

International Law Weekend

Nov. 5-7,
2015

Global Problems, Legal Solutions: Challenges for Contemporary International Lawyers

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
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 members of ABILA, ILSA, the New York City Bar, and other co-sponsoring organizations, as well as staff of the United Nations and Permanent Missions to the United Nations, and students. For all others, there is a fee of \$175.

**Please note this program is subject to change*

ILW 2015

Welcome

The American Branch of the International Law Association (ABILA) and the International Law Students Association (ILSA) welcome you to the annual International Law Weekend (ILW) conference in New York City. This exciting event brings together hundreds of practitioners, law professors, members of governmental and non-governmental organizations, and students. The theme of ILW 2015 is “*Global Problems, Legal Solutions: Challenges for Contemporary International Lawyers*”. Expert panels will explore the many roles that international law plays in addressing global challenges. The aim is to provide an opportunity for discussion and debate about the ways in which international law provides fundamental tools and mechanisms to address emerging global issues. ILW 2015 will offer engaging panels on current problems and innovative solutions in both public and private international law.

ILW begins Thursday evening, November 5, 2015 with a distinguished opening panel at the New York City Bar (42 W. 44th Street). A reception sponsored by Shearman & Sterling LLP will follow and is open to all conference attendees.

The conference continues Friday, November 6 and Saturday, November 7, 2015 at Fordham University School of Law (150 West 62nd Street). Friday’s activities feature a keynote address by Miguel de Serpa Soares, United Nations Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, at Fordham University School of Law. This event is open to all conference attendees.

A number of panels this year will be designated for continuing legal education (CLE). 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.

On Friday evening, the Permanent Mission of the Republic of Singapore to the United Nations (318 E 48th St, New York, NY 10017) will host a reception for a limited number of conference attendees. Pre-registration is required. If you are pre-registered for this event, please remember to bring photo identification and your conference badge. A nominal ABILA registration fee of \$20 will be charged to confirm participation at the reception. The ABILA registration fee will be applied to cover other costs of ILW. The support and generosity of the Permanent Mission of the Republic of Singapore is greatly appreciated.

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

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

After the ILW conference has ended, the *ILSA Journal of International and Comparative Law* publishes an issue of the Journal that contains 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 to subscribe to the *Journal* or purchase this issue.

Schedule

At-a-Glance

Thursday, November 5, 2015 New York City Bar					
6:30pm	The Rule of Law and the Post 2015 Development Agenda <i>(Meeting Hall, Second Floor)</i>				
8:00pm	Opening Reception Sponsored by Shearman & Sterling LLP <i>(Reception Area, Second Floor)</i>				
Friday, November 6, 2015 Fordham Law School					
8:00am	Complimentary Coffee provided by International and Non-J.D. Programs, Fordham Law School <i>(Soden Lounge)</i>				
9:00am	Beyond Int'l Commercial Arbitration? The Promise of Int'l Commercial Mediation <i>Room 2-02C</i>	The Post-2015 UN Development Agenda - a different future? <i>Room 2-02B</i>	International Law and States in Emergency: Responses and Challenges <i>Room 2-02A</i>	The Road to Paris: What Can We Expect from the 21st Conference of the Parties to the UNFCCC? <i>Room 2-01B</i>	First steps in the new Arms Trade Treaty Regime <i>Room 2-01A</i>
10:30am	Break				
10:45am	The Holdout Creditor Problem in Sovereign Debt Workouts <i>Room 2-02C</i>	International Investment Arbitration: Friend or Foe? <i>Room 2-02B</i>	TTIP, Trade, and Regulatory Cooperation <i>Room 2-02A</i>	Private International Law in 2015: The Year in Review <i>Room 2-01B</i>	Towards a New Implementing Agreement Under UNCLOS on Marine Biodiversity in Areas Beyond Nat'l Jurisdiction <i>Room 2-01A</i>
12:30pm	Lunch Sponsored by the Leitner Center for International Law and Justice <i>(Soden Lounge)</i>				
1:30pm	Miguel de Serpa Soares United Nations Under-Secretary-General for Legal Affairs and United Nations Legal Counsel <i>Room 2-02B</i>				
2:45pm	Break				
3:00pm	Challenges of Pandemic Response from the Ebola Crisis <i>Room 2-02C</i>	Saving Lives and Building Society: The EU's New European Migration Agenda <i>Room 2-02B</i>	The International Law and Policy of Counterterrorism <i>Room 2-02A</i>	Pathways to Careers in International Law <i>Room 2-01B</i>	Arctic Ocean Stewardship <i>Room 2-01A</i>
4:30pm	Break				
4:45pm	Ethics for Counsel in International Adjudication <i>Room 2-02C</i>	Gender Justice: Addressing Domestic Challenges Through International Law <i>Room 2-02B</i>	Corporate Responsibility for International Crimes <i>Room 2-02A</i>	Current Events Through the Lenses of International Law <i>Room 2-01B</i>	Law Making by the UN Security Council <i>Room 2-01A</i>
6:30pm	Reception at the Permanent Mission of Singapore (318 E 48th St, New York, NY 10017) <i>Pre-registration is required.</i>				

