

---

---

# FORDHAM INTERNATIONAL LAW JOURNAL

---

---

## ARTICLES

WTO DISPUTE SETTLEMENT AND  
COMPETITION LAW: VIEWS FROM THE  
PERSPECTIVE OF THE APPELLATE  
BODY'S EXPERIENCE

*Prof. Dr. Dr. h. c. Claus-Dieter Ehlermann  
& Lothar Ehring*

CONSTITUTIONALIZING THE EUROPEAN  
UNION - MORE THAN A SENSE OF DIRECTION  
FROM THE CONVENTION ON THE FUTURE OF EUROPE

*Markus G. Puder*

## ESSAY

THE COMMISSION: THE KEY TO THE  
CONSTITUTIONAL TREATY FOR EUROPE

*Dr. John Temple Lang*

## LATIN AMERICA: VIEWS ON CONTEMPORARY ISSUES IN THE REGION

PREVENTING, PUNISHING, AND ELIMINATING  
TERRORISM IN THE WESTERN HEMISPHERE:  
A POST-9/11 INTER-AMERICAN TREATY

*Enrique Lagos  
& Timothy D. Rudy*

THE CHALLENGES OF FIGHTING GLOBAL  
ORGANIZED CRIME IN LATIN AMERICA

*Luz Estella Nagle*

GOVERNMENT CONTRACTS UNDER  
ARGENTINE LAW: A COMPARATIVE  
LAW OVERVIEW

*Hector A. Mairal*

PRETRIAL DETENTION, HUMAN RIGHTS, AND  
JUDICIAL REFORM IN LATIN AMERICA

*Jonathan L. Hafetz*

## NOTES

USING ONE'S HEAD TO SUSTAIN ONE'S HEART: A NEW FOCUS  
FOR THE ESTABLISHMENT OF THE CARIBBEAN COURT OF JUSTICE

OVEREXTENDING IMMUNITY: ARBITRAL INSTITUTIONAL LIABILITY  
IN THE UNITED STATES, ENGLAND, AND FRANCE

VOLUME 26

JUNE 2003

NUMBER 6

# FORDHAM INTERNATIONAL LAW JOURNAL

	✓
B. E. 4773	
CR	
Jun 3 - 2003	

VOLUME 26

JUNE 2003

No. 6

## CONTENTS

### ARTICLES

- WTO DISPUTE SETTLEMENT AND  
COMPETITION LAW: VIEWS FROM THE  
PERSPECTIVE OF THE APPELLATE BODY'S  
EXPERIENCE . . . . . *Prof. Dr. Dr. h. c. Claus-Dieter Ehlermann* 1505  
*& Lothar Ehring*

- CONSTITUTIONALIZING THE EUROPEAN UNION—  
MORE THAN A SENSE OF DIRECTION  
FROM THE CONVENTION ON THE  
FUTURE OF EUROPE . . . . . *Markus G. Puder* 1562

### ESSAY

- THE COMMISSION: THE KEY TO THE  
CONSTITUTIONAL TREATY FOR  
EUROPE . . . . . *Dr. John Temple Lang* 1598

### LATIN AMERICA: VIEWS ON CONTEMPORARY ISSUES IN THE REGION

- PREVENTING, PUNISHING, AND ELIMINATING  
TERRORISM IN THE WESTERN HEMISPHERE:  
A POST-9/11 INTER-AMERICAN TREATY . . . . *Enrique Lagos* 1619  
*& Timothy D. Rudy*

- THE CHALLENGES OF FIGHTING GLOBAL  
ORGANIZED CRIME IN LATIN AMERICA . . *Luz Estella Nagle* 1649

GOVERNMENT CONTRACTS UNDER  
ARGENTINE LAW: A COMPARATIVE  
LAW OVERVIEW .....*Hector A. Mairal* 1716

PRETRIAL DETENTION, HUMAN RIGHTS, AND  
JUDICIAL REFORM IN LATIN AMERICA ..*Jonathan L. Hafetz* 1754

NOTES

USING ONE'S HEAD TO SUSTAIN ONE'S HEART:  
A NEW FOCUS FOR THE ESTABLISHMENT OF  
THE CARIBBEAN COURT OF JUSTICE .....*Neil Dennis* 1778

OVEREXTENDING IMMUNITY: ARBITRAL INSTITUTIONAL  
LIABILITY IN THE UNITED STATES,  
ENGLAND, AND FRANCE ..... *Matthew Rasmussen* 1824