International Law Weekend

Oct. 25-27, 2012

91st Annual Meeting of the American Branch of the International Law Association

Ideas, Institutions, and Interests – Dynamics of Change in International Law

Presented by the American Branch of the International Law Association and 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, and other co-sponsoring organizations, as well as staff of the United Nations and Permanent Missions to the United Nations, and students. Admission for members of ABCNY is $50. For all others, there is a fee of $85.

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

ILW 2012

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, members of governmental and non-governmental organizations, and students. The theme of ILW 2012 is "*Ideas, Institutions, and Interests – Dynamics of Change in International Law"*. More than 40 expert panels will explore the mechanisms of change in international law. Panels may focus on key regions undergoing particularly dramatic change, and subject matter areas undergoing rapid change, such as tariffs and trade, human rights and humanitarian intervention, immigration, labor, public health, sustainable development and the environment.

ILW begins Thursday evening, October 25, 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 the Philippines to the United Nations will follow and is open to all conference attendees.

The conference continues Friday, October 26 and Saturday, October 27 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, also 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.

On Friday evening, the Permanent Mission of New Zealand to the United Nations, 600 Third Ave., 14th 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, which you will be asked to show upon 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 New Zealand to the United Nations. The ABILA registration fee will be applied to cover other costs of the International Law Weekend, such as the City Bar reception and registration staff costs. The support of the Permanent Mission of New Zealand to the International Law Weekend is greatly appreciated.

Saturday's events include afternoon meetings of ABILA and ILSA members. Those interested in joining ILSA or ABILA are invited to attend.

Due to the generosity of co-sponsoring organizations, attendance at ILW is free for members of ABILA, ILSA, and other co-sponsoring organizations, as well as staff of the United Nations and Permanent Missions to the United Nations, and students. Admission for members of ABCNY is $50. For all others, there is a fee of $85.

The Saturday luncheon panels are $20 for those who order a boxed lunch. Without lunch, admission to Saturday luncheon panels is free.

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 journal@nsu.law.nova.edu to subscribe to the *Journal* or purchase this issue. The issue is sent free to all members of the American Branch of the International Law Association.

Schedule

At-a-Glance

Thursday, October 25, 2012 Association of the Bar of the City of New York						
6:30pm	**Opening Panel: The Rise of China and the Rule of International Law** *(Meeting Hall, Second Floor)*					
8:00pm	**Opening Reception sponsored by the Permanent Mission of the Philippines to the United Nations** *(Reception Area, Second Floor)*					
Friday, October 26, 2012 Fordham University School of Law						
8:00am	**Complimentary Coffee provided by International and Non-J.D. Programs, Fordham Univ. School of Law** *(Platt Atrium)*					
9:00am	**Resource Management in Common (Non-Sovereign) Areas: Law of the Sea and Space Law Compared** *(McNally Amphitheatre)*	**Comparative Corporate Governance: Stakeholders and Quotas** *(Room 203)*	**Dynamics of Change in International Disabilities Law: The Case of Access to Justice** *(Room 204)*	**Intellectual Property and Sustainable Development** *(Room 302)*	**Due Process in UN Security Council Sanctions Committees** *(Room 430 B/C)*	
10:30am	**Break**					
10:45am	**A Conversation with Mary Jo White, former U.S. Attorney for the Southern District of New York & Current Head of Litigation at Debevoise & Plimpton** *(McNally Amphitheatre)*	**Current Developments in Sovereign Debt Claims: Disappointed Investors Take Action** *(Room 203)*	**Solitary Confinement in a Supermax Prison: Is this Cruel and Inhuman Punishment?** *(Room 204)*	**Legislative and Executive Authority when Congress & the President Disagree on Matters that May Affect Foreign Affairs: *Clinton v Zivotofsky*** *(Room 302)*	**Roundtable on Climate Geoengineering** *(Room 430 B/C)*	
12:30pm	**Buffet Lunch sponsored by the Leitner Center for International Law and Justice** *(First-come, first-served basis. Platt Atrium)*					
1:15pm	**Keynote – Theodor Meron, President, International Criminal Tribunal for the former Yugoslavia** ***"From Ad Hoc Tribunals to the Residual Mechanism: A New Model of International Criminal Tribunals?"*** *(McNally Amphitheatre)*					
2:45pm	**Break**					
3:00pm	**Lawyers and China's Future** *(McNally Amphitheatre)*	**Int'l Investment Law and Dispute Settlement Part I: Educating Lawyers in Law Schools, Firms and at the Bar** *(Room 203)*	**The Global Fight Against Sex Trafficking** *(Room 204)*	**European Union - Progress, Set-backs and Crises** *(Room 302)*	**The 1982 Manila Declaration on the Peaceful Settlement of Int'l Disputes and Modern Day Disputes** *(Room 430 B/C)*	**Maritime Delimitation – A 30-Year Perspective Since the 1982 Law of the Sea Convention** *(Room 303)*
4:30pm	**Break**					
4:45pm	**Guantanamo Military Commissions and the Future of International Criminal Law** *(McNally Amphitheatre)*	**Int'l Investment Law and Dispute Settlement Part II: A Conversation with Meg Kinnear, Secretary-General of ICSID** *(Room 203)*	**Taming Globalization: U.S. Foreign Affairs Law and the Next Administration** *(Room 204)*	**Foreign State Immunity in National Courts as Required by International Law** *(Room 302)*	**Recent Developments in International Family Law** *(Room 430 B/C)*	**Maritime Law and Piracy** *(Room 303)*
6:30pm	**Reception at the Permanent Mission of New Zealand to the United Nations** *600 Third Ave., 14th Floor, New York, NY 10016 Pre-registration is required.*					

ILSA INTERNATIONAL LAW STUDENTS ASSOCIATION

AMERICAN BRANCH of the International Law Association

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

Schedule

At-a-Glance

Saturday, October 27, 2012 Fordham University School of Law						
8:00am	**Complimentary Coffee provided by International and Non-J.D. Programs, Fordham Univ. School of Law** *(Platt Atrium)*					
9:00am	**Anticipatory Self-Defense: The Israeli-Iranian Crisis** *(McNally Amphitheatre)*	**The Alien Tort Statute and the Future of Transnational Litigation** *(Room 203)*	**Perspectives on Crimes of Sexual Violence in International Law** *(Room 204)*	**The International Climate Change Regime and Africa** *(Room 205)*	**Law in the Time of Cholera: Haiti's Epidemic, the UN & Responsibilities of International Organizations** *(Room 302)*	**Rule of Law and Development: Why Nations Fail and What We Can Do About It** *(Room 311)*
10:30am	**Break**					
10:45am	**The Future of the Ad Hoc International Criminal Tribunal Option** *(McNally Amphitheatre)*	**Tax Havens and Tax Justice: Offshore Banking, Transfer Pricing, and Public Policy** *(Room 203)*	**Integrity in International Sport: Current Challenges and Legal Responses** *(Room 204)*	**Int'l Aspects and Comparative Perspectives of Intellectual Property Rights Enforcement** *(Room 205)*	**Emerging Int'l Decision-Making: Role of the Int'l Law Commission for Legal Consensus Building** *(Room 302)*	**Towards a Culture of Accountability: A New Dawn for Egypt** *(Room 311)*
12:15pm	**Break**					
12:30pm	**Pathways to Employment in International Law** *(McNally Amphitheatre)*	**U.S. Advancing the Int'l Criminal Court: Positive Contributions and Future Predictions for a Change in Relationship** *(Room 203)*	**The Evolving Role of the Public - Past, Present and Future - In the Development of International Environmental Law** *(Room 204)*	**Bribery Prosecutions for Profit? Policy and Practical Implications** *(Room 205)*	**International Organizations and the Use of Armed Force** *(Room 302)*	**Countering Incitement of Terrorism Through the Internet While Respecting Human Rights** *(Room 311)*
12:30pm	**ABILA Executive Committee Meeting** *(Room 312)*					
2:00pm	**Break**					
2:15pm	**ILSA Congress, Meeting of ILSA Members** *(Room 311)*					**ABILA Members Meeting 2:15pm – 4:15pm** *(Room 312)*
3:15pm	**Break**					
3:30pm	**Careers in Int'l Human Rights, Int'l Rule of Law Part I** *(McNally Amphitheatre)*	**Careers in International Arbitration Part I** *(Room 203)*	**Teaching International Law: Principles for Framing a Survey Course** *(Room 204)*	**Islamic Finance – In Law & Practice Both Very Old and Wholly New** *(Room 205)*	**Outlawing Nuclear Weapons** *(Room 302)*	
5:00pm	**Break**					
5:15pm	**Careers in Int'l Human Rights, Int'l Rule of Law Part II: Informal Networking** *(McNally Amphitheatre)*	**Careers in International Arbitration Part II: Informal Networking** *(Room 203)*	**Metatheory of International Law** *(Room 204)*	**Liability for Damage in Space: Should it Continue as a Unique Legal Regime** *(Room 205)*	**Lawyering and Advocacy in Transnational Cases** *(Room 302)*	

ILSA INTERNATIONAL LAW STUDENTS ASSOCIATION

AMERICAN BRANCH of the International Law Association

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

ILW 2012

Dedication to Charles Siegal

The American Branch of the International Law Association dedicates International Law Weekend 2012 to the memory of Charles D. Siegal, president of the Branch from 2004-2008, who passed away on August 26, 2012. Several events during ILW will honor Charles and his contribution to the Branch and to the ILA. Speakers will offer a brief tribute before the keynote address at the Friday lunch. In addition, two panels reflecting his interests have been dedicated to Charles's memory. The opening panel on Thursday evening, October 25, on China and the Rule of International Law, reflects Charles's deep interest in human rights in its attention to human rights in China. The Careers in International Arbitration panel on Saturday afternoon, October 27, reflects Charles's commitment to assisting younger colleagues in their career development.

