

# *INTERNATIONAL LAW WEEKEND*

*97th Annual Meeting of the American Branch of the  
International Law Association*

OCT. 18-20  
**2018**

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## **Why International Law Matters**

*Presented by the American Branch of the International Law Association &  
the International Law Students Association*

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

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

Admission to ILW is free for students. For all others, there is a fee of \$50 (excluding panel participants attending only their own panel).

Register at [www.ila-americanbranch.org](http://www.ila-americanbranch.org) or [www.ilsa.org](http://www.ilsa.org)

# Welcome to ILW 2018

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. This exciting event brings together hundreds of practitioners, law professors, members of governmental and non-governmental organizations, and students to discuss current issues in the broad field of international law.

The theme of ILW 2018 is **“Why International Law Matters.”** Like any legal system, international law is a reflection of the past. Its norms, rules, and institutions are built upon a foundation that is moored in prior decades and steeped in previous centuries. And yet, international law plays an important role today, while setting the stage for the future. Current developments and emerging trends will form into future law. International lawyers must, therefore, serve as both historians and fortune tellers, while applying international legal norms in the present. How does the past inform our present? What current events and movements will most impact our future? And why does international law matter today? Wading through these moments in time, panels at ILW 2018 will consider the past, reflect on the present, and survey the future of our discipline and our profession, while addressing the fundamental question of why international law matters.

ILW begins Thursday evening, October 18, 2018 with a discussion at the New York City Bar (42 W. 44th Street). The **Opening Address** entitled **“The Current Administration’s Approach to International Law”** will be given by **Professor Harold Koh** (Yale Law School), followed by a moderated discussion with ABILA President David P. Stewart and President-Elect Leila Sadat, along with ample time for questions from the floor. A reception generously sponsored by Debevoise & Plimpton LLP will follow.

The conference continues Friday, October 19 and Saturday, October 20, 2018 at Fordham University School of Law (150 West 62nd Street). Friday’s activities feature **Keynote Address by Professor Sean Murphy** (George Washington University Law School) entitled **“The United States and International Law in the 21st Century.”** This event is open to all conference attendees. The Friday program will also include the ABILA Board of Directors Meeting. The ILSA Board Meeting as well as the annual meetings of ABILA membership and ILSA Chapters will take place on Saturday. Those interested in joining ILSA or ABILA are invited to attend the membership meetings.

On Friday evening, a reception will be generously hosted by the **Permanent Mission of Estonia to the United Nations** (Three Dag Hammarskjöld Plaza, 305 East 47th Street, New York). **Pre-registration and payment is required** for this event. For security reasons, only those who have pre-registered may attend, and registered guests must bring photo identification to present at check-in. A nominal registration fee of \$10 will be charged to confirm participation; it will be applied to cover other costs of the International Law Weekend not related to the reception. The support of the Permanent Mission of Estonia towards International Law Weekend is greatly appreciated.

As in the past, a number of panels have been designated for **continuing legal education (CLE)** credit. CLE credit will be offered to all ILW attendees at no additional cost through the sponsorship and assistance of White & Case LLP, which is an accredited provider of New York and California CLE credit. Attorneys licensed in other states can apply for CLE credit in their own jurisdiction using the New York CLE certificate provided by White & Case.

Every year, the *ILSA Journal of International and Comparative Law* publishes an issue that contains articles written by speakers and panelists at International Law Weekend. This issue is titled **“The International Practitioner’s Notebook.”** Please email [ilsa.journal.novasoutheastern@gmail.com](mailto:ilsa.journal.novasoutheastern@gmail.com) to subscribe to the *Journal* or purchase this issue.

# Schedule At-a-Glance

<b>Thursday, October 18, 2018</b> <b>New York City Bar</b>					
6:30pm	<b>Opening Address: "The Current Administration's Approach to International Law"</b> <b>Professor Harold Koh, Sterling Professor of International Law, Yale Law School</b> <i>Meeting Hall, Second Floor, NYC Bar Association</i>				
8:00pm	<b>Opening Reception sponsored by Debevoise &amp; Plimpton LLP</b> <i>Reception Area, Second Floor</i>				
<b>Friday, October 19, 2018</b> <b>Fordham University School of Law</b>					
8:00am	<b>Complimentary Coffee sponsored by International and Non-J.D. Programs, Fordham University School of Law</b> <i>Soden Lounge</i>				
9:00am	<b>Is Investment Arbitration At Serious Risk?*</b> <i>Room 2-02C</i>	<b>Can the Law of Military Space Operations be Analogized from the "Terrestrial" Laws of War: A Roundtable Discussion</b> <i>Room 2-02B</i>	<b>Identity in the Age of Blockchain and Refugees</b> <i>Room 2-02A</i>	<b>70 years after the UDHR: Are We at the Endtimes of Human Rights?</b> <i>Room 2-01B</i>	<b>The Global Crackdown on Civil Dissent and Freedom of Expression</b> <i>Room 2-01A</i>
10:30am	<b>Break</b>				
10:45am	<b>Old Wine in New Bottles? The Trump Administration and Trade Law*</b> <i>Room 2-02C</i>	<b>Due Process for Refugees at Borders: A Challenge for International Law*</b> <i>Room 2-02B</i>	<b>Investor-State Dispute Settlement: A Brave New World or The Clock that Went Backward?</b> <i>Room 2-02A</i>	<b>The Meaning of Torture in National Security</b> <i>Room 2-01B</i>	<b>War, Peace, and International Law on the Korean Peninsula</b> <i>Room 2-01A</i>
12:30pm	<b>Box Lunch sponsored by the Leitner Center for International Law and Justice</b> <i>Soden Lounge</i>				
12:30pm	<b>ABILA Board of Directors Meeting (Lunch Provided)</b> <i>Room 3-03</i>				
1:30pm	<b>Keynote Address "The United States and International Law in the 21st Century"</b> <b>Professor Sean Murphy, Manatt/Ahn Professor of International Law, George Washington University Law School</b> <i>Room 2-02 A/B</i>				
2:45pm	<b>Break</b>				
3:00pm	<b>Investing in Climate Change Technologies: Barriers and Opportunities*</b> <i>Room 2-02C</i>	<b>The Inquiry on Protecting Children in Conflict</b> <i>Room 2-02B</i>	<b>Pathways to Careers in International Law</b> <i>Room 2-02A</i>	<b>Do Multilateral Intellectual Property Negotiations Still Matter in the Age of Plurilaterals?</b> <i>Room 2-01B</i>	<b>The New Global Compact on Migration</b> <i>Room 2-01A</i>
4:30pm	<b>Break</b>				
4:45pm	<b>Imposing Obligations on Foreign Investors: An Emerging Trend in International Investment Law*</b> <i>Room 2-02C</i>	<b>Surveillance, Privacy, and Human Rights: The Outlook for 2019*</b> <i>Room 2-02B</i>	<b>The Rome Statute at 20: Dedicated to the Memory of M. Cherif Bassiouni, the "Father" of International Criminal Law and the ICC</b> <i>Room 2-02A</i>	<b>Planting Grassroots Human Rights</b> <i>Room 2-01B</i>	<b>Refole Me Once, Shame on Who? The United States and Non-refoulement under the Convention Against Torture in Armed Conflict</b> <i>Room 2-01A</i>

\* Approved for CLE. Sign-in sheets located in panel rooms. Digital copies of reading materials located on ILW Website.

