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Message de la Présidente

C'est avec grand regret que j'ai soumis ma démission en tant que Présidente du CCDI en raison de ma nomination par le Gouverneur en conseil comme juge militaire pour une période de cinq ans débutant le 10 janvier 2001. J'avais initialement été choisie pour servir comme juge militaire en 1995, mais d'autres obligations étaient intervenues. Mon plaisir d'avoir encore été choisi par le nouveau processus de nomination a été quelque peu assombri en apprenant que ceci limiterait ma participation au CCDI pour la durée de ma nomination.

Avant mon départ, j'aimerais tout particulièrement remercier les membres du Conseil exécutif et du Conseil d'administration pour leur support continu. C'est ce support enthousiaste des gens côtoyés qui crée la clé de voûte du conseil. Je voudrais également remercier Stephen Toope qui a accepté de prendre rapidement la relève en tant que Président jusqu'à la fin du mandat en cours. J'ai l'intention de rester membre actif du CCDI et espère tous vous voir au congrès annuel 2001. <

Kim Carter
Présidente du CCDI

President's Message

It is with great regret that I have submitted my resignation as President of the CCIL as a result of my appointment by Governor-in-Council as a military judge for a five year term, commencing 10 January 2001. I had originally been selected to serve as a military trial judge in 1995, but other duties intervened. My delight in being again selected under the new appointment process was marred only by the knowledge that this would restrict my involvement in the CCIL for the duration of my appointment.

In leaving as President I want to particularly thank all the members of the Executive Council and Board of Directors for their support. One of the greatest strengths of the CCIL is the dedicated and enthusiastic people who you meet and with whom you work. I would also like to thank Stephen Toope who has agreed to step in on short notice and become President for the remainder of this term. I intend to continue as an active member of the CCIL and hope to see all of you at the 2001 Annual Conference. <

Kim Carter
CCIL President

President's Year-End Report, October 2000

Editor's Note: The following is the text of CCIL President Kim Carter's address at the Annual General Meeting of the 29th Annual Conference from October 26 - 28, 2000.

It is a CCIL tradition that the President make a presentation to the membership at the Annual General Meeting held each year during the CCIL's Annual Conference. This year it is my honour and pleasure to make such a brief presentation, reviewing the successes and challenges of 1999-2000 for the CCIL and looking ahead to 2000-2001 to outline some of the organization's priorities and goals. For those among you who attended the CCIL Executive meeting at the beginning of the Conference, I ask your indulgence for what will be a fair amount of repetition.

In 1999-2000 the Executive decided to put its emphasis on service to the membership. This followed an analysis of the membership survey which was conducted at last year's Annual Conference and early in 2000 through inclusion in the Winter-Spring edition of the *Bulletin*. I have received a large number of compliments about the ever-increasing quality (and quantity) of material in the *Bulletin* over the past year. In addition the CCIL Website has graduated from mere existence into a very useful tool for both members and those interested in international law (potential members!). The credit for this belongs to Robert McDougall, our *Bulletin* editor and Web-Master who has also prepared a Report on CCIL Information Services which outlines a proposed long-term internal and external communications strategy to help the CCIL move decisively into the 21st century in that area.

Although not generally considered the most exciting area of activities, administration is nevertheless a vital foundation for any non-profit organization. In 1999-2000 the skills and vision of our Administrative Officer Sonya Nigam have resulted in significant improvements in this area. Our finances are now computerized, much to the delight of both our Treasurer, Clifford Sosnow, and our auditors. We also have our membership information on a database, which allows us to more easily and accurately identify the sources and interests of our members.

One planned activity in 1999-2000 which could not be successfully completed was the CCIL Membership Directory. Unfortunately, despite two solicitations less than half the membership responded with the requested information and the authorization to reproduce the information in a directory and/or on the website. Without the vast majority of members responding in a positive fashion to this initiative we simply cannot produce a useful directory.

As with any non-profit organization, obtaining financing, particularly the funds needed to run the CCIL office and provide day to day administration, member services and publication support, is a constant challenge. We continue to look for new and innovative financing options as governments at every level focus their financing on areas other than administrative support. While accepting that specific projects with clear 'deliverables' are as important for governments as for the private firms which assist the CCIL, without an organization in place those projects cannot be undertaken. This however is an eternal problem.

What lies ahead in 2000-2001 for the CCIL? After discussion with the Executive on Thursday evening a number of priorities have been established which follow the general course set out in the Report on the Future of the CCIL. The top three priorities are:

1. Increase membership;
2. Establish a long term funding programme; and
3. Improve membership benefits.

As the largest non-profit organization in Canada devoted solely to the development and dissemination of international law, the Executive is convinced that there is a large section of the Canadian international law community which, although sharing our interests and supporting our goals, has not yet joined the CCIL. Over the next year we will be attempting to 'target' certain segments of that community and encourage them to join.

A topic of regular discussion over the past several years at Executive and Annual General meetings has been how to overcome the CCIL's chronic funding problems. This year we will be establishing a committee which will tackle this challenge. I would like to thank the brave and energetic people who have already volunteered to participate in this initiative.

To continue to improve the 'benefits' of the *Bulletin* and the Website, a Communications Committee has been established. This committee will provide guidance and support to the Editor and Webmaster.

All of these initiatives can and must rely on the participation of members both in and outside of Ottawa. They are all 'geographically inclusive'. So if any of you are interested in assisting please contact our Administrative Officer, Sonya Nigam, who will

be happy to put the project co-ordinator in touch with you.

I look forward to another very interesting year as President serving the interests and needs of the CCIL membership which is truly the heart of the international law community in Canada. Please do not hesitate to contact me through the CCIL office if you feel I can be of assistance to you or if you have any comments on, advice to, or support for, our organization you wish to offer. Thank you.

Kim Carter

Présidente / President

Report on the Third Trilateral Conference (2000)

The CCIL hosted a successful Third Trilateral Conference of academics from Canada and from the Japanese Association of International Law and the American Society of International Law on October 25 and 26, 2000 at the Chateau Laurier Hotel in Ottawa. Thirty professors or practitioners of International Law presented papers and discussed the following topics: international trade and investment; trade and environment; use of force; international litigation; law of the sea; the interface of domestic and international law.

The Japanese participants were: Shigeru Kozai, Osaka Gakuin University; Hisakazu Fujita, Kobe University; Kazuhiro Nakatani, Tokyo University; Masahiko Asada, Kyoto University; Kimio Yakushiji, Ritsumeikan University; Shigeki Sakamoto, Kansai University; Akira Kotera, Tokyo University, Satora Taira, Osaka University; Toshiyuki Kono, Kyushu University; Yuji Iwasawa, Tokyo University and Naoya Okuwaki, Tokyo University.

