

International Law Weekend

Oct. 24-26,
2013

92nd Annual Meeting of the American Branch
of the International Law Association

Internationalization of Law & Legal Practice

Presented by

the American Branch of the International Law Association &
the International Law Students Association

*Thursday events will be held at the House of the Association of the Bar of the City of New York
42 West 44th Street, New York City*

*Friday and Saturday panels will be held at Fordham University School of Law
140 West 62nd Street, New York City*

Admission to ILW is free for members of ABILA, ILSA, ABCNY and other co-sponsoring organizations, as well as staff of the United Nations and Permanent Missions to the United Nations, and students. For all others, there is a fee of \$175.

**Please note this schedule is subject to change.*

ILW 2013

Welcome

The American Branch of the International Law Association (ABILA) and the International Law Students Association (ILSA) welcome you to the annual International Law Weekend (ILW) conference in New York City, an exciting event that brings together hundreds of practitioners, law professors, members of governmental and non-governmental organizations, and students. The theme of ILW 2013 is "*Internationalization of Law and Legal Practice*". More than 40 expert panels will examine how and why knowledge of international law is an increasingly relevant and important professional tool for virtually every lawyer. Panels may explore how international law principles and instruments are involved in such domestic areas as civil litigation, commercial transactions, trade regulation, family law, criminal prosecution, intellectual property, and dispute settlement.

ILW begins Thursday evening, October 24, with a distinguished opening panel at the House of the Association of the Bar of the City of New York, 42 W. 44th Street. A reception sponsored by the Permanent Mission of Mexico to the United Nations will follow and is open to all conference attendees.

The conference continues Friday, October 25 and Saturday, October 26 at Fordham University School of Law, 140 West 62nd Street. Friday's activities feature a keynote address at Fordham University School of Law. This event is open to all conference attendees. A lunch, free and open to all conference attendees on a first-come, first-served basis, will be provided by the Leitner Center for International Law and Justice in the Platt Atrium at 12:30 pm.

A number of panels this year have been designated for mandatory continuing legal education credit (MCLE). The American Society of International Law (ASIL) has obtained accreditation for a maximum of 12 MCLE credits from California and Pennsylvania and is seeking accreditation from Virginia and New York. An attorney may also count these credits towards her or her New York CLE requirement credit through the Approved Jurisdiction policy without notifying the New York CLE Board. The attorney should simply include those credits when computing the total number of CLE credits completed, and keep the documentation for a period of at least four (4) years in case of audit. ABILA and ILSA are grateful to ASIL for undertaking the administrative processing of CLE credits.

On Friday evening, the Permanent Mission of the European Union to the United Nations, 666 Third Ave., 31st Floor, will host a reception for a limited number of conference attendees. If you are pre-registered for this event, please remember to bring photo identification and your conference badge. A nominal ABILA registration fee of \$20 will be charged to confirm participation at the reception, which is being generously hosted by the Permanent Mission of the European Union to the United Nations. The ABILA registration fee will be applied to cover other costs of ILW. The support of the Permanent Mission of the European Union is greatly appreciated.

Saturday's events include more panels and afternoon meetings of ABILA and ILSA members. Those interested in joining ILSA or ABILA are invited to attend. The Saturday luncheon panels are \$20 for those who order a boxed lunch. Without lunch, admission to Saturday luncheon panels is free.

Due to the generosity of co-sponsoring organizations, attendance at ILW is free for members of ABILA, ILSA, ABCNY and other co-sponsoring organizations, as well as staff of the United Nations and Permanent Missions to the United Nations, and students. For all others, there is a fee of \$175.

After the ILW conference has ended, the *ILSA Journal of International and Comparative Law* publishes an issue of the Journal that contains many of the papers presented at International Law Weekend. This issue is titled "The International Practitioner's Notebook." Please email ilsa.journal.novasoutheastern@gmail.com to subscribe to the *Journal* or purchase this issue.



Leitner Center
for International Law and Justice
AT FORDHAM LAW SCHOOL, NEW YORK CITY

Schedule

At-a-Glance

Thursday, October 24, 2013 Association of the Bar of the City of New York					
6:30pm	Opening Panel The International Arms Trade Treaty: Reducing Human Suffering Through Global Rules? <i>(Meeting Hall, Second Floor)</i>				
8:00pm	Opening Reception <i>(Reception Area, Second Floor)</i>				
Friday, October 25, 2013 Fordham University School of Law					
8:00am	Complimentary Coffee provided by International and Non-J.D. Programs, Fordham Law School <i>(Platt Atrium)</i>				
9:00am	Big Data: The End of Privacy or a New Beginning? <i>(McNally Amphitheatre)</i>	Private International Law: Year in Review <i>(Room 205)</i>	Accounting for Children Affected by Armed Conflicts <i>(Room 211)</i>	The Explosion in the Extraterritorial Application of U.S. Law <i>(Room 302)</i>	Complexities of Regulating the Outer Space Domain by Analogy to Legal Regimes in the Other Four Domains <i>(Room 303)</i>
10:30am	Break				
10:45am	Combatting Human Trafficking Through International Law <i>(McNally Amphitheatre)</i>	In-House Counsel Roundtable <i>(Room 205)</i>	Rethinking the Rules for Conflict and Competition in Cyberspace <i>(Room 211)</i>	Updates & Crisis in European Union Law <i>(Room 302)</i>	Teaching International Law Outside Law Schools <i>(Room 303)</i>
12:30pm	Buffet Lunch Sponsored by the Leitner Center for International Law and Justice <i>(First-come, first-served basis. Platt Atrium)</i>				
1:30pm	Keynote – Donald Donovan, Partner, Debevoise & Plimpton LLP <i>(McNally Amphitheatre)</i>				
2:45pm	Break				
3:00pm	Pathways to Employment in International Law <i>(McNally Amphitheatre)</i>	International Discovery and Privacy Conflicts <i>(Room 205)</i>	Debating the Concept of “Grotian Moments” <i>(Room 211)</i>	ICTR Referral of International Criminal Cases to National Jurisdictions <i>(Room 302)</i>	Who Owns the North Pole? The Rush for Extending Maritime Boundaries in the Arctic <i>(Room 303)</i>
4:30pm	Break				
4:45pm	The Changing Face of International Family Law: A Roundtable on the Global Future of Same-Sex Marriage <i>(McNally Amphitheatre)</i>	Standards of Review in Investment Arbitration: Reviewing Domestic Gov’t Regulatory Conduct <i>(Room 205)</i>	Reform of the Inter-American Human Rights System <i>(Room 211)</i>	Oceans Law & the Practitioner <i>(Room 302)</i>	The Crisis in Syria <i>(Room 303)</i>
6:30pm	Reception at the Permanent Mission of the European Union to the United Nations (666 Third Ave., 31st Floor) <i>Pre-registration is required.</i>				

