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Selected Viewpoints on the Law of Armed Conflict

“Until now, the law of armed conflict has always been considered to be a matter between states (unless a civil war), but the law has been moving slowly towards recognizing as quasi-states dissident armed factions and authorities representing liberation movements. It might be possible to argue that a state can be involved in an armed conflict against an organization. Traditional law of neutrality, if applied by analogy (strictly it only applies between states), would require a state not party to such a conflict to prevent belligerents (including, in this case, the organization) from using its territory for the conduct of operations and to intern belligerents so doing (Hague Convention V of 1907).”

- *APV Rogers, Fellow, Lauterpacht Research Centre for International Law, University of Cambridge*
excerpt from <<http://www.crimesofwar.org/expert/attack-main.html>>

“It is reasonable to assume that the United States, as a matter of choice, refrained from seeking such language [specifically authorizing the use of force] in Res. 1373. Obviously, the ‘inherent’ right of self-defense does not require prior authorization of the Security Council. This right subsists ‘until the Security Council has taken measures necessary to maintain international peace and security’ (Article 51). It would have been felt unnecessary and, perhaps, to constitute an undesirable precedent, to require specific Security Council authorization in such a context.”

- *Surya Narayan Sinha, International Lawyer, Chennai, India*
excerpt from <<http://www.asil.org/insights.htm>>

“As for other states that allegedly host and protect terrorist organizations linked to the attacks of 11 September, it does not seem legally justified for the US to decide on its own whether or not to attack them. First, the use of armed force against these states might expand the political and military crisis and eventually lead to a world conflict, contrary to the supreme goal of the UN (and indeed of the whole international community) to preserve peace and security. Second, self-defence is an exception to the ban on the threat or use of force laid down in Art. 2(4) of the UN Charter, which has by now become a peremptory norm of international law (*jus cogens*). Like any rule laying down exceptions, that on self-defence must be strictly construed.”

- *Antonio Cassese, Professor of Law, Università di Firenze, Italy*
excerpt from “Terrorism is also Disrupting Some Crucial Legal Categories of International Law” at <http://www.ejil.org/forum_WTC/>

The full texts of these articles, and many others, can be found on the web sites listed. The CCIL provides these references for information only; the viewpoints expressed are those of the authors.

Message du président

Le congrès du CCDI 2001 a été un succès retentissant. En commençant par l'intéressant discours liminaire de Lloyd Axworthy lors de l'assemblée annuelle, le congrès a donné lieu à des échanges dynamiques, suggérant des pistes d'études stimulantes. L'atelier initial, sur ce qu'on appelle souvent l'« exceptionnalisme américain », a donné le ton à un débat engagé et celui-ci a été maintenu tout au long du congrès. Mes remerciements sincères à la professeure Jutta Brunnée et au comité d'organisation pour une mission exécutée avec brio. Je souligne, bien sûr, notre directrice administrative, Sonya Nigam, qui a pris charge de la myriade des détails administratifs avec sa bonne humeur et son efficacité habituelles. Merci aussi à l'Institut international de l'océan pour sa contribution à notre programme.

Plus de 300 personnes ont participé au congrès, y compris un fort contingent d'étudiants et d'étudiantes enthousiastes. Le congrès a permis de réaliser un des buts principaux du CCDI, celui de rassembler des gens de partout au Canada, des milieux professionnels et universitaires, qui s'intéressent au droit international. À nos collaborateurs et commanditaires, le ministère des Affaires étrangères et du Commerce international, le ministère de la Justice, le Conseil de recherches en sciences humaines, Ogilvy Renault et Thomas and Partners, nous devons un vote de remerciements en leur nom. Si l'occasion se présente, faites-leur savoir combien le congrès du CCDI contribue à la vie professionnelle des internationalistes au Canada. Le budget un peu plus élevé dont nous disposons cette année a facilité la participation de spécialistes de l'extérieur du Canada, lesquels ont apporté à nos discussions, formelles et informelles, un air de nouveauté et de diversité.

Le professeur Ronald St. John Macdonald, récemment proclamé président honoraire du CCDI, selon son vœu, nous a lancé un défi, malgré son absence! Dans un message passionné, notre fondateur et ami a invité les juristes canadiens de droit international, dans le prolongement des incidents du 11 septembre, à formuler et à mettre en œuvre une contribution canadienne particulière pour le monde. M. Axworthy lui a aussitôt emboîté le pas dans cette demande, insistant que le Canada ne devrait pas déroger à ses engagements historiques envers la primauté du droit sur la scène internationale, la justice pénale internationale, la consolidation et le maintien

President's Message

The 2001 CCIL Conference was a resounding success. From Dr Lloyd Axworthy's challenging keynote address to the Annual Meeting, the Conference was marked by lively exchanges and rich opportunities for learning. The opening Round Table, on what is often called 'American exceptionalism,' set the tone for engaged debate, a tone that continued through all the panels. My sincere thanks to Professor Jutta Brunnée and the conference committee for a job brilliantly done. Of course, our Executive Director, Sonya Nigam, presided over the myriad organizational details with her characteristic good cheer and efficiency. Thanks as well to the International Oceans Institute for its contributions to our programme.

With well over 300 registrants, including a large contingent of enthusiastic students, the Conference served one of the principal purposes of the CCIL: to bring together from across the country all those professionals and students interested in international law. Our supporters and sponsors including the Department of Foreign Affairs and International Trade, the federal Department of Justice, the Social Sciences and Humanities Research Council, Ogilvy Renault, and Thomas and Partners, are owed a vote of thanks from all of us. If you have occasion to do so, please let them know how much the CCIL Conference contributes to the professional life of international lawyers in Canada. A larger budget this year also helped to facilitate enhanced participation from panelists from outside Canada, which contributed flavour and diversity to the discussions, both formal and informal.

