

The Function of Law in the International Community

Celebrating 25 Years of the Lauterpacht Centre for International Law

11 and 12 July 2008
Cambridge, UK



CENTRE TIMELINE:

1983

Research Centre founded by Sir Elihu Lauterpacht

1985

Centre moves to its current location at No 5 Cranmer Rd

1996

The University renames the Centre in honour of both Sir Hersch and Sir Elihu Lauterpacht

1996

A new wing housing the Finley Library and Snyder Room is added

2002

No 7 Cranmer Rd acquired providing accommodation and conference facilities

2004

Vol 125 of the *International Law Reports* is published

2006

Total number of Centre Visiting Fellows and Scholars exceeds 250

July 2008

250+ international law scholars, practitioners and friends descend on Cambridge to celebrate the Centre's 25th Anniversary

CENTRE DIRECTORS:

1983 - 1995

Sir Elihu Lauterpacht QC

1995 - 1997

John Dugard SC

1997 - 2003

James Crawford SC

2003 - 2006

Daniel Bethlehem QC

Oct 2006 - Mar 2007

Charlotte Ku (Acting Director)

Apr 2007 - Present

James Crawford SC



A brief history

The Research Centre for International Law was founded in 1983 by Sir Elihu Lauterpacht. Clive Parry (who died in 1982), Robert Jennings and Derek Bowett all played a part in the creation of the Centre, which was initially set up, with no formal premises and very little funding, to provide institutional protection for the various academic and research initiatives undertaken by Sir Eli and others, such as the publication of the *International Law Reports*.



With the generous support of Mr Edward St George and others, a building was sought to house the Research Centre and in 1985 the residential property at No 5 Cranmer Rd was purchased and converted. With formal premises from which to operate, the Research Centre was able to expand its activities: starting the Friday lunchtime and Hersch Lauterpacht Memorial lecture series, encouraging scholars to visit from overseas and increasing its range of publications.



The Centre grew steadily over the subsequent years and with its success came a further need for expansion. In 1996 the Snyder Wing was built to provide additional study and library space, and in 2002 the neighbouring property at No 7 Cranmer Rd was acquired to provide conference and accommodation facilities. The Centre was renamed by the University of Cambridge in 1996 in honour of both Sir Hersch and Sir Eli Lauterpacht to become the Lauterpacht Research Centre for International Law - one of the most stimulating and dynamic intellectual homes for international law research in the world.



Welcome to Cambridge and the Lauterpacht Centre for International Law's 25th Anniversary Celebrations

The Lauterpacht Centre for International Law, founded in 1983 by Professor Sir Elihu Lauterpacht, is the premier centre in the UK for research in the field of international law. In this role, the Centre seeks to fulfil a number of specific objectives: to serve as a discussion forum, to promote research and publication, to provide an intellectual home to scholars from around the world, to provide education and training and to maintain a library of international law materials. To this end, and since its foundation, the Centre has held around 400 lectures, has welcomed more than 300 visiting fellows and scholars, has maintained several series of publications - including over 130 volumes of the *International Law Reports*. The Centre is also home to more than 30 fellows and staff.

The Centre has been able to develop into what it is today due to the vision of Sir Eli and its many benefactors. No 5 Cranmer Road was purchased with the generous financial support of the Lauterpacht family, Dr Earl Snyder and Mr Edward St George. For the new wing in 1996, particular thanks is due to Mrs Julie Finley and Dr Earl Snyder. The premises at No 7 were purchased with generous support from the Governments of Bahrain and Malaysia and from Trinity College, Cambridge.

The general theme of the 25th Anniversary events is '*The Function of Law in the International Community*'. The topic was specifically chosen to mark the 75th anniversary of Sir Hersch Lauterpacht's seminal work (1933). The formal paper on this theme will be presented at the Conference by Professor Martti Koskeniemi, Goodhart Visiting Professor at the Faculty of Law for the 2008-9 academic year.

