



INTERNATIONAL LAW ASSOCIATION
AMERICAN BRANCH
EST. 1921

NEWSLETTER

Mark Your Calendars! International Law Weekend 2019

International Law Weekend 2019 will take place in New York City on **October 10-12, 2019**. This year's theme is *The Resilience of International Law*.

This exciting annual conference is a signature event of the Branch and is co-sponsored by Fordham University School of Law and the New York City Bar Association. ILW 2019 will also coincide with the 98th annual meeting of the American Branch.

Planning is well under way for some 35 presentations and panel discussions aimed at examining current critical global challenges, potential solutions, and a broad range of dynamic issues in public and private international law. The Organizing Committee, which issued its call for panel proposals earlier this month, is co-chaired by William Aceves, Margaret McGuiness, and Ashika Singh. Committee members include Pam Bookman, Amity Boye, Kathleen Clausen, Martin Flaherty, Alonso Gurmendi, Michael Marelus, Caline Mouawad, Janewa Osei-Tutu, Milena Sterio, and Isabella Vasilogeorgi. Branch President Leila Sadat and Board Chair David Stewart will participate *ex officio*.

As in previous years, the conference will open on Thursday evening with a panel discussion at the New York City Bar Association, followed by a reception. The conference will continue on Friday and Saturday at Fordham University School of Law. ILA President Dr. Christopher Ward SC will speak on the Opening Plenary and the Legal Adviser of the Department of State, Hon. Jennifer Newstead, will present the keynote address Friday after lunch. Following our long-standing tradition, plans are being made for a reception at a UN Mission on Friday evening. Another major presentation will be made on Saturday following lunch. (*cont'd on p. 2*)

Inside this issue

Letter from ABILA President.....	2
Report on ILW 2018	3
Update on Regional Activities.....	4
Restatement (Fourth) Foreign Relations Law	5
Co-Sponsored Events	5
Report on ILA Executive Council Fall 2018 Meeting.....	6
Fall 2018 Board of Directors Meeting.....	7
Fall 2018 Annual Members Meeting.....	7
Report on Websites.....	7
News from Branch Committees..	8
News from ILA Committees and Study Groups	9
News from Branch Members.....	10
Retrospective: Twenty-Five Years Ago at the American Branch	12
Calendar of Upcoming Events	12





ILW 2019 Registration

Registration for ILW 2019 will open in August. In line with the changes approved by the Board of Directors and the Branch membership, registration will be \$50 for all attendees including Branch members. (Students can attend for free.) Be sure your ABILA membership is current and fully paid.

A special conference rate of \$329⁺⁺ has been arranged at the Empire Hotel (44 West 63rd Street, New York, NY 10023). This rate is valid for those making reservations until the ABILA block of rooms is sold out. Reservations can be made online at <https://make-reservations.com/web/en/choose-room/EMPIRE/2017-10-18/2017-10-21/ILW/EMPIRE/Empire-Hotel> or by calling 855-265-7400 (ask for the International Law Weekend group discounted rate).

Letter from the Branch President

It is an honor to assume the Presidency of ABILA in our 98th year. I am grateful for the extraordinarily able leadership of our immediate past President, David Stewart, and to the entire leadership team that works so hard to keep this organization moving forward, as their commitment and efforts have made my job easier. As one of the largest of the ILA's 63 branches, the American Branch is also one of its most active.

I joined the Branch in 1994 when then-President Al Rubin asked me to chair a new Committee to study the draft statute for an international criminal court that had just been issued from the International Law Commission. Charles Siegel was our Director of Studies at the time, and together they helped me identify and assemble a wonderful group of experts. We met as a Committee for several years, and published a model draft statute that was distributed to delegates at the Rome Conference in 1998. The expertise that I acquired and the friendships I made as a result have lasted for more than two decades.

The opportunity Al gave me – a brand new member of the academy – to work on this exciting proposed new international institution was life changing, and epitomizes, for me, what is so special about ABILA. We are a small, membership-driven organization that encourages individuals to dive into challenging areas of international law, substantively examine them, and publish their findings. We hold conferences, our Committees publish reports, *amicus* briefs, and podcasts and issue statements on important international legal problems. We are part of a truly global organization, but maintain our independence – the best of both worlds. I think of ABILA as a bottom-up, as opposed to a top-down organization, an organization that encourages initiative and rewards hard work.

As President, I hope to encourage each of you – the way I was encouraged – to lead, to participate in Committees, to attend ILW, and even to host a regional ILW – in short, to see ABILA as your organization. Although we have our challenges, I am convinced that the future is bright.

Please reach out to me at any time with questions, concerns, thoughts, or ideas.