As is his wont, Professor Ronald St. John Macdonald, newly proclaimed Honorary President of the CCIL, challenged us even in his absence! In a stirring message, our founder and friend called on Canadian international lawyers to articulate and pursue a specific Canadian contribution to the world in the wake of the events of September 11th, 2001. In this call, Professor Macdonald was joined by Dr Axworthy, who insisted that Canada should hold true to its historic commitments to the rule of law internationally, to international criminal justice, to peace-building and peace-keeping, and to the protection of civilians in conflict and post-conflict

de la paix ainsi que la protection des citoyens et citoyennes en situation de conflit et post-conflit. Le conseil d'administration et le comité exécutif ont pris bonne note de ce défi et exploreront comment y donner suite. Bien que le CCDI ait toujours refusé de prendre position officiellement, cette politique n'empêche pas l'intérêt, l'engagement et l'éducation, ni même une action planifiée avec soin. Je vous invite à nous faire part de vos idées en communiquant avec moi ou un des membres de l'exécutif. On peut me joindre à l'adresse <stephen.toope@mcgill.ca>. J'en profite pour vous offrir mes meilleurs voeux pour une très joyeuse saison des fêtes. <

situations. The Board and Executive Committee take these challenges seriously, and we will be exploring appropriate means to respond. Although the CCIL has consistently decided against adopting 'official' positions, this policy does not preclude concern, engagement, education – nor even carefully considered action. I invite you to share your ideas with me or with other members of the Executive. I can be reached at: <stephen.toope@mcgill.ca>. Please accept my warm wishes for a happy holiday season. <

Stephen J. Toope
Président / President

Editor's Notebook:

Cahier du rédacteur

1. Honorary Members

For those who did not attend the CCIL Banquet or Annual Meeting in October, President Toope announced two decisions of the Board of Directors taken to recognize the contributions of current and past CCIL members. First, as President Toope mentioned in his message, Professor Ronald St. John Macdonald, CCIL founder and first President, was made *Honorary President* in appreciation of his considerable contribution over the years. Second, the Board took the important step of creating a new category of permanent membership, one meant to recognize the past contributions of members who are now deceased. At the outset, five former members have been appointed as *Past Honorary Members*. Each is either a former Life Member or has at one point had an award granted in his name that has not been offered in recent years. These include: Richard Baxter, Maxwell Cohen, Gerald Fitzgerald, Wolfgang Friedman and John Humphrey. Le CCDI est fier d'honorer le travail continu du professeur Macdonald et d'honorer la mémoire des membres qui ne sont plus avec nous.

2. Conference 2002/Congrès 2002

The Executive Committee will begin planning the Conference 2002 at its January 7th meeting. Nominations for the Organizing Committee, ideas for the Conference theme and suggestions for panel topics and speakers are welcome. Toutes les idées devraient être envoyées au CCDI par courrier régulier ou par courriel à <conference@ccil-ccdi.ca> à midi au plus tard le 7 janvier, 2002.

3. New CCIL Initiatives

Attendees of the 2001 Conference would have heard Dr. Lloyd Axworthy's call in his keynote speech for Canadian international lawyers to present Canadian perspectives on current international issues, a call that was echoed by Professors Ronald St. J. Macdonald and Douglas Johnston. In this issue of the *Bulletin*, Professor Johnston has proposed (on page 5) a specific form for the organization of such a Canadian contribution. The Executive Committee invites comments on the proposals and will be considering both the proposal and the comments over the course of its winter and spring meetings. A special page on the CCIL website has been created to disseminate the proposal and provide for a limited form of on-line discussion. À tout moment, vos commentaires peuvent être envoyés par courrier régulier ou par courriel au bureau du CCDI ou à <bulletin@ccil-ccdi.ca>.

In pursuit of the same goal, the Board of Directors also recently approved an initiative which will see the CCIL act as an intermediary between members and the public. An 'Experts on Call' list is being created, containing contact information of members with significant expertise in one or several issue-areas. The CCIL will distribute this list to media outlets and other interested organizations, and will make it available on the website. Anyone interested in being added to the 'Experts on Call' list for an initial two year period, or in acting as coordinator, should contact the CCIL office or send an email to <bulletin@ccil-ccdi.ca>.

(continued on page 16 - suite page 16)

Board of Directors / Conseil d'administration - 2001/2002

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<i>Honorary President</i>	Ronald St. J. Macdonald
<i>Honorary Life Members</i>	Charles B. Bourne, William C. Graham, Ronald St. J. Macdonald, Donat Pharand
<i>Past Honorary Members</i>	Richard Baxter, Maxwell Cohen, Gerald Fitzgerald, Wolfgang Friedman, John Humphrey

The World Security Crisis and International Law

By Douglas M. Johnston

The international law system has always been stigmatized. Critics have pointed to its normative ambiguity, its institutional weaknesses and omissions, its availability as an instrument of power politics, its record of non-compliance, its lack of an empirical tradition, its overdependence on state consent, its bilateralist heritage, its utopian worldview, its tendency to create overexpectations, and other real or perceived deficiencies. At the international level, legal and political theories have always been intertwined, generating controversy over the nature, purposes and effectiveness of the system. Yet we all persevere in the belief that progress in our lifetime has been very substantial and that a global legal community is slowly but surely evolving.

At the latest annual conference, CCIL members had the opportunity to discuss such basic issues as unilateralism and diversity in the cruel light of the current world security crisis, and to consider the relevance of theory, old and new, to this suddenly overwhelmingly challenge. During the “dialogue” on Structure and Process I used the occasion to pass on the idea of a CCIL project that would take up this challenge on a Canada-wide basis, an idea that originated with our distinguished founding President (and now our Honorary President) Professor Ronald St. J. Macdonald. Many appropriate and heartfelt tributes were paid to Ronald during the sessions and at the banquet, but none, I am sure, would be more appreciated than a membership-based endorsement of an ambitious project that would make a distinctly Canadian contribution to the cause of international law in these troubled times, as eloquently argued at the opening session by Dr. Lloyd Axworthy, our former Foreign Minister.

What is envisaged is a Canada-wide initiative linking the international lawyers of all regions, drawn from the government service, the academic community, and the more leisurely domain of “retirement”, focussing together on designated legal issues at the heart of the world security crisis. Characteristically, Ronald has emphasized the need to involve students in such a project, supervised in the classroom by an instructor committed to it. Perhaps I may be permitted to use this column to suggest a write-in by CCIL members indicating their support for

such an effort and suggesting themes and topics that might be designed into a project. I have no doubt the Editor of the Bulletin would be glad to pass on these responses to the President, placing the Board in a position to judge whether a major initiative on this scale is feasible.

Let me start the ball rolling by offering a few thoughts on approaches that might be considered.

I. PURPOSES

- a) To develop a national consensus within the international law community of Canada on how to strengthen the international legal system’s capacity to deal effectively and fairly with the global phenomenon of terrorism and associated problems;
- b) To create viable working relationships among participating groups and individuals in different regions of the country, involving government practitioners, professional academics, students, and retirees;
- c) To establish intellectual liaison between international lawyers and other specialists in cognate disciplines and sectors, such as international relations, international organization, security studies, cultural studies, political theory and Canadian foreign policy; and
- d) To produce a succession of working papers, reports, monographs, proceedings, and a final set of recommendations that would be of publishable standard and constitute a very substantial contribution to the world literature on these fundamental issues.