Schedule

At-a-Glance

<p align="center">Saturday, October 26, 2013 Fordham University School of Law</p>					
8:00am	<p align="center">Complimentary Coffee provided by International and Non-J.D. Programs, Fordham Law School <i>(Platt Atrium)</i></p>				
9:00am	<p>Forging a Convention for Crimes Against Humanity <i>(McNally Amphitheatre)</i></p>	<p>Conflict Minerals & Int'l Business: National & Int'l Responses <i>(Room 203)</i></p>	<p>The Influence of National Laws on Multilateral Development Bank Systems <i>(Room 204)</i></p>	<p>Web War 3.0 - The Conflict Over International Internet Governance, Monitoring and Transparency <i>(Room 205)</i></p>	<p>Internationalizing Gender & Disability Law: Int'l Accountability for Preventing & Ending Violence Against Women <i>(Room 302)</i></p>
9:15am	<p align="center">ILSA Board of Directors Meeting 9:15am - 11:30am <i>(Room 430B/C)</i></p>				
10:30am	<p align="center">Break</p>				
10:45am	<p>Prosecuting Heads of State at the ICC: Bashir and Kenyatta <i>(McNally Amphitheatre)</i></p>	<p>Revising the Restatement of Foreign Relations Law <i>(Room 203)</i></p>	<p>The UNFCCC: What Can We Expect at COP19 and Beyond <i>(Room 204)</i></p>	<p>Do We Need Investment Treaties? <i>(Room 205)</i></p>	<p>The Globalization of Child Rights & Remedies <i>(Room 302)</i></p>
12:15pm	<p align="center">Break</p>				
12:30pm	<p>Disputes & the Regime of Rocks & Islands Under the UN Convention on the Law of the Sea <i>(McNally Amphitheatre)</i></p>	<p>Thinking Ahead: Six Questions to Ask at the Beginning of An International Arbitration <i>(Room 203)</i></p>	<p>Rights & Religion <i>(Room 204)</i></p>	<p>Bringing Terrorists to Justice: Legal & Policy Implications When the Military Plays a Role <i>(Room 205)</i></p>	<p>Standards of Responsibility for International Organizations: The Case of Haiti's Cholera Epidemic <i>(Room 302)</i></p>
12:30pm	<p align="center">ABILA Executive Committee Meeting <i>(Room 311)</i></p>				
2:00pm	<p align="center">Break</p>				
2:15pm	<p>ILSA Congress, Meeting of ILSA Members 2:15pm - 3:15pm <i>(Room 203)</i></p>				<p>ABILA Members Meeting 2:15pm - 4:15pm <i>(Room 311)</i></p>
3:15pm	<p align="center">Break</p>				
3:30pm	<p>Careers in Int'l Human Rights, Development & Rule of Law: Part I <i>(McNally Amphitheatre)</i></p>	<p>Careers in Advising Small- to Medium-Sized Foreign Companies: Part I <i>(Room 203)</i></p>	<p>Careers in International Art Law: Part I <i>(Room 204)</i></p>	<p>Int'l Norms for Corporate Action and Anti-Corruption <i>(Room 205)</i></p>	<p>Intellectual Property & the Right to Science <i>(Room 302)</i></p>
5:00pm	<p align="center">Break</p>				
5:15pm	<p>Careers in Int'l Human Rights, Development & Rule of Law: Part II - Informal Networking <i>(McNally Amphitheatre)</i></p>	<p>Careers in Advising Small- to Medium-Sized Foreign Companies: Part II - Informal Networking <i>(Room 203)</i></p>	<p>Careers in International Art Law: Part II - Informal Networking <i>(Room 204)</i></p>		

Schedule

Thursday, October 24

6:30pm

2nd Floor

*Meeting Hall,
ABCNY*

Opening Panel:

The International Arms Trade Treaty: Reducing Human Suffering Through Global Rules?

Earlier this year, the United Nations General Assembly approved the text of an Arms Trade Treaty (ATT) - to regulate the international transfer of conventional arms. The treaty would cover handguns, rifles and automatic weapons, as well as battle tanks, combat aircraft and warships. The ambition is to prevent weapons transfers that could lead to international crimes or human rights violations, and could end up in the black market of war lords, pirates and criminal gangs. Though more than 80 countries states have signed the treaty, the ATT has proven controversial. This opening panel for the International Law Weekend will feature a robust debate on the treaty from both the international and national perspectives.

Introduction and Moderator:

- **Ruth Wedgwood**, President, ABILA; Edward Burling Professor of International Law and Diplomacy, School of Advanced International Studies, Johns Hopkins University

Panelists:

- **Steven Groves**, Bernard and Barbara Lomas Senior Research Fellow, Margaret Thatcher Center for Freedom, Heritage Foundation
- **Angela Kane**, High Representative for Disarmament Affairs, United Nations Office for Disarmament Affairs
- **Suzanne Nossel**, Executive Director, PEN American Center; former Executive Director, Amnesty International USA
- **Representative of the Government of Mexico**

8:00pm

2nd Floor, ABCNY

Opening Reception

The wine and cheese reception at the Association of the Bar of the City of New York is open to all ILW attendees. This reception sponsored by the Permanent Mission of Mexico to the United Nations.

Schedule

Friday, October 25

9:00am

McNally
Amphitheatre

Big Data: The End of Privacy or a New Beginning?

Over the past few years, the volume of data collected and processed by business and government organizations has increased exponentially. This trend, called "Big Data", is driven by reduced costs of storing information and moving it around in conjunction with increased capacity to instantly analyze massive troves of unstructured data by using modern analytics methods and large-scale statistical simulations. The extraordinary benefits of Big Data are tempered by concerns over privacy and data protection. Privacy advocates are concerned that the advances of the data economy will upend the power relationships between government, business and individuals, and lead to profiling, discrimination and other restricted freedoms. This panel will explore the benefits and costs of Big Data and proposals for regulatory reform.

Moderator:

- **Omer Tene**, Vice President of Research, International Association of Privacy Professionals

Panelists:

- **Britton Guerrina**, Deputy Global General Counsel, PricewaterhouseCoopers International Limited
- **Boris Segalis**, Partner, InfoLawGroup LLP
- **JoAnn Stonier**, Chief Privacy Officer, MasterCard

9:00am

Room 205

** This panel is approved for 1.5 mandatory continuing legal education (MCLE) credits with California and Pennsylvania and is pending approval for New York and Virginia. An attorney may also count these credits towards her or her New York CLE requirement credit. Please see page 2 of the ILW Program for more information.*

Private International Law: Year in Review

This panel will provide multiple perspectives on important developments of private international law in the past year, including those that arise close in time to International Law Weekend. Presentations will include coverage of recent judicial and other decisions, recent actions on treaties, recent work of intergovernmental organizations, and recent legislation of the European Union. Ample time will be reserved for discussion so that the implications of the new developments may be fully considered by the panel and the audience. The panel will include an academic, an international practitioner, a representative of the European Union, a representative of the Hague Conference on Private International Law, and a representative of the U.S. Department of State.

Moderator:

- **Ronald A. Brand**, Professor of Law and Director, Center for International Legal Education, University of Pittsburgh School of Law; Member, ABILA Executive Committee

Panelists:

- **Charles T. Kotuby Jr.**, Associate, Jones Day
- **Louise Ellen Teitz**, First Secretary, Hague Conference on Private International Law; Member, ABILA Executive Committee; Committee Chair, Commercial Dispute Resolution Committee, ABILA
- **Karen Vandekerckhove**, Team Leader for Civil and Commercial Matters, DG Justice, European Commission

Schedule

Friday, October 25

9:00am
Room 211

Accounting for Children Affected by Armed Conflicts

Despite the international community's increasing focus on assigning individual responsibility for violations of international law in armed conflict settings, insufficient attention is paid to the children affected by such conflicts. This panel brings together distinguished experts for a moderated dialogue that will assess both current and alternative approaches to securing the rights and well-being of children affected by armed conflict. The dialogue will incorporate relevant perspectives from international human rights law, international criminal law, and international humanitarian law.

Moderator:

- **Jonathan Todres**, Associate Professor of Law, Georgia State University College of Law

Panelists:

- **Diane Marie Amann**, Emily & Ernest Woodruff Chair in International Law, University of Georgia School of Law; Special Adviser on Children in and affected by Armed Conflict, International Criminal Court Office of the Prosecutor
- **Mark A. Drumbl**, Class of 1975 Alumni Professor & Director, Transnational Law Institute, Washington and Lee University School of Law
- **Leila Zerrougui**, Special Representative of the Secretary-General for Children and Armed Conflict, United Nations

9:00am
Room 302

American Legal Imperialism? The Explosion in Extraterritorial Application of U.S. Law

Criticism of U.S. "legal imperialism," the imposition of Lex Americana beyond our borders, continues to grow. The U.S. Supreme Court has recently cut back on this trend in Morrison and Kiobel. This panel focuses on two of the most controversial areas of extraterritoriality - the Foreign Corrupt Practices Act (FCPA) and the Racketeer Influenced and Corrupt Organizations (RICO) Act. The FCPA now reaches foreign defendants with no jurisdictional nexus to the U.S. other than an email or wire transfer incidentally routed through the U.S. Nine of the ten largest penalties ever extracted from FCPA defendants are from foreign defendants, some with no direct connection to the U.S. These cases involved no judicial oversight and some assert these penalties have been extorted by the Justice Department. Significant, new, and as yet unexplored, post-Morrison developments in the application of RICO will also be considered by our expert panelists.

