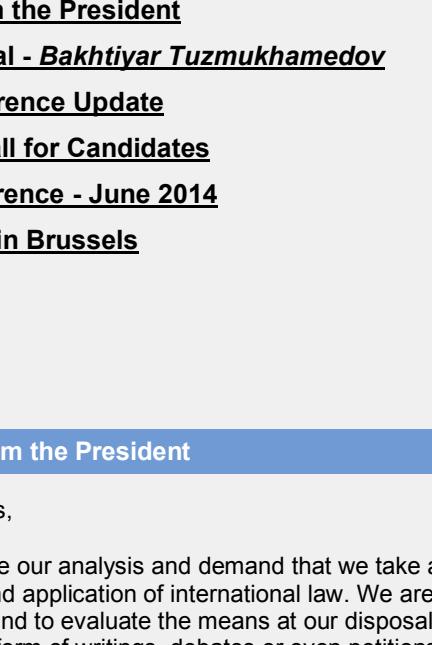
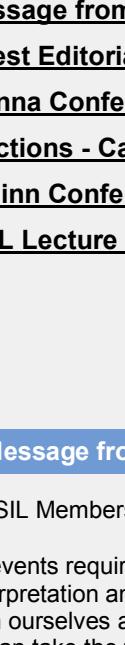


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ESIL Newsletter

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Editorial Board
Massimo Iovane (Napoli), Mario Prost (Keele) and Geir Ulstein (Oslo)

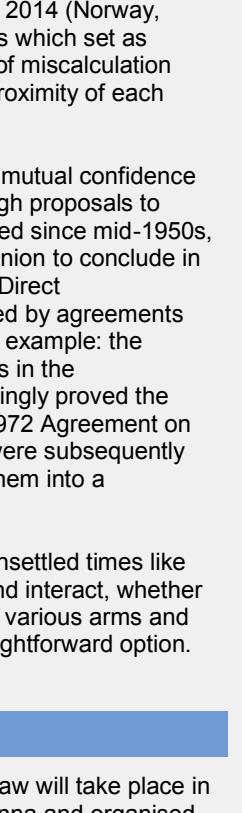
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1. Message from the President

Dear ESIL Members,

World events require our analysis and demand that we take a position as to the interpretation and application of international law. We are called upon to position ourselves and to evaluate the means at our disposal for doing so, which can take the form of writings, debates or even petitions. International law is an important tool in the conduct of international relations to explain, justify, promote, denounce or condemn actions.



In this context, we are all called upon not only as citizens but also through our professional activities. I ask myself if ESIL should have something to say about world events, whether it should take a position on an event or issue, and, if that were the case, how it should do so. As President of the Society, I am here to collect your ideas. ESIL is a forum for exchanging views: we meet, we discuss, and we publish on issues of international law. Is there something more that we could do? This is an important consideration as we prepare to celebrate the tenth anniversary of the Society.

Founded in 2004, ESIL has hosted many activities since then, including Conferences, Research Forums, the publication of *Reflections*, the *Lectures* posted on YouTube, and many other events and initiatives organised or sponsored by ESIL. The number of members has continually increased both within Europe and throughout the world. Members principally include researchers and academics, but also diplomats, lawyers and international civil servants. Publishers and some law schools provide support to the Society as institutional members. Twelve interest groups have been created; the groups organise their own activities and engage with a diversity of themes, including human rights, biotechnology, and legal theory. The *European Journal of International Law* (EJIL) and ESIL All these elements highlight the Society's vibrancy during the first ten years. We now need to think about its evolution and to ask whether other activities need to be developed. It is for this reason that I ask you to consider the purpose of our Society and I would be pleased to hear your thoughts. To this end, feel free to write or speak to me in person.

Looking ahead, we will meet in Brussels on 3 June on the occasion of a discussion on *Ethics in International Disputes* between Mr. Jean-Pierre Cot, Judge at the International Tribunal for the Law of the Sea, and Ms Françoise Lefèvre, Partner at the law firm Linklaters. On 12-13 June, we will be in Tallinn to reflect on the theme of *The Approaches of Liberal and Illiberal Governments to International Law: A Conference marking 25 Years since the Collapse of Communist Regimes in Central and Eastern Europe*, and then on the 4-6 September, we will be in Vienna to celebrate the 10th Anniversary of our Society. I hope that all these occasions provide us with an opportunity to meet and exchange our thoughts and ideas about further developing and strengthening ESIL.

