The Annual General Meeting was convened at 2:55 p.m. in the Grand Ballroom of the Fairmont Washington Hotel. James Carter presided.

After the agenda was adopted, James Carter read the names of members who had passed away during the past year: Ed Cummins, Lloyd Cutler, Carl-August Fleischhauer, Michael Gruson, Richard Haas, Clifford Michel, Peter Sarcevic, Cabot Sedgwick, and Arthur Von Mehren. There was a moment of silence.

**Presentation of Honors**

Michael Reisman, the Chair of the consolidated Committee on Honors, presented the honors. The Hudson Medal was awarded to Theodor Meron. Hisashi Owada was named as the 2006 Honorary Member. The Goler T. Butcher Medal was awarded to Hilary Charlesworth and Christine Chinkin.

**Presentation of Certificates of Merit**

Mark Janis, the Chair of the Committee on Annual Awards, announced the certificates of merit and honorable mentions, as follows:


**Presentation of Deák Prize**

The Deák Prize for the best article in the *AJIL* by a young author went to Kal Raustiala for “Form and Substance in International Agreements,” in the July 2005 issue.


**Presentation of the Lieber Prize**

ANNOUNCEMENT OF THE ARTHUR C. HELTON FELLOWS

The Helton Fellows for 2006 are Anna Kerner, a student at the University of South Dakota School of Law, David Kosar, a Ph.D. candidate at Masaryk University in the Czech Republic, Scott Lyons, a recent graduate of the American University, Washington College of Law, Rebecca Miller, a student at the University of Wisconsin Law School, Margaret Murray, a student at the University of Maryland School of Law, and Elizabeth Stubbins, a recent graduate of the Harvard Law School.

REPORT OF THE AJIL BOARD OF EDITORS

Bernard Oxman, Co-Editor-in-Chief of the Journal, announced that the Journal’s Board of Editors had voted to recommend that the following persons be elected to the Board by the Executive Council: incumbents Daniel Bodansky, Steven Ratner, Joel Trachtman and Ruth Wedgwood, and newcomers Mahnoush Arsanjani and Jutta Brunée. He also mentioned the series of centennial essays that will be published in volume 100, and pointed out the changes in the cover, style and print of the Journal.

MEMBER BUSINESS

James Carter introduced a resolution for possible adoption by the General Meeting, explaining that it had been approved by the Executive Council on March 29 for submission to the Annual General Meeting today, and that it was an alternative to a resolution that had been submitted to the Executive Council by Ben Davis and others, pursuant to Article IX of the Society’s Constitution. The resolution, as approved by the Executive Council, reads as follows:

The American Society of International Law, at its centennial annual meeting in Washington, D.C. on March 30, 2006, Resolves:

1. Resort to armed force is governed by the Charter of the United Nations and other international law (jus ad bellum).

2. Conduct of armed conflict and occupation is governed by the Geneva Conventions of August 12, 1949 and other international law (jus in bello).

3. Torture and cruel, inhuman, or degrading treatment of any person in the custody or control of a state are prohibited by international law from which no derogation is permitted.

4. Prolonged, secret, incommunicado detention of any person in the custody or control of a state is prohibited by international law.

5. Standards of international law regarding treatment of persons extend to all branches of national governments, to their agents, and to all combatant forces.

6. In some circumstances, commanders (both military and civilian) are personally responsible under international law for the acts of their subordinates.

7. All states should maintain security and liberty in a manner consistent with their international law obligations.

Jim Carter called on Richard Edwards, one of the authors of the above resolution, to give the background to it. He explained that Ben Davis, his colleague at the University of Toledo College of Law, had talked to him last fall about submitting a resolution on international
law norms relating to the treatment of detainees. Richard had ultimately declined to go along with the draft resolution Ben Davis had proposed, because he did not think that it came within the subsection (ii)(c) of the policy adopted in 1966 by the Executive Council. That policy had been followed ever since then. It provides as follows:

The Council in the future will recommend that the Society adopt resolutions urging action by persons outside the Society in only two types of circumstances:

(i) Resolutions relating to technical matters primarily of professional interest to international lawyers and scholars.