The American participants were: Thomas Schoenbaum, University of Georgia; Bernard Oxman, University of Miami; Antonio Perez, Catholic University of America; Frederick Abbott, Florida State University; Sylvia Rhodes, Bryan Cave LLP, Washington D.C.; John F. Murphy, Villanova University; Peter Trooboff, Covington & Burling, Washington, D.C.; Ronald Brand, University of Pittsburgh.

The Canadian participants were: Armand de Mestral, McGill University; Donald McRae, University of Ottawa; Chi Carmody, University of

Western Ontario; Adelle Blackett, McGill University; Jutta BrunnÈe, University of Toronto; Hugh Kindred, Dalhousie University; Maurice Copithorne, University of British Columbia; John Currie, University of Ottawa; Phillip Saunders, Dalhousie University; Janet Walker, York University; Scott Fairley, Donahue & Partners, Toronto.

The Third Conference was ably organized by Professor Armand de Mestral from Montreal with assistance in Ottawa from Ted Lee of the CCIL Executive and Sonya Nigam of the CCIL office <

Nominations for John E. Read Medal

The Canadian Council on International Law bestows from time to time a gold medal to commemorate the life and work of John E. Read, who was a distinguished member of the International Court of Justice. Such awards are granted to Canadians who have made a distinguished contribution to international law and organizations and to non-Canadians who have made an outstanding contribution to international law and organizations in the fields of special interest to Canada.

A Committee of four - former presidents and vice-presidents of the CCIL - has been established to consider nominations for the award to be presented at the CCIL's 2001 Annual Conference. Nominations with supporting *curriculum vitae* should be forwarded immediately to the CCIL offices: 236 Metcalfe Street, Suite 215, Ottawa, Ontario K2P 1R3, fax (613) 230-5978, email: info@ccil-ccdi.ca. <

Board of Directors / Conseil d'Administration - 2000/2001

Executive Committee Members / Membres du Comité Exécutif

<i>Officers / Officiers</i>		
<i>President/Présidente*</i> <small>(*Note: Stephen Toope assumed the presidency in February 2001 on an interim basis due to the appointment of Kim Carter as a military judge.</small>	Kim Carter National Defence (DJAG/LIT)	(2001)
<i>Vice President/Vice-présidente</i>	Johanne Levasseur Human Rights Law, Department of Justice	(2001)
<i>Vice President/Vice-président</i>	Yves Le Bouthillier Scholar-in-Residence, DFAIT	(2002)
<i>Vice President/Vice-président</i>	Bruce Stockfish Copyright Policy, Heritage Canada	(2002)
<i>Treasurer/Trésorier</i>	Clifford Sosnow Lang Michener	(2000)
<i>Secretary/Secrétaire</i>	John H. Currie Faculté De Droit, Université D'ottawa	(2001)
<i>Members at Large / Membres sans fonction déterminée</i>		
Anne Daniel (2002)	Valerie Hughes (2001)	Edward G. Lee, Q.C (2002)
Joël Lépine (2002)	Silvia Maciunas (2002)	Robert McDougall (2001)
John McManus (2001)	Vello Mijal (2002)	Valerie Oosterveld (2002)
D. Paul Rutkus (2002)	Stephen Toope (2000)*	Timothy Wilson (2002)
Ton Zuijdwijk (2002)		
<i>Honorary Solicitor/Avocat honoraire</i>	Donald Dow	
<i>Ex Officio</i>		
<i>Immediate Past President/Présidente sortante</i>	Sharon A. Williams	
<i>Legal Advisor, DFAIT/Conseiller juridique, MAECI</i>	Michael R. Leir	
<i>Senior ADM, Department of Justice</i>	Marc Jewett	
<i>Société québécoise de droit international (présidente)</i>	Carol Hilling	
Other Members of the Board / Autres membres du conseil		
Professor Maurice Arbour Faculté de droit, Université de Laval	(2001)	Professor Don Buckingham Faculty of Law, University of Ottawa (2001)
Professor Chi Carmody Faculty of Law, University of Western Ontario	(2002)	Professor Maurice Copithorne Faculty of Law, University of British Columbia (2001)
Armand de Mestral Faculty of Law, McGill University	(2002)	H. Scott Fairley Donahue & Partners (2002)
Professor Donald J. Fleming Faculty of Law, University of New Brunswick	(2001)	Professor Elaine Hughes Faculty of Law, University of Alberta (2000)
Professor Hugh Kindred University of Dalhousie	(2001)	Professor Karen Knop Faculty of Law, University of Toronto (2001)
Ross Leckow Legal Department, International Monetary Fund	(2002)	Denyse MacKenzie Trade Law Division, DFAIT (2001)
Professor Ted McDorman Faculty of Law, University of Victoria	(2002)	Professor Karin Mickelson Faculty of Law, University of British Columbia (2001)
Dean Dawn Russell Faculty of Law, Dalhousie University	(2000)	Professor William Schabas National University of Ireland (2002)
Honorary Life Members / Membres honoraires		
Charles B. Bourne Donat Pharand		Ronald St. J. Macdonald William C. Graham

Canada's Unique Experience with Nuclear Energy: Some Personal Reflections

By William Epstein *

Canada's experience with nuclear energy has been unique. From the earliest days in the middle of World War II Canada was involved in almost all aspects of nuclear technology. It participated with the United States and Great Britain in the Manhattan Project that invented the first atomic bomb and was a major supplier of uranium to the Manhattan Project. During and immediately after the War, Canada built the first experimental nuclear reactor and had a fully operational plutonium reprocessing plant. Canada could have been the first country after the United States to build its own atomic bomb.

There was, however, a sort of tacit consensus, with almost no public discussion, and without any opposition, that Canada would not acquire any abhorrent nuclear weapons, but would hope to benefit from what seemed to be the promising peaceful uses of nuclear energy.

Prime Minister Mackenzie King, who was also Secretary of State for External Affairs, and Clarence D. Howe, who was Minister of Munitions and Supply during the war and Minister of Reconstruction after the war, apparently took all decisions in absolute secrecy. There was no discussion, even in Cabinet, about Canada's participation in the Manhattan Project, or as to whether Canada would or would not make an atomic bomb.

"[I]t was most fitting that the northern and southern neighbours of the United States colossus should, independently, strive to denuclearize the entire Western Hemisphere to the largest extent possible."

Mackenzie King played an active role with the United States President, Harry Truman, and Great Britain's Prime Minister, Clement Atlee, at a tripartite conference in Washington in November 1945. Canada joined in the *Three Power Declaration* that proposed the establishment of a United Nations Atomic Energy Commission that would eliminate all nuclear bombs and promote the peaceful civilian use of atomic energy.

When the *Three Powers Declaration* was discussed by the Canadian Parliament in December 1945, C.D. Howe, for the first time, announced that:

"Canada has not been working on the development of the atomic bomb. It has been working on the development of atomic energy for peaceful purposes... We have not manufactured, we have no intention of manufacturing atomic bombs." There was no opposition in Parliament to this policy.

