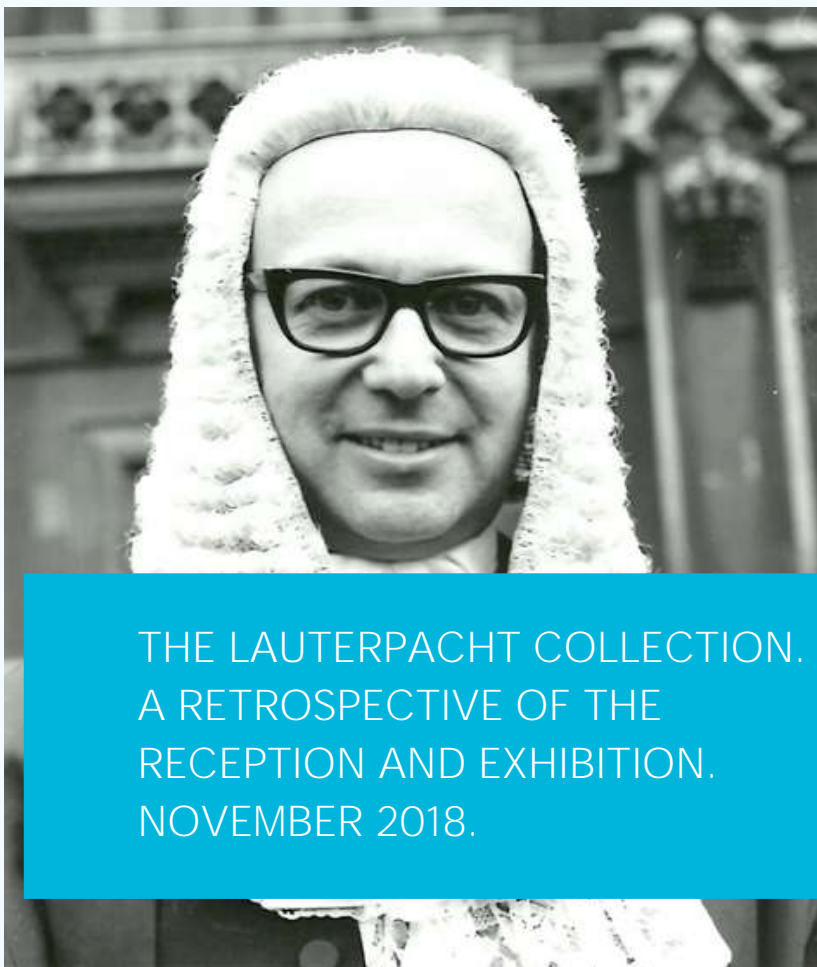




GRAY'S
INN

From the personal
Library



THE LAUTERPACHT COLLECTION.
A RETROSPECTIVE OF THE
RECEPTION AND EXHIBITION.
NOVEMBER 2018.

of Master Elihu Lauterpacht

*"Gray's Inn: the legal
home of my father and
myself."*

Master Elihu Lauterpacht, November 2010

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THE COLLECTION

Elihu Lauterpacht was called to the Bar at Gray's Inn in 1950. A renowned scholar and international lawyer, Master Lauterpacht died in February 2017 and bequeathed his personal **international law library to Gray's Inn.**

As well as a great many books, the Collection contains journals, law reports, pamphlets, off-prints, government publications and conference proceedings. Many items are out of print or hard-to-find, others are signed by Sir Eli – sometimes with his initials etched boldly onto the cover of a paperback. Still other items are inscribed with dedications from colleagues, friends and students.

Even for those unaware of Sir Eli's life and work, his library tells its own story, showing clearly the milestones of his career, the range of his interests and the level of his engagement, as practitioner and academic, with many of the defining international issues of the last 60 years or so. The post-war settlement with Germany; the Middle East conflict; nuclear weapons; outer space law; the Vietnam war; and the E.E.C., as it was then – all of these are represented in the Collection and much else besides. Undoubtedly, the Collection would offer fertile ground for anyone wishing to study the development of international law since 1945.

Under the Inns Libraries specialisation scheme, Gray's Inn is responsible for maintaining a specialist international law collection for members of the English Bar. It is therefore especially fitting that Master Lauterpacht's bequest provides a major supplement to what is the flagship collection at Gray's Inn Library.

Delivered to the Library in April 2018 and temporarily stored in the **Library's closed stack, the sorting and cataloguing of the Collection** will be a major ongoing project. Search the Library [catalogue](#) to see which materials have been added to the catalogue thus far.

RECEPTION AND EXHIBITION

To mark the arrival of the Lauterpacht Collection to **Gray's Inn Library**, a Reception was held at Gray's Inn on Monday 19 November 2018.

Members of the Lauterpacht family attended, along with representatives of the other Inns of Court, colleagues of Master Lauterpacht from 20 Essex Street chambers, the Director of the Institute of Advanced Legal Studies and the Deputy Director of the Lauterpacht Centre in Cambridge.

An exhibition of items from Master Lauterpacht's library was also displayed, illustrating his life and work, curated by Assistant Librarian Abigail Cass.

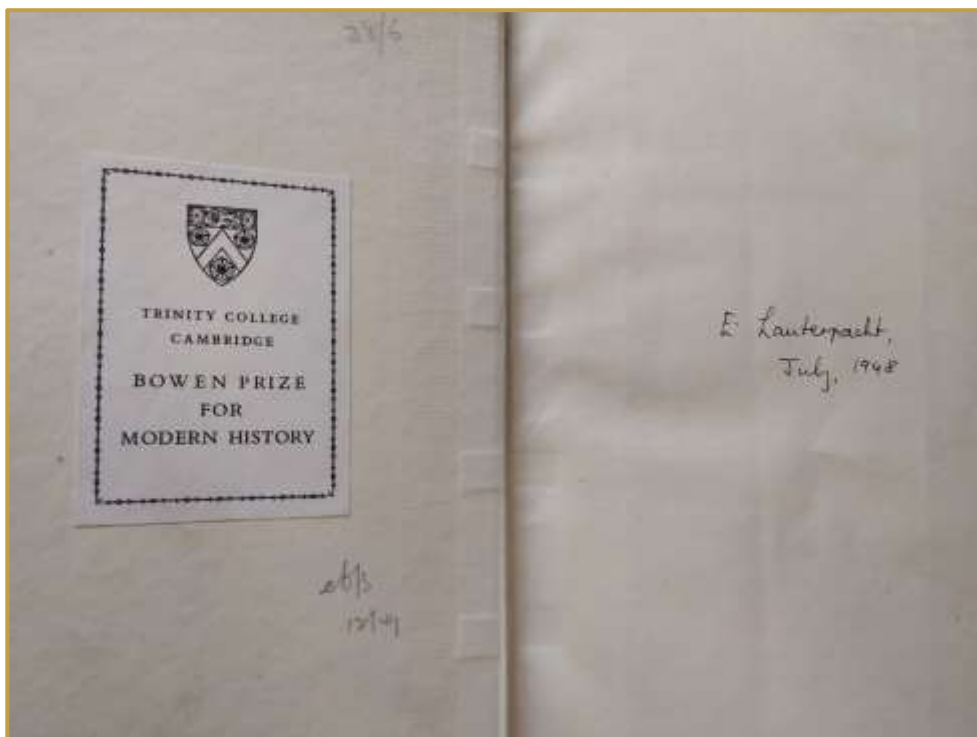
Contained within this exhibition booklet are photographs of some of the items from the exhibition along with the accompanying captions that were displayed alongside the material on the evening of the Reception.

1945 TRINITY COLLEGE, CAMBRIDGE

As well as the early years of Elihu's legal career, his time as a law student is also represented in the Collection, displayed are a selection of books awarded as examination prizes during his time as an undergraduate at Trinity College, Cambridge.