The Centre's anniversary coincides with the 80th birthday of its founder, Sir Eli, whom will be honoured at the formal dinner in the Hall, Trinity College. Guest speakers for the dinner are Rosalyn Higgins and Stephen Schwebel, both of whom studied at Cambridge and went on to become Presidents of the International Court of Justice.

It remains to thank our Administrator, Anita Rutherford, and the Centre members who have worked tirelessly to organise these events; our speakers, moderators and rapporteurs, whose efforts and contributions are much valued; and our event sponsors, Cambridge University Press and the Foreign and Commonwealth Office, whose generous support has helped make these events possible. Speakers, delegates and other Centre friends have journeyed near and far to be with us to mark this great occasion. Welcome to you all and enjoy the celebrations.

James Crawford
Director, Lauterpacht Centre

Information

Friday

11th July 2008
Programme of Events

GENERAL INFORMATION

Registration:

Delegates are urged to attend registration from 15.30 to pick up their personalised event packs, conference badges and dinner invitation cards (as applicable).

Entry to Events:

Your conference badge (provided in your event pack) should be worn to **all** events.

Lecture Theatres:

Lower Ground Floor:

LG18 - David Li Kwok Po Theatre
LG19 - Arthur Goodhart Theatre
Ground Floor (via corridor on right):
G24 Lecture Room

Event Recording:

Digital photographic, audio-visual and other means of recording may take place during the events and sessions. Materials and papers may subsequently be published in print and/or online.

Laptops/Mobile Phones:

The use of laptops during conference sessions is not permitted although they may of course be used in the Atrium during breaks. Please also ensure that mobile phones and other electronic devices are switched off during sessions.

Information and Messages:

Enquiries and messages can be left with Kristin Hollis at the Lauterpacht Centre:

Tel: +44 (0)1223 335 358
Fax: +44 (0)1223 300 406
Email: kmh41@cam.ac.uk



Registration will take place in the Atrium at the Faculty of Law

Food and Refreshments:

The refreshment breaks and sandwich lunch at the Saturday sessions will be served in the Atrium of the Law Faculty. Please refrain from taking food and drinks (other than small bottles of water) into the lecture rooms and theatres.

Interest Group Sessions:

Delegates may choose from the three sessions in each round. Participants are encouraged to contribute to the discussions.

Squire Law Library:

The Squire Law Librarian has kindly agreed to open the Squire Law Library for delegates to view on Saturday. The Library, which maintains one of the largest legal collections in the UK, is located on floors 1 - 3 of the Faculty building.

Faculty of Law Closing:

Please note that the Faculty of Law building will close promptly at 17:00 on Saturday afternoon. Please ensure you have all your belongings with you when exiting the building.

DINNER - TRINITY COLLEGE

Dress code: Jacket and Tie.

Getting there: The walk from the Faculty of Law takes about 12 mins. For those that require transport, a mini-bus service will be available after the session for travel to Neville's Court.

Parking: Available on 'The Pieces' off Queen's Road. Turn down the drive marked 'No Entry - Trinity College' and park on the grass areas to the left and right.

Entry: Please wear conference badges and bring dinner invitation cards.

Seating Plan: The seating plan will be made available prior to the Dinner. Please consult it as early as possible to avoid congestion during seating.

BBQ - LAUTERPACHT CENTRE

Dress code: Smart/Casual

Getting there: The walk from the Faculty of Law to the Lauterpacht Centre takes about 5 minutes. Directions via Selwyn College will be provided on the day.

Entry: Please wear conference badges for easy identification.

Food and Drink: Drinks will be served from 17:00 and a selection of meat and vegetarian food will be available from 17:30. Attendees who have notified us with specific dietary requirements should make themselves known to the catering staff.