C.D. Howe re-affirmed the Canadian position in a press release of the Ministry of Trade and Commerce issued on 21 July 1948, which stated that Canada had acquired the capacity to build atomic weapons of its own, but had chosen to explore only the peaceful applications of nuclear power.

Canadians have a certain national pride in the fact that Canada had chosen not to "go nuclear" despite having the means to do so. A Canadian diplomat wrote in 1983 that: "The Canadian government has certainly made it abundantly plain that we are against nuclear arms as one is against sin."

Actually, because Canada was a member of NATO, the United States wanted to station nuclear weapons in Canada and with the Canadian Forces in Europe. This led to prolonged political turmoil in Canada that involved the Conservative government of John Diefenbaker and the Liberal governments of Lester Pearson and Pierre Trudeau. Not only were the political parties sharply divided over whether Canada should accept United States nuclear weapons, but there were divisions among successive Cabinets. Eventually, Canada did accept American nuclear

* William Epstein, Editor of "Nuclear Disarmament Commentary", was for many years Director of Disarmament in the U.N. Secretariat. He represented the Secretary-General at the negotiations of the Conference of Disarmament in Geneva, and its predecessor, the Eighteen Nation Disarmament Committee, from 1962 to 1973. Their work led to the Partial Test Ban Treaty (1963), the Nuclear Non-Proliferation Treaty (1968), the Seabed Arms Control Treaty (1971), and the Biological Weapons Convention (1972). He has attended all six review conferences of the Non-Proliferation Treaty as well as the 1995 extension conference.

weapons for Canadian Forces in Canada and in Europe. But when Pierre Trudeau succeeded Lester Pearson as Prime Minister in 1968, he decided that: "it was no longer appropriate for the Canadian Armed forces to be equipped with nuclear weapons" and that Canada would phase them out as soon as possible. The process of phasing them out proceeded slowly over the period from 1970 to 1984, when Trudeau was finally able to announce that "we will rid ourselves of the last vestiges of nuclear weapons."

Thus it is noteworthy that Canada was the first country to decide not to build any nuclear weapons and was also the first party of the NATO Alliance to return to the United States the nuclear weapons held or deployed by Canadian Armed Forces in Europe and Canada or by United States forces in Canada.

Canada played an active role in the negotiations of the *Nuclear Non-Proliferation Treaty* and became one of its staunchest supporters after it entered into force in 1970.

Since I personally held the same views, regarding the military and the peaceful uses of atomic energy, as the overwhelming majority of the Canadian public, I felt very comfortable in doing whatever I could to

help the Latin Americans in their efforts to create a Nuclear Weapon Free Zone by the *Treaty of Tlatelolco*. I thought it was most fitting that the northern and southern neighbours of the United States colossus should, independently, strive to denuclearize the entire Western Hemisphere to the largest extent possible.

In the 1980s the Stockholm International Peace Research Institute (SIPRI) decided to publish a book on why some countries decided to "go nuclear" and others did not. I was invited by the editor of the book, Josef Goldblat, to write the chapter on why Canada decided not to "go nuclear". It was not an easy story to write both because of the extreme secrecy involved, and the long and sometimes bitter controversy that ensued over whether Canadian Forces should accept United States nuclear weapons for their possible use both in Canada and in Europe. I discussed all aspects of the Canadian experience at length in the book, *Non-Proliferation: The Why and the Wherefore*, published by Taylor and Francis (London) for SIPRI in 1985. It is one of the few comprehensive accounts of the tangled Canadian experience with nuclear energy and nuclear weapons. <

Rapports du Congrès 2000

Par Fred Dufresne*

Ma participation au Congrès 2000 a débuté le vendredi 27 octobre 2000 à 9h30. Après le mot de bienvenue de la présidente madame Kim Carter et le discours d'ouverture, le professeur James Crawford de l'Université de Cambridge a été invité à présenter la première conférence du congrès et son exposé s'intitule *Nouvelle dimension de la responsabilité internationale: État, Entreprise, Individu*. Dans sa présentation, le professeur Crawford a effectué un survol de la responsabilité internationale de l'État, de l'entreprise et de l'individu à la lumière des travaux qui ont été effectués par la Commission du droit international. Le professeur Crawford s'est penché sur l'évolution du droit international pour démontrer comment le champ de cette discipline s'est élargi pour non seulement reconnaître la responsabilité internationale de son principal sujet qui est l'État mais aussi la responsabilité des composantes de ce

Conference 2000 Rapporteurs' Reports

dernier soit: les entreprises et les individus. Suite à la présentation, une discussion particulièrement intéressante s'est déroulée sur le *Statut de Rome* et l'avenir de la Cour pénale internationale.

La deuxième activité de la conférence à laquelle j'ai assisté a été un atelier en droit international privé (14h15-15h45) qui s'est déroulé la même journée et qui s'intitule *La juridiction, le droit applicable, et la politique sociale au 21ème siècle*. Durant leur exposé, les trois conférenciers se sont penchés sur les conflits de lois et les choix de lois au Canada. Ils ont également examiné d'une façon approfondie la question de la reconnaissance et l'exécution des jugements étrangers en droit des délits en se penchant particulièrement sur les arrêts: *Tolofson c. Jensen*, [1994] 3 R.C.S. 1022, *Morguard* et *Hunt*. Par la suite, une discussion intéressante s'est déroulée sur l'avenir du droit international privé et sur les nouveaux défis auxquels il doit faire à l'intérieur d'un état fédéral tel que le Canada.

* B.A., LLB (common law français) LLM/LLB (Programme national) (En cours).

Par la suite, entre 16h00-17h30 j'ai assisté à une rencontre au Ministère des affaires étrangères et du commerce international à l'Édifice Lester B. Pearson au cours de laquelle les participants de la conférence ont pu rencontrer les membres du service juridique du Ministère qui ont présenté les différentes activités du Ministère des affaires étrangères sur la scène internationale. Il y a eu une longue discussion sur les répercussions de l'arrêt Baker une décision dans laquelle la Cour suprême du Canada a cité la Convention relative à la protection de l'enfant qui n'avait pas encore été ratifiée par le Canada. De plus, durant la rencontre, il y a eu la distribution de quelques documents de travail préparé par la Direction générale des affaires juridiques du Ministère des affaires étrangères dont l'un s'intitulait *Exemples de questions courantes de droit international ayant une importance particulière pour le Canada et l'autre Activités et priorités du Ministère de la justice en droit international privé.*

La troisième activité de la conférence à laquelle j'ai pris part a eu lieu la journée suivante soit le samedi 28 octobre à 8h45 du matin. C'était un atelier en droit du commerce international qui s'intitulait "*Diplomates, technocrates ou démocrates: La promotion des accords commerciaux au cours de la prochaine décennie*". Les conférenciers ont analysé le rôle des ONG dans le développement et la promotion des accords commerciaux internationaux. Ils ont examiné le rôle des ONG sur la scène commerciale du Canada et des États-Unis respectivement pour dire qu'ils sont appelés dans les années à venir à jouer un rôle de plus en plus accru sur la scène commerciale internationale. Cependant, les invités ont identifié la nécessité d'une plus grande ouverture par rapport à l'accès et la circulation de l'information de manière à pouvoir rendre les règles régissant le commerce international plus accessible aux petites et moyennes entreprises et à la population en général. Ils ont également mentionné que les États doivent travailler de façon plus étroite avec les ONG dans le but de favoriser l'esprit d'ouverture et de coopération internationale dans le domaine du droit du commerce international.