Charles was a litigation partner with the Los Angeles firm of Munger, Tolles & Olson, which he joined in 1977 after a stint in the State Department's Legal Adviser's office. His practice focused on commercial litigation, including insurance disputes, electric industry regulation, and patent law.

He also maintained a keen interest in international law, expressed in his long association with the Branch and with the worldwide International Law Association (ILA). In the American Branch, in addition to serving as President, he served as Chair and active member of the Human Rights Committee, Director of Studies, Chair of the Executive Committee, Honorary Vice President, and Patron. He was a founder of International Law Weekend-West, a successful effort on the part of the Branch to expand the International Law Weekend experience around the country. Charles was particularly interested in human rights issues and served on the ILA's International Human Rights Law Committee. He also was a respected member of the Executive Council of the ILA.

Charles's other activities reflected his passion for human rights and, particularly, disability rights. For example, he was a past president of the Disability Rights Legal Center of Los Angeles, which annually presents an award in his name. Charles also co-authored a major casebook in disability law, *Disability Civil Rights Law*, and a treatise on the same topic.

Most importantly, Charles was brilliant, incisive, patient, and humane, offering sage advice and leadership to the American Branch and to the ILA as a whole. He was unfailingly gracious and generous to his colleagues and to others. Charles's passionate intellectual engagement in public and private international law was a central part of his life's work, and we are proud to have had him among our company.

Schedule

Thursday, October 25

6:30pm
2nd Floor Meeting Hall, ABCNY

Opening Panel: The Rise of China and the Rule of International Law

China's ascent to new heights of wealth and power is reshaping the global legal landscape. This distinguished panel opens International Law Weekend with a wide-ranging discussion about the effects of China's rise. It examines the impact on human rights, international environmental law (including climate change), capital markets, international security affairs, and on lawyering itself.

This panel is dedicated to the memory of Charles Siegal, past President of the American Branch of the International Law Association.

Introduction to International Law Weekend:

- **Ruth Wedgwood**, President of the American Branch of the International Law Association

Panelists:

- **Jerome Cohen**, Professor of Law, New York University School of Law
- **John G. Crowley**, Partner, Davis, Polk & Wardwell LLP
- **Elizabeth Economy**, C.V. Starr Senior Fellow and Director for Asia Studies, Council on Foreign Relations
- **Winston Lord**, former U.S. Ambassador to China; former U.S. Assistant Secretary of State for East Asian and Pacific Affairs

Moderator:

- **Benjamin L. Liebman**, Robert L. Lieff Professor of Law; Director of the Center for Chinese Legal Studies

8:00pm
2nd Floor, ABCNY

Reception sponsored by the Permanent Mission of the Philippines to the United Nations

The wine and cheese reception at the Association of the Bar of the City of New York is open to all ILW attendees.

Schedule

Friday, October 26

9:00am
McNally Amphitheatre

Resource Management in Common (Non-Sovereign) Areas: Law of the Sea and Space Law Compared

Discussion of the legal and economic implications for space exploration and exploitation of the Common Heritage of Mankind concept in the Moon Agreement (1979) and in UNCLOS (1982, 1994); Rights to mine, responsibilities to share and regime characteristics. These topics will address the three themes of ILW - Ideas, e.g. the Commons; Institutions, e.g. regime structure and interests, e.g. property rights and the public interest.

Panelists:

- **George Walker**, Dean's Research Professor of Admiralty and International Law, Wake Forest University School of Law; Member, ABILA Executive Committee; Chair, Law of the Sea Committee, ABILA; Member, Baselines Under the International Law of the Sea Committee, International Law Association
- **Jonathan F. Galloway**, Vice President, International Institute of Space Law; Co-Chair, Space Law Committee, ABILA; Member, Space Law Committee, International Law Association
- **John E. Noyes**, Roger J. Traynor Professor of Law, California Western School of Law; Chair, ABILA Executive Committee; Member, Baselines Under the International Law of the Sea Committee, International Law Association
- **Matthew Schaefer**, Law Alumni Professor of Law and Director of Space, Cyber, and Telecom Law Program, University of Nebraska College of Law
- **Frans von der Dunk**, Harvey & Susan Perlman Alumni and Othmer Professor of Space Law, University of Nebraska College of Law; Member, Space Law Committee, International Law Association

9:00am
Room 203

Comparative Corporate Governance: Stakeholders and Quotas

Corporate governance debates around the role of shareholders and stakeholders shift across national lines and in transnational contexts. The spread of gender balance quotas for corporate boards in Europe will lead to the presence of a critical mass of women at the top of many developed world corporations. This panel will explore how such quotas might drive the relationship between shareholders and stakeholders, and how it may transform corporate governance overall.

Panelists:

- **Darren Rosenblum**, Professor of Law, Pace Law School
- **Martin Gelter**, Associate Professor of Law, Fordham University School of Law
- **James Fanto**, Professor of Law, Brooklyn Law School
- **Mary R. "Nina" Henderson**, Director, CNO Financial Group

Schedule

Friday, October 26

9:00am
Room 204

Dynamics of Change in International Disabilities Law: The Case of Access to Justice

International disabilities law is one of the most rapidly developing fields in international human rights law. This change has been driven in large part by the world's newest human rights treaty, the Convention on the Rights of Persons with Disabilities (CRPD). The panel will focus on one vital concept in the CRPD – access to justice– as a case study of change in international disabilities law. The panel will examine the forces for change that led to the inclusion of strong access to justice provisions in Article 13 of the CRPD. The panel will also survey the impact of Article 13 in spurring change in national access to justice policies, international rule of law programming, and rule of law assistance programs.

Chair:

- **Steven Hill**, Counselor for Legal Affairs, U.S. Mission to the United Nations; Chair, International Disability Law Committee, ABILA

Panelists:

- **Esmé Grant**, Disability Rights Educator, U.S. International Council on Disabilities
- **Marco Nicoli**, Senior Knowledge Management Officer, Legal Vice Presidency, World Bank
- **Stephanie Ortoleva**, Founder and President, Women Enabled

9:00am
Room 302

Intellectual Property and Sustainable Development

This panel provides a timely follow-up to Rio+20 (the UN Conference on Sustainable Development). It covers issues ranging from global climate change to the protection of traditional knowledge and biological diversity to the tension between intellectual property enforcement and human rights. The panel also explores the impact of bilateral, plurilateral and regional trade, investment and intellectual property agreements on the development of the international intellectual property regime. Sponsored by the Committee on International Intellectual Property, ABILA.

Chair:

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

Panelists:

- **Sabrina Safrin**, Professor of Law & Arthur L. Dickson Scholar, Rutgers School of Law–Newark
- **Joshua D. Sarnoff**, Professor of Law, DePaul University College of Law
- **Lea Shaver**, Associate Professor of Law, Robert H. McKinney School of Law, Indiana University

Schedule

Friday, October 26

9:00am
Room 430 B/C

Due Process in UN Security Council Sanctions Committees

Proposed by ABILA's United Nations Law Committee, this panel will examine fairness issues in the operations of committees the Security Council has empowered to authorize sanctions on entities and individuals. A key question to be confronted is how the UN can authorize penalties without a hearing while at the same time advocating due process in instruments like the Universal Declaration of Human Rights.

Chair:

- **John F. Murphy**, Professor of Law, Villanova University School of Law; Honorary Vice-President, ABILA

Panelists:

- **Katherine M. Gorove**, Attorney, Office of the Legal Adviser, U.S. Department of State
- **Edward J. Flynn**, Senior Human Rights Officer, United Nations Counter-Terrorism Committee
- **Brian Wilson**, Legal and Sanctions Expert, United Nations Security Council
- **John Carey**, former Chair, International League for Human Rights; former Alternate U.S. Member, UN Human Rights Sub-Commission; former Justice; New York State Supreme Court; Member, ABILA Executive Committee; Chair, United Nations Law Committee, ABILA

10:45am
McNally Amphitheatre

A Conversation with Mary Jo White, former U.S. Attorney for the Southern District of New York and current head of litigation at Debevoise & Plimpton LLP - "Prosecuting Al Qaeda Terrorism and Exposing Corporate Corruption - A Life in the Law"

Mary Jo White is a legendary figure at the New York Bar. A graduate of Columbia Law School and a law clerk to U.S. District Judge Marvin Frankel, she became the first woman to serve as U.S. Attorney for the Southern District of New York, running an office of more than 200 prosecutors and civil division attorneys from 1993 to 2002. She directed the successful criminal prosecution of the 1993 terrorist bombing of the World Trade Center, convicting al Qaeda terrorist Ramzi Yousef and two other al Qaeda defendants. She twice indicted Osama bin Laden, for conspiring to attack American nationals and bombing U.S. Embassies in East Africa. She led the investigation of the Clinton Administration's pardon of fugitive financier Marc Rich and at the request of the Attorney General, reviewed all other pardons of that period. She is currently chair of the litigation department at the law firm of Debevoise & Plimpton, where she directed a world-wide investigation of alleged corrupt payments by the Siemens company, including over $100 million paid to Argentine officials, resulting in the appointment of a monitor to oversee corporate compliance.