Yours sincerely,
Leila Nadya Sadat
Washington University School of Law

ILW 2019 Theme: The Resilience of International Law *(cont'd from p. 1)*

In recent years, the international legal system has been challenged at home and abroad. Growing nationalism, shifts in geo-political power, deepening economic inequality, climate change, and a global migration crisis have generated cracks in the established international order. These schisms have been exacerbated by other factors, including the power of private corporations over speech platforms and personal data and the rapid progression of new technologies such as artificial intelligence and machine learning. Even our discipline is being challenged to meet the growing calls for inclusivity of diverse voices. Can the international legal system adapt to address these profound developments?

ILW 2019 will address the resilience of international law. The conference will explore international law's capacity to preserve the rule of law, promote peace and justice, and maintain stability in the face of growing fault lines. The world is changing. ILW 2019 seeks to answer whether its theme—*The Resilience of International Law*—is a question or an affirmation.



Panelists at ILW 2018 on Why International Law Matters

Report on ILW 2018

International Law Weekend 2018, held in New York on October 18-20, was a great success, with over 1,100 attendees, over 900 of whom were students. Many sessions were standing-room only. The Branch owes its appreciation to the Organizing Committee led by Co-Chairs Milena Sterio and Martin Flaherty and which included William Aceves, David Attanasio, Stephanie Farrior, Anil Kalhan, Lucas Lixinski, Jessica Simonoff, Ashika Singh, and Bart Smit Duijsenkunst with assistance from Amity Boye, Seana Flanigan, and ILSA's terrific Tessa Walker.

This was the 44th International Law Weekend and marked the 97th annual meeting of the American Branch. Branch Committee members continue to be active at ILW, sponsoring some 12 panels (about a third of all ILW panels), with three Committees sponsoring more than one.

In addition to Fordham Law School, the New York City Bar Association, and the International Law Students Association (ILSA), the Branch also offers its thanks to the other co-sponsors of and contributors to ILW 2018:

ABA Section of International Law
 American Society of International Law
 Arizona State University Sandra Day
 O'Connor College of Law
 Brill/Nijhoff Publishers
 California Western School of Law
 Case Western Reserve University School
 of Law
 Columbia Law School
 Debevoise & Plimpton LLP
 Foley Hoag LLP
 Fordham University's International and
 Non-J.D. Programs
 George Washington University Law School
 Georgetown University Law Center
 New York State Bar International Law Section
 New York University School of Law

NYU Center for Global Affairs
 Oxford University Press
 Princeton University's James Madison
 Program in American Ideals and Institutions
 Princeton University's The Program in Law
 and Public Affairs
 Shearman & Sterling
 Tufts University's Fletcher School of Law
 and Diplomacy
 University of Georgia School of Law
 University of Nebraska College of Law
 University of Pittsburgh School of Law
 Washington and Lee Law School's Transnational
 Law Institute
 Washington University School of Law's
 Whitney R. Harris World Law Institute
 White & Case LLP

Recruit New Members

Every ABILA member is urged to recruit new members. The health and success of our Branch depends on a steady infusion of new talent, enthusiasm, and energy. Please take time, now, to think about reaching out to several likely prospects, encouraging them to join, to attend ILW 2019, to participate in Branch Committees, and to sponsor local and regional events.

Pay Your Dues

The Branch's membership year began in January. If you have not yet paid for your 2019 membership dues, please do so now. Making a payment is easy. Visit www.ila-americanbranch.org and click on the Membership tab or contact our Membership Officer Bethel Mandefro at membership@ila-americanbranch.org.

Future Regional Events

We solicit proposals and offers for additional events from members and their institutions across the country.

Regional events are an important and productive way to highlight the international law programs at law schools (and related programs at other institutions), to stimulate student interest in the field of international law, to engage on a regional basis with colleagues at other institutions, foreign affairs councils and specialists, and the international law sections of local and state bar associations.



ILA Regional Conference Slovenia: June 2019

On **June 27-30, 2019**, the ILA's Slovene Branch will host its first ILA conference at the Bernardin Convention Center, in the seaside resort of Bernardin located between the romantic town of Piran and the Portorož Riviera on the Adriatic coast.

The general theme of the conference is *Migration / International Legal Regulation*. The meeting aims to provide a forum to address and discuss a plethora of challenging questions related to the issue of migration from both the public and private international law lens in a region heavily impacted by the topic.

Additionally, the conference will offer opportunities for discussions on topics covered within the ILA Committees and Study Groups and give them a space to advance their work, as well as to network with leading international law minds from around the world.