*"The idea was that I would take a Trinity trial scholarship exam in March of '45. I was fortunate enough to be successful and I got a so-called minor scholarship at Trinity, which was quite good enough for my purposes. ... I read history for two years and at the end of my second year, on the advice of my director of studies, who was a great fellow called Kitson Clark, I moved to law. He said I would be better off as a lawyer and, as it turns out, he was right."*¹
Sir Elihu Lauterpacht

¹ Elihu Lauterpacht, 7th March 2008, Conversations with Professor Sir Elihu Lauterpacht Second Interview: USA (1940-44) and career to 1962 interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-1> (Accessed: November 2018)



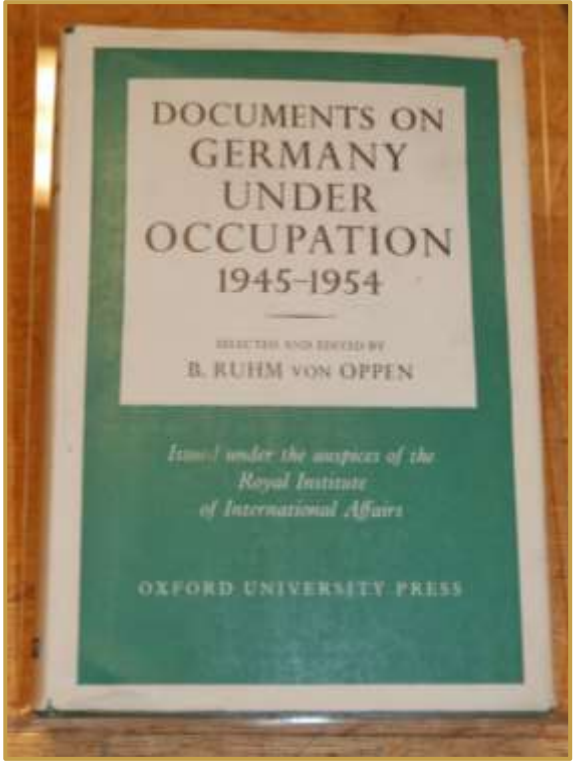
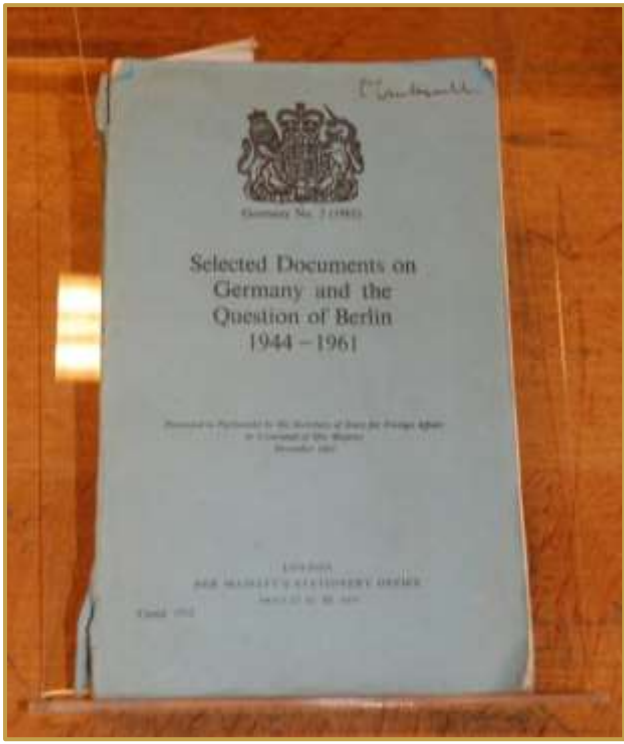
INTERNATIONAL LAW AFTER THE SECOND WORLD WAR

Master Lauterpacht's library demonstrates an engagement with changes to the international legal order following the end of the Second World War.¹

*"Arrangements were made, with the help of a committee at Yale, for the reception of children of academics from England who were evacuated to the United States...I arrived back in Cambridge late June/ early July 1944. Of course, the war was still on; the invasion of Europe had started only a week previously."*² **Sir Elihu Lauterpacht**

¹ Philippe Sands, 10 February 2017, 'Sir Elihu Lauterpacht Obituary' The Guardian: <https://www.theguardian.com/law/2017/feb/10/sir-elihu-lauterpacht-obituary> (Accessed: October 2018)

² Elihu Lauterpacht, 7th March 2008, Conversations with Professor Sir Elihu Lauterpacht Second Interview: USA (1940-44) and career to 1962 interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018)



1950 CALLED TO THE BAR

Elihu Lauterpacht was called to the Bar in 1950. His father Hersch had been called in 1935.

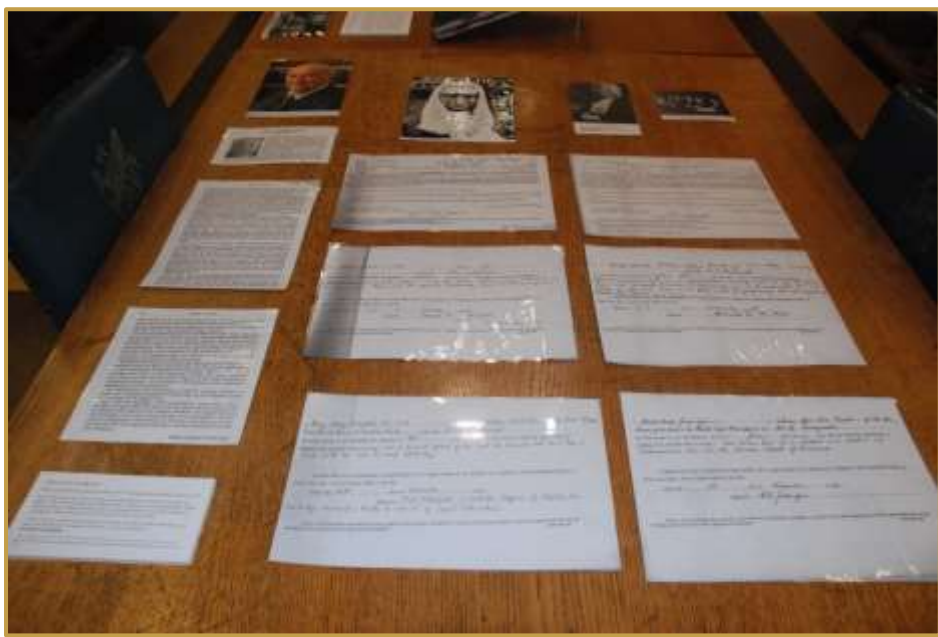
Here we have from the Archive of Gray's Inn, the admissions records for both Elihu and Hersch. The esteemed judge and President of the European Court of Human Rights, Arnold Duncan McNair, 1st Baron McNair, acted as a personal referee for both Elihu and Hersch Lauterpacht. Master McNair was also Treasurer of Gray's Inn in 1947.

"I was always very fond of Arnold and he was a great friend to my father and indeed, in a sense, the guiding light in support of my father's career in England."¹

Sir Elihu Lauterpacht

¹ Elihu Lauterpacht, 2nd April 2008, Conversations with Professor Sir Elihu Lauterpacht Sixth Interview: Personalities interviewed by Lesley Dingle:

<https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018)



I, David Norman McAtin of Gay's Inn
 certify that Ellen Lindquist

has been known to me personally for upwards of seventeen years last past. I have had the following opportunities of
 judging of his character: that he is one of my closest friends and I have known
him since 1920. I have not see applicant lastally and the summer of 1920.

I believe him to be a gentleman of respectability and a proper person to be admitted as a student of the Honorable Society of
 Gay's Inn with a view of being called to the Bar.

Dated this 29 day of November 1927
 Signature David N. McAtin
David N. McAtin
 Treasurer of Gay's Inn

NOTE.—This Certificate must state the name, address and profession, occupation or position of the person giving it and what opportunities he has had
 of judging of the character of the applicant for admission. (See other side.)

