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Sustainable Development, Corporate Governance, and International Law

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Sustainable Development, Corporate Governance, and International Law

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**THE 2010 DENVER CONFERENCE OF THE AMERICAN BRANCH OF
THE INTERNATIONAL LAW ASSOCIATION:
SUSTAINABLE DEVELOPMENT, CORPORATE GOVERNANCE, AND
INTERNATIONAL LAW**

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The American Branch of the International Law Association (ILA) is grateful to the *Denver Journal of International Law and Policy* for publishing selected essays from the regional American Branch International Law Weekend held at the University of Denver Sturm College of Law on February 12th-13th, 2010. The Branch also thanks the various hosts of the Weekend: the *Journal*; the Sturm College of Law; the College of Law's International Law Society and International Legal Studies Program; and the Ved Nanda Center for International Law. Both Katherine Nanda and Professor Ved Nanda were personally involved in planning and running this conference, and their organizational skill, graciousness, and hospitality helped make it a grand success. Professor Nanda is of course known internationally as the Evans University Professor and the Thompson G. Marsh Professor of Law at the University of Denver.¹ He has, for many years, actively supported the American Branch through speaking at its conferences, participating in its Executive Committee meetings, and serving as Honorary Vice President. Professor Nanda was recently named a Patron of the Branch.²

The theme of this regional International Law Weekend, "Sustainable Development, Corporate Governance, and International Law," links a major value underlying modern international law to practical governance issues.³ Speakers addressed both theoretical perspectives and practical questions about improving corporate and international institutional practices. The conference explored values, problems facing attorneys, and law development – all significant emphases of the ILA and its American Branch.

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1. *Faculty Profile: Ved P. Nanda*, UNIVERSITY OF DENVER STURM COLLEGE OF LAW, <http://law.du.edu/index.php/profile/ved-nanda> (last visited Feb. 19, 2011).

2. *New American Branch Patrons*, ABILA NEWSLETTER (Am. Branch of the Int'l Law Ass'n, Los Angeles, CA), May 2010, at 3, *available at* ila-americanbranch.org/newsletters/201005_ABILA_NEWSLETTER.pdf.

3. *International Law Week – Midwest*, AM. BRANCH OF THE INT'L LAW ASS'N, http://ila-americanbranch.org/Intl_Law_Wknd_Midwest.aspx (last visited Feb. 19, 2011).

Established in Brussels in 1873 to further international relations and the cause of peace, the ILA has long promoted the development of private as well as public international law.⁴ When the ILA was organized, it welcomed as members academics, practicing lawyers, and business people. The ILA's reports concerning a wide range of topics link international legal theory and practice.

When the ILA's American Branch was created in 1922,⁵ its founders set out some utopian goals and also sought to help solve concrete private international law problems. Addressing the first meeting of the American Branch, Arthur K. Kuhn, both a scholar and a leading member of the New York bar, stressed the importance of ILA members collaborating "to promote international peace and good will and to lay the foundations for a profitable and peaceful international trade and commerce."⁶ Other founders envisioned practical benefits from Branch activities. Frederic Coudert, a partner at Coudert Brothers, thought the American Branch could usefully further the "reasoned development of international law,"⁷ and Dean Charles Noble Gregory urged attention to codification projects.⁸

The world and international law have changed dramatically in the ensuing decades. The ILA and its American Branch have remained committed to the study and development of public and private international law. Today, the London-based ILA continues as the preeminent international non-governmental international law organization devoted to developing and restating international law. Reports developed by the ILA's numerous committees and study groups are adopted by the Association as a whole at its biennial conferences – most recently in The Hague in August 2010. These reports have shaped treaties and influenced international law and practice on a wide range of public and private international law topics.⁹ This Denver International Law Weekend complemented the focus of the ILA's International Law on Sustainable Development Committee.¹⁰ The American Branch, the largest of the ILA's forty-five national and regional branches,¹¹ has its own active committees, some investigating topics within the

4. See MARK WESTON JANIS, *AMERICA AND THE LAW OF NATIONS 1776-1939*, at 134-38 (2010).

5. *The History of the ILA*, AM. BRANCH OF THE INT'L LAW ASS'N, http://ila-americanbranch.org/ILA_History.aspx (last visited Feb. 19, 2011).