15:30 - 16:30

REGISTRATION - Atrium, Faculty of Law

16:30 - 19:00

PLENARY SESSION

Location
LG19

"The Function of Law in the International Community"

Presentation: Professor Martti Koskenniemi

Open Discussion

Chair: Professor James Crawford
Director, Lauterpacht Centre

Discussants: Professor Vaughan Lowe
Professor Michael Reisman
Sir Michael Wood

19:30 - 20:00

PRE-DINNER DRINKS - Neville's Court, Trinity College

20:00 - 22:30

ANNIVERSARY DINNER - The Hall, Trinity College

Welcome

Speakers: Professor Alison Richard
Vice-Chancellor, University of Cambridge

Professor David Feldman
Chair, Faculty Board of Law

After Dinner Speeches

Speakers: Dame Rosalyn Higgins
President, International Court of Justice

Judge Stephen Schwebel
former President, International Court of Justice

Response: Professor Sir Elihu Lauterpacht
Founder and former Director, Lauterpacht Centre

22:30 - 23:55

INFORMAL DRINKS - Trinity College Bar (cash bar)

Location Map

Trinity College The Hall/Neville's Ct



Car Parking



The Pieces, Trinity College
Anniversary Dinner only

Burrell's Field Trinity College



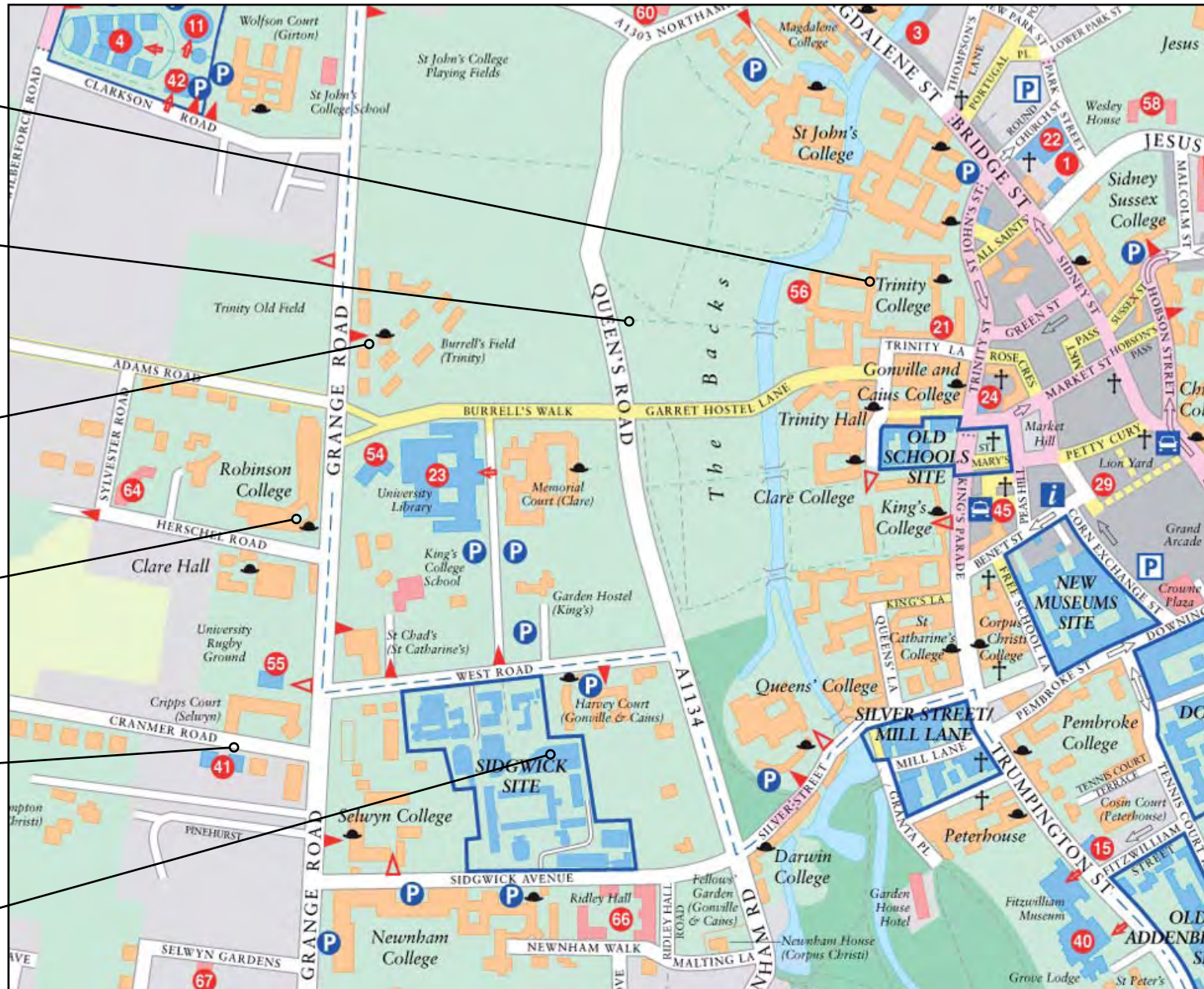
Robinson College



Lauterpacht Centre



Faculty of Law



Lauterpacht Centre

5 Cranmer Road, CB3 9BL
Tel: +44 (0)1223 335 358

Faculty of Law

Sidgwick Site
10 West Road, CB3 9DZ

Trinity College

Trinity Street, CB2 1TJ
Porter: 01223 338 400

Trinity College

Burrell's Field
off Grange Road
Porter: 01223 338 592

Robinson College

Grange Road, CB3 9AN
Porter: 01223 339 100

Taxis Telephone Nos:

Andy Cabs: 01223 571 144
Diamond: 01223 523 523
Panther: 01223 715 715
United: 01223 31 31 31

National Rail Enquiries:

Within the UK:
08457 48 49 50

From overseas:
+44 (0)20 7278 5240

- Porters' Lodge
- Site entrance
- Site entrance (no vehicle access)