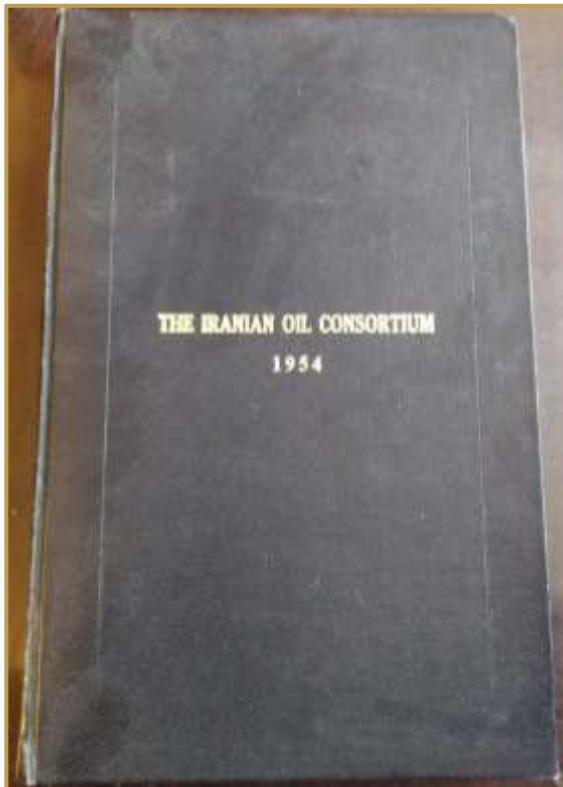
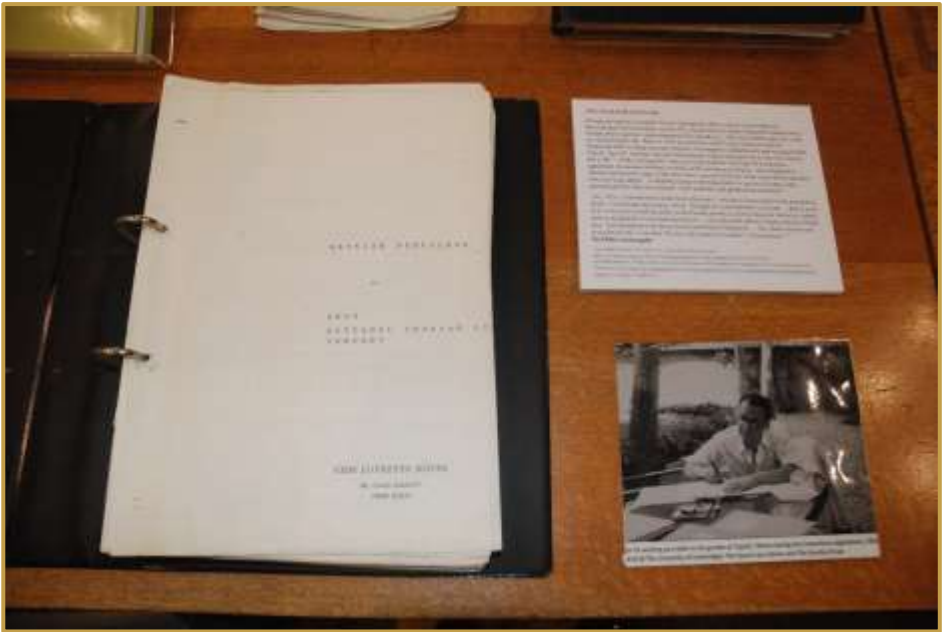
1954 ANGLO-IRANIAN OIL

Though not named as counsel, Master Lauterpacht's first work on a case before the International Court of Justice was the 1951 dispute between Anglo-Iranian Oil and the State of Iran, following Iran's nationalisation of its oil industry. This led to further advisory work for Anglo-Iranian Oil. Then in 1954, he joined the Chief Legal Counsel for British Petroleum (BP) working out terms between oil companies internationally and arguing for BP that the "hot oil" that Iran sent onto international markets belonged not to Iran or its buyers but to BP.¹ Elihu subsequently went on to help draft the 1954 Iran Oil Consortium agreement, documents relating to which can be seen here on display. Also displayed is Master Lauterpacht's copy of the *Rose Mary* case, for which he wrote initial advice and later took part in an appeal. A shipping dispute concerning rights to recover oil cargo under international law, the case aroused "much academic and professional comment"².

*"In...1954...I was included in the team of lawyers...sent out to Iran to help in the negotiation of the...Consortium Agreement, which...brought the nationalisation to an end. ...And so each of us 14 lawyers round the table, worked in the garden of a lovely house in Tajrish in Tehran, and we drafted the Consortium Agreement. ...I was given the articles which related to Proper Law, Non Interference by the host state and Dispute Settlement. ... The whole exercise was great fun for me, I was then 26 years old, a great eye-opener – I learned a lot."*³ Sir Elihu Lauterpacht

¹ Judge Stephen Schwebel, 14th October 2017, 'Trinity Chapel Memorial Remarks' https://www.squire.law.cam.ac.uk/sites/www.law.cam.ac.uk/files/trinity_chapel_memorial.pdf (Accessed: October 2018)

² & ³ Elihu Lauterpacht, 7th March 2008, Conversations with Professor Sir Elihu Lauterpacht Second Interview: USA (1940-44) and career to 1962 interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018)



1957-2017 INTERNATIONAL LAW REPORTS

The International Law Reports were founded by Master Lauterpacht's father Hersch Lauterpacht and Arnold McNair, and Elihu faithfully "edited or co-edited 145 volumes covering 60 years"¹ [from vol 24, 1957- vol 168, 2017].

*"It has become a very significant series, ... It has problems...because it is expensive to produce and it has only a limited circulation and the material that needs to be covered by a series of International Law Reports has expanded incredibly. There are so many new international tribunals and so much more international law litigation in national courts that even now that it has expanded to four volumes a year, it is still very difficult to cope with the material."*²

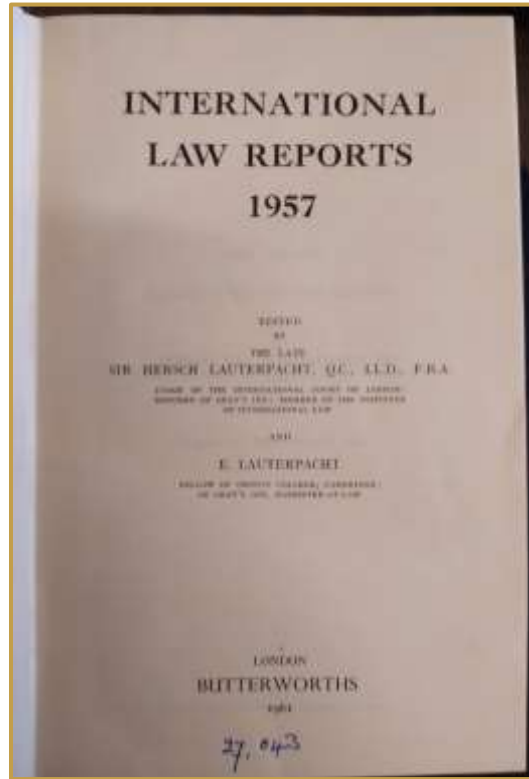
Sir Elihu Lauterpacht

¹ James Crawford AC, 13th October 2017 'Elihu Lauterpacht, LCIL and the Lauterpacht Tradition'

https://www.squire.law.cam.ac.uk/sites/www.law.cam.ac.uk/files/elilauterpacht_pane_l_cb13.10.17_002james_crawford.pdf (Accessed: November 2018)

² Elihu Lauterpacht, 7th March 2008, Conversations with Professor Sir Elihu Lauterpacht Second Interview: USA (1940-44) and career to 1962 interviewed by Lesley Dingle:

<https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018)



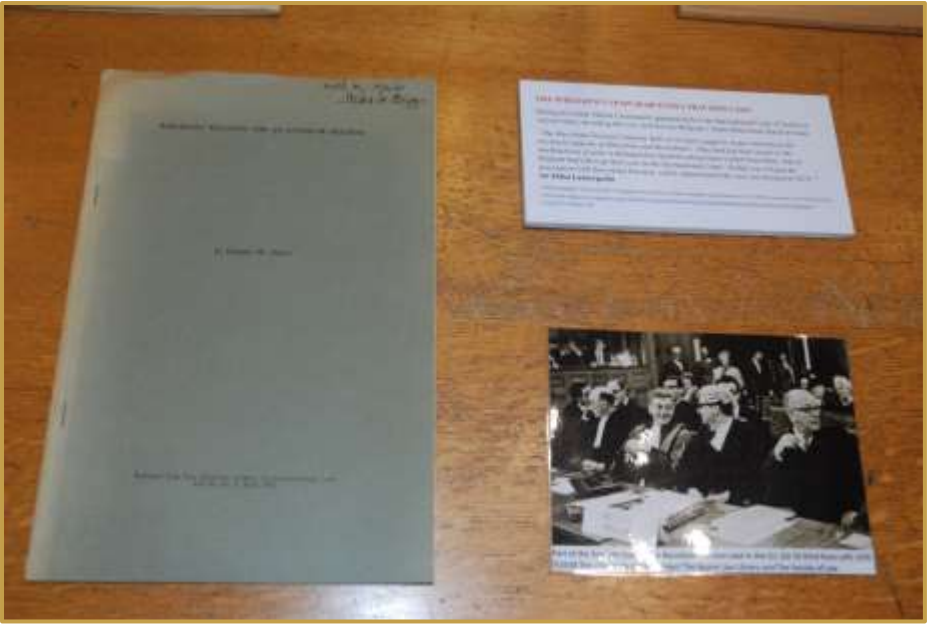
1962-70 BELGIUM V SPAIN (BARCELONA TRACTION CASE)

During his career Master Lauterpacht appeared before the International Court of Justice in various cases, including the very well-known Belgium v Spain (Barcelona Traction Case).

"The Barcelona Traction Company had, as its name suggests, major interests in the electricity industry in Barcelona and thereabouts. They had lost their assets to the machinations of quite a distinguished Spanish entrepreneur called Juan Marc, and so Belgium had taken up their case in the International Court. In that way I began my association with Barcelona Traction, which endured until the case was finished in 1970,"¹

Sir Elihu Lauterpacht

¹ Elihu Lauterpacht, 7th March 2008, Conversations with Professor Sir Elihu Lauterpacht Second Interview: USA (1940-44) and career to 1962 interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018)



THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

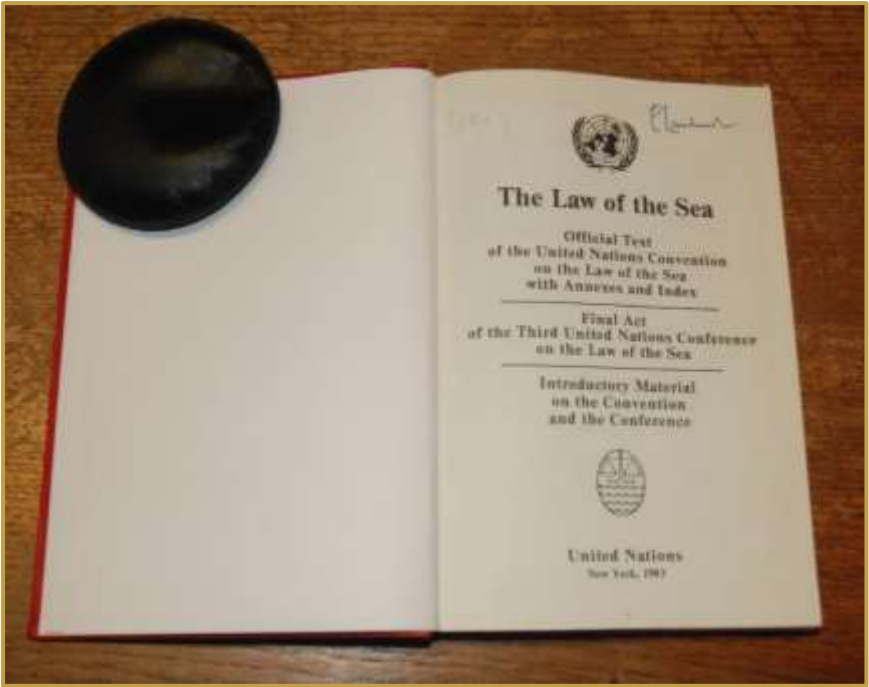
Master Lauterpacht helped draft the UN Convention on The Law of the Sea and appeared before the International Court of Justice numerous times including in cases pertaining to the North Sea Continental Shelf (1967-69).

*"In the middle of the 60s we began [to face problems] relating to the limitation of maritime areas. And the first case that came before the International Court was the North Sea Continental Shelf case or, in fact, cases in the plural, because there were two, one between Denmark and Germany and the other between Holland and Germany. And the issue was how to demarcate their respective areas of continental shelf in the North Sea... I did a great deal of the written work in the evolution of that case."*¹ Sir Elihu Lauterpacht

Master Lauterpacht was also appointed Chief Legal Adviser in the Australian Department of Foreign Affairs after impressing the Australian Prime Minister with his advocacy in the Nuclear Tests cases. This led to him playing an important part in the Law of the Sea Conferences.²

¹ Elihu Lauterpacht, 13th March 2008, Conversations with Professor Sir Elihu Lauterpacht Third Interview: The Sixties interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminentscholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018)

² Stephen M. Schwebel, 13th October 2017, 'Sir Elihu Lauterpacht 1928-2017' https://www.squire.law.cam.ac.uk/sites/www.law.cam.ac.uk/files/memorial_symposium_elihu_lauterpachtby_steve_schwebel.pdf (Accessed: November 2018)

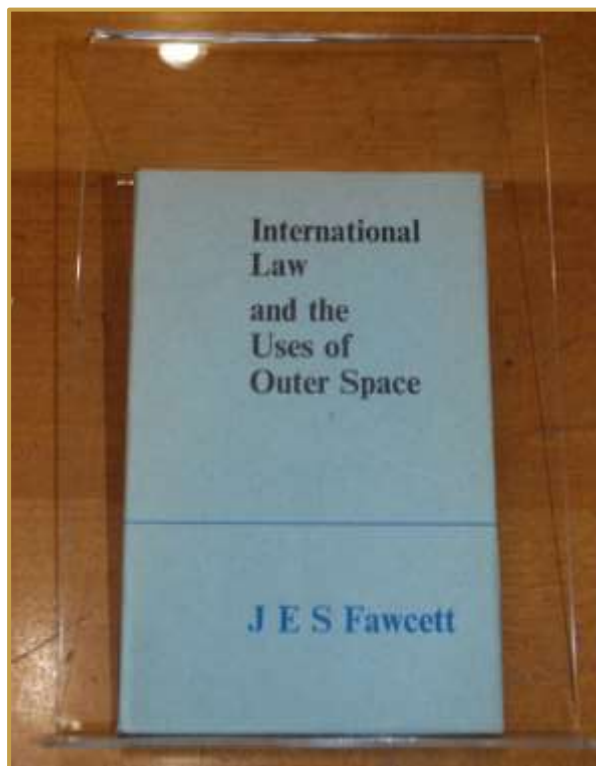
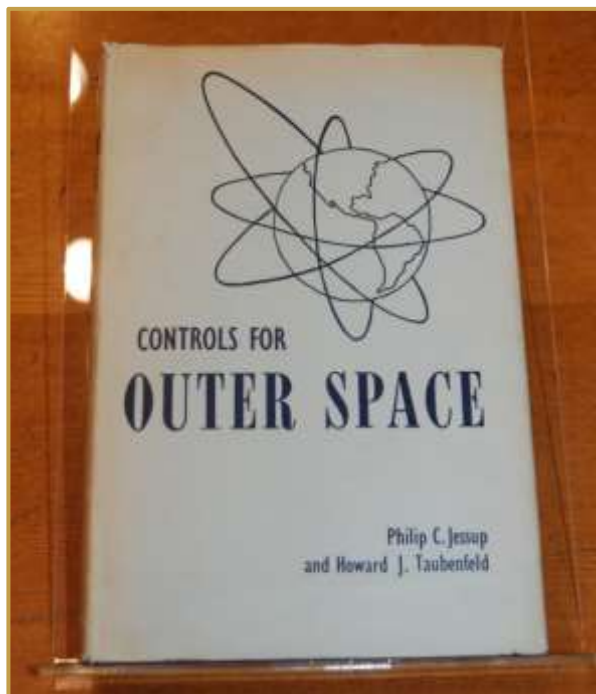


