SYMPOSIUM: STATE RECONSTRUCTION AFTER CIVIL CONFLICT

Ending the fighting in Bosnia, Kosovo, Rwanda, and East Timor has not solved the problem of social reconstruction. This multidisciplinary symposium asks how the international community can contribute to the process of reconciliation after civil conflict—by restoring courts and accountability, addressing the memory of violence and atrocity, and opening economies to investment-based growth.

Foreword

Ruth Wedgwood and Harold K. Jacobson

Beyond Impunity: Can International Criminal Justice Prevent Future Atrocities?

Peyam Akhavan

Individual Accountability in South Africa: Cultural Optimum or Political Facade?

Lorna McGregor

Collapse and Reconstruction of a Judicial System: The United Nations Missions in Kosovo and East Timor

Hansjörg Strohmeyer

Courts and Democracy in Postconflict Transitions: A Social Scientist’s Perspective on the African Case

Jennifer Widner

United Nations Governance of Postconflict Societies

Michael J. Matheson

The Contribution of Democracy to Rebuilding Postconflict Societies

Samuel H. Barnes

Peace Building: The Private Sector’s Role

Allan Gerson

EDITORIAL COMMENTS

International Criminal Law and the Role of Domestic Courts

Jonathan I. Charney

- The United States and the Statute of Rome

Monroe Leigh

CONTEMPORARY PRACTICE OF THE UNITED STATES RELATING TO INTERNATIONAL LAW

Edited by Sean D. Murphy

Treaty Obligations as Evidence of Federal Preemption

132

U.S. Judgments Against Terrorist States

134

World War II Era Claims Against Japanese Companies

139

Award of Damages Against Bosnian Serb Leader Radovan Karadžić

144

District Court Rejection of Burmese Claims Against Unocal Corporation

145

U.S. Enacts Law on Normalizing Trade Relations with China

146

WTO Decision Striking Down U.S. Revenue Act of 1916

148

U.S. Sanctions Against Japan for Whaling

150

Conservation of Fish in the Western and Central Pacific Ocean

153

U.S. Funding to Combat AIDS

155

U.S.-EU “Safe Harbor” Data Privacy Arrangement

156

Middle East Peace Process: Violent Clashes

160
International Decisions

*Southern Bluefin Tuna* (Barbara Kwiatkowska)
Arbitral award on compulsory jurisdiction under Law of the Sea Convention where dispute also arises under regional agreement that requires specific consent to arbitrate

*Castillo Petruzzi* (Jeanine Bucherer)
Inter-American Court of Human Rights judgment on pre-trial detention, trial of civilians by military tribunals, and rights to counsel, public trial, independent tribunal, and judicial review in time of emergency

*Ischer Bronstein & Constitutional Tribunal* (Karen C. Sokol)
Inter-American Court of Human Rights judgment on right of a state to withdraw its acceptance of compulsory jurisdiction

*Waste Management, Inc. v. Mexico* (William S. Dodge)
Arbitral award on jurisdiction under NAFTA where requisite waiver of other remedies reserves, and applicant pursues, municipal law claims in other fora

*Local Authority of Västerås v. Republic of Iceland* (Saïd Mahmoudi)
Swedish Supreme Court decision on sovereign immunity in contract action for costs of educating foreign nationals in public schools

*Prefecture of Voïsins v. Federal Republic of Germany* (Maria Gavouneli & Ilias Bantekas)
Greek Supreme Court decision on sovereign immunity in action for injuries caused by humanitarian law violations during military occupation

*Gonzales ex rel. Gonzalez v. Reno* (David Abraham)
Eleventh Circuit review of attorney general's refusal to accept asylum application to prevent child's return to his father in Cuba

Current Developments

The Fifty-sixth Session of the UN Commission on Human Rights  
*Michael J. Dennis* 162

The Fifty-second Session of the International Law Commission  
*Robert Rosenstock* 221

Book Reviews and Notes


*Review Essay*: Grant, Thomas D. *The Recognition of States: Law and Practice in Debate and Evolution* (Valerie Epps)


*Books Received*