Schedule

At-a-Glance

Saturday, November 7, 2015 Fordham Law School					
8:00am	Complimentary Coffee provided by International and Non-J.D. Programs, Fordham Law School (Soden Lounge)				
9:00am	A Critical Look at Motions to Disqualify Arbitrators <i>Room 2-02C</i>	Sanctions in Transition <i>Room 2-02B</i>	The Individual Petition Procedure in International Human Rights Law: Has it lived up to its expectations? <i>Room 2-02A</i>	The DoD Law of War Manual: The Tension between State and Non-State Expressions of Customary Int'l Humanitarian Law <i>Room 2-01B</i>	
10:30am	ILSA Board of Directors Meeting <i>Room 4-03</i>				
10:30am	Break				
10:45am	It's "Shocking" to Think There Is Corruption at FIFA <i>Room 2-02C</i>	Accountability for Crimes in Syria and Iraq <i>Room 2-02B</i>	Sustainable Development as a "Grundnorm" of Int'l Environmental Law and Policy <i>Room 2-02A</i>	Regulating On-Orbit Activities and Property Rights In Outer Space <i>Room 2-01B</i>	Challenges Related to Incorporating & Respecting Children's Rights in Conflict Resolution Internationally <i>Room 2-01A</i>
11:45pm	ABILA Committee Chairs Meeting <i>Room 4-02</i>				
12:30pm	Lunch Break				
12:30pm	ABILA Executive Committee Meeting (Lunch Provided) <i>Room 4-02</i>				
12:30pm	ILSA Congress, Meeting of ILSA Members (Lunch Provided) <i>Room 2-01B</i>				
1:45pm	Emerging International Trends and Practices in Guardianship <i>Room 2-02C</i>	TRIPS Agreement at 20 <i>Room 2-02B</i>	Tinker, Tailor, Cyber Spy: Int'l Legality of Mass Surveillance, Cyber Attacks by State Actors & Other Issues from the 2016 Jessup Compromis <i>Room 2-02A</i>	International Courts as Architects of the International Legal System <i>Room 2-01B</i>	Rising Seas, Baselines Issues: The Work of the International Law Association Baselines and Sea Level Rise Committee <i>Room 2-01A</i>
3:15pm	Break				
3:30pm	ABILA Members Meeting <i>Room 4-02</i>				
3:30pm	Careers in International Development <i>Room 2-02C</i>				

Schedule

Thursday, November 5

6:30pm

2nd Floor

*Meeting Hall, New
York City Bar*

The Rule of Law and the Post 2015 Development Agenda

A dialogue with senior UN officials and representatives of member states on efforts to advance the UN Rule of Law Initiative and to achieve the Sustainable Development Goals (SDGs) over the next fifteen years. This event has been organized by ABILA in consultation with the ABA's Section on International Law and the New York City Bar Association.

