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## The SILS-DILA Conference on 'Teaching and Researching International Law in Asia': Report and Reflections

*Kevin YL Tan\**

### I. INTRODUCTION

ON 30 and 31 July 2001, a Conference was held at the Fort Canning Lodge, Singapore on the theme 'Teaching and Researching International Law in Asia'. This is the first international law teaching and research conference Singapore has hosted since 1964.<sup>1</sup> This gathering of Asian international law teachers and scholars is significant for several reasons. First, while international law conferences and symposia are regular features of the academic circuit, very few of these conferences are specifically targeted at Asian scholars. Second, this is the first conference organised by the Foundation for the Development of International Law in Asia (DILA), an organisation dedicated to the study, research and dissemination of international law in Asia. Third, it is the first collaborative effort between DILA and its Singapore partner, the Society of International Law, Singapore (SILS)<sup>2</sup> which attracted a total of 60 delegates from 22 Asian countries.

Further elaboration of the third point is in order. DILA was established by three Asian émigré international lawyers – Professors Ko Swan Sik and JJ Syatauw, and Ambassador MCW Pinto – living and working in the Netherlands. The impetus for the establishment of DILA was the common belief that it would be beneficial to have a mechanism to promote and facilitate exchanges among international law

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1 See, Regional Conference on Legal Education: A Report on the Proceedings of the Conference, Singapore, 1964 (Singapore: Association of Law Teachers & Schools in Southeast Asia, 1964).

2 The Society was established in 1996 under the guidance of its President, Professor Tommy Koh, Ambassador-at-Large, Ministry of Foreign Affairs, Singapore. The Society's objects are:

- a. to promote knowledge of international law in Singapore;
- b. to hold meetings and discussions relevant to the field;
- c. to publish newsletters, journals and books relevant to the field.

scholars and to provide a regular and reliable source of information concerning international law as applied or interpreted by the states of Asia. The main means by which DILA seeks to accomplish its aims and purposes is the publication of the *Asian Yearbook of International Law*.<sup>3</sup>

The Foundation was established to promote:

- a. the study and analysis of topics and issues in the field of international law, in particular from an Asian perspective;
- b. the study of, and the dissemination of knowledge of, international law in Asia; and
- c. to promote contact and co-operation between persons and institutions actively dealing with questions of international law relating to Asia.

Since its publication in 1991, the *Yearbook* has been well-received internationally. However, its publication has been the prime activity of DILA until 1997 when the three 'Founding Fathers' attempted to inject new blood into the organisation by holding a meeting in Manila. This was followed by a subsequent meeting in the Hague in January 1999, culminating with the recruitment of new members to DILA's Governing Board.

## II. THE CONFERENCE

### A. Objectives

At the Hague meeting, it was decided that to better serve its 'constituents' – ie, international lawyers and scholars – several things had to be done. The first was to establish contacts with as many scholars and practitioners as possible. The second was to find out from them, through a survey, what their needs were, and what issues they considered to be pressing. The third was to hold a meeting of the relevant actors to provide a networking opportunity for these international lawyers and scholars. It was decided that for this maiden effort, attention would be focused on legal scholars rather than practitioners. This decision was fueled by the perceived need to engage those with the biggest 'downstream' or 'multiplier' effect in the process. Other practitioners of international law could be targeted for future meetings. Because

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3 The *Asian Yearbook of International Law* has been published annually since 1991 under the general editorship of Prof Ko Swan Sik, Prof JJ Syatauw and Ambassador Dr MCW Pinto.

there have been so few opportunities for Asian international law scholars to meet and interact among themselves, the organisers regarded the conference as a trial balloon and primer for future more specialised meetings. Three very basic and broad objectives were established:

- a. To create an on-going conversation between scholars and teachers of international law in Asia;
- b. To take stock of the terrain and milieu in which international law teachers and scholars operate today; and
- c. To appreciate the various influences and changes in the world that impact the way in which international law is taught.

To make the conference more fruitful, it was also decided that a comprehensive survey form be drafted and circularised to all invited participants to the conference. The survey, which is the key subject of this report, was designed by myself in collaboration with the core members of DILA's Governing Board.<sup>4</sup>

### B. Strategy and Organisation

Due to severe cost constraints, it was decided that a small conference with about 60 participants would be held. At the Hague meeting, it was proposed that the Conference be scheduled for November/December 2000. It was also decided that as a matter of principle, the conference had to be self-sustaining and that sufficient money had to be set aside to provide subventions and sponsorship for participants to attend. As a *quid pro quo* for participation, delegates were required to fill in the detailed survey form which was sent to them. Unfortunately, due to budgetary and scheduling difficulties, the conference had to be postponed till July 2001. Eventually, funds were raised by SILS President, Professor Tommy Koh who tapped on the generosity of the Lee Foundation in Singapore and Tan Sri Tan Chin Tuan.

Most of the conference details were worked out between the Core Group members of DILA: Dr Kriangsak Kittichaisaree, Dr MCW Pinto, Professors Ko Swan Sik, Surya Subedi, Bharat Desai, Jamal Seifi, Nakatani Kazuhiro, James Li through the internet with myself being the main organiser on the Singapore side. Through DILA's various contacts, scholars in some 22 countries were identified and approached. However, not all responded. It was decided that instead of simply asking law

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4 The DILA Core Group comprises: Dr Kriangsak Kittichaisaree, Dr MCW Pinto, Professors Ko Swan Sik, Surya Subedi, Bharat Desai, Jamal Seifi, Nakatani Kazuhiro, James Li and myself.

schools to send representatives, we would work with recommendations offered by people known to us. This plan proved highly successful and the feedback received was usually very prompt and richly informative. The results of the survey have been tabulated and will be commented on in Part III of this article.

Joining SILS on the Singapore side was the Faculty of Law of the National University of Singapore (NUS), which provided internet facilities for the online sessions which were held on Day 1 of the Conference. A welcome tea was hosted by Dean Tan Cheng Han of the NUS Law Faculty. In addition, DILA's Governing Board was also able to secure Kluwer Publisher's sponsorship of the Welcome Dinner, and Blackstone's sponsorship of copies of Martin Dixon's *International Law* which was given to every participant.

### C. Conference Programme

To maximise delegate participation and interaction, especially given the two days allocated for the conference, the programme was built around four main plenary sessions with a number of panelists each. The organising committee considered this format to be more conducive for a wide-ranging discussion than to have a select few speakers making lengthy speeches. As a consequence, most of the papers delivered were not 'full-blown' papers one would normally expect at most conferences, but rather shorter 'think pieces' which served as vehicles to inform as well as provoke reaction and discussion. A copy of the Conference Programme is found in Appendix A to this article. The topics chosen were intended to spark debate on the sorts of issues and perspectives that would impact on how international law is taught, and how students of international law are socialised.

### D. Discussion Highlights

In this section of the article, I will highlight some of the key issues and points raised by the delegates. As it is not the intention of this article to provide a blow-by-blow account of the Conference, the comments cut across all the sessions of the meeting and will not be structured according to the conference programme.

### *Asian Perspectives of International Law*

One of the key discussions during the conference centred around the questions of (a) whether there was an Asian perspective of international law; and (b) if there was such a perspective, how and where it was being articulated, and whether this was relevant in the contemporary globalised setting. A number of delegates argued passionately for a

perspective of international law that was non Euro-centric. Discussions about the death of the New International Economic Order (NIEO) were rife, but this was rebutted by assertions that with a more globalised economy and international legal system, it would be more beneficial to look for commonalities than to exacerbate differences in perspective. As with discussions of this nature, there was no conclusion drawn. For one thing, most delegates could not agree on whether or not the entity of Asia was a self-defining one. Ultimately, a number of possible working definitions of an 'Asian' perspective can be surmised.

The first 'definition' of an Asian perspective was that Asia was the 'South' of the proverbial 'North-South' divide. As most Asian states would be classified as under-developed or at best developing countries, some delegates felt that an Asian perspective had to reflect this divide and prevailing power structures in international relations. More importantly, this would help students of international law understand the context in which rules and norms are created, and how biases and political interests are subsumed in these rules.

The second possible 'definition' was offered by delegates who were anxious to ensure that the interests of Asian states were not swallowed up by the onslaught of globalisation and its attendant inequities. They were concerned that the creation of a more universalistic system of international legal rules would mask the fact that Asian states tended to suffer more than other states as a consequence of these rules. Much time was spent discussing the benefits and problems of globalisation, the role of international institutions like the International Monetary Fund (IMF), World Trade Organisation (WTO) and the internet. An Asian perspective required the legal scholar to critically examine the law and use it to defend Asian interests.

The third definition of an Asian perspective was offered by those who considered such a perspective necessary to combat the deleterious effects of the post-colonial condition. Included in this category were delegates who felt that it was imperative that the Asian perspective required the international lawyer to adopt a non Euro-centric stance and guard against the dominance of Europe and now America in the development of international law norms.