Chair:

- **Ruth Wedgwood**, Edward B. Burling Professor of International Law and Diplomacy, Johns Hopkins University

Schedule

Friday, October 26

10:45am
Room 203

Current Developments in Sovereign Debt Claims: Disappointed Investors Take Action

A panel of leading experts will examine the latest developments in disputes between states and investors arising out of the sovereign debt crisis. The discussion will examine investor actions in the wake of Argentina's sovereign debt restructuring and the Greek sovereign debt crisis, among others, and will focus on the range of forums in which "holdout" investors have instituted proceedings, including U.S. courts, the European Court of Human Rights, and the International Centre for the Settlement of Investment Disputes.

Moderator:

- **Steven A. Hammond**, Partner, Hughes Hubbard & Reed LLP

Panelists:

- **Carolyn B. Lamm**, Partner, White & Case LLP
- **Boaz S. Morag**, Counsel, Cleary Gottlieb Steen & Hamilton
- **Joseph Neuhaus**, Partner, Sullivan & Cromwell LLP
- **David W. Rivkin**, Partner, Debevoise & Plimpton LLP

10:45am
Room 204

Solitary Confinement in a Supermax Prison: Is this Cruel and Inhuman Punishment?

This panel will discuss the history of solitary confinement in the United States, whether the conditions of "SuperMax" confinement are consistent with the prohibition on cruel and unusual punishment, and current debates at the international level and litigation at the national level to address the issue.

Moderator:

- **Christina Cerna**, Adjunct Professor of Law, Georgetown Law; Member, ABILA Executive Committee; Chair, International Human Rights Law Committee, International Law Association

Panelists:

- **Jamie Fellner**, Senior Advisor, U.S. Program, Human Rights Watch
- **Juan Méndez**, United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- **Taylor Pendergrass**, Senior Staff Attorney, New York Civil Liberties Union
- **Alexis Agathocleous**, Staff Attorney, Center for Constitutional Rights

Schedule

Friday, October 26

10:45am
Room 302

Legislative and Executive Authority when Congress & the President Disagree on Matters that May Affect Foreign Affairs: *Clinton v Zivotofsky*

In granting a petition for certiorari in Clinton v Zivotofsky, which the lower courts had dismissed on political question grounds, the Supreme Court directed the parties to also address the question whether a statute that required the Consul to enter Israel as the country of birth on the passport and the Consular Report of Birth Abroad of children of U.S. citizens born in Jerusalem, if the parents so requested, "impermissibly infringes on the President's power to recognize foreign sovereigns." The Court decided 8 to 1 that the action was not barred by the political question doctrine, but did not decide whether the statute was a constitutional exercise of Congressional power, the question it had specifically directed the parties to address. This panel will explore that question.

Panelists:

- **William S. Dodge**, Associate Academic Dean for Research and Professor of Law, University of California, Hastings College of the Law; former Counselor on International Law, U.S. Department of State, Office of the Legal Adviser
- **Malvina Halberstam,** Professor of Law, Benjamin N. Cardozo School of Law; former Counselor on International Law, U.S. Department of State, Office of the Legal Adviser; Member, ABILA Executive Committee
- **Nathan Lewin**, Partner, Lewin & Lewin, LLP, Washington, D.C.; attorney for Menachem Zivotofsky
- **Paul B. Stephan**, John C. Jeffries, Jr., Distinguished Professor of Law; David H. Ibbeken '71 Research Professor; Director, Graduate Studies Program, University of Virginia School of Law; former Counselor on International Law, U.S. Department of State, Office of the Legal Adviser

---

10:45am
Room 430 B/C

Roundtable on Climate Geoengineering

Climate change geoengineering, defined by the U.S. National Academy of Sciences as "options that would involve large-scale engineering of our environment in order to combat or counteract the effects of changes in atmospheric chemistry," has gained currency in recent years due to the extremely tepid response of the international community to climate change in recent years. The purpose of this roundtable will be to discuss legal issues associated with climate geoengineering research and development and potential deployment, including ethical issues, governance issues, and the contours of a potential framework for liability for potential negative impacts.

Moderator:

- **Andrew Strauss**, Associate Dean for Faculty Research and Development & Professor of Law, Widener University School of Law

Panelists:

- **Wil Burns**, Associate Director & Professor, Energy Policy & Climate program, Johns Hopkins University; Member, Legal Principles Relating to Climate Change Committee, International Law Association
- **Scott Barrett**, Lenfest-Earth Institute Professor of Natural Resource Economics, School of International & Public Affairs, Columbia University
- **Dale Jamieson**, Director of Environmental Studies, New York University

Schedule

Friday, October 26

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.*
1:15pm *McNally Amphitheatre*	**Tribute to Charles Siegal, President of ABILA (2004-2008)**
1:15pm *McNally Amphitheatre*	**Keynote Address:** **Theodor Meron, President, International Criminal Tribunal for the former Yugoslavia** *"From Ad Hoc Tribunals to the Residual Mechanism: A New Model of International Criminal Tribunals"* *Open to all ILW attendees.* Professor Theodor Meron currently serves as president of the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague, as well as the presiding judge of the Appeals Chambers of the International Criminal Tribunal for Rwanda and the ICTY, and head of the International Residual Mechanism for Criminal Tribunals. Professor Meron is world-famous both for his judicial work, and an extraordinary corpus of scholarly work on the modern history of the laws of war and humanitarian law, including *Human Rights in Internal Strife: Their International Protection* (1987); *Human Rights and Humanitarian Norms as Customary Law* (1989); *Henry's Wars and Shakespeare's Laws* (1993); *Bloody Constraint: War and Chivalry in Shakespeare (*1998); *War Crimes Law Comes of Age: Essays* (1998); *International Law In the Age of Human Rights* (2004); *The Humanization of International Law* (2006); and *The Making of International Justice: A View from the Bench* (2011).

Schedule

Friday, October 26

3:00pm
McNally Amphitheatre

Lawyers and China's Future

This panel will feature the blind, self-taught Chinese legal activist Chen Guangcheng in conversation with a leading U.S. expert about the challenges and possibilities facing the legal profession in China. Topics will include: the current status of the rule of law in China; persecution of legal advocates; prospects for legal education; access to legal services; the implication of the upcoming leadership change; and the role and responsibilities of foreign firms and law schools.

Panelists:

- **Chen Guangcheng**, Legal Activist and Law Student, New York University School of Law
- **Ira Belkin**, Executive Director, US Asia Institute, New York University School of Law

---

3:00pm
Room 203

International Investment Law and Dispute Settlement Part I: Educating Lawyers in Law Schools, Firms and at the Bar

The last decade shows an acceleration of economic globalization and an increase in the number of bilateral and multilateral investment agreements. As a consequence, foreign direct investment disputes increasingly come into public view and reflect the competing economic and public interests of multinational enterprises and host governments that can significantly impact the costs, risks, benefits and legal obligations of all involved parties. This panel of eminent academic and practicing international business and arbitration lawyers will share their views on the education and training needs of 21st century investment lawyers and arbitrators.

Moderators:

- **Norman Gregory Young**, Professor of Law for International Business, California State Polytechnic University College of Business
- **Roberto Aguirre Luzi**, Partner, King & Spalding; Co-Chair, Bilateral Investment Treaty and Development Committee, ABILA

Panelists:

- **Lawrence Newman**, Of Counsel, Baker & McKenzie LLP; Chair, International Judicial Integrity Committee, ABILA
- **Mark E. Wojcik**, Professor, The John Marshall Law School; Chair, Teaching of International Law Committee, ABILA
- **Liyan Yang**, Professor of International Economic Law, GuangXi Normal University School of Law (Guilin, China); Adjunct Professor of Law, South West University of Politics and Law (Chongqing, China)

Discussants:

- **Meg Kinnear**, ICSID Secretary-General, World Bank
- **Andrea Bjorklund**, Professor of Law, University of California, Davis School of Law; Visiting Professor of Law, McGill University School of Law; Director of Studies, ABILA; Member, ABILA Executive Committee

Schedule

Friday, October 26

3:00pm
Room 204

The Global Fight Against Sex Trafficking: Finding Synergies Between NGOs, the Private Bar, and Corporate Law Departments in Responding to the Crisis

This panel will examine recent developments in responding to the global sex trafficking crisis. Panelists will discuss recent legislative developments and efforts to coordinate the work of international institutions and NGOs, as well as examine the critical need for more effective leveraging of those efforts through law firm pro bono programs.