Moderator:

- **Bruce W. Bean**, Professor, Michigan State University College of Law; Committee Chair, Extraterritorial Jurisdiction Committee, ABILA

Panelists:

- **Thomas Firestone**, Of Counsel, Baker & McKenzie; former Resident Legal Advisor, U.S. Embassy in Moscow
- **Mike Koehler**, Assistant Professor of Law, Southern Illinois University School of Law; Creator, FCPA Professor blog
- **Bruce S. Marks**, Managing Member, Marks & Sokolov, LLC

Schedule

Friday, October 25

9:00am
Room 303

Complexities of Regulating the Outer Space Domain by Analogy to Legal Regimes in the Other Four Domains

Activities in the outer space domain are rapidly increasing, both in terms of numbers of countries involved in such activities and the increase in commercial activity beyond satellite-related activities. Human access to the space domain is relatively new, and the space domain may be able to benefit in developing its legal regime by looking to analogies from other long-standing legal regimes for land, air, and maritime. Significant linkages between the even more recent fifth domain of cyber and outer space may also create opportunity of regulation through analogy. However, each domain is unique in its characteristics and the types of activities undertaken, and thus some analogies may not be particularly well-suited or require significant adaptation.

Chair:

- **Matthew Schaefer**, Professor of Law and Director- Space, Cyber, & Telecom Law LL.M., University of Nebraska College of Law

Panelists:

- **Henry Hertzfeld**, Research Professor, Elliott School of International Affairs; Space Policy Institute and Adjunct Professor of Law, The George Washington University; Committee Chair, Space Law Committee, ABILA
- **Marc Holzapfel**, Vice-President and Senior Legal Counsel, Virgin Galactic
- **Laura Montgomery**, Senior Attorney, Office of General Counsel, Federal Aviation Administration
- **Timothy Nelson**, Partner, Skadden, Arps, Slate, Meagher & Flom LLP
- **Frans von der Dunk**, Professor of Law, University of Nebraska College of Law

10:45am
McNally
Amphitheatre

Combatting Human Trafficking Through International Law

This panel will explore the influence of international law on the various mechanisms established in the United States to combat human trafficking. President Obama has called human trafficking a debasement of our common humanity that tears at the social fabric of our communities, distorts markets, endangers public health, and fuels violence and organized crime. It is in this context that the panel will discuss the enactment of the Trafficking Victims Protection Act, the enactment of state legislation that has led to the creation of task forces and laws and voluntary actions that address corporate social responsibility and the supply chains that contribute to human trafficking.

Co-Chairs:

- **E. Christopher Johnson**, Director, Graduate Program in Corporate Law and Finance The Thomas M. Cooley Law School
- **Anna Williams Shavers**, Cline Williams Professor of Citizenship Law, University of Nebraska College of Law

Panelists:

- **Christina Bain**, Director of the Program on Human Trafficking and Modern Slavery at the Harvard Kennedy School's Carr Center for Human Rights Policy
- **T. Markus Funk**, Partner, Perkins Coie
- **Louise Shelley**, Director, Terrorism, Transnational Crime and Corruption Center (TraCCC), University Professor, School of Public Policy, George Mason University
- **Jane Nady Sigmon**, Senior Advisor to the Director, Office to Monitor and Combat Trafficking in Persons, U.S. Department of State

Schedule

Friday, October 25

10:45am

Room 205

** This panel is approved for 1.5 mandatory continuing legal education (MCLE) credits with California and Pennsylvania and is pending approval for New York and Virginia. An attorney may also count these credits towards her or her New York CLE requirement credit. Please see page 2 of the ILW Program for more information.*

In-House Counsel Roundtable

A diverse group of corporate counsel from a wide range of industries will share perspectives on practicing in-house. Panelists will describe their experiences in transitioning from external to internal counsel postings and offer candid insights into the myths and realities of both environments. Audience members will be encouraged to participate actively in the discussion as topics range from the emerging challenges confronting in-house lawyers in a globalized world to the practical considerations of the who, what and why of practicing in-house.

Moderator:

- **Steven A. Hammond**, Co-Chair, International Practice, Hughes Hubbard & Reed LLP; Member, ABILA Executive Committee

Panelists:

- **Barbara Furey**, Vice President, Complex Litigation and Records & Information Management, Unum
- **Britton Guerrina**, Deputy Global General Counsel, PricewaterhouseCoopers International Limited
- **Tracy Elise Poole**, Assistant General Counsel, Johnson & Johnson
- **Sergey Shpaner**, Manager, Aircraft Securitization at Bombardier Aerospace
- **JoAnn Stonier**, Chief Privacy Officer, MasterCard

10:45am

Room 211

Rethinking the Rules for Conflict and Competition in Cyberspace

Unfriendly, state-sponsored actions in cyberspace take many forms and implicate a variety of different international and domestic legal frameworks. Many may be subject to the domestic criminal jurisdiction of states (and indistinguishable from various criminal acts), while others may or may not be subject to the Law of Armed Conflict. The exploitation of valuable data by states presents particular challenges for legal classification. This panel will examine evolving cyber threats to governments and businesses and reevaluate the rules that may govern them.

Panelists:

- **Jack M. Beard**, Assistant Professor of Law, University of Nebraska College of Law
- **Duncan B. Hollis**, Associate Dean for Academic Affairs and James E. Beasley Professor of Law, Temple University School of Law
- **Eric T. Jensen**, Associate Professor of Law, Brigham Young University School of Law
- **Sean Watts**, Professor of Law, Creighton University School of Law

Schedule

Friday, October 25

10:45am
Room 302

Updates & Crisis in European Union Law

The European Union has had a challenging year in 2012. Its Member States and Institutions have faced successive crises in the Euro-Zone as well as governmental instability in some Member States. Strict environmental requirements and the economic crises are some examples of these challenges. Initiatives that enhance gender equality in Corporate Boards have also advanced. Events throughout the European Union affect many aspects of the practice of law in the United States. The panel will discuss current EU issues, including the challenge of finding acceptable solutions to successive EU-Crises, the role of the European Council and its president, Herman Von Rompuy, recent developments in environmental protection law, efforts to achieve common international relations views and efforts to enhance equality. It will also address recent developments in EU crises management operations abroad.

Moderator:

- **Elizabeth F. Defeis**, Professor of Law, Seton Hall University School of Law

Panelists:

- **Roger Goebel**, Alpin J. Cameron Professor of Law, Fordham University School of Law
- **Hugo Kaufmann**, Professor, The Graduate Center, City University of New York
- **Gilles Marhic**, Head of Legal Section, Delegation of the European Union to the United Nations
- **Darren Rosenblum**, Professor of Law, Pace Law School
- **Bernhard Schima**, European Union Fellow, The MacMillan Center at Yale University; Member, Legal Service of the European Commission

10:45am
Room 303

Teaching International Law Outside Law Schools

As international law grows ever richer and the current era of globalization deepens trans-border interdependence, the impact of international law is felt across professions and disciplines, reaching into many different kinds of institutions of higher education. Yet analysis and discussion of the pedagogy and substantive content of international law has been focused primarily on law schools. This panel will address substantive and pedagogical aspects of the teaching of international law in a broader array of institutions, including professional and military schools as well as undergraduate colleges.