All delegates did, however, unanimously agree that students would be very much affected by whatever perspective we as pedagogues adopted. What was more important was for teachers to make it patently clear where they were coming from and what their respective perspectives were rather than to adopt international law rules as if they were a universalistic and seamless whole, equal and fair to all it applied to.

### *International Law Teaching and the Internet*

Considerable time was spent on discussing the power and influence of the World Wide Web for international law teaching. As will be seen in the survey report, one of the biggest problems faced by teachers and students of international law is the paucity of good and up-to-date materials. While globalisation has not been an economic leveller for all, everyone agreed that the internet phenomenon, which was so instrumental to the speed of globalisation, brought huge benefits to scholars and students alike. Much discussion centred on how the power of the internet could be harnessed by Asian international lawyers and scholars for their work. An internet research session was organised for the delegates, and many delegates found it a useful tool for research. Most delegates were anxious that DILA develop a comprehensive website with appropriate links to the various resources available.

While much 'raw' or primary material is available on the internet, delegates noted the lack of freely-available secondary sources, especially the writings of publicists. While this problem could not be solved by DILA, it was agreed that the internet could be better used to (a) bring DILA members closer together; (b) provide an on-line directory of Asian scholars and teachers; (c) provide a platform for the sharing of much needed information; (d) share course syllabi and reading lists; and (e) compile reading materials for students. The DILA Governing Board and Core Group were asked to see how this could be done. As the DILA website is being hosted by SILS, President Tommy Koh gave his assurance that SILS would do everything in its power to help materialise these aspirations.

### *Rule-Making/Norm-Formation by Non-State Actors*

A fruitful session was spent discussing how the statist paradigm of international law has shifted dramatically in the last 40 years. In particular, delegates were concerned with how non-state institutions, such as Secretariats to Conventions, non-Government Organisations (NGOs) and even private foundations and individuals have come to play an increasingly enlarged role in the creation of international law norms. It was essential that the teaching of international law acknowledged these developments and moved away from the statist paradigm which has dominated textbooks and dialogues on the development of international law.

### *Education*

The topic of Education, quite understandably, occupied a large portion of discussion time. Beyond the usual pedagogical debates on

teaching methodology, class sizes and course content, the delegates expressed concern over the following issues.

i. *Asian State Practice*

Almost all delegates were anxious that while it was important to teach students the fundamental principles of international law, it was equally important to teach the reality of international law in action. Most textbooks and cases used by students are crammed full of examples of non-Asian state practice. This deficiency has to be addressed. There was a resounding call for teachers to emphasize Asian state practice and to adopt a multi-disciplinary approach to the teaching of international law, and to include transnational legal problems as part of international law courses.

ii. *Values, Culture and History*

A number of delegates were concerned that students be made to understand the cultural and historical underpinnings of international norms, and called upon their fellow teachers to adopt a more teleological approach. This would help students better understand the rationale and foundations of rules they are studying. It was also important that moral values be articulated in the teaching of international law as a failure to do so would relegate law to the realm of pure politics.

iii. *Coverage of International Law*

Discussion as to the extent to which international law should be taught in undergraduate and graduate law schools attracted quite a bit of debate as well. Many delegates felt that law schools in Asia did not pay sufficient attention to international law, preferring to focus on municipal law subjects. While this can be justified in the past when lawyers operated mainly within a municipal milieu, this practice will no properly prepare lawyers of the 21st century for practice in a transnational, globalised setting. Some delegates even went as far as suggesting that instead of teaching separate courses for international law, international law should permeate all other law subjects. At the end of the discussion, there was a call for greater dialogue and unity among Asian scholars of international law. It was imperative that scholars in the region shared their experiences and materials more freely and easily if they were to meet the challenges confronting them. Against this backdrop, the call was once again made for making available materials documenting Asian state practice, and for a more holistic and integrated approach to the teaching of international law.



*Asian Yearbook of International Law (AsYBIL)*

An entire session of the Conference was dedicated to the discussion on how to improve the AsYBIL. As the Yearbook has been in publication for close to ten years, it was felt that it was necessary to see whether its intended constituency – Asian international law scholars – were satisfied with its structure and content, and whether improvements could be made to it. The session was chaired by Professor Ko Swan Sik, and Dr MCW Pinto and attracted a lively discussion. The general consensus was that the Editors have done an excellent job to date. However, two key issues concerned the delegates. The first was the question of cost and distribution, and the second, the coverage of Asian state practice.

The issue of cost was uppermost in the minds of most delegates. Many of them informed the meeting that **their libraries were too poor to afford the high prices Kluwer Publishing, the Yearbook's publisher, was charging for the Yearbook**. The discussion then turned to ways to make the publication more affordable. Suggestions included having reprints specific to particular Asian countries, relocating and publishing the Yearbook in a country with lower costs, internet dissemination of articles, and even on demand printing. The Governing Board members promised to examine this issue at greater length, and to see if a workable solution (which would not breach the existing agreement with Kluwer) could be found.

The coverage of Asian state practice was also much discussed in this session. Most of the delegates said that they found the section on Asian state practice the most useful, and thus made the Yearbook stand apart from other legal publications. While most other journals carried articles, not all of them carried state practice which was very important. The editors did, however, explain that while they did their best to be comprehensive, the quality of the state practice section was dependent on the co-operation of the local correspondent. They then suggested that the new Editorial Board might consider how to bolster the system state practice reports to make the section even more comprehensive.

### III. THE SURVEY: AN ASIAN SNAPSHOT

#### *A. Purpose of Survey*

The main objectives of conducting this survey are:

- a. To **understand the milieu in which DILA functions**.
- b. To obtain sufficient information for the **creation of a database** for further collaborative efforts and an agenda for future action.

- c. To understand the needs and concerns of those who actively teach and conduct research in international law.

### *B. Countries Covered*

The number of countries covered was dictated by more practical considerations than by any considered attempt to be comprehensive. The notion that we can define what constitutes 'Asia' for the purpose of DILA's work has proved problematic time and again, and no attempt has been made in this survey to resolve this conundrum. As such, the survey forms were only sent to those persons attending the conference, and they represent the following countries:

- |                               |                 |
|-------------------------------|-----------------|
| 1. Bangladesh                 | 10. Nepal       |
| 2. Bhutan                     | 11. Pakistan    |
| 3. People's Republic of China | 12. Philippines |
| 4. Hong Kong SAR              | 13. South Korea |
| 5. India                      | 14. Sri Lanka   |
| 6. Indonesia                  | 15. Singapore   |
| 7. Iran                       | 16. Thailand    |
| 8. Japan                      | 17. Vietnam     |
| 9. Malaysia                   |                 |

### *C. Methodology*

I drafted the survey form comprising 47 questions in consultation with other members of the Core Group of the DILA Governing Board. Inputs from members were incorporated in the survey form. The survey form was then sent out to the 50 odd participants attending the Conference who had about a month to complete and return it.

### *D. Limitations*

Despite attempts to be fairly comprehensive, the survey form is limited by the fact that the responses were sent to those who were attending the conference, rather than all those who represent active law schools throughout the countries under survey. Furthermore, some survey returns were sent to scholars working in the same academic or research establishments. As such, diversity of views could not be maximised. Furthermore, information on law schools, teaching methodologies and quality of law libraries were not always as accurate as we would have liked simply because such information was not, in some cases, readily available, not even to nationals of these countries. In such cases, what is reported is at best, an estimate.

### E. Organisation of Findings

The findings are presented more or less in the order the questions were framed. This preliminary report necessarily omits some of the details which are contained in the returned survey forms. Hopefully, it presents a broad overview of the terrain of the DILA countries, and a conspectus for further collaboration and action.

