

THE BRITISH INSTITUTE OF INTERNATIONAL AND COMPARATIVE LAW

Charles Clore House, 17 Russell Square, London WC1B 5JP

Tel: (+44)(0)20 7862 5151

E-mail: info@biicl.org

Fax: (+44)(0)20 7862 5152

No 3

www.biicl.org

JULY 2004

NEWSLETTER

Institute Annual Meeting

The Institute's Annual Meeting was held on Friday 11 June. It was an all-day event, opening with a lecture by Professor Vaughan Lowe, All Souls College Oxford, entitled *International and Comparative Law at a Time of Clear and Present Danger*. A series of panel sessions were then held in parallel on a wide range of subjects, followed by another lecture by Professor Jan Dalhuisen, King's College London, on *Legal Orders and Their Manifestation: The International Commercial and Financial Legal Order*. The events were concluded by a meeting of the Council and the formal AGM, and a dinner was held in the evening at Gray's Inn. The speakers included Sir David Edward KCMG QC, Vice President, BIICL; Lord Bingham of Cornhill, Chair of Council of Management, BIICL; Dr Mads Andenas, Director, BIICL; Jalil Asif, Four New Square; Professor Cees van Dam, BIICL; Hazel Fox QC, 4/5 Gray's Inn Square; Michael Hutchings, BIICL; Dr Philip Marsden, BIICL; Andrew Nicol QC, Doughty Street Chambers; Andrew Whittaker, General Counsel, FSA; APV Rogers OBE, Lauterpacht Research Centre for International Law, Cambridge; Clare Dyer, legal correspondent, *The Guardian*; Mr Justice David Richards; Professor Robin Churchill, University of Cardiff; Sir Michael Wood KCMG, FCO; Sir Jeremy Lever KCMG QC, Monckton Chambers; Professor Sir Roy Goode, St John's College Oxford; Sir Sydney Kentridge KCMG QC, Brick Court Chambers; Colonel Charles Garraway (Rtd) CBE, BIICL; Commander Neil Brown RN, Legal Adviser, Permanent Joint Headquarters; Daniel Joyner, University of Warwick; David Anderson QC, Brick Court Chambers; David Spivack, BIICL; Dr Alan Riley, University of Nottingham; Dr Andrew Scott, University of East Anglia; Dr Dave Bewley-Taylor, University of Wales; Professor Denis Baranger, Universite de Paris I; Dr Duncan Fairgrieve, BIICL; Dr Eleonora Rajneri, University of Turin; Dr Liora Lazarus, St Anne's College Oxford; Dr Magdalena Sengayen, University of Oxford; Dr Matthias Pannier, BIICL; Dr Ralph Wilde, UCL; Dr Ross Cranston QC MP DCL; Dr Stefan Enchelmaier, Max Planck Institute; Dr Susan Breau, BIICL; Emily Willmott, FCO; Fabrice Pothier, The Senlis Council; HE Judge Rosalyn Higgins DBE QC; Iain Christie, 5 Raymond Buildings; Jake Rowbottom, King's College Cambridge; Joanna Harrington, University of Western Ontario; John Kelleher, Addleshaw Goddard; Joshua Rozenberg, Legal Editor, *The Daily Telegraph*; Mark Harvey, Hugh James; Michael Spencer QC, Crown Court Chambers; Mr Justice Toulson, The Law Commission; Nick Barber, Trinity College Oxford; Peter Carter QC, 18 Red Lion Court; Philip Bovey, DTI; Professor Abimbola A Olowofoyeku, University of Brunel; Professor Alan Boyle, University of Edinburgh; Professor Anthony W Bradley, Convenor, Constitutional Law Group; Professor Diana Woodhouse, University of Oxford Brookes; Professor Dr Walter Van Gerven, KU Leuven; Professor Eileen Denza, UCL; Professor Francoise Hampson, University of Essex; Professor Jonathan Rickford CBE, BIICL; Professor Michael Byers, Duke University; Professor Nigel White, University of Nottingham; Professor P D Dagtoglou, University of Athens; Professor Philip Iya, BIICL; Richard Cornes, University of Essex; Richard Eccles, Bird & Bird; Roger Smith, Director, Justice; Saul Lehrfreund, Commonwealth Caribbean Death Penalty Project; Shane Sayers, Kennedys; Simon Gleeson, Allen & Overy; Sir Keith Morris KBE CMG, British Ambassador to Colombia, 1990-94; Sir Thomas Legg KCB QC, former Permanent Secretary, Lord Chancellor's Department; Stefan Lenze, BIICL; The Hon Mr Justice Lawrence Collins FBA LLD; The Rt Hon Justice Sir Kenneth Keith, Justice of the Supreme Court of New Zealand; Tim Plews, Clifford Chance LLP; and Vanessa Knapp, Freshfields Bruckhaus Derringer.