Chair and Moderator:

- **Karen Bravo**, Professor of Law and Associate Dean for International Affairs, Indiana University Robert H. McKinney School of Law

Panelists:

- **Robert Goldstein**, Professor of Law and Director for the Center for the Rule of Law, U.S. Military Academy at West Point
- **Julia Grignon**, Professor at Laval University and President of the Steering Committee of the Jean-Pictet Competition in International Humanitarian Law
- **Maria St. Catherine De Grace (Sharpe) McConnell**, Founder, President and Director of the Catholic & United Nations World Heritage Institutes for the Study of Vatican/Holy See Pontifical Ecclesiastical Diplomatic Affairs & International Human Rights
- **Mark R. Shulman**, Associate Dean for Global Admissions, New York University

Schedule

Friday, October 25

12:30pm

Platt Atrium

Lunch

Sponsored by the Leitner Center for International Law and Justice at Fordham University School of Law. Free for all ILW attendees on a first-come, first-served basis.

1:30pm

McNally

Amphitheatre

Keynote Address:

Donald Donovan, Partner, Debevoise & Plimpton LLP

“The Advocate in the Transnational Justice System”

Open to all ILW attendees.

Donald Francis Donovan is co-head of the international disputes practice at Debevoise & Plimpton LLP. He serves as counsel in international disputes before courts in the United States, international arbitration tribunals, and international courts. Mr. Donovan currently serves as President of the American Society of International Law. He also serves as a Member of the U.S. Secretary of State’s Advisory Committee on International Law; a Member of the Advisory Committees for the Restatement of U.S. Foreign Relations Law and for the Restatement of the U.S. Law of International Commercial Arbitration of the American Law Institute. He served from 2000-2005 as Chair of the Institute for Transnational Arbitration. He has long served as a Member of the Board of Human Rights First and Chair of its Litigation Committee. He teaches International Arbitration and International Investment Law and Arbitration at the New York University School of Law. Mr. Donovan has argued international law, arbitration law, commercial law, and other issues before the U.S. Supreme Court, the International Court of Justice, the Arbitral Tribunal Established by the 1930 Hague Agreement, and the International Criminal Tribunal for the Former Yugoslavia; and arbitration tribunals sitting around the world, constituted under the auspices of the world’s leading arbitration institutions, in a wide range of economic sectors, in disputes arising under both contracts and treaties.

Schedule

Friday, October 25

3:00pm

McNally
Amphitheatre

Pathways to Employment in International Law

A unique forum that brings law students and new lawyers together with experienced practitioners to discuss possible careers in international law. Learn about international internship opportunities, how to network with legal experts from around the world, practice in other legal systems and cultures, become active in international organizations and societies, and develop legal and interpersonal skills. Sponsored by the ABA Section of International Law and ILSA.

Moderator:

- **Lesley Benn**, Executive Director, ILSA

Panelists:

- **Ingrid Busson**, Executive Director, Morgan Stanley
- **Ivona Josipovic**, Associate, Debevoise & Plimpton LLP
- **Stacey Anne Mahoney**, Partner, Bingham McCutchen LLP
- **Viren Mascarenhas**, Associate, Freshfields Bruckhaus Deringer US LLP
- **Ulysses S. Smith IV**, Associate, Linklaters

3:00pm

Room 205

** This panel is approved for 1.5 mandatory continuing legal education (MCLE) credits with California and Pennsylvania and is pending approval for New York and Virginia. An attorney may also count these credits towards her or her New York CLE requirement credit. Please see page 2 of the ILW Program for more information.*

International Discovery and Privacy Conflicts

The United States employs the world's most liberal system of discovery in litigation. Relevant material in the possession, custody or control of parties (and third parties) subject to the jurisdiction of a U.S. court, must be produced, absent a showing of undue burden. In many other countries (especially European Union nations) discovery is much more limited, and privacy concerns generally preclude broad disclosure of personal information regarding employees, consumers and business associates. This panel will address the conflict that can arise, when a foreign entity becomes involved in U.S. proceedings, and must produce information subject to privacy restrictions.

Panelists:

- **Monique Altheim**, Attorney at Law, The Law Office of Monique Altheim
- **Steven Bennett**, Partner, Jones Day, New York; Adjunct Professor, New York Law School; Special Professor of Law, Maurice A. Deane School of Law at Hofstra University
- **Jamie Brown**, Executive Director and Global eDiscovery Counsel, UBS AG
- **Kenneth Rashbaum**, Principal, Rashbaum Associates, LLC

Schedule

Friday, October 25

3:00pm
Room 211

Debating the Concept of “Grotian Moments”: Accelerated Formation of Customary International Law During Times of Fundamental Change

Michael Scharf’s “Recognizing Grotian Moments” (Cambridge University Press 2013) posits that radical changes in technology, means of warfare, methods of terrorism, etc., can act as an accelerant, leading to virtually instant formation of customary international law. This panel will discuss and critique the Grotian Moment concept, and its application to various case studies including humanitarian intervention and targeted killing of terrorists. Free copies of Scharf’s book will be provided to the first 100 audience members.

Moderator:

- **Paul R. Williams**, Rebecca Grazier Professor of Law, American University, and President of PILPG

Panelists:

- **José E. Alvarez**, Herbert and Rose Rubin Professor of International Law, New York University School of Law; Co Editor-in-Chief, American Journal of International Law
- **Theodor Meron**, President, International Criminal Tribunal for the former Yugoslavia
- **Michael P. Scharf**, John Deaver Drinko - Baker & Hostetler Professor of Law and Associate Dean, Case Western Reserve University School of Law; Member, ABILA Executive Committee
- **Milena Sterio**, Associate Professor, Cleveland-Marshall College of Law

3:00pm
Room 302

ICTR Referral of International Criminal Cases to National Jurisdictions: Lessons Learned and Best Practices for Closing the Impunity Gap

Over the past 20 years, the International Criminal Tribunal for Rwanda (ICTR) has prosecuted those responsible for the Rwandan Genocide. The scale of the atrocities required national authorities to assume a larger role in prosecuting these crimes. Before this could happen, the ICTR had to ensure that national authorities would prosecute cases in a manner consistent with international fair trial standards. The panel will share lessons learned in the ICTR’s successful referral of international criminal cases to national jurisdictions.

Panelists:

- **James J. Arguin**, Chief, Appeals and Legal Advisory Division, ICTR Office of the Prosecutor; Vice Chair and Steering Group member, International Criminal Law Committee of the ABA Section of International Law
- **Cheickh Bangoura**, Policy Coordinator, International Criminal Tribunal for Rwanda
- **Hon. Howard Morrison**, Judge, International Criminal Court

Schedule

Friday, October 25

3:00pm
Room 303

Who Owns the North Pole? The Rush for Extending Maritime Boundaries in the Arctic

With the continuing melting of the polar ice the area sometimes referred to as the 'High North' has become the object of multinational desire. This panel seeks to discuss the respective riparian Arctic states' claims to extending their maritime boundaries, determining which may have the strongest legal hold on the North Pole and its vicinity. While the provisions of UN Convention on the Law of the Sea (UNCLOS) serve as a natural point of departure, the speakers also aim at looking beyond UNCLOS and generally scrutinizing how far limitations to maritime territorial claims may be justified.

Moderator:

- **Joseph Sweeney**, John D. Calamari Distinguished Professor of Law Emeritus, Fordham University School of Law

Panelists:

- **Elizabeth Burleson**, Associate Professor of Law, Pace Law School
- **Vladimir Gladyshev**, Consultant, Amsterdam & Peroff LLP; Member of the Russian Bar
- **Suzanne Lalonde**, Associate Professor of Law, University of Montreal
- **Paul Reichler**, Partner, Foley Hoag LLP
- **Tom Syring**, Legal Adviser, UNE/Norwegian Immigration Appeals Board

4:45pm
McNally
Amphitheatre

The Changing Face of International Family Law: A Roundtable on the Global Future of Same-Sex Marriage

At least 14 countries, five states, the District of Columbia, and five Native American Tribes now recognize same-sex marriage. Additional jurisdictions provide lesser forms of protection through civil unions and domestic partnerships. We will review which jurisdictions protect same-sex couples and what legal documents are essential for same-sex couples when traveling outside their home jurisdictions. We will also review how changes in U.S. federal law now allow immigration rights for same-sex partners. Finally, we will consider whether changes are needed to international family law treaties to cover same-sex couples.