ABILA Vice-President Christina Cerna will chair a panel on the first day of this conference. Also on the first day, Honorary Vice-President James Nafziger will present a paper concerning issues related to border walls and fences.

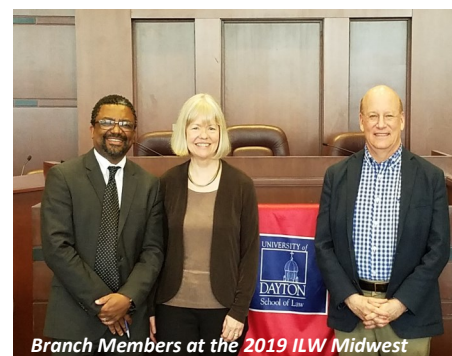


Regional Activities: ILW Midwest 2019

The Branch was proud to co-sponsor the Glivary Symposium (as International Law Weekend Midwest) on **March 16, 2019 at the University of Dayton School of Law**.

The Symposium explored the topic *Things Fall Apart or Creative Destruction?: The Future of the Rule of Law in International Governance*. It featured Keynote Speaker Justice Carlos Bernal of the Constitutional Court of Colombia, who spoke about the problem of transitional justice in Colombia in the wake of the Colombian government/FARC peace agreement, concluding one of the world's longest running contemporary conflicts.

The Symposium also featured four panels: (1) Human Rights and Humanitarian Law – Norms in International Refugee and Asylum Law, (2) Environmental Law – Climate Change and the Point of No Return, (3) International Economic Law – Trade Norms, New Norms?, and (4) Global Governance – Reconstruction or Falling Through the Cracks?



Our thanks and congratulations to Prof. Dalindyabo Shabalala for organizing this wonderful event, and to Branch member Stephanie Farrior for representing us there.

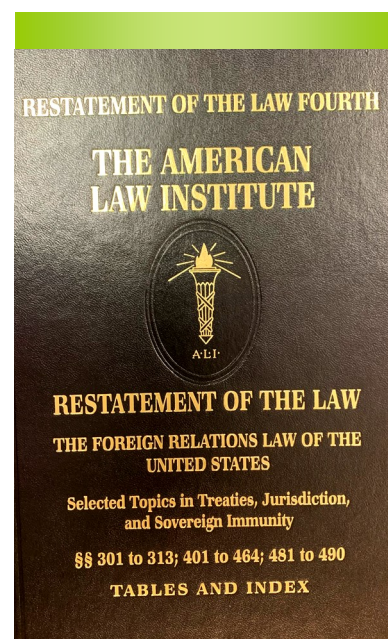
Restatement (Fourth) Foreign Relations Law

The new Restatement (Fourth) Foreign Relations Law of the United States (2018) was printed and made available by the American Law Institute in late 2018. The volume covers (1) the status of treaties in U.S. law, (2) questions of civil and criminal jurisdiction, including enforcement of foreign judgments, and (3) issues of state (sovereign) immunity. The American Law Institute has not yet decided whether to undertake a revision of additional topics that were addressed in the Restatement (Third) (1986).

As previously reported, a number of American Branch members have been actively and directly involved in the preparation of the Restatement (Fourth).

ABILA member Paul Stephan played a central role as one of the two Coordinating Reporters for the project. David Stewart served as one of the six co-Reporters, working primarily on the immunities chapter. Branch Treasurer Houston Putnam Lowry served as one of the liaisons from the ABA Section of International Law.

The Members Consultative Group, which provided valuable expertise and advice to the Reporters, included Branch members Catherine Amirfar, Andrea Bjorklund, Ron Brand, Roger Clarke, Dalee Dorough, Norman Greene, Mark W. Janis, Charlotte Ku, Cynthia Lichtenstein, James Nafziger, Ved Nanda, Leila Sadat, David Sloss, Beth Stephens, Louise Ellen Teitz, and George Walker. Many ILA members from other national branches served on the International Advisory Panel.



As the preamble observes, “this project is a reaffirmation of the rule of law: ‘relations between nations are not anarchic, they are governed by law.’”



Co-Sponsored Events and News from Branch Committees

The American Branch of the International Law Association is pleased to become a Cooperating Entity at the upcoming **ABA Section of International Law Annual Conference on April 9-12, 2019 in Washington, D.C.** The conference is the ABA Section of International Law’s largest event of the year, with approximately a 1,000 attendees. Registration includes 3 full days of more than 50 substantive programs, up to 18 hours of CLE, and 3 nightly receptions at D.C. venues. ABILA members will receive the same discounted registration rates offered to ABA Section of International Law members. [Register](#) for the conference by March 29, 2019. A [preliminary program](#) is available on the event website. The ABA has reserved a limited block of rooms at the [Capital Hilton](#) for the group **until March 25, 2019** at the special nightly rate of \$329⁺⁺ for single/double occupancy. For questions, please contact the Section at intlawmeetings@americanbar.org.