# Schedule At-a-Glance

<p align="center"><b>Saturday, October 20, 2018</b>  <b>Fordham University School of Law</b></p>					
8:00am	<p align="center">Complimentary Coffee sponsored by International and Non-J.D. Programs, Fordham University School of Law  <i>Soden Lounge</i></p>				
9:00am	<p><b>Private International Law Matters*</b>  <i>Room 2-02C</i></p>	<p><b>Does International Criminal Justice Work? Syria, North Korea, and the Role of International Criminal Justice in Resolving Global Crises</b>  <i>Room 2-02B</i></p>	<p><b>The Use of Force in Peace Operations</b>  <i>Room 2-02A</i></p>	<p><b>The Security Council in a Fracturing World: Questions of Effectiveness, Legitimacy and Legal Coherences</b>  <i>Room 2-01B</i></p>	<p><b>Will the Treaty on Genetic Resources and Traditional Knowledge Provide Meaningful Protection to Indigenous Communities?</b>  <i>Room 2-01A</i></p>
10:30am	<p align="center"><b>ILSA Board of Directors Meeting</b>  <i>Room 4-03</i></p>				
	<p align="center"><b>Break</b></p>				
10:45am	<p><b>Smart Contracts and Blockchain: Where Will Disputes Arise and How Should They Be Resolved?*</b>  <i>Room 2-02C</i></p>	<p><b>Is Investment Law Harmonious With The Rule of Law?*</b>  <i>Room 2-02B</i></p>	<p><b>Statelessness: The Worldwide Absence of Legal Protection</b>  <i>Room 2-02A</i></p>	<p><b>The Demise of the WTO Appellate Body?</b>  <i>Room 2-01B</i></p>	<p><b>Legacies and Memories of International (Criminal) Law</b>  <i>Room 2-01A</i></p>
12:30pm	<p align="center"><b>Lunch Break</b></p>				
	<p align="center"><b>ILSA Congress, Meeting of ILSA Chapters</b>  <i>Room 2-01B</i></p>				
	<p align="center"><b>ABILA Members Annual Meeting</b>  <i>Room 4-02</i></p>				
1:45pm	<p><b>Free Form Treaty Interpretations Last Stand: Why the Vienna Convention Treaty Interpretation Rules Matter More than Ever in the Outer Space Domain*</b>  <i>Room 2-02C</i></p>	<p><b>The BBNJ Negotiations: Where Do We Stand after the Beginning of the Intergovernmental Conference?</b>  <i>Room 2-02B</i></p>	<p><b>2019 Jessup <i>Compromis</i> Panel</b>  <i>Room 2-02A</i></p>	<p><b>Protecting the Environment Before, During and After Armed Conflict</b>  <i>Room 2-01B</i></p>	<p><b>Emerging Voices</b>  <i>Room 2-01A</i></p>
3:15pm	<p align="center"><b>Break</b></p>				
3:30pm	<p><b>Careers in International Development</b>  <i>Room 2-02C</i></p>		<p><b>How Customary International Law Matters in Protecting Human Rights</b>  <i>Room 2-02A</i></p>		

\* Approved for CLE. Sign-in sheets located in panel rooms. Digital copies of reading materials located on ILW Website.

# Schedule

Thursday, October 18

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**6:30pm**

*2<sup>nd</sup> Floor*

*Meeting Hall*

*New York City Bar*

*42 W. 44th Street*

**Opening Address: The Current Administration's Approach to International Law**

Harold Koh, *Sterling Professor of International Law, Yale Law School*

Harold Hongju Koh is Sterling Professor of International Law at Yale Law School. He returned to Yale Law School in January 2013 after serving for nearly four years as the 22nd Legal Adviser of the U.S. Department of State. His forthcoming book is entitled "The Trump Administration and International Law" (Oxford University Press 2018).

Professor Koh is one of the country's leading experts in public and private international law, national security law, and human rights. He first began teaching at Yale Law School in 1985 and served as its fifteenth Dean from 2004 until 2009. From 2009 to 2013, he took leave as the Martin R. Flug '55 Professor of International Law to join the State Department as Legal Adviser, service for which he received the Secretary of State's Distinguished Service Award. From 1993 to 2009, he was the Gerard C. & Bernice Latrobe Smith Professor of International Law at Yale Law School, and from 1998 to 2001, he served as U.S. Assistant Secretary of State for Democracy, Human Rights and Labor.

Professor Koh has received seventeen honorary degrees and more than thirty awards for his human rights work, including awards from Columbia Law School and the American Bar Association for his lifetime achievements in international law. He has authored or co-authored eight books, published more than 200 articles, testified regularly before Congress, and litigated numerous cases involving international law issues in both U.S. and international tribunals. He is a Fellow of the American Philosophical Society and the American Academy of Arts and Sciences, an Honorary Fellow of Magdalen College, Oxford, and a member of the Council of the American Law Institute.

He holds a B.A. degree from Harvard College and B.A. and M.A. degrees from Oxford University, where he was a Marshall Scholar. He earned his J.D. from Harvard Law School, where he was Developments Editor of the Harvard Law Review. Before coming to Yale, he served as a law clerk for Justice Harry A. Blackmun of the United States Supreme Court and Judge Malcolm Richard Wilkey of the U.S. Court of Appeals for the D.C. Circuit, worked as an attorney in private practice in Washington, and served as an Attorney-Adviser for the Office of Legal Counsel, U.S. Department of Justice.