** Panel sponsored by the Teaching International Law Committee of the American Branch of the International Law Association*

Panelists:

- **Melynda Barnhart**, Associate Professor of Law, New York Law School
- **Gregory Johnson**, Professor of Law, Vermont Law School
- **Mark E. Wojcik**, Professor, The John Marshall Law School; Committee Chair, Teaching of International Law Committee, ABILA

Schedule

Friday, October 25

4:45pm
Room 205

** This panel is approved for 1.5 mandatory continuing legal education (MCLE) credits with California and Pennsylvania and is pending approval for New York and Virginia. An attorney may also count these credits towards her or her New York CLE requirement credit. Please see page 2 of the ILW Program for more information.*

Standards of Review in Investment Arbitration: Reviewing State Regulatory Conduct Under International Law

It is now common for international tribunals to review the legality of the domestic regulatory actions of governments. International human rights tribunals assess whether state actions have violated human rights. WTO tribunals assess whether state regulations have breached international trade obligations. And international investment arbitration often reviews the actions of states in relation to their impact on foreign investors. This panel will consider the applicable standard of review that an international investment tribunal will apply to assessing the legality of a state's conduct when regulating in the public interest. While focusing on international investment law, the panelists will also consider the standards of review adopted by other international tribunals in similar contexts.

Moderator:

- **Rahim Moloo**, Associate, Freshfields Bruckhaus Deringer US LLP

Panelists:

- **Julian Arato**, Associate in Law, Columbia Law School
- **William Burke-White**, Deputy Dean and Professor of Law, University of Pennsylvania Law School; Visiting Professor, Harvard Law School
- **Stephan Schill**, Senior Research Fellow, Max Planck Institute for Comparative Public Law and International Law
- **Jeremy Sharpe**, Chief of Investment Arbitration, Office of the Legal Adviser, U.S. Department of State

4:45pm
Room 211

Reform of the Inter-American Human Rights System

Some Organization of American States (OAS) member states complained about the unfairness of three levels of obligations undertaken by member states: 1) states parties to the American Convention that accepted the compulsory jurisdiction of the Court, 2) states parties to the American Convention that have not accepted the Court's jurisdiction and 3) states that have accepted neither the Convention nor the Court. Since the U.S. is in the third group there was talk about moving the system to Latin America and not electing Americans. What happened?

Moderator:

- **David Stewart**, Visiting Professor of Law, Georgetown University Law Center, President Elect, ABILA; Member, ABILA Executive Committee; Committee Chair, Commercial Dispute Resolution Committee, ABILA

Panelists:

- **María del Luján Flores**, Former Ambassador to the Organization of American States; Permanent Representative of Uruguay before the OAS
- **Jorge Contesse**, Assistant Professor of Law, Rutgers School of Law - Newark
- **Carlos Sapriza**, Uruguayan lawyer, Ministry of Foreign Affairs, Uruguay
- **Stephen Vasciannie**, Ambassador of Jamaica to the Organization of American States

Schedule

Friday, October 25

4:45pm
Room 302

Oceans Law and the Practitioner

The oceans cover over two-thirds of the Earth's surface. The law governing this huge area is vast and varied. Three speakers will visit selected topics from this immense body of international law to demonstrate why attorneys representing private clients or governments must be acquainted with international law. These topics will be explored in depth: Marine Boundary Claims: What the Practitioner Should Know; The Relevance of International Law and the Law of the Sea As It Relates to Homeland Security; and International Law and the Admiralty Practitioner.

Moderator:

- **James Kraska**, Mary Derrickson McCurdy Visiting Research Scholar, Duke University Marine Laboratory, Nicholas School of the Environment; Senior Fellow, Center for Oceans Law and Policy, University of Virginia School of Law; Committee Chair, Use of Force Committee, ABILA

Panelists:

- **David O'Connell**, Commander, U.S. Coast Guard; Military Professor, U.S. Naval War College International Law Department
- **Charles Norchi**, Professor of Law, Director of the Center for Oceans and Coastal Law and Director of the LL.M. Program, University of Maine School of Law
- **George Walker**, Dean's Research Professor of Admiralty and International Law, Wake Forest University School of Law; Member, ABILA Executive Committee; Committee Chair, Law of the Sea Committee, ABILA

4:45pm
Room 303

The Crisis in Syria

The war in Syria poses a humanitarian threat of the first order, with enormous refugee flows to neighboring states, the apparent use of chemical weapons, and a delicate concordance between interested powers including the United States and Russia. This panel of eminent foreign policy experts will examine what the crisis means for the United Nations, American foreign policy, and the future of the Middle East.

Moderator:

- **David Andelman**, Editor, World Policy Journal; Author of "A Shattered Peace: Versailles 1919 and the Price We Pay Today"

Panelists:

- **Richard K. Betts**, Leo A. Shifrin Professor of War and Peace Studies and Arnold A. Saltzman Professor of War and Peace Studies, Columbia University; Director, Saltzman Institute of War and Peace Studies, Columbia University
- **Hayvi Bouzo**, Broadcast journalist
- **Richard Murphy**, Former U.S. Ambassador to Syria, the Philippines and Saudi Arabia; Former U.S. Assistant Secretary of State for Near Eastern and South Asian Affairs; President's Distinguished Service Medal (three-time recipient)

Schedule

Friday, October 25

6:30pm

Reception at the Permanent Mission of the European Union to the United Nations

666 Third Ave., 31st Floor, New York City

Pre-registration is required for this event. For security reasons, only those who pre-registered may attend. Registered guests must bring photo identification to present at check-in. A nominal ABILA registration fee of \$20 will be charged to confirm participation at the reception, which is being generously hosted by the Permanent Mission of the European Union to the United Nations. The ABILA registration fee will be applied to cover other costs of the International Law Weekend. The support of the Permanent Mission of the European Union toward International Law Weekend is greatly appreciated.

Schedule

Saturday, October 26

9:00am

McNally
Amphitheatre

Forging a Convention for Crimes Against Humanity

This panel will consider the need for an International Convention for the Prevention and Punishment of Crimes Against Humanity, and the possibility of its elaboration by the International Law Commission. It will consider the risks and benefits of a new Crimes Against Humanity convention, examine how such a treaty could assist with atrocity crime prevention, and explore how the proposed instrument could complement the work of the International Criminal Court as well as international human rights bodies.

Moderator:

- **Larry D. Johnson**, Adjunct Professor of Law, Columbia Law School; former Assistant-Secretary-General for Legal Affairs, United Nations Headquarters; Member, ABILA Executive Committee

Panelists:

- **M. Cherif Bassiouni**, Emeritus Distinguished Research Professor of Law, DePaul University College of Law
- **Arturo J. Carrillo**, Professor of Law and Director of the International Human Rights Clinic, The George Washington University Law School
- **Sean D. Murphy**, Patricia Roberts Harris Research Professor of Law, The George Washington University Law School
- **Leila Nadya Sadat**, Henry H. Oerschelp Professor of Law and Director of the Whitney R. Harris World Law Institute, Washington University School of Law; Special Adviser on Crimes Against Humanity to the ICC Prosecutor; Vice-President, ABILA; Member, ABILA Executive Committee
- **Beth Van Schaack**, Deputy to the Ambassador-at-Large for War Crimes Issues, Office of Global Criminal Justice of the U.S. Department of State

9:00am

Room 203

** This panel is approved for 1.5 mandatory continuing legal education (MCLE) credits with California and Pennsylvania and is pending approval for New York and Virginia. An attorney may also count these credits towards her or her New York CLE requirement credit. Please see page 2 of the ILW Program for more information.*

Conflict Minerals and International Business: National & International Responses

Reminiscent of "blood diamonds," these minerals, mined in areas of conflict and human rights abuses, are funding violence and armed conflict. The U.S. Securities and Exchange Commission (SEC) is establishing disclosure rules about their use. The European Union is also considering a regime for conflict minerals. In the U.S., the SEC's efforts have created controversy, generating legal challenges from trade groups. The panel will discuss these challenges and explore the need for an international regime.