II. METHODS

Regional working groups would perhaps be most easily organized and maintained through university sponsorship and support, but a federal government working group may prefer to meet on its own, at least in the initial stages of the project. The output of the working groups would be sent periodically for collation, integration and editing by a National Steering Committee under the auspices of the CCIL, which would be responsible for the overall supervision of the working group activities and for the publication of the manuscripts received.

In heavily populated areas it might be possible for the academic international lawyers and their students at neighbouring universities to come together and form a larger and more diversified working group than would be possible elsewhere. There is no need to strive for uniformity. Some group organizers from the beginning may be able to draw in talent from a fairly broad coalition of disciplines and sectors of specialization; other may prefer to proceed more gradually from a law-based core, using interested colleagues and fellow students in other fields at a later stage of what may be designed as a two-year undertaking.

The project should be sufficiently well funded to permit at least two national meetings:

- i) a 2-day national planning workshop at the beginning of the process to gather together themes, topics, and operational concepts from those willing and able to play a central role in the project (perhaps 20-25 key participants from throughout the country);
- ii) a 3-day national conference near the end of the process to review the works and ideas that have been produced, and to establish a consensus (or at least a majority view) on recommendations from the Canadian international law community (perhaps 100-150 participants from throughout the country).

III. THEMES/TOPICS

Many different themes and topics could be designed into a large-scale, country-wide, cross-disciplinary programme. For example, the following might be considered to start the list:

- a) The scope of the UN Security Council's authority in resort to the use of force under the Charter;
- b) The theory and practice of (positive and negative) sanctioning within the framework of contemporary international law and diplomacy;
- c) The history and theory of coalition-building in the name of the world community;
- d) Current theories on the right of self-defence under the UN Charter and customary international law;
- e) The actual and potential effectiveness of the extradition treaty system as a means of dealing with world terrorism;

- f) An evaluation of current anti-terrorism treaties and other related international instruments;
- g) The problem of defining "terrorism";
- h) The international politics, economics and sociology of terrorism;
- i) The limitations of the global diplomatic arena in the age of world terrorism;
- j) The economic and political cost of human security in the age of bioterrorism;
- k) The availability of weapons of mass destruction;
- l) The causes of terrorism: e.g. (i) injustice; (ii) poverty; (iii) religious fanaticism; (iv) violent cultures; (v) Western foreign policies; (vi) globalization;
- m) The impact of religion on the history of international law;
- n) The concept of a rule-of-law approach to the problem of world terrorism;
- o) The case for and against adjudicative and non-adjudicative international mechanisms for the treatment of terrorism and related crimes;
- p) The case for and against a world charter on human security;
- q) The analogy between piracy and terrorism;
- r) Terrorism and the Lockerbie precedent;
- s) Terrorism and the death penalty issue;
- t) A functionalist approach to unilateralism and multilateralism in international law and diplomacy;
- u) The responsibilities and prerogatives of superpower status in theory and history;
- v) Terrorism and legal theory: schools, doctrines, and conceptual frameworks reconsidered; and
- w) Terrorism from the perspective of Canadian foreign policy.

I certainly subscribe to the view of Dr. Axworthy that Canadian professional societies such as CCIL have a role to play on the world stage, at a time in history when partnerships have to be forged between state and non-state institutions, especially when the fabric of modern society is under threat. Canadian society has much talent, energy and goodwill to contribute, and surely there was never a better time to justify our national reputation as an effective and responsible member of the world community. <

Editor's note: See page 3, section 3 for information on how to make comments on this proposal and find details on both the progress of the initiative and any resulting research program.

John Read Medal Awarded to Gérard V. LaForest

The Canadian Council on International Law awards on occasion a gold medal in commemoration of the exceptional work of John Erskine Read, a reputed scholar, Legal Advisor and ultimately judge of the International Court of Justice. The medal is granted to international lawyers who have made an outstanding contribution to the development of international law and organization.

At the 2001 Annual CCIL Banquet, the Read Medal was awarded to Gérard V. LaForest, recently retired justice of the Supreme Court of Canada. The award was presented by Mark Jewett of the Bank of Canada. The text of Mr. Jewett's award presentation follows:

"It is a great honour to be asked to introduce this year's recipient of the John Read Medal. Let me start with the necessary biographical details:

Gérard V. LaForest was born in Grand Falls, New Brunswick. Following his first law degree at UNB, he went to Oxford as a Rhodes Scholar and later did his doctorate with Myres MacDougall at Yale, the start of an enduring friendship.

After teaching at UNB, and later at the University of Alberta, where he was Dean of Law, he became Assistant Deputy Attorney General of Canada. This was followed by service on the Law Reform Commission and more teaching, at the University of Ottawa, before his appointment as, first, a Justice of the NB Court of Appeal, then a judge of the Supreme Court of Canada in 1985. He retired from the Supreme Court in 1997 - although of course he did not retire - and is now based in Fredericton, where he is Distinguished Scholar in Residence at UNB, and also counsel to the law firm Stewart McKelvey Stirling Scales.

Gerry wrote early on international law - one of the first was in 1961, entitled "May the Provinces Legislate in Violation of International Law", perhaps the first serious treatment of the interplay of domestic and international law in Canada.

But his intellectual range is vast, and covers many, many areas of the law. Let me mention just one of his books which I know well, *The Allocation of Taxing*

Powers under the Canadian Constitution. This is so typical of his writing - absolutely complete, thorough, clearly setting out the *lex lata* but not hesitating to offer suggestions *de lege ferenda*.

I have had the Honour of knowing him in many capacities:

When he was a teacher, I was his student;

When he was in the Public Service, I was his employee;

When he was a judge, I appeared before him as an advocate;

And most recently, when he returned to practice as counsel, I was his client.

But always he has been a friend, to me and to other students of the law.

"I have always been struck by the amazing breadth of his knowledge, his openness to change, and his logical rigor"
- Mark Jewett on Read Medal recipient Gérard V. LaForest

In all these capacities, I have always been struck by the amazing breadth of his knowledge, his openness to change, and his logical rigor - one need think only of the *Morgard* case (and the *Tollefson* and *Hunt* cases) where he revolutionized private international law in the field of recognition, and brought his colleagues on the court along with him.

I won't say much more about his contribution to international law. His remarks here a few years ago illustrated that, in his modest way, when he spoke to us on *The Use of International and Foreign Material in the Supreme Court of Canada*. I will say, as he would not, that the movement (such as there was) on the Court in international law is in fact mostly attributable to him.

