

#### **ICLQ Young Scholar Prize**

The *International and Comparative Law Quarterly* is launching an annual Young Scholar Prize for the best piece of scholarship on any topic of public or private international law, EU or comparative law, published in 2009 by an author who is under 35. The prize is £300 worth of books from Cambridge University Press. Authors whose articles are accepted for publication will be asked to declare that they are eligible for consideration by virtue of being aged 34 or under on the date of submission.

## British Institute of International and Comparative Law

#### ADVISORY COUNCIL

Mr Dapo Akande Judge David Anderson CMG Sir Christopher Bellamy QC Sir Franklin Berman KCMG QC Mr Daniel Bethlehem QC The Hon Mr Justice Blair QC Professor Alan Boyle The Hon Sir Nicholas Bratza Professor Ian Brownlie CBE FBA DCL OC The Rt Hon Lord Justice Carnwath **CVO** Ms Victoria Cochrane The Rt Hon Lord Justice Lawrence Collins Mr Tim Cowen The Hon Mr Justice Cranston DCL OC Professor James Crawford SC FBA Ms Clare Dyer The Rt Hon Sir David Edward KCMG QC Professor Piet Eeckhout Professor Malcolm Evans Ms Helen Fletcher Rogers Lady Hazel Fox CMG QC Dr David Freestone Professor Sir Roy Goode CBE LLD FBA OC Professor Jonathan Harris HE Judge Rosalyn Higgins DBE OC

The Rt Hon Lord Hoffmann The Rt Hon Lord Hope of Craighead Mr Alan Jenkins Judge Koen Lenaerts Sir Elihu Lauterpacht CBE QC The Hon Mr Justice Lloyd Jones Mr Paul Lomas Mr John Louth The Rt Hon Chief Justice Beverley McLachlin The Rt Hon Lord Mance HE Judge Thomas Mensah The Rt Hon Lord Neill of Bladen OC Sir Peter North CBE DCL FBA QC The Rt Hon Lord Phillips of Worth Maltravers The Rt Hon Lord Justice Richards Professor Jonathan Rickford CBE Mr Joshua Rozenberg Judge Sir Konrad Schiemann The Rt Hon Lord Justice Sedley Advocate-General Eleanor Sharpston QC Professor Malcolm Shaw QC Judge Bruno Simma The Rt Hon Lord Slynn of Hadley Judge Christiaan Timmermans Mr Andrew Trollope QC Mr Stephen Walzer Professor Colin Warbrick Dame Juliet Wheldon DCB QC

# INTERNATIONAL & COMPARATIVE LAW QUARTERLY

**VOLUME 58** 

PART 3

**JULY 2009** 

#### SHORTER ARTICLES

Conceptualizing the Chinese Trust

Rebecca Lee

Promoting Judicial independence in the International Courts: Lessons from the Caribbean Kate Malleson

#### CURRENT DEVELOPMENTS: PUBLIC INTERNATIONAL LAW

I. Between The Devil And The Deep Blue Sea: Conflicted Thinking In
The Al-Saadoon Affair
Matthew E Cross and Sarah Williams

II. Immunity for Heads of State Acting in their Private Capacity—*Thor Shipping*A/S v The Ship 'Al Duhail' Matthew Alderton

### CURRENT DEVELOPMENTS: DECISIONS OF INTERNATIONAL COURTS AND TRIBUNALS

I. International Court of Justice Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v Russian Federation)

Provisional Measures Order of 15 October 2008

Sandy Ghandhi

II. International Criminal Tribunal for the Former Yugoslavia *Decision on the*Accused's Second Motion for Inspection and Disclosure: Immunity Issue Trial

Chamber Decision of 17 December 2008

Benjamin Brockman-Hawe

#### **BOOK REVIEWS**

**BOOKS RECEIVED** 

Cambridge Journals Online
For further information about this journal please
go to the journal website at:
journals.cambridge.org/ICLQ

CAMBRIDGE UNIVERSITY PRESS