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**8:00pm**

*2<sup>nd</sup> Floor*

*Reception Area*

*New York City Bar*

**Opening Reception sponsored by Debevoise & Plimpton LLP**

*The reception at the New York City Bar is open to all ILW attendees thanks to the generosity of Debevoise & Plimpton LLP.*

# Schedule

Friday, October 19

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**8:00am** Complimentary Coffee sponsored by International and Non-J.D. Programs, Fordham University  
*Soden Lounge* School of Law

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**9:00am** **Is Investment Arbitration At Serious Risk?**  
*Room 2-02C* *The past two years have seen a series of momentous events for investor-state arbitration. These have included attacks on NAFTA, attempts to create a standing investment court, bilateral exclusion of investment arbitration in the revived Trans-Pacific Partnership, and the ECJ's Achmea judgment declaring intra-EU investment arbitration incompatible with EU law. Investment arbitration appears to be under fire. This panel will consider what this moment portends for the future of investment arbitration and whether the system as it exists is at serious risk.*

*Approved for CLE*

**Moderator:**

- **David Attanasio**, Associate, Dechert LLP

**Panelists:**

- **Catherine Amirfar**, Partner, Debevoise & Plimpton LLP
  - **Julie Bedard**, Partner, Skadden, Arps, Slate, Meagher & Flom LLP
  - **Benedict Kingsbury**, Murry and Ida Becker Professor of Law, New York University School of Law
  - **Michael Reisman**, Myres S. McDougal Professor of International Law, Yale Law School
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**9:00am** **Can the Law of Military Space Operations be Analogized from the "Terrestrial" Laws of War: A Roundtable Discussion**  
*Room 2-02B* *The law governing the use of military force and the law of armed conflict have evolved from centuries of practice in land, naval, and air warfare. The Gulf War of 1991 has been referred to as the first "space war" from the use of satellites for the high-precision targeting of "smart bombs." Over twenty-five years later, states have become reliant on space technology- economically, socially and militarily – such that the disruption of space infrastructure could prove devastating to modern life. Space infrastructure is both part of warfare and it is a likely target in military operations. This panel will consider how the laws that regulate terrestrial combat operations can—and cannot—be analogized to military space operations. Space may be the final frontier but it is not beyond the rule of law.*

**Moderator:**

- **Chris Borgen**, Professor of Law, Co-Director of the Center for International and Comparative Law, St. John's University School of Law

**Panelists:**

- **Dr. Peter L. Hays**, Senior Policy Advisor, Falcon Research, and Adjunct Professor of Space Policy and International Affairs, George Washington University Space Policy Institute
  - **Lieutenant Colonel Matthew T. King**, Staff Judge Advocate, 30th Space Wing, Vandenberg AFB
  - **Dr. Cassandra Steer**, Space Security Consultant
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# Schedule

Friday, October 19

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9:00am

Room 2-02A

## Identity in the Age of Blockchain and Refugees

*Blockchain-based digital identity projects are using technology to address the conflicts inherent at the intersection of universal rights, state sovereignty, and administrative coordination. Projects such as Homeward and Democracy Earth signal the emergence of viable self-sovereign identities which, in many instances, can be more reliable or more accessible than those administered by nation-states. What will be the role that these new identities have to play before the eyes of international law? How should the information associated with a blockchain-based decentralized identity be governed? Join this round table to examine several blockchain-based identity projects and explore some answers to how the landscape of identity and personhood will change in the years to come.*

Moderator:

- **Isabelle Figaro**, Attorney, New York

Panelists:

- **Sahar Hafeez**, Associate, Pillsbury Winthrop Shaw Pittman LLP
  - **Lucia Gallardo**, Founder, Emerge
  - **Paula Berman**, Democracy Earth
  - **Catherine Chen**, Founder & CEO, IG Liaison Strategy & Business Consulting
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9:00am

Room 2-01B

## 70 years after the UDHR: Are we at the Endtimes of Human Rights?

*Recent books have challenged the usefulness and efficacy of international human rights law (Posner, "The Twilight of Human Rights Law", Hopgood "The Endtimes of Human Rights") for its failure to do away with human rights violations and "to improve the well-being of people in the world." Instead, it is argued, it has resulted in the proliferation of human rights norms where the elimination of poverty, global democracy and international development have all become human rights goals. It is also claimed that the prospect of a world under secular human rights law is receding in the face of a return to sovereignty and religion. This panel seeks to respond to these arguments.*

Moderator:

- **Christina Cerna**, ABILA Vice-President, Adjunct Professor, Georgetown University Law Center

Panelists:

- **Stephanie Fariior**, Distinguished Faculty Scholar, Vermont Law School
  - **Hurst Hannum**, Professor of International Law, Tufts University
  - **Catherine Powell**, Professor of Law, Fordham University Law School
  - **Marie-Joseph Ayissi**, Office of the UN High Commissioner for Human Rights
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# Schedule

Friday, October 19

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9:00am

## The Global Crackdown on Civil Dissent and Freedom of Expression

Room 2-01A

*In countries around the world, freedom of expression and freedom of association have been subjected to new restrictions, contributing to a global crackdown on civil society and dissent. The trend includes new laws restricting or prohibiting protest and political activism, direct targeting of activists, journalists, and human rights defenders, and regulatory and funding obstacles for non-profit organizations. This expert panel, organized by members of the International Human Rights Committee of the NYC Bar Association, will focus on experiences and resistance strategies in India, Israel, and the United States.*

Moderator:

- **Neil Pakrashi**, Attorney, DLA Piper

Panelists:

- **Nick Robinson**, Legal Advisor – US Program, The International Center for Not-for-Profit Law
  - **Meera Shah**, International Human Rights Committee, NYC Bar Association
  - **Christine Mehta**, Research Professor, Data and Investigative Journalism, Syracuse University
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10:45am

## Old Wine in New Bottles? The Trump Administration and Trade Law

Room 2-02C

Approved for  
CLE

*In the last year, the Trump Administration has employed U.S. statutory trade instruments that were thought by many to be rendered moot with the creation of the World Trade Organization. The panel will survey and assess the impact of these actions for governments, importers, exporters, and others. It will also explore the role of the other branches of government beyond the executive in trade law-making. Panel members will question just how much these statutory moves matter and whether the U.S. approach signals a major shift in the international trade law system.*

Moderators:

- **Julian Arato** Associate Professor of Law, Brooklyn Law School
- **Kathleen Claussen**, Associate Professor of Law, University of Miami School of Law

Panelists:

- **Diana Dimitriuc-Quaia**, Partner, Arent Fox LLP
  - **Daniel Price**, Managing Director, Rock Creek Global Advisors
  - **Katherine Tai**, Chief Trade Counsel, U.S. House of Representatives Ways and Means Committee, Minority
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# Schedule

Friday, October 19

**10:45am**

Room 2-02B

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## **Due Process for Refugees at Borders: A Challenge for International Law**

*With asylum-seekers arriving at the U.S. border facing heightened detention risks, and people around the world languishing in detention centers or turned away without opportunity to present their case, due process for asylum-seekers has been receiving global attention. International law guarantees asylum-seekers—among other things—access to courts, due process, and non-penalization for irregular entry. Yet many national regimes for asylum-seekers fail to meet those international law standards. The proposed panel will address both the legal obligations of states to provide asylum-seekers with due process and considerations in enforcing those obligations in practice.*

Moderator:

- **Megan Corrarino**, Associate, Debevoise & Plimpton LLP

Panelists:

- **Elenor Acer**, Senior Director, Refugee Protection, Human Rights First
- **Dr. Tally Kritzman-Amir**, Visiting Associate Professor, Harvard; Senior Lecturer, College of Law and Business
- **Katherine Reisner**, Senior Policy Advisor, New York City Mayor's Office of Immigrant Affairs
- **Alice Barrett**, Capital Area Immigrants' Rights (CAIR) Coalition
- **Lindsay Jenkins**, Protection Officer, United Nations High Commissioner for Refugees

**10:45am**

Room 2-02A

## **Investor-State Dispute Settlement: A Brave New World or The Clock that Went Backward?**

*ISDS is going through an evolutionary phase in response to numerous criticisms from its stakeholders and the public at large. This phase has already seen proposals of stark changes to the system. Many of the "innovations" proposed, such as a multilateral investment court, or a greater role for State-to-State mediation, harken back to a prior age of international dispute settlement. This panel will examine what these older models can tell us about what ISDS might look like in the future, assuming its evolutionary phase continues. It will also examine how the new proposals should differ from the older models.*

Moderator:

- **Kenneth Figueroa**, Partner, Foley Hoag LLP

Panelists:

- **Anna Joubin-Bret**, Secretary General, UNCITRAL
- **Bernardo Sepulveda**, Of Counsel, Creel; former Judge, International Court of Justice
- **Analía Gonzalez**, Counsel, Foley Hoag LLP; VP, Committee on Investor-State Arbitration, ICC Mexico
- **Grant Hanessian**, Partner, Chair of International Arbitration Group in North America, Baker & McKenzie LLP

# Schedule

Friday, October 19

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**10:45am**

Room 2-01B

## **The Meaning of Torture in National Security**

*This panel will examine the meaning of torture in a national security context, with particular focus on detainees tortured by the United States. Three aspects to be explored are: torture targeting non-citizen people of color; the false narrative of torture in intelligence ops; and whether CAT or state practice distinguish between "active" torture/CID and "passive" torture/CID (incommunicado detention, withholding certain medical/psychological care).*

Moderator:

- **Alka Pradhan**, Human Rights Counsel, Military Commissions Defense Organization

Panelists:

- **Amrit Singh**, Counsel & Head of the Accountability, Liberty, and Transparency Cluster, Open Society Justice Initiative
  - **Kate Porterfield**, Clinical Psychologist, NYU Program for Survivors of Torture
  - **Margaret Satterthwaite**, Director, Center for Human Rights and Global Justice Clinic, New York University School of Law
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**10:45am**

Room 2-01A

## **War, Peace and International Law on the Korean Peninsula**

*High-level discussions between the United States and North Korea have resulted in the tentative suspension of nuclear and missile testing by North Korea and U.S. – South Korean military exercises. Proposals to denuclearize the Korean Peninsula and formally end the Korean War are now under consideration. This panel will offer a range of views on international legal, political and security developments on the Korean Peninsula and will evaluate the role that international law, including new international agreement regimes, may offer in promoting peace and security there.*

Moderator:

- **Jack Beard**, Associate Professor, University of Nebraska College of Law

Panelists:

- **Anthony Arend**, Professor, Georgetown University School of Foreign Service
- **Daniel Joyner**, Elton B. Stephens Professor of Law, University of Alabama School of Law
- **Eric Jensen**, Professor, Brigham Young University School of Law

# Schedule

Friday, October 19

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**12:30pm**

**Box Lunch sponsored by the Leitner Center**  
*Soden Lounge*  
Limited Quantity: First Come, First Served

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**ABILA Board of Directors Meeting**

*Room 3-03*  
Lunch Served

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**1:30pm**

*Room 2-02A/B*

**Keynote Address: "The United States and International Law in the 21st Century"**  
**Professor Sean Murphy**, Manatt/Ahn Professor of International Law, George Washington University Law School; President, American Society of International Law

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**2:45pm**

**Break**

# Schedule

Friday, October 19

3:00pm

Room 2-02C

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## Investing in Climate Change Technologies: Barriers and Opportunities

*“Green” investment in renewable energy technology, as well new technology relating to climate change adaption and mitigation, provides the potential for a win-win situation for both investors and the international community at large. However, private parties face a number of barriers to sustained investment in climate change technologies, including regulatory uncertainty at both the domestic and international level. This panel will examine how the current international law framework governing climate finance may assist—or hinder—in overcoming these barriers, looking at both existing financing schemes as well as international legal developments affecting investment in climate change technologies.*

Moderator:

- **Michael Gerrard**, Andrew Sabin Professor of Professional Practice; Director, Sabin Center for Climate Change Law, Columbia Law School

Panelists:

- **David W. Rivkin**, Partner, Debevoise & Plimpton LLP
- **Lisa DeMarco**, Senior Partner, DeMarco Allen LLP
- **Cameron Prell**, Partner, Coefficient Group

3:00pm

Room 2-02B

## The Inquiry on Protecting Children in Conflict

*This panel will discuss the 2018 report of the Inquiry on Protecting Children in Conflict, an initiative chaired by former UK Prime Minister Gordon Brown. Comprising a legal panel led by Shaheed Fatima QC and aided by an expert advisory group, the Inquiry reviewed the adequacy and effectiveness of the child-protection frameworks set out in international criminal law, international humanitarian law, and international human rights law, and also proposed reforms aimed at enhancing accountability and deterring future atrocities. The panel session, sponsored by the Dean Rusk International Law Center of the University of Georgia School of Law, will discuss the findings and recommendations.*

Moderator:

- **Diane Marie Amann**, Emily & Ernest Woodruff Chair in International Law and Faculty Co-Director of the Dean Rusk International Law Center, University of Georgia School of Law

Panelists:

- **Shaheed Fatima QC**, Barrister, Blackstone Chambers, London
- **Harold Hongju Koh**, Sterling Professor of International Law, Yale Law School
- **Mara Redlich Revkin**, Ph.D. Candidate in Political Science, Yale University; Lead Researcher on Iraq and Syria, United Nations University’s Project on Children and Extreme Violence

# Schedule

Friday, October 19

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3:00pm

Room 2-02A

## Pathways to Careers in International Law

*A unique forum that brings law students and new lawyers together with experienced practitioners to discuss possible careers in international law. Learn 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 interpersonal skills. Sponsored by the ABA Section of International Law and International Law Students Association. All participants are speaking in their personal capacity*

Moderator:

- **Lesley Benn**, Executive Director, International Law Students Association

Panelists:

- **Pinky Mehta**, United Nations Development Programme
  - **Louis O'Neill**, Counsel, White & Case
  - **Jarrett Wolf**, President, Wolf P.A.
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3:00pm