This year we honour him, but we are all honoured by his contributions to international law and by his presence with us here tonight." (MJ)

Gérard V. LaForest joins a distinguished list of past recipients of the Read Medal, including: John E. Read and Percy E. Corbett (1972), John P. Humphrey (1973), Norman A.M. Mackenzie (1975), Maxwell Cohen (1979), Marcel Cadieux (posthumously in 1981), Charles Rousseau (1984), Myers McDougal (1985), Charles Bourne (1986), Ronald St. J. Macdonald (1988), Donat Pharand (1989), Thomas Franck (1994), Leslie Green and Leonard Legault (1997), and Jean-Gabriel Castel (1999). <

En Bref**In Brief****SECURITY COUNCIL RESOLUTION ON AFGHANISTAN**

On November 14, 2001, The Security Council adopted Resolution 1378 (2001) on Afghanistan supporting the efforts of Afghan people to replace the Taliban regime.

The Resolution welcomes the Declaration on the situation in Afghanistan by the 'six-plus-two,' Afghanistan's six neighbours plus Russia and the United States, which calls for the establishment of a broad-based and freely chosen Afghan government, and endorses the approach suggested by the United Nations chief envoy to Afghanistan, Lakhdar Brahimi.

Mr. Brahimi's report of November 13, 2001 stressed the importance of having Afghans constitute their own administration, albeit acknowledging a need for a "robust security force able to deter and if possible defeat challenges to its authority." Options included an all-Afghan security force, a multinational force, or a UN peacekeeping operation.

The adopted text of the Resolution supports a transitional administration leading to the formation of a new government, which, *inter alia*, "should respect Afghanistan's international obligation, including by co-operating fully in international efforts to combat terrorism and illicit drug trafficking within and from Afghanistan."

There are, however, potential problems with the establishment of the administration. According to several sources, Afghanistan's former king, 86-year-old Muhammad Zahir Shah, is not acceptable to all Afghans. Nor are all his supporters acceptable to each other. They are convening gatherings of their own to rally the support of important Pushtun tribes.

In addition, pro-Taliban sentiments could increase in some factions of the Pakistani leadership if the Northern Alliance rises to favour, given a large Pushtun population in Pakistan many of who were fighting on the Taliban side.

The Security Council Resolution calls on all Afghan forces to adhere to international humanitarian law and to ensure freedom of movement to United Nations and humanitarian personnel, and also calls on Member States to provide assistance to Afghanistan and to ensure respect for Kabul "as the capital for all the Afghan people."

The full texts of the UN documents are available at:

Resolution 1378 (2001) on Afghanistan:

<<http://www.un.org/Docs/scres/2001/res1378e.pdf>>

Briefing of UN Envoy Lakhdar Brahimi:

<<http://www.un.org/News/dh/latest/afghan/brahimi-sc-briefing.htm>>

Declaration on by 'Six-Plus-Two':

<<http://www.un.org/News/dh/latest/afghan/sixplus.htm>> (OR)

AWID CALL FOR FORUM PARTICIPATION

The Association for Women's Rights in Development (AWID) will hold its 9th International Forum on *Women's Rights And Development: Re-Inventing Globalization*. Taking place 3-6 October, 2002 in Guadalajara, Mexico will explore the issue of how to re-invent globalization to further the rights of women. The Forum will provide an opportunity for the global women's movement to assess their successes and failures and forge new strategies. In the context of the struggle for women's rights, empowerment and social justice, participants will consider how to work more effectively, as well as what new strategies are needed and are really good practices.

The Call for Participation is an invitation to development practitioners, researchers, human rights specialists, activists, policy makers, representatives from multilateral and bilateral agencies, students and business people to submit their proposals for the AWID Forum. Participation options include workshops, creative sessions, debates, poster sessions and skills-building sessions. AWID invites submissions in the following five cross-cutting sub-thematic areas:

- Women's Rights and the New Global Order
- Women's Rights and Economic Change
- Feminist Organizational Development
- Young Women and Leadership
- Gender Equality and New Technologies

For a full version of the Call for Participation, including submission guidelines, please see the AWID website at <<http://www.awid.org>> or send an e-mail to <forum@awid.org>. The deadline to submit proposals is December 31st, 2001 (WILIG)

(continued on page 10 - suite page 10)

Update on the Sierra Leone Special Court

By Valerie Oosterveld*

On August 14, 2000, the United Nations Security Council adopted Resolution 1315, requesting the Secretary-General to negotiate with the Government of Sierra Leone to create an independent Special Court to try serious violations of international humanitarian and Sierra Leonean law. This development came after a decade of armed conflict and numerous attempts at peace.

The Secretary-General and the Government of Sierra Leone have proposed a “hybrid” tribunal, applying both international and domestic laws, and employing both international and domestic staff and judges. The “hybrid” format was chosen because it has the greatest potential for building capacity and strengthening the rule of law within Sierra Leone’s decimated legal system. The Special Court will consist of three organs: the Office of the Prosecutor, the Registry and the Chambers (both Trial and Appeal). Of the three judges in the Trial Chamber, two will be appointed by the Secretary-General and one by the Government of Sierra Leone. Of the five judges in the Appeals Chamber, three will be appointed by the Secretary-General and two by the Government of Sierra Leone. The Prosecutor will be appointed by the Secretary-General and the Deputy Prosecutor by the Government of Sierra Leone. The Registrar will be a United Nations staff member. The working language of the Special Court will be English. The Special Court will be based in Freetown, Sierra Leone but can move if the security situation warrants or if it is necessary to exercise its functions.

In contrast, the International Criminal Tribunals for the Former Yugoslavia and Rwanda apply only international law, use only international judges, were established by the Security Council, and are funded through the UN regular budget by assessed contributions from States. In addition, both Tribunals are situated outside of the countries in which the conflict under the Tribunals’ jurisdiction took place.

* United Nations, Criminal and Treaty Law Division, Department of Foreign Affairs and International Trade

The Special Court will try “those who bear the greatest responsibility” for crimes against humanity, violations of common article 3 and Additional Protocol II of the Geneva Conventions, other serious violations of international humanitarian law, and certain crimes under Sierra Leonean law (abuse/abduction of girls, arson).

The Special Court will be established once the UN and the Government of Sierra Leone sign the agreement adopting the Statute of the Special Court. It appears that the agreement may be signed in mid-January 2002, following a United Nations planning mission on the Special Court.