THE LAW OF OUTER SPACE

Master Lauterpacht's library includes numerous titles on space law, then an emerging area of law that was intrinsically international in scope.

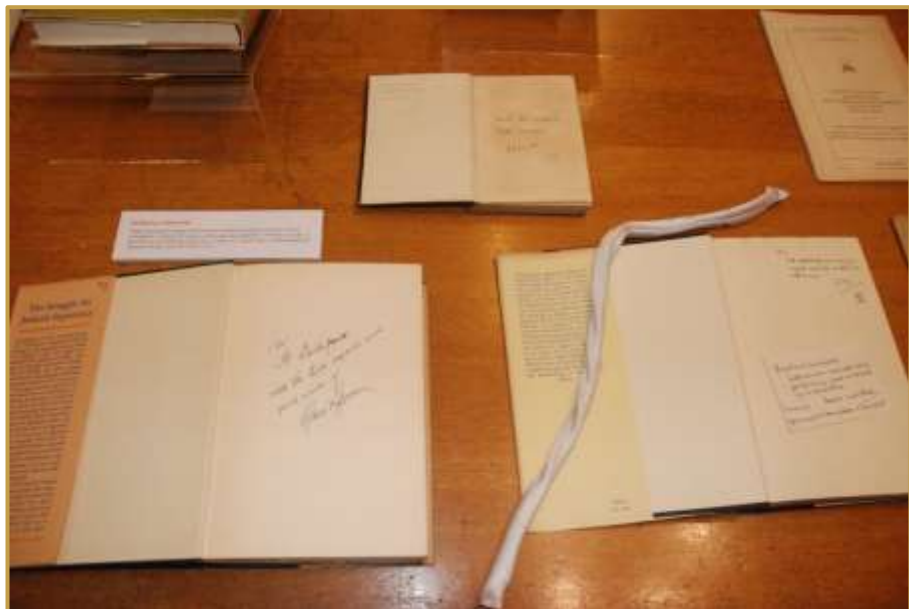
*"At that time [during the 1960s/70s] quite a lot of lawyers were [interested in the Law of Outer Space]. Not that they are not today, but it was a much more fashionable subject then. We have gone past that phase in the development of international law now that we have got into outer space and there have been treaties relating to its use. It no longer has the allure that it had in those days. Today, international lawyers are much more concerned with, let us say, the environment and climate change and so on."*¹ Sir Elihu Lauterpacht

¹ Elihu Lauterpacht, 2nd April 2008, Conversations with Professor Sir Elihu Lauterpacht Sixth Interview: Personalities interviewed by Lesley Dingle:
<https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018)



HERSCH LAUTERPACHT

Master Lauterpacht's library includes books originally belonging to his father, Hersch Lauterpacht, as indicated by numerous dedications and signatures. Of interest is a copy of *International Law* dedicated to Hersch by its author F.E. Smith, later Lord Birkenhead and Treasurer of Gray's Inn (1917-1919, 1924).



For
 H. Lauterbach
 with the high regards and
 good wishes of
 Robert Jackson

ESSEX COURT

After being called to the Bar Master Lauterpacht became a pupil and then a tenant at 3 Essex Court, advising major clients on significant questions of international law.¹

*"I became a pupil...in London at 3 Essex Court, which was a leading set of commercial chambers and my pupil master was John Megaw, who was a brilliant lawyer. ... I spent my time...working on commercial law, insurance, shipping law, banking, Bankers' Commercial Credits, all of those kind of things."*² Sir Elihu Lauterpacht

Here we can see the example of Master Lauterpacht's copy of *Oppenheim's International Law Volume 1* edited by his father Hersch Lauterpacht. This text was obviously in use by Elihu at Essex Court as it includes the chambers' bookplate and also pages of working notes that were inserted and are now displayed alongside the book.

*"[My father] had made a suggestion to me that I should take over the editing of Oppenheim's International Law, I foolishly had been childishly arrogant and I said, no. No, I am going to write my own book. I never have and I didn't take on the editing of Oppenheim, which may actually have been to the ultimate benefit of the international community because it was edited in due course...by Sir Robert Jennings and Sir Arthur Watts."*³

Sir Elihu Lauterpacht

¹ Judge Stephen Schwebel, 14th October 2017, 'Trinity Chapel Memorial Remarks' https://www.squire.law.cam.ac.uk/sites/www.law.cam.ac.uk/files/trinity_chapel_memorial.pdf (Accessed: October 2018) 2 & 3 Elihu Lauterpacht, 7th March 2008, Conversations with Professor Sir Elihu Lauterpacht Second Interview: USA (1940-44) and career to 1962 interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-elilauterpacht-3> (Accessed: November 2018)

ACADEMIA

Master Lauterpacht was an enthusiastic teacher and academic, many of his former students and tutees went on to become leading international lawyers, including some who became President of the ICJ.¹ [Nagendra Singh 1985-88; Stephen M. Schwebel 1997-2000].

*"I have no doubt in my mind that if one is going to be a capable international lawyer one really has to be a teacher of the subject. It is only by teaching that you...keep abreast of a whole range of topics embraced within International Law."*² Sir Elihu Lauterpacht

The work of two former students is included in the Nuclear Weapons section of the exhibition where books by Nagendra Singh and Philippe Sands are displayed.

*"Nagendra Singh and I began a very, very pleasant relationship. We met once a week for dinner and he would give me dinner and I would talk international law with him."*³