* This map features an extract from the University of Cambridge Official Map. The map is available online at: <http://www.cam.ac.uk/map>

09:30 - 11:00 INTEREST GROUP DISCUSSION SESSIONS - Round 1

Session 1A "The International Judicial Function"

Location
LG18

Moderator: President Gilbert Guillaume
Rapporteur: Professor Georges Abi-Saab

Session 1B "The Use of Force: *de maximis non curat praetor*?"

Location
LG19

Moderator: Professor Christine Gray
Rapporteur: Professor Philippe Sands

Session 1C "Investment Arbitration: A Wilderness of Single Instances?"

Location
G24

Moderator: Professor Francisco Orrego Vicuña
Rapporteur: Mr Jan Paulsson

11:00 - 11:30 Morning Coffee - Atrium, Faculty of Law

11:30 - 13:00 INTEREST GROUP DISCUSSION SESSIONS - Round 2

Session 2A "The Lauterpacht Tradition and its Successors: Towards Theory?"

Location
LG18

Moderator: Professor Martti Koskenniemi
Rapporteur: Professor Philip Allott

Session 2B "International Law in National Courts"

Location
LG19

Moderator: Lord Bingham of Cornhill
Rapporteur: Professor Christopher Greenwood

Session 2C "International Criminal Jurisdictions: Nuremburg to The Hague"

Location
G24

Moderator: Professor John Dugard
Rapporteur: Ms Elizabeth Wilmshurst

13:00 - 14:00 Sandwich Lunch - Atrium, Faculty of Law

14:00 - 15:15 AFTERNOON PLENARY SESSION - Part 1

Location
LG19

Interest Group Session Reviews

Chair: Mr Daniel Bethlehem
former Director, Lauterpacht Centre

Rapporteurs: Professor Georges Abi-Saab
Professor Philip Allott
Professor Christopher Greenwood
Mr Jan Paulsson
Professor Philippe Sands
Ms Elizabeth Wilmshurst

15:15 - 15:45 Afternoon Tea - Atrium, Faculty of Law

15:45 - 16:45 AFTERNOON PLENARY SESSION - Part 2

Location
LG19

Interest Group Session Reviews (Continued)

Open Discussion

Chair: Mr Daniel Bethlehem
former Director, Lauterpacht Centre

"Future Perfect: the Continuing Role of the Lauterpacht Centre"