ABILA’s **Investment Law Committee**, chaired by David Attanasio, co-sponsored the 2019 *International Arbitration & Dispute Resolution Symposium: Challenges and Controversies in International Arbitration* on March 1, 2019 at Washington University School of Law in St. Louis. The symposium brought together private practitioners, in-house and government counsel, academics, arbitration and mediation institutions, and engaged users of international arbitration and dispute resolution. The program featured a keynote address on *Game Changers: Defining (and defending) Values in International Arbitration* by world-renowned arbitrator Sophie Nappert (3VB Barristers) and panel discussions on current developments in the fields of arbitration and dispute resolution, including both commercial and investor-State arbitration. (*cont’d on p. 8*)

Spring 2019 ILA Executive Council Meeting

The spring 2019 meeting of the International Law Association (ILA) Executive Council will be held at ILA headquarters in London on May 11, 2019.

Among the items to be decided is the selection of a new Honorary Treasurer to replace Torstein Stein and a new Director of Studies to take the place of Marcel Brus, both of whom will be retiring from those positions.



Report on ILA Executive Council Meeting Fall 2018 Meeting



ABILA members Leila Sadat and David Stewart attended the Fall 2018 ILA Executive Council Meeting in London. As of November 15, 2018, total ILA membership stood at 4,535. The largest Branches were the American, British, German, and Japanese (each with more than 300 members), followed by the Australian, Dutch, and French (each with more than 200).

Five ILA Committees (Baselines, Feminism, Recognition and Non-Recognition, Use of Force, and Islamic Law) had completed their mandates at the Sydney Biennial and accordingly were dissolved. The mandate of the Committee on International Law and Sea Level Rise was extended, as were those for the Committees on Global Health Law, International Protection of Consumers, and Rule of Law and International Investment Law.

The Study Groups on Business and Human Rights, Use of Domestic Law Principles for the Development of International Law, and Socially Responsible Investment were dissolved (the latter group to be merged with the Study Group on International Securities Regulation). The mandate of the Study Group on UN Sanctions and International Law was extended.

Two new Committees were approved: (1) Use of Force—Military Assistance on Request and (2) Submarine Cables and Pipelines Under International Law. A new Study Group on Asian State Practice of Domestic Implementation of International Law was also approved.

There was considerable discussion about the ILA Scholarship Scheme, with Council members noting that while six scholars had participated actively in the Sydney Biennial, adjustments would be necessary to make the Scheme more successful.

Prof. Damilola Olawuyi (Nigerian Branch) was elected as Vice-Chair. Dr. Sarah Nouwen was coopted to be a member of the Executive Council in recognition of her work on the ILA Conference Steering Committee. Also, David Wyld, former Vice Chair, was invited to continue as a coopted member of the Executive Council. The current Secretary General, Prof. Anonios Tzanakopoulos, was re-elected. Finally, Jennifer Tridgell was elected to serve as the ILA's Media Officer.

The Council heard a closing report on the successful Sydney Biennial as well as planning reports on the Slovene Regional Conference and the 2020 Kyoto Biennial.

Director of Studies Marcel Brus announced his intention to step down as of May 2019. Nominations of candidates to succeed him were solicited.

The proposal for a new Mauritius Branch was approved.

Fall 2018 Meeting of Board of Directors

The fall meeting of the Branch Board of Directors took place on October 19th during ILW 2018. The President provided an update on ILW, expressing appreciation to the Organizing Committee. ILW Co-Chair Milena Sterio reported on behalf of the Organizing Committee, in particular acknowledging William Aceves and Stephanie Farrior for their contributions, and Christina Cerna for creating and presenting a new membership pitch.

The Board considered and discussed a report from the Ad Hoc Committee on ABILA Administrative Support, chaired by Dean Michael Scharf, with comments from Committee members William Aceves, Steven Schneebaum, Larry Johnson, Chiara Giorgetti, and Ved Nanda.

President-Elect Leila Sadat reported on developments regarding the Branch relationship with the International Law Students Association (ILSA).

The Board approved a resolution authorizing the President and Chair, on a trial basis, to hire an individual to provide internal administrative tasks up to a certain amount.

The Board subsequently held a teleconference on February 28, 2019 to consider additional aspects of the issues. The next meeting of the Board will take place on March 29, 2019 at the American Society of International Law (ASIL) Annual Meeting.