Sir Elihu Lauterpacht

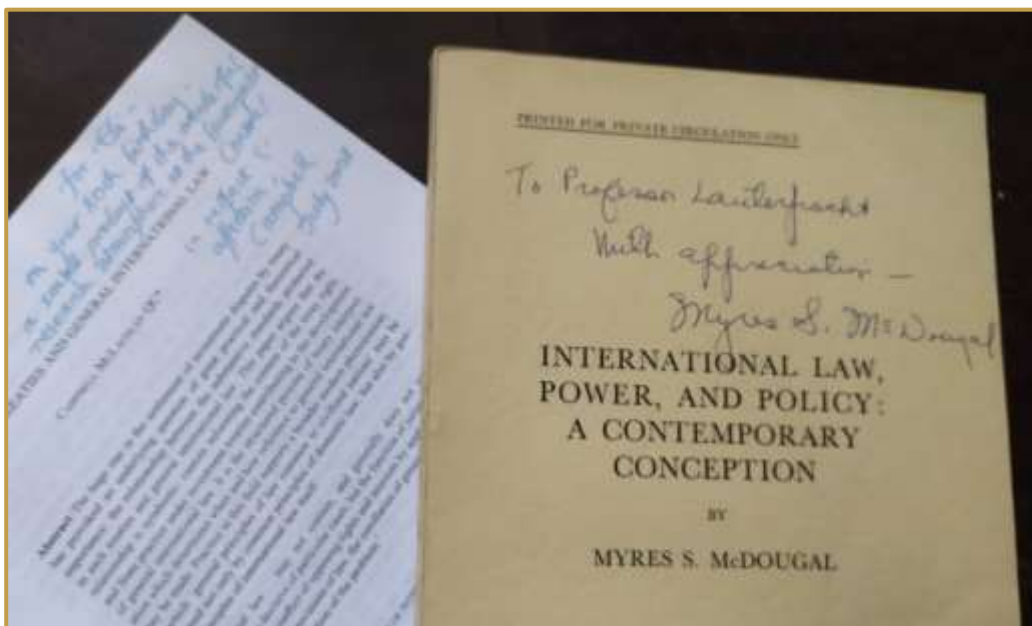
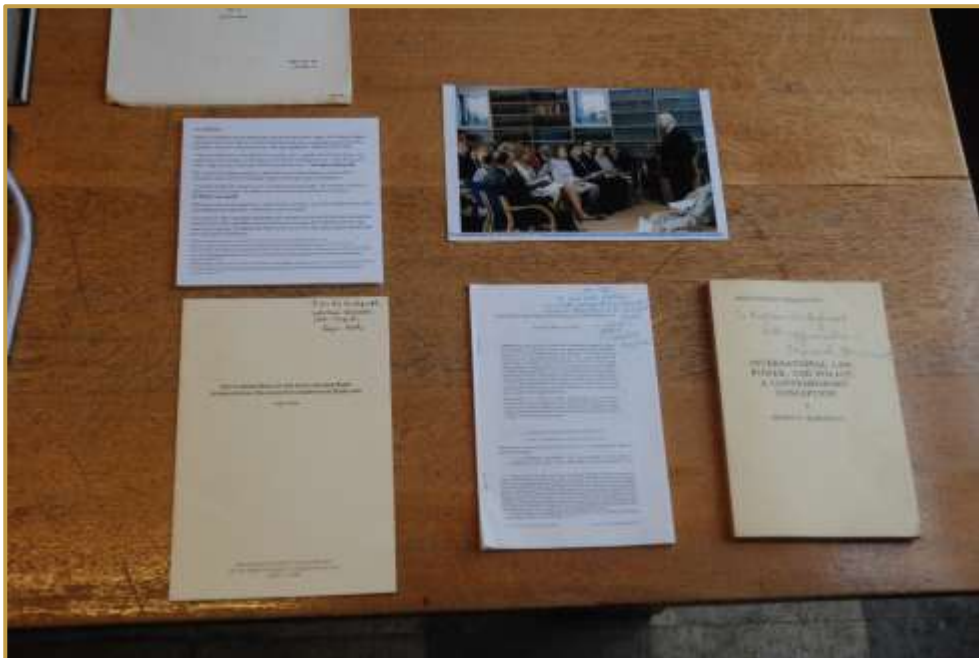
Elihu also wrote the introduction to Sands' book *Chernobyl: Law and Communication* which was published through Elihu's publishing imprint Grotius.

The extent of Elihu's personal friendships and influence can be seen in the many dedications written in the books, pamphlets and legislation and the many interesting clippings, invitations and requests for review that have been inserted inside books and cultivated as bookmarks.

¹ Judge Sir Christopher Greenwood, 14th October 2017, 'Memorial Service for Sir Elihu Lauterpacht, CBE, QC, LLD' https://www.squire.law.cam.ac.uk/sites/www.law.cam.ac.uk/files/eli_memorial_service_addresschrisgreenwood.pdf (Accessed: October 2018)

² Elihu Lauterpacht, 28th March 2008, Conversations with Professor Sir Elihu Lauterpacht Fifth Interview: The Nineties and new Millennium interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminent-scholars-archivprofessor-sir-elihu-lauterpachtconversations-professor-sir-elihu-lauterpacht-3> (Accessed: November 2018)

³ Elihu Lauterpacht, 7th March 2008, Conversations with Professor Sir Elihu Lauterpacht Second Interview: USA (1940-44) and career to 1962 interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminent-scholars-archivprofessor-sir-elihu-lauterpachtconversations-professor-sir-elihu-lauterpacht-3> (Accessed: November 2018)



1978 GROTIUS PUBLICATIONS

Master Lauterpacht founded his own publishing imprint, Grotius Publications. Initially publishing only the International Law Reports, Grotius went on to specialise in prestigious works of international law and became an important outlet for rising young legal scholars.¹ It was also through Grotius that Elihu published the Hersch Lauterpacht Memorial Lectures, a series of annual lectures by distinguished scholars and practitioners, which he created in memory of his father.²

*“My father was a wise and forward-thinking person. He had a clear vision of what he thought I should be – an academic and international lawyer - and he guided and encouraged me accordingly... I have tried to perpetuate his memory even beyond the enduring quality of the major works that he, himself, published in his lifetime by producing the five volumes of the Collected Papers and initiating a series of Hersch Lauterpacht Memorial Lectures at the Centre in Cambridge,”*³ Sir Elihu Lauterpacht

Grotius was subsequently acquired by Cambridge University Press in 1995 marking a resurgence of international law publishing for CUP.

*“I took over the publication side of the ILR, creating a company, which was called Grotius Publications Limited for that purpose. [However, Grotius] also began to develop a side-line of publishing other books on international law and acquired a good reputation in so doing.”*⁴

Sir Elihu Lauterpacht

¹ Daniel Bethlehem, 13 February 2017 'Sir Elihu Lauterpacht: A life dedicated to justice and international law' The Independent <https://www.independent.co.uk/news/obituaries/sir-elihu-lauterpacht-a-life-dedicated-to-international-law-a7577371.html> (Accessed: October 2018)

² Judge Sir Christopher Greenwood, 14th October 2017, 'Memorial Service for Sir Elihu Lauterpacht, CBE, QC, LL.D' https://www.squire.law.cam.ac.uk/sites/www.law.cam.ac.uk/files/eli_memorial_service_addresschrisgreenwood.pdf (Accessed: October 2018)

³ Elihu Lauterpacht, 30th May 2008, Conversations with Professor Sir Elihu Lauterpacht Seventh Interview: Postscript interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-elihu-lauterpacht-3> (Accessed: November 2018)

⁴ Elihu Lauterpacht, 13th March 2008, Conversations with Professor Sir Elihu Lauterpacht Third Interview: The Sixties interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-elihu-lauterpacht-3> (Accessed: November 2018)



ARBITRATION

Master Lauterpacht was an innovative force in the field of investor/ state arbitration, where he was instrumental in originating the "umbrella clause", the sheltering of foreign investment with the cover or "umbrella" of international law.¹ The "origins [of this clause] can be traced to advice he provided in 1953-54 to the Anglo-Iranian Oil Company".² Elihu was also chairman or member of numerous international arbitration tribunals including the border dispute between Eritrea and Ethiopia (2000-02) in which he was President of the Boundary Commission.