Moderator:

- **David Stewart**, President of the American Branch of the International Law Association

Panelists:

- **Ambassador David Donoghue**, Permanent Representative of Ireland to the United Nations
- **Ambassador Juan Manuel Gómez Robledo (Mexico)**, member of the International Law Commission
- **Irene Z. Khan**, Director General of the International Development Law Organization
- **Lise Kingo**, Executive Director of UN Global Compact

8:00pm

2nd Floor,

*Reception Area
New York City Bar*

Opening Reception

The wine and cheese reception at the New York City Bar is open to all ILW attendees. This reception is generously sponsored by Shearman & Sterling LLP.

Schedule

Friday, November 6

8:00am
Soden Lounge

Complimentary Coffee provided by International and Non-J.D. Programs, Fordham Law School

9:00am
Room 2-02C

Beyond International Commercial Arbitration? The Promise of International Commercial Mediation

**This panel is approved for CLE credit*

Although arbitration has long been touted as the primary means of resolving international commercial and investment disputes, users have expressed an increasing interest in mediation as a faster and cheaper alternative. This panel considers new developments along these lines, including but not limited to the proposed new treaty by UNCITRAL on international commercial mediation and recent empirical research concerning the use and perception of international commercial mediation worldwide. A diverse set of panelists from the public, private, academic and neutral sectors ensures a wide-ranging and comprehensive analysis.

Moderator:

- **S.I. Strong**, Manley O. Hudson Professor of Law, University of Missouri

Panelists:

- **Kabir Duggal**, Senior Associate, Baker & McKenzie
- **Deborah Masucci**, Chair of the Board, International Mediation Institute (IMI); private mediator and arbitrator
- **Edna Sussman**, Principal, SussmanADR LLC; Distinguished ADR Practitioner in Residence, Fordham University School of Law

9:00am
Room 2-02B

The Post-2015 UN Development Agenda – a different future?

**This panel is approved for CLE credit*

The September 2015 United Nations Summit launched a new global development framework, centered on a set of Sustainable Development Goals (SDGs) for the next fifteen years. Will this Agenda be truly universal, comprehensive and transformative? This panel will address the fundamental issues raised during the complex negotiating process, placing special emphasis on the additional dimensions brought into the debate, and explore the various challenges confronting all stakeholders from a variety of perspectives.

Moderator:

- **Christiane Bourloyannis-Vrailas**, UN Representative, Marangopoulos Foundation for Human Rights

Panelists:

- **Federica Scala**, External Relations Advisor at International Development Law Organization
- **Michael B. Gerrard**, Andrew Sabin Professor of Professional Practice, Columbia Law School
- **Kate Donald**, Director, Human Rights in Development Program, Center for Economic and Social Rights

Schedule

Friday, November 6

9:00am

Room 2-02A

International Law and States in Emergency: Responses and Challenges

This panel discussion will involve perspectives on international law responses to threats, with a focus on whether international law has the right tools in order to adequately address a particular state's response to an emergency/extra-ordinary situation. This panel will examine various strategies available under international law, which can be deployed in various situations of states off/in emergency. Does international law respond well to states off/in emergency? If not, is there a way to overcome international law's shortcomings by perhaps engaging in regional responses? This panel will be structured in a roundtable format, with the moderator asking each panelist a series of substantive questions on the above topic.

Moderator:

- **Milena Sterio**, Professor, Cleveland State University

Panelists:

- **Matthew Charity**, Professor, Western New England School of Law
- **Paul Williams**, Professor, American University Washington College of Law
- **Charles Garraway**, International Humanitarian Fact Finding Commission
- **Michael Scharf**, Co-Dean and Professor, Case Western Reserve University School of Law

9:00am

Room 2-01B

The Road to Paris: What Can We Expect from the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change?

The upcoming 21st Conference of the Parties to the United Nations Framework Conference on Climate Change promises to be one of the most momentous to date. This roundtable seeks to identify and assess the effectiveness of the likely outcomes of the conference, including efforts to establish a legally binding long-term agreement to reduce greenhouse gas emissions, and the adequacy of the parties' efforts to develop effective adaptation and loss and damages mechanisms.