RECENT ACTIVITIES

Project on the Application of the Death Penalty in Commonwealth Africa

The Project will, by the end of June, mark the end of the first year of its activities directed towards ensuring that potential National Coordinators for the Project are identified and appointed; National Coordinators are supplied with relevant information technology equipment and a common email communication list is set up; the conference on comparative law and experience in respect of the death penalty is held for the members of the collaborating network as well as litigators from other jurisdictions with comparative experience; a questionnaire about available and needed legal materials is circulated among all National Coordinators and returned to identify materials for the compilation; and a survey of available legal materials in London and in each target country is conducted. The Progress Report on each of the above expected activities and outcomes is now available on the BIICL website which can be viewed at: www.biicl.org/deathpenalty

International Review on Counter-Terrorism Powers and Practice

In May and June 2004 the Institute was commissioned by the Home Office to complete a major comparative law project on counter-terrorism powers and practice, following publication by the latter of its consultation paper, *Counter-Terrorism Powers; Reconciling Security and Liberty in an Open Society*. This project examined the approaches in legislation and in policy that have been used internationally in response to terrorist threats. The focus of the study was on eight specific countries: the United States; Canada; Australia; Belgium; France; Germany; Sweden; and Spain.

Institute Publications (all titles are available directly from the Institute via mail-order or online at www.biicl.org)

The Institute is delighted to announce the recent publication of five new titles:

Current Competition Law Volume II (edited by Mads Andenas, Michael Hutchings and Philip Marsden)

A collection of papers and speeches given at a number of competition law conferences and events during 2003. Areas covered include cartels, compliance, competition in media, pricing practices and mergers, and provide both national and international

perspectives from European and North American academics and practitioners, as well as important statements of policy by competition regulators.

Legal Globalization: Money Laundering Law and Other Cases (by Heba Shams)

Volume 5 in the Sir Joseph Gold Memorial Series, this title explores the ongoing developments international economic law as it interacts with international and domestic criminal law through the study of anti-money laundering law.

Common Principles of Tort Law (by Gert Brüggemeier)

By comparing tort law in Germany and the USA (two of the most developed western industrial nations), the author endeavours to develop principles to be used as a basis for generalization, and also a common level of international work on structures and concepts of modern tort law.

The Future of Transnational Civil Litigation (edited by Mads Andenas, Neil Andrews and Renato Nazzini)

This book presents the responses of English law to the project between the American Law Institute and the International Institute for the Unification of Private Law (UNIDROIT) to draft a set of Principles and Rules applicable to transnational civil litigation. Senior members of the judiciary and leading practitioners from Europe and America examine specific issues of transnational civil litigation.

Comparative Law before the Courts (edited by Guy Canivet, Mads Andenas and Duncan Fairgrieve)

Comparative law is increasingly recognized as an essential reference point for judicial decision-making and this book is thus extremely timely, bringing together a collection of essays by distinguished jurists from the judiciary and academia, and providing an important contribution to analysis of this topic.

Institute members are entitled to a 40 per cent discount on all Institute books.

PAST EVENTS

PUBLIC INTERNATIONAL LAW

On 5 April 2004 the Institute hosted the Fourteenth Conference on Theory and International Law (in association with the Society of Legal Scholars' Public International Law Group) on *The Security Council in Law and Practice*. The speakers were Dr Mashood A Baderin, UWE, Bristol; Dr Susan C Breau, BIICL; Tom D Grant, University of Cambridge; Enrico Milano, LSE; Stefan Talmon, University of Oxford; Olzem Ulgen, University of Sheffield; Sir Michael Wood KCMG, Legal Adviser, FCO.

On 20 April 2004 Sir Bob Geldof gave the Bar Human Rights Committee Bi-Annual Lecture on Human Rights in Africa at St Paul's Cathedral. He was introduced by Professor Philip Iya, BIICL, with closing remarks by Shami Chakrabarti, Liberty. Also on 20 April 2004 an event was held in the Parallel Proceedings Series on *Avoiding Conflicting Decisions at the International Level: Forum non Conveniens, Lis Alibi Pendens, Res Judicata and Related Principles*. The speakers were Professor Vaughan Lowe, All Souls College, Oxford; Professor Robin Churchill, Cardiff Law School; Professor August Reinisch, University of Vienna; and David Joseph QC, Essex Court Chambers.

On 21 April, an event was held in the 2004 Human Rights Series, entitled *Economic Social and Cultural Rights*. The speakers were Iain Byrne, Interights, and Professor Sheldon Leader, University of Essex.