Chair:

- **Ved Nanda**, John Evans Distinguished University Professor, University of Denver Sturm College of Law; Honorary Vice-President, ABILA

Panelists:

- **Upendra Acharya**, Professor of Law, Gonzaga University Law School
- **David Akerson**, Professor of Law, University of Denver Sturm College of Law
- **David Aronofsky**, Vice President, Texas International Education Consortium

Commentator:

- **James Nafziger**, Thomas B. Stoel Professor of Law and Director of International Law Programs, Willamette University College of Law, Honorary Vice-President, ABILA

Schedule

Saturday, October 26

9:00am
Room 204

Influence of National Law on Multilateral Development Bank Sanctions Systems

This session will examine the ways in which multilateral development banks (MDBs) draw on various national legal systems to inform both procedural and substantive norms within their sanctions systems, in the process creating what is arguably a new area of international administrative law. The session will also consider the hybrid nature of these systems and how, over time, the publication of sanctions decisions may lead to a 'cross-fertilization' of norms and even a coherent body of 'MDB sanctions law'.

Moderator:

- **Frank Fariello**, Lead Counsel, Operations Policy, World Bank Legal Vice Presidency

Discussants:

- **Susan Rose-Ackerman**, Henry R. Luce Professor of Jurisprudence, Yale University
- **Steven Shaw**, Senior Of Counsel, Covington & Burling LLP

Panelists:

- **Pascale Dubois**, Suspension and Debarment Officer, World Bank
- **Elizabeth Lin Forder**, Secretary, World Bank Group Sanctions Board
- **Andrés Rigo**, Member, Inter-American Development Bank Sanctions Committee and the African Development Bank Sanctions Board

9:00am
Room 205

Web War 3.0 - The Conflicts over International Internet Governance, Monitoring and Transparency

There is an emerging conflict over the international governance of cyberspace. Most western nations prefer the existing multi-stakeholder approach to governance, but other nations want to assert greater control, perhaps through the International Telecommunications Union. New dimensions to this conflict emerged with the revelations of National Security Agency monitoring and the international responses to the Snowden affair. These developments have implications for all users -- from insurgents and hacktivists to businesses and consumers.

Moderator:

- **Vincent J. Vitkowsky**, Member, ABILA Executive Committee

Panelists:

- **Bryan Cunningham**, former Deputy Legal Advisor, National Security Council; former officer, Central Intelligence Agency
- **Karen J. Greenberg**, Director, Center on National Security, Fordham University School of Law
- **Jeremy A. Rabkin**, Professor, George Mason University Law School

Schedule

Saturday, October 26

9:00am
Room 302

Internationalizing Gender & Disability Law: International Accountability for Preventing and Ending Violence Against Women

Women with disabilities are twice as likely to experience domestic violence as non-disabled women. The forms of violence they experience are often overlooked and the women themselves may lack effective access to legal protections. This roundtable will spark a lively and practical discussion on states' due diligence obligations to prevent and remedy violence against women with disabilities as well as on the multi-layered legal and policy strategies that can and should be implemented by international financial institutions and civil society to address their diverse needs.

Moderator and Discussant:

- **Hope Lewis**, Professor of Law, Northeastern University School of Law

Panelists:

- **Zanita E. Fenton**, Professor of Law, University of Miami School of Law
- **Charlotte V. McClain-Nhlapo**, Coordinator, Disability & Inclusive Development, Bureau for Policy, Planning, and Learning, USAID
- **Stephanie Ortoleva**, Founder and President, WomenEnabled
- **Shantha Rau Barriga**, Director, Disability Rights, Human Rights Watch
- **Yvette C. Sterling**, Principal, Sterling Law Firm

9:00am
Room 303

ABILA Director of Studies Meeting with ABILA Academic Chairs

9:15am
Room 430B/C

ILSA Board of Directors Meeting

Schedule

Saturday, October 26

10:45am

McNally
Amphitheatre

Prosecuting Heads of State at the ICC: Bashir and Kenyatta

The International Criminal Court stands poised to go into uncharted territory: trying at least one current head of state, and potentially, two, in The Hague, Netherlands. Will these trials of sitting presidents actually proceed? Is it feasible to try a current head of state? How will Sudanese President Bashir be apprehended, if at all? This panel will explore these and related issues, drawing from past experiences, including the apprehension and trial of former Liberian President Charles Taylor.

Moderator:

- **Jennifer Trahan**, Associate Clinical Professor of Global Affairs, New York University; Chair, American Branch of the International Law Association, International Criminal Court Committee; Member, ABILA Executive Committee; Committee Chair, International Criminal Court Committee, ABILA

Panelists:

- **David M. Crane**, Professor of Practice, Syracuse University School of Law; Founding Chief Prosecutor, Special Court for Sierra Leone
- **Richard Dicker**, Director, International Justice Program, Human Rights Watch
- **Tiina Intelmann**, President, International Criminal Court Assembly of States Parties
- **Stephen J. Rapp**, Ambassador-at-Large, Office of Global Criminal Justice, U.S. Department of State

10:45am

Room 203

** This panel is approved for 1.5 mandatory continuing legal education (MCLE) credits with California and Pennsylvania and is pending approval for New York and Virginia. An attorney may also count these credits towards her or her New York CLE requirement credit. Please see page 2 of the ILW Program for more information.*

Revising the Restatement of Foreign Relations Law

The American Law Institute recently undertook to update the influential 25-year-old Restatement (Third) of The Foreign Relations Law of the United States. Initial topics selected for consideration include jurisdiction, the domestic effect of treaties, and sovereign immunity. This panel, which includes Reporters for each of these three areas selected for initial revision, will discuss the status and direction of this project and provide an opportunity for comment and suggestions.

Moderator:

- **Hon. John M. Walker, Jr.**, Judge, U.S. Court of Appeals for the 2nd Circuit

Panelists:

- **Curtis A. Bradley**, William Van Alstyne Professor of Law and Senior Associate Dean for Faculty & Research, Duke University School of Law
- **Anthea Roberts**, Professor of Law, Columbia University Law School; Senior Lecturer in Law, London School of Economics
- **Paul B. Stephan**, Distinguished Professor of Law, Director of Graduate Studies Program, University of Virginia School of Law
- **David P. Stewart**, Visiting Professor of Law, Georgetown University Law Center, President Elect, ABILA; Member, ABILA Executive Committee; Committee Chair, Commercial Dispute Resolution Committee, ABILA

Schedule

Saturday, October 26

10:45am
Room 204

The United Nations Framework Convention on Climate Change: What Can We Expect at COP19 and Beyond

This panel will examine some of the key issues facing the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) at the 19th session of the Conference of the Parties to the UNFCCC and the 9th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol. The moderator will seek to engage the panelists in a discussion of what can be accomplished at this year's upcoming meetings in Warsaw, and the implications for long-term climate policy making at the international level.