6. Arthur K. Kuhn, Speech at the Inaugural Dinner of the American Branch of the International Law Association (1922), in AM. BRANCH OF THE INT'L LAW ASS'N, REPORT OF PROCEEDINGS OF THE FIRST ANNUAL MEETING 42, 43 (1922).

7. Frederic R. Coudert, Speech at the Inaugural Dinner of the American Branch of the International Law Association (1922), in AM. BRANCH OF THE INT'L LAW ASS'N, REPORT OF PROCEEDINGS OF THE FIRST ANNUAL MEETING 13, 16 (1922).

8. See Charles Noble Gregory, Speech at the Inaugural Dinner of the American Branch of the International Law Association (1922), in AM. BRANCH OF THE INT'L LAW ASS'N, REPORT OF PROCEEDINGS OF THE FIRST ANNUAL MEETING 28, 29 (1922).

9. For information about the ILA's committees and study groups and links to recent reports, see *Committees*, INT'L LAW ASS'N, <http://www.ila-hq.org/en/committees/index.cfm> (last visited Feb. 19, 2011). The ILA's biennial *Reports* contain a complete record of the ILA's resolutions and committee reports.

10. See *International Law on Sustainable Development*, INT'L LAW ASS'N, <http://www.ila-hq.org/en/committees/index.cfm/cid/1017> (last visited Feb. 19, 2011).

11. *The History of the ILA*, *supra* note 5.

mandates of ILA committees and others working on projects of their own. The Branch's committees have produced books, academic reports, and amicus briefs and other policy statements.¹²

The American Branch also organizes major conferences.¹³ International Law Weekend, which spans three days each October in New York, coincides with the American Branch's annual meeting. Approximately 800 to 1000 registrants attend the Weekend's thirty plus panels, many of which the American Branch's committees organize.¹⁴ Since 2001, International Law Weekend – West has been a popular biennial event, with conferences held to date in various cities in California and Oregon. ILW West 2011 is scheduled at Southwestern Law School in Los Angeles on February 25th-26th, 2011.¹⁵ The Denver conference that gave rise to this symposium marked the start of a new biennial series of regional American Branch International Law Weekends, with the next one to be held at Case Western University in Cleveland, Ohio.¹⁶ The Denver conference carried on the tradition of the ILA and its American Branch by exploring timely topics and seeking to link underlying values to proposals for developing international law.

Again, on behalf of the American Branch of the International Law Association, I sincerely thank Katherine and Ved Nanda, the University of Denver Sturm College of Law, the Ved Nanda Center, and other cosponsors for hosting the American Branch's 2010 regional International Law Weekend. The *University of Denver Journal of International Law and Policy* is to be commended for publishing important essays from the Weekend.

12. For information about the American Branch's committees and links to recent committee reports, see *Committees*, AM. BRANCH OF THE INT'L LAW ASS'N, <http://www.ila-americanbranch.org/Committees.aspx> (last visited Feb. 19, 2011). The Branch's biennial *Proceedings*, which have been published since 1922, are available through Hein On-line and contain American Branch committee reports.

13. See *International Law Weekend*, AM. BRANCH OF THE INT'L LAW ASS'N, <http://www.ila-americanbranch.org/Events.aspx> (last visited Feb. 19, 2011).

14. *Id.*

15. *International Law Weekend – West*, AM. BRANCH OF THE INT'L LAW ASS'N, http://ila-americanbranch.org/Intl_Law_Wknd_West.aspx (last visited Feb. 19, 2011).

16. *International Law Weekend – Midwest*, *supra* note 3.