**“The ‘hybrid’
format was chosen
because it has the
greatest potential for
building capacity
and strengthening
the rule of law
within Sierra
Leone’s decimated
legal system.”**

The 1999 Lomé Peace Agreement contained a general amnesty, absolving “combatants and collaborators” involved in the conflict from all crimes committed before the signing of the agreement. The Secretary-General objected at the time, stating that the amnesty provisions cannot apply to international crimes such as crimes against humanity, war crimes or other serious violations of international humanitarian law. While there was some initial concern over how the amnesty would be handled by the Special Court,

the UN and the Government of Sierra Leone agreed that the Lomé amnesty would not apply to crimes against humanity, war crimes and other serious violations of international humanitarian law prosecuted by the Special Court, but would apply to crimes committed under Sierra Leonean law (since the Lomé Peace Agreement had been adopted into domestic law).

The Special Court has a budget of approximately \$16 million US for the first year and \$20 million US each for the second and third years. The Court will be funded by voluntary contributions from 25 countries, including Canada. Canada is contributing \$2.25 million CAN over three years, with funds coming from the Canadian International Development Agency and the Department of Foreign Affairs and International Trade’s Human Security Program. Canada will also be involved in the Management Committee providing oversight guidance to the Special Court on non-judicial issues. ◀

(continued from page 8 - suite de la page 8)

BOOK ANNOUNCEMENT

Public International Law

By John Currie

The field of public international law has undergone explosive growth in the past half-century and, accordingly, has had a pervasive influence on international affairs and domestic legal systems alike. Canada, in particular, has been a leader in this field, such that today there is virtually no aspect of Canadian law that is not in some way influenced by international law.

Professor John Currie's new book, *Public International Law*, provides students and practitioners alike with a comprehensive survey of international law. It describes and places in context the fundamental elements of the international legal system — the sources of international law, its subjects, its key institutional structures, its interaction with domestic legal systems — and reviews its most important substantive topics. Where appropriate, issues of particular relevance to Canada and Canadian law are highlighted.

While the treatment is intended to introduce lawyers and law students to a new field, detailed case analyses and bibliographical references will also make this book of interest to those already familiar with the international legal system.

Publication Information:
Irwin Law, November 2001
446 pp., Soft Cover
ISBN: 1-55221-051-0
\$49.95 CDN

NEWFOUNDLAND AND LABRADOR AND NOVA SCOTIA OFFSHORE BOUNDARY DISPUTE

As a result of an incomplete concord between Newfoundland and Labrador and Nova Scotia, an *ad hoc* arbitration tribunal has been designated with the task of adjudicating an off-shore boundary dispute between these two provinces. Former Supreme Court Justice Laforest chairs the tribunal that also includes Mr. Leonard Legault Canadian Chairperson and Commissioner, International Joint Commission and Dr. James Crawford Whewell Professor of International Law, University of Cambridge.

The issue involves an attempt to determine offshore boundary rights relative to the management and allocation of revenue raising resources. In a unanimous decision, the tribunal determined that the line dividing the offshore areas of Newfoundland and Labrador and Nova Scotia has not been resolved by agreement. Nova Scotia had argued that an agreement existed between Newfoundland and Labrador and Nova Scotia that established the line. The rejection of Nova Scotia's position by the tribunal means that Phase Two will proceed where the tribunal will determine the appropriate line to separate the provinces' respective offshore areas subject to the rules of international law concerning the continental shelf, as stipulated in the treaty.

Representing the Government of Newfoundland and Labrador are Professors Donald McRae and John Currie, Deborah Paquette, Brian Crane, Allan Willis and Ritu Gambhir. Agents for the province of Nova Scotia include Yves Fortier, Stephen Drymer and Professor Phillip Saunders from Dalhousie University. The Tribunal heard Phase Two arguments beginning on November 20, 2001 and will issue its decision no more than four months after that.

More detailed information on the dispute and the arbitration is available from:

<<http://www.gov.ns.ca/iga/laurentian/>>

<<http://www.gov.nf.ca/mines&en/dispute/>> (PT)

UNESCO CONVENTION ON PROTECTING UNDERWATER CULTURAL HERITAGE

The *Convention on the Protection of the Underwater Cultural Heritage* was adopted on November 3, 2001 by the UNESCO General Conference. The Convention defines underwater cultural heritage as "all traces of human existence having a cultural, historical or archaeological character which have been partially or totally under water, periodically or continuously," for at least one hundred years, including sites, structures, vessels, aircraft, and human remains. The Convention requires States Parties to cooperate in the protection of the underwater cultural heritage, and prohibits its commercial exploitation. A draft of the text is available at:

<[http://unesdoc.unesco.org/images/0012/001232/](http://unesdoc.unesco.org/images/0012/001232/123278e.pdf)

123278e.pdf> (ILIB)

SITES INTERNET/WEB SITES

Juris International

Juris International is a multilingual collection (English, Spanish, and French) of legal information on international trade. *Juris International* aims to facilitate and reduce the work involved in research for business lawyers, advisers and in-house counsel, and state organizations in developing and transition economies, by providing access to texts which have often been difficult to obtain. Its objective is to gather a large quantity of basic information at one site (favoring complete legal texts), *Juris International* is the result of a partnership between the International Trade Centre UNCTAD/WTO, LexUM of the Center for Research in Public Law at the University of Montreal, Canada and *Juripole* from the University of Nancy, France. The address of the web site is:

<<http://www.jurisint.org/>>.

RIGHTS Consortium

Freedom House, the American Bar Association's Central and Eastern European Law Initiative (ABA/CEELI) and the National Democratic Institute for International Affairs (NDI) have established a consortium to promote the rule of law and human rights. The consortium, known as the RIGHTS Program (Rule of law Initiative/Global Human Rights Training and Support Program), provides long-term assistance to developing democracies and countries in transition. Among RIGHTS projects are activities supporting war crimes documentation in Kosovo, training for human rights NGOs and independent journalists in Algeria, assistance for the drafting and implementation of a code of ethics in Morocco, and promotion of alternative dispute resolution in Mexico.

The RIGHTS website is intended as a resource for NGOs, human rights activists, and legal practitioners. The website includes information about the RIGHTS Consortium members and RIGHTS activities. Each activity description includes an Essential Reading section, with links to relevant historical and general country background, human rights reports, and applicable legal materials. The website also provides access to tools, reports, and manuals developed through RIGHTS activities, as well as links to other practical information available on the website, including links to other manuals, listservs, best practice resources, and useful calendars. The RIGHTS Consortium website can be found at:

<<http://www.rightsconsortium.org/>>.