Le quatrième atelier de la conférence portait sur le droit international de l'environnement et avait pour titre *Droit international de l'environnement et la gestion des ressources: La tendance pour l'avenir.* Dans leur exposé respectif les conférenciers ont abordé les questions actuelles de l'environnement

comme la pollution transfrontalière, les changements climatiques ainsi que les accords internationaux visant la protection de l'environnement tels que le *Protocole de Carthagène sur la biodiversité.* Ils ont unanimement conclu que la préservation de l'environnement est un projet global qui nécessite la participation de tous les États. En conséquence, la coopération et l'assistance internationale est nécessaire pour le développement durable et la préservation de l'environnement.

Enfin, j'ai assisté à la plénière finale de la conférence qui était une table ronde sur la technologie et le droit international intitulée *L'Internet bouleverse-t-il les frontières nationales?* Dans le cadre de leur exposé les conférenciers ont mis en lumière le débat qui sévit dans le monde juridique par rapport à la réglementation de l'Internet. Certains intervenants ont dit que l'Internet a une portée nationale et doit être régie tandis que d'autres ont mentionné que l'Internet a une portée internationale et ne connaît pas de frontière. Par conséquent, la réglementation des États est inutile voire même impossible. De cette table ronde est ressorti l'idée que l'Internet soulève des questions très importantes telles que: la juridiction applicable en cas de délits, les conflits de lois et la portée générale d'une législation de l'Internet. Finalement, les intervenants ont tous été d'accord pour dire qu'il faut une harmonisation des lois de manière à pouvoir répondre aux nouveaux défis causés par le développement de l'Internet dans le monde.

o o o

By Sonya Vichnevetskaia*

The CCIL held its 29th Annual Conference on International Law, on the theme of "Looking Ahead: International Law in the 21st Century", in the cordial atmosphere of Château Laurier from October 26 to 28, 2000.

The conference commenced with the *Plenary Opening Roundtable on International Criminal Law.* The members of the panel (Irwin Cotler, Waren Allmand, David Chuter and Darryl Robinson) expressed their view on the importance of the creation of the International Criminal Court (ICC). They discussed the field of the jurisdiction of the ICC, implementation of its principles nationally, its

* Sonya Vichnevetskaia is an LL.L.-LL.B. student at the University of Ottawa.

complimentary character to the national tribunal. The Panel recalled that 60 ratifications are needed in order to enable the ICC to start its functions. At the day of the conference there had been only 21 ratifications. The United States withheld its signature. One should note that American citizens represented a large part of the audience. The argumentation on the matter therefore became extremely interesting and vivid.

After the opening, the guests of the conference continued the discussion as they proceeded to the grand cocktail reception sponsored by Ogilvy Renault.

The *Legal Theory Panel* opened Friday morning with three speakers presenting feminism, ecology and critical theory subjects. Kerry Rittich was the first one to start with "Turning Toward the Market: New Trends in the Making of Gender Equality in International Law and Institutions". His key points related to the issue of gender justice in the economic institutions. Ms Rittich stressed that the development of this question is reflected in the World Bank report "Endangering Development". In summary it had been noted that gender is good for economic growth and economic growth is good for gender. Ed Morgan made a brief illustration of literary theory and international law applied to it. His presentation "The Continued Evolution of International Adjudication" concentrated on the concept of terrorism. The concept was supported by the vivid comparison of 1989 Ahmed case and the story of Allan Poe "The Man Who Was Used Up". Both examples demonstrated the principle of deflection, shown from the unusual point of view while drawing the parallel between the case and the novel. The final speaker of the panel, Michael M'Gonigle, presented the subject "Ecology, The State of the Future of International Law". Mr. M'Gonigle brought to the attention of the audience such issues as the era of globalization, age of sustainability and the role of the state.

The *Public International Law Panel* entitled "Changing Interface Between International Politics and International Law" presented three speakers: Stephen Toope, Michael Byers and Neta Crawford. Rather than delivering individual speeches, the members of the panel had to face the questions of Don McRae, the moderator, as well as the questions coming from the audience. Thus, the panel turned out to be a spontaneous stimulated discussion on the link between international relations theory and international law. It was outlined that one should

always keep one's feet on the ground while talking about theory. The discussion came back to the issue of the US ratification of the ICC. The panel tried to answer such crucial questions as whether international law exists at all as a discipline and, if it does, whether lawyers should be involved in politics.

The final day of the Conference was opened with the *International Human Rights Panel*. David Onyalo and Ton Zijdwijk discussed the subject of Globalization and Economic and Social Rights. We often view trade and human rights as two solitudes. Mr. Onyalo and Mr. Zijdwijk concentrated on recent developments in the area of labour, mechanisms of application of International Human Rights within the context of trade and globalization at the national (such as the *Tiomen* case) and international levels. Particularly, the panel elaborated on the issue of whether the WTO should settle disputes that involve human rights.

The *Immigration Law Panel* appeared under the title of "States' Responses to Human Migratory Pressures". The speakers expressed their opinions on such questions as status of refugees in Canada; Israel/Palestinian system of compensation and restitution; revision of Canadian point system applied to the new immigrants. The panel included Mendel Green ("How Canada Selects the Brightest and the Best and Preserves Family Reunification in the Immigration Process"); Michael Lynk ("Refugees, Compensation and International law: Principles and Process in the Middle East Peace process"); Suzanne Gilbert ("Refugee Status Claimants and Canadian Law"), and; Jean-François Bertrand ("Canada's Generous but Perplexing Attitude Toward International Protection"). <

Conference 2001 Planning

Preparations for the 2001 CCIL Conference are underway with the theme of "Globalism: People, Profits, Progress?". The Conference will be held from October 25-27, 2001, at the Chateau Laurier. The Conference Committee this year includes Stephen Toope, Chi Carmody, Jutta Brunée, Paul Rutkus, Anne Daniel and Joël Lépine. More details on the Conference will be posted on the CCIL website as and when it becomes available. In the meantime, any comments or suggestions about possible panel themes or speakers may be forwarded to the Conference Committee by email at: <conference@ccil-ccdi.ca>. <

The Global POPs Convention

IELIG

By Anne Daniel*

Persistent organic pollutants, otherwise known as POPs, have been a human health and environmental concern in the international community for a number of years, and most particularly to Canada, a recipient of POPs from other countries. Recent international action to control chemicals include a regional protocol on POPs to the United Nations Economic Commission for Europe *Convention on Long-range Transboundary Air Pollution* and the *Rotterdam Convention*, concluded in 1998.¹ Although Canada played a key role in the negotiation of the regional POPs Convention and was one of the first countries to ratify it, countries outside the U.N. ECE region are also contributing to the high levels of POPs in the Canadian Arctic.