## FINDINGS

### 1. The Environment

#### *Some Vital Statistics*

| Country                    | Land Area (km <sup>2</sup> ) | Population        | No of Law Schools | % of Law Schools to Population per million |
|----------------------------|------------------------------|-------------------|-------------------|--|
| Bangladesh                 | 144,000                      | 128 m             | 66                | 0.52                                       |
| Bhutan                     | 46,620                       | 0.75 m            | 0                 | NA   |
| People's Republic of China | 9,596,000                    | 1,250 m           | 300               | 0.24                                       |
| Hong Kong SAR              | 1,045                        | 6 m               | 2                 | 0.33                                       |
| India                      | 3,287,000                    | 1,000 m           | 100               | 0.1  |
| Indonesia                  | 1,904,000                    | 215 m             | 240               | 1.12                                       |
| Iran                       | 1,648,000                    | 65 m              | 40                | 0.62                                       |
| Japan                      | 377,835                      | 126 m             | 93                | 1.35                                       |
| Malaysia                   | 329,750                      | 22 m              | 13                | 0.59                                       |
| Nepal                      | 140,800                      | 24 m              | 10                | 0.42                                       |
| Pakistan                   | 803,940                      | 138 m             | 41                | 0.3  |
| Philippines                | 300,000                      | 80 m              | 77                | 0.96                                       |
| Singapore                  | 650                          | 4 m               | 1                 | 0.25                                       |
| South Korea                | 98,480                       | 47 m              | 96                | <b>2.04</b>                                |
| Sri Lanka                  | 65,610                       | 19 m              | 3                 | 0.15                                       |
| Thailand                   | 514,000                      | 60 m              | 30                | 0.5  |
| Vietnam                    | 329,560                      | 77 m              | 6                 | <b>0.08</b>                                |
| <b>Total</b>               | <b>19,587,290</b>            | <b>3,261.75 m</b> | <b>1038</b>       |  |

The average number of Law Schools per one million persons in each country (leaving out the highest and lowest figures) is: **0.44**. While this figure does not in itself say very much, it is clear, closer examination of the figures show great disparity in the allocation of resources for law teaching between the various countries surveyed.

**2. Nature of Law Schools**

Most countries have a mixture of both state-run and privately-operated law schools. Generally, respondents in many countries felt that the state-run law schools are better than privately-run law schools. This is due to the quality of faculty, facilities and students. There was also the element of prestige in these computations.

In some countries, law schools are all state-run. Examples are China, Sri Lanka, Singapore and Vietnam. However, in some countries where there is a mix of public and private law schools, standards are considered to be comparable and no distinction is made. Notable among these are law schools in India, Nepal, Sri Lanka and South Korea. Generally speaking, most delegates indicated that in Asia, state-run law schools were held in greater regard and esteem than private institutions. This perception is, with a few exceptions, quite different from perceptions about law schools in Europe and America.

**3. Teaching of Law: Graduate v Undergraduate Degrees**

In most countries, law is taught at both Graduate and Undergraduate Levels. Some countries treat law as a 4-year undergraduate law degree while others take law students in only at a graduate level.

| Undergraduate | Graduate    |
|---------------|-------------|
| Bangladesh    | Philippines |
| China         | Vietnam     |
| Hong Kong SAR |             |
| India         |             |
| Indonesia     |             |
| Japan         |             |
| Malaysia      |             |
| Pakistan      |             |
| Singapore     |             |
| South Korea   |             |
| Sri Lanka     |             |
| Thailand      |             |

#### 4. The 'Top' Law Schools

Respondents were asked to rate the top three law schools in their respective countries. The list generated in the Appendix has been compiled from these various responses. Needless to say, the list is necessarily subjective, but it does provide a good basis for some collaborative work. See **Appendix C**

#### 5. Inter Law School Collaboration

Respondents were asked whether the various law schools in each country collaborated. Two questions were posed. First, the extent to which the law schools kept in regular contact with each other; and second, whether they had access to each other's library facilities.

The results were mixed. See below.

| Country                    | Regular Contact | Access to each other's Library facilities |
|----------------------------|-----------------|---|
| Bangladesh                 | x               | x   |
| Bhutan                     | NA              | NA  |
| People's Republic of China | x               | x   |
| Hong Kong SAR              | ✓               | ✓   |
| India                      | ✓               | ✓   |
| Indonesia                  | x               | ✓   |
| Iran                       | x               | x   |
| Japan                      | ✓               | ✓   |
| Malaysia                   | x               | ✓   |
| Nepal                      | ✓               | x   |
| Pakistan                   | x               | ✓   |
| Philippines                | x               | x   |
| Singapore                  | NA              | ✓   |
| South Korea                | ✓               | ✓   |
| Sri Lanka                  | x               | ✓   |
| Thailand                   | ✓               | ✓   |
| Vietnam                    | ✓               | ✓   |

✓ : Yes

x : No

## 6. Nature of International Law Curriculum

Most law schools surveyed operate a national curriculum under which international law is a compulsory subject. Typically, law is taught in the 3rd and 4th years of a 4-year programme.

| Country                    | Nationally Prescribed Curriculum? | Is Int Law Compulsory? | Years Taught |
|----------------------------|-----------------------------------|------------------------|--------------|
| Bangladesh                 | ✓                                 | ✓                      | 1-4          |
| Bhutan                     | NA                                | NA                     | NA           |
| People's Republic of China | ✓                                 | ✓                      | 3-4          |
| Hong Kong SAR              | ✓                                 | ✗                      | 3-4          |
| India                      | ✗                                 | ✗                      | 3-4          |
| Indonesia                  | ✓                                 | ✓                      | 1-2          |
| Iran                       | ✗                                 | ✗                      | 3-4          |
| Japan                      | ✓                                 | ✓                      | 1-4          |
| Malaysia                   | ✗                                 | ✓                      | 3-4          |
| Nepal                      | ✓                                 | ✓                      | 1-2          |
| Pakistan                   | ✓                                 | ✓                      | 1-2          |
| Philippines                | ✗                                 | ✓                      | 1-2          |
| Singapore                  | ✗                                 | ✗                      | 3-4          |
| South Korea                | ✓                                 | ✓                      | 3-4          |
| Sri Lanka                  | ✗                                 | ✓                      | 3-4          |
| Thailand                   | ✓                                 | ✓                      | 3-4          |
| Vietnam                    | ✓                                 | ✓                      | 3-4          |

## 7. Consultation with Government or other public institutions

| Regularly  | Sometimes  | Rarely/Never   |
|--|--|--|
| China<br>Indonesia<br>Japan<br>Philippines<br>Thailand | China<br>Indonesia<br>Iran<br>Japan<br>Malaysia<br>Nepal<br>Pakistan<br>Singapore<br>South Korea<br>Sri Lanka<br>Vietnam | Bangladesh<br>Hong Kong<br>India<br>Indonesia<br>Iran<br>Japan<br>Malaysia<br>Pakistan |

Delegates expressed the view that whether or not an academic is consulted on a regular basis by the Government or other public institution depended very much on who that particular academic was. Certain prominent academics are much respected by their governments and are regular consulted while many hardly have any official contacts with their governments. The survey was, however, concerned with regular institutional collaboration.

## 8. Teachers

| Country                    | Ready Pool of Competent Teachers? | Where Educated?                                      |
|----------------------------|-----------------------------------|--|
| Bangladesh                 | ✗                                 | UK, US, Russia                                       |
| Bhutan                     | ✗                                 | No law faculty                                       |
| People's Republic of China | ✓                                 | Locally & Abroad<br>(Western Europe & North America) |
| Hong Kong SAR              | ✓                                 | Locally & Abroad<br>(UK & US)                        |
| India                      | ✗/✓                               | Locally  |

(To be continued)

| Country     | Ready Pool of Competent Teachers? | Where Educated?  |
|-------------|-----------------------------------|--|
| Indonesia   | ✓                                 | Locally & Abroad (US, UK, Japan, Australia, Netherlands, Canada) |
| Iran        | ✓                                 | Locally & Abroad (US, UK, France, Canada)                        |
| Japan       | x/✓                               | Locally & Abroad (UK, US)  |
| Malaysia    | ✓                                 | Locally & Abroad (UK, Hague)                                     |
| Nepal       | x                                 | Locally & Abroad (UK, US, France & Netherlands)                  |
| Pakistan    | x/✓                               | Locally & Abroad (UK, US, Canada)                                |
| Philippines | x                                 | Locally & Abroad (US, UK)  |
| Singapore   | ✓                                 | Locally & Abroad (US, UK)  |
| South Korea | ✓                                 | Locally & Abroad (UK, US, France, Japan)                         |
| Sri Lanka   | ✓                                 | Locally & Abroad (US, UK)  |
| Thailand    | x                                 | Locally & Abroad (US, France, Japan, Italy)                      |
| Vietnam     | ✓                                 | Locally & Abroad (Russia, France, Poland, Canada, UK, Belgium)   |

It should be noted that despite efforts to recruit and train international law teachers locally, most Asian law schools still either recruit teachers from abroad or send their top academics overseas – notably the West – for their graduate degrees. It was a point of contention whether this training and socialisation was responsible for instilling in Asian scholars a ‘Western’ mindset, and whether this training consequently affected the way they taught their students, and dictated the textbooks and materials they used.