OF INTEREST IN LAW JOURNALS

R. Mullerson, "The ABM Treaty: Changed Circumstances, Extraordinary Events, Supreme Interests and International Law" (2001) 50:3 *International and Comparative Law Quarterly* 509: This article addresses issues surrounding the fate of the *Anti-Ballistic Missile Treaty* between the Soviet Union and the United States. The author argues that the circumstances which existed in 1972 have changed to such an extent that is possible for the parties to initiate the process of modification or even termination of the Treaty using article XV(2) of the Treaty and relying on the concept of *rebus sic stantibus*.

E. Gross, "Legal Aspects of Tackling Terrorism: the Balance Between the Right of a Democracy to Defend Itself and the Protection of Human Rights" (2001) 6:1 *UCLA Journal of International Law and Foreign Affairs* 89: The article addresses whether there are or should be special rules of evidence and procedure to govern the interrogations of terrorists. The author's conclusion is that, though terrorism might be an existential problem to a democratic state, human rights should be preserved nonetheless. The balance between the right of democracy to defend itself against terrorism and the preservation of human rights should be derived from the concepts of democracy, the rule of law and humanity. (SV)

U.S. PRESIDENTIAL ORDER ON MILITARY TRIBUNALS

On November 13, 2001, the US President issued an Order establishing the competence of U.S. military tribunals to try non-U.S. citizens for violations of the laws of war and "other applicable laws." In exercising the authority granted under the Order to decide which foreign individuals will be tried, the US President has to be satisfied that: there is "reason to believe" that the individual is or was, *inter alia*, a member of Al-Qaida; and that it is "in the interest of the [U.S.]" that the individual be subject to the Order.

Other features of the Order include: principles of law and the rules of evidence generally recognized in criminal cases do not apply; conviction and sentencing requires two-thirds of the tribunal members; sentences may include life imprisonment or death; appeal is to the US President or US Secretary of Defense for "review and final decision"; and judicial appeals are prohibited. The Order is available online at:

<<http://www.whitehouse.gov/news/releases/2001/11/20011113-27.html>>. (ILIB) <

International Environmental Law Interest Group (IELIG) NEWS

2001 CCIL Conference

This year IELIG met over breakfast to discuss business matters and to hear two speakers provide updates on international environmental law.

Over the last year, the activities of the Group have centred around providing articles for the *CCIL Bulletin*, assisting in organizing the environmental panel for the annual conference, and preparation of a directory of those interested in international environmental law.

Those interested in listing their name in the directory, and who have not yet done so, can provide their contact details and areas of practice and interest to Professor Elaine Hughes at the University of Alberta by email at: <ehughes@law.ualberta.ca>. Many thanks to Elaine for undertaking this important initiative to facilitate our networking. She hopes to have the directory ready by the end of November.

This year's conference panel, organized with Jutta Brunnée, dealt with the concepts of the common heritage and common concern. Panelists Frank Biermann, Elisabeth Mann Borgese and Karin Mickelson very usefully explored the role of these concepts in enhancing international environmental law and the protection of the global environment. Moderator Gunther Handl facilitated discussions, while adding his own perspective on these areas of international law. This panel was extremely well attended and generated a number of questions from CCIL members.

IELIG Breakfast speakers were Masud Husain, Department of Foreign Affairs and International Trade, and Anne Daniel, Department of Justice. Masud updated members on recent compliance developments in environmental agreements, focusing on the anticipated complexities of the then upcoming Marrakesh climate change meeting, the Convention on Long-range Transboundary Air Pollution, and the Espoo Convention on Environmental Impact Assessment in a Transboundary Context. Anne spoke about the Stockholm Convention on Persistent Organic Pollutants (Canada was the first country to ratify), Canada's signature and other developments under the

Biosafety Protocol, and more generally about the issue of liability in the international environmental context.

Although Silvia Maciunas and Anne Daniel offered to relinquish the reins as co-chairs of the interest group, they were not taken up on the offer. Members should consider taking on this opportunity at next year's meeting. Thanks to Wendy Parkes for volunteering to assist the co-chairs in IELIG work over the coming year.

Publications

IELIG members are encouraged to submit articles to the *CCIL Bulletin*, which is published quarterly. The editor of the *Bulletin*, Rob McDougall, can be contacted at <bulletin@ccil-ccdi.ca>. An interesting feature that Rob has introduced involves eliminating deadlines for the *Bulletin*. Any time that you have an article to publish, you simply send it to the e-mail address. If Rob is not close to the *Bulletin* publication date, it will be included on the web site until the next *Bulletin*, at which time it will be included in the hard copy mailed out to members. The *Bulletin* provides an opportunity to showcase international environmental law issues. Silvia will be writing an article for climate change for publication soon, but others should feel free to come forward with material for the web site and *Bulletin*.

Professors Armand de Mestral and Don McRae have also asked for submissions from our Group to the *Canadian Yearbook of International Law*. The annual deadlines are in December. This publication also provides an opportunity for sharing your ideas on international environmental law with the international law community.

In the Coming Months

Keep an eye out for the IELIG directory coming your way soon, as well as the *CCIL Bulletin*. The January CCIL Executive meeting will be considering a conference theme for the 2002 conference. If you have ideas for the theme, wish to assist in organizing the environmental panel, or have any other ideas for IELIG work, please contact Silvia Maciunas at <smaciunas@srmlegal.com> or Anne Daniel at <anne.daniel@ec.gc.ca>. <

COMPLIANCE MATTERS

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

• *THE MARKLAND GROUP* •

Compliance Matters is edited by Douglas Scott, President of the Markland Group.* Opinions appearing in these columns are personal to the authors and not those of the Markland Group. An extended version of this issue is available on the internet at:

<http://www.hwcn.org/link/mkg/issue_no_16.html>

I. BIOLOGICAL WEAPONS: US PROPOSALS ARE NO SUBSTITUTE FOR A PROTOCOL

By Sean Howard, Ph.D.*

CM Editor's Note: In the previous issue of Compliance Matters, Sean Howard commented on the collapse of the process aimed at agreeing on a compliance Protocol for the Biological Weapons Convention (BWC). Unlike most commentators, Howard did not ascribe the entire blame to the US. He reminded us that there were many key issues upon which important disagreements still existed. He also pointed to the promise of the US to bring forth proposals for a new approach to the whole problem of compliance – one that would presumably make the approach taken in the draft Protocol unnecessary. The US recently unveiled an outline of its approach and Sean Howard now offers his comments.

