

# ILM

# International Legal Materials

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# INTERNATIONAL LEGAL MATERIALS®

## Foreword

From its inception, the collection, publication, and dissemination of important international legal materials has been among the primary functions of the American Society of International Law. These materials were originally published as a section of the *American Journal of International Law*, and for the past 50 years they have been produced as a freestanding publication. Throughout this period, *International Legal Materials* has filled a critical need by giving scholars and practitioners access to primary source materials that were often difficult to find.

Today, with the advent of the Internet, many of these materials are widely available. But the explosion of online information related to international law has made it impossible for busy international lawyers to sift through the vast array of documents and identify those that are truly significant. Happily our editorial staff, working with our Editorial Advisory Committee, devotes the time and expertise to selecting the most significant materials and highlighting them in *International Legal Materials* and our blog, *International Law in Brief*. In addition, the Society's *ASIL Insights* series provides analyses of particularly high-profile developments.

Beginning in 2007, we have introduced all documents published in *International Legal Materials* with a prefatory note by experts from among our membership. These notes provide summaries of the documents and offer insight into their significance. In this volume, we feature notes by Salvatore Caserta, Christina M. Cerna, Corina Heri, Berta Esperanza Hernández-Truyol, Rizal Abdul Kadir, and Donald R. Rothwell. We are extremely grateful to these authors, and we are confident that you will find their contributions of value.

We invite your comments and suggestions as we continue our efforts to meet the evolving needs of the international legal community.

Sincerely,

Mark David Agrast  
Chair  
Editorial Advisory Committee  
*International Legal Materials*

## STATEMENT OF EDITORIAL POLICY

*International Legal Materials (ILM)* is a core publication of the American Society of International Law that reproduces texts of documents reflecting the broad scope and evolution of international law. The range of covered subjects has expanded from traditional topics such as international organizations, jurisdiction, and international trade to include developments in fields such as intellectual property, environmental law, nuclear non-proliferation, human rights, and international criminal law.

*ILM* serves as both a bi-monthly information service and a widely recognized archive of international law documents for a diverse, global community of legal scholars, government officials, private practitioners, and institutions with a common interest in international law. To meet the varied demands of such a readership, documents are selected from world-wide sources on the basis of their present and future legal significance.

*ILM* is prepared for publication in Washington, D.C., with both the advice of an Editorial Advisory Committee and the assistance of Corresponding Editors around the world. In order to reproduce texts of selected documents under tight production schedules, the best available source is used, whether electronic or printed.

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ASIL’s nearly four thousand members hail from more than one hundred nations with nearly 40 percent residing outside the United States. Its members include scholars, jurists, practitioners, government officials, leaders in international and nongovernmental organizations, students, and others interested in international law. Through its many publications, conferences, briefings, and educational events, ASIL seeks to serve the needs of its diverse membership and to advance understanding of international law among policymakers and the public.

ASIL is a volunteer-led organization governed by a sixty-member Executive Council elected by its membership. In partnership with the elected leadership, ASIL is led by an executive director and supported by a professional staff.

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The Attorney-Editor of *International Legal Materials* also publishes the blog *International Law in Brief*, which contains objective abstracts of recently released documents pertinent to international law. Documents abstracted in *International Law in Brief* are later considered for reproduction in *ILM*. To view *International Law in Brief*, please visit [www.asil.org/blogs/ilib](http://www.asil.org/blogs/ilib).

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