Chair:

- **Lauren Hersh**, New York Office Director, Equality Now

Panelists:

- **Dorchen Leidholdt**, Adjunct Professor at Columbia University School of Law, Director of the Center for Battered Women's Legal Services at Sanctuary for Families; Co-Founder of the Coalition Against Trafficking in Women
- **Jessica Benson**, Senior Corporate Counsel, Pfizer
- **William Silverman**, Shareholder, Greenberg Traurig, LLP
- **Sarah Cave**, Partner, Hughes Hubbard & Reed LLP

3:00pm
Room 302

European Union--Progress, Set-backs and Crises

The EU had an eventful year in 2011. Its Member States and institutions have successfully implemented the important changes produced by the 2009 Lisbon Treaty. However, the crises in the Euro-zone has caused serious strains that are still not fully overcome. Meanwhile, the impact of the Charter of Fundamental Rights and citizenship of the Union have proved highly beneficial. The EU has also had to confront global foreign policy concerns.

Panelists:

- **Elizabeth F. Defeis**, Professor of Law, Seton Hall Law School
- **Roger Goebel**, Professor of Law; Director of the Fordham Center on European Union Law
- **Hugo Kaufmann**, Director, European Union Studies Center, CUNY Graduate Center
- **Peter L. Lindseth**, Olimpiad S. Ioffe Professor of International and Comparative Law and the Director of International Programs, University of Connecticut School of Law
- **Roland Tricot**, Legal Advisor, European Union Delegation to the United Nations

Schedule

Friday, October 26

3:00pm
Room 430B/C

The 1982 Manila Declaration on the Peaceful Settlement of International Disputes and Modern Day Disputes: Applicability and Relevance

The Manila Declaration on the Peaceful Settlement of International Disputes, adopted by the UN General Assembly on 15 November 1982, is the first important instrument of the work of the Special Committee on the Charter and the Strengthening of the Role of the Organization. The Declaration consolidates the legal framework of and develops a comprehensive plan for the peaceful settlement of international disputes. It builds upon and promotes general international law, the Charter, particularly Article 33, and other instruments. Thirty years after adoption of the Declaration, the global geopolitical landscape may have changed yet challenges to international peace and security brought about by continuing and new disputes remain. To commemorate the 30th anniversary of the adoption of the Declaration, and in the context of the overarching theme of 67th session of the UN General Assembly of "bringing about adjustment or settlement of international disputes or situations by peaceful means," the Permanent Mission of the Philippines to the United Nations, in cooperation with the ABILA, is organizing a panel discussion to review the Manila Declaration's applicability and continued relevance.

Panelists:

- **Lamiaa Mekheimar**, Ambassador and Legal Adviser, Ministry of Foreign Affairs, Arab Republic of Egypt (Invited)
- **Arturo A. Dager Gomez**, Ambassador and Legal Adviser, Ministry of Foreign Affairs, Mexico (Invited)
- **Irene Susan Natividad**, Assistant Secretary for Legal Affairs, Department of Foreign Affairs, Republic of the Philippines (Invited)
- **Ion Galea,** Director General for Legal Affairs, Ministry of Foreign Affairs, Romania (Invited)

3:00pm
Room 303

Maritime Delimitation – A 30-Year Perspective Since the 1982 Law of the Sea Convention

The delimitation of the maritime zones between states the coasts of are opposite or adjacent to each other has been a major contentious issue of the law of the sea. During the 1973-82 UN Conference on the Law of the Sea, the issue (median line v. equitable principles) was hotly debated but no consensus was reached. A compromise wording of "constructive ambiguity" was adopted in Articles 74 and 83 of UNCLOS. In the past 30 years, in cases decided by the ICJ, arbitral tribunals and, recently, ITLOS, the applicable law was clarified. The panel will review this process of evolution and evaluate the outcome.

Chair:

- **Andrew Jacovides**, former Ambassador of Cyprus to the United States; arbitrator and author

Panelists:

- **Vladimir Jares**, Principal Legal Officer, Division for Ocean Affairs and the Law of the Sea, United Nations Secretariat
- **David A. Colson**, Counsel, Patton Boggs LLP
- **Rob van de Poll**, International Manager Law of the Sea, Fugro N.V.

Schedule

Friday, October 26

4:45pm
McNally Amphitheatre

Guantanamo Military Commissions and the Future of International Criminal Law

The United States' continued use of military commissions has important implications not only for the future of U.S. counter-terrorism policy, but also more broadly for the development of international criminal law. Who may be prosecuted for war crimes? To what extent can security concerns limit procedural safeguards? What are the consequences of invoking international norms to create a specialized forum for the prosecution of terrorism suspects? This panel will explore these and other questions.

Moderator:

- **Karen Greenberg**, Director, Center on National Security, Fordham University School of Law

Panelists:

- **Sarah Cleveland**, Louis Henkin Professor in Human and Constitutional Rights, Columbia Law School
- **Jonathan Hafetz**, Associate Professor of Law, Seton Hall University School of Law
- **Samuel T. Morison**, Appellate Defense Counsel, Office of the Chief Defense Counsel, U.S. Department of Defense
- **Gabor Rona**, International Legal Director, Human Rights First

4:45pm
Room 203

International Investment Law and Dispute Settlement Part II: A Conversation with Meg Kinnear, Secretary-General of ICSID

A timely conversation with Secretary-General Meg Kinnear on the increasing involvement and future of International Centre for the Settlement of Investment Disputes (ICSID) in Investor-State dispute settlement, and on the education of lawyers and arbitrators who use its facilities.

Introduction:

- **Ruth Wedgwood**, Edward B. Burling Professor of International Law and Diplomacy, Johns Hopkins University; President, ABILA; Member, International Commercial Arbitration Committee, International Law Association

Panelists:

- **Meg Kinnear**, ICSID Secretary-General, World Bank
- **Andrea Bjorklund**, Professor of Law, University of California, Davis School of Law; Visiting Professor of Law, McGill University School of Law; Director of Studies, ABILA; Member, ABILA Executive Committee

Schedule

Friday, October 26

4:45pm
Room 204

Taming Globalization: U.S. Foreign Affairs Law and the Next Administration

In their 2012 book "Taming Globalization," law professors Julian Ku and John Yoo laid out a vision for how the U.S. Constitution should be interpreted in light of the pressures created by the movement toward greater global cooperation and governance. They argue that while the U.S. may need to accept greater international cooperation and deeper global integration, such processes should respect U.S. constitutional commitments to popular sovereignty, separation of powers, and federalism. This panel will evaluate this argument in light of some of the some of the challenges faced by the next U.S. administration (whether Democratic or Republican) in the treatment of treaties, customary law, and international organizations in the near future.

Chair:

- **Julian Ku**, Professor of Law and Faculty Director of International Programs, Maurice A. Deane School of Law at Hofstra University

Panelists:

- **Jamil Jaffer**, Counsel, House of Representative Committee on Intelligence
- **Duncan Hollis**, Associate Dean for Academic Affairs and Professor of Law, Temple University Beasley School of Law
- **Deborah Pearlstein**, Assistant Professor of Law, Benjamin N. Cardozo School of Law at Yeshiva University

4:45pm
Room 302

Foreign State Immunity in National Courts as Required by International Law

This panel will explore the contentious doctrine of immunity in national courts for foreign states and foreign governmental officials as required by international law, by focusing on two recent I.C.J. cases: D. R. Congo v. Belgium (2002) and Germany v. Italy (2012) both of which produced vigorous dissenting opinions. The panel will address the underlying doctrines as well as the practical implications.

Panelists:

- **John Cerone**, Professor of Law, Director of the Center for International Law and Policy, New England School of Law; Member, International Human Rights Law Committee, International Law Association
- **Anthony Colangelo**, Assistant Professor of Law, Southern Methodist University, Dedman School of Law
- **Valerie Epps**, Professor of Law, Suffolk University Law School; Vice-President, ABILA
- **Brad Roth**, Professor of Law, Wayne State University; Member, Recognition/Non-recognition in International Law Committee, International Law Association

Schedule

Friday, October 26

4:45pm
Room 430 B/C

Recent Developments in International Family Law

Five distinguished experts will review significant developments in the rapidly developing field of internationally family law, including international abduction, adoption, surrogacy, protection of children and adults, and recovery of maintenance and child support. The Hague Conference on Private International Law continues to be a primary focal point for these topics, but the panel will also address developments in the European Union and the Organization of American States as well as questions of domestic implementation of family law conventions in the United States. The panel will include experts from the Hague Conference and the State Department; the perspectives of private practitioners and academics will also be represented.