Room 2-01B

## Do Multilateral Intellectual Property Negotiations Still Matter in the Age of Plurilaterals?

*The past decade has seen the proliferation of regional and plurilateral trade agreements, such as the Trans-Pacific Partnership and the proposed Regional Comprehensive Economic Partnership. Yet, the World Intellectual Property Organization continues to have an active "limitations and exceptions" agenda, while the World Trade Organization appears poised to enter further deliberations on trade rules in the digital arena. Conducted in roundtable style, this panel brings together IP scholars from different parts of the world to explore the future of the international intellectual property regime. Sponsored by the ABILA Committee on International Intellectual Property.*

Moderator:

- **Sean Flynn**, Professor, American University Washington College of Law; Co-Chair, ABILA Committee on International Intellectual Property

Panelists:

- **Irene Calboli**, Professor, Texas A&M University School of Law; Member, ILA Committee on Participation in Global Cultural Heritage Governance
  - **Doris Estelle Long**, Professor Emeritus, John Marshall Law School
  - **J. Janewa OseiTutu**, Professor, Florida International University College of Law
  - **Peter K. Yu**, Professor of Law and Director, Center for Law and Intellectual Property, Texas A&M University School of Law; ABILA Co-Director of Studies and Co-Chair, Committee on International Intellectual Property
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# Schedule

Friday, October 19

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**3:00pm**

Room 2-01A

## **The New Global Compact on Migration**

*At the September 2016 UN Summit for Refugees and Migrants, world leaders pledged to elaborate two new international instruments to strengthen governance of international migration – one on refugees and the other on migration. Negotiation of the text of the Global Compact for Safe, Regular, and Orderly Migration (GCM) began in earnest after the December 2017 Stocktaking meeting hosted by Mexico, as one of the co-facilitators of the GCM process. As reflected in the very title of the instrument, the dynamics of the negotiations have been strained by tension between border security and humanitarian protections, with stakeholders advocating the use of sometimes complementary, sometimes competing, law enforcement, economic, and human rights lenses.*

Moderator:

- **John Cerone**, Visiting Professor of International Law, Tufts University

Panelists:

- **Craig Mokhiber**, Director, OHCHR, New York
  - **Chris Harland**, Legal Advisor, ICRC-UN
  - **Mehreen Afzal**, Senior Policy Officer, UNHCR
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**4:45pm**

Room 2-02C

Approved for  
CLE

## **Imposing Obligations on Foreign Investors: An Emerging Trend in International Investment Law**

*After decades marked by efforts to protect foreign investment, numerous calls for reform now seek to ensure that international investment law promotes responsible investment that do not conflict with human rights, environmental protection and the prohibition of corruption. Rather than considering the imposition of obligations on private actors as a distant aspiration, this panel posits that it constitutes an emerging trend. This trend can be observed in international investment agreements, decisions from investment arbitration tribunals, counterclaims and the reliance on transnational public policy.*

Moderator:

- **Andrea Bjorklund**, Full Professor, L. Yves Fortier Chair in International Arbitration Law, McGill University

Panelists:

- **Brooke S. Gruven**, Researcher, Investment Law and Policy, Columbia Center on Sustainable Investment
  - **Floriane Lavaud**, Counsel, Debevoise & Plimpton LLP
  - **Jean-Michael Marcoux**, Postdoctoral Fellow, McGill University
  - **Simon Batifort**, Counsel, Curtis, Mallet-Prevost, Colt & Mosle LLP
  - **Yarik Kryvoi**, Senior Research Fellow in International Economic Law, Director, Investment Treaty Forum, British Institute of International and Comparative Law
-

# Schedule

Friday, October 19

4:45pm

Room 2-02B

## **Surveillance, Privacy, and Human Rights: The Outlook for 2019**

*The intersection of surveillance, privacy, and human rights will be a crucial arena for international law in 2019, including the European Union General Data Protection Regulation (GDPR), the transatlantic Privacy Shield data transfer agreement, and section 702 of the FISA Amendments Act. In an interactive roundtable format, our distinguished panel will analyze these key issues.*

Approved for  
CLE

Moderator:

- **Peter Margulies**, Professor of Law, Roger Williams University School of Law

Panelists:

- **Brian Egan**, Partner, Steptoe & Johnson
- **Els DeBusser**, Assistant Professor, Leiden University
- **Margaret Hu**, Associate Professor, Washington & Lee University School of Law
- **Patrick Toomey**, Staff Attorney, American Civil Liberties Union
- **Becky Richards**, Director of Civil Liberties, National Security Agency

4:45pm

Room 2-02A

## **The Rome Statute at 20: Dedicated to the Memory of M. Cherif Bassiouni, the “Father” of International Criminal Law and the ICC**

*This panel, sponsored by the ICC Committee for the American Branch of the International Law Association on behalf of Committee Chair Jennifer Trahan, celebrates the 20th anniversary of the Rome Statute of the International Criminal Court. It will reflect upon the Statute’s negotiation during the Rome Conference, focus on current issues facing the Court, the challenges it faces, and opportunities for the future. It will examine whether the consensus of the Rome Statute, agreed to in the UNGA’s decade of international law, is still supported by the international community, and fits with the theme of the weekend, ‘Why International Law Matters.’*

Moderator:

- **Leila Sadat**, ABILA President-Elect; James Carr Professor of International Criminal Law, Washington University School of Law

Panelists:

- **Michael Newton**, Director, Vanderbilt-in-Venice, Vanderbilt Law School
- **Kim Prost**, Judge, International Criminal Court
- **Stephen Rapp**, The Hague Institute; former U.S. Ambassador for War Crimes
- **Beth Van Schaack**, Professor, Stanford Law School
- **Elizabeth Evenson**, Human Rights Watch

# Schedule

Friday, October 19

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**4:45pm**

Room 2-01B

## **Planting Grassroots Human Rights**

*Reports of public and private discrimination abound locally and globally. News accounts of racially-motivated excessive force by police, rhetorical devaluation of Latinos, Islamophobia, and sexual harassment are daily in the news. Whether bigotry is resurgent or merely receiving greater media attention, human rights law is somehow rarely part of the public debate. This roundtable will address the question of why IHRL is not always a standard part of the discussion and how that can be changed.*

Moderator:

- **Aaron Fellmeth**, Professor, Arizona State University, Sandra Day O'Connor College of Law

Panelists:

- **Ruth Wedgwood**, Edward B. Burling Professor of Int'l Law & Diplomacy, Johns Hopkins University School of Advanced Int'l Studies; Chair, ABILA Board of Directors
  - **Kendall Thomas**, Nash Professor of Law, Columbia Law School
  - **Arzoo Osanloo**, Associate Professor, University of Washington, College of Arts & Sciences, Law, Societies & Justice Program
  - **Diane Amann**, Emily & Ernest Woodruff Chair in International Law, University of Georgia School of Law
- 