With the threat of bioterrorism a dominant international concern following the September 11 attacks on the United States and the subsequent incidents of anthrax in the US and elsewhere, the Bush administration is setting out its vision for a revamped biological weapons regime. Prior to the attacks, the US was roundly criticized for its rejection of efforts to negotiate a verification protocol to the BWC. On November 1, with sympathy for the US running high, President Bush issued a statement urging all states to

bolster national legislation and law-enforcement procedures, to rigorously monitor biotech activities, and to cooperate with other states in sharing information and responding to incidents. In addition, the President would like to see an international “code of ethical conduct” drawn up for bioscientists, and “an effective United Nations procedure” established “for investigating suspicious outbreaks or allegations of biological weapons use.” Media reports suggest that the US envisages a dominant role for the UN Security Council in responding to allegations of BW use or development.

By implication, the President’s statement is an appeal to BWC states parties not to revisit the issue of a verification protocol, which would create a treaty administering body – the Organisation for the Prohibition of Biological and Toxin Weapons (OPBW) – to act as the arbiter and monitor of compliance issues.

The Administration’s ideas seem set to dominate the forthcoming Fifth BWC Review Conference in Geneva (November 19 – December 7). The Conference will have to decide whether to reaffirm the mandate of the Ad Hoc Group (AHG) whose six-year effort to conclude a protocol was abruptly halted by the US rejection on July 25. As reported in the last issue of **Compliance Matters**, many countries share the view of the United States that the proposed Protocol, in the form of the ‘composite text’ drawn up by the Chair of the AHG, Ambassador Tibor Tóth of Hungary, was seriously flawed. Delegations were deeply divided on four main areas: technology transfers and export controls; inspection procedures; declaration requirements; and, perhaps the most basic issue of all, the mechanism for responding to allegations or evidence of non-compliance. Nonetheless, the US was alone in concluding, on the basis of these concerns, that *no* protocol could prove adequate.

The new proposals from the US involve a range of coordinated national measures, backed by Security Council powers to investigate, prosecute and penalize

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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.

offenders. These proposals can hardly be regarded as a workable substitute for the multilateralist approach taken by the draft Protocol. The US has not spelt out how, or with what additional resources, the Security Council could be expected to respond expeditiously and impartially to alleged violations. Indeed, Washington may see advantages to the Council acting with a degree of arbitrariness, including vetoing investigations seen as intruding on 'legitimate' commercial or biodefence activities. In contrast, the OPBW would operate on the basis of unambiguous procedures guiding the entire investigatory process, from the initiation of inspections (through either a 'green light', requiring the endorsement of the Executive Council, or a faster 'red light', allowing investigations to proceed unless blocked by the Executive Council) to the evaluation of results.

Addressing the UN First Committee (Disarmament and International Security) on October 10, Assistant Secretary of State for Arms Control Avis Bohlen reaffirmed the US rejection of the Protocol and argued that "... the events of September 11 have reinforced our view that the priority focus must be on use." While deterring and countering use is an objective shared by all BWC member states, disagreements over the best approach to the issue have the potential to grievously weaken the Convention. It may be wondered whether the Convention will remain anything more than a hollow declaratory norm if certain key issues are taken off the table. Of particular importance are issues such as the use of biotechnology by developing countries for peaceful purposes, routine inspections of biotechnology facilities in all countries on a non-discriminatory basis, and impartial procedures for requesting, conducting and evaluating challenge inspections. Such a fate is likely to be resisted by both allies and critics of the United States, but the struggle may come at a high price in terms of wasted time and opportunities.

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II. OPCW LACKS FUNDS FOR INSPECTION

By Douglas Scott

The Organization for the Prohibition of Chemical Weapons (OPCW) was established under the Chemical Weapons Convention (CWC) with a mandate to conduct inspections and deal with compliance problems. Its headquarters is located in a beautiful building in The Hague (newly constructed for the purpose) where it employs some 500 inspectors and

technical staff. The expenses of the Organization (mostly for inspections) are required to be covered by contributions from the States Parties to the Convention, currently numbering 143.

For many months, the Director-General of the OPCW, José M. Bustani, has been warning that his funds are insufficient to cover the expenses of all the inspections that are required to be conducted under the terms of the Convention. The situation has deteriorated to the point where the Director-General has been compelled to seriously curtail the number of inspections. In his report to the Executive Council of the OPCW on September 25, 2001, he observed,

Let me emphasize – we have not stopped inspections, in fact an industry DOC inspection is under way as we speak. We are monitoring the cash situation daily, and as funds become available they will continue to be used, first and foremost, for inspection activities.¹

The Director-General's report goes on to give some disturbing details. Upon analysis, his figures indicate that, out of the total number of inspections scheduled in the budget for performance by the date of the report (25 September 2001), the number actually performed amounted to only 53%.

From reports issued by the OPCW, it is clear that there are three reasons why the Organization finds itself short of funds.² The first is the failure of States Parties to the Convention to provide a budget with adequate funding. The second is the failure of many States Parties to pay their assessed contributions on time. The third is the failure of the States Parties and the parties possessing chemical weapons to agree on a method by which financing can be provided for the inspections taking place under articles IV and V of the Convention. These are the inspections that cover the process of destroying chemical weapons and chemical weapon production facilities. The Convention requires the possessor states to pay the cost of these inspections, but the Organization must incur the expense involved many months before it receives reimbursement.

The first of these reasons – the failure to provide an adequate budget – raises an issue relating to the

¹ Opening Statement by the Director-General to the Executive Council at its 26th session, para. 41.

² Organization for the Prohibition of Chemical Weapons: *Note by the Director-General: Financial Situation of the OPCW*, 11 October 2001, S/273/2001

manner in which decisions are made by the OPCW – specifically decisions by its two policy-making bodies: the Executive Council – consisting of 41 States Parties – and the Conference of the States Parties (CSP) – consisting of all 143 States Parties.

The last time a decision was taken on the budget was at a meeting of the CSP in May 2001. The figure agreed upon was 61.9 million euros, which represented no net increase (after inflation) over the figure for the previous year.

The majority of the delegations present at the meeting in May were in favour of a higher figure³ (despite the fact that it would have entailed higher assessed contributions), but it was clear that several countries, including the US, were opposed to any figure beyond 61.9. Those favouring a higher figure, rather than calling for a vote, allowed the matter to be settled by consensus at the figure proposed by the US.⁴ (It should be noted that article VIII of the Convention provides for decisions by the Executive Council and the CSP to be made by two-thirds majority vote where consensus cannot be achieved.)

