



From The Director

February & March 2007 : Number 6

Dear All,

This will be my last opportunity to write to you as Acting Director.

James Crawford will be back as Centre Director next term.

This FTD therefore covers both February and March.

*Charlotte Ku
February 2007*

...and it's a Goodbye from me!



It has truly been a privilege and pleasure to have been at the Lauterpacht Centre in Cambridge for these past five months. I have much enjoyed getting to know Cambridge a little better and above all many more of the people associated with the Faculty of Law and the Fellows and Visiting Fellows here at the Centre. This is undoubtedly one of the world's greatest concentrations of talent and scholarship in international law and it truly has been breathtaking to learn about the range of interests and the quality of student and teacher addressing those interests. If my review of LCIL operations and directions concluded anything, it was that the Centre's nearly first quarter century has created great potential that is yet to be fully realized. I know that under James's energetic and able leadership, the Centre will take important steps to move towards its next stage of development. If my efforts to provide a general overview of operations and worldwide context for LCIL activities help to shape that direction, I will be very gratified indeed.

When I first arrived at the Centre, many said that it will be very helpful to have the views of an outsider about what the Centre has been doing. As has happened so often when I have been asked to undertake such studies, outsiders often do less about identifying problem areas than in accentuating the positive that is so frequently undervalued or under recognized by those who are in day to day contact with an operation. That has proven true for the Centre. For those of you who have been here, you know that this is a vibrant, dedicated, and hard-working community of international law scholars each exploring some facet of international law's development and application. Not only is this work incredibly interesting, but it is also so very important at a time when issues seem to emerge much faster than responses. Well-grounded and serious research and information are key to producing responses and the Centre plays a role in providing that foundation.

In my opinion, the Centre can play a greater role in providing such information through greater outreach of its scholarly output and have recommended that efforts be made to do that. LCIL should not move away from its fundamental mission as an academic program within an academic institution. However, an academic focus should not preclude understanding the implications of applying the findings of scholarship or of practice. I believe there is a yearning for such information in the broader legal and political communities. The role of public intellectual may not be for all scholars, but some aspect of public engagement cannot be alien to those who teach and I hope will be further developed. It is probably useful to keep in mind that if those who are well informed do not provide information, then those who are poorly informed may end up doing so and produce lamentable results as a consequence.

So, I leave with nothing but the highest regard for the extraordinary resource that the Lauterpacht Centre for International Law is, but with the fervent hope that a higher level of public engagement and a broader public profile will make this a more widely recognized resource. It is also a place where those working in international law can spend time pursuing a project in a quiet, studious, and collegial environment. It is an opportunity I hope those receiving this bulletin will encourage others to experience in order to contribute to the stronger development of international law and of the network of international law scholars around the world. It has been an honor to be a small part of this rich and growing resource.

Charlotte Ku

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Centre life in pics February/March:



The Centre in the snow



Visiting Fellows get warmed up at Morning Coffee



Drinking it down-under: Aussie wine tasting at the Centre



Say cheese! The Centre's photographer visits to capture Centre life in pics



Jonathan Ketcheson and new temp Emily Carter at Charlotte's mugging

If you have any Alumni or Centre-related news you would like others to hear about, do let us have it via email to admin@lcil.cam.ac.uk

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Centre to host ICRC update project

ICRC STUDY: CUSTOMARY INTERNATIONAL HUMANITARIAN LAW

In co-operation with the British Red Cross and the International Committee of the Red Cross (ICRC), the Lauterpacht Centre is pleased to announce its intention to host a team of researchers who will be updating the practice section of this study over the next two years.

Conducted under the supervision of the ICRC, the Centre is expected to house this project, the results of which will be distributed by Cambridge University Press. LCIL Senior Fellow Major-General Tony Rogers (Ret'd) will serve as the Centre's liaison to the project that is expected to commence in summer 2007.

We hope that the presence of this project at the Centre will provide opportunities for broad discussions on issues related to international humanitarian law. We are delighted to welcome this significant CUP-related project.