Moderator:

- **David P. Stewart**, Professor of Law, Georgetown University Law Center; Vice-President, ABILA; Co-Chair, Commercial Dispute Resolution Committee, ABILA; Member, International Protection of Consumers Committee, International Law Association

Panelists:

- **Linda Silberman**, Professor of Law, New York University School of Law, Member, International Civil Litigation & the Interests of the Public Committee, International Law Association
- **Barbara Stark**, Professor of Law and Hofstra Research Fellow, Hofstra University School of Law; Chair, International Family Law Committee, International Law Association
- **Louise Ellen Teitz**, Professor of Law, Roger Williams Law School; First Secretary, Hague Conference on Private International Law; Member, ABILA Executive Committee; Co-Chair, Commercial Dispute Resolution Committee, ABILA; Member, International Commercial Arbitration Committee, International Law Association; Member, International Protection of Consumers Committee, International Law Association
- **Michael Coffee**, Office of the Legal Adviser, U.S. Department of State
- **Melissa A. Kucinski**, Associate, Bulman, Dunie, Burke & Feld

4:45pm
Room 303

Maritime Law and Piracy

Panel will appraise current international law, policies, and strategies designed to curtail maritime piracy incidents. This will be an international panel with speakers from the United States, Europe and Asia. Panelists have jointly authored a book to be published this summer by Pedone (France) and Hart (UK/US): Maritime Piracy in Comparative Perspective: Problems, Strategies, Law.

Panelists:

- **James Kraska**, Levie Chair in Operational Law, U.S. Naval War College; Chair, Use of Force Committee, ABILA
- **Cedric Leboeuf**, Research Fellow, Centre de Droit Maritime et Océanique, Université de Nantes, France
- **Charles Norchi**, Professor of Law, University of Maine School of Law
- **Gwenaelle Proutiere-Maulion**, Director, Centre de Droit Maritime et Océanique, Université de Nantes, France

Schedule

Friday, October 26

6:30pm

Reception at the Permanent Mission of New Zealand to the United Nations
600 Third Ave., 14th 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 New Zealand to the United Nations. The ABILA registration fee will be applied to cover other costs of the International Law Weekend, such as the City Bar reception and registration staff costs. The support of the Permanent Mission of New Zealand to the International Law Weekend is greatly appreciated.

Schedule

Saturday, October 27

9:00am
Room 303

ABILA Director of Studies Meeting with ABILA Academic Chairs

9:00am
McNally Amphitheatre

Anticipatory Self-Defense: The Israeli-Iranian Crisis

This panel will explore the background and history of anticipatory self-defense, its distinctions from pre-emption, and explore the legal principle from two varying perspectives. Does Israel have the legal authority to strike Iran? What are the limits of such authority and at what point does such authority cease to exist? Does acceptance of such authority have any impacts on the international community? The assembled distinguished panel will examine the doctrine, debate, and offer perspectives on the immediate crisis with a presidential election looming.

Chair:

- **Captain Glenn M. Sulmasy**, Chairman, Department of Humanities and Professor of Law, U.S. Coast Guard Academy

Panelists:

- **Major General Charles J. Dunlap**, U.S. Air Force (ret), Executive Director, Center on Law, Ethics, and National Security and Professor of the Practice of Law , Duke University
- **Jeremy Rabkin**, Professor of Law, George Mason School of Law
- **Lori F. Damrosch**, Henry L. Moses Professor of Law and International Organization and Hamilton Fish Professor of International Law and Diplomacy, Columbia Law School; Co-Editor-in-Chief, *American Journal of International Law*

9:00am
Room 203

The Alien Tort Statute and the Future of Transnational Litigation

From the Alien Tort Statute, to the enforcement of foreign judgments, to the application of U.S. federal and state law to extraterritorial activities, to questions related to international arbitration, U.S. courts are being thrust into interpreting transnational legal questions. This panel brings together leading practitioners and academics to discuss the current state of affairs and explore what the future may bring.

Panelists:

- **John B. Bellinger III**, Partner, International Practice Group, Arnold & Porter; former Legal Adviser of the U.S. Department of State
- **Trey Childress**, Associate Professor of Law, Pepperdine University School of Law; Visiting Associate Professor of Law, Washington & Lee University School of Law
- **Tara Lee**, Co-chair, Transnational Litigation Practice Group, DLA Piper
- **Andrea Neuman**, Co-chair, Transnational Litigation and Foreign Judgments Practice Group, Gibson Dunn & Crutcher LLP

Schedule

Saturday, October 27

9:00am
Room 204

Perspectives on Crimes of Sexual Violence in International Law

The panel brings together a range of perspectives on the adjudication of sex crimes in international law. The panel analyzes major trends and offers assessments of current statutes, precedents and procedures at the major criminal tribunals, including those for the former Yugoslavia, Rwanda and in Cambodia and The Hague. Speakers will also address the incorporation of international norms into domestic law, as well as the difficulty of balancing the interests of the victim with maintaining the presumption of the defendant's innocence.

Panelists:

- **Peggy Kuo**, Former Prosecutor, International Criminal Tribunal for the former Yugoslavia
- **Caleb J. Fountain**, Law Student, New York University School of Law
- **Susana SáCouto**, Professorial Lecturer-in-Residence and Director of the War Crimes Research Office, American University Washington College of Law
- **Daniel McLaughlin**, Crowley Fellow in International Human Rights and Adjunct Professor, Fordham University School of Law
- **Jennifer M. Green**, Associate Professor of Law, University of Minnesota Law School

9:00am
Room 205

The International Climate Change Regime and Africa

Climate change is predicted to have significant effects on the African continent; indeed, several impacts have already been reported. The extent to which African interests have been adequately represented and reflected in the international negotiations on climate change is less clear. This panel will explore the role and influence of Africa in the international climate change negotiations, as well as the degree to which the instruments agreed have succeeded in promoting African climate change adaptation and mitigation. The panel will close with recommendations for making the international deliberations, instruments and procedures work better for Africa.

Moderator:

- **Paolo Galizzi**, Clinical Professor of Law, Leitner Center for International Law and Justice, Fordham University School of Law

Panelists:

- **Kofi E. Abotsi**, Senior Lecturer, GIMPA Law School
- **Cassie Flynn**, Climate Change Policy Analyst, United Nations Development Programme
- **Thoko Kaime**, Lecturer in Law & Deputy Director, Environment Regulatory Research Group, University of Surrey

Schedule

Saturday, October 27

9:00am
Room 302

Law in the Time of Cholera: Haiti's Epidemic, the UN and the Responsibilities of International Organizations

Haiti is suffering from a cholera epidemic that has been attributed to waste management practices on a United Nations peacekeeper base. The epidemic is now the worst single country cholera epidemic in modern history. Haiti's cholera epidemic and the UN response to it is an excellent touchstone to explore the UN's responsibility to provide a fair forum for personal injury claims arising out of peacekeeping operations. The panel will explore UN liability for the Haiti cholera epidemic in the context of the UN Status of Forces Agreement's immunity provisions and of the developing law on accountability of international organizations. Panelists include experts who were on the ground in Haiti and responded to the outbreak, international legal experts, and lawyers who filed a groundbreaking case on behalf of 5,000 victims of cholera seeking compensation from the UN.

Panelists:

- **Mario Joseph**, Managing Attorney, Bureau des Avocats Internationaux (Port-au-Prince, Haiti)
- **Brian Concannon, Jr.**, Director, Institute for Justice & Democracy in Haiti
- **Jonathan M. Katz**, Former Associated Press Haiti Correspondent, Author of forthcoming book *The Big Truck That Went By: How the World Came to Save Haiti and Left Behind a Disaster*
- **Rishi Rattan**, Chair, Advocacy Sub-Committee, Physicians for Haiti
- **José Alvarez**, Herbert and Rose Rubin Professor of International Law at New York University School of Law

9:00am
Room 311

Rule of Law and Development: Why Nations Fail and What We Can Do About It

Billions of dollars over decades have been spent on the assumption that good governance is essential for the welfare of nations, and that the rule of law is essential for good governance. But the problems are not only poorly written laws; rather, the systems that produce the laws need to change. This panel will assess the role of lawyers in changing the institutions that produce poverty into those that produce prosperity, including best practices, challenges, and unintended consequences and the implications for United States foreign policy and development programming.

Panelists:

- **Wade Channell**, Senior Legal Reform Advisor, United States Agency for International Development
- **Lara Goldmark**, Technical Area Manager, Economic Policy, DAI
- **Norman L. Greene**, Partner, Schoeman, Updike & Kaufman, LLP; Co-Chair, Bilateral Investment Treaty and Development Committee, ABILA
- **Terra Lawson-Remer**, Assistant Professor of International Affairs, The New School; Fellow for Civil Society, Markets and Democracy, Council on Foreign Relations
- **Eugenia McGill**, Lecturer, School of International and Public Affairs, Columbia University

Schedule

Saturday, October 27

9:30am
Room 430 B/C

ILSA Board of Directors Meeting

10:45am
McNally Amphitheatre

The Future of the Ad Hoc International Criminal Tribunal Option

In this roundtable discussion, leading government and academic experts will discuss the future of ad hoc international criminal tribunals, focusing on the possibility of creating specialized international, hybrid, or regional tribunals for piracy, terrorism, cyber-attacks, and other cases outside the jurisdiction of the International Criminal Court.