Panelists:

- **Kate O'Neill**, University of California Berkeley, Department of Environmental Science, Policy and Management
- **Wil Burns**, Co-Director, Forum for Climate Engineering Assessment
- **Nate Keohane**, Vice President, International Climate, Environmental Defense Fund
- **Andrew Strauss**, Dean, University of Dayton School of Law

Schedule

Friday, November 6

9:00am

Room 2-01A

First steps in the new Arms Trade Treaty Regime

In September 2014, the Arms Trade Treaty (ATT) entered into force and consultations began to set up the new treaty regime. Preparatory meetings concluded and the first Conference of States Parties occurred in August 2015. By May 2016, states must submit their first reports on their arms trade. This panel will both look back on the process over the last year and predict how the new treaty regime will function to help prevent the illicit trade in arms.

Moderator:

- **William Worster**, Lecturer, The Hague University of Applied Sciences

Panelists:

- **Andreas Motzfeldt Kravik**, First Secretary, Legal Affairs, Permanent Norwegian Mission to UN
 - **Anna Macdonald**, Director of Control Arms Secretariat
 - **Nathalie Weizmann**, Senior Legal Officer at UN OCHA
 - **Daniel Prins, Chief**, Conventional Arms Branch, UNODA
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10:45am

Room 2-02C

**This panel is approved for CLE credit*

The Holdout Creditor Problem in Sovereign Debt Workouts

The central challenge in workouts of sovereign debt problems is how, in the absence of an institutionalized bankruptcy mechanism, to ensure supermajority creditor control of the process. After more than a decade, Argentina is still locked in a fierce courtroom battle with holdouts from its bond restructuring in 2005. Various mechanisms have been proposed, and some implemented, over the last 20 years to address the holdout creditor problem in restructurings of sovereign debt. This panel will review the design and the efficacy of these measures.

Moderator:

- **Lee Buchheit**, Partner, Cleary Gottlieb Steen & Hamilton LLP

Panelists:

- **Anne Krueger**, Senior Research Professor of International Economics, Johns Hopkins School of Advanced International Studies
 - **Yan Liu**, Assistant General Counsel, International Monetary Fund
 - **David Mack**, Managing Director, Perry Capital, LLC
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Schedule

Friday, November 6

10:45am

Room 2-02B

**This panel is approved for CLE credit*

International Investment Arbitration: Friend or Foe?

Investor-State dispute settlement (ISDS) has become the dispute resolution mechanism of choice for resolving international investment disputes. Yet the legitimacy of ISDS is increasingly under fire. Citing arbitrator conflicts and the lack of an appeals mechanism, the European Union recently called for the establishment of a permanent international investment court. Experts in this panel will evaluate this proposal and current criticisms of ISDS, and discuss possible ways forward.

Moderator:

- **Chiara Giorgetti**, Professor, University of Richmond

Panelists:

- **Stephen M. Schwebel**, Independent Arbitrator; former President of the International Court of Justice
- **Caline Mouawad**, Partner, King & Spalding LLP
- **Natalie Y. Morris-Sharma**, Legal Counselor, Permanent Mission of Singapore to the United Nations
- **August Reinisch**, University of Vienna

10:45am

Room 2-02A

TTIP, Trade, and Regulatory Cooperation

Although regulation has long been viewed as a barrier to trade, it has increasingly been a challenge for the trading regime since tariffs have decreased. Regulatory regimes differ across countries in their aims and in their details. Where regulatory aims are similar, the details nonetheless may require traders to meet different standards, increasing costs while not increasing welfare. How can such regulatory barriers be diminished? How can regulators work together not only to remove unnecessary regulatory measures but also to learn from each other in order to upgrade regulations while doing so that does not unfairly prejudice each other's constituents. These are the challenges that 21st trade agreements aim to address. The proposed Transatlantic Trade and Investment Partnership (TTIP) is a leading example.