Fall 2018 Annual Members Meeting

The Annual Members Meeting took place shortly after the Board meeting adjourned. The President reported on the Branch's membership and activities, the status of our transition from "association" to "corporation" (and the related "good governance process,") and the 2020 ILA Biennial meeting.

The Treasurer reported on the budget and the Branch's financial situation.

The membership approved the report and recommendations of the Board's Nominating Committee, electing Amity Boye and Ank Santens to the Board of Directors. It also approved the following designations: Chiara Giorgetti (Vice-President), Myra Din (Secretary), Leila Sadat (President), David Stewart (Chair), and Ruth Wedgwood (Honorary Vice-President).

Report on Websites

The new ILA website (www.ila-hq.org) is now operational. It has been redesigned with a new look and logo and is intended to be more informative and easier to navigate. In particular, the "Members Only Area" has been upgraded and will continue to be developed on an ongoing basis in order to provide ILA members with more targeted and relevant information. If you have not yet visited it, do so today.

Now that the main ILA website has come online after several years of work, we will finally be able to complete the revisions to the American Branch website to complement (but not duplicate) the information contained on the ILA website. Mark Cuevas, the Branch's Web Developer, has been working on an updated ABILA website, aiming, among other things, to allow it to include additional functionality in the administrative portion and to be better accessible from smart phones and tablets.

If members have suggestions on the content of our revised website, please email them to: webmaster@ila-americanbranch.org.

Please be sure that your personal information is up-to-date and accurate with ABILA. Log in to your ABILA account to update your information or contact our Membership Officer, Bethel Mandefro, at membership@ila-americanbranch.org.



ABILA Committees

The American Branch of the International Law Association and its Committees are pleased to co-sponsor events organized by ABILA Members.

Please let us know via email at webmaster@ila-americanbranch.org if you have events you would like the Branch to co-sponsor or promote on the ABILA online calendar.

New Membership Brochure

The Branch membership brochure has been revised and updated. The new version is dated March 2019.

It is available for download from the Branch website under the Membership tab at www.ila-americanbranch.org.

All members are encouraged to print copies for use in recruiting new members.

News from Branch Committees *(cont'd from p. 5)*

ABILA's **United Nations Law Committee**, co-chaired by Christiane Ahlborn and Bart Smit Duijzentkunst, had an active year. In May 2018, the Committee marked the 70th anniversary of the International Law Commission (ILC) with a round-table discussion at the New York City Bar Association, featuring ILC members and representatives from academia and diplomacy. The panel took stock of the achievements of the ILC in the past seven decades and assessed the future of "progressive codification" of international law.

During International Law Weekend in New York, the Committee convened a panel on the use of force in peace operations, which included experts from the United Nations, the military, academia, and civil society. The panel shed light on the current challenges to UN peacekeeping and efforts to reform its operations.

On March 15, 2019, the Committee co-sponsored a workshop on the Law of International Organizations at Seton Hall Law School. The workshop brought together scholars from Europe, Asia, Latin America, and the United States to discuss cutting-edge issues of global governance. The UN Law Committee would like to thank the New York City Bar Association, the International Organizations Interest Group of the American Society of International Law, and Seton Hall Law School for co-sponsoring these events.



On November 2-3, 2018 the **International Human Rights Committee**, chaired by Aaron Fellmeth, co-sponsored an interdisciplinary conference on U.S. Gun Violence and Human Rights organized by the Whitney R. Harris World Law Institute at Washington University School of Law. The conference brought together sociologists, political scientists, and international lawyers to develop a framework for understanding the human rights implications of U.S. gun violence and paths to ending the human rights violations caused by federal government inaction and obstruction of mitigation efforts. Many conference participants recently endorsed a submission by Leila Sadat and Harris Institute Fellow Madaline George to the UN Human Rights Committee on the issue.

On December 3, 2018, several members of the **Subcommittee on U.S. Compliance with International Human Rights Law** filed a petition to the Inter-American Commission on Human Rights on behalf of Dr. Ismael El-Shikh and the Muslim Association of Hawaii (plaintiffs in *Hawaii v. Trump*) seeking a determination on the U.S. policy of suspending immigration from certain Muslim countries. The Commission has not yet taken action.

