

First Annual Conference

Interpretation Under The Vienna Convention On The Law Of Treaties – 25 Years On

Tuesday, 17 January 2006
at Lincoln's Inn, London



EVERSHEDS



British Institute of
International and
Comparative Law

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The conference will participate in the CPD scheme

Conference Programme

Conference Chairman

Rt Hon Lord Slynn of Hadley

The 1969 Vienna Convention on the Law of Treaties articulates the basic rules applied to the interpretation of treaties. These rules are increasingly important due in large measure to the growth in treaties that directly affect non-State actors such as corporations and individuals. For example, there has been a proliferation of treaties that govern international economic relations, trade and investment, enable the enforcement of foreign awards and judgments, protect human rights and regulate European integration. An understanding of the rules used to interpret and apply these treaties and how they are evolving is therefore a valuable, if not essential, asset for domestic and international lawyers alike.

The conference brings together over 30 eminent international judges, arbitrators, academics and practitioners who will speak on the rules of treaty interpretation as applied by some of the most important international courts and tribunals that function today. Participants will be offered a unique opportunity to hear expert analyses of current case law and treaty interpretation issues arising before the International Court of Justice, the European Court of Justice, the World Trade Organisation, ICSID and NAFTA Tribunals, the Law of the Sea Tribunal and international criminal courts. The conference thus offers an unmatched combination of expertise in this important field of law.

8.15 am

Registration and coffee

9.00 am

Opening: Why treaties matter

Addresses by Mr Roberto Dañino, Secretary General of ICSID and General Counsel of the World Bank, Washington D.C., and Professor Malgosia Fitzmaurice, Queen Mary, University of London

9.30 am

Session 1: International Court of Justice

Chair: HE Judge Rosalyn Higgins, International Court of Justice

Topics

- Autonomous and divergent interpretations of treaties
- *Cameroon v. Nigeria Case*
- Article 31(3)(a) and (b) of the Vienna Convention and the *Kasikili/Sedudu Island Case*
- Effects of custom and time on interpretation
- Optional clause interpretation



Hugo Grotius (1654)

Speakers

- Lady Fox QC, 4-5 Gray's Inn Square, London
- Professor Philippe Sands QC, University College London, Matrix Chambers
- Professor Malcolm Shaw QC, University of Leicester, Essex Court Chambers, London
- Professor Hugh Thirlway, Principal Legal Secretary, International Court of Justice, The Hague

10.30 am

Coffee Break

10.45 am
Session 2: European
Court of Justice

Chair: Professor Takis Tridimas,
Queen Mary, University of London

Topics

- Treaty establishing a constitution for Europe
- Practice of the European Court of Justice

Speakers

- Professor Kenneth Armstrong, Queen Mary, University of London
- Advocate General Francis Jacobs, European Court of Justice, Luxembourg
- Professor Gerhard Loibl, University of Vienna, Diplomatic Academy, Vienna

11.30 am
Session 3: International
Trade Law

Chair: Professor Georges Abi-Saab,
Member, WTO Appellate Body, Geneva

Topics

- Practice of WTO Appellate Body
- WTO trade remedy agreements
- Limits on the interpretive competence of WTO panels and the Appellate Body

Speakers

- Mr Daniel Bethlehem QC, Director, Lauterpacht Centre for International Law, University of Cambridge, 20 Essex Street
- Dr Joanna Gomula, Research Fellow, Lauterpacht Centre for International Law, University of Cambridge
- Professor Brigitte Stern, University of Paris I - Panthéon Sorbonne
- Professor Giorgio Sacerdoti, Bocconi University, Milan, Member WTO Appellate Body.

12.30 pm

Lunch



Men before a court (Japan, 1800-1850)

1.30 pm
Session 4: Investment Protection Treaties

Chair: Professor Dr Karl-Heinz Böckstiegel, Arbitrator, Cologne

Topics

- Standard of treatment
- MFN clauses
- Rights of recourse and procedure
- Conflicting interpretations
- Institutional perspectives

Speakers

- Professor Gabrielle Kaufmann-Kohler, University of Geneva, Schellenberg Wittmer
- Professor Christoph Schreuer, University of Vienna
- Professor Emmanuel Gaillard, Partner, Shearman & Sterling, University of Paris XII
- Mr Stewart Shackleton, Partner, Eversheds, Paris and London
- Mr Uché Onwuamaegbu, Senior Counsel, ICSID, Washington

3.15 pm

Session 5: European Court of Human Rights

Chair: Mr Richard Gardiner, University College, London

Topics

- Evolving treaty interpretation methods and the European Convention on Human Rights
- Extraterritorial scope of jurisdiction in human rights treaties