The negotiation and conclusion of a global POPs Convention between 1998 and December 2000 under the auspices of the United Nations Environment Programme was a huge achievement for Canada from a human health and environmental perspective, capped by the satisfaction of having it brought to fruition by the Canadian Chair of the Intergovernmental Negotiating Committee (INC), Dr. John Buccini.

Persistent organic pollutants are toxic substances that are linked to serious health effects, and persist, accumulate and biomagnify in the environment. In wildlife, POPs cause birth defects, reproductive problems and immune system deficiencies severe enough to affect wildlife population numbers. In humans, even long-term low-level exposure can be problematic, causing various

forms of cancer, infertility, birth defects and development disorders in children.²

Canada and its indigenous people have made concerted efforts to make our concerns known at international fora about the high levels of POPs in the Arctic, which pose particular risks to Arctic populations which consume country foods, given that POPs bioaccumulate up the food chain. It was therefore gratifying that recognition was given in the preamble to the Convention that Arctic ecosystems and indigenous communities are particularly at risk for these reasons and that contamination of their traditional foods is a public health issue.

"Recognition was given ... that Arctic ecosystems and indigenous communities are particularly at risk ... and that contamination of their traditional foods is a public health issue."

Although support for concluding the negotiations at INC-5 in Johannesburg December 3-9, 2000 was strong, a number of key issues necessitated working through the night to finally conclude the agreement December 10 around six a.m.

The final agreement is a strong one.

The first twelve industrial chemicals, pesticides and emission by-products to be regulated by the Convention are: aldrin, chlordane, DDT, dieldrin, dioxins, endrin, furans, heptachlor, hexachlorobenzene, mirex, PCBs, and toxaphene.

The Convention includes production and use bans on the nine intentionally produced POPs as set out in Annex A, and restrictions on production and use of DDT as set out in Annex B. Import and export of these chemicals has also been restricted, including exports to non-Parties. The latter restrictions were carefully drafted to ensure consistency with international trade obligations.

An interesting feature of the treaty is that while exemptions will be allowed in Annexes A and B for production and use of some chemicals, such as DDT which is required for malaria control, countries requiring such exemptions were not listed in the

* Senior Counsel, Legal Services, Environment Canada. The author was a member of the Canadian delegation to the Intergovernmental Negotiating Committee (INC) meetings two through five. The views expressed are those of the author and do not represent the views of the Government of Canada.

¹ The *Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals in International Trade*.

² UNEP/POPS/INC.1/7, 3 July 1998, Report of the INC for an International Legally Binding Instrument for Implementing International Action on Persistent Organic Pollutants on the work of its First session, para. 11.

Annexes at this time. A registry, to be maintained by the secretariat and available to the public, will be utilized to accept notifications made by countries at the time of ratification as to whether they will need to claim a particular production or use exemption. This novel concept evolved to avoid having the final negotiating session bog down in detailed negotiations over claims for exemptions, to avoid discouraging countries not actively involved in the negotiations from ratifying the agreement, and to make it simple to release exemptions no longer required.

Detailed obligations have been included for by-product emissions, including the requirement that Parties develop action plans for the reduction of such emissions, with the aim of ultimate elimination where this is feasible. The qualifier of "where feasible" had been a subject of intense negotiation throughout the various meetings, with those on one side arguing that it was impossible to completely eliminate by-product emissions (for example, wood burning), while those on the other felt it was important to strive for the ideal.

Although Canada no longer allows production and use of the intentionally produced POPs, these control obligations are available to be applied to any new chemicals which are added to the Convention through the science-based additions process. The process of adding new chemicals was one which also attracted an intense debate. The Convention establishes a science-based process to be carried out by a POPs Review Committee, and the tension throughout the negotiations related to the exact nature of the criteria for persistence, bio-accumulation, long-range transport and toxicity (i.e. to qualify it as a POP to which controls should be applied), as well as the role of the Conference of the Parties, the ultimate decision-making body in the Convention, in the science-based process.

The control of POPs wastes also generated substantial debate, and the agreement provides that the Conference of the Parties to the POPs Convention will work with the appropriate bodies of the *Basel Convention on the Transboundary Movements of Hazardous Wastes and Their Disposal* (which is already developing guidelines on the environmentally sound disposal of POPs wastes) to develop such guidance. The Basel Convention, including its prior informed consent procedures, will continue to apply

for parties to that Convention for transboundary movements, but joint work will avoid different standards for environmentally sound disposal, including destruction, between the two Conventions.

A critical issue for the developing world which came down to the final few hours of negotiation was the promise of financial support to implement the Convention's obligations. For Canada, a recipient of POPs from some developing countries (LDCs) and countries with economies in transition (CEITs), early action is so important that we provided \$20 million to be managed through the World Bank to fund projects in such countries to reduce POPs releases. In the end, negotiators agreed that the Global Environment

Facility (GEF) would be the interim financial mechanism for the Convention, and that new and additional funds for POPs would be made available to LDCs and CEITs, expected to occur through the 2003 GEF funding replenishment.

Precaution was referenced in the preamble to the agreement as underlying the concerns of all Parties to the Convention and "embedded within it". The Objective of the Convention referenced Principle 15 of the Rio Declaration on Environment and Development. Precaution was also integrated into the nature of the chemical addition process referenced earlier.

Two proposals launched by Canada of a highly precautionary nature were also taken on board and would require that Parties with chemicals programs take measures to regulate, with the aim of preventing, the production and use of new chemicals that exhibit POPs characteristics; similarly, where appropriate, when existing chemicals come up for re-evaluation.

Canada also had a two-pronged proposal accepted, which requires the creation of global arrangements for monitoring for the presence of POPs in the atmosphere, as well as for a mechanism to periodically evaluate the effectiveness of the treaty, including through monitoring, reporting and compliance information.

The final legal text will be posted on the UNEP's website,³ and no doubt will be closely studied by all negotiators leading up to the Diplomatic Conference in Stockholm in May of this year where the treaty will be open for signature. <

³ See: <<http://www.chem.unep.ch/pops>>.

News From Abroad:
Internship at the ICTY

By Jillian Siskind*

It has been said that the International Criminal Tribunal for the former Yugoslavia ("ICTY") is the strangest court in the world. It has also been said that it has no power to enforce an order to arrest suspects; it has limited powers to investigate alleged crimes on site and has doubtful credibility in the territory of the former Yugoslavia. Could it be true? Hardly.