Presentation: Dr Charlotte Ku
former Acting Director, Lauterpacht Centre

17:00 - 21:30 BARBEQUE RECEPTION - Lauterpacht Centre

Drinks and barbeque reception in the Centre gardens

Interest Group

International Judicial Function



President Gilbert Guillaume

Gilbert Guillaume was President of the International Court of Justice from 2000-2003. He was Legal Adviser to the State Secretariat for Civil Aviation (1968-1979) and the Director of Legal Affairs of the French Ministry of Foreign Affairs (1979-1987). He was the French delegate to the Sixth Committee of the General Assembly of the United Nations (1982-1987) and headed the French delegation at a number of UN Conferences, including the Third UN Conference on the Law of the Sea (1982) and the UN Conference on the Law of Treaties (Vienna, 1986). He is the President of the French branch of the International Law Association and is the author of numerous works and articles.

Professor Georges Abi-Saab

Georges Abi-Saab is Emeritus Professor of International Law at the Graduate Institute of International Studies in Geneva, Honorary Professor at Cairo University Law Faculty and a Member of the Institut de Droit International. He is currently a Member of the Appellate Body of the WTO. He has served as consultant to the Secretary General of the UN and has been appointed twice as a Judge *ad hoc* on the International Court of Justice. He was also a Judge in the Appeals Chamber of the International Criminal Tribunals for the Former Yugoslavia and Rwanda and Commissioner of the UNCC, and is a member of the Administrative Tribunal of the IMF and various international arbitral tribunals.



Professor Christine Gray

Christine Gray is a Professor of International Law at the University of Cambridge and a Fellow of St John's College. She completed a doctorate in international law at Cambridge under Clive Parry. She taught at Oxford for a decade before returning to Cambridge and St John's. Her main publications include *Judicial Remedies in International Law* (1987) and *The Use of Force in International Law* (2nd edn, 2004).



Professor Philippe Sands

Philippe Sands is Professor of Law and Director of the Centre on International Courts and Tribunals at University College, London. As a practising barrister he has extensive experience litigating cases before the International Court of Justice, the International Tribunal for the Law of the Sea, the International Centre for the Settlement of Investment Disputes and the European Court of Justice. He frequently advises governments, international organisations, NGOs and the private sector on aspects of international law. In 2003 he was appointed a Queen's Counsel. He has held numerous academic positions and has written extensively on international law issues.



Professor Francisco Orrego Vicuña

Francisco Orrego Vicuña is a Professor of Law at the University of Chile and an international arbitrator. He has presided over numerous ICSID, ICC, International Court of Arbitration, LCIA and NAFTA tribunals and *ad hoc* arbitral tribunals under UNCITRAL Rules. He is a member of the WTO panel on the dispute on subsidies between Airbus and Boeing and a member of the ICSID Chairman's list of arbitrators and conciliators. He is also currently a judge at the World Bank Administrative Tribunal and has been its President. He is an arbitrator with 20 Essex Street Chambers, London and has recently been President of the Institut de Droit International.



Mr Jan Paulsson

Jan Paulsson, a Senior Fellow of the Lauterpacht Centre, heads the international arbitration practice of Freshfields Bruckhaus Deringer. He has acted as counsel or arbitrator in over 400 international arbitrations in Europe, Asia, the US and Africa. He has also acted in *ad hoc* arbitrations governed by national laws and before public international law tribunals, including the International Court of Justice. He is currently president of the London Court of International Arbitration and the World Bank Administrative Tribunal. He is author of *Denial of Justice in International Law* (2005) and co-author of *International Chamber of Commerce Arbitration* (3rd ed, 2000).



Use of Force

Investment Arbitration

Panellist Profiles

Professor Martti Koskenniemi

Martti Koskenniemi is Professor of International Law at the University of Helsinki and Global Professor of Law at New York University. He was appointed as a member of the United Nations International Law Commission in 2002. From 1997-2003 he served as a judge of the Administrative Tribunal of the Asian Development Bank. He was counsellor for legal affairs at the Finnish Ministry for Foreign Affairs from 1978 to 1994. His main publications include *From Apology to Utopia. The Structure of International Legal Argument* (1989), *The Gentle Civilizer of Nations. The Rise and Fall of International Law 1870-1960* (2002) and *La politique du droit international* (2007).



