**ARTICLES**

- Determining the Seat of an International Arbitration: Party Autonomy and the Interpretation of Arbitration Agreements
  - Jonathan Hill
- Reflections of Customary International Law: The Authority of Codification Conventions and ILC Draft Articles in International Law
  - Fernando Lusa Bordin
- Deconstructing Data Protection: The ‘Added-Value’ of a Right to Data Protection in the EU Legal Order
  - Orla Lynaey
- Severing Reservations
  - Kasey L. McCall-Smith
- Reviewing the United Kingdom's ICCPR Immigration Reservation in Hong Kong Courts
  - Michael Ramsden
- Corporate Human Rights Accountability: The Objections of Western Governments to the Alien Tort Statute
  - Uta Kohl
- The Alien Tort Statute After Kiobel: The Possibility for Unlawful Assertions of Universal Civil Jurisdiction Still Remains
  - Paul David Mora

**SHORTER ARTICLES AND NOTES**

- The Warsaw Climate Negotiations: Emerging Understandings and Battle Lines on the Road to the 2015 Climate Agreement
  - Lavanya Rajamani
- Applicable Laws to Arbitration Agreements Under Current Arbitration Law and Practice in Mainland China
  - Fan Yang
- The Product Liability System in China: Recent Changes and Prospects
  - Kristie Thomas

**BOOK REVIEWS**

- The Warsaw Climate Negotiations: Emerging Understandings and Battle Lines on the Road to the 2015 Climate Agreement
- Applicable Laws to Arbitration Agreements Under Current Arbitration Law and Practice in Mainland China
- The Product Liability System in China: Recent Changes and Prospects

**BOOKS RECEIVED**

Shorter Articles and Notes and Book Reviews—see back cover
INSTRUCTIONS FOR CONTRIBUTORS

The ICLQ welcomes the submission of contributions for consideration by the Board of Editors with a view to publication. All manuscripts must be submitted online via the website: http://mc.manuscriptcentral.com/iclq

The Board of Editors will only consider material which complies with the following:

1. The submission should be an original, unpublished work not currently under consideration for publication elsewhere. Please note that our exclusive submission policy means you cannot submit your work to another journal until you have received a decision from us. If you would like to submit to another journal, you must withdraw your article from consideration by the ICLQ.

2. The ICLQ publishes articles that deal with public international law, private international law, comparative law, human rights law and European Union law. It particularly encourages the submission of innovative and original articles whose theme or content illuminate more than one of these subject areas. Articles which do no more than rehearse familiar and well-known material, or which are concerned only with national law (other than private international law) in a non-comparative way, should not be submitted.

3. Long articles should not exceed 12,000 words (16,000 words including footnotes). Pieces of up to 6,000 words will usually be considered for the ‘Shorter Articles and Notes’ section. The editors will decide on the section to which all contributions, irrespective of length, are best suited should they be accepted for publication. ScholarOne will require you to enter the word count (including footnotes) when submitting your article, and to indicate if you intend it for the ‘Shorter Articles and Notes’ section.

4. Footnotes should be numbered consecutively throughout the article and be in the form normally used by the ICLQ. Please see the Style Guide for further information. Footnoting should not be excessive.

5. A short (50–100 words) abstract of the article should be supplied. We reserve the right to edit abstracts for length and style. Please also supply a minimum of five keywords (maximum ten) for your article to enable digital searching.

6. Authors should state their present academic or professional affiliation and indicate any professional or personal involvement in the subject matter of the article.

7. The ICLQ only accepts submissions online via the ScholarOne platform. To upload your manuscript please go to: http://mc.manuscriptcentral.com/iclq. Detailed instructions for submitting your manuscript online can be found at the submission website by clicking on the ‘Instructions and Forms’ link in the top right of the screen; and then clicking on the ‘Author Submission Instructions’ icon on the following page. The Editor will acknowledge receipt of the manuscript, with a reference number, which should be quoted in all correspondence.

For the ICLQ Style Guide, please visit www.journals.cambridge.org/iclq/ifc. In all matters not included in this Guide, the ICLQ follows the OSCOLA citation system for house style; please visit www.law.ox.ac.uk for details.