**4:45pm**

Room 2-01A

## **Refole Me Once, Shame on Who? The United States and Non-refoulement under the Convention Against Torture in Armed Conflict**

*Under the Obama Administration, the United States acknowledged some extraterritorial application of the Convention Against Torture ("CAT"). However, the U.S. previously contended that its CAT Article 3 obligation not to return (refouler) a person to another State where the individual may be tortured, only applies within U.S. territory. This panel explores the debate over extraterritorial application of the non-refoulement obligation, recently reinvigorated by the attempted transfer of a U.S.-Saudi citizen captured in Iraq to Saudi Arabia. Is the past U.S. position on Art.3 still supportable today?*

Moderator:

- **Nicole Hogg**, Legal Advisor and Head of Legal Department, ICRC Washington DC

Panelists:

- **Christopher C. Fonzone**, Partner, Sidley Austin LLP; former Deputy Assistant and Deputy Counsel to the President; former Legal Adviser, National Security Council
  - **Brigadier General (Ret.) Richard Gross**, former Legal Counsel to the Chairman of the Joint Chiefs of Staff
  - **Heather Brandon-Smith**, Advocacy Counsel, Human Rights First
- 

**6:30pm**

## **Reception at the Permanent Mission of Estonia to the United Nations**

*Three Dag Hammarskjöld Plaza, 305 East 47th Street, New York*

*For security reasons, only those who pre-registered may attend. Registered guests must bring photo identification to present at check-in. The support and generosity of the Permanent Mission of Estonia towards International Law Weekend is greatly appreciated.*

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# Schedule

Saturday, October 20

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**8:00am** Complimentary Coffee sponsored by International and Non-J.D. Programs, Fordham University  
*Soden Lounge* School of Law

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**9:00am** **Private International Law Matters**

*Room 2-02C*

*This panel is a variation on a perennial favorite of ILW. Each year, this panel reviews important recent developments in private international law. Presentations will address developments in the realm of private international law (particularly in the traditional PIL trilogy of jurisdiction, applicable law, and the recognition and enforcement of foreign judgments). This will include: the completion of the UNCITRAL mediation convention, continued movement on The Hague Conference judgments project, and the movement towards Brexit.*

*Approved for CLE*

Moderator:

- **Louise Ellen Teitz**, Professor of Law, Roger Williams Law School

Panelists:

- **Lawrence Newman**, Partner, Baker & McKenzie
  - **Anna Joubin-Bret**, Secretary, United Nations Commission on International Trade Law, Director, Division on International Trade Law, Office of Legal Affairs, The United Nations
  - **Lidia Spitz**, member of the Brazilian Delegation to the Hague Special Commissions on Judgments, Rio De Janeiro
  - **Michael Coffee**, Attorney-Adviser, Office of Private International Law, Office of the Legal Adviser, U.S. Department of State
  - **Ronald A. Brand**, Professor of Law, Academic Director, Center for International Legal Education, University of Pittsburgh School of Law, ABILA Board Member
- 

**9:00am** **Does International Criminal Justice Work? Syria, North Korea, and the Role of International Criminal Justice in Resolving Global Crises**

*Room 2-02B*

*This panel examines one of the core tenets of the Rome Statute establishment 20 years ago - whether international criminal justice helps prevent the commission of atrocity crimes- in the context of recent conflicts and crises in Syria and in North Korea. This panel will bring a theoretical and practical perspective to these questions, in the spirit of continuing to make good on the Rome Statute's promise of ending the commission of unimaginable atrocities. This panel will thus examine the question of "Why International Law Matters" in the context of Syria and North Korea. Panelists will examine whether international criminal justice has played a deterrent role in these conflicts and crises, as well as what role international criminal justice may play in the future, in order to resolve these conflicts and crises.*

Moderator:

- **Milena Sterio**, Professor, Cleveland-Marshall College of Law

Panelists:

- **Michael Scharf**, Dean & Joseph C. Hostetler-BakerHostetler Professor of Law, Case Western Reserve University School of Law
  - **Paul Williams**, Rebecca I. Grazier Professorship in Law and International Relations, American University Washington College of Law
  - **Yvonne Dutton**, Associate Professor, Indiana University McKinney School of Law
-

# Schedule

Saturday, October 20

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**9:00am**

Room 2-02A

\*This panel is sponsored by the ABILA United Nations Law Committee and the ASIL International Organizations Interest Group

## **The Use of Force in Peace Operations**

*This year marks seven decades of United Nations peace operations. While the principles of peacekeeping remain unchanged since 1948, the debate over the use of force continues. Too little force may prevent missions from fulfilling their mandate; too much force may draw peacekeepers into the conflict. Is current doctrine on the principles of peacekeeping adequate in light of changing circumstances? Or does the United Nations need to change the way it is doing business?*

Moderator:

- **Ian Johnstone**, Fletcher School of Law and Diplomacy, Tufts University

Panelists:

- **Nannette Ahmed**, United Nations Department of Peacekeeping Operations
- **Col. Vincent de Kytspotter**, Permanent Mission of France to the United Nations
- **Aditi Gorur**, Stimson Centre, Washington D.C.
- **Adam Day**, United Nations University

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**9:00am**

Room 2-01B

## **The Security Council in a Fracturing World: Questions of Effectiveness, Legitimacy and Legal Coherences**

*Is the Security Council capable of addressing the most important contemporary security issues? This panel will focus on the Council's role in issues such as the use of force, its involvement in post-conflict situations, the scope of its sanctioning authority and its law-making powers. Are concerns about the Council's contemporary relevance warranted or have deadlocks over a few high-profile conflicts obscured the Council's work in other areas where consensus is actually the norm?*

Moderator:

- **Dr. Hannah Woolaver**, Senior Lecturer in Public International Law University of Cape Town

Panelists:

- **Gregory H. Fox**, Professor of Law and Director, Program for International Legal Studies, Wayne State University Law School
- **Kristen Boon**, Miriam T. Rooney Professor of Law and Associate Dean for Faculty Research and Development, Seton Hall Law School
- **Mohamed Helal**, Assistant Professor of Law, Ohio State University Law School
- **Eran Sthoeger**, Security Council Report

# Schedule

Saturday, October 20

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**9:00am**      **Will the Treaty in Genetic Resources and Traditional Knowledge Provide Meaningful Protection to Indigenous Communities?**  
*Room 2-01A*

*Since its inception in October 2000, the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) of the World Intellectual Property Organization has undertaken text-based negotiations on genetic resources, traditional knowledge and traditional cultural expressions. Will the process provide meaningful protection to indigenous communities? Will it foster adequate protection of genetic resources, traditional knowledge and traditional cultural expressions? What consensus the IGC has achieved so far? What are the major disagreements? This panel brings together experts who have advanced draft treaty texts on behalf of indigenous communities. Sponsored by the ABILA Committee on International Intellectual Property.*