On 22 April an event was held at the Institute of Commonwealth Studies with the Commonwealth Lawyers' Association on *Supporting Human Rights Defenders in the Commonwealth – What can be done?*

On 26 April, the Institute held an event on *Exclusion of Judicial Review – Can it be Justified?* The chairman was The Rt Hon Lord Justice Dyson, Royal Courts of Justice, and the speakers were Dr Christopher Forsyth, Director, Centre of Public Law, Cambridge; Professor Carol Harlow, LSE; Professor Colin Harvey, Leeds University; Professor Andrew Le Sueur, Birmingham University, Editor of *Public Law*.

On 27 April a lecture was given by The Rt Hon Lord Justice Carnwath, Law Commission, on *Judicial Protection of the Environment*, as part of the International and European Environmental Law Series, in association with IALS and Imperial College. The Rt Hon Lord Slynn of Hadley PSRC, House of Lords, chaired the lecture.

A book launch was held at the Institute on 29 April in association with Clifford Chance LLP to mark the publication of *State Immunity: Selected Materials & Commentary*, by Andrew Dickinson, Clifford Chance LLP and Fellow, BIICL; Rae Lindsay, Clifford Chance LLP, and James P Loonam, Clifford Chance LLP. The book is published by Oxford University Press.

On 4 May 2004 a closed seminar was held in association with the Royal Institute for International Affairs. Among those speaking or presenting papers were Professor Alan Boyle, University of Edinburgh and General Editor, *ICLQ*; Professor Jutta Brunnée, University of Toronto; and Stephen Toope, President, Pierre Elliott Trudeau Foundation, Montreal. Also on 4 May the Institute held an evening seminar, entitled *The Coalition Provisional Authority and Military Forces in Iraq: Issues of Individual and Collective Responsibility*. The speaker was Dr Ralph Wilde, UCL Law Department.

On 7 May the Institute's Investment Treaty Forum held its second conference, entitled *Appeals and Challenges to Investment Treaty Awards: Is it Time for an International Appellate System?* The conference was chaired by Sir Elihu Lauterpacht QC, 20 Essex Street Chambers and University of Cambridge; Professor James Crawford, Matrix Chambers and University of Cambridge; Professor Martin Hunter, Essex Court Chambers and Nottingham Trent University; Professor William W Park, Boston University Law School; and Philippe Ruttley, Clyde & Co. The speakers were VV Veeder QC, Essex Court Chambers; Doak Bishop, King & Spalding, Houston; Nigel Blackaby, Freshfields Bruckhaus Deringer, Paris; Judith Gill, Allen & Overy; Guido Tawil, M & M Bomchil, Buenos Aires; Dr Valerie Hughes, WTO Secretariat; Philippe Pinsolle, Shearman & Sterling LLP, Paris; Audley Sheppard, Clifford Chance LLP; Professor Asif Qureshi, 4 Essex Court and Manchester School of Law; Robert Volterra, Herbert Smith; Carlos Ignacio Suarez Anzorena, Clifford Chance LLP; Mark W Friedman, Debevoise & Plimpton; Noah Rubins, Freshfields Bruckhaus Deringer, Paris; Daniel M Price, Sidley Austin Brown & Wood, Washington; Abby Cohen Smutny, White & Case, Washington; Professor Thomas Wälde, CEMPLP, University of Dundee; Philippe Pinsolle, Shearman & Sterling, Paris; Dr Mads Andenas, BIICL; Barton Legum, US State Department; Michael Schneider, Lalive & Partners, Geneva; and Bette Shifman, Permanent Court of Arbitration.

On 10 May Professor Philippe Sands QC, University College London, gave a lecture entitled *International Law, Climate Change, and the United States*. This was part of the International and European Environmental Law Series, in association with IALS and Imperial College.

On 10-11 May 2004 a conference was held in Uganda, Africa, on *The Application of the Death Penalty in Commonwealth Africa*. This was organized as part of the Institute's ongoing research project on the subject. Professor Philip Iya, Dr Suasana Breau, Theodora Christou and Juan-Pablo Raymond were all involved in the organization of the conference and also represented the Institute.

During 11-13 May the Institute held several events on WTO law, as part of a supporting programme to the major conference on 12 May. These included a research seminar on *WTO, GATS & Financial Services* on 11 May at which the speakers were Dr Kern Alexander, University of London; Professor Chi Carmody, University of Western Ontario; Lode van den Hende, Herbert Smith, Brussels; and Todd Weiler, University of Windsor. Another seminar was held on 13 May on *The Concept of Non-Discrimination and Market Access: The WTO, EU, and other Trade Agreements*.