ILR Consolidated Index now online

The Consolidated Table of Cases Arranged Alphabetically for volumes 1-125 of the International Law Reports (ILR) is now available online in searchable pdf format. The Table is reproduced by permission of Cambridge University Press from Lauterpacht and Greenwood (eds.), *International Law Reports Consolidated Tables of Cases Volumes 1-125*, 2004; and lists all cases reproduced or reported in the *Annual Digest/ILR* up to and including volume 125.

Visiting Fellows Alumni Group

Former LCIL Visiting Fellows Professors Karel Wellens, Yuji Iwasawa, Donald McRae, and Gillian Triggs have agreed to serve as an initial steering group to organize an LCIL Visiting Fellows alumni group. Members of the steering group will be meeting through the spring and the summer to prepare for the launch of the alumni group in the fall. In preparation for this, Centre Director James Crawford will be in touch with all former Visiting Fellows to update details and to find out more about the contacts and friendships made while here at the Centre. We hope that all recipients will take a few minutes to fill out the short questionnaire.

Mark your calendars!

The Centre's 25th Anniversary programme will take place Friday and Saturday 11th and 12th July 2008. As this occasion also coincides with Sir Elihu Lauterpacht's 80th birthday, we hope that many will be able to come to Cambridge to celebrate these milestones. The anniversary programme will consider issues related to a theme of The Function of Law in the International Community – the title of the book by Sir Hersch Lauterpacht published in 1933. Details will follow in future communications and on the Centre's website.

Brown-bag roundtable for teaching fellows & research students

Centre Fellows Karen Lee and Penelope Nevill will be organizing a series of brown-bag roundtable discussions on significant cases or issues in international law for law teaching fellows and research students. The roundtable is expected to take place no more than once a term and is designed to provide teachers with a chance to explore and identify teaching materials and strategies both with experts on the subjects as well as through general group discussion. The roundtables will take place at the Centre and will be announced through broadcast e-mail as well as on the Centre's website.

International law PhD talks

The resumption of talks by advanced international law PhD students who are nearing the completion of their work will begin at the Centre on 1st March. Generally planned to take place on the first Thursday of each month during term, the talks start at 5pm and will be followed by discussion and wine. Currently scheduled are:

1 March: Justin Chenevier, "Counterterrorism and the Uncooperative Host: Continuing Uncertainties at the Interface of Primary and Secondary Rules"

3 May: Morten Bergsmo, "The Mental State Requirement for the International Crime of Genocide"

7 June: Isabelle Van Damme, "The Interpretation of Silence in the WTO Covered Agreements"

Visiting Fellows' Roundtable

Roundtable presentations for February included:

Nurhalida Mohamed Khalil on Religion and Minorities;

Martin Schaub on National Jurisdiction over Multinational Companies

Takeo Horiguchi on the Precautionary Principle in International Environmental Law

Friday Lecture Programme

February lectures included:

Mr Hunter Nottage, Counsel, Advisory Centre on WTO Law (ACWL) on *Arbitration as an alternative to litigation in WTO dispute settlement: observations in light of the Banana Tariff Arbitrations*



Professor John King Gamble, Distinguished Professor of Political Science and International Law, Behrend college (above), Penn State University on *The Long View: 500 years of multilateral treaty-making*

Dr Andrea Bjorklund, Acting Professor, Davis School of Law, University of California on *Reconciling State Sovereignty and Investor Protection in Denial of Justice Claims*

Dr Roger O'Keefe, Deputy Director of the Lauterpacht Centre and Academic Secretary to the Faculty of Law, University of Cambridge on *The Protection of Cultural Property in Armed Conflict*.

The full lecture programme, including a list of the lectures for March can be found on the Centre's website. The Easter Term lecture programme will appear on the website in due course.

Visiting Fellows

In March we will welcome:

Camille Bergmann, Law School of the University of Lausanne who will be researching issues related to her PhD thesis on "Impossibility of performance and *force majeure* in international law."

Sylwia Kedzierska, Maciej Panfil & Ptns, Warsaw, who will be working on issues related to her PhD studies on aggression in international law.

Publications Update

International Law Reports:

Volume 131 is now in press and includes:

- (1) Refugee cases from Australia, Canada, New Zealand and the United Kingdom;
- (2) UK House of Lords decision in Roma Rights;
- (3) UK House of Lords decision in Quark and the related ECHR decision.