Moderator:

- **Milena Sterio**, Associate Professor of Law, Cleveland State University Marshall College of Law

Panelists:

- **Duncan Gaswaga,** Judge, Seychelles Supreme Court
- **Stephen Rapp**, U.S. Ambassador at Large for War Crimes Issues; former Chief Prosecutor, Special Court for Sierra Leone
- **Sandy Hodgkinson**, former Assistant Secretary of Defense
- **Michael Scharf**, Professor of Law & Associate Dean for Global Legal Studies, Case Western Reserve University School of Law; Member, ABILA Executive Committee

---

10:45am
Room 203

Tax Havens and Tax Justice: Offshore Banking, Transfer Pricing, and Public Policy

This panel will examine the issue of "tax planning" and international "tax havens" - namely, whether the current rules on the attribution of corporate income to offshore tax venues with highly favorable tax rates serves or disserves the public interest and the fair allotment of the tax burdens of a democracy. This issue was the subject of a recent Sundance film called "We're Not Broke." In addition, the panel will discuss the challenges in tracing the fortunes of corrupt dictators who have looted their countries, even after they are deposed from power.

Panelist:

- **James S. Henry**, Managing Director, Sag Harbor Group, Inc.; Global Board Member, Tax Justice Network; former Chief Economist, McKinsey & Company

Schedule

Saturday, October 27

10:45am
Room 204

Integrity in International Sport: Current Challenges and Legal Responses

This panel will examine the problem of corruption in international sport, including match fixing and bribery in relation to major sports events. Examples will include the London 2012 Summer Olympic Games, the FIFA World Cup, and professional tennis. Panelists will present case law from the Court of Arbitration for Sport and other tribunals, and share insights into how international sports organizations are approaching the challenges presented.

Chair:

- **Ank Santens**, Partner, White & Case LLP

Panelists:

- **Richard McLaren**, Attorney, McKenzie Lake Lawyers; Professor, University of Western Ontario; CAS Arbitrator; Vice Chair, Sports Law Institute, Marquette University
- **Ferran Esayola i Marangues**, Partner, Garrigues
- **Antonio Rigozzi**, Partner, Lévy Kaufmann-Kohler; Professor, University of Neuchâtel

10:45am
Room 205

International Aspects and Comparative Perspectives of Intellectual Property Rights Enforcement

The panel will address current initiatives, at the international level, to increase the existing international standards of enforcement of Intellectual Property Rights (IPR). It will discuss the evolution of the global debate on IPR enforcement from the TRIPS Agreement to ACTA, as well as the influence of regional agreements for the development of multilateral rules; analyze the multiplication of international organizations dealing with IPR enforcement, the increasing use of networks of government officials to advance new rules and how it has changed the dynamics at the multilateral level; promote a debate on the different perspectives of developing and developed countries on the issue; and assess the challenges to be addressed. This panel brings together senior experts from the government, international organizations, private sector and academia.

Panelists:

- **Flávio Campestrin Bettarello**, Head of Trade Policy, Intellectual Property, Services, Transportation and Trilateral Cooperation, Embassy of Brazil
- **Ahmed Abdel Latif**, Senior Programme Manager for Innovation, Technology and Intellectual Property, International Centre for Trade and Sustainable Development
- **Valéria Guimarães de Lima e Silva**, Global Research Fellow, Hauser Global Law School Program, New York University
- **Alan Blum**, Partner, Moses & Singer LLP

Commentator:

- **Bernard Colas**, Partner, Colas Moreira Kazandjian Zikovsky

Schedule

Saturday, October 27

10:45am
Room 302

Emerging International Decision-Making: the Role of the International Law Commission and Other Forums for Legal Consensus Building

Arnold Pronto will provide a UN perspective on contemporary challenges to the international law-making efforts of the International Law Commission, the search for relevance in a time of legal complexity. Next, Mark Janis will offer an overview of the treaty-making process in the development of international law and the contributions of the ILC. Then Elizabeth Burleson will provide a comparative assessment of ILC natural resource codification and the climate negotiations. Noting that the ILC has helped bridge the governance gap among international legal processes. These short presentations will be followed by a broad discussion with the audience on inclusive, effective international decision-making.

Panelists:

- **Arnold Pronto**, Senior Legal Officer in the Codification Division of the Office of Legal Affairs of the United Nations; Member, Secretariat of the International Law Commission
- **Elizabeth Burleson,** Associate Professor of Law, Pace Law School; Member, Legal Principles relating to Climate Change Committee, International Law Association
- **Mark Weston Janis**, William F. Starr Professor of Law, University of Connecticut School of Law

10:45am
Room 311

Towards a Culture of Accountability: A New Dawn for Egypt

Governmental corruption and absence of rule of law were main factors that led to the January 25th revolution in Egypt. This panel focuses on both conventional corruption and unconventional corruption, and methods for combating them. The panel will also explain methods of fighting corruption from the perspective of Islamic law. Additionally, the panel will highlight the trend of respecting rule of law after the revolution and the obstacles that stand in the way of establishing a full rule of law.

Panelists:

- **Mohamed A. 'Arafa**, Assistant Professor of Criminal Law and Criminal Justice, Alexandria University School of Law; Adjunct Professor of Islamic Law and Ph.D. Candidate, Indiana University Robert H. McKinney School of Law
- **Ahmad E. Eldakak**, Assistant Professor of Law , Alexandria University School of Law ; J.S.D. Candidate at Washington University in St. Louis.
- **M. Patrick Yingling**, Law Clerk to Judge D. Michael Fisher, United States Court of Appeals for the Third Circuit; Associate at Reed Smith, LLP

Schedule

Saturday, October 27

12:30pm
McNally Amphitheatre

Pathways to International Law Employment

A unique forum that brings law students and new lawyers together with experienced practitioners to explore opportunities for employment 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:

- **Beth S. Lyons**, Defense Counsel at the International Criminal Tribunal for Rwanda
- **Carlos Ramos-Mrosovsky**, Associate, Freshfields Bruckhaus Deringer US LLP
- **Matthew Kalinowski**, Associate, Morgan, Lewis & Bockius LLP

12:30pm
Room 203

The U.S. Advancing the International Criminal Court: Positive Contributions and Future Predictions for a Change in Relationship

Although the United States is not a party to the International Criminal Court's Rome Statute, it can still play a positive role in contributing to the ICC's work and constructively engaging with the Court. The panel will explore the work that the U.S. is currently doing related to the ICC, as well as potential for additional involvement within the limitations currently prescribed by Congress. The panel will also explore the possibility of the U.S. in the future becoming a party to the Rome Statute.

Moderator:

- **Jennifer Trahan**, Associate Clinical Professor of Global Affairs, New York University; Chair, International Criminal Court Committee, ABILA

Panelists:

- **Tiina Intelmann**, President, Assembly of States Parties to the Rome Statute
- **Stephen J. Rapp**, Ambassador-at-Large, Office of Global Criminal Justice, U.S. Department of State
- **William K. Lietzau**, Deputy Assistant Secretary of Defense for Rule of Law and Detainee Policy, U.S. Department of Defense
- **John Washburn**, Convener, American Non-Governmental Organizations Coalition for the International Criminal Court

Schedule

Saturday, October 27

12:30pm
Room 204

The Evolving Role of the Public - Past, Present and Future - In the Development of International Environmental Law

The public is increasingly involved with shaping the development and implementation of international environmental law and policy - for example, in international conferences, meetings within the framework of multi-lateral environmental agreements, and judicial and quasi-judicial proceedings. This panel will examine the nature and impact of the role of individuals, NGOs, groups, and other sub-national actors, with a focus on how access to information, public participation in decision-making, and access to justice are protecting individual and collective rights and interests.

Panelists:

- **Marie Soveroski**, Managing Director, EarthRights International
- **Myanna Dellinger**, Assistant Professor of Law, Western State University College of Law
- **Elisa Ruozzi**, Researcher in International Law, University of Turin
- **Marilyn Averill**, Doctoral Student, University of Colorado Boulder

---

12:30pm
Room 205

Bribery Prosecutions for Profit? Policy and Practical Implications

Commenting on the increase in Foreign Corrupt Practices Act (FCPA) enforcement, the U.S. Department of Justice's former Assistant Chief of FCPA enforcement stated, "[t]he government sees a profitable program, and it's going to ride that horse until it can't ride it anymore." Over the past six years, FCPA enforcement has generated significant revenue for the federal government. The UK Bribery Act, drafted to be more draconian than the FCPA, will start extracting its unlimited fines this year. Our experts will analyze and critique various national enforcement policies.

