarian L.)
Elizabeth Chien Hale (IP)
Ryan Harrington (Int'l. L.)
Eckhard Hellbeck (Int'l Disp. Resol.)
Jean-Marie Henckaerts (Int'l Humanitarian L.)
Cecil Hunt (Anti-Bribery L. and Regs.)
Chris Jenks (Hum. Rights, Int'l Humanitarian L.)
Larry D. Johnson (Int'l Atomic Energy Agency)
Scott T. Johnson (Int'l Crim. L., Extradition)
Sami Kallel (Maghreb)
Jorge H. Kamine (Int'l Banking, Mergers & Acquisitions)
Mark Kantor (Int'l Bus. L., Int'l Arb.)
Susan L. Karamanian (Inv. Arb.)
Nicholas Karambelas (Com. Treaties, LOS)
Kenneth Klein (Int'l Tax'n)
Christina Knahr (Int'l Inv. Arb.)
Jeffrey D. Kovar (Pub. and Private Int'l L.)
Artur Kozłowski (Poland, Pub. Int'l L.)
Yaraslau Kryvoi (Int'l Econ. L., Russia/CIS)
Karin Landgren (Children)
Vicheka Lay (Int'l L.)
Arnold H. Leibowitz (Immigr.)
Frankie F.L. Leung (Hong Kong)
John Linarelli (Int'l Pub. Procurement L.)
Ben Love (Int'l Inv. Arb.)
Jim Lynch (Int'l Tax'n)
Miguel Gonzalez Marcos (Int'l Tax'n)
Pedro J. Martinez-Fraga (Int'l Litig.)
Chad G. Marzen (Int'l L. in U.S. Courts)
Viren Mascarenhas (Int'l Inv. Arb.)
Andrew Mitchell (WTO)
Charbel A. Moarbes (Int'l Arb.)
Saira Mohamed (Hum. Rights)
Diego Moreno (OAS)
Jason Morgan-Foster (ICJ, ILC)
Daryl A. Mundis (Int'l. Crim. L.)
Boldizsár Nagy (Hungary, Refugee L., Space L.)
Andrew Newcombe (Int'l Inv. Arb.)
Michael O'Boyle (Eur. Ct. of Hum. Rights)
Angela Oliveira (Int'l L.)
Fabrizio Pagani (OECD)
Erin Louise Palmer (Hum. Rights)
Jason Palmer (Pub. Int'l L.)
John R. Pate (Andean Community of Nations)
Bimal N. Patel (Pub. Int'l L.)
T. Michael Peay (Pub. Int'l L.)
Eric Pelofsky (Int'l Orgs.)
Hernan Perez-Loose (Int'l Inv.)
Ryan Phair (Pub. Int'l L.)
Shawn Pompian (Int'l Trade)
Charles H. Poncet (Switzerland)
Amelia B. Porges (WTO)
Norman Printer (Int'l Humanitarian L.)
Maurizio Ragazzi (Int'l L.)
Vikram Raghavan (World Bank)
Heiko Recktenwald (German, WIPO)
August Reinisch (Eur. L.)
Gustavo Ferreira Ribeiro (Brazil, Int'l Econ. L.)
Kenneth M. Rosen (Reg. Int'l Bus.)
Nicholas Rostow (Pub. Int'l L.)
Timothy Rudy (OAS)
Christopher Ryan (Int'l Inv. Arb.)
Ewa Sakiewicz-Munnerlyn (Poland)
Gerald S. Schatz (Bio-Medical Ethics/Health)
Richard F. Scott (Int'l. Energy Agency)
Jeremy Sharpe (Int'l Disp. Resol.)
William Slomanson (Pub. Int'l L.)
Stefaan Smis (Belgium)
Caitlin Stapleton (Int'l L.)
Sompong Sucharitkul (Southeast Asia & the Pacific)
Jiri Toman (L. of War)
Patricia Cassar Torregiani (LOS, Maritime Sec.)
Alexander Umole (Nigeria, Int'l. Bus. Trans.)
Kim Van der Borgh (Belgium)
Jorge A. Vargas (Mexico)
Anatoly Vlasov (Int'l Crim. L., Universal Jurisdiction)
Rebecca M.M. Wallace (United Kingdom)
Todd Weiler (Int'l Inv. Arb.)
Rick Wilson (Hum. Rights)
Anthony Winer (Caspian Sea, Corruption)
Yozo Yokota (Japan)
Simon Young (Money Laundering)
Alberto Zuppi (Int'l Crim. L.)

INTERNATIONAL LEGAL MATERIALS

Volume 51 — No. 4 — 2012

— Contents —

Axel Springer AG v. Germany; Von Hannover v. Germany (No. 2) (Eur. Ct. H.R.) Introductory Note by Dr. Guido Westkamp	631
Aksu v. Turkey (Eur. Ct. H.R.) Introductory Note by Christiane Bourloyannis-Vrailas	685
Obligation to Prosecute or Extradite (Belg. v. Sen.), Judgment (I.C.J.) Introductory Note by Cindy Galway Buys	706
Ahmadou Sadio Diallo (Guinea v. Dem. Rep. Congo), Compensation Owed by the Democratic Republic of the Congo to the Republic of Guinea (I.C.J.) Introductory Note by Chiara Giorgetti.....	737
Appellate Body Report, United States—Measures Affecting the Production and Sale of Clove Cigarettes (WTO) Introductory Note by Tania Voon.....	755
Charter of the Financial Stability Board Introductory Note by Christopher J. Brummer.....	828
Delimitation of the Maritime Boundary Between Bangladesh and Myanmar in the Bay of Bengal (Bangl. v. Myan.) (ITLOS) Introductory Note by David P. Riesenberg.....	840
BRIEFLY NOTED	914
RESOLUTIONS	918

VOLUME 51 — NUMBER 4

INTERNATIONAL LAW IN BRIEF

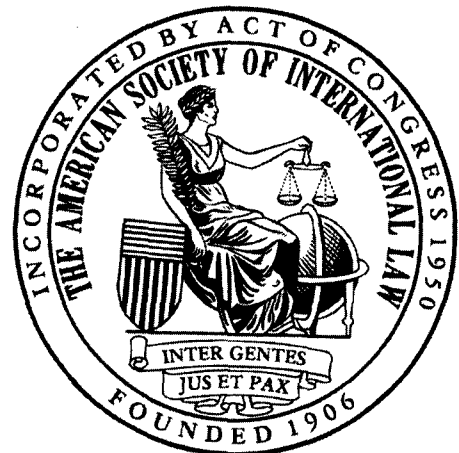
Developments in international law, prepared by the
Attorney Editor of *International Legal Materials*,
American Society of International Law

WWW.ASIL.ORG/ILIB

FREE SUBSCRIPTION

International Law In Brief contains analytical abstracts of and links to significant primary documents relating to contemporary developments in international law.

Prepared by the editor of *International Legal Materials*, a core ASIL publication, ILIB is sent out electronically to its subscribers and posted on the ASIL website twice each month.



To receive *International Law in Brief* by email, please visit
<http://www.asil.org/subscribeelectronic.cfm>