Moderator:

- **Peter K. Yu**, Professor of Law and Director, Center for Law and Intellectual Property, Texas A&M University School of Law; Co-Director of Studies and Co-Chair, Committee on International Intellectual Property, American Branch of the International Law Association

Panelists:

- **Jane Anderson**, Associate Professor, Anthropology and Museum Studies, New York University
- **Bassem Awad**, Deputy Director of International Intellectual Property Law and Innovation, International Law Research Program, Centre for International Governance Innovation, Canada
- **Preston Hardison**, Policy Analyst, the Tulalip Tribes of Washington
- **Sue Noe, Esq.**, Senior Staff Attorney, Native American Rights Fund

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**10:45am**      **Smart Contracts and Blockchain: Where Will Disputes Arise and How Should They Be Resolved**  
*Room 2-02C*

*Approved for  
CLE*

*The advantages of smart contracts and blockchain technology is rapidly gaining popularity in a broad range of industry sectors. This panel will discuss the current advantages and disadvantages of the smart contract and blockchain technologies in the context of international transactions. The panel will also consider the most effective way of resolving disputes that may arise, focusing on the potential of international arbitration and other alternative dispute resolution forums to best align with and support these new technologies and ways of transacting.*

Moderator:

- **Daniel Reich**, Partner, Shearman & Sterling LLP

Panelists:

- **Rebecca Bratspies**, Professor of Law, City University of New York - School of Law
- **Robert A. Schwinger**, Norton Rose Fulbright US LLP
- **David Earnest**, Associate, Shearman & Sterling LLP
- **Aaron Wright**, Associate Clinical Professor of Law, Founder/Director, Cardozo Blockchain Project and Tech Startup Clinic, Cardozo School of Law

# Schedule

Saturday, October 20

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10:45am

Room 2-02B

## Is Investment Law Harmonious With The Rule Of Law?

*Since 2015, the ILA's Rule of Law and International Investment Law Committee has explored whether investment law is harmonious with the rule of law and whether the rule of law is even an appropriate ideal for the field. Prof. Andrea Bjorklund, the co-rapporteur for the Committee, will present the Committee's recent advances from its interim report, followed by comments from active practitioners and academics regarding whether and how rule of law principles may contribute to international investment law.*

Approved for  
CLE

Moderator:

- **Diora Ziyeva**, Senior Managing Associate, Dentons U.S. LLP

Lead Panelist:

- **Andrea Bjorklund**, Full Professor, L.Yves Fortier Chair in International Arbitration Law, McGill University

Panelists:

- **Alexandre de Gramont**, Partner, Dechert LLP
  - **Guillermo Garcia Sanchez**, Associate Professor, Texas A&M University School of Law
- 

10:45am

Room 2-02A

## Statelessness: The Worldwide Absence of Legal Protection

*The stateless are excluded from the international legal system. In the words of Hannah Arendt, the stateless lack membership; they have lost the right to have rights. More than ten million individuals are stateless in 2018; roughly one-third are children. They are found all around the globe. Despite efforts by the UN High Commissioner for Refugees, statelessness appears to be increasing. A panel of speakers will illuminate the scope of the problem, the gaps in international law, and strategies for reducing statelessness around the world.*

Moderator:

- **Maryellen Fullerton**, Professor of Law, Brooklyn Law School

Panelists:

- **Lindsay Jenkins**, UNHCR, Washington, DC
  - **Karina Clough**, Co-Founder, United Stateless
  - **Laura Bingham**, Open Society Justice Initiative
-

# Schedule

Saturday, October 20

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**10:45am**      **The Demise of the WTO Appellate Body?**

Room 2-01B

*With the United States government blocking the selection of new WTO Appellate Body (AB) members, the WTO's judicial arm will soon cease to function. Why is the US doing this? Can anything be done to save or resurrect the AB? Should it be saved and for what purposes? This panel of scholars and practitioners offers a range of views on the legal, institutional, and political underpinnings of the AB crisis.*

Moderator:

- **Amelia Porges**, Principal, Porges Trade Law, Senior Counsel for Dispute Settlement; former Head of Enforcement, USTR, former Senior Legal Officer, Counsellor, GATT Secretariat

Panelists:

- **Merit Janow**, Dean, School of International and Public Affairs, Professor of Professional Practice, International Economic Law & International Affairs, Columbia University; former Member, WTO Appellate Body
  - **Kathleen E. Claussen**, Associate Professor of Law, University of Miami School of Law; former Associate General Counsel, USTR
  - **Juan A. Millan**, Assistant United States Trade Representative, Monitoring and Enforcement
  - **Richard H. Steinberg**, Professor of Law & Political Science, University of California (Los Angeles); former Associate General Counsel, USTR
- 

**10:45am**      **Legacies and Memories of International (Criminal) Law**

Room 2-01A

*This panel inquires how to measure if international law matters, to whom things matter (who is the 'we' here), when it is still too soon to matter, and whether it can become too late to ever have mattered at all. The conversational starting point will be international criminal law filtered through the lenses of the construction of legacy, the decolonization of the past, and the ritual of memory. This panel then leverages experiences from international criminal law into a much broader picture. Do other areas of international law – trade, environment, intellectual property, contract, restitution – share similar existential concerns?*

Moderator:

- **Mark Drumbl**, Director, Transnational Law Institute, Washington and Lee University

Panelists:

- **Sasha Greenawalt**, Professor, Pace Law School
  - **Barbora Hola**, Associate Professor, Free University of Amsterdam
  - **Peter Robinson**, Defense Attorney, International Tribunals
  - **Olivera Simic**, Associate Professor, Griffith University (Australia)
  - **Milena Sterio**, Professor, Cleveland-Marshall College of Law
-

# Schedule

Saturday, October 20

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**12:30pm**                      **Lunch Break**

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**12:30pm**                      **Annual ABILA Members Meeting**  
*Room 4-02*

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**12:30pm**                      **ILSA Congress, Meeting of ILSA Chapters**  
*Room 2-01B*

# Schedule

Saturday, October 20

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**1:45pm**      **Free Form Treaty Interpretations' Last Stand: Why Vienna Convention Treaty Interpretation Rules Matter More than Ever in the Outer Space Domain**

Room 2-02C

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*In a new era of expanded commercial space activities, debates in space law are too frequently taking place with use of free form treaty interpretation, and rare citation to or acknowledgement of VCLT rules. Outer Space Treaty obligations are broad principles yielding flexible results in many instances but still must be interpreted under the VCLT. This roundtable will explore current debates regarding asteroid mining, space debris removal, and authorization of new commercial space activities and the role of treaty interpretation in these debates, along with a comparison to prominence of the VCLT in other international law regimes, particularly the global trade and investment law regimes.*