Also in late 2018, members of the Subcommittee prepared an *amicus* brief in the appeal to the 9th Circuit of *Ms. L v. ICE*, concerning the U.S. policy of separating immigrant and refugee children from their families. The case was voluntarily suspended after a settlement agreement between the parties, but due to revelations that the government may have drastically understated the number of affected children, the Subcommittee continues to monitor the situation and will file the brief if the case is revived. In 2019, the Committee plans to coordinate with the ASIL Human Rights Interest Group on a study of human rights issues involving persons imprisoned by states. *(cont'd on p. 9)*

(cont'd from p. 8)

The **Committee on the Formation of Customary International Law** sponsored a panel at ILW 2018 on “Why Customary International Law Matters in Protecting Human Rights.” Panelists included Committee Chair Brian Leppard, who provided introductory remarks; Dr. Niels Petersen, who empirically analyzed the use of customary international law in decisions of the International Court of Justice; Alan Franklin, who critically examined recent judicial decisions involving attempts to hold business corporations accountable for violations of customary human rights law; Dr. Dana Schmalz, who discussed whether negotiations for a Global Compact on Refugees and other global standards on refugees may be contributing to the development of norms of customary international law relevant to the protection of refugees; and Prof. Mark Janis, who looked at the practical role that customary international law has played in defining and protecting the right to religious freedom, and also proposed a new approach to the definition of customary international law.

News from ILA Committees and Study Groups

ILA Committee on Baselines under the International Law of the Sea

At the 2018 Sydney Conference, the Baseline Committee’s final report was approved and a corresponding resolution was adopted. Both are online at the ILA Headquarter website. The two final reports (Sophia 2012 and Sydney 2018) will be published by Brill as volume 2 nos. 1-2 of the *Brill Research Series on the Law of the Sea*. Editors are Don Rothwell of ANU, Davor Vidas (Oslo), and Ash Roach.

ILA Committee on Submarine Cables and Pipelines

The ILA Executive Council has approved the formation of a new Committee on Submarine Cables and Pipelines. ABILA member Ash Roach will chair this new Committee. It will have co-rapporteurs, Dr. Tara Davenport of the National University of Singapore Law School and the NUS Centre for International Law (submarine cables), and Dr. Dana Azaria, University College London (pipelines).

ILA Committee on the Protection of Privacy in Private International and Procedural Law

This Committee continues to work on draft guidelines on questions of jurisdiction, applicable law, and recognition and enforcement of judgments with respect to: (i) the protection of personality rights against violations between private parties and by mass media, especially with regard to non-contractual claims, also taking into account the question of the liability of Internet service providers and intermediaries; (ii) the protection of privacy in social networks, especially with regard to contractual and quasi-contractual claims; and (iii) data protection. Questions of consumer protection and protection of minors, as well as alternative dispute resolution mechanisms, will also be included in the Committee’s activity. The Committee (including ABILA members Louise Teitz and David Stewart) will meet in Luxembourg in July 2019.



ILA Committee on Complementarity in International Criminal Law

The ILA Committee on Complementarity in International Criminal Law is charged with exploring (i) to what extent the crimes within the International Criminal Court’s jurisdiction may be addressed at the domestic level, either through investigations and prosecutions or by alternative means, and when they are not, why not; (ii) how a policy of so-called “positive complementarity” could overcome any obstacles and which actors are best placed to implement such policy; and (iii) to what extent domestic efforts to address international crimes could result in a successful admissibility challenge on grounds of complementarity before the Court.

New Branch Members

We welcome the following
new ABILA members who have
joined our Branch since
October 2018:

Carolina Arlota

Joseph Boyle

Geoffrey Corn

Jaime E. Cruz Perez II

Myra Din

Hunter Dorwart

Patrick Dougherty

Benjamin Farley

Franco Ferrari

Sean Flynn

Nicole Foster

Brendan Gordon

Jonathan Horowitz

M. Imad Khan

Richard Langan

Floriane Lavaud

Hee Eun Lee

Lauri Malksoo

Camilo Mantilla

Nicoletta Montefusco

Giedre Stasiunaite

Hala Tanuos

Irving Vidal Terrazas

Dganit Toren

Claudia Quinones

Andrea Xu

Norman Young

Joseph Zadeh

Diora Ziyayeva

News from Branch Members

Professor Stephanie Farrior submitted an *amicus* brief to the Inter-American Court of Human Rights addressing extraterritorial treaty obligations when environmental harm infringes human rights. Earlier in the year, she delivered a keynote address on “Environmental and Health Costs of the International Electronics Industry from a Human Rights Perspective” at an international documentary film festival held at the Vancouver International Film Centre, in Vancouver, BC. In February 2019, Stephanie Farrior spoke at the 7th World Congress against the Death Penalty in Brussels at an event launching the report she authored for the Quaker United Nations Office (QUNO), “Protection of the Rights of Children of Parents Sentenced to Death or Executed: A Legal Analysis.”