With my best wishes,

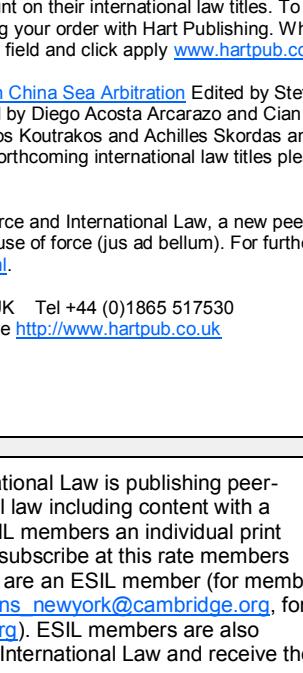
Laurence Boisson de Chazournes
President of the European Society of International Law (ESIL)

2. Guest Editorial

Hostage to the Times of Trouble

Bakhtiyar Tuzmukhamedov

Vice-President of the Russian Association of International Law



A historian whose opinion I tend to respect recently remarked that the outbreak of the Great (First) World War had been a simple and straightforward clue to a complex and multifaceted riddle of problems. He was drawing uneasy parallels with the unfolding crisis in the already troubled relations between Russia on the one hand, and the United States, NATO and the European Union, or at least significant part thereof, on the other. US, NATO and EU responses to events in and around Ukraine, focused on Russia were, in his opinion, similar to the century-old unsophisticated solution, though not yet reaching its catastrophic outcome.

Some of those punitive responses were in fact sacrifices. Much to the chagrin of this writer who has devoted considerable part of his academic career to legal research of disarmament, arms control and concurrent arrangements, such as confidence-building measures, they targeted several on-going and prospective cooperative projects that were designed to bring together elements of the military. To be immolated is whatever falls within the scope of a broad and open-ended decision "to suspend all practical civilian and military cooperation between NATO and Russia". Dumped are the joint Russia-NATO naval escort of Cape Ray, a US cargo ship that will process components of Syrian chemical weapons; command anti-terrorist exercise Vigilant Eagle 2014 (Canada, Russia, United States); naval exercise Northern Eagle 2014 (Norway, Russia, United States), to name but a few. These were to be joint enterprises which set as goals, among others, the increase of transparency and reduction of the risk of miscalculation between the military, whether operating from the headquarters, or in close proximity of each other on the high seas or in airspace.

It may be recalled that some of the earlier agreements designed to increase mutual confidence and prevent accidental outbreak of hostilities were born out of crises. Although proposals to enable military and political leaders to get connected in times of trouble floated since mid-1950s, it was the Cuban missile crisis that prompted the United States and Soviet Union to conclude in 1963 the Memorandum of Understanding Regarding the Establishment of a Direct Communications Link. The original Memorandum was subsequently amended by agreements regarding upgrades of what is also known as "the Hot Line". Or take another example: the growing number of dangerous encounters between the Soviet and US navies in the Mediterranean and the North Pacific in the late 1960s – early 1970s compellingly proved the need to have the men-of-war abide by certain rules of the road, hence the 1972 Agreement on the Prevention of Incidents On and Over the High Seas. Remarkably, both were subsequently used as models for similar bilateral agreements, although proposals to link them into a multilateral network never materialized.

I must be a naïve civilian armchair academic to strongly believe that in the unsettled times like ours the military, more than ever, need to be encouraged to communicate and interact, whether through joint operations or exercises or direct contacts between members of various arms and services. Putting a spoke in their wheel seems to be a more simple and straightforward option.

3. Vienna Conference Update

The 10th Anniversary Conference of the European Society of International Law will take place in Vienna, Austria, from 4 to 6 September 2014 hosted by the University of Vienna and organised by its Law School's Section for International Law and International Relations. Entitled "International Law and..." the conference will explore the boundaries of international law and bridges to other fields and disciplines.