## 9. Law Library: Facilities & Collection

| Country                    | No of Law Libraries | Int Law Holdings | Access to UN Documents |
|----------------------------|---------------------|------------------|------------------------|
| Bangladesh                 | 5                   | ★★               | ✗                      |
| Bhutan                     | NA                  | NA               | NA                     |
| People's Republic of China | 100                 | ★★               | ✗ [except Wuhan]       |
| Hong Kong SAR              | 3                   | ★★★★             | ✗                      |
| India                      | NA                  | ★★               | ✓                      |
| Indonesia                  | 200                 | ★                | ✗                      |
| Iran                       | 5                   | ★                | ✓                      |
| Japan                      | 50                  | ★★★★             | ✓                      |
| Malaysia                   | 4-7                 | ★★★★             | ✗                      |
| Nepal                      | 6                   | ★★               | ✗                      |
| Pakistan                   | 40-45               | ★                | ✓                      |
| Philippines                | 50                  | ★★               | ✓                      |
| Singapore                  | 3                   | ★★★★             | ✓                      |
| South Korea                | 10                  | ★★               | ✓                      |
| Sri Lanka                  | 4                   | ★★               | ✓                      |
| Thailand                   | 10-20               | ★★               | ✓                      |
| Vietnam                    | 6                   | ★                | ✗                      |

★★★ Excellent  
 ★★ Good  
 ★ Limited

With a few notable exceptions, this table shows the problem most law schools in Asia face – the lack of proper library facilities and materials for teaching.

## 10. Cataloguing, Access, and Maintenance of International Law Collection

| Country                       | Cataloguing   | Access | Maintenance of<br>Serials | Preservation<br>of Collection |
|-------------------------------|---------------|--------|---------------------------|-------------------------------|
| Bangladesh                    | ★             | ★★★    | ★                         | ★★                            |
| People's Republic<br>of China | ★/★★★         | ★★★/★  | ★/★★★<br>[Wuhan]          | ★/★★★<br>[Wuhan]              |
| Hong Kong SAR                 | ★★★★          | ★★★★   | ★★★★                      | ★★★★                          |
| India                         | ★★            | ★★★    | ★★★/★                     | ★★★/★★                        |
| Indonesia                     | ★★★           | ★      | ★                         | ★★                            |
| Iran                          | ★             | ★★     | ★                         | ★★                            |
| Japan                         | ★★            | ★★★★   | ★★★                       | ★★★                           |
| Malaysia                      | ★★            | ★★     | ★                         | ★★                            |
| Nepal                         | ★★★★          | ★★     | ★                         | ★                             |
| Pakistan                      | ★★★★          | ★★★/★  | ★★                        | ★★★                           |
| Philippines                   | ★★★★          | ★★★★   | ★★★★                      | ★★★★                          |
| Singapore                     | ★★★/★★★★<br>★ | ★★★    | ★★★★                      | ★★★★                          |
| South Korea                   | ★★★           | ★★★    | ★★★                       | ★★                            |
| Sri Lanka                     | ★★★           | ★★★    | ★★                        | ★★                            |
| Thailand                      | ★★★           | ★★★    | ★★★/★                     | ★★/★★★★                       |
| Vietnam                       | ★             | ★      | ★                         | ★                             |

★★★★ Excellent

★★★ Good

★★ Satisfactory

★ Poor

## 11. Teaching Materials

### *Textbooks & Casebooks*

#### *English Language Books – Main Text*

| Title  | Used By   |
|--|---|
| • Malcolm Shaw, <i>International Law</i> , 4 ed (1997)   | Bangladesh; China; Indonesia; Malaysia; Pakistan; Sri Lanka |
| • Martin Dixon, <i>Introduction to International Law</i> | Malaysia; Pakistan; Singapore                               |

(To be continued)

| Title   | Used By  |
|---|--|
| <ul style="list-style-type: none"> <li>Peter Malinczuk, <i>Akehurst's Modern Introduction to International Law</i>, 7 ed (1997)</li> </ul>                                | Bangladesh; China; Malaysia; Pakistan; Thailand                                |
| <ul style="list-style-type: none"> <li>JG Starke, <i>Introduction to International Law</i>, 9 ed 1984</li> </ul>  | Bangladesh; Indonesia (later editions: 1989 & 1996); Malaysia; Nepal; Pakistan |
| <ul style="list-style-type: none"> <li>Ian Brownlie, <i>Principles of Public International Law</i>, 3 ed (1979)</li> </ul>  | Bangladesh; China; Hong Kong (5 ed, 1998); India; Indonesia                    |
| <ul style="list-style-type: none"> <li>Rebecca Wallace, <i>Public International Law</i></li> </ul>  | Iran   |
| <ul style="list-style-type: none"> <li>Burns Weston, Richard A Falk &amp; Anthony A D'Amato, <i>International Law and Order: A Problem-Oriented Coursebook</i></li> </ul> | Thailand   |

*English Language Books – Supplementary Text*

| Title   | Used By                                       |
|---|---|
| <ul style="list-style-type: none"> <li>Sir Robert Jennings &amp; Sir Arthur Watts, <i>Oppenheim's International Law</i>, 9 ed (1992)</li> </ul>                     | Bangladesh, China, Hong Kong, India, Pakistan |
| <ul style="list-style-type: none"> <li>Rosalyn Higgins, <i>International Law and How We Use It: Problems and Process</i> (1994)</li> </ul>                          | Sri Lanka, Singapore                          |
| <ul style="list-style-type: none"> <li>Eric Jansen, <i>Introduction to International Law in Sri Lanka</i> (1989)</li> </ul>   | Sri Lanka                                     |
| <ul style="list-style-type: none"> <li>Tunku Sofiah Jewa, <i>Public International Law: A Malaysian Perspective</i> (1996)</li> </ul>                                | Malaysia                                      |
| <ul style="list-style-type: none"> <li>Anton Charney &amp; O'Connell, <i>Politics, Values and Function: International Law in the 21st Century</i> (1997)</li> </ul> | Malaysia                                      |

*English Language Casebooks*

| <b>Title</b>  | <b>Used By</b>  |
|---|---|
| • DJ Harris, <i>Cases and Materials in Public International Law</i> , Various editions.                     | Bangladesh; China, Hong Kong, India, Indonesia, Iran, Malaysia, Pakistan, Philippines, Sri Lanka, Singapore, Thailand |
| • Martin Dixon & R McCorquodale, <i>Cases and Materials in International Law</i> 3 ed (2000)                | Malaysia, Pakistan, Singapore   |
| • Louis Henkin, Richard Pugh, Oscar Schacter & Hans Smit, <i>Cases &amp; Materials on International Law</i> | Sri Lanka   |
| • Ray August, <i>Public International Law: Text &amp; Cases</i> (1995)                                      | Malaysia  |
| • Hingorani, <i>Modern International Law</i> (1982)   | Pakistan  |
| • Wolfgang Friedman, Oliver J Lissitzyn & Richard Pugh, <i>International Law: Cases &amp; Materials</i>     | Thailand  |
| • Jovito Salonga, <i>Private International Law</i> (1995)   | Philippines   |
| • Jorge R Conquia & Miriam Defensor Santiago, <i>International Law</i> 2 ed (1997)                          | Philippines   |
| • Isagani Cruz, <i>International Law</i> (1996)   | Philippines   |

*Books in Other Languages*

| <b>Title</b>  | <b>Language</b> | <b>Used By</b> |
|---|-----------------|----------------|
| Wang Tieya, <i>International Law</i> (1995)                 | Chinese         | China          |
| Wang Tieya, <i>Introduction to International Law</i> (1998) | Chinese         | China          |

(To be continued)

| Title  | Language         | Used By     |
|--|------------------|-------------|
| Wang Tieya, <i>Selected Materials of International Law</i> , Vol 1 (1985) Vol 2 (1993) | Chinese          | China       |
| Duanmu Zheng, <i>International Law</i> (1996)  | Chinese          | China       |
| Chen Zhizhong, <i>Cases of International Law</i> (1998)                                | Chinese          | China       |
| Liang Xi, <i>International Law</i> (2000)  | Chinese          | China       |
| Mochtar Kusumaatmadjah, <i>Introduction to International Law</i> (1976)                | Bahasa Indonesia | Indonesia   |
| Boer Mauna, <i>Hukum International</i> (2000)  | Bahasa Indonesia | Indonesia   |
| Bigleli, <i>Public International Law</i> , 14 ed (1999)                                | Persian          | Iran        |
| S Tabata, <i>New Lectures in International Law</i> (1991)                              | Japanese         | Japan       |
| S Yamamoto, <i>International Law</i> (1994)  | Japanese         | Japan       |
| Y Onuma, <i>Intercivilizational Law: Cases &amp; Materials</i> (1996)                  | Japanese         | Japan       |
| Ryu Byung-Wha, Park No-Hyung & Park Ki-Gab, <i>International Law 1 &amp; 2</i> (2000)  | Korean           | South Korea |
| Kim Dae-Soon, <i>International Law</i> , 6 ed (2000)                                   | Korean           | South Korea |
| Lee Han-Ki, <i>International Law</i> , 2 ed (1997)                                     | Korean           | South Korea |

It is quite clear that English-language textbooks are the most widely used throughout Asia. In particular, certain books, such as those by Brownlie and Dixon are used wide mainly because low-cost editions are available in these countries. For those law schools teaching in the vernacular, the textbooks are produced locally, and are therefore cheaper than those imported from overseas. The decision to use a particular textbook is as much (if not more) a function of cost as of substance and quality.