Prof. Farrior speaking on “The Environment and Human Rights” panel at the United Nations

Professor Jennifer Trahan presented a talk on the “Legal Limits to the Veto in the Face of Atrocity Crimes” at a variety of venues, including at Salzburg Law School’s Institute on International Criminal Law in October, and at the UN in the Trusteeship Council as

part of International Law Week. She presented it at a side-event of the International Criminal Court’s Assembly of States Parties (ASP) meeting in The Hague (sponsored by Liechtenstein, The Netherlands, and Costa Rica), and at a retreat on Security Council reform in Madrid, hosted by the Government of Spain. She also spoke on an ASP side-event panel on the ICC’s crime of aggression (sponsored by Liechtenstein), and in January



International Law Week at the UN Trusteeship Council

led an NYU student group tour to Rwanda for meetings related to justice, reconciliation, and memorialization.

Marie Joseph Ayessi has been selected as the Secretary ad interim to the UN Committee on the Elimination of Racial Discrimination.

Professor Brian Lepard published an article in the *American Journal of International Law Unbound* in November 2018 entitled “‘Customary International Law: A Third World Perspective’: Reflections in Light of an Approach to CIL Based on Fundamental Ethical Principles.”

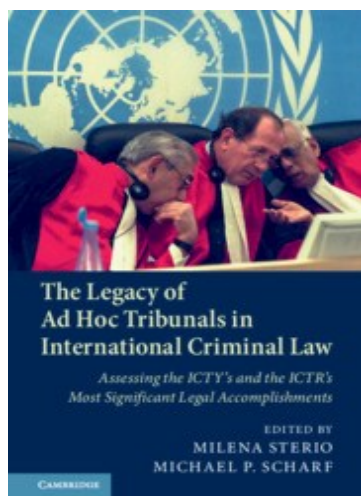
Professor James Nafziger will be presenting a paper at the ILA Regional Conference in Slovenia (June 27-30, 2019) entitled “Artificial Barriers to Migration: On the Border of International Law, Too?” As a member of the new ILA Committee on Cultural Heritage Governance (see the September 2018 issue of this Newsletter), he will also attend an intersessional meeting of that Committee at Oxford University on July 1-3, 2019.

Professor Christina Cerna will also be presenting a paper entitled “Do Migrants have Rights?” at the ILA Regional Conference in Slovenia. Together with Stefan Kadelbach (Germany), she co-chairs the ILA Committee on Human Rights in Times of Emergency, which will hold an inter-sessional meeting with Committee members in Pisa, Italy, on July 24-25, 2019.

Dean Charlotte Ku, Texas A&M University School of Law, helped to organize a program February 28-March 1, 2019 at the School of Law in Fort Worth on the United States-Mexico-Canada (USMCA) trade agreement titled “NAFTA 2.0: The Puzzle of North America as a Region.” The program examined the North American puzzle in the context of emerging trends in international trade, shifts in geo-political and economic interests, and the growing skepticism towards globalization and international dispute settlement. ABILA Director of Studies Peter Yu was a panelist, addressing the new agreement and intellectual property. Keynoters at the event were Ricardo Ramirez, former WTO Appellate Body Member, and Judge Eduardo Ferrer-MacGregor, President of the Inter-American Court of Human Rights.



Professor Elizabeth Burleson conducted commissioned research for governmental and nongovernmental entities and edited *Comparative Environmental Law and Regulation* with Professors Nicholas Robinson and Lin Heng Lye (West Law). This is a comprehensive guide to environmental statutes, court decisions, and administrative regulations governing air and water pollution, land management, toxic and hazardous wastes, and pesticides. Elizabeth Burleson and William Rodgers have just completed the 6 volume *Environmental Law Treatise* 2nd ed. (2018).



Deans Michael Scharf and Milena Sterio have finished a new book, *The Legacy of Ad Hoc Tribunals in International Criminal Law*, to be published in March by Cambridge University Press. Thanks to the generosity of the Public International Law and Policy Group (PILPG), as a book launch event they will be giving out 100 free copies of the book at the ASIL Annual Meeting in March at the PILPG table at the Hilton Hotel.

Professor Anil Kalhan, Drexel University, was awarded the 2018 Conference of Asian Pacific American Law Faculty's Professor Chris Kando Iijima Teacher and Mentor Award, established in honor of the life and achievements of that beloved and distinguished teacher and scholar at the NYU School of Law, Western New England School of Law, and the University of Hawai'i Richardson School of Law. The Award is granted to an outstanding law teacher who, in the course of her or his career, has achieved excellence in the areas of public service and teaching, with some consideration of scholarship. The Award is particularly aimed at law teachers who have provided support, encouragement, and mentoring to colleagues, students, and aspiring legal educators.

