

CHINESE JOURNAL OF INTERNATIONAL LAW

VOL. 8

No. 3 - November 2009

Sitio web: <http://chinesejil.oxfordjournals.org/content/current>

**Chinese Society of International Law
Invitation to Respond to All Papers Published in the Journal**

Wang Tieya Award and Lecture in Public International Law

Han Depei Award and Lecture in Private and Economic International Law

CONTENTS

AGORA: KOSOVO (PART 3)

The Relevance of the Right to Self-determination in the Kosovo Matter: 573
In Partial Response to the Agora Papers
By Cedric Ryngaert and Christine Griffioen

Kosovo and the Pitfalls of Over-theorizing International Law: 589
Observations on Hilpold's Rejoinder
By Alexander Orakhelashvili

ARTICLE

Global Justice and the (Ir)relevance of Indeterminacy 593
By Duncan French

BRIEF COMMENTS, ESSAYS AND NOTES

Enforcement of Arbitral Awards between Hong Kong and Mainland
China: A Successful Model?
By FEI Lanfang

Issues in the Application of *Dépeçage* in Chinese Private International
Law
By Allan Verman Yap Ong

The Proliferation Security Initiative: Towards Relegation of Navigational
Freedoms in UNCLOS? An Indian Perspective
By Ticy V. Thomas

621

637

657

COURTS AND TRIBUNALS

Notes on the International Court of Justice (Part 3): Rule-making at the Court: Integration, Uniformization, Keeping Existing Article Numbers and Giving Public Notice 681
By Sienho Yee

DEVELOPMENT AND HISTORY

On the Recent Development of International Law: Some Russian Perspectives 695
By Sergei Yu. Marochkin

PRACTICE AND DOCUMENTS

Chinese Judicial Practice in Private International Law: 2006 715
By HUANG Jin, SONG Lianbin, LI Qingming and LONG Weidi

National Human Rights Action Plan of China (2009–2010) 741
Information Office of the State Council of the People's Republic of China

REVIEWS AND BIBLIOGRAPHY

The Law of Command Responsibility 779

Guo Ji Fa Ben Ti Lun [On the Noumena of International Law] 781

Review of Chinese Reviews: Selected Articles Recently Published in Chinese (Part 8) 785

Corrigendum 792

No. 2 - July 2009

**Chinese Society of International Law
Invitation to Respond to All Papers Published in the Journal**

Wang Tieya Award and Lecture in Public International Law

Han Depei Award and Lecture in Private and Economic International Law

CONTENTS

THE WANG TIEYA LECTURE IN PUBLIC INTERNATIONAL LAW

The Peaceful Settlement of International Disputes 267
By Ian Brownlie

AGORA: KOSOVO (PART 2)

The Kosovo UDI between Agreed Law and Subjective Perception: A 285
Response to Hilpold
By Alexander Orakhelashvili

What Role for Academic Writers in Interpreting International Law?—A 291
Rejoinder to Orakhelashvili
By Peter Hilpold

ARTICLES

International Treaties in the Chinese Domestic Legal System 299
By XUE Hanqin and JIN Qian

New Developments in the International Law of Piracy 299
By ZOU Keyuan

Aerial Belligerency within a Humanitarian Rhetoric: Exploring the 347
Theorizing of the Law of War/Terrorizing of Civilians' Rights Nexus
By Yvenson St-Fleur

BRIEF COMMENTS, ESSAYS AND NOTES

Customary International Law, Arms Control and the Environment in
Outer Space 375
By Tare C. Brisibe

The Relevancy of Nationality to the Right to Prisoner of War Status 395
By TSE Ka Ho

The Closest Connection Doctrine in the Conflict of Laws in China 423
By YU Shuhong, XIAO Yongping and WANG Baoshi

COURTS AND TRIBUNALS

The International Tribunal for the Law of the Sea: Activities in 2008 441
By Philippe Gautier

DEVELOPMENT AND HISTORY

The Legal Status of Taiwan and the Legality of the Use of Force in a 455
Cross-Taiwan Strait Conflict
By Phil C.W. Chan

PRACTICE AND DOCUMENTS

Chinese Practice in Public International Law: 2008 493
By ZHU Lijiang

REVIEWS AND BIBLIOGRAPHY

Legal Materials on China Received and Catalogued in the Peace Palace 553
Library: 2008
By Ingrid Kost

No. 1 - March 2009

**Chinese Society of International Law
Invitation to Respond to All Papers Published in the Journal**

Wang Tieya Award and Lecture in Public International Law

Han Depei Award and Lecture in Private and Economic International Law

CONTENTS

AGORA: KOSOVO

Foreword	1
Precedents in the Mountains: On the Parallels and Uniqueness of the Cases of Kosovo, South Ossetia and Abkhazia <i>By Rein Müllerson</i>	2
The Independence of Kosovo: A Unique Case of Secession? <i>By Bing Bing JIA</i>	27
The Kosovo Case and International Law: Looking for Applicable Theories <i>By Peter Hilpold</i>	47

ARTICLES

Aviation Safety, ICAO and Obligations <i>Erga Omnes</i> <i>By HUANG Jiefang</i>	63
Désordre Public International under the New York Convention: Wither Truly International Public Policy <i>By James D. Fry</i>	81
The Recognition of the Chinese Government and the Convention on International Civil Aviation <i>By Stefan Talmon</i>	135

BRIEF COMMENTS, ESSAYS AND NOTES

Implementation of Human Rights Treaties by Chinese Courts: Problems and Prospects <i>By Sanzhuan Guo</i>	
---	--

COURTS AND TRIBUNALS

- Notes on the International Court of Justice (Part 2): Reform Proposals Regarding the International Court of Justice—A Preliminary Report for the International Law Association Study Group on United Nations Reform 181
By Sienho Yee
- Comments on *Guyana v. Suriname* 191
By GAO Jianjun

DEVELOPMENT AND HISTORY

- Migrant Workers as Citizens within the ASEAN Landscape: International Law and the Singapore Experiment 205
By CHEAH Wui Ling

PRACTICE AND DOCUMENTS

- Protection and Development of Tibetan Culture 233
By The State Council Information Office, China

REVIEWS AND BIBLIOGRAPHY

- Reflections on International Judges and Their Decision-making: A Review Essay on Daniel Terris *et al.* (eds), *The International Judge* 251
By V. D. Degan
-