## 12. Internet Access

| Country                       | Faculty | Students | Research | Communi-<br>cations |
|-------------------------------|---------|----------|----------|---------------------|
| Bangladesh                    | ✓       | 0        | ★★       | ★★★                 |
| Bhutan                        | ✓       | ×        | ★        | ★★★                 |
| People's Republic<br>of China | ✓       | ×        | ★★★      | ★★★                 |
| Hong Kong SAR                 | ✓       | ✓        | ★★★      | ★★★                 |
| India                         | ✓       | ×/0      | ★★★/★★   | ★★★                 |
| Indonesia                     | ✓       | ×        | ★★★      | ★★★                 |
| Iran                          | ✓       | ✓        | ★★★      | ★★★                 |
| Japan                         | ✓       | ✓        | ★★★      | ★★★                 |
| Malaysia                      | ✓       | ×        | ★★★      | ★★★                 |
| Nepal                         | ×       | 0        | ★★       | ★★★                 |
| Pakistan                      | ×       | 0        | ★★       | ★★                  |
| Philippines                   | ✓       | ✓        | ★★★      | ★★★                 |
| Singapore                     | ✓       | ✓        | ★★★      | ★★★                 |
| South Korea                   | ✓       | ✓        | ★        | ★★★                 |
| Sri Lanka                     | ×       | ×        | ★★★      | ★★★                 |
| Thailand                      | ✓       | ✓        | ★★★      | ★★★                 |
| Vietnam                       | 0       | 0        | ×        | ★/★★★               |

✓ Easy Access  
 × Limited Access  
 0 No Access

★★★ Heavily used  
 ★★ Sometimes used  
 ★ Rarely or Never used

Access to the Internet was considered important in this Survey as it could lead the way forward. The paucity of legal materials and textbooks could be ameliorated by accessing freely available materials on the internet. In addition, it was felt that materials which were not copyrighted could easily be posted on the Web for easy access to all. While most academics had access to the internet, many students in Asia do not. This would mean that academics would have to download the material from the internet and then reproduce them for their students. It was also suggested that while many with internet access utilised it for communications, not all of them used it as a research tool. Several reasons contributed to this phenomenon. First, some people simply lacked the knowledge on how to navigate the internet. This could be remedied by providing training courses for them. Second,

access time was too slow for large chunks of material to be accessed *via* the internet. This made the internet research option unattractive. Third, the internet did not contain sufficient material in the vernacular if international law is taught in the local language.

### 13. Institutions and Personnel in International Law

| Country                       | No of IL<br>Institutes | No of IL<br>Teachers | No of IL<br>Researchers | No of IL<br>Practitioners |
|-------------------------------|------------------------|----------------------|-------------------------|---------------------------|
| Bangladesh                    | 2                      | 66                   | 12                      | 2-3                       |
| Bhutan                        | 0                      | 0                    | 0                       | 0                         |
| People's Republic<br>of China | 6                      | 200-300              | 200                     | 100                       |
| Hong Kong SAR                 | 1                      | 3                    | 5                       | 20                        |
| India                         | NA                     | NA                   | NA                      | NA                        |
| Indonesia                     | 3                      | >500                 | NA                      | NA                        |
| Iran                          | 6-10                   | 30-50                | 80-120                  | 10-30                     |
| Japan                         | 15                     | 400                  | 1000                    | 100                       |
| Malaysia                      | 2                      | 10-20                | 10-40                   | NA                        |
| Nepal                         | 0                      | 15                   | 5                       | NA                        |
| Pakistan                      | 2                      | 30-40                | 10                      | < 5                       |
| Philippines                   | 2                      | 35                   | 10                      | 5                         |
| Singapore                     | 1                      | 10                   | 20                      | 0                         |
| South Korea                   | 40                     | 100                  | 100                     | 50                        |
| Sri Lanka                     | 2                      | 15                   | 20                      | 5                         |
| Thailand                      | 60                     | 40                   | 20                      | 10-20                     |
| Vietnam                       | 4                      | 100                  | 150                     | 1000                      |

These figures are probably the most inaccurate in this entire survey as delegates were asked to simply estimate the figures. Nonetheless, they provide a useful starting point for discussion.

### 14. Methods of Instruction

While different schools use methods of instruments to varying degrees, the following table reflects the *most popular methods* being employed:

| Method                          | Popularly used in  |
|---------------------------------|--|
| <b>Lectures &amp; Tutorials</b> | Bangladesh; China, Hong Kong; India; Indonesia; Iran; Japan; Malaysia; Nepal; Pakistan; Philippines; South Korea; Sri Lanka; Thailand; Vietnam |
| <b>Seminars &amp; Workshops</b> | China; Hong Kong; India; Indonesia; Iran; Japan; Malaysia; Nepal; Pakistan; Singapore; South Korea; Sri Lanka; Thailand; Vietnam               |
| <b>Socratic or Caselaw</b>      | China; India; Japan; Malaysia; Nepal; Pakistan; Philippines; Singapore; South Korea  |
| <b>Internet Learning</b>        | China [selectively]; India; Philippines  |

These findings were not discussed at great length during the Conference. However, it has been suggested by delegates that the method of instruction is not always a function of choice. For example, large classes of 200 are extremely difficult to teach using the Socratic or case law method. This question should have been accompanied with further queries on class sizes, frequency of lessons, and length of terms and lessons.

### 15. Languages Used in Teaching

| Country                    | Teaching in English only | Teaching in Native Language | Mixture of Languages in Teaching | Foreign Language Used |
|----------------------------|--------------------------|-----------------------------|----------------------------------|-----------------------|
| Bangladesh                 |                          |                             | ✓                                | English & Bengali     |
| People's Republic of China |                          | ✓                           |                                  | Chinese               |
| Hong Kong SAR              |                          |                             | ✓                                | English & Chinese     |
| India                      | ✓                        |                             |                                  |                       |
| Indonesia                  |                          | ✓                           |                                  | Bahasa Indonesia      |
| Iran                       |                          | ✓                           |                                  | Persian               |
| Japan                      |                          | ✓                           |                                  | Japanese              |
| Malaysia                   |                          |                             | ✓                                | English & Bahasa      |
| Nepal                      |                          |                             | ✓                                | English & Nepali      |
| Pakistan                   | ✓                        |                             |                                  |                       |
| Philippines                | ✓                        |                             |                                  |                       |
| Singapore                  | ✓                        |                             |                                  |                       |
| South Korea                |                          | ✓                           |                                  | Korean                |
| Sri Lanka                  | ✓                        |                             |                                  |                       |
| Thailand                   |                          | ✓                           |                                  | Thai                  |
| Vietnam                    |                          | ✓                           |                                  | Vietnamese            |



## 16. Foreign Language Materials

For countries where materials have been assigned in a foreign language they were asked to state whether they were assigned in the 'original' language or in a translation. They were also asked to assess the adequacy of their students' ability to deal with the that foreign language and whether (if translations were utilised), the translations were satisfactory.

|  |   |
|--|---|
| <b>Are materials assigned in original Language or translations</b> | <i>Original</i><br>Bangladesh; China; Indonesia;<br>Iran; Malaysia; Nepal;<br>Philippines; Sri Lanka;<br>South Korea, Thailand<br><br><i>Translation</i><br>China; Iran; Japan; Nepal;<br>Vietnam |
| <b>Adequacy of Foreign Language Knowledge</b>                      | <i>Adequate</i><br>Bangladesh; China; India;<br>Malaysia; South Korea;<br>Thailand<br><br><i>Inadequate</i><br>Indonesia; Iran; Nepal; Sri<br>Lanka   |
| <b>Are Translations Satisfactory</b>                               | <i>Yes</i><br>China; India; Indonesia; Iran<br>Nepal; Pakistan; South Korea;<br>Thailand; Vietnam<br><br><i>No</i><br>Bangladesh; Indonesia;<br>Malaysia; Sri Lanka                               |
| <b>Are good foreign language translations needed?</b>              | <i>Yes</i><br>Bangladesh; China; India;<br>Indonesia; Iran; Japan;<br>Malaysia; Pakistan;<br>South Korea; Vietnam<br><br><i>No</i><br>Nepal; Philippines; Sri Lanka                               |

**17. International Law Materials**

| Country                    | Availability of International & National Materials | Compilation of International Materials by DILA Desirable? |
|----------------------------|--|---|
| Bangladesh                 | x  | ✓   |
| People's Republic of China | x  | ✓   |
| Hong Kong SAR              | ✓  | ✓   |
| India                      | ✓  | ✓   |
| Indonesia                  | x  | ✓   |
| Iran                       | ✓  | ✓   |
| Japan                      | ✓  | ✓   |
| Malaysia                   | ✓  | ✓   |
| Nepal                      | ✓  | ✓   |
| Pakistan                   | ✓  | ✓   |
| Philippines                | ✓  | ✓   |
| Singapore                  | ✓  | ✓   |
| South Korea                | ✓  | ✓   |
| Sri Lanka                  | ✓  | ✓   |
| Thailand                   | ✓  | ✓   |
| Vietnam                    | x  | ✓   |

Before and after the Conference, all delegates felt that DILA could play a very important role in helping to compile and disseminate good working materials for the purposes of teaching.