Moderator:

- **Gregory Shaffer**, Professor, University of California, Irvine School of Law

Panelists:

- **Charles Sabel**, Professor, Columbia Law School
- **Richard Parker**, Professor, University of Connecticut Law School
- **Nicola Fernanda**, Professor, American University Washington College of Law
- **Simon Lester**, Trade Policy Analyst, CATO Institute
- **Michelle Egan**, Assistant Professor, American University School of International Service

Schedule

Friday, November 6

10:45am

Room 2-01B

Private International Law in 2015: The Year in Review

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

Moderator:

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

Panelists:

- **Ronald A. Brand**, Professor of Law and Director, Center for International Legal Education, University of Pittsburgh School of Law
- **John J. Kim**, Assistant Legal Adviser, U.S. Department of State
- **Marta Pertegás**, First Secretary, Hague Conference on Private International Law
- **David P. Stewart**, Professor of Law, Georgetown University Law Center
- **Peter Trooboff**, Senior Counsel, Covington & Burling LLP, Washington, DC

10:45am

Room 2-01A

Towards a New Implementing Agreement Under UNCLOS on Marine Biodiversity in Areas Beyond National Jurisdiction

In January of 2015 the United Nations' Working Group charged to study issues relating to the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction (the BBNJ Working Group), recommended to the General Assembly to develop an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction. Prior to holding an intergovernmental conference, a preparatory committee will be established in 2016. This panel will consider potential options through a moderated Q&A discussion on: a) Institutional mechanisms for effective governance; b) marine genetic resources; c) area based-management tools; d) case-studies and practical challenges; e) Next steps.

Moderator:

- **Dire Tladi**, Member of the International Law Commission; Professor of International Law, University of Pretoria

Panelists:

- **Ambassador Eden Charles**, Deputy Permanent Representative of Trinidad and Tobago to the United Nations, Chairperson of the Sixth Committee and General Assembly Coordinator on the Oceans and Law of the Sea resolution
- **Kristina M. Gjerde**, Senior High Seas Advisor, International Union for the Conservation of Nature (IUCN) Global Marine and Polar Programme
- **Gabriele Goettsche-Wanli**, Director, United Nations Division for Ocean Affairs and the Law of the Sea
- **Cymie R. Payne**, Assistant Professor at Rutgers University

Schedule

Friday, November 6

12:30pm

Soden Lounge

Lunch Sponsored by the Leitner Center for International Law and Justice

First come, first served basis.

1:30pm

Room 2-02B

Keynote Address

Miguel de Serpa Soares

United Nations Under-Secretary-General for Legal Affairs and United Nations Legal Counsel

2:45pm

Break

Schedule

Friday, November 6

3:00pm

2-02C

**This panel is approved for CLE credit*

The Challenges of Pandemic Response: Lessons from the Ebola crisis

This panel will discuss lessons to be learned from the international community's response to the Ebola epidemic and efforts improve the response to future public health emergencies. Among other topics, the panel will explore pathways to securing increased compliance with the World Health Organization's International Health Regulations, as well as the feasibility and advisability of establishing a reserve corps of medical health professionals, under the aegis of an international organization, to be deployed in response to global health emergencies.

Moderator:

- **Noah Bialostozky**, Associate Legal Officer, United Nations Office of Legal Affairs

Panelists:

- **Laurie Garrett**, Senior Fellow for Global Health, Council on Foreign Relations
- **Dr. Suerie Moon**, Research Director and Co-Chair, Forum on Global Governance for Health, Harvard Global Health Institute and Harvard School of Public Health
- **Steven Hoffman**, Associate Professor of Law and Director of the Global Strategy Lab, University of Ottawa

3:00pm

Room 2-02B

Saving Lives and Building Society: The EU's New European Migration Agenda

The panel will discuss measures contained in the new EU "European Migration Agenda" and related provisional measures. Adopted in response to the worsening humanitarian crisis, these policies respond to ever-greater numbers of people fleeing war, violence, effects of climate change and other dangers and attempting to enter the EU across the Mediterranean Sea or the Balkan route. Once inside the EU, many of these "irregular" migrants face new forms of exploitation by smugglers and organized crime, indeterminate delays in processing asylum applications, and even detention with uncertainties due to variations in legal and policy standards in Member State laws related to migrants and refugees.