(ii) Resolutions relating to principles of international law or international relations, when all of the following conditions have been satisfied:

(a) The matter is one which is generally considered by members of the Council to involve a matter of truly fundamental importance in promoting the establishment and maintenance of international relations on the basis of law and justice.
(b) The matter is one in respect of which most members of the Society can reasonably be expected to be informed without the preparation of a special committee report.
(c) There is no significant disagreement within the Society as to the desirability of the proposed action.

Richard explained further that Rick Kirgis had proposed an alternative to the Ben Davis resolution, and that Mary Ellen O'Connell and Richard had recently tried to bridge the gap between the Davis and Kirgis draft resolutions, producing the resolution quoted above—the one eventually approved by the Executive Council.

It was moved and seconded that the resolution as approved by the Executive Council be adopted.

In the ensuing discussion from the floor, some speakers opposed the resolution on the ground that the Society’s usual practice of declining to adopt substantive resolutions is sound because the resolutions would not affect events and would divide the Society; members have other means of making their views known. Other speakers supported the resolution as a sound statement of international law on an important matter as to which a learned society should not remain silent.

As the available time for discussion drew to a close, James Carter called for a show of hands on the motion to adopt the resolution. The motion was adopted by a substantial margin.

**REPORT OF THE 2005–2006 NOMINATING COMMITTEE**

In the unavoidable absence of Thomas M. Franck, Chair of the 2005–2006 Nominating Committee, Rick Kirgis read out the slate of candidates for election to office:

Honorary President:
Judge Thomas Buergenthal, International Court of Justice

Vice Presidents:
Professor David Caron, University of California, Berkeley
Dr. Charlotte Ku, Executive Director, ASIL
Miriam Sapiro, President, Summit Strategies International, LLC
Professor Ruth Wedgwood, School of Advanced Studies, Johns Hopkins University

Counsellors:
Ambassador Hans Corell, former UN Legal Counsel
Professor Christopher Greenwood, London School of Economics
Professor John Jackson, Georgetown University Law Center
ASIL Annual General Meeting

Judge Dolliver Nelson, International Tribunal for the Law of the Sea
Dean Elizabeth Rindskopf Parker, McGeorge School of Law, University of the Pacific
William Howard Taft IV, Esq., Fried Frank Harris Shriver Jacobson
Judge Patricia Wald, Washington, D.C.
Professor Rüdiger Wolfrum, Director, Max Planck Institute for Foreign and Comparative
Law, and Judge, International Tribunal for the Law of the Sea
Professor Richard Falk, University of California, Santa Barbara, and Princeton University,
for a two-year term to complete the term vacated by Stewart Baker

Members of the Executive Council:
Professor Diane Amman, University of California, Davis
Professor Anthony Anghie, University of Utah
Pieter Bekker, Esq., White & Case
Professor Nathaniel Berman, Brooklyn Law School
Professor Philip Bobbitt, University of Texas Law School and Harvard Law School
Michael Mattier, Esq., Office of the Legal Adviser, U.S. Department of State
Daniel Price, Esq., Sidley Austin Brown & Wood LLP
Professor Ralph Wilde, University College, London

It was moved and seconded that the entire slate be approved. The motion was adopted.

ELECTION OF THE 2006–2007 NOMINATING COMMITTEE

José Alvarez read out the proposed 2006–2007 Nominating Committee: Peter Trooboff,
chair, and Charles Brower, Mahnoush Arsanjani, Henry Richardson, Jeremy Levitt and
Karima Bennoune, with Frank Garcia as the alternate. The slate was elected.
There being no further business, the meeting was adjourned at 4:20 p.m.

Respectfully submitted,

Frederic L. Kirgis
Secretary