It's a bright Tuesday morning, the second day at the Tribunal and, although it is only my second day, I notice that somehow this day is different. As I get closer to the ICTY building, I notice that the garden is encircled with police tape. There are television cameras and bright lights and, of course, heightened security as I show my badge, put my bag through the x-ray machine, go through the metal detector and enter the building.

That day, to set it apart from other days, was the day that Biljana Plavčević surrendered to the International Tribunal. There was a press conference and then her first preliminary hearing. She was perfectly poised as she answered to the charges leveled against her: genocide, complicity in genocide, persecution and other crimes against humanity. She repeated her plea – not guilty – over and over again that morning, after she cordially greeted the Chamber. Welcome to the Tribunal. We, in the gallery of the court and television viewers from around the world were watching the first woman ever indicted for international crimes in Yugoslavia. No less, she was a member of the Presidency of the so-called Serbian Republic of Bosnia and Herzegovina, and a member of the Supreme Command of the Bosnian Serb armed forces. No credibility in Yugoslavia? Maybe in some circles, but certainly not across the board.

The ICTY, located in The Hague, Netherlands, houses the Trial Chamber for those accused of grave breaches of the Geneva Conventions in the territory

* Jillian Siskind is a recent graduate of the Faculty of Law of the University of Ottawa. She is currently on a five month internship at the ICTY as part of her articles with the Department of Justice in Toronto.

of the former Yugoslavia since 1991, and the Appeals Chamber for persons accused for international crimes in both Yugoslavia and Rwanda.

There is very little comparison with the law and the context in which law is practiced in Canada and that which exists inside this building. In Canada, for example, when one needs to find a precedent, a wealth of case law is generally available for analysis.

"What makes the [ICTY] unique, among other things, is that it is open to good argument and is not bound by a wealth of case law."

That does not exist for the Tribunal as there is very little law to work with. There have been much fewer cases argued in front of the Chambers for both Rwanda and Yugoslavia to act as precedent. What attorneys and judges do at the Tribunal is make international law. What makes the tribunal unique, among other things, is that it is open to good argument and is not bound by a wealth of case law. The judges are free

to take a common law or civil law approach; they are not bound by domestic principles of evidence; they are a body of law unto themselves.

Working as an intern at the ICTY has more benefits than purely legal experience and something impressive to add to one's resume. The Hague has a unique international community of people from all over the globe. The Tribunal itself has a variety of nationalities represented, but there are also so many other organizations and university courses in this city which attract all sorts of people. To eat dinner with a Bulgarian on one side, a Surinamese on the other and a Finnish person across the table, certainly has the effect of making one feel part of something special.

So, that's the Hague. It is a quiet and beautiful city full of various people, food, music, laughter and, of course, the law. International law at that. It may be strange; it may not have full cooperation from the former Yugoslavia; it may have many critics, but one thing is for sure. It exists and the justice it serves is valuable and has real consequences. For Canadians seeking international human right experience, this is a great place to get it. For those merely interested in developments in this area, this one institution to watch. Best wishes from the seat of the Dutch government and the centre of international law. Tot ik je weer sien!

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CALL FOR PAPERS

The Consultative Council for Jewish Organizations (CCJO) is an NGO with special consultative status at the United Nations, established to encourage the recognition of human rights for all people and to ensure the input of the Jewish ethical tradition in the development of international human rights law.

One of the CCJO's new series of projects is in connection with the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held in South Africa in August 2001. The CCJO invites the submission of scholarly papers, 30 to 40 pages (double-spaced), on different aspects of racism and racial discrimination.

The following topics are likely to be among those to be addressed at the World Conference, but authors are not limited to these:

- ⇒ religious freedom;
- ⇒ the scope and limits of restitution and compensation for victims of discrimination;
- ⇒ the treatment of racism and discrimination by the UN system;
- ⇒ developments in the field of racism and discrimination in European law (EU and Council of Europe);
- ⇒ racism and the internet;
- ⇒ refugees, internally displaced persons, asylum seekers;
- ⇒ racism and the media;
- ⇒ racism and the criminal justice system.

Papers accepted will be distributed at the World Conference and will remain permanently available for consultation via the CCJO website. In addition, the CCJO is negotiating with a recognized publisher to produce a collection of selected papers in book form as part of the follow-up to the World Conference. The Horesh Foundation has generously agreed to provide 200.00 (Pounds Sterling) to each author whose paper is selected. Prospective authors are urged to submit a brief description of their topic for consideration as soon as possible.

For further information, please contact Raphael Walden, Adviser to the CCJO, at 42 Dennington Park Road, London NW6 1BD, U.K., by phone at +44 (0)20 7431 2272, or by email at:

<raphaelwalden@aol.com>.

HUMANITARIAN INTERVENTION

Dr. Penelope Simons, Director and Vice-President of both Lawyers for Social Responsibility and The Simons Foundation, has published "Humanitarian intervention: a review of literature", in the December 2000 issue of *The Ploughshares Monitor*.

An excerpt from a larger paper prepared for the *Ploughshares Roundtable on Humanitarian Intervention*, the article reviews scholarly opinion on the issues relating to international law and humanitarian intervention, including the role of the UN Security Council. The full text of the article can be found on *The Ploughshares Monitor* website at:

<<http://www.ploughshares.ca>>.

NOUVEAU SITE INTERNET

Un nouveau site Internet viens d'être établi sur le sujet du *Droit international des traités*. Comme annonce l'auteur du site, "les traités jouent un rôle fondamental dans les relations internationales. Ce site se propose d'offrir à un public intéressé une introduction au droit international des traités, c'est à dire des traités écrits conclus entre États et régis par le droit international public. En adoptant une démarche déductive, ce site souhaite présenter le droit international des traités en partant de ses principes inhérents et tels que repris par la Convention de Vienne sur le droit des traités de 1969." Le adresse du site est:

<<http://www.droit-internationale-public.net>>.

LOCKERBIE TRIAL VERDICT

On January 31, 2001, a special Scottish Court housed in the Netherlands found guilty one of the two Libyans accused of the December 1988 bombing of Pan Am flight 103 over Lockerbie. The court found Abdelbaset al-Megrahi guilty of murder and sentenced him to 20 years imprisonment in Berlinie prison in Scotland. Although the decision to convict Al-Megrahi was unanimous, the judgment indicates that it had been a close call, with the three judges acknowledging that the prosecution's case had "uncertainties and qualifications" and that key witnesses had repeatedly lied. The full text of the verdict is available at:

<<http://www.scotcourts.gov.uk/html/lockerbie.htm>>

See also <<http://www.thelockerbietrial.com>>. <

COMPLIANCE MATTERS

Recent Developments Relating to Compliance under Multilateral Treaties in the Area of Disarmament and International Security

• *THE MARKLAND GROUP* •

I. BOOK REVIEW - DISARMING IRAQ

The Greatest Threat: Iraq, Weapons of Mass Destruction, and the Crisis of Global Security, by Richard Butler, Public Affairs Books, New York, 2000

Reviewed by Sean Howard, Ph.D.*

Richard Butler's account of his chairmanship of UNSCOM constitutes a powerful indictment both of the regime of Saddam Hussein in its obstruction of the disarmament efforts of the international community, and of powerful forces within that community in their obstruction and, in Butler's view, ultimate betrayal of the Special Commission's work. The condemnation of Iraq is unsurprising; the criticism of a number of key UN states – in particular, Russia, France and China – is, from the broader perspective of global non-proliferation efforts, far more troubling.