***This panel is led by the New York City Bar Association's European Affairs Committee, based on a series of public programs on "The Future of Migration into Europe" and a new "Letter in Support of the European Migration Agenda" by the Committee sent to the European Council, Parliament, Commission and others.*

Moderator:

- **Dr. Catherine Tinker**, Adjunct Professor, Seton Hall University School of Diplomacy and International Relations; Visiting Professor, UFRGS Law School, Porto Alegre, Brazil

Panelists:

- **Lucio Gussetti**, Director and Principal Legal Adviser, European Commission, for Foreign and Security Policy and External Relations
- **Urszula Mojkowska, Esq.**, Attorney for the European Parliament, Liaison Office to the U.S. Congress, Washington, D.C.
- **Mary Pennisi, Esq.**, Morgan Lewis & Bockius LLP, associate in litigation and international arbitration
- **Colleen Hobson, Esq.**, Davis Polk & Wardwell, LLP, associate in the Financial Institutions Group
- **Ivan Simonovic**, United Nations Assistant Secretary-General, Director of the New York Office of the UN High Commissioner for Human Rights

Schedule

Friday, November 6

3:00pm

Room 2-02A

The International Law and Policy of Counterterrorism

As ISIS, al Qaeda and its offshoots, and other groups spread terror across the globe, it is vital to establish a strong framework for the international law and policy of counterterrorism. This includes understandings and cooperation on surveillance, detention, counterterrorism finance, and the law of espionage. These subjects will be addressed by panelists with both real world and academic experience.

Moderator:

- **Vincent Vitkowsky**, Partner, Seiger Gfeller & Laurie LLP, and member of the Executive Committee of ABILA

Panelists:

- **Jamil N. Jaffer**, Adjunct Professor of Law and Director, Homeland & National Security Law Program at George Mason University School of Law, former Chief Counsel & Senior Advisor at the Senate Foreign Relations Committee, and former Associate Counsel to President George W. Bush
- **Matthew Heiman**, Vice President, Chief Compliance and Audit Officer, Tyco International; former Attorney Advisor, U.S. Department of Justice National Security Division; former Legal Advisor, Coalition Provisional Authority, Ministry of Justice, Iraq
- **Adam R. Pearlman**, Associate Deputy General Counsel, U.S. Department of Defense (appearing in his personal capacity and not as a representative of the Department of Defense); Co-Editor of The American Bar Association's publication *The U.S. Intelligence Community Law Sourcebook*
- **Peter Margulies**, Professor of Law, Roger Williams Law School

3:00pm

Room 2-01B

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 and interpersonal skills. Sponsored by the ABA Section of International Law and ILSA.

Moderator:

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

Panelists:

- **Desiree Jaeger-Fine**, Principal, Jaeger-Fine Consulting
- **M. Imad Khan**, Associate, White & Case LLP
- **Stephan Grynwajc**, Owner, Law Office of S. Grynwajc, PLLC
- **Joshua Alter**, Program Director, Office of Transnational Programs; Adjunct Professor of Law, St. John's University School of Law

Schedule

Friday, November 6

3:00pm

Room 2-01A

Arctic Ocean Stewardship

The Arctic Ocean is at the threshold of significant changes. The impacts of these changes will be felt, not just by the wildlife, but by the people who live on the margins of the Arctic Ocean, and particularly, by the traditional communities who derive their subsistence from its marine mammals and fisheries. At the same time, opportunities are expanding for economic activities and development of the Arctic region's natural resources. Three new development opportunities in particular—the prospect of new shipping routes, expanded oil and gas development and new commercial fishing—could generate system-wide environmental impacts and will therefore likely pose novel management challenges for the Arctic nations and the international community. This panel will discuss what role existing international legal mechanisms can play in fostering and supporting environmental security in Arctic waters.

Moderator:

- **Suzanne Lalonde**, Professor of Law, Faculty of Law, University of Montreal

Panelists:

- **Charles H. Norchi**, Professor of Law and Director, Centre for Oceans and Coastal Law, University of Maine School of Law
- **Alexander Shestakov**, Director, WWF Global Arctic Programme
- **Kristin Bartenstein**, Professor of Law and Programme Director, Institut québécois des hautes études internationales, Faculty of Law, Laval University

4:45pm

Room 2-02C

**This panel is approved for ethics CLE credit*

Ethics for Counsel in International Adjudication

International legal practice has changed significantly in recent years, with a greater number of counsel appearing before an increasing number of international courts and tribunals. Counsel in international adjudication, however, continue to face unclear or nonexistent ethics rules, and potentially uncertain or overlapping enforcement. This panel will highlight today's most pressing issues and discuss possible solutions.