The Fourth Annual WTO Conference on *Dispute Settlement in the WTO* was held on 12 May at Senate House. The chairs and speakers included Professor John H Jackson, Georgetown University; Dr Valerie Hughes, WTO, Director Appellate Body Secretariat; and Professor Piet Eeckhout, KCL; Advocate General Francis Jacobs, European Court of Justice; Gary Horlick, Wilmer Cutler & Pickering LLP; Professor Marco CEJ Bronckers, Wilmer, Cutler & Pickering LLP; Professor Thomas Cottier, University of Berne; Professor Donal Regan, University of Michigan Law School; Professor Chi Carmody, University of Western Ontario; Geert A Zonnekeyn, ECJ referendaire; Natalie McNelis, Wilmer, Cutler & Pickering LLP; Bernard O'Connor, O'Connor & Company; Lode van den Hende, Herbert Smith; Ignacio Garcia Berceo, European Commission; Dr Lorand Bartels, University of Edinburgh; Professor Stefan Grillner, University of Economics, Vienna; Professor Joost Pauwelyn, Duke University; and Professor Jim Rollo, University of Sussex. The conference was followed by a dinner.

On 19 May another lecture in the International and European Environmental Law Series was held, on the subject of *Incorporating Principles of Justice in United States Environmental Law*. The speaker was Professor Sheila Foster, Fordham University.

On 9 June 2004 another lecture in the same series was held, with the title *The Aarhus Convention and Environmental Governance in the European Union*. The speakers were Professor Catherine Redgwell, University College London, and Professor Dr Kurt Deketelaere, Tiensestraat 41.

PRIVATE INTERNATIONAL LAW

On 20 April, a practitioner workshop on arbitration was held, entitled *Expert Evidence in International Commercial Arbitration*. The speakers were Dr Günther Horvath, Freshfields Bruchhaus Deringer, Vienna; Roberta Downey, Lovells; and Dr Stephen Wilske, Gleiss Lutz, Stuttgart. The workshop was chaired by Philip Newman, 3 Gray's Inn Square and Vice-Chairman of the Academy of Experts.

On 18 May 2004 a practitioner workshop on was held, entitled *The Approach of National Courts to International Commercial Arbitration*. The speakers were Thomas H Webster, Gravel Otto & Associates, Paris; Sophie Nappert, Denton Wilde Sapte; and Constantine Partasides, Freshfields Bruckhaus Deringer, Paris.

On 27 May the Society for Comparative Legislation Annual Lecture was given by Professor Jan H Dalhuisen, King's College London. The title *Legal Orders and their Manifestation and Identification: the International Commercial and Financial Legal Order*. Lord Slynn of Hadley was in the chair.

On 2 June 2004, an event was held on *Medical Records and Genetic Data*, as part of the Data Protection Research and Policy Group series. The speakers were Iain Bourne, Info Commissioner's office; Kathy Liddell, University of Cambridge; Jane Kaye, University of Oxford; and Prini Patel, Barlow Lyde & Gilbert.

On 8 June the Institute hosted a practitioner workshop in international commercial arbitration, on *The Finality of an Arbitral Award: A Good Thing?* The speakers were Georgios Petrochilos, Freshfields Bruckhaus Deringer, Paris; Charles Kaplan, Herbert Smith, Paris; and Ali Malek QC, 3 Verulam Buildings, and the chairman was Audley Sheppard, Clifford Chance.

On 15 June the Institute held the second DPRPG quarterly meeting on *Data Protection in the Employment Field*, chaired by Shelagh Gaskill, Masons. The speakers were Professor Matthew W Finkin, University of Illinois; Dr Omer Tene, BIICL; and Mark Mansell, Allen & Overy.

COMPARATIVE LAW

On 30 April 2004 the Institute held a one-day conference sponsored by Dechert on *European v US Product Liability Today - Different Levels of Consumer Protection and Liability Risks?* The speakers included: David Body, Irwin Mitchell; Jeffrey Bucholtz, US Department of Justice; Martyn Day, Leigh Day & Co; Dr Duncan Fairgrieve, BIICL; Rod Freeman, Lovells; Luis Gonzales-Vaqué, European Commission; Joseph Hetrick, Dechert; Professor Geraint Howells, University of Sheffield; Stefan Lenze, BIICL; Professor Dr Miquel Martín-Casals, University of Girona, Spain; Dr Alexandra McConnell, Clifford Chance LLP; Professor Dr Hans-W Micklitz, University of Bamberg; Professor Mark Mildred, University of Nottingham; Professor David Owen, University of South Carolina Law School, Columbia; Simon Pearl, Davis Arnold Cooper; Prashant Popat, Henderson Chambers; Professor Jane Stapleton, RSSS, Australian National University; Simon Taylor, Université de Paris VII; Nicholas Underhill QC, Fountain Court; and Paul Llewellyn, Now Training. A conference dinner was held in the evening.

On 19 May 2004 a seminar was held, by invitation only, as part of the Product Liability Series, on *Education Claims in Tort*.