Moderator:

- **Matthew Schaefer**, Veronica Haggart & Charles Work Professor of International Trade Law, University of Nebraska College of Law

Panelists:

- **Gabriel Swinney**, Attorney-Advisor, U.S. State Department
  - **Henry Hertzfeld**, Research Professor of Space Policy, George Washington University
  - **Margaret Vernal**, Content Manager, Lexis Practice Advisor
  - **Barry Appleton**, Attorney, Appleton & Associates
- 

**1:45pm**      **The BBNJ Negotiations: Where Do We Stand after the Beginning of the Intergovernmental Conference?**

Room 2-02B

*This panel will discuss the state of the negotiations during the Intergovernmental Conference on an international legally binding instrument on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. The first session of the Conference took place on September 4-17, 2018 at the United Nations Headquarters. We will discuss the advancement of these negotiations, taking into account the outcome of that first session.*

Moderator:

- **Elizabeth Rodriguez-Santiago**, Research Assistant Professor, Universidad del Este, Puerto Rico

Panelists:

- **Cymie Payne**, Associate Professor, Rutgers University School of Law
  - **Clement Mulalap**, Attorney, UN Mission of the Federated States of Micronesia
  - **Hiroko Muraki Gottlieb**, Senior Ocean Governance Advisor, IUCN
-

# Schedule

Saturday, October 20

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1:45pm

Room 2-02A

## 2019 Jessup *Compromis* Panel

*A panel of experts will discuss some of the key topics of the 2019 Jessup Problem which concerns the appropriation of traditional knowledge for commercial purposes, state responsibility for corporate actions, human rights violations, and majestic herds of migratory yaks. This panel will be recorded and made available online for all Jessup participants after the conference.*

Moderator:

- **Lesley Benn**, Executive Director, International Law Students Association

Panelists:

- **Jane Anderson**, Associate Professor, Anthropology and Museum Studies, New York University
  - **Hurst Hannum**, Professor of International Law, Tufts University
  - **Sara Blackwell**, Advisor, Shift
- 

1:45pm

Room 2-01B

## Protecting the Environment Before, During and After Armed Conflict

*The environment plays a crucial role in relation to armed conflicts: as a conflict source and fuel for the continuation of the hostilities; as a method of warfare; as a victim; as an obstacle as well as a vehicle for peacebuilding. Thus, international law needs to keep pace with these challenges in order to maintain its relevance in conflict prevention, regulating warfare and to build a peaceful world. The panel will address how during a roundtable discussion.*

Moderator:

- **Stefan Oeter**, Professor, University of Hamburg

Panelists:

- **Carl Brunch**, Attorney, Environmental Law Institute
  - **Anne Dienelt**, Research Fellow & Lecturer, University of Hamburg
  - **Ambassador Marie Jacobsson**, Legal Advisor, Ministry for Foreign Affairs of Sweden; Associate Professor, Lund University
  - **Marja Lehto**, Senior Expert at the Legal Service, Ministry for Foreign Affairs of Finland; Special Rapporteur, Protection of the Environment in Relation to Armed Conflicts, UN International Law Commission
  - **Britta Sjostedt**, Post-Doctoral Fellow, Lund University
-

# Schedule

Saturday, October 20

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1:45pm

## Emerging Voices

Room 2-01A

*While international law is changing, the scholars and practitioners who study and implement the law are also changing. This panel consists of individuals who have worked in the field of international law for five years or less. Their presentations represent recent scholarship on the theory and practice of international law.*

Moderator:

- **Martin Flaherty**, Professor of Law, Fordham University Law School

Panelists:

- **Grant Kynaston**, University of Sydney  
*Islamic International Law and General Principles under Article 38(1)(c) of the Statute of the International Court of Justice*
- **Sanskriti Singh**, Benjamin N. Cardozo School of Law  
*International Law and Standards Against Money Laundering: A Study On Its Implication On Asian Financial Markets*
- **Melissa Martin**, American University  
*Qatar's Maritime Quagmire: Challenges Surrounding South Pars/North Dome Gas Field amidst the Gulf Crisis*
- **Pedro Pizano**, Northwestern University School of Law  
*A Ghoulis Embarras des Richesses: Command Responsibility in Colombia After Bemba*
- **Nataliia Voitseshyna**, Notre Dame University School of Law  
*Transfer and Deportation of Civilian Population from Russia-Occupied Crimea*
- **Joshua Kelly**, Freshfields, London  
*Lex ferenda in the work of the International Law Commission*

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3:30pm

## Careers in International Development

Room 2-02C

*This roundtable discussion features practitioners with experience in international development within the U.S. Government and other organizations involved in development work. With unique and contrasting perspectives on pursuing a career in these fields, the speakers will provide students with invaluable advice and tips on courses of study, summer and academic year jobs to pursue, how to network, and likely and unlikely paths to a career in this field.*

*All participants are speaking in their personal capacity.*

Moderator:

- **Norman L. Greene**, Partner, Schoeman Updike Kaufman & Gerber LLP

Panelists:

- **Matthew Cohen**, Deputy General Counsel, US Agency for International Development
- **David Kassebaum**, Assistant General Counsel Advisor, Millennium Challenge Corporation
- **Deborah Burand**, Associate Professor of Clinical Law, NYU School of Law
- **Lisa Dickieson**, Senior Vice President for International Programs, Freedom House
- **Mary McLaughlin**, Assistant General Counsel for Global Health, US Agency for International Development

# Schedule

Saturday, October 20

3:30pm

Room 2-02A

## How Customary International Law Matters in Protecting Human Rights

*This panel will explore why and how customary international law matters in protecting human rights. Among the areas of inquiry will be the use of customary international law by national and international courts, for example in recent judicial decisions such as *Jesner v. Arab Bank PLC* (U.S. Supreme Court April 2018) and *Araya v. Nevsun Resources Ltd.* (British Columbia Court of Appeal November 2017). The panel will also discuss the implications of negotiations for a Global Compact on Refugees and other global standards on refugees and the practical role played by customary international law in defining and protecting the right to religious freedom.*

Moderator:

- **Brian Lepard**, Harold W. Conroy Distinguished Professor of Law, University of Nebraska College of Law

Panelists:

- **Niels Petersen**, Professor of Public Law, International Law, European Union Law, University of Münster
- **Alan Franklin**, Managing Director, Global Business Risk Management
- **Dana Schmalz**, Visiting Scholar, Zolberg Institute on Migration and Mobility at The New School
- **Mark Janis**, William F. Starr Professor of Law, University of Connecticut

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***A special thanks to the Permanent Mission of the Republic of Estonia to the United Nations for hosting the Friday evening reception.***

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