SUBSCRIPTIONS

Subscriptions, orders, and enquiries should be sent to the British Institute of International and Comparative Law, Charles Clore House, 17 Russell Square, London WC1B 5JF, telephone 020 7862 5151. The subscription to the ICLQ for 2014 is £253, $505, air mail postage extra. There may be other subscription rates available; for a complete listing please visit journals.cambridge.org/ICLQ. Back issues of all volumes are now available at the current cover price (casebound extra).

The views expressed in the contributions to this journal are those of their author(s) and do not necessarily reflect the views either of the board of editors of the journal or of the British Institute of International and Comparative Law (BIICL). BIICL is a registered charity and an independent research institute committed to supporting high standards of scholarship in all aspects of international and comparative law.

The ICLQ has been selected for coverage in Thomson Reuters Current Contents Citation Index, the Journals Citation Reports/Social Sciences Edition and Current Contents/Social and Behavioral Sciences

PERMISSIONS

For all matters concerning rights and permissions please contact Linda Nicol, Cambridge University Press, Shaftesbury Road, Cambridge, CB2 8RU

© 2014
British Institute of International and Comparative Law

Printed in the United Kingdom by Bell and Bain Ltd, Glasgow

This journal issue has been printed on FSC-certified paper and cover board. FSC is an independent, non-governmental, not-for-profit organization established to promote the responsible management of the world’s forests. Please see www.fsc.org for information.
INTERNATIONAL AND COMPARATIVE LAW QUARTERLY

VOLUME 63 JULY 2014 PART 3

ARTICLES

DETERMINING THE SEAT OF AN INTERNATIONAL ARBITRATION: PARTY AUTONOMY AND THE INTERPRETATION OF ARBITRATION AGREEMENTS

Jonathan Hill 517

REFLECTIONS OF CUSTOMARY INTERNATIONAL LAW: THE AUTHORITY OF CODIFICATION CONVENTIONS AND ILC DRAFT ARTICLES IN INTERNATIONAL LAW

Fernando Lusa Bordin 535

DECONSTRUCTING DATA PROTECTION: THE ‘ADDED-VALUE’ OF A RIGHT TO DATA PROTECTION IN THE EU LEGAL ORDER

Orla Lynskey 569

SEVERING RESERVATIONS

Kasey L. McCall-Smith 599

REVIEWING THE UNITED KINGDOM’S ICCPR IMMIGRATION RESERVATION IN HONG KONG COURTS

Michael Ramsden 635

CORPORATE HUMAN RIGHTS ACCOUNTABILITY: THE OBJECTIONS OF WESTERN GOVERNMENTS TO THE ALIEN TORT STATUTE

Uta Kohl 665

THE ALIEN TORT STATUTE AFTER KIOBEL: THE POSSIBILITY FOR UNLAWFUL ASSERTIONS OF UNIVERSAL CIVIL JURISDICTION STILL REMAINS

Paul David Mora 699

SHORTER ARTICLES

THE WARSAW CLIMATE NEGOTIATIONS: EMERGING UNDERSTANDINGS AND BATTLE LINES ON THE ROAD TO THE 2015 CLIMATE AGREEMENT

Lavanya Rajamani 721

APPLICABLE LAWS TO ARBITRATION AGREEMENTS UNDER CURRENT ARBITRATION LAW AND PRACTICE IN MAINLAND CHINA

Fan Yang 741

THE PRODUCT LIABILITY SYSTEM IN CHINA: RECENT CHANGES AND PROSPECTS

Kristie Thomas 755
BOOK REVIEWS

MICHAL BOBEK *Comparative Reasoning in European Supreme Courts*  
(John Bell) 777

MICHAEL BYERS *International Law and the Arctic* (Andrew Serdy) 778

MICHAEL P SCHARF *Customary International Law in Times of Fundamental Change: Recognizing Grotian Moments*  
(James A Green) 781

H PATRICK GLENN *The Cosmopolitan State* (Emma Patrignani) 782

BOOKS RECEIVED 785