In conjunction with Oxford University, the Institute organized a programme of events during 20-3 May for members of the French *Conseil d'Etat* to meet with British judges. Seminars took place at the Institute, Inner Temple, and at Oxford, on a variety of topics. The attendees included Daniel Labetoulle, président de la Section du contentieux; Yves Robineau, président adjoint de la Section du contentieux; Bernard Stirn, président adjoint de la Section du contentieux; Bruno Lasserre, président adjoint de la Section du contentieux; Mattias Guyomar, Commissaire du Gouvernement; Lord Justice Rix; Lord Justice Mance, Lord Justice Sedley; Lord Justice Auld; Professor Paul Craig, St John's College Oxford; Mads Andenas, BIICL; and Duncan Fairgrieve, BIICL.

On 26 May the Institute held an event on *Creating a Supreme Court: Judicial and Political Perspectives*. The speakers were The Hon Margaret Wilson, Attorney-General of New Zealand; The Lord Chancellor and Secretary of State for Constitutional Affairs (Lord Falconer of Thoroton); The Right Hon Justice Kenneth Keith, Justice of the Supreme Court of New Zealand; and The Right Hon Lady Justice Arden, Court of Appeal (England and Wales) and formerly Chairman of the Law Commission. William Blair QC, chairman of the Commercial Bar Association, chaired the meeting.

On 21 June a one-day conference was held on *The French Civil Code and its International Influence*. The event was sponsored by Simmons & Simmons, the French Embassy, Dalloz, Allen & Overy and Eurostar. The speakers were Michael Brooke, 4 New Square; Gay Bailey, Department of Constitutional Affairs; Veolia Water; Dame Elizabeth Butler-Sloss; Guy Canivet, le Premier Président de la Cour de cassation, France; John Cartwright, University of Oxford; Professor Pauline Corlay, Université de Paris II; Dr Mads Andenas, BIICL; Dr Duncan Fairgrieve, BIICL; Professor Bénédicte Fauvarque-Cosson, Université de Paris II; Antoine Garapon, IHEJ Paris; Professor Patrick Glenn, McGill University; Professor Shael Herman, University of Tulane; Bertrand du Marais, Conseiller D'Etat Honoraire; The Rt Hon Lord Hope of Craighead, House of Lords; Margot Horspool, University of Surrey; Professor Jauffret-Spinosi, Université de Paris II; Dame Judith Mayhew Jonas DB; Allan Levy QC; Hugh Mercer, Essex Court Chambers; Professor Horatia Muir-Watt, Université de Paris I; Lord Phillips MR; Mr Justice Singer; The Rt Hon Lord Slynn of Hadley, PSRC; Eva Steiner, King's College London; The Hon Mr Justice Tugendhat; Professor Stefan Vogenauer, Institute of European and Comparative Law; Dr Simon Whittaker, University of Oxford; Jean-Francois Dubos, Vivendi Universal; and Bernard Rabatel, French Embassy. A moot was also organized on the same subject, and a reception and dinner were held in the evening.

COMPETITION LAW

On 6 April the Institute held a competition law practitioner workshop on *Genzyme and Price-Squeezing*, at which the speakers were Derek Ridyard, RBB Economics; Aidan Robertson, Brick Court Chambers; Gavin Robert, Linklaters; Rhodri Thompson QC, Matrix Chambers. Margaret Bloom, Freshfields Bruckhaus Deringer and KCL, chaired the workshop.

On 27 April another workshop was held, on *Economists in Court*. The Hon Mr Justice Lightman chaired the workshop, and the speakers were Dr Cento Veljanovski, Case Associates; and David Vaughan CBE QC, Brick Court Chambers.

The Fourth Annual Conference on International and Comparative Competition Law was held on 10-11 May 2004, at Senate House, again under the title *The Trans-Atlantic Antitrust Dialogue*. The speakers, chairs and panelists were as follows: Dr Philip Marsden, BIICL; Stephen Blake, EC Commission; Margaret Bloom, Freshfields Bruckhaus Deringer; Dr Cristina Caffarra, Lexecon; Mark Clough, Ashurst; James Murray, BEUC; Neil Feinson, Office of Fair Trading; Diana Good, Linklaters; Michael Hutchings, Competition Law Forum; Frederic Jenny, Conseil de la Concurrence; Petri Kuoppamaki, Nokia; Ms Linda Martin Alegi, Baker & McKenzie; David Sibley, United States Department of Justice; Philippe de Buck, UNICE; Denis Waelbrock, Ashurst; Spencer Weber Waller, Loyola University; Advocate General Francis Jacobs, European Court of Justice; Professor John Kallaugher, Latham & Watkins; Mr Makan Delrahim, US Department Of Justice; Gavin Robert, Linklaters; Lars Hendrik-Roller, European Commission; Dr Renato Nazzini, Office of Fair Trading; Derek Ridyard, RBB Economics; R. Hewitt Pate, US Department Of Justice; Philip Lowe, European Commission; Phil Evans, Consumers' Association; Juan Riviere y Marti, European Commission; Mr Peter Freeman, Competition Commission; Malcolm Nicholson, Slaughter & May; Bert Foer, American Antitrust Institute; Kris DeKeyser, European Commission; Matthew Levitt, Lovells; Christoph Stadler, Hengeler Mueller; Sir David Edward KCMG QC LLD FRSE; Richard Wainwright, European Commission; Wilmer Cutler & Pickering; Simon Priddis, Office of Fair Trading; John Vickers, Office of Fair Trading; Dr John Fingleton, Irish Competition Authority; Mr Chris Bright, Shearman and Sterling; Jim Griffin; Denyse MacKenzie; Gary Spratling, Gibson Dunn & Crutcher; Simon Williams, Office of Fair Trading; Thomas Vinje, Clifford Chance; Professor Philippa Watson, Essex Court Chambers; Philippe de Buck; James Murray; William Kovacic, Federal Trade Commission; Andrej Plahutnik, Competition Protection Authority, Slovenia; Neil Campbell, McMillan Binch; John Temple Lang, Cleary Gottlieb Steen Hamilton. The conference was sponsored by Lovells, FIPRA International, Freshfield Bruckhaus Deringer, Shearman & Sterling LLP, and Virgin Atlantic. A conference dinner was held on the evening of 10 May, at Drapers' Hall, sponsored by Lovells. The evening speaker was Frédéric Jenny, Conseil de la Concurrence.

