

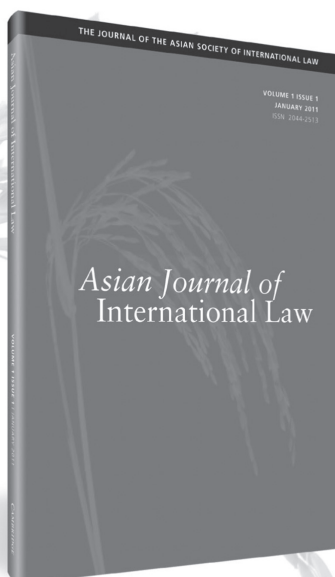
CAMBRIDGE

JOURNALS

Asian Journal of International Law

Editors:

Simon CHESTERMAN
Surya P. SUBEDI
Simon S.C. TAY



Contributors include:

OWADA Hisashi
XUE Hanqin
Edith BROWN WEISS
Hilary CHARLESWORTH
B.S. CHIMNI
Tom FARER
Tommy KOH
Martti KOSKENNIEMI
ONUMA Yasuaki
Hélène RUIZ FABRI

The *Asian Journal of International Law* (*AsianJIL*) is the journal of the Asian Society of International Law.

**Sign up for sample articles, table-of-content alerts
and news emails here www.AsianJIL.org**

AsianJIL publishes peer-reviewed scholarly articles and book reviews on public and private international law. Articles focus on Asian issues or bring one of the many Asian perspectives to bear on global issues, but *AsianJIL* is also of more general interest to scholars, practitioners, and policymakers located in or working on Asia.

www.AsianJIL.org



**CAMBRIDGE
UNIVERSITY PRESS**

CAMBRIDGE

JOURNALS

The Cambridge Law Journal

Editor

John Bell *University of Cambridge, UK*

The Cambridge Law Journal publishes articles on all aspects of law. Special emphasis is placed on contemporary developments, but the journal's range includes jurisprudence and legal history. An important feature of the journal is the Case and Comment section, in which members of the Cambridge Law Faculty and other distinguished contributors analyse recent judicial decisions, new legislation and current law reform proposals. The articles and case notes are designed to have the widest appeal to those interested in the law – whether as practitioners, students, teachers, judges or administrators – and to provide an opportunity for them to keep abreast of new ideas and the progress of legal reform. Each issue also contains an extensive section of book reviews.

Volume 71 [2012] C.L.J. ISSN 0008-0113 Part 2

THE CAMBRIDGE LAW JOURNAL

July 2012

Tribunal Justice, Civil and Administrative Justice: Revolution
MARK ELLIOTT AND ROBERT THOMAS
Concealed Births, Adoption and Human Rights Law
JILL MARSHALL
To Read, View and Comment: Promoting Law Level Digital Speech
JACOB ROBERTSON
Protecting the Property of the Absent II
CHRISTINA VERBERNIG
General Chances and the Competing Ethics of
European Consumer Law in the UK
CHRIS WILLET

CAMBRIDGE UNIVERSITY PRESS
FOR THE FACULTY OF LAW, UNIVERSITY OF CAMBRIDGE

The Cambridge Law Journal

is available online at:
<http://journals.cambridge.org/clj>

To subscribe contact Customer Services

in Cambridge:

Phone +44 (0)1223 326070

Fax +44 (0)1223 325150

Email journals@cambridge.org

in New York:

Phone (845) 353 7500

Fax (845) 353 4141

Email

subscriptions_newyork@cambridge.org

Free email alerts

Keep up-to-date with new
material – sign up at

journals.cambridge.org/register

For free online content visit:
<http://journals.cambridge.org/clj>



CAMBRIDGE
UNIVERSITY PRESS

CAMBRIDGE

JOURNALS

Celebrating 25 Years in 2012

Leiden Journal of International Law

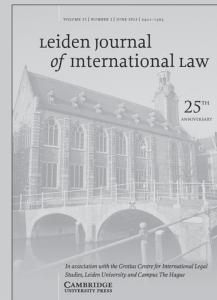
Published for The Foundation of the Leiden Journal of International Law

Editors-in-Chief

Larissa van den Herik, *Leiden University, The Netherlands*

Jean D'Aspremont, *University of Amsterdam, The Netherlands*

Firmly established as one of Europe's leading journals in the field, the *Leiden Journal of International Law (LJIL)* provides a forum for two vital areas, namely international legal theory and international dispute settlement. It is unique in providing the most comprehensive coverage of the world's most important international tribunals in The Hague (such as the ICJ, ICTY, ICC and others) and elsewhere, as well as examining new trends in international legal thinking. *LJIL* is essential reading for academics and practitioners who need to stay abreast of recent developments in these areas.