**18. Specialty and Joint Degree Courses**

| Country                    | Specialty Courses Offered | Join Degree Courses Offered |
|----------------------------|---------------------------|-----------------------------|
| Bangladesh                 | ✓                         | x                           |
| People's Republic of China | ✓                         | x                           |
| Hong Kong SAR              | ✓                         | x                           |
| India                      | x                         | x                           |
| Indonesia                  | ✓                         | x                           |

(To be continued)

| Country     | Specialty Courses Offered | Join Degree Courses Offered |
|-------------|---------------------------|-----------------------------|
| Iran        | ✓                         | ✗                           |
| Japan       | ✓                         | ✓                           |
| Malaysia    | ✓                         | ✗                           |
| Nepal       | ✓                         | ✗                           |
| Pakistan    | ✓                         | ✓                           |
| Philippines | ✓                         | ✗                           |
| Singapore   | ✓                         | ✗                           |
| South Korea | ✓                         | ✓                           |
| Sri Lanka   | ✓                         | ✗                           |
| Thailand    | ✓                         | ✓                           |
| Vietnam     | ✓                         | ✓                           |

### 19. Submission of Written as Part of Course Requirements

| Country                    | Written Work Needed | Requisite for Passing Course | Requirements             |
|----------------------------|---------------------|------------------------------|--------------------------|
| Bangladesh                 | ✗                   | ✗                            | 40-50 pp                 |
| People's Republic of China | ✗                   | ✓<br>[Wuhan]                 | 5,000 words              |
| Hong Kong SAR              | ✗                   | ✗                            | 2,500 words              |
| India                      | ✓                   | ✓                            | 25 pp                    |
| Indonesia                  | ✓                   | ✓                            | 40-60 pp                 |
| Iran                       | ✓                   | ✓                            | 100 pp                   |
| Japan                      | ✗                   | ✗                            | 50-100 pp                |
| Malaysia                   | ✓                   | ✗                            | 500-12,000 words         |
| Nepal                      | ✓                   | ✗                            | 75-200 pp                |
| Pakistan                   | ✓                   | ✗                            | 10,000 words<br>15-20 pp |
| Philippines                | ✓                   | ✗                            | 50 pp                    |

(To be continued)

| Country     | Written Work Needed | Requisite for Passing Course | Requirements       |
|-------------|---------------------|------------------------------|--------------------|
| Singapore   | ✓                   | ✗                            | 8,000-12,000 words |
| South Korea | ✓                   | ✗                            | 10 pp              |
| Sri Lanka   | ✓                   | ✗                            | 1,500 words        |
| Thailand    | ✓                   | ✓                            | 30-50 pp           |
| Vietnam     | ✓                   | ✓                            | 30-50 pp           |

This question was designed to determine the academic rigour required for students of international law to pass their courses. It would appear from the results that most law schools take the subject sufficiently seriously to require a substantial writing component.

## 20. Supporting Infrastructure and Events

| Country                    | Specialist IL Journals | Annual Conferences & Seminars |
|----------------------------|------------------------|-------------------------------|
| Bangladesh                 | ✗                      | About 6                       |
| People's Republic of China | ✓                      | 2-10                          |
| Hong Kong SAR              | ✗                      | 1                             |
| India                      | ✓                      | 3-5                           |
| Indonesia                  | ✗                      | 3-7                           |
| Iran                       | ✓                      | 5                             |
| Japan                      | ✓                      | 10                            |
| Malaysia                   | ✗                      | <5                            |
| Nepal                      | ✓                      | Very rarely                   |
| Pakistan                   | ✗                      | Very rarely                   |
| Philippines                | ✓                      | 10-15                         |
| Singapore                  | ✓                      | 1-2                           |
| South Korea                | ✓                      | About 30                      |
| Sri Lanka                  | ✓                      | About 2                       |
| Thailand                   | ✓                      | 5-10                          |
| Vietnam                    | ✗                      | 10                            |

## **21. Most Important Things Needed**

In this section, participants were to list the most important things needed for the teaching and research of international law in Asia. As the question was open-ended, a multitude of responses were received. The most important and common points made were:

- Improvement of Library Resources
- Development of Teaching Materials
- Development of Cheap Materials, Textbooks & other Teaching Aids
- Greater Exchange Between Scholars of the Region
- Greater Exchange Between Scholars & Practitioners
- Training and Upgrading of Teachers – Capacity Building
- Improve Knowledge of English
- Joint Research Projects

## **22. What We As Asian Scholars Can Do**

In this section, participants were to consider what Asian scholars of international law could do to improve teaching and research. Again, this question was open-ended, and a multitude of responses were received. The most important and common points made were:

- Provide updated information and research facilities
- Enhance internet access
- Arrange for more seminars and conferences
- Create an inventory/directory of Asian experts
- Research Funding and Co-ordination
- Formation of Asian Society of International Law
- Manage Exchange Programme for Asian Experts
- Create Scholarships for study and research in International Law
- Exchange of Books and Journals
- Increase Capacity Building Efforts
- Make International Law compulsory for all law students
- Asian International Law Textbooks

## **IV. CONCLUSION**

The Conference ended on a very positive note, with many issues raised and hopes for another conference in 2002. In the meantime, the Governing Board of DILA has been charged with a heavy responsibility. In the months following the Conference, new members were appointed to the Editorial Board of the *AsYBIL*, as well as to the Governing Board. Yet much of this will amount to nothing if all is simply left to the Core Group members who have carried the torch these last two years.

## Appendix A

## Conference Programme

| <b>30 July 2001, Monday</b> |   |
|-----------------------------|---|
| 9:00 – 9:25am               | <i>Opening Ceremony</i> <ul style="list-style-type: none"> <li>• Welcome Address by Prof Tommy Koh, President of SILS</li> <li>• Opening Address by Dr Kriangsak Kittichaisaree, Chairman, DILA Governing Board</li> </ul>  |
| 9:25 – 9:30am               | Group Photography Session<br><b>VENUE: POOL TERRACE 1 &amp; 2</b>   |
| 9:30 – 10:30am              | <i>Keynote Panel Presentation</i> <ul style="list-style-type: none"> <li>• Agenda Setting<br/>Dr Kriangsak Kittichaisaree, Chairman, DILA</li> <li>• Presentation of Survey Results<br/>Dr Kevin Tan, Co-Chairman, Organising Committee, DILA &amp; SILS</li> <li>• Teaching and Researching International Law in Asia: A SWOT Analysis Prof Ko Swan Sik, DILA</li> </ul>           |
| 10:30 – 11:00am             | <b>Tea Break</b>  |
| 11:00 – 11:45am             | <i>Session 1</i><br>INTERNATIONAL TRENDS IMPACTING THE TEACHING AND RESEARCH OF INTERNATIONAL LAW IN ASIA<br><i>Chairman:</i> Prof Surya Subedi (Middlesex University, UK)<br><i>Panelists:</i> Prof Ko Swan Sik (DILA)<br>Prof BS Chimni (Jawaharlal Nehru University, India)  |
| 12:30 – 2:00pm              | <b>Lunch</b>  |
| 2:00 – 3:30pm               | <i>Session 2</i><br>GLOBALISATION AND CAPITALISM TRIUMPHANT: IS THE ASIAN PERSPECTIVE STILL RELEVANT? WHAT THEORETICAL DIRECTIONS CAN WE TAKE?<br><i>Chairman:</i> Judge Florentino Feliciano, WTO & DILA<br><i>Panelists:</i> Prof James Li Zhaojie, Tsinghua University, PRC<br>Prof M Sornarajah, National University of Singapore<br>Followed by open discussion from the floor |
| 3:30 – 4:00pm               | Leave Fort Canning Lodge for National University of Singapore (NUS)   |