Moderator:

- **Jeremy Sharpe**, Partner, Shearman & Sterling LLP

Panelists:

- **Judge Joan Donoghue**, International Court of Justice
- **Chester Brown**, Professor of International Law and International Arbitration, Faculty of Law, University of Sydney
- **Marcelo Kohen**, Professor of International Law, Graduate Institute in Geneva
- **Eloise Obadia**, Partner, Derains & Gharavi

Schedule

Friday, November 6

4:45pm
Room 2-02B

Gender Justice: Addressing Domestic Challenges Through International Law

The promotion of justice and accountability for gender-based human rights violations continues to pose a significant challenge in post-conflict regions. Impunity for these violations is often pervasive. This panel will explore how international law can be used to promote gender justice domestically through legal advocacy and litigation. It will also examine the lessons learned by the international ad hoc criminal tribunals in prosecuting gender crimes under international law, and discuss their applicability to national settings.

Moderator:

- **Daniela Kravetz**, International criminal justice and gender consultant, UN Women

Panelists:

- **Michelle Jarvis**, Principal Legal Counsel, Office of the Prosecutor, ICTY
- **Linda Bianchi**, Public Prosecutor, Public Prosecution Services of Canada, Ottawa, Ontario, Canada; Former Appeals Counsel, Office of the Prosecutor, ICTR
- **Pam Spees**, Staff Attorney, Center for Constitutional Rights
- **Priya Gopalan**, Human rights and gender practitioner; former OHCHR Gender Advisor and ICTY Attorney

4:45pm
Room 2-02A

Corporate Responsibility for International Crimes

Corporate responsibility for international crimes is a burgeoning new topic in international criminal justice. In the past years, states have supported a major conference on the topic at the Peace Palace in The Hague, the African Court has adopted corporate criminal liability for international crimes, the Special Tribunal for Lebanon has indicted a corporation, and Swiss prosecutors have formally opened a criminal investigation into a major Swiss firm for a war crime in the Congo. The implications of this turn are still poorly understood, however, and this panel will bring together a mix of the leading exponents on this topic to debate the benefits and shortcomings on this rapidly developing field.

Moderator:

- **James Stewart**, Associate Professor, Allard Law School, University of British Columbia

Panelists:

- **Ron Slye**, Professor, Seattle Law School
- **Beth van Schaack**, Leah Kaplan Visiting Professor in Human Rights, Stanford Law School
- **Beth Stephens**, Professor, Rutgers Law School
- **Alex Whiting**, Professor of Practice, Harvard Law School

Schedule

Friday, November 6

4:45pm

Room 2-01B

Current Events Through the Lenses of International Law

The panelists will discuss current topics in international relations and will assess and evaluate their impact in and relevance to international law and its development. Topics discussed will include the use of force, international intervention in Syria, recent developments in international criminal law, the proposed new African Criminal Court, and others as they develop.

Moderator:

- **David Stewart**, President of the American Branch of the International Law Association; Professor, Georgetown Law

Panelists:

- **Paul Dubinsky**, Associate Professor of Law, Wayne State
- **Margaret de Guzman**, Associate Professor, Temple University, Beasley School of Law
- **Stephen Mathias**, Assistant Secretary-General for Legal Affairs, United Nations
- **Michael D. Cooper**, Managing Director, The Ploughshare Group, LLC

4:45pm

Room 2-01A

Law-making by the UN Security Council

This panel will address the Security Council as a law-maker. The Council has been increasingly active in both passing self-consciously legislative resolutions -- such as 1373 (2001) on terrorist financing -- and imposing obligations on parties that often diverge from existing international law. To what extent have these resolutions, in particular the second variety, evinced a pattern of normative change? How can one tell whether the Council has imposed new legal obligations on parties? And how would one conceptualize Council-made law as a source of more general international obligations?