*"We did our very best to produce a delimitation decision quickly and we were able to produce one by April 2002, having begun in February 2001...a little over the year to do the delimitation of this thousand-mile long boundary...When we gave the decision, both sides declared their acceptance of it. But that was when our problems began. In truth, Ethiopia did not like the decision."*³

Sir Elihu Lauterpacht

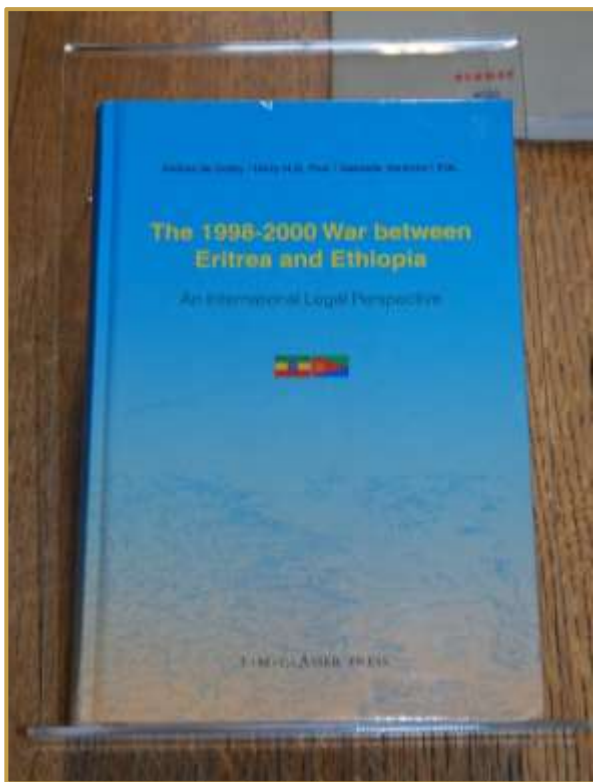
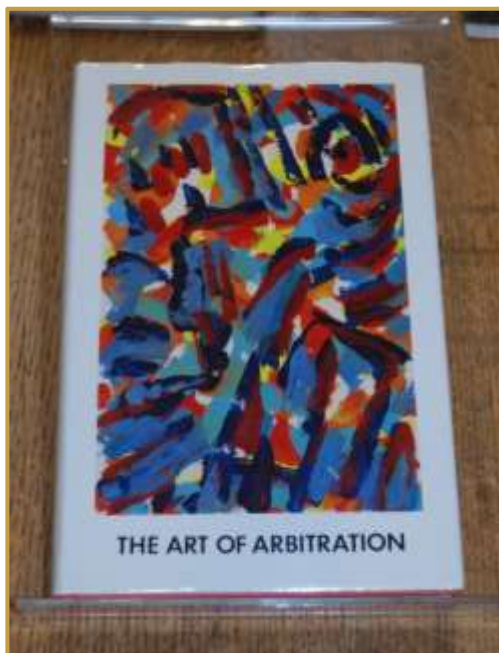
Other examples of his arbitration work include successfully achieving a peaceful resolution to a land dispute between Egypt and Israel and acting as lead counsel in Qatar v. Bahrain.⁴

¹ Judge Stephen Schwebel, 13th October 2017, 'Sir Elihu Lauterpacht 1928-2017' https://www.squire.law.cam.ac.uk/sites/www.law.cam.ac.uk/files/memorial_symposium_elihu_lauterpachtby_steve_schwebel.pdf (Accessed: October 2018)

² James Crawford AC, 13th October 2017 'Elihu Lauterpacht, LCIL and the Lauterpacht Tradition' https://www.squire.law.cam.ac.uk/sites/www.law.cam.ac.uk/files/ellauterpacht_panel_cb13.10.17_002james_crawford.pdf (Accessed: November 2018)

³ Elihu Lauterpacht, 28th March 2008, Conversations with Professor Sir Elihu Lauterpacht Fifth Interview: The Nineties and new Millennium interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminentscholarsarchive/professor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018)

⁴ Judge Stephen Schwebel, 13th October 2017, 'Sir Elihu Lauterpacht 1928-2017' https://www.squire.law.cam.ac.uk/sites/www.law.cam.ac.uk/files/memorial_symposium_elihu_lauterpachtby_steve_schwebel.pdf (Accessed: October 2018)



ISRAEL AND JEWISH IDENTITY

Raised in a Jewish household, Elihu's mother was from Mandatory Palestine whilst his father Hersch Lauterpacht contributed to early drafts of the Israeli Declaration Of Independence and was active in the Nuremburg trials, preparing drafts for the opening and closing addresses by Chief Prosecutor Sir Hartley Shawcross.¹ In 1968, Elihu published a short book entitled *Jerusalem and the Holy Places*.

*"It was...eventually published by the Anglo-Israel Association... It took a great deal of labour on my part, because it became necessary to examine in detail the legal basis of the state of Israel. Up until that time there had been no such analysis... But of course it reflected the position in 1967. Everything I said then has to be read in the light of a mass of subsequent Security Council Resolutions and other acts of international organisations."*²

Sir Elihu Lauterpacht

For both Master Lauterpacht and his father Hersch, their Jewish identity was central to their legal outlook and both shared **"an understated adherence to the Jewish tradition."**³ The Collection also includes a number of studies on the topic of antisemitism.

¹ Daniel Bethlehem, 13 February 2017 'Sir Elihu Lauterpacht: A life dedicated to justice and international law' The Independent

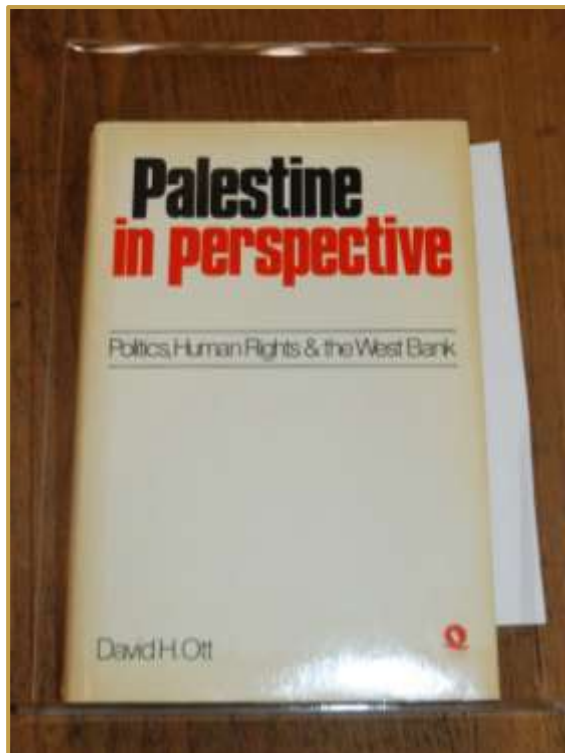
<https://www.independent.co.uk/news/obituaries/sir-elihu-lauterpacht-a-life-dedicated-to-international-law-a7577371.html> (Accessed: October 2018)

² Elihu Lauterpacht, 13th March 2008, Conversations with Professor Sir Elihu Lauterpacht Third Interview: The Sixties interviewed by Lesley Dingle:

<https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018)

³ James Crawford AC, 13th October 2017 'Elihu Lauterpacht, LCIL and the Lauterpacht Tradition'

https://www.squire.law.cam.ac.uk/sites/www.law.cam.ac.uk/files/elilauterpacht_panel_cb13.10.17_002james_crawford.pdf (Accessed: November 2018)



1973-74 AND 1995 NUCLEAR TESTS CASE(S) AUSTRALIA v FRANCE & NEW ZEALAND v FRANCE

In 1995 Master Lauterpacht represented New Zealand at the International Court of Justice, resuming proceedings begun in 1973. *Nuclear Tests Case* (New Zealand v. France) **challenged the legality of France's nuclear tests in the South Pacific.** The case ultimately led to the Court formally recognising environmental protection as a function of international law.¹

*"In 1973 the nuclear test case...was seen as a major development in environmental protection and so I participated in that case quite actively... You have to appreciate that in ... the 70s and 80s, there was not the same understanding of...the environment that there is today...these episodes...were part of the evolving history of international environmental protection."*²