Professor Philip Allott

Philip Allott is Emeritus Professor of International Public Law at the University of Cambridge and a Fellow of Trinity College. Formerly a Legal Counsellor in the UK Foreign and Commonwealth Office, he is the author of several publications, including *Towards the International Rule of Law: Essays in Integrated Constitutional Theory* (Cameron May, 2005); *The Health of Nations: Society and Law beyond the State* (Cambridge University Press, 2002); and *Eunomia: New Order for a New World* (Oxford University Press, 1990).



Rt Hon Lord Bingham of Cornhill

Lord Bingham of Cornhill is the Senior Law Lord. He was called to the Bar at Fountain Court Chambers and became a QC in 1972. He was appointed a High Court judge in 1980 and was promoted to the Court of Appeal six years later. He became Master of the Rolls in 1992 and was appointed as Lord Chief Justice in 1996. He succeeded Lord Browne-Wilkinson as Senior Law Lord in 2000, a position from which he is due to retire in September 2008. Lord Bingham was made a Knight of the Garter in 2005, the first judge to receive this honour. He is the Chairman of the British Institute of International and Comparative Law and also holds the office of High Steward of the University of Oxford.



Professor Christopher Greenwood

Christopher Greenwood is Professor of International Law at the London School of Economics and a barrister at Essex Court Chambers. He was previously a lecturer at the University of Cambridge. He is Joint Editor of the *International Law Reports* and has taught at universities in the United States and Germany, as well as the Hague Academy of International Law. He was called to the Bar in 1978, became a QC in 1999 and regularly appears as counsel before the English courts, the International Court of Justice and other international tribunals (including ICSID tribunals and the European Court of Human Rights). He was appointed a Companion of the Order of St Michael and St George in 2002 for services to international law.



Professor John Dugard

John Dugard recently retired as the Chair in Public International Law at Leiden University. He was Director of the Lauterpacht Centre from 1995-1997. He has been a member of the International Law Commission since 1997 and the Special Rapporteur on Diplomatic Protection to the Commission since 2000. He has been a Judge *ad hoc* in the International Court of Justice and has served since 2001 as Special Rapporteur to the UN Human Rights Council on the violation of Human Rights and International Humanitarian Law in the Occupied Palestinian Territory. His publications include *The South West Africa/Namibia Dispute* (1973), *Recognition and the United Nations* (1987) and *International Law: A South African Perspective* (2000).



Ms Elizabeth Wilmshurst

Elizabeth Wilmshurst is Associate Fellow, International Law, at Chatham House and a Visiting Professor at University College, London. She was a legal adviser in the UK Foreign and Commonwealth Office between 1974 and 2003. From 1994 to 1997 she was posted to New York as Legal Adviser at the UK Mission to the United Nations and while there led the UK delegation to the committees preparing for the establishment of the International Criminal Court. She was in the UK delegation at the 1998 Rome Conference for the International Criminal Court. She is a co-author of *Introduction to International Criminal Law and Procedure* (Cambridge University Press, 2008) and a Companion of the Order of St Michael and St George.



The Lauterpacht Tradition

International Law in National Courts

International Criminal Jurisdictions

The Lauterpacht Centre for International Law is the scholarly home of international law at the University of Cambridge. The Centre, founded by Sir Elihu Lauterpacht in 1983, is one of the specialist law centres of the Faculty of Law and is the premier centre in the UK for international law research.

The Centre conducts a range of scholarly activities throughout the University term, including lectures by leading practitioners and academics on topical issues of international law. It also publishes a number of important texts and case reports and provides research facilities and accommodation for visiting fellows and scholars from around the world.

More information on the Lauterpacht Centre and its activities can be found on the Centre's website

www.lcil.cam.ac.uk.



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