Speakers

- Dr Matthew Craven, School of African and Oriental Studies, London
- Professor Pierre-Marie Dupuy, University of Paris II – Panthéon Assas
- Mr Khawar Qureshi, Barrister, Serle Court Chambers, London
- Dr Ralph Wilde, University College, London

4.00 pm

Coffee Break

4.15 pm

Session 6: International Criminal Tribunals

Chair: Sir Arthur Watts KCMG QC,
20 Essex Street

Topics

- Statute of the international criminal court
- Lessons from the special court for Sierra Leone

Speakers

- Dr Jose Doria, Senior Legal Officer, International Criminal Tribunal for former Yugoslavia, The Hague
- Dr Phoebe Okowa, Queen Mary, University of London

4.45 pm

Session 7: Law of the Sea Tribunal

Chair: Professor Catherine Redgwell, University College, London

Topics

- UN Convention on the Law of the Sea
- Practice of the International Tribunal for the Law of the Sea (ITLOS)

Speakers

- HE Judge L Dolliver M Nelson, International Tribunal of the Sea
- HE Judge Professor Rüdiger Wolfrum, President of the International Tribunal for the Law of the Sea, Professor and Director of Max Planck Institute for Public and International Law, Heidelberg
- Sir Michael Wood KCMG, Legal Adviser, Foreign and Commonwealth Office

5.45 pm

Closing

6.30 pm

Cocktails Reception, Lincoln's Inn

7.30 pm

Dinner, Lincoln's Inn, Address by Rt Hon Lord Slynn of Hadley, Arbitrator member, Serle Court Chambers, London

Special Guest Speaker:

Richard A. Falk, Princeton University, Albert G. Milbank Professor of International Law and Practice, Emeritus. Professor of Politics and International Affairs, Emeritus; Visiting Professor, University of California.



Court scene (India, 1850)

Initiative on Commercial Law and Public International Law

This is the inaugural conference organised under the auspices of the Initiative on Commercial Law and Public International Law. The aim of the Initiative is to facilitate an exchange of views and opinions among judges, academics, practitioners and students on the increasingly important and complex relations between commercial law and public international law.

Specific objectives of the Initiative are:

- to promote awareness of practical legal solutions that public international law may offer in commercial and economic relations
- to monitor and explore the growing use of public international norms in economic and commercial relations
- to encourage the study of issues of public international law in economic and commercial relations.

In pursuit of these objectives, a continuing activity of the Initiative will be to organise a conference each year on a relevant topic.

The Initiative Committee

Professor Malgosia Fitzmaurice

Mr Stewart Shackleton

Professor Kenneth Armstrong

Dr Phoebe Okowa

Mr Khawar Qureshi

Mr Romesh Weeramantry



Doctor of Law and students (England, 1360-1375)

Join us in 2007 for: Multiple Aspects of Sovereign Immunity

Information and registration form

CPD

The Conference has been accredited by the Law Society of England and Wales to the level of 9 points. If CPD accreditation is required by delegates for other organisations, we will be pleased to supply a Certificate of Attendance. Please request this on the application form.

Fees

A fee of £300 (for registration on or prior to 15 December 2005) and £350 (for registration after 15 December 2005) covers conference attendance and materials, two coffee breaks, lunch, and the cocktails reception. Unless otherwise notified, registration is completed with payment. A separate fee of £75 will be charged for the dinner.

Venue

Old Hall, Lincoln's Inn, London WC2A 3T www.lincolnsinn.org.uk

Cancellation/substitutes

In the event of you cancelling your attendance at any time after your application has been accepted, a cancellation charge of £75 will apply. You may send a substitute in your position if you notify us at least five days in advance of the conference.

Details

First name: _____ Family name: _____

Title: _____

Position: _____ Company: _____

Address: _____

City/postcode: _____ Country: _____

Tel: _____ Fax: _____

email: _____

Conference registration

Certificate of Attendance required

Registration on or prior to 15 December £300

Registration after 15 December £350

Dinner £75

Total £ _____

Method of Payment

Cheques must be in £ sterling made payable to Queen Mary, University of London.

Credit Card (will incur a two per cent charge) Debit Card Cheque

Card details

Card number: _____ Issue No.: _____

Expiry date: _____ Authorisation code: _____

Name of cardholder _____

Billing address (if different from above): _____

Signature: _____ Date: _____

Please return the registration form and your payment to:

Mrs Janette Monk, Department of Law, Queen Mary, University of London, Mile End Road, London, E1 4NS UK
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