Moderator:

- **Kate O'Neill**, Associate Professor, Environmental Science, Policy & Management program, University of California-Berkeley

Panelists:

- **Wil Burns**, Associate Director, Energy Policy & Climate program, Johns Hopkins University; Committee Chair, International Environmental Law Committee, ABILA
- **Nathaniel Keohane**, Vice President, International Climate, Environmental Defense Fund
- **Andrew Strauss**, Professor of Law & Associate Dean for Faculty and Strategic Initiatives, Widener University School of Law

10:45am
Room 205

Do We Need Investment Treaties?

Given the explosion of arbitrations filed under bilateral investment treaties (BITs) in recent decades, some question the effectiveness or necessity of the system on a grand scale (more than 2,500 BITs are in force today). Others rebut that without such a system, in our modern age investors would be left subject to the whim of local courts and authorities (often with repercussions that spread cross-border before any real opportunity to remedy the problem within the host State presents itself). Important developments in investment cases in recent years, including the Chevron and Yukos matters, raise the question of whether BITs are providing requisite protections to investors and States, both with respect to form and scale.

Moderators:

- **Wade Coriell**, Partner, King & Spalding LLP
- **Elizabeth Silbert**, Associate, King & Spalding LLP

Panelists:

- **Donald Earl Childress III**, Associate Professor of Law, Pepperdine University School of Law
- **Jason Doughty**, Senior Vice President, General Counsel, Kosmos Energy
- **Howard Mann**, Senior International Law Advisor, International Institute for Sustainable Development
- **Caline Mouawad**, Partner, King & Spalding LLP
- **Alexander Yanos**, Partner, Freshfields Bruckhaus Deringer LLP

Schedule

Saturday, October 26

10:45am
Room 302

The Globalization of Child Rights and Remedies

This panel is sponsored by ABILA's International Human Rights Committee. Among the least developed and observed of all human rights are children's rights. Although private actors may significantly impair the enjoyment of any human rights, the traditional primary threat to most adult human rights is the state itself. Children's rights, in contrast, face pervasive threats from private actors as well as the state, including parents and guardians, who do not always fulfill, and may actively subvert, child rights. This panel will explore the globalization of children's rights in a world public order delegating formal enforcement to states, which in turn tend to delegate primary responsibility for protecting and enforcing child rights to largely unregulated private actors. In particular, the panel will explore the dynamics of national enforcement of international child rights and the current and ideal roles of public and private advocates.

Moderator:

- **Aaron Fellmeth**, Professor of Law, Arizona State University Sandra Day O'Connor College of Law; Committee Chair, International Human Rights Committee, ABILA

Panelists:

- **Shifa Alkhatib**, Fellow, Center for Law & Global Affairs, Arizona State University Sandra Day O'Connor College of Law
- **Susan Bitensky**, Professor, Michigan State University College of Law
- **Sara Dillon**, Professor, Suffolk University Law School
- **Karl Hanson**, Professor, Children's Rights Studies, Kurt Bösch University Institute

12:30pm
McNally
Amphitheatre

Disputes and the Regime of Islands and Rocks Under the United Nations Convention on the Law of the Sea

This panel will discuss the regime of islands and rocks under the UN Convention on the Law of the Sea Article 121, pulling from current events and disputes including the South China Sea and the Cyprus Issue, as well as other issues faced by island-nations. The panel will also address the so-called "persistent objector" status to the treaty and relevant article. Panelists include diplomats, State legal advisers, academics, and practitioners.

Chair:

- **Christina Hioureas**, Senior Associate, Chadbourne & Parke LLP; Adjunct Associate Professor of Law, Fordham University School of Law

Moderator:

- **Steven Hill**, Deputy Legal Adviser, United States Permanent Mission to the United Nations; Committee Chair, International Disability Law Committee, ABILA

Panelists:

- **Eden Charles**, Ambassador, Trinidad and Tobago Mission to the United Nations
- **Tara J Helfman**, Assistant Professor of Law, Syracuse University
- **Andrew Jacovides**, Former Ambassador of Cyprus to the United States and United Nations; Head of Cyprus Delegation to UNCLOS III (1973-1982)
- **Maria Telalian**, Legal Adviser, Foreign Ministry of the Hellenic Republic of Greece
- **Teoman Uykur**, Legal Adviser, Permanent Mission of Turkey to the United Nations

Schedule

Saturday, October 26

12:30pm
Room 203

** This panel is approved for 1.5 mandatory continuing legal education (MCLE) credits with California and Pennsylvania and is pending approval for New York and Virginia. An attorney may also count these credits towards her or her New York CLE requirement credit. Please see page 2 of the ILW Program for more information.*

Thinking Ahead: Six Questions to Ask at the Beginning of An International Arbitration

This panel will focus on six strategic questions that should be asked at the beginning of any international arbitration, including: what personal traits to look for in an arbitrator; whether it is necessary to seek preliminary injunctive relief from the courts; whether it is possible to bifurcate and seek the dismissal of claims; specific documents do you need to prove your client's claims/defenses; whether you need (and can) obtain third-party discovery; and whether will you be able to enforce and collect an arbitration award. By honestly answering these questions before you get too deep into an international arbitration, you will help to avoid unexpected pitfalls in the arbitral process, save legal fees and increase your chances of ultimate victory.

Moderator:

- **B. Ted Howes**, Partner, McDermott Will & Emery

Panelists:

- **Oliver Armas**, Partner, Hogan Lovells
- **Eric A. Schwartz**, Partner, King & Spalding LLP; former Secretary General and current Vice-President, ICC International Court of Arbitration
- **Joachim Thole**, Executive Vice President & General Counsel, Dr. Willmar Schwabe Pharmaceuticals

12:30pm
Room 204

Rights and Religion

This panel will examine the intersections between the right to religious freedom, non-discrimination obligations, and other rules of human rights law in the context of recent and ongoing debates arising in various fora, including international and regional human rights institutions. Panelists will discuss, in particular, the relationships between freedom of religion and freedom of expression, as well as non-discrimination norms as both a component of religious freedom and in opposition to it. These relationships will be examined in the context of recent legal developments concerning discrimination on grounds of sex and sexual orientation, restrictions on the wearing of religious attire, participation in government by religiously affiliated political parties, and continuing attempts to criminalize anti-religious speech.

Panelists:

- **Christen Broecker**, Associate Director, Jacob Blaustein Institute for the Advancement of Human Rights
- **John Cerone**, Professor of Law, New England Law Boston; Visiting Professor of International Law, The Fletcher School of Law & Diplomacy
- **Valerie Epps**, Professor of Law, Suffolk University Law School, ABILA Executive Committee; Honorary Vice-President, ABILA
- **Nazia Hussain**, Director, At Home in Europe Project, Open Society Foundations

Schedule

Saturday, October 26

12:30pm

Room 205

Bringing Terrorists to Justice: Legal and Policy Implications When the Military Plays a Role

The increased reliance on the military in counter-terrorism operations poses new and unique challenges for the use of civilian courts. This panel will explore those challenges, focusing on the use of evidence in criminal prosecutions where the military has played a role, while respecting human rights. It will seek to identify solutions that involve the application of international law principles and instruments in a domestic context.

Panelists:

- **Benton Campbell**, Partner, Latham & Watkins LLP
- **Lawrence R. Douglas**, James J. Grosfeld Professor of Law, Jurisprudence and Social Thought, Amherst College
- **Adria De Landri**, Legal Officer, UN Counter-Terrorism Committee Executive Directorate, UN Security Council
- **Jonathan Hafetz**, Associate Professor of Law, Seton Hall University School of Law
- **Sharon McCarthy**, Partner, Kostelanetz & Fink, LLP
- **David Scharia**, Senior Legal Officer and Coordinator, Counter-Terrorism Committee Executive Directorate, UN Security Council
- **Bibi van Ginkel**, Senior Research Fellow, Netherlands Institute for International Relations 'Clingendael'; Research Fellow, International Centre for Counter-Terrorism – The Hague

12:30pm

Room 302

Standards of Responsibility for International Organizations: The Case of Haiti's Cholera Epidemic

In 2011, the U.N. International Law Commission completed its work on "draft articles on the responsibility of international organizations." The potential application of those principles to the tragedy in Haiti has been a topic of great interest in the human rights community and the hallways of the United Nations. It is alleged that UN peacekeepers inadvertently but negligently caused the outbreak of a virulent cholera epidemic in Haiti in 2011 that killed several thousand people and has infected thousands more. How should the principles of responsibility apply in this case? And why has the organization not established a claims commission? Can a remedy be adequate if it is in the form of international aid en masse, but fails to compensate the most direly affected families? What implications does this case have for the future of UN peacekeeping?