On 17 June the Sixth Competition Law Forum Meeting was held in Brussels on *Air Transport*, and was followed by a dinner at which Philip Lowe, DG Competition, spoke.

On 22 June the Institute held a practitioner workshop on *Arbitration in Competition Cases*. The speakers were Christopher Bright, Shearman & Sterling LLP; Simon Priddis, OFT; Don Baker, Baker & Miller; and Michael Bowsher, Monckton Chambers.

EUROPEAN LAW

On 23 April 2004 a conference was held as a result of a related Institute project on *The Future of Enforcement Agency Practice in Europe: Cooperation or Harmonization?* The speakers were as follows: Professor Burkhard Hess, University of Heidelberg; Professor Ton Jongbloed, University of Utrecht; Professor Mag Dr Paul Oberhammer, University of Zürich; Professor Torbjörn Andersson, Uppsala University; Professor Juan Pablo Correa Delcasso, Universidad de Barcelona and Bufete Ribalta & Asociados; Judge George Kodek, Austria; Professor Hugo Fridén, Uppsala University; Dr Sabine Lacassagne Centre de Droit Civil des Affaires et du Contentieux Economique, Université Paris X- Nanterre; John Kruse, Civil Enforcement Consultant; and Andrew Dickinson, Clifford Chance LLP.

On 28 April a workshop was held as part of the Data Protection Research and Policy Group Series, on *The EU Constitution: The Relationship between Privacy and Data Protection*. The speakers were Dr Lee Bygrave, Norwegian Research Centre for Computers and Law; Professor Spiros Simitis, Johan Wolfgang Goethe-Universitat; Peter Hustinx, European Data Protection Supervisor.

A two-day conference was held on 13-14 May 2004, in association with SLS and UKAEL, with the title *'Down our estuaries and up our rivers': The Impact of Thirty Years EU Membership on UK Law*. The speakers and chairs included: The Rt Hon Lord Slynn of Hadley, House of Lords; Advocate General Francis Jacobs, European Court of Justice; Dr Mads Andenas, BIICL; The Rt Lord Justice Mummery, Royal Courts of Justice; Sir Christopher Bellamy, Competition Service; Paul Lasok QC, Monckton Chambers; Richard Plender QC, 20 Essex Street; David Vaughan CBE QC, Brick Court Chambers; Professor Derrick Wyatt,

University of Oxford; Professor John Usher, University of Edinburgh; Professor Stephen Weatherill, Somerville College Oxford; Professor Vernon Bogdanor, Brasenose College Oxford; Professor Erika Szyszczak, University of Leicester; Professor Robin White, Professor Brian Bercusson, King's College London; and Professor Joe Thomson.

The Institute held an event on 23 June on *E-Commerce, Distance Marketing and Financial Services in the EU*. The speakers included Dr Mads Andenas, BIICL; Jane Welch, BIICL; Professor Jan Wouters, University of Leuven; Mark Kalderon, Freshfields Bruckhaus Deringer; Niamh Moloney, Queen's University, Belfast; Jens Ring, European Commission; Quentin Archer, Lovells; Eva Lomnicka, King's College London; and Annemarie den Tex, Nautadutillh.