| <b>30 July 2001, Monday</b>  |   |
|------------------------------|---|
| 4:00 – 4:45pm                | <p>Arrive at NUS.<br/>Tea hosted by Assoc Prof Tan Cheng Han, Dean,<br/>Faculty of Law, National University of Singapore<br/><b>VENUE: NUS LAW FACULTY FOYER</b></p>  |
| 4:45 – 6:30pm                | <p><i>Session 3</i></p> <ul style="list-style-type: none"> <li>Technology, Teaching and Research<br/>Speaker: Tan Ken Hwee, Attorney-General's<br/>Chambers, Singapore<br/><b>(Venue: NUS Law Faculty Moot Court)</b></li> <li>Library Tour – Research Tools, Databases, and<br/>Other Materials Ms Thavamani, Head, Law<br/>Library<br/><b>Venue: Law Library</b></li> <li>Concurrent Sessions with participating splitting<br/>into 2 groups</li> </ul> |
| 6:30 – 8:00pm                | <b>Buffet Dinner at NUS</b>   |
| 8:00 – 10:30pm               | <p>Workshop – Internet Research Skills<br/><b>Project:</b> To design an international law course<br/>based on materials available on the<br/>internet<br/>Project Leader: Tan Ken Hwee<br/>Results to be posted onto DILA Website</p>   |
| 10:30pm                      | End of Day One  |
| <b>31 July 2001, Tuesday</b> |   |
| 9:00 – 9:40am                | <p><i>Session 4</i><br/>GLOBALIZATION AND THE MAKING OF MODERN<br/>INTERNATIONAL LAW: THE ROLE OF NGOS,<br/>SECRETARIATS TO CONVENTIONS AND<br/>INTERNATIONAL CIVIL SOCIETY<br/><i>Chairman:</i> Prof Bharat Desai, Jawaharlal Nehru<br/>University, India &amp; DILA<br/><i>Panelists:</i> Ambassador MCW Pinto (DILA)<br/>Assoc Prof Robert C Beckman<br/>(Faculty of Law, National University of<br/>Singapore &amp; SILS)</p>                         |
| 9:40 – 10:30am               | Breakout Groups for Session 4 – Discussion and<br>Feedback to Rapporteurs   |
| 10:30 – 11:00am              | <b>Tea Break</b>  |

| <b>31 July 2001, Monday</b> |   |
|-----------------------------|---|
| 11:00 – 12:30pm             | <p><i>Session 5</i><br/> DEVELOPING INTERNATIONAL LAW CURRICULA<br/> FOR THE NEW ASIA<br/> <i>Chairman:</i> Prof Jamal Seifi (Shahid Beheshti<br/> (National) University of Iran &amp; DILA)<br/> <i>Panelists:</i> Prof KI Vibhute (Head, Dept of Law,<br/> University of Pune, India)<br/> Dr Hikmanhanto Juwana (University of<br/> Indonesia)<br/> Prof Kazuhiro Nakatani (Tokyo<br/> University)<br/> Assoc Prof Thio Li-ann (National<br/> University of Singapore)<br/> Followed by open discussion from the floor</p> |
| 12:30 – 1:30pm              | <b>Lunch</b>  |
| 1:30 – 3:00pm               | <p><i>Special Session</i><br/> Discussion on the Asian Yearbook of International<br/> Law chaired by Prof Surya Subedi</p>  |
| 3:00 – 3:30pm               | <b>Tea Break</b>  |
| 3.30 – 5.00pm               | <p><i>Session 6</i><br/> <ul style="list-style-type: none"> <li>• Presentation of Rapporteurs' and Group Reports<br/> <i>Discussion</i><br/> <i>Concluding Session</i></li> <li>• Agenda for Future Action</li> </ul> </p>  |
| 5:00pm                      | Conference Closes   |
| 6:00pm                      | Coach leaves for Night Safari   |
| 6:30pm                      | Dinner & Night Safari Tour  |
| 10:30pm                     | Return to Fort Canning Lodge  |



**Appendix B****DILA-SILS SURVEY ON  
THE TEACHING AND RESEARCH OF INTERNATIONAL LAW 2001****Name of Reporter:****Country:****GENERAL**

1. How many Law Schools are there in your country?
2. Generally, law is taught at:  
☐ Undergraduate level      ☐ Graduate level  
☐ Others, please be specific:
3. How many law schools are  
☐ State-run      ☐ Privately-run
4. Is there any difference in quality between state-run and private universities?  
☐ Yes      ☐ No  
Please explain:
5. Which do you consider to be the three top law schools in your country:
6. To the best of your knowledge, how many law schools teach international law:
7. Which law schools teach international law:  
a.  
b.  
c.  
Additional comments:
8. Do these international law departments maintain regular contacts with each other?  
☐ Yes      ☐ No  
Other comments:

9. Do they have access to each other's law libraries?

☐ Yes

☐ No

10. In your country, is there a nationally-applicable law curriculum

☐ Yes

☐ No

11. If yes, is international law a compulsory or optional subject

☐ Compulsory

☐ Optional

☐ Others

If 'others', please explain:

Other comments:

12. In which years is the course taught?

☐ Years 1 & 2

☐ Years 3 & 4

Other comments:

13. At your law school, approximately how many students study international law each year?

14. Is your Law School sometimes consulted formally or informally on international law questions being dealt with by the government's legal advisors (eg, Foreign Ministry, Attorney-General's Chambers *etc*)?

☐ Regularly

☐ Sometimes

☐ Rarely

☐ Never

15. Do your law schools have access to a ready pool of competent teachers of international law?

☐ Yes

☐ No

If yes, where are they typically educated?

☐ Locally

☐ Abroad

If abroad, where?

Additional Comments:

**FACILITIES**

16. To the best of your knowledge, how many law libraries are there in your country?
17. How would you rate your country's library facilities in relation to international law?
- ☐ Excellent. Good holdings of primary and secondary materials. Adequate for PhD work.
- ☐ Good holdings of basic core materials. Sufficient for undergraduate term papers and general research but not more.
- ☐ Very limited holdings even of core materials.
- ☐ Others. Please elaborate:
18. Do you have easy access to comprehensive United Nations documents?
- ☐ Yes ☐ No
- ☐ Further comments:
19. How would you rate the quality of organization of your library resources? Please rate them on a scale of (1) Excellent; (2) Good; (3) Satisfactory (4) Poor.
- |                             |   |
|-----------------------------|---|
| a. cataloguing              | 1 |
| b. access                   | 1 |
| c. continuation of serials  | 1 |
| d. preservation of holdings | 1 |
20. List the three most important textbooks or casebooks which are used in your law school for the teaching of international law in your country. Include the edition and year of publication.
- a.
- b.
- c.
- Any additional comment:

21. In addition to these major textbooks, what other materials do you use?

a.

b.

c.

Any additional comment:

22. Do universities in your country provide to the faculty and students easy and free use of means for unlimited internet access?

☐ Faculty Easy Access

☐ Students Easy Access

Additional Comments:

23. To what extent is the internet used:

a. As a means of research in international law

☐ Heavily and Regularly used

b. As a means of communication (email, internet relay chat *etc*)

☐ Heavily and Regularly used

24. Are there any associations, research institutes and similar institutions dedicated to and promoting the study of international law and adjacent disciplines in your country?

☐ Yes

☐ No

If yes, how many?

25. Of these, how many are

☐ Government-affiliated ☐ Independent

☐ University-affiliated or based

26. Give the names and addresses of these associations, research institutes or institutions:

a. Name:

Address:

b. Name:

Address:

c. Name:

Address:

### RESEARCH AND TEACHING

27. By your approximation, how many people in your country:

a. Teach international law

b. Do research in international law

c. Practice international law

28. What are the most popular topics of research in international law in your country? Please also indicate the level of research

a. Topic:

Level: PhD

b. Topic:

Level: PhD

c. Topic:

Level: PhD

29. Which is the most common method of instruction for international law in your country? Rate them on a scale of 1 to 3 with 1 being the most popular and 3 being the least popular.

Lectures and tutorials    1                      Socratic or Caselaw Lectures    1

Seminars or Workshops    1                      Internet-based or online lessons    1

30. In what language are classes conducted?

☐ English

☐ Other languages.

## 31. If teaching is conducted in different languages:

- a. what proportion of students are there generally in each language stream?
- b. are seminars and workshops also conducted in each language?  
☐ Yes ☐ No
- c. are there sufficient text-books, journals and course and research materials available in each language?  
☐ Yes ☐ No
- d. how is a uniform standard established across language streams?
- e. is there a foreign language (*eg*, English, French) that is generally and adequately understood so as to enable students to use materials available in that language for course work and research?  
☐ Yes ☐ No

If yes, what language is that?