Moderator:

- **Ruth Wedgwood**, President, ABILA

Panelists:

- **Brian Concannon**, Director, Institute for Justice & Democracy in Haiti; attorney for the Haitian families affected by the Cholera epidemic
- **Muneer Ahmad**, Clinical Professor of Law, Yale Law School, co-author of the report of the Transnational Development Clinic of Yale Law School, entitled "Peacekeeping without Accountability: The United Nations' Responsibility for the Haitian Cholera Epidemic"
- **Kristen E. Boon**, Professor of Law, Seton Hall University School of Law, Author of "New Directions in Responsibility: Assessing the Draft Articles on the Responsibility of International Organizations," 37 Yale J. Int'l Law (2011)

Schedule

Saturday, October 26

12:30pm **ABILA Executive Committee Meeting**
Room 311

2:15pm – 3:15pm **ILSA Congress, Meeting of ILSA Members**
Room 203 *All ILSA members are invited to attend the ILSA Congress, the bi-annual meeting of ILSA Chapters. At the Congress, ILSA members will meet the 2013-2014 Student Officers, discuss the year's activities, and plan for the future of the organization.*

2:15pm – 4:15pm **ABILA Members Meeting**
Room 311

Schedule

Saturday, October 26

3:30pm

McNally

Amphitheatre

Careers in International Human Rights, International Development, and International Rule of Law – Part I

This roundtable discussion features distinguished practitioners with experience in development, rule of law, and international human rights in non-governmental organizations, government, and intergovernmental organizations. With unique and contrasting perspectives on pursuing a career in these growing fields, they will provide students with invaluable advice on courses of study, summer jobs to pursue, the importance of networking, and unlikely paths to a career in these fields.

Moderator:

- **D. Wes Rist**, Director of Education and Research, American Society of International Law

Panelists:

- **Wade Channell**, Senior Legal Reform Advisor, U.S. Agency for International Development
- **Madeleine Crohn**, Senior Project Manager, Global Campaign for Pretrial Justice, Open Society Foundations
- **Blanca Montejo**, Legal Officer, Office of Legal Affairs, United Nations
- **Catherine Powell**, Associate Professor of Law, Fordham University School of Law
- **David Tolbert**, President, International Center for Transitional Justice

3:30pm

Room 203

Careers in Advising Small- to Medium-Sized Foreign Companies - Part I

This panel will focus on career opportunities in representing medium-sized foreign corporate clients and individuals. Assisting such clients often requires a lawyer to be knowledgeable about a broad array of issues because such clients may be reluctant to retain multiple law firms and they may not have needs typically addressed by highly specialized counsel. Among the clients in this group are those making acquisitions in the U.S. for the first time, those unfamiliar with the world of U.S. tariffs and customs, and those at the early stage of developing product distribution strategies. The panel will focus on the skills and knowledge needed to work with a client base that often is looking for a mixture of advice: legal, business, and cultural.

Moderator:

- **Gregory Fox**, Professor of Law, Wayne State University Law School

Panelists:

- **Michael T. Cone**, Partner, FisherBroyles LLP
- **William J. Kohler**, Member, Clark Hill PLC
- **C. Peter Theut**, President and CEO, China Bridge; former Chair, Global Transactions Practice, Butzel Long

Schedule

Saturday, October 26

3:30pm
Room 204

Careers in International Art Law - Part I

Like many human activities, the art world is becoming increasingly international. Works of art regularly travel across borders in connection with exhibitions. These works also travel across borders in connection with theft, looting, and trafficking. Today, art is sold and distributed via the Internet and other transnational media in ways not imagined just decades ago. These phenomena and others have created the need for lawyers specialized in forms of licensing, contracting, and dispute resolution particular to the art world. The panel will explore career paths for lawyers interested in wedding a legal career to their passion for the arts -- careers in private law firms, in museums, in government, and in international bodies.

Moderator:

- **Paul R. Dubinsky**, Director of Graduate Studies, Wayne State University Law School; Vice-President, ABILA

Panelists:

- **Lee Crawford Boyd**, Partner, Schwarcz, Rimberg, Boyd & Rader
- **Raymond J. Dowd**, Partner, Dunnington, Bartholow & Miller LLP
- **Charles Goldstein**, Counsel, Herrick, Feinstein, LLP

3:30pm
Room 205

International Norms for Corporate Action and Anti-Corruption

The panel will study how international norms (hard and soft) such as the 1997 OECD Anti-Bribery Convention, 2003 UN Convention Against Corruption, IFC Performance Standards, Voluntary Principles on Human Rights and OECD Guidelines for Multinational Enterprises are influencing the development and operation of anti-corruption and compliance mechanisms in Canada in regard to the activities of Canadian corporations abroad. The panel will discuss three mechanisms: The Corruption of Foreign Public Officials Act, the Office of the Extractive Sector Corporate Social Responsibility Counsellor and the Canadian National Contact Point under the OECD Guidelines for Multinational Enterprises.

Panelists:

- **W. Michael G. Osborne**, Partner, Affleck Greene McMurtry LLP
- **Bernard Colas**, Partner, Colas Moreira Kazandjian Zikovsky LLP, ILA Canada President

** This panel is approved for 1.5 mandatory continuing legal education (MCLE) credits with California and Pennsylvania and is pending approval for New York and Virginia. An attorney may also count these credits towards her or her New York CLE requirement credit. Please see page 2 of the ILW Program for more information.*

Schedule

Saturday, October 26

3:30pm

Room 302

Intellectual Property and the Right to Science

Article 15(1)(b) of the International Covenant on Economic, Social and Cultural Rights requires each state party to recognize “the right of everyone ... [t]o enjoy the benefits of scientific progress and its applications.” Out of the three rights recognized in Article 15 this right remains the only one that the Committee on Economic, Social and Cultural Rights has yet to authoritatively interpret through a general comment. Sponsored by the ABILA Committee on International Intellectual Property and building on its ongoing effort to draft a submission to the CESCR, this roundtable brings together distinguished panelists to discuss the nature, scope and meaning of this particular right to science.

Moderator:

- **Peter Yu**, Kern Family Chair in Intellectual Property Law, Drake University Law School; Member, ABILA Executive Committee; Committee Chair, International Intellectual Property Committee, ABILA

Panelists:

- **Audrey Chapman**, Professor, University of Connecticut School of Medicine
- **Molly Land**, Professor of Law, University of Connecticut School of Law
- **Farida Shaheed**, UN Special Rapporteur in the Field of Cultural Rights
- **Jessica Wyndham**, Associate Director, Scientific Responsibility, Human Rights and Law Program, American Association for the Advancement of Science

5:15pm

McNally

Amphitheatre

Careers in International Human Rights, International Development, and International Rule of Law – Part II: Informal Networking

This informal networking session will provide time for participants to converse with the panelists and other attendees interested in this particular area of law.

5:15pm

Room 203

Careers in Advising Small- to Medium-Sized Foreign Companies – Part II: Informal Networking

This informal networking session will provide time for participants to converse with the panelists and other attendees interested in this particular area of law.

5:15pm

Room 204

Careers in International Art Law – Part II: Informal Networking

This informal networking session will provide time for participants to converse with the panelists and other attendees interested in this particular area of law.

Thank You Organizational Leaders and Sponsors

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