On 24 June, a conference was held, entitled *The Conflicts-of-Corporate Laws Revolution in the European Union: Uberseering, Inspire Art and Beyond*. The speakers were Dr Mads Andenas, BIICL; Professor Werner Ebke, University of Konstanz; Professor Jonathan Rickford CBE, Company Law Centre, BIICL; Professor Otto Sandrock, University of Münster; Professor Dan Prentice, University of Oxford; Professor Enrique Luca, University of Rome; Jaap Winter, University of Rotterdam; Professor Luca Enriques, University of Bologna; and Dan Busbee, SMU Institute of International Banking. Also on 24 June an event was held on *Developments in Civil Procedure in Europe*. The speaker was R G Fentiman, Queens' College Cambridge.

The London-Leiden Meeting was this year held in Leiden on 26 June.

FORTHCOMING EVENTS 2004/5

Unless otherwise indicated, the venue for events is Council Chamber, Charles Clore House, 17 Russell Square, London WC1B

The majority of BIICL events are CPD accredited. Please call +44 (0) 20 7862 5151 for further information.

Prices indicated are inclusive of VAT.

Please note that the cancellation date for refunds is *five* working days prior to each event, and that payment is required prior to attendance or at the entrance to the event. Spaces for some events are limited and are on a first come, first served basis.

Please register via our website: www.biicl.org

by fax: +44 (0) 20 7862 5152 with Mary Clements by email: m.clements@biicl.org

JULY

13 July Event Code: 296	Litigation and Compensation: The Report of the Better Regulation Task Force Victoria Younghusband, Better Regulation Task Force.
15 July. Event Code: 392	BIICL Summer Party
Thursday 1 – Wednesday 2 Goodenough College. Event Code: 220	Towards a European Constitution (in association with The Federal Trust and UACES)
Monday 5; 17:30 – 19:30 Free to attend Event Code: 201	Second Annual Stuart Chalfen Memorial Lecture - Privacy, Security and Transparency: Challenges for Data Protection Law in a New Europe Christopher Kuner, Hunton & Williams Brussels; The Rt Hon Lord Justice Mummery, Royal Courts of Justice.
Tuesday 6; 17.30 – 19.30 Lecture Theatre. Free to attend. Event Code: 277	Regulation Forum Launch Event The Rt Hon Lord Gordon Slynn of Hadley, PSRC; Lord David Currie of Marylebone, OFCOM; Andrew Whittaker, FSA.
Tuesday 13; 10.00 – 18.00	Clearing and Settlement (Workshop) Martin Thomas, Bank of England; Joanna Benjamin, LSE; Eva Micheler, LSE; Jane Tuckley, Travers Smith Braithwaite; Madeleine Yates, Clifford; Megan Butler, FSA; Greg Olson, Jones Day; Jonathan Tatten, Denton Wilde Sapte; Jane Welch, BIICL; Professor Jonathan Rickford, Director, BIICL; Dr Philip Marsden, BIICL.
Tuesday 13; 13.00 – 14.30 Institute of Commonwealth Studies Free to attend	Lecture: The Responsibility to Protect (in association with the Institute of Commonwealth Studies, Commonwealth Policy Studies Unit and the One World Trust) Professor Ramesh Thakur, Senior Vice Rector of the United Nations University and Assistant Secretary-General of the United Nations.
Wednesday 14; 17:00 – 19:30. £47 Members; £70.50 Non-Members. £23.50 Students. 2 CPD Hours. Event Code: 28	2004 Data Protection Research and Policy Group Series Technology: A Help or Hindrance to the Protection of Privacy?
Tuesday 27. Event Code: 301	Microsoft: Opening Windows (Competition Law Practitioner Workshop)
SEPTEMBER	
Friday 10	Investment Treaty Forum Third Conference
Monday 13. Event Code: 291	The Proposed EU Constitution, Unity in Diversity: Can it be Achieved?
Friday 17; 9:00 – 18:00 Saturday 18; 10:00 – 13:30 Event Code: 260	Corporate Governance Post Enron (in association with Queen Mary and the Stockholm Centre for Commercial Law) Professor John Lubbock, University of London; Professor Paul Davies, LSE; Professor John C Coffee Jr, Columbia Law School; Professor Deborah A Mellot, Duke University; Edward F Greene, Cleary Gottlieb Steen & Hamilton, London; Professor Eva Lomnicka, University of London; Professor Jonathan Rickford, BIICL; Dr Mads Andenas, BIICL.
Date to be confirmed. By invitation only. Event Code: 29 Dinner: £58.75. Event Code: 190	Criminalization & Leniency (Seventh Competition Law Forum Meeting) ---
Thursday 23; 14:00 – 17:30 Invitation only. Event Code: 185	Competition Law Forum Dinner Applicability of Laws in Multi-Jurisdictional Circumstances (Third Meeting of the Data Protection Research and Policy Group)
Friday 24 12:00. Senate House (Senate	2004 Public International Law Series