The conference programme has now been finalized and is available at <https://esil2014.univie.ac.at>. It features a keynote speech by EU President Joseph H. H. Weiler, a 10 year anniversary conversation moderated by ESIL founding member Hanspeter Neuhold with former ICJ Judge Bruno Simma, former ESIL President Hélène Ruiz Fabri and current ESIL Board members Anne van Aaken and Marko Milanović, a farewell lecture by ESIL founding member Vera Gowland-Debbas, as well as many other exciting panels.

Registration for the conference is open at <https://esil2014.univie.ac.at>.

August Reinisch, Vienna

4. Elections - Call for Candidates

At the 2014 ESIL conference in Vienna, the General Assembly will elect eight Executive Board members. Twelve persons will be selected as nominees, based on the need for a balanced composition of the Board in all relevant aspects such as nationality, gender, age and language.

According to the Society's by-laws, any member of the Society who has been a member for at least a year is eligible to become a member of the Executive Board. Eligible candidates should be willing to actively contribute to the life of the Society and have an active knowledge of one of the official languages of the Society and at least a passive knowledge of the other.

Persons must be nominated by two other members of the Society. The nomination must include a short justification of the nomination explaining why the nominee would particularly well represent the Society and its purposes, and a statement confirming that the nominee has approved the nomination. The nominee should provide a brief c.v. The deadline for nominations is **Monday 9 June 2014**.

5. Tallinn Conference - June 2014

On 12-13 June 2014, a conference entitled "The Approaches of Liberal and Illiberal Governments to International Law: A Conference marking 25 Years since the Collapse of Communist Regimes" will take place in Tallinn, co-organized by the International Legal Theory Interest Group of ESIL and the University of Tartu. Around 30 international law scholars from Europe, the US, Australia, Russia, Ukraine and other CIS countries will present their papers which discuss general issues but also examine cases studies such as China and Russia. One of the highlights of the conference will be a discussion between José E. Alvarez (NYU), Anne-Marie Slaughter (New America Foundation) and Gerry Simpson (Melbourne) on the very topic of the conference and a follow-up to their earlier debate in the European Journal of International Law. The conference is funded by the ERC Starting Grant awarded to the ESIL's executive board member Professor Lauri Malksoo (University of Tartu).

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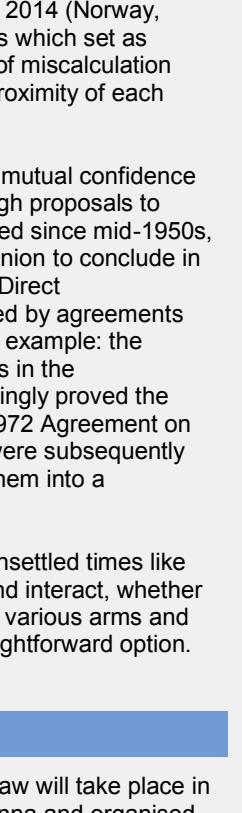
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Chers membres de la SEDI,

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Le contexte, nous sommes tous sollicités en tant que citoyen, mais aussi du fait de nos activités professionnelles. Je me demande si la SEDI a son mot à dire, si elle devrait prendre position par rapport à un événement ou une question, et, si tel était le cas, comment devrait prendre position la Société. Nous sommes très nombreux à lire le *European Journal of International Law* (EJIL) que des liens privilégiés unissent à la SEDI. Tous ces éléments montrent combien la Société vibre. Nous devons maintenant réfléchir à son évolution et nous demander si d'autres activités doivent être développées. C'est à ce titre que je vous sollicite et je serai heureuse de vous lire ou d'échanger avec vous.

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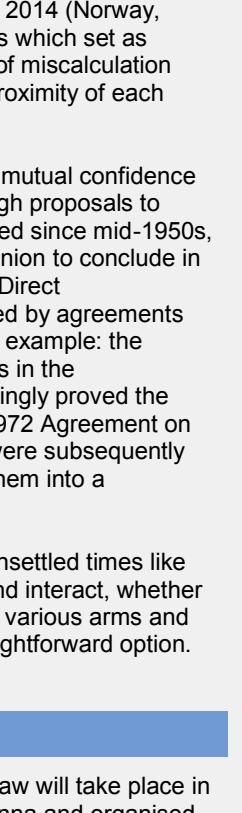
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