Leiden Journal of International Law is available online at:
<http://journals.cambridge.org/ljil>

To subscribe contact Customer Services

in Cambridge:

Phone +44 (0)1223 326070

Fax +44 (0)1223 325150

Email journals@cambridge.org

in New York:

Phone (845) 353 7500

Fax (845) 353 4141

Email

subscriptions_newyork@cambridge.org

Free email alerts

Keep up-to-date with new material – sign up at

journals.cambridge.org/ljil-alerts

For free online content visit:
<http://journals.cambridge.org/ljil>



CAMBRIDGE
UNIVERSITY PRESS

CAMBRIDGE

JOURNALS

Netherlands International Law Review

Marketed and distributed for T.M.C. Asser Press

Editor-in-Chief

P. Vlas, *Free University of Amsterdam, The Netherlands*

The Netherlands International Law Review (NILR) addresses relevant topics and recent trends in international law and the conflict of laws, including their comparative legal aspects. Articles are combined with English-language reports on topical Dutch judicial decisions, surveys of the case law on the topic of civil jurisdiction and enforcement of judgments in Europe, an update on the current developments regarding The Hague's international tribunals, an overview of the Hague Conventions on Private International Law, book reviews, and occasionally, a short commentary on case law or legislation. The journal serves as a reliable source of information for scholars and practitioners and anyone who wants to stay up-to-date with the most important developments in these fields.

Please note a subscription includes an annual volume of the *Netherlands Yearbook of International Law (NYIL)*



Netherlands International Law Review

is available online at:
<http://journals.cambridge.org/nlr>

To subscribe contact Customer Services

in Cambridge:

Phone +44 (0)1223 326070
Fax +44 (0)1223 325150
Email journals@cambridge.org

in New York:

Phone (845) 353 7500
Fax (845) 353 4141
Email
subscriptions_newyork@cambridge.org

Free email alerts

Keep up-to-date with new material – sign up at
journals.cambridge.org/nlr-alerts

For free online content visit:
<http://journals.cambridge.org/nlr>



CAMBRIDGE
UNIVERSITY PRESS

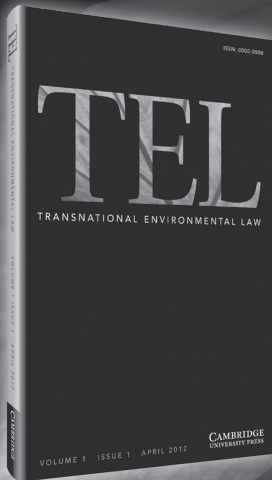
CAMBRIDGE

JOURNALS

NEW IN 2012

TEL

TRANSNATIONAL ENVIRONMENTAL LAW



Transnational Environmental Law (TEL) is a peer-reviewed journal that will be launched by Cambridge University Press in 2012. TEL is dedicated to the study of environmental law and governance beyond the state. It approaches legal and regulatory developments with an interest in the contribution of non-state actors and an awareness of the multi-level governance context in which contemporary environmental law unfolds.

TEL warmly invites new work on topics within the scope of the journal from scholars, lawyers and professionals active in fields related to environmental law and governance.

Further information about submissions, manuscript preparation and the Editors can be found here:

journals.cambridge.org/tel



CAMBRIDGE
UNIVERSITY PRESS

CAMBRIDGE

JOURNALS

NEW IN 2012

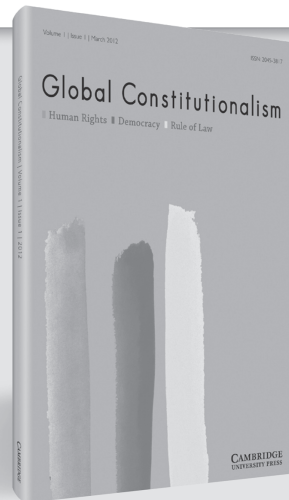
Global Constitutionalism

■ Human Rights ■ Democracy ■ Rule of Law

Global Constitutionalism – Human Rights, Democracy and the Rule of Law (GlobCon) seeks to promote a deeper understanding on the foundations, limitations and principles of political order and their dynamics over time on a global scale.

The journal is interested in work that refers to constitutionalism as a template for empirical, conceptual or normative research on past, present and future political and legal practices, within and beyond the state.

GlobCon invites submissions from scholars of International Law, Political Science, International Relations, Comparative Constitutional Law, Comparative Politics, Political Theory and Philosophy.