Professor George Walker, ABILA Honorary Vice President and Dean's Research Professor of Admiralty and International Law at Wake Forest University School of Law, was awarded a sabbatical for 2017-18 and then retired July 1, 2018, becoming University Professor Emeritus of Admiralty and International Law. Professor Walker chairs the Branch's Law of the Sea Committee research project on the UN Convention on the Law of the Sea. As retired line Captain in the Naval Reserve, he served as Charles H. Stockton Professor of International Law at the U.S. Naval War College.

Arnold Pronto resigned from the ABILA Board for administrative reasons; however, he will continue to stay involved with the Branch, serving as “UN Legal Liaison” *ex-officio*.

Seana Flanagan, who has faithfully served the Branch for years in several capacities, including as Membership Officer, has submitted her resignation. Many of the members have benefitted from her careful attention to detail, not only on membership matters but also at the registration desk at numerous ILW meetings. We will sorely miss her contributions.

Retrospective: Twenty-Five Years Ago at the American Branch



1994 was a year of significant activity and accomplishment for the American Branch. The Branch was well represented at the 66th Biennial ILA Conference in Buenos Aires in August, with many members serving as chairs, rapporteurs, or members of ILA Committees. The Branch's own Committees were also active. The 1993-1994 Branch *Proceedings* include reports of the American Branch's Committees on Economic Sanctions, Human Rights, Legal Aspects of Inter-Country Adoption and Protection of Children, and Space Law. A study of interest to lawyers with a range of substantive expertise was the Report of the American Branch Committee on International Law in Municipal Courts, which summarized U.S. law on that topic (1993-1994 *Proceedings of the American Branch of the International Law Association* 88). This Report contributed to an ILA Committee survey of how international law was applied in the courts of 14 common and civil law countries (ILA Committee on International Law in Municipal Courts, "First Report: Summary of Questionnaire Responses," *Report of the Sixty-Sixth Conference (Buenos Aires)* 362 (1974)). Branch *Proceedings* and ILA *Reports* are available in the International Law Association Reports database at Hein On-line.

International Law Weekend, which began in 1974, had expanded to 29 panels by 1994, covering a wide range of public and private international law topics. In line with the 1994 theme of "A Celebration of the Building Blocks of the Modern International Community," several panels incorporated retrospective looks at various organizations and issues, such as "The United Nations at 50," "The Atomic Bomb at 50: Has the Non-Proliferation Regime Been a Success?," "75 Years After the Treaty of Versailles: A Critical Look at the State of Collective Security," "20 Years Later, A Law of the Sea Treaty," and "The World Bank at 50." Panels of particular interest to practitioners included those on NAFTA, dispute resolution in international trade, Latin American capital markets, and implications of the widening of the European Union, as well as the panel on the World Bank. The New York City Bar Association served as the venue for ILW sessions over a three-day period in October. Ambassador Elliot Richardson was the keynote speaker at the Branch's annual dinner, held in the Delegates' Dining Room at the United Nations, and Professor Edith Brown Weiss, President of the American Society of International Law, spoke at the Saturday luncheon.

Visit the ABILA website for the most up-to-date information on upcoming events.

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Calendar of Upcoming Events

- ◆ **March 23, 2019: Conference on the CISG at Middle Age**, University Missouri School of Law, Columbia, MO
- ◆ **March 27-30, 2019: ASIL Annual Meeting**, Washington, D.C.
- ◆ **April 4, 2019: Live from L**, International Economic Law, Washington, D.C.
- ◆ **April 9-13, 2019: ABA Section of International Law Annual Conference**, Washington, D.C.
- ◆ **April 8, 2019: ILA British Branch Spring Conference**, Oxford, U.K.
- ◆ **April 8-12, 2019: Commonwealth Law Conference**, Livingston, Zambia
- ◆ **May 8, 2019: Leicester Peace Talks: Trump Administration and International Law**, ILA-ASIL Asia-Pacific Research Forum, May 17-18, 2019, Taipei, Taiwan, PRC
- ◆ **June 3-9, 2019: Specialization Course on International Criminal Law**, Syracuse, Italy
- ◆ **June 12, 2019: BIICL Annual Grotius Lecture**, London, U.K.
- ◆ **June 27-30, 2019: ILA Regional Conference**, Portorož, Slovenia
- ◆ **October 3-4, 2019: BIICL London Conference on International Law**, London, U.K.
- ◆ **October 10-12, 2019: ABILA International Law Weekend**, New York
- ◆ **October 17-19, 2019: ASCL Annual Meeting**, University of Missouri School of Law
- ◆ **November 7-9, 2019: ASIL Mid-Year Meeting**, Brooklyn Law School, New York
- ◆ **August 23-27, 2020, ILA 79th Biennial Conference**, Kyoto, Japan