Chair:

- **Bruce W. Bean**, Lecturer of Global Corporate Law, Michigan State University Law School; Member, ABILA

Panelists:

- **Michael Koehler**, Assistant Professor, Southern Illinois School of Law
- **Richard Alderman,** Former Director, United Kingdom Serious Fraud Office
- **Michael J. Madigan,** Senior Counsel, Orrick, Herrington & Sutcliffe LLP
- **Kathleen Harris**, Partner, Arnold & Porter LLP
- **Daniel C. K. Chow**, Joseph S. Platt-Porter Wright Morris & Arthur Professor of Law, Moritz College of Law, Ohio State University

Schedule

Saturday, October 27

12:30pm
Room 302

International Organizations and the Use of Armed Force

This panel explores the role of international organizations in the context of evolving norms of international security and the use of armed force. Specifically, this panel will analyze the R2P doctrine, as evidenced by the intervention in Libya and self-defense doctrine as evidenced by interventions in Pakistan, Yemen, Somalia and other states. What role do international organizations (IOs) and regional organizations (ROs) play in legitimizing these actions? When ROs with overlapping authority differ as to the propriety of a military intervention, which organization's opinion should trump? Do variables such as membership, respect for human rights, resources, and internal governance matter for assessing the value of a ROs blessing? The panel will address head-on whether the support or opposition of a regional organization should matter when judging the legitimacy of the use of armed force.

Moderator:

- **Vincent J. Vitkowsky**, Partner, Edwards Wildman Palmer LLP; Member, ABILA Executive Committee

Panelists:

- **Gregory S. McNeal**, Associate Professor of Law, Pepperdine University School of Law
- **Jordan Paust**, Mike and Teresa Baker Law Center Professor, University of Houston Law Center
- **Kristin Chapman**, Legislative Assistant, U.S. House of Representatives

12:30pm
Room 311

Countering Incitement of Terrorism Through the Internet While Respecting Human Rights

This panel will explore the tensions between countering the incitement of terrorism through the internet while preserving freedom of expression. It will examine how different States and private actors have tried to overcome the legal and technical hurdles involved in regulating speech amounting to incitement of terrorism over the internet, with a view to identifying best practices in this regard.

Moderators:

- **Edward J. Flynn**, Senior Human Rights Officer, United Nations Counter-Terrorism Committee Executive Directorate

Panelists:

- **Frank La Rue**, United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
- **Evan Kohlmann**, terrorism investigator, analyst, expert witness, media commentator and author
- **Brian Wilson**, Legal Expert, Analytical Support and Sanctions Monitoring Team, United Nations Al-Qaida Sanctions Committee

Schedule

Saturday, October 27

12:30pm *Room 312*	**ABILA Executive Committee Meeting**
2:15pm – 3:15pm *Room 311*	**ILSA Congress, Meeting of ILSA Members** *All ILSA members are asked to attend the ILSA Congress, the bi-annual meeting of ILSA Chapters. At the Congress, ILSA members will meet the 2012-2013 Student Officers, discuss the year's activities, and plan for the future of the organization.*
2:15pm – 4:15pm *Room 312*	**ABILA Members Meeting**

Schedule

Saturday, October 27

3:30pm
McNally Amphitheatre

Careers in International Human Rights, International Rule of Law Part I

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

Moderator:

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

Panelists:

- **Faiza Patel**, Co-Director, Liberty and National Security Program, Brennan Center for Justice; Chair, UN Working Group on Mercenaries
- **Joanne Mariner**, Distinguished Lecturer and Rita Hauser Director of Hunter College's Human Rights Program, Hunter College; formerly Director, Terrorism and Counterterrorism Program, Human Rights Watch
- **Jeffrey K. Walker**, Assistant Dean for Transnational Programs, St. Johns University School of Law; formerly Founding Partner, BlueLaw International LLP

3:30pm
Room 203

Careers in International Arbitration Part I

Arbitration is an alternative to litigation by which parties contractually agree to have their dispute resolved by privately paid arbitrators rather than courts. For disputes that are transnational in character, the advantages of arbitration include confidentiality, the arbitrators' familiarity with treaties and with the substantive law of more than one national legal system, and the amenability of some arbitrators to incorporate aspects of more than one national procedural law in conducting the arbitral proceedings. The panel includes lawyers who have served as arbitrators, represented private parties in international commercial litigation, represented the U.S. government in investment arbitrations, and scholars who have written extensively about the pros and cons of current arbitration regimes and their future. Among the topics to be discussed include how one prepares for a career in international arbitration, the differences among different kinds of arbitration proceedings, and the economic future of arbitration as an alternative to litigation, mediation, and other forms of international dispute resolution.

This panel is dedicated to the memory of Charles Siegal, past President of the American Branch of the International Law Association.

Moderator:

- **Paul R. Dubinsky**, Associate Professor of Law, Wayne State University Law School

Panelists:

- **Charles Brower**, Professor of Law, Wayne State University Law School
- **Natalie L. Reid**, Associate, Debevoise & Plimpton LLP
- **Steven Reisberg**, Partner, Willkie Farr & Gallagher LLP
- **Jennifer Thornton**, Special Counsel, Baker Botts LLP

Schedule

Saturday, October 27

3:30pm
Room 204

Teaching International Law: Principles for Framing a Survey Course

The body of international law is expanding rapidly, at the same time that law schools are striving to provide greater opportunities to study comparative and foreign law. This roundtable discussion will ask whether and how one course can introduce so many diverse topics sensibly. Should instructors of the survey course try to cover public and private international law as well as comparative and foreign law topics? What principles can we deploy to make reasonable choices? How do we ensure that students are not subject to multiple iterations of the same cases? In addition, this panel will offer practical and philosophical advice for people interested in teaching international law.

Moderator:

- **Mark R. Shulman**, Assistant Dean for Graduate Programs and International Affairs, Pace Law School

Panelists:

- **Deepa Badrinarayana**, Associate Professor, Chapman Law School
- **Anna Dolidze**, Visiting Professor, University of West Ontario
- **Karen Bravo,** Professor of Law, John S. Grimes Fellow Dean's Fellow, Associate Dean for International Affairs, Indiana University Robert H. McKinney School of Law
- **Mathias W. Reimann,** Hessel E. Yntema Professor of Law, University of Michigan Law School

3:30pm
Room 205

Islamic Finance – In Law & Practice Both Very Old and Wholly New

Islamic Finance, also called Shari'a-compliant finance, is based upon express verses in the Quran, which dates to the first half of the 7th Century. A parallel to Jewish law from Leviticus and Deuteronomy and Canon Law for Catholics, the prohibition on interest, Riba, is still a cornerstone of the Quranic economic model. But today it is also a trillion dollar industry including capital market instruments based on legal developments and innovations of the past 30 years, many the direct result of the work of these panelists.

Panelists:

- **Robert E. Michael**, Chair, Islamic Law Committee, ABILA; Chair, Subcommittee on Islamic Law of the Council on International Affairs of the New York City Bar Association; Adjunct Professor of Law, Pace University Law School; Managing Member, Robert E. Michael & Associates PLLC
- **Yusuf Talal DeLorenzo**, Independent Shariah scholar at Malfa Inc; Chairman, Shariah Supervisory Boards of The Dow Jones Islamic Market Indexes, Thomson Reuters Islamic Interbank Benchmark Rate (IIBR), Wafra Capital Partners Inc., the Kotak Mahindra Indian Shariah Fund, Oasis Asset Management SA
- **Haider Ala Hamoudi**, Associate Professor of Law, University of Pittsburgh School of Law; Co-Rapporteur, ABILA Islamic Law Committee; Non-Resident Fellow, Boston University Institute of Iraq Studies; Legal Adviser, Constitutional Review Committee of Iraqi legislature (2009-2010)
- **Michael J.T. McMillen**, Partner, Curtis, Mallet-Prevost, Colt & Mosle LLP; Lecturer-in-Law, University of Pennsylvania Law School; founder and two-time Chair of the Islamic Finance Division of the International Law Section of the American Bar Association

Schedule

Saturday, October 27

3:30pm
Room 302

Outlawing Nuclear Weapons: Time for a New International Treaty?

International community has outlawed certain means and methods of warfare, including the use of chemical and biological weapons. However, there is no specific international treaty banning the use of nuclear weapons yet—largely due to the resistance of the nuclear weapon states. What are the proposals and options available for a new treaty prohibiting the use of nuclear weapons? How can we move forward on such a new treaty?

Moderator:

- **John H. Kim**, Co-Chair, Arms Control and Disarmament Committee, ABILA

Panelists:

- **David Krieger**, Founder and President, Nuclear Age Peace Foundation; Author, *The Path to Zero: Dialogues on Nuclear Dangers* (with Richard Falk, 2012)
- **Douglas Roche,** Founding Chair, Middle Powers Initiative; Former Chair, UN General Assembly's Disarmament Committee; Former Canadian Senator and Ambassador for Disarmament; Author, *How We Stopped Loving the Bomb* (2011)
- **Randy Rydell**, Senior Political Affairs Officer, Office of the High Representative for Disarmament Affairs, United Nations Office for Disarmament Affairs

5:15pm
McNally Amphitheatre

Careers in International Human Rights, 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.