- f. is information available through the internet in the language/s of instruction?  
☐ Yes ☐ No

## 32. If foreign language books are being assigned for courses,

- a. Are they assigned/read in ☐ original language; or ☐ translation
- b. If the former, is knowledge of the foreign language adequate?  
☐ Yes ☐ No

Other comments:

- c. If the latter (translations), are the translations satisfactory?  
☐ Yes ☐ No

Other comments:

- d. Do you feel that good foreign-language translations are necessary?  
☐ Yes ☐ No

Other Comments:

33. Are important and essential international and national materials – such as constitutions, treaty texts, legislation and judicial decisions – which are essential for teaching, readily available?

☐ Yes

☐ No

Other Comments:

34. If DILA were to initiate a project to compile one or several collections of (international) material for use in teaching international law, would the use of a cheaply available collection in the English language be considered feasible and desirable?

☐ Yes

☐ No

Other Comments:

35. Other than the general course in international law, what other specialized courses in international law are being taught?

a.

b.

c.

d.

e.

f.

g.

h.

i.

j.

36. When are these courses typically taught?

☐ 1st & 2nd Years

☐ 3rd & 4th Years

☐ Others

If 'others', please explain:

37. Does your law school offer post-graduate specialty courses in international law?

☐ Yes

☐ No

If YES, in what subjects?

38. Are there law schools in your country which offer joint-degree courses where international law is also taught, eg International Law and International Relations?

☐ Yes

☐ No

If YES, which schools

If possible, describe these types of courses

39. Are students at your law school required to submit any written work on international law during their course of studies?

☐ Yes

☐ No

If yes, is this a pre-requisite for graduation?

☐ Yes

☐ No

40. Typically, what is the length of a student research paper you would require?

41. Approximately how many first degree graduates are in your country?

Of these, approximately how many of them would be working in the field of international law?

42. Are there any journals or other periodical publications specializing in international law in your country?

☐ Yes

☐ No

If yes, please list these publications:

a.

b.

c.

d.

If no, where are papers on international law topics, if any, as a rule being published?

43. How many conferences, workshops and symposia on international law topics are being held in your country on average annually?



44. In the last 10 years, list the 3 most important meetings or conferences:
  - a.
  - b.
  - c.
45. In your opinion, list the three most important things that need to be done to improve the teaching and research in international law in your country?
  - a.
  - b.
  - c.
46. In your opinion, how can we, as Asian scholars and researchers in international law, better co-operate and work together?
47. Please give us any other thoughts or comments which were not specifically covered in the questions above, but which you feel will be helpful in drafting an agenda for the future.

## Appendix C

## THE 'TOP' LAW SCHOOLS IN DILA COUNTRIES

**Bangladesh**

Dhaka University  
Chittagong University  
Rajshahi University

**China**

Beijing University  
Wuhan University  
Tsinghua University  
RenMing University

**Hong Kong**

HongKong University  
City University of Hong Kong

**India**

Jawaharlal Nehru University  
Law School, Delhi  
Pune University  
National Law College, Bangalore

**Indonesia**

University of Indonesia  
Gajamada University  
Padjajaran University

**Iran**

Beheshti (National) University  
Law School  
Tehran University  
University of Shiraz  
Allameh Tabatubai University

**Japan**

Tokyo University  
Kyoto University  
Chu'o University  
Keio University  
Waseda University

**Malaysia**

International Islamic University  
University of Malaya  
Universiti Teknologi Mara  
University Kebangsaan

**Nepal**

Nepal Law Campus  
Pokhara University  
Nepalgunj University

**Pakistan**

University of Peshawar  
Lahore University  
International Islamic University,  
Islamabad  
Pakistan Law College, Lahore  
Punjab Law College, Lahore  
University Law College, Lahore

**Philippines**

University of the Philippines  
Ateneo de Manila University  
San Sebastian University

**Singapore**

National University of Singapore

**South Korea**

Seoul National University  
Korea University  
Yonsei University

**Sri Lanka**

University of Colombo  
Open University  
Sri Lanka Law College

**Thailand**

Chulalongkorn University  
Thammasat University  
Sukothai University  
Ramkamhaeng University

**Vietnam**

College of Law, Hanoi  
Faculty of Law, Hanoi  
University of Ho Chi Minh City

## Appendix D

## LIST OF DELEGATES

|   |  |
|---|--|
| Graeme Wiffen                             | MaQuarrie University                                   |
| Dr Sumaiya Khair                          | University of Dhaka                                    |
| Prof (Dr) Bohan Uddin Khan                | University of Dhaka                                    |
| Dr Shahnaz Huda                           | University of Dhaka                                    |
| Pema WangChuck                            | Office of the Chief Justice,<br>Royal Court of Justice |
| Ritu Raj Chhetri                          | Legal Officer, National<br>Environment Commission      |
| Prof James Li ZhaoJie                     | Tsinghua University                                    |
| Prof Rao Geping                           | Peking University                                      |
| Prof Qin XiaoCheng                        | College of Foreign Affairs                             |
| Prof Shi Lei                              | Wuhan University                                       |
| Prof Zhou HongJun                         | East China University of<br>Political Science & Law    |
| Prof Ling Bing                            | City University of Hong Kong                           |
| Prof Bharat Desai                         | Jawaharlal Nehru University                            |
| Prof BS Chimni                            | Jawaharlal Nehru University                            |
| Prof KI Vibhute                           | University of Pune                                     |
| Prof Ramatullah Khan                      | Max Planck Institute                                   |
| Prof Ko Swan Sik                          | DILA   |
| Dr Hikmahanto Juwana                      | University of Indonesia                                |
| Dr Etty Agoes                             | Department of Marine Affairs<br>& Fisheries            |
| Prof Dr (Mrs) Mieke Komar<br>Kantaatmadja | Universitas Padjadjaran                                |

|                                      |   |
|--------------------------------------|---|
| Prof Jamal Seifi                     | Dr Jamal Seifi & Associates                           |
| Dr Ghasem Zamani                     | The SD Institute of Law                               |
| Prof Nader Zoleyn                    | Shahid Beheshti University                            |
|                                      |   |
| Prof Nakatani Kazuhiro               | Tokyo University                                      |
| Prof Miyoshi Masahiro                | Aichi University                                      |
| Prof Kozai Shigeru                   | Kyoto University                                      |
| Mr Sata Yasuhiko                     | Tokibo Corporation                                    |
|                                      |   |
| Prof Dr Mohd Akram bin Shair Mohamad | International Islamic University                      |
| Assoc Prof Haji Rohimi bin Shapiee   | Universiti Kebangsaan Malaysia                        |
| Puan Nurhalida Mohamed Khalil        | Universiti Malaya                                     |
|                                      |   |
| Prof Surya P Subedi                  | Middlesex University, UK                              |
| Prof Kanak Bikram Thapa              | Tribhuvan University<br>Kathmandu                     |
| Mr Udaya Nepali Shrestha             | Ministry of Law, Justice and<br>Parliamentary Affairs |
|                                      |   |
| Jamshed A Hamid                      | Foreign Service Academy                               |
| Prof Nadeem Azam                     | University of Peshawar                                |
| Prof Mohammad Munir                  | International Islamic University                      |
|                                      |   |
| Florentino P Feliciano               | Appellate Tribunal, World<br>Trade Organisation       |
| Prof Raul C Pangalangan              | University of the Philippines                         |
| Prof Raphael Lotilla                 | National Economic and<br>Development Authority        |
|                                      |   |
| Dr Chung IL-Yung                     | Paeksang Foundation                                   |
| Prof Park Ki-Gab                     | Korea University                                      |
| PROF KIM CHARN-KIU                   | Kyung Hee University                                  |

|                              |   |
|------------------------------|---|
| Ambassador MCW Pinto         | Iran-US Claims Tribunal                 |
| VT Thamilmaran               | University of Colombo                   |
| Dr Kriangsak Kittichaisaree  | Ministry of Foreign Affairs             |
| Prof Kamalinne Pinitpuvadol  | Chulalongkorn University                |
| Prof Nophanidi Suriya        | Thammasat University                    |
| Prof Nguyen Hong Thao        | University of Hanoi                     |
| Prof Antony T Anghie         | University of Utah                      |
| Prof Tommy Koh               | Ministry of Foreign Affairs             |
| Assoc Prof Robert Beckman    | National University of Singapore        |
| Dr Kevin Tan                 | Society of International Law, Singapore |
| Prof M Sornarajah            | National University of Singapore        |
| Assoc Prof LR Penna          | National University of Singapore        |
| Assoc Prof Thio Li-ann       | National University of Singapore        |
| Assoc Prof Lye Lin Heng      | National University of Singapore        |
| Prof Koh Kheng Lian          | National University of Singapore        |
| Asst Prof Michael Ewing-Chow | National University of Singapore        |
| Asst Prof Lim Chin Leng      | National University of Singapore        |
| Mr Tan Ken Hwee              | Attorney-General's Chambers             |
| Assoc Prof Simon Tay         | National University of Singapore        |
| Mr Lionel Yee                | Attorney-General's Chambers             |