

Welcome to the Berkeley Journal of International Law Stefan A. Riesenfeld Symposium 2000

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OVERALL WELCOME BY JAWAD SALAH, SYMPOSIUM DIRECTOR, BERKELEY JOURNAL OF INTERNATIONAL LAW

On behalf of the Berkeley Journal of International Law, good evening, and welcome to the first Stefan A. Riesenfeld Symposium. My name is Jawad Salah and I am the Director of the BJIL symposium this year. We are delighted to have you all here. Tonight's keynote address opens what we are confident will be an engaging and informative symposium about an unfortunately all too timely issue. The twenty-first century has inherited in the area of human rights the history of this last marvelous and terrible century. Humanity has advanced in at once unimaginable leaps but has not yet overcome its tragic capacity for cruelty and, too often, profound self interest and disregard by its individuals of the rights of their fellow men and women and, sadly, children. From Africa to the Middle East and the Indian sub-continent, to the Balkans and Eastern Europe; from Latin America and countless other places, nearly fifty-two million people still suffer under the status of refugee or internally displaced unable, in most cases, to enjoy basic human rights that should be granted to all. And though IDPs surely suffer no less than refugees, most are considered ineligible for international refugee aid.

Our goal in this symposium is to enrich the debate in this important area of international law and human rights, the fate of those internally displaced persons and refugees, who are a constant reminder of the sad effects of conflict and gross violations of human rights across the earth and of our collective unmet obligations towards them. We must question the proper methodology for resolving refugee and IDP issues. We must ask whether it is time for bold new measures by the international community, or merely a faithful return to existing obligations or minimum standards. Is it time, as Ambassador Richard Holbrooke, U.S. Ambassador to the UN, has recently said before the Security Council, to expand the definition of who is a refugee; erode if not erase the distinction between a refugee and a person who is internally displaced; deal with these problems; fix the responsibility more clearly in a single agency; and not fall back on one of the worst of all euphemisms—"we are coordinating closely"?

This symposium brings together lawyers, scholars and activists to discuss the effectiveness of existing international law and legal institutions and to elicit important new ideas to ensure that humanity learns, in this expectant century, to stem the tide of these unfortunate, ever-increasing masses.

I would like to thank all those at the Berkeley Journal of International Law who have worked so hard since the initial conception of this event to bring our ideas into fruition. Specifically, my thanks go out to Damir Arnaut, Hannah Garry, Lauren Gerber, Michael Lysobey, Anne Mahle, Debbi Quick, Denise Whittaker, and Nancy Xu, each one of whom took on a discrete set of tasks and accomplished it in a thorough and timely manner.

It is my pleasure to introduce to you now, incoming Dean John Dwyer, a 1980 Boalt graduate and professor since 1990. After clerking for Judge Harry T. Edwards of the U.S. Court of Appeals, D.C. Circuit in 1980, and for Supreme Court Justice Sandra Day O'Connor, the year after that, Professor Dwyer was a Staff Attorney at the D.C. Public Defenders Service between 1982-84, and served as Associate Dean of Boalt Hall from 1992-94. Professor Dwyer has a Doctorate in Chemical Physics from the California Institute of Technology. He has published and spoken widely on a variety of legal topics, most frequently on environmental legal issues. And, not only is he an outstanding scholar, he is a much appreciated educator. He was the recipient of the 1997 Rutter Award for teaching. Professor John Dwyer.

WELCOME TO BOALT HALL BY INCOMING DEAN JOHN DWYER, UC BERKELEY

Thank you very much. I really just wanted to take a couple of minutes to welcome all of you to this important conference and to talk to you a little bit about the international law program. This is one of Boalt's oldest and most eminent programs. It has a long lineage that dates back to eminent scholars such as Stefan Riesenfeld through Richard Buxbaum, one of our senior colleagues here on the faculty, and now under David Caron's leadership followed by younger faculty such as John Yoo and Andrew Guzman.

It is not only a program that consists of eminent faculty who are respected in their fields of research and teaching, but also a remarkable group of people who are our students and I think that in every great school, it is the great students we have who make the school really function. The students of course have put on this program that we are going to have today and tomorrow. The students do much more. One of the important things that this Journal does of course is to put out a Journal. It just had a recent issue that just came out. They've got an issue coming out in June which covers such topics as the Bosnian judicial system; a report on the international disability conference; a report on the WTO conference in Seattle; and so forth.

The program is more, though, than just the faculty, students, and the Journal, it also consists of a Clinic in International Human Rights which Patty Blum and Laurel Fletcher are in charge of and which trains our students working on matters involving refugees and the INS. And thus, the program offers a range of

things from clinical experience through placements outside the school, through a curricular program and through research programs to train students to go out and do important things. So, I want to welcome you to Boalt and to all that it has to offer.