Published in Association with the
Centre for Globalisation and Governance,
University of Hamburg

Find out more about this exciting new journal
including submission information here:

journals.cambridge.org/GlobCon

 **CAMBRIDGE**
UNIVERSITY PRESS

British Institute of International and Comparative Law

ADVISORY COUNCIL

Mr Dapo Akande	The Rt Hon Lord Hoffmann
Judge David Anderson CMG	The Rt Hon Lord Hope of Craighead
Sir Christopher Bellamy KCMG QC	Mr Alan Jenkins
Sir Daniel Bethlehem KCMG QC	Judge Koen Lenaerts
Professor Alan Boyle	Sir Elihu Lauterpacht CBE QC
The Hon Sir Nicholas Bratza	The Hon Mr Justice Lloyd Jones
The Rt Hon Lord Justice Carnwath CVO	Mr John Louth
Ms Victoria Cochrane	The Rt Hon Chief Justice Beverley McLachlin
The Rt Hon Lord Collins of Mapesbury	The Rt Hon Lord Mance
Mr Tim Cowen	HE Judge Thomas Mensah
The Hon Mr Justice Cranston DCL QC	The Rt Hon Lord Neill of Bladen QC
Professor James Crawford SC FBA	Sir Peter North CBE DCL FBA QC
Ms Clare Dyer	The Rt Hon Lord Phillips of Worth Matravers
The Rt Hon Sir David Edward KCMG PC QC	The Rt Hon Lord Justice Richards
Professor Piet Eeckhout	Professor Jonathan Rickford CBE
Professor Malcolm Evans	Mr Joshua Rozenberg
Ms Helen Fletcher Rogers	Judge Sir Konrad Schiemann
Lady Fox CMG QC	The Rt Hon Lord Justice Sedley
Dr David Freestone	Advocate-General Eleanor Sharpston QC
Professor Sir Roy Goode CBE LLD FBA QC	Professor Malcolm Shaw QC
The Rt Hon Baroness Hale of Richmond	Judge Bruno Simma
Professor Jonathan Harris	Judge Christiaan Timmermans
Dame Rosalyn Higgins DBE QC	Mr Andrew Trollope QC
	Mr Stephen Walzer

THE DEVELOPMENT APPEAL

The Institute's Development Appeal was established with the principal objective of raising funds for the Bingham Centre for the Rule of Law and the Arthur Watts Fellowship in Public International Law. We are extremely grateful to all of our donors and to all of those who have contributed so much in the giving of their time and effort. Space prohibits listing all of our donors but those who have given particularly generously are listed below.

Bingham Centre for the Rule of Law

3 Verulam Buildings
11 King's Bench Walk
The Rt Hon Sir Richard Aikens
The Hon Sir Robert Akenhead
Allen & Overy LLP
Robin Allen QC
David Anderson QC
Claire Armstrong
The Hon Sir Richard Arnold
Ashurst LLP
The Hon Sir David Bean
The Hon Sir Rodger Bell
Sir Christopher Bellamy QC
Michael Beloff QC
Berwin Leighton Paisner LLP
Catherine Bingham
Lady Bingham
The Rt Hon Lord Bingham of Cornhill KG
The Hon Sir William Blair
BP Plc
Michael Brindle QC
The Rt Hon Sir Henry Brooke
The Hon Charles N. Brower
Lord and Lady Browne-Wilkinson
The Hon Sir Roger Buckley
The Rt Hon Sir Richard Buxton
Monica Carss-Frisk QC
The Rt Hon Sir John Chadwick
The Rt Hon Sir Anthony Clarke
The Hon Sir Christopher Clarke
Clifford Chance LLP
Christopher Coombe
The Hon Sir Ross Cranston
Peter Cruddas Foundation
Rhodri Davies QC
DLA Piper LLP
Barbara Dohmann QC
Eamonn Doran
The Drapers' Company
The Hon Sir Richard Field
Michael Fordham QC
Prof Malcolm Forster
Fountain Court Chambers
Lady Fox CMG QC
Freshfields Bruckhaus Deringer LLP
The Rt Hon Sir Peter Gibson
The Rt Hon Sir Iain Glidewell
Richard Godden
The Golden Bottle Trust
Prof Sir Roy Goode CBE LLD FBA QC &
Lady Goode
James Goudie QC
The Rt Hon Lord Griffiths MC
The Rt Hon Baroness Hale of Richmond
The Hon Sir Launcelot Henderson
Hogan Lovells, LLP
Sir Christopher Hogg
The Rt Hon Lord Hope of Craighead
Michael Hutchings OBE
The Rt Hon Sir Michael Hutchison
The Rt Hon Lord Hutton
IBA Charitable Trust
The Rt Hon Robin Jacob
Sir Francis Jacobs KCMG QC
The Hon Sir Edwin Jowitt
The Rt Hon Sir David Keene
The Rt Hon Sir Paul Kennedy
The Law Society
Alexander Layton QC
Sir Jeremy Lever KCMG QC
Clive Lewis QC
The Hon Sir Kim Lewison
Linklaters LLP
Lord Lloyd of Berwick DL
The Rt Hon Sir Andrew Longmore
Macfarlanes LLP
The Rt Hon Lord Mackay of Clashfern KT
The Estate of FA Mann
Gavin Millar QC
Richard Miller QC
Iain Milligan QC
The Rt Hon Sir Martin Moore-Bick
The Rt Hon Sir John Mummery
Sir Torquil Norman
Timothy Otty QC
The Hon Sir Robert and Lady Owen
Tim Owen QC
The Rt Hon Sir Roger Parker
David Perry QC
The Rt Hon Lord Phillips of Worth Matravers
The Pilgrim Trust
The David & Elaine Potter Foundation
The Rt Hon Sir Mark Potter
The Rt Hon Sir Stephen Richards
The Rt Hon Sir Bernard Rix
WSM Robinson
The Hon Mr Justice Roth QC
The Salih Family
Peter Scott CBE QC
Shell International Ltd
Sidley Austin LLP
Simmons and Simmons
The Hon Mr Justice Singh