Room) Event Code: 227 Wednesday 29; 17:30 – 19:30 Event Code: 250	Immunities of International Organizations The Precedential Value of Decisions by International Arbitral Tribunals: Sources of International Law? Professor Christopher Greenwood CMG QC, Essex Court Chambers; Professor Philippe Sands, University College London; Professor Vaughan Lowe, All Souls College Oxford.
OCTOBER	
Friday 1. Social Science Research Suite Event Code: 237	Time, History and International Law: International Law in History / History in International Law (in association with Queen Mary) Sir Franklin Berman, Essex Court Chambers; Dr Philip Allott, Trinity College Cambridge; Professor Tony Carty, University of Westminster; Mathew Craven; HE Judge Rosalyn Higgins, International Court of Justice; Professor Philippe Sands QC; Professor D Bederman; Professor R Lesaffer; Catriona Drew; Professor Jan Klabbers; Hazel Fox QC, 4/5 Gray's Inn Square; Professor N Berman; Dr G Simpson; Dr P Okawa; Professor M Shaw; Dr Iain Scobbie, School of Law.
Wednesday 6; 17:00 – 19:30. £47 Members; £70.50 Non-Members. £23.50 Students. 2 CPD Hours. Event Code: 30	India: Data Protection Laws
Wednesday 6; 17:30 – Lecture Theatre. Event Code: 186	Annual Sir Hersch Lauterpacht Memorial Lecture Ian Brownlie CBE QC, Blackstone Chambers.
Saturday 9; 9:00 - 17:45 – Sunday 10 Cairo Event Code: 308	Third Informal Gathering of General/Senior Counsels of International Development Institutions: The Impact of Legal Culture on the Foreign Investment Process (in association with the London Forum)
Friday 15; 17:15 – 19:30 Event Code: 270	Developments in Competition Litigation - A Comparative Perspective Sir Christopher Bellamy, Competition Service.
Thursday 22; 09:00 – 18:00 Event Code: 261	Takeover Conference Professor Jonathan Rickford, BIICL; Dr Mads Andenas, BIICL; Julien Francis, Freshfields; Andrew Johnston, University of Sheffield.
NOVEMBER	
Thursday 4. Event Code: 221	Application of the Death Penalty in Commonwealth African States
Saturday 6. Event Code: 211	Bar Council Conference: BHRC Panel on Human Rights in Africa
Thursday 11. Event Code: 199. Lecture Theatre. Free to attend.	Annual Grotius Lecture: <i>From the Law of Nations to the European Constitution</i> Advocate General Francis Jacobs, European Court of Justice.
Thursday 11. Event Code: 198	Annual Grotius Dinner. Sponsored by Linklaters.
Monday 15. Event Code: 200. Free to attend.	28th FA Mann Lecture (in association with Herbert Smith) Professor Sir Roy Goode, St John's College Oxford.
Thursday 18 – Friday 19; 09:00 – 18:00	Conference on Corporate Governance Professor Jonathan Rickford, BIICL; Professor Jaap Winter, University of Amsterdam.
Friday 19; 16:00 – 18:00 Event Code: 283	The New Convention of the Law of State Immunity Hazel Fox QC, 4/5 Gray's Inn Square; Professor Gerhard Hafner, University of Vienna.
Wednesday 24 Goodenough College. Event Code: 259	The Third Annual Merger Control Conference Sponsored by Shearman & Sterling and RBB Economics.
Tuesday 30. £52 Members; £78 Non-members. Event Code: 223	Modernization in Practice: The Working of the Network (in association with the Competition Law Association) Dr Philip Marsden, BIICL and Peter Roth QC, Monckton Chambers.
DECEMBER	
Wednesday 1; 13:45 – 18:45 By invitation only. Event Code: 187	Modernization II (Eighth Competition Law Forum Meeting)
Wednesday 1; 19:00 – 22:00. £58.75. By invitation only. Event Code: 191	Competition Law Forum Dinner
Wednesday 8. By invitation only. Event Code: 188	Data Protection Research and Policy Group Quarterly Meeting Security Concerns and Data Protection
EVENTS IN 2005	
Friday May 6. Event Code: 293	Fourth Investment Treaty Forum Conference
Wed 11 – Fri 13 May. Event Code: 292	Fifth Annual Competition Conference
Tue 17 – Wed 18 May. Event Code: 290	Fifth Annual WTO Conference
June: Date tbc. Event Code: 312	Annual Commonwealth Lecture Chief Justice Elias.
Friday 10 June. Event Code: 318	2005 BIICL Annual Meeting & Dinner
June/July: Date tbc. Event Code: 300	Third Stuart Chalfen Annual Memorial Lecture
Oct/Nov: Date tbc. Event Code: 319	Annual Wilberforce Lecture
Nov: Date tbc. Event Code: 298	Annual Grotius Lecture
Nov: Date tbc. Event Code: 299	Annual Grotius Dinner
Nov: Date tbc. Event Code: 302	29th FA Mann Lecture