

AMERICAN JOURNAL OF INTERNATIONAL LAW

VOL. 106

October 2012

NO. 4

CONTENTS

PAGE

Pinochet's Legacy Reassessed

Ingrid Wuerth

731

This article analyzes developments in the customary international law of immunity since the House of Lords' famous rulings in *Pinochet*. Subsequent decisions have limited the potential impact of *Pinochet* in human rights cases involving state and status-based immunities. Under customary international law as it stands today, and contrary to conventional wisdom, there is no human rights or international crimes exception to the functional immunity of current and former officials.

Notes and Comments

Self-Defense Against an Imminent or Actual Armed Attack by Nonstate Actors

Daniel Bethlehem

769

Current Developments

The Decent Work for Domestic Workers Convention and Recommendation, 2011

Adelle Blackett

778

Accountability and the Sri Lankan Civil War

Steven R. Ratner

795

International Decisions

Edited by David P. Stewart

Prosecutor v. Lubanga (Diane Marie Amann)

809

International Criminal Court decisions on merits, sentencing, and reparations for war crimes involving use of child soldiers

Delimitation of the Maritime Boundary in the Bay of Bengal (Bangladesh/Myanmar) (D. H. Anderson)

817

International Tribunal for the Law of the Sea judgment delimiting the territorial sea, exclusive economic zone, and continental shelf within and beyond 200 miles

United States—Measures Affecting the Production and Sale of Clove Cigarettes (Tania Voon)

824

World Trade Organization Appellate Body decision on failure to accord like treatment to cigarettes with different flavoring additives

Al-Jedda v. United Kingdom (Miša Zgonec-Rožej)

830

European Court of Human Rights Grand Chamber judgment regarding detention of Iraqi citizen by UK armed forces

Markin v. Russia (Lauri Mälksoo)

836

European Court of Human Rights Grand Chamber judgment on gender discrimination concerning parental leave for military personnel

Contemporary Practice of the United States Relating to International Law	
<i>Edited by John R. Crook</i>	843
U.S. Supreme Court Finds Conflict Between Arizona Immigration Statute and Federal Foreign Affairs Powers	844
First Circuit Finds No Private Right of Action Under U.S.-UK Mutual Legal Assistance Treaty, Rejects Efforts to Quash Subpoenas	846
Fifth Circuit Dismisses Gasoline Dealers' Antitrust Suit Challenging OPEC	849
China Protests U.S. Embassy's and Consulates' Dissemination of Local Air Quality Data in China	851
Fourth Circuit Draws on UN Convention on the Law of the Sea and Modern Practice in Defining Piracy	853
U.S. Statement Calls for Peaceful Resolution of Competing South China Sea Claims; China Protests	855
U.S. Department of Justice and Gibson Guitar Corp. Settle Lacey Act Charges	856
United States Marks Improved Relations with Burma by Easing Economic Sanctions	858
Record Forfeiture by Dutch Bank for Violating U.S. Sanctions on Cuba and Iran	860
U.S. Government's Brief Urges Supreme Court to Reject Claims in <i>Kiobel</i> Case Involving Nigerian Plaintiffs, Foreign Defendants, and Conduct in Nigeria	862
U.S. Department of State Summarizes Criteria, Processes, and Consequences of Terrorist Designations Under U.S. Statutes and Executive Orders	865
Canadian Subsidiary of Major U.S. Company Pleads Guilty to Criminal Charges for Helping China Develop Attack Helicopter	867
United States, Canada Arbitrate Softwood Lumber Disputes at London Court of International Arbitration; Canada Prevails in Most Recent Case	869
Ecuador Initiates Arbitration Against United States, Claims an Interpretative Dispute Under Ecuador-U.S. Bilateral Investment Treaty	872
Kansas Statute Bars Enforcement of Contracts, Foreign Awards, and Judgments Based on Foreign Laws Not Meeting U.S. Constitutional Requirements	875
Brief Notes	878
 Recent Books on International Law	
<i>Edited by Richard B. Bilder</i>	
Book Reviews	
Crawford, James, Alain Pellet, and Simon Olleson (eds.). <i>The Law of International Responsibility</i> (Sean D. Murphy)	885
Alvarez, José E. <i>The Public International Law Regime Governing International Investment</i> (Susan D. Franck)	890
Matheson, Michael J. <i>International Civil Tribunals and Armed Conflict</i> (George H. Aldrich)	896
Corten, Olivier, and Pierre Klein (eds.). <i>The Vienna Conventions on the Law of Treaties: A Commentary</i> (Robert E. Dalton)	898
Engle, Karen. <i>The Elusive Promise of Indigenous Development: Rights, Culture, Strategy</i> (Miia Halme-Tuomisaari)	903
Martinez, Jenny S. <i>The Slave Trade and the Origins of International Human Rights Law</i> (Jean Allain)	909
 Books Received	913
 International Legal Materials. Contents, Vol. LI, No. 3	917
 Table of Cases	918
 Index	923