The book's main claim is quickly established and forcibly developed: in the face of persistent Iraqi non-cooperation, the UN Security Council failed to keep the main issue – reversing a clandestine drive to acquire weapons of mass destruction – in view. The primary challenge of disarmament fell prey to secondary considerations: traditional geopolitical allegiances, fear of US 'hyperpower', repugnance at the humanitarian impact of sanctions, etc. Once it became clear to Iraq that the Council was a house divided, the UNSCOM project fell apart.

From Butler's perspective, the Commission's final decline began in October 1997 with the adoption of resolution 1134, intended to deal with the latest Iraqi obstruction. Such non-cooperation, Butler argues, was consistent with the pattern of 'cheat, retreat and

cheat again' long-favoured by Baghdad but previously kept in check by critical Security Council resolutions reaffirming unified support for UNSCOM. However, in what Butler describes as "a shocking change of heart," China, France and Russia abstained on 1134, a resolution which, while comparatively mild in tone, threatened to impose travel restrictions on Iraqi officials. Doubtless emboldened by the abstentions, Iraq responded defiantly, ordering the expulsion of US members of UNSCOM (and in effect refusing to end his obstruction). This dramatic move seems to mean – although Butler does not say this in so many words – that Saddam had become less concerned about the possibility of the Security Council imposing new sanctions targeted specifically at the leadership group.

Although Security Council unanimity was "surprisingly" restored in November 1997, with the adoption of resolution 1137 condemning Iraq's expulsion order, Butler argues that the die had already been cast. From 1134 on, he suggests, Iraq was convinced the Security Council would be unlikely to penalize it for obstructing the inspectors, either through travel bans or in any other way.

Butler does not simply blame Moscow, Paris and Beijing for the failure to disarm Iraq. He voices criticism of the UN Secretariat, a subject deserving a separate review, and also acknowledges the counterproductive impact of sanctions directed at the general population. Although he emphasizes the obvious importance of compliance and enforcement, he says very little about what might have been the factors motivating Saddam Hussein to comply, to the extent that he did, prior to resolution 1134. Notwithstanding this omission, *The Greatest Threat* amounts to a convincing plea for placing the challenge posed by weapons of mass destruction at the top of the international agenda.

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* Sean Howard Ph. D (University of Bradford) is the editor of **Disarmament Diplomacy** <<http://www.acronym.org.uk>> and Adjunct Professor in the Department of Politics, Government and Public Administration at the University College of Cape Breton. He lives in Louisbourg, Nova Scotia.

II. RECENT PUBLICATIONS

Compliance Mechanisms for Disarmament Treaties

By A. Walter Dorn and Douglas S. Scott

Dr. Dorn is a senior Research Fellow at Cornell University on the faculty at Pearson Peace-keeping Centre in Nova Scotia. Douglas S. Scott is President of The Markland Group. The 19 page article is organised under the following headings:

Verification of Compliance, Benefits, Penalties, Principles of Response, National Legislation, Other Mechanisms, Dispute Settlement Mechanisms, Graduated Measures, Domestic Implementing Agency, Amendment and Review Provisions, Withdrawal Clauses, Learning from Other Areas of International Law.

It contains a table of multilateral treaties signed between 1925 and 1997 summarizing the major prohibitions in each treaty and the compliance provisions.

Verification Under Duress

By Stephen Black

Mr. Black is a Fellow with the International Security Program at the Belfer Center for Science and International Affairs, John F. Kennedy School of Government, Harvard University, Boston. From 1993 - 1999, he was the Historian to UNSCOM.

The 13 page article tells the story of UNSCOM's efforts to bring about the destruction, removal or rendering harmless Iraq's weapons of mass destruction. It carries the tale through to December 1999 with the adoption of UN Security Council Resolution 1284.

Both of the above publications appear in **Verification Yearbook 2000** published by VERTIC (Verification, Research, Training and Information Centre at 15 - 17 St. Cross Street, London, EC1N 8UW, U.K. <<http://www.vertic.org>>. The Yearbook is edited by Trevor Findlay.

Lessons of the Agreed Framework for Using Engagement as a Non-Proliferation Tool

By Curtis Martin

The Non-Proliferation Review, Fall 1999, pp.35-50.

The 15 page article identifies a number of problems involved with using incentives as a tool for obtaining compliance with disarmament

obligations. It points to the example of the Agreed Framework signed by North Korea and the US in October 1994 and predicts serious problems with the final stages of its implementation.

Honey and Vinegar - Incentives, Sanctions and Foreign Policy

Edited by Richard N. Haass and Meghan L. O'Sullivan

Washington DC: Brookings Institution Press, 2000, xi, 211pp, US\$ 16.95 paper.

The editors have collected a number of case studies on the use of incentives and penalties by the US in dealing with China, Iraq, North Korea, South Africa, the Former Soviet Union and Vietnam. As with Martin's article, the problems of employing incentive-based engagement are outlined.

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III. LANDMINES CONVENTION AND NON-STATE ACTORS

Can rebel groups be persuaded to comply with the Landmines Convention?

Note: The following appeared in the November 2000 issue of VERTIC's newsletter **Trust and Verify**:

A booklet has been published on the issue of how non-state actors (NSAs), such as rebel groups [engaged] in armed combat with government forces, might be encouraged to comply with the 1997 Landmines Convention and how their compliance might be monitored. Unlike the 1997 Additional Protocol 1 to the 1949 Geneva Convention, which applies to certain NSAs such as armed rebel forces, the Landmines Convention ... applies only to states.

A March 2000 workshop hosted by the Swiss Campaign to Ban Landmines recommended encouraging NSAs to submit reports on their compliance, similar to those required of states parties under Article 7 of the Convention. NSAs might also be encouraged to allow external monitoring of their activities, a measure beyond the scope of the Convention. Opening dialogue, building trust and creating support for the ban among NSAs were, however, considered to be as important as drawing them into a formal regulatory framework.