Slaughter and May (current and retired partners)

The Hon Sir Andrew Smith
Rhodri Thompson QC
VV Veeder QC
Vivmar Foundation
The Hon Sir Paul Walker
Sir Timothy Walker

The Rt Hon Sir Mark Waller
Dame Juliet Wheldon DCB QC
The Rt Hon Sir Nicholas Wilson
The Hon Sir Roderic Wood
The Hon Sir Michael Wright
Timothy Young QC
Anonymous

Arthur Watts Senior Research Fellowship in Public International Law

Anonymous
David Bentley
Sir Franklin Berman KCMG QC
Sir Daniel Bethlehem KCMG QC
The Binks Trust
The Hon Charles N. Brower
Government of Brunei Darussalam
Jeremy Carver CBE
David M Craig QC
Prof James Crawford SC LLD FBA
David M Edwards CMG
Sir Gerald and Lady Elliot
Sir Michael Fay
Foreign and Commonwealth Office
Lady Fox CMG QC
Cecilia Gillett

HE Judge Sir Christopher Greenwood CMG QC
HE Ms Dell Higgie
Dame Rosalyn Higgins DBE FBA QC
Colin Keating
Professor Sir Elihu Lauterpacht CBE QC
HSH Prince Hans-Adam II of Liechtenstein
Prof Vaughan Lowe QC
Prof Maurice Mendelson QC
Allan Myers AO QC
The Hon Sir Richard Plender
Prof Philippe Sands QC
VV Veeder QC
The Watts Family
Prof Stephen Weatherill David Williams QC
Sir Michael Wood KCMG
Samuel Wordsworth QC

The Herbert Smith Fellow in Private International Law

Herbert Smith LLP

**The Dorset Fellow in Public International Law
and Institute Development Director**

The Dorset Foundation

Donations to the Institute

Susan Bright
The Estate of Lord Bingham of Cornhill KG
Lady Bingham
The Hon Sir William Blair
Sir Jeremy Lever KCMG QC
Sir Sydney Kentridge KCMG QC

Research and Project Grants

Nuffield Foundation
White & Case LLP

INTERNATIONAL & COMPARATIVE LAW QUARTERLY

VOLUME 62

PART 2

APRIL 2013

CURRENT DEVELOPMENTS: EUROPEAN UNION LAW

I. Expanding *Akzo Nobel*: In-House Counsel, Government Lawyers,
and Independence

Justine N Stefanelli

II. Citizenship of the European Union

Adam Cygan

CURRENT DEVELOPMENTS: PRIVATE INTERNATIONAL LAW

I. Free at Last? Choice of Corporate Law in the EU Following the
Judgment in *Vale*

Justin Borg-Barthet

BOOK REVIEWS

BOOKS RECEIVED

Cambridge Journals Online

For further information about this journal
please go to the journal web site at:
journals.cambridge.org/ICLQ



MIX
Paper from
responsible sources
FSC® C007785

CAMBRIDGE
UNIVERSITY PRESS