This kind of behaviour is very much in accord with a tradition that has developed within the OPCW whereby all decisions are made by consensus.⁵ In the four-year history of the Organization, there has rarely, if ever, been a case where a vote has been taken in either the CSP or the Executive Council

There are two schools of thought on this matter.⁶ There are those who argue that, where an international organization makes a decision of the type that is expected to be implemented, virtually all such decisions should be made by consensus, as otherwise there will likely be trouble with implementation. It is emphasized that most international decision-making bodies apply the rule of consensus almost exclusively – often regardless of the fact that their mandate allows for decisions by a percentage vote.

³ Author's conversation with Pamela Mills, a researcher with the Harvard-Sussex Program, who attended the meeting of the CSP in May 2001. Her information was gathered from conversations in the corridor, since the public was not admitted to the closed sessions where all the effective discussions occurred.

⁴ CBW Conventions Bulletin, No. 52, p. 6.

⁵ At meetings where the rule of consensus is being followed, decisions are made only when they can be adopted without objection.

⁶ The issue is the subject of an ongoing debate within the Markland Group.

Others argue that the situation is different in cases where the organization is responsible for administering a treaty. In that context, the organization is duty-bound to do all it can to ensure that the treaty is implemented. In the case of disarmament treaties, implementation needs to be verified through inspections; and inspections are impossible without adequate funding. It is therefore argued that decisions dealing with implementation problems and funding should not be subject to blockage by a small minority – much less by a single State Party. Decisions on those matters should be taken by vote.

Such a principle is easier stated than applied – especially where the decision being blocked is one that would provide adequate funding for inspections and where one of the parties responsible for blocking the decision supplies a large portion of the funding and harbours a large portion of the weapons required to be inspected. Thus, in the current funding crisis within the OPCW, it is no easy thing for the parties favouring increased funding to abandon consensus and exercise their right to call for a vote. They have to remember that one of the blocking parties, if outvoted, is in a position to retaliate and do considerable damage to the Convention. On the other hand, that damage must be weighed against the damage currently being done by allowing a single country to unilaterally control the implementation of the Convention to such an extent that it has succeeded in reducing inspection activities to an intolerable level.

Not an easy call for those favouring increased funding. But unless there are compelling factors that do not appear in the data available to the public, surely the time has come to insist on the Convention being implemented effectively in accordance with its terms.

Insistence on consensus may be appropriate at the stage when countries are adopting general principles for a treaty. But if they conclude that the treaty needs a regime to deal with compliance, they must recognize that decisions within that regime have to be made differently – presumably by some kind of majority vote. Otherwise, the compliance regime could be weakened to the point where its utility becomes questionable.

The OPCW represents the type of institution needed for disarmament treaties generally. For the sake of the future of disarmament, it is vital that a viable *modus operandi* for such institutions be found. <

Au Calendrier/Upcoming Events

March 13-16, 2002

The 2002 Annual Meeting of the American Society of International Law will take place in March at the Washington Monarch Hotel, addressing the twin themes of the *Legalization of International Relations and the Internationalization of Legal Relations*. More information and registration details are available at:

<http://www.asil.org/annual_meeting/index.htm>.

March 24-27, 2002

The International Law Section of the International Studies Association is holding its 43rd Annual Convention in New Orleans. The theme of the Convention is "*Dissolving Boundaries: The Nexus Between Comparative Politics and International Relations*". Registration fees are US\$125 for non-members, US\$100 for members and US\$50 for students. More information on the programme and the registration process is available by contacting Convention Program Chair, Suzanne F. Werner at <isaprogram@emory.edu> (tel.: 404-727-0697), ISA Headquarters at 520-621-7715 or online at:

<<http://www.isanet.org/neworleans/>>.

March 30, 2002

The Wildlife Interest Group of the American Society of International Law will hold the seventh *International Wildlife Law Conference (IWLC)* in Washington, DC at American University's Washington College of Law. The conference will bring together participants from throughout the world in an ongoing colloquy about the role of international law and legal institutions in furthering the goal of species conservation and protection of the Earth's biological diversity. Conference details are available from:

<<http://eelink.net/~asilwildlife/programs2.shtml>>.

July 4-6, 2002

The American Society of International Law, The Netherlands Society of International Law (NVIR), and the T.M.C. Asser Instituut are organizing the 2002 Hague Joint Conference on Contemporary Issues of International Law. The topic of the conference is: "*From Government to Governance? The Growing Impact of Non-State Actors on the International and European Legal System*." The event is scheduled to take place from July 4-6, 2002 in The Hague, The Netherlands. More information about the conference is available at: <<http://www.asil.org/hjcthem.htm>>. <

Editor's Notebook/Cahier du rédacteur

4. Member Publications

Over the years, the CCIL has had varying degrees of success acting as a clearing house for details on member activities and member publications. In an effort to re-instate and even augment that clearing-house function, we invite members to forward details of, *inter alia*, professional appointments, conference appearances and publications to the *Bulletin* at <bulletin@ccil-ccdi.ca>. Le CCDI publiera régulièrement des nominations dans le *Bulletin* et gardera à jour sur le site Internet une liste des publications des membres.

5. Canadian Yearbook on International Law

Professor Donald McRae and the team of editors of the Canadian Yearbook on International Law are in the process of putting together the latest issue. Professor McRae invites CCIL members to submit before the end of the year material to be considered for inclusion. Pour plus de détails sur les critères de publication ou pour soumettre des textes, envoyez un courriel au professeur McRae à <dmcrae@uottawa.ca>. <

Équipe du Bulletin/Bulletin Team
<p>Rédacteur/Editor: Robert McDougall</p> <p>Rédacteurs associés/Associate Editors: Sonya Nigam, Paolo Torchetti, Pema Tulong, Olga Rivkin, Sonya Vichnevetskaia</p> <p>Translation/Traduction: Hélène Laporte</p> <p>Site Internet/Web Site: <http://www.ccil-ccdi.ca></p> <p>Courriel/E-mail: <bulletin@ccil-ccdi.ca></p> <p>ISSN: 0229-7787</p> <p>Founded in 1972, the CCIL is an independent, non-partisan entity that seeks to promote the study and analysis of international legal issues by university scholars, government lawyers, practitioners and students. The CCIL <i>Bulletin</i> is published quarterly to share information about developments and activities in the field of international law in Canada and elsewhere.</p> <p>Créé en 1972, le CCDI est une association indépendante, sans allégeance politique, qui cherche à promouvoir l'étude et l'analyse de questions de droit international par les spécialistes dans les milieux universitaires et gouvernementaux de même qu'en pratique privée. Publié quatre 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.</p>