Schedule

Saturday, October 27

5:15pm
Room 203

Careers in International Arbitration 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

Metatheory of International Law
Although various academics have proposed jurisprudential theories of international law from time to time, it is not clear what criteria we should use to evaluate the success or coherence of such theories as a jurisprudential model. Should the theory merely provide a policy-neutral but consistent method for determining the content and application of law? Should it justify the exercise of legal authority in general? Should it justify specific legal outcomes? Should it explain and predict social behavior? This panel will explore how we classify theories of international law, the criteria for a successful theory, and the uses of different kinds of theories.

Chair:

- **Aaron Fellmeth,** Professor of Law, Arizona State University College of Law; Member, Intellectual Property and Private International Law Committee, International Law Association

Panelists:

- **Joel Trachtman**, Professor of International Law, Fletcher School of Law & Diplomacy, Tufts University; Member, International Trade Law Committee, International Law Association
- **Jacob Katz Cogan**, Professor of Law, University of Cincinnati College of Law
- **Christiana Ochoa**, Professor of Law, Indiana University (Bloomington) Maurer School of Law; Co-Chair, Feminism and International Law Committee, ABILA
- **Tai-Heng Cheng**, Partner, Quinn Emanuel Urquhart & Sullivan LLP

Commentator:

- **Thomas H. Lee**, Leitner Family Professor of Law, Fordham University School of Law

Schedule

Saturday, October 27

5:15pm
Room 205

Liability for Damage in Space: Should it Continue as a Unique Legal Regime

Several incidents in outer space over the past few years including the well-publicized Chinese ASAT event in 2007 and the Iridium accident with a defunct Russian Cosmos satellite in 2009 have highlighted the importance of the renewed attention being given to the increased risks of space activities. There are active discussions and working groups in the United Nations as well as various reviews of procedures at national levels on how to deal with these risks and minimize future problems. There is an important role for lawyers in these activities and new legal issues are emerging. They range from the inability of the current treaties on space to adequately address liability for damage (particularly for the commercial satellites that could be involved in accidents) as well as issues related to State responsibility, property rights, insurance, and security. This panel will discuss the unique legal issues of the Space Treaty Regime that was created over 40 years ago and how possible changes in the legal regime can be considered to deal with today's very different space environment. The panel will also review the status of current legal and diplomatic initiatives such as the various Codes of Conduct that are being discussed in international forums.

Chair:

- **Henry Hertzfeld**, Research Professor of Space Policy and International Affairs**,** George Washington University; Co-Chair, Space Law Committee, ABILA

Panelists:

- **Matthew Schaefer**, Law Alumni Professor of Law and Director of Space, Cyber, and Telecom Law Program, University of Nebraska College of Law
- **Timothy Nelson**, Partner, Skadden, Arps, Slate, Meagher & Flom LLP
- **Amber Charlesworth**, U.S. Department of State, Bureau of Oceans and International Environmental and Scientific Affairs

5:15pm
Room 302

Lawyering and Advocacy in Transnational Cases

How does counsel interact with a client from a different jurisdiction? And how does it interact with opposing counsel and parties when these come from other countries or cultures? Does counsel negotiate a deal differently when the parties are from the same jurisdiction than when they come from different places? How much should the case strategy change if counsel is appearing before a foreign court or an international dispute resolution body as opposed to before a domestic court? Experienced practitioners will address these and other related questions as lawyers are increasingly required to render services in the global economy.

Moderator:

- **Aníbal M. Sabater**, Partner, Fulbright & Jaworski LLP; Member, ABILA Executive Committee, ABILA; Chair Extraterritorial Jurisdiction Committee, ABILA

Panelists:

- **Beth Alford**, Senior Counsel, EOG Resources, Inc.
- **Erin Gleason Alvarez**, Director, Office of Dispute Resolution, Chartis
- **Justin R. Marlles**, Counsel –Litigation, BHP Billiton

Thank You

Organizational Leaders and Sponsors

American Bar Association Section of International Law

American Society of International Law

American University Washington College of Law

Amherst College, Department of Law, Jurisprudence & Social Thought

Association of the Bar of the City of New York, Council on International Affairs

Boston University School of Law

Brill/Martinus Nijhoff Publishers

Brooklyn Law School

Cambridge University Press

Benjamin N. Cardozo School of Law

Case Western Reserve University School of Law

Columbia Law School

Cornell Law School

Davis Polk & Wardwell LLP

Debevoise and Plimpton LLP

Editions Pedone (Paris)

Fletcher School of Law and Diplomacy, Tufts University

Fordham University School of Law

Fox Rothschild LLP

Freshfields LLP

Fulbright and Jaworski LLP

Georgetown University Law Center

George Washington University Law School

Gibson, Dunn & Crutcher LLP

Maurice A. Deane School of Law, Hofstra University

Hughes Hubbard & Reed LLP

Human Rights First

ILSA Journal of International and Comparative Law

International and Non-J.D. Programs, Fordham University School of Law

International Bar Association

Johns Hopkins University, School of Advanced International Studies

King and Spalding LLP

Leitner Center for International Law and Justice, Fordham University School of Law

New York University School of Law

Oxford University Press

Pace Law School

Pennsylvania State University, The Dickinson School of Law

Permanent Mission of New Zealand to the United Nations

Permanent Mission of the Philippines to the United Nations

Princeton University, James Madison Program in American Ideals and Institutions

Princeton University, Program in Law and Public Affairs

Quinn Emanuel Urquhart & Sullivan LLP

Quinnipiac University School of Law

Rutgers School of Law – Camden

Seton Hall University, John C. Whitehead School of Diplomacy and International Relations

St. Johns University School of Law

Taylor and Francis Group

University of Connecticut School of Law

University of Maine School of Law

University of Pennsylvania Law School

University of Virginia School of Law

White & Case LLP

Wilmer Cutler Pickering Hale and Dorr LLP

Thank You

Organizational Leaders and Sponsors

2012 ILW Organizing Committee

Steve Hammond
Hughes Hubbard & Reed LLP

Nikolai B. Krylov
Winston & Strawn LLP

Mark R. Shulman
Pace Law School

Michael Shewchuk
United Nations Office of Legal Affairs

Vivian Shen
International Law Students Association

Ruth Wedgwood
American Branch of the International Law Association

Patrons of the American Branch of the International Law Association

Charles N. Brower

David D. Caron

Edward Gordon

Cynthia Lichtenstein

Houston Putnam Lowry

John F. Murphy

James A.R. Nafziger

Ved Nanda

John E. Noyes

Charles D. Siegal (deceased)

Ruth Wedgwood

Thank You

Organizational Leaders and Sponsors

American Branch of the International Law Association (Founded 1873)

Chair, Executive Committee:	John E. Noyes		
President:	Ruth Wedgwood		
Vice Presidents:	Valerie Epps	Gary N. Horlick	
	Philip M. Moreman	Leila N. Sadat	David P. Stewart
Honorary Vice Presidents:	Charles N. Brower	James A.R. Nafziger	Edward Gordon
	Ved P. Nanda	Cecil J. Olmstead	P. Nicholas Kourides
	Luke T. Lee	Alfred P. Rubin	Cynthia Lichtenstein
	John F. Murphy	Robert B. von Mehren	
Honorary Secretary:	Houston Putnam Lowry		
Honorary Treasurer:	Anne Milano		
Executive Committee:	William Aceves	Catherine Amirfar	Kelly Dawn Askin
	Andrea K. Bjorklund	Ronald A. Brand	John Carey
	Christina M. Cerna	Paul R. Dubinsky	Valerie Epps
	Malvina Halberstam	Gary N. Horlick	Scott Horton
	Karen A. Hudes	Larry Johnson	Philip M. Moremen
	John E. Noyes	Houston Putnam Lowry	
	Aníbal Sabater	Leila N. Sadat	Michael P. Scharf
	Anne Milano	David P. Stewart	Louise E. Teitz
	Nancy Thevenin	Susan Tiefenbrun	Vincent Vitkowsky
	George K. Walker	Ruth Wedgwood	Peter K. Yu

Thank You

Organizational Leaders and Sponsors

International Law Students Association Board of Directors

Chair:	Dagmar Butte, Parker Butte & Lane
Treasurer:	Steven M. Schneebaum, Fox Rothschild LLP
Executive Director:	Lesley Benn
Student President:	Kevin Krauss, Widener University School of Law – Delaware
Student Vice President:	Christopher Hearsey, University of Mississippi School of Law
Student CCO:	Jessica Winfrey, New England Law | Boston
Board Members:	William J. Aceves, California Western School of Law
	Rusty Dalferes
	Mark Ellis, International Bar Association
	Stephanie Farrior, Vermont Law School
	Brian Havel, DePaul University College of Law
	Sandra L. Hodgkinson, Deputy Assistant Secretary of Defense for Detainee Affairs
	Jason Johns, Deputy Secretary, Wisconsin Department of Veterans Affairs
	Cynthia Lichtenstein, Boston College Law School
	Pedro M. Muñoz, Arias & Muñoz
	Louis O'Neill, White & Case
	Michael Peil, Washington University in St. Louis School of Law
	David Quayat, Lenczner Slaght
	Claire van Overdijk, No5 Chambers
	Mark E. Wojcik, The John Marshall Law School