Source 'Engaging Non-State Actors in a landmine ban workshop summary proceedings, 24-25 March 2000, Geneva. The Non-State Actor Working Group of the International Campaign to Ban Landmines is continuing work on this issue (see <www.icbl.org>)

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IV. BOOK EXCERPT - TREATY ENFORCEMENT

Reviewed elsewhere in this issue is Richard Butler's book *The Greatest Threat* which recounts his experiences as Executive Chairman of UNSCOM from July 1997 to June 1999 . The Markland Group quote here some of his thoughts on enforcement of treaties against weapons of mass destruction:

... if Saddam gets away with his weapons program, other states - even those that are reluctant to harbor weapons of mass destruction - will feel obliged to obtain them as a deterrent ... [230]

The treaties against weapons of mass destruction ... were crafted with great difficulty ... The confidence they gave to the peoples of the world has been one of the great accomplishments of our time - one that has been damaged, hopefully not irreparably, by the behavior of Iraq... [230]

... the fundamental flaw in the Treaty system [is] the unreliability of the enforcement mechanism... [235]

If we are to save ourselves from the inevitable use of weapons of mass destruction, either by accident or design, then we must provide the missing [element]: absolutely assured enforcement of the obligations under the treaties... [238]

It might prove necessary to build a new international organization to carry out the work involved in maintaining the principles and treaties against weapons of mass destruction. Theoretically, a United Nations Council on Weapons of Mass Destruction could be established with the mandate to receive progress reports under the treaties, especially reports on infractions, and to take decisions on the kind of enforcement action needed to be taken, within which there would

be no veto power. Clearly, this body would have a strong link to the Security Council because of the latter's overarching mandate for the "maintenance of international peace and security" In this effort the United States has an absolutely critical role to play... [239]

By leading the global community in the effort of reducing and then eliminating the unique danger posed by weapons of mass destruction, the United States can assure itself the highest and most justly honored place among nations in the annals of world history... [241]

It has often been argued that even though the veto went beyond what was intended, in many respects it served as an important tool in managing the Cold War and possibly saved it from becoming a hot war. But... [its] use in defense of a state violating a treaty against weapons of mass destruction is, in my view, a disaster. [236] <

Sylvie Gravel Prize Recipients

The Sylvie Gravel Prize was established in 1986 in recognition of Sylvie Gravel's contribution to the Canadian Council on International Law. The annual prize of \$200 is awarded to one or two graduate students in law at the University of Ottawa for the best Masters thesis or Memorial in public or private international law.

The prize for 1999-2000 was awarded to Ludmilla Allongue for her memorial entitled *Les modalités de résolution des conflits entre marques de commerce et noms de domaine de l'Internet* and Dina Koutouki for her Masters thesis entitled *Reconsidering Copyright Protection for Software and Databases*. Each recipient will be awarded \$100.

Previous recipients include: Parimal Kasbekar (1985-86), Grace Ntieyong Akpan (1988-89), Steven MacDonald (1989-90), Grégoire Bisson (1990-91), Gang Wu (1991-92), Abhimanyu Jalan (1992-93), Satinder Cheema (1993-94), Oxana Selska (1994-95), Normand Bonin (1995-96), Ausma Khan (1996-97), Philippe Lortie (1996-97), Stéphane Jean (1997-98), Julie Boulanger (1998-99) and Frédérique Couette (1998-99). <

Calendrier
Calendar

26 March 2001

The American University Washington College of Law and the Institute for Policy Studies are holding a one-day conference on *Individual Accountability for International Crimes: The Pinochet Precedent*. This conference will bring together jurists and legal scholars from around the world to share experiences and examine national and international mechanisms for holding individuals accountable for international crimes. Panelists will trace the development and impact of the Pinochet case and will examine the experiences of other cases that have grown out of the so-called "Pinochet precedent".

To register, send the name of the conference, your name, affiliation, address, phone, fax and email address along with the appropriate payment (US\$15) to: Office of Special Events and Continuing Legal Education, American University, Washington College of Law, 4801 Massachusetts Avenue, NW, Suite 407, Washington, DC 20016-8181; or by fax to (202) 274-4079. You may also register on-line at:

<<http://www.wcl.american.edu/secle>>.

4-7 April 2001

The American Society of International Law is holding in Washington, D.C. its 95th Annual Meeting from April 4-7, 2001. Under the theme of *The Visible College of International Law*, the Meeting's panels and lectures will debate the issue of whether the international legal community has entered a 'visible' phase. For information on the program and registration, see ASIL's website at:

<<http://www.asil.org/annual2001/am2001.htm>>.

20-22 April 2001

The Canada-United States Law Institute is sponsoring a Conference on The Impact of Federalism and Border Issues on Canada/U.S. Relations. The Conference will be held April 20-22, 2001 at the Case Western Reserve University School of Law in Cleveland, Ohio. The conference registration fee of \$750 U.S. (non-member) and \$675 U.S. (member) includes conference materials and hotel accommodation. The registration due date is March 16. Certificates of participation can be issued to present to individual bar authorities. For further information, you can contact Henry T. King Jr. at (216) 368-2096 or Phyliss E. Banks, Conference Coordinator at (216) 368-3018.

Canadian Bar Association Conferences

The Canadian Bar Association has several upcoming Continuous Legal Education Conferences that may be of interest to CCIL members. These include:

⇒ *International Commercial Arbitration in the New Millennium*, on March 29-30, 2001 at the Sheraton Centre Hotel in Toronto.

⇒ *Trade Law and Environment*, on March 30-31, 2001 at the Marriott Chateau Champlain Hotel in Montréal.

⇒ *The Practice of International Law in the 21st Century: It's Everybody's Business*, on May 3-4, 2001 at the Marriott Hotel in Ottawa.

Program information, registration forms, and accommodation and contact information for all of these conferences, and many others, is available on the CBA's website at:

<<http://www.cba.org/CBAEvent>>.

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Équipe du Bulletin/Bulletin Team
<p>Rédacteur/Editor: Robert McDougall</p> <p>Éditeurs associés/Associate Editors: Sonya Nigam & Jillian Siskind</p> <p>* detailed information about individual members of the <i>Bulletin</i> Team can be found on the CCIL website: * de plus amples renseignements sur les membres de l'Équipe du <i>Bulletin</i> se trouvent sur le site Internet à:</p> <p style="text-align: center;"><http://www.ccil-ccdi.ca></p> <p>The <i>Bulletin</i> is published tri-annually to share information about developments and activities in the field of international law in Canada and elsewhere. Ideas for articles, publication notices, events or other texts for inclusion in the <i>Bulletin</i> can be submitted to the CCIL office or directly by e-mail to bulletin@ccil-ccdi.ca.</p> <p>Publié trois fois par an, le <i>Bulletin</i> contient des renseignements relatifs aux développements du droit international et aux activités se rapportant à ce domaine au Canada et ailleurs. Vos idées pour des articles, des annonces de publication et événements, ou d'autres textes pour le <i>Bulletin</i> peuvent être envoyés au bureau du CCDI ou directement par courriel à l'adresse bulletin@ccil-ccdi.ca.</p>