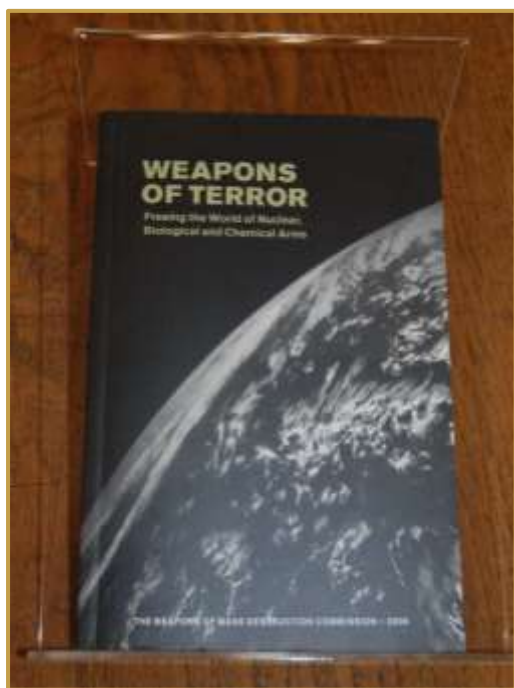
Sir Elihu Lauterpacht

¹ Philippe Sands, 10 February 2017, 'Sir Elihu Lauterpacht Obituary' The Guardian: <https://www.theguardian.com/law/2017/feb/10/sir-elihu-lauterpacht-obituary> (Accessed: October 2018)

² Elihu Lauterpacht, 13th March 2008, Conversations with Professor Sir Elihu Lauterpacht Third Interview: The Sixties interviewed by Lesley Dingle:

<https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018) & Elihu Lauterpacht, 20th March 2008, Conversations with Professor Sir Elihu Lauterpacht Fourth Interview: The Eighties interviewed by Lesley Dingle:

<https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018)



350	DISPUTES	
	State territory—Nature of territorial sovereignty—Atmospheric nuclear tests causing deposit of radio-active fall-out on territory of other States—Whether an infringement of territorial sovereignty	
	Jurisdiction — High seas — Atmospheric nuclear tests causing deposit of radio-active fall-out on high seas—Prohibited zones set up on high seas—Whether lawful—Whether any one State having <i>locus standi</i> to claim	
	NUCLEAR TESTS CASE (AUSTRALIA v. FRANCE) ¹	
	<i>International Court of Justice</i>	
	<i>(President Lachs; Vice-President Ammoun; Judges Forner, Gros, Bengzon, Petré, Onyema, Dillard, Ignacio-Pinto, de Castro, Morozov, Jiménez de Aréchaga, Sir Humphrey Waldock, Nagendra Singh, Roda, Judge ad hoc Sir Garfield Barwick)</i> ²	
		Page
	<i>Request for indication of interim measures of protection</i>	22 June 1973 360
	<i>Application by Fiji for permission to intervene</i>	12 July 1973 395

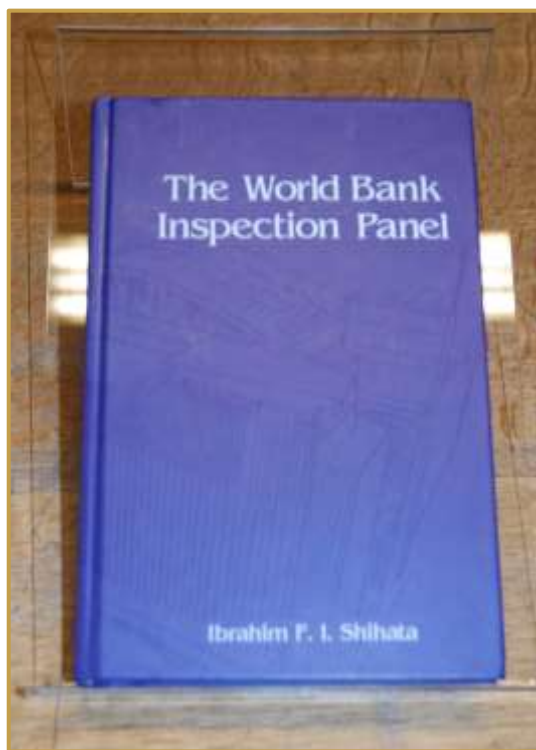
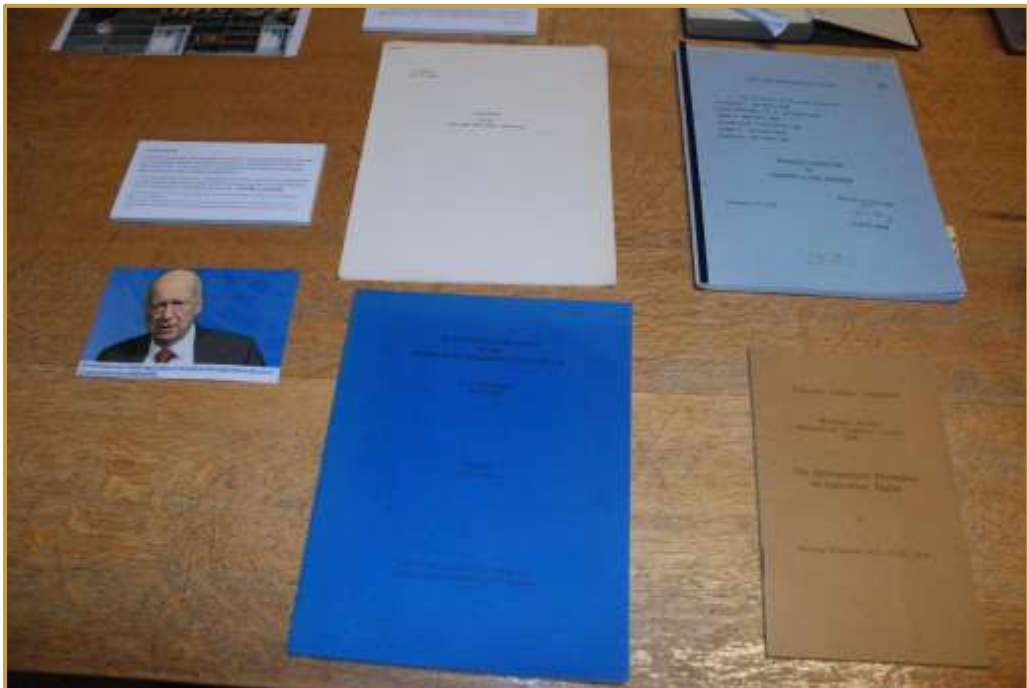
WORLD BANK

A selection of documents reflecting Master Lauterpacht's time at the World Bank (1980–98). He was a founding member of the Bank's Administrative Tribunal and, for his final two years, its President. On the Tribunal, he was instrumental in key decisions protecting the rights of employees within international organisations.¹

*"It was very, very interesting work...although there are books on international administrative law, none of them reflect the exceedingly detailed and interesting discussions that took place within the Tribunal prior to the adoption of a decision."*² Sir Elihu Lauterpacht

¹ Philippe Sands, 10 February 2017, 'Sir Elihu Lauterpacht Obituary' The Guardian: <https://www.theguardian.com/law/2017/feb/10/sir-elihu-lauterpachtobituary> (Accessed: October 2018)

² Elihu Lauterpacht, 13th March 2008, Conversations with Professor Sir Elihu Lauterpacht Third Interview: The Sixties interviewed by Lesley Dingle: <https://www.squire.law.cam.ac.uk/eminent-scholars-archiveprofessor-sir-elihu-lauterpachtconversations-professor-sir-eli-lauterpacht-3> (Accessed: November 2018)



ACCESS TO THE COLLECTION

At present, members of the four Inns of Court may request items from the Collection to be fetched from the Library's closed stack.

Academics or researchers who are not members of the Bar may view material from the Collection by [appointment](#) and should contact the [Librarian](#).

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<https://www.graysinn.org.uk/manuscript-rare-book-request>

The Lauterpacht Collection



E. Lauterpacht

From the personal Library
of
Master Elihu Lauterpacht

Pictured is the final design for the commemorative bookplate in honour of Master Lauterpacht's bequest.



GRAY'S INN



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