Moderator:

- **Scott Sheeran**, Senior Legal Counsel and Sanctions Team Leader, New Zealand Permanent Mission to the United Nations

Panelists:

- **Gregory Fox**, Professor of Law & Director of the Program for International Legal Studies, Wayne State University Law School
- **Ian Johnstone**, Professor, Fletcher School of Law and Diplomacy, Tufts University
- **Larry D. Johnson**, Adjunct Professor, Columbia Law School

6:30pm

Reception at the Permanent Mission of Singapore

318 E 48th St, New York, NY 10017

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

Schedule

Saturday, November 7

8:00am
Soden Lounge

**Complimentary Coffee provided by International and Non-J.D. Programs,
Fordham Law School**

9:00am
Room 2-02C

**This panel is
approved for ethics
CLE credit*

A Critical Look At Motions to Disqualify Arbitrators

Arbitral institutions are facing an increasing number of motions to disqualify arbitrators (arbitrator challenges) on the ground that they lack independence and impartiality. Parties are asserting with increased frequency that arbitrators are predisposed to decide a certain issue in a certain way, or have failed to disclose information concerning circumstances that could be perceived as raising a conflict. Whereas the challenge mechanism was once considered unique and rarely exercised, it is increasingly becoming part and parcel of arbitration proceedings, and may be used strategically to disrupt the proceedings, resulting in serious costs and delay. What can parties, arbitrators and institutions do to prevent the challenge mechanism from being abused for strategic purposes?

Moderator:

- **Prof. Franco Ferrari**, NYU Law School

Panelists:

- **Brian King**, Freshfields Bruckhaus Deringer US LLP
- **Melida Hodgson**, Foley Hoag LLP
- **Marek Krasula**, Deputy Counsel at SICANA, Inc./International Court of Arbitration

9:00am
Room 2-02B

**This panel is
approved for CLE
credit*

Sanctions in Transition

UN Sanctions in Transition UN sanctions have changed dramatically in the last decade. In the 1990s, most sanctions were comprehensive. But by 2000, concerns about the humanitarian consequences of comprehensive sanctions gave birth to a new generation of targeted sanctions. Targeted sanctions have defined the UN discourse on sanctions effectiveness for a decade, and yet another shift is underway again. Today, UN sanctions are becoming general again in an effort to avoid the judicial challenges to targeting and to get at supply chains. This panel will discuss some of the UN's newest innovations in sanctions across multiple current regimes to assess current trends in targeting.

***The Speakers are all members of the ILA Study Group on Multilateral Sanctions and will draw from their current research. The group's mandate can be viewed here: <http://www.ila-hq.org/en/study-groups/index.cfm/cid/1055>*

Moderator:

- **Larissa Van den Herik**, Professor of Int'l Law, Leiden University

Panelists:

- **Kristen Boon**, Professor of Law, Seton Hall Law School
- **Evan Criddle**, Professor of Law, William and Mary
- **Christiane Ahlborn**, Associate Legal Officer, Codification Division of the UN

Schedule

Saturday, November 7

9:00am
Room 2-02A

The Individual Petition Procedure in International Human Rights Law: Has It Lived Up To Its Expectations?

The individual petition procedure was introduced in the European Convention on Human Rights in the early 1950s and was considered revolutionary at the time. International law, traditionally restricted to relations between and among states, would now give standing to allow individuals to complain about human rights violations committed by states. This roundtable will discuss recent critiques of the international human rights movement and explore the continuing value of human rights reporting.

Moderator:

- **Christina Cerna**, Georgetown University Law School

Panelists:

- **Hurst Hannum**, Professor of International Law, Fletcher School of Law and Diplomacy, Tufts University; former counselor to petitioners in the European human rights system
- **Stephen P. Marks**, Francois-Xavier Bagnoud Professor of Health and Human Rights, and Director of Global Health and Population, T.H. Chan School of Public Health, Harvard University
- **Gerald Neuman**, J. Sinclair Armstrong Professor of International, Foreign and Comparative Law, Harvard Law School; former member of United Nations Human Rights Committee
- **Dinah Shelton**, Manatt/Ahn Professor Emeritus of International Law, George Washington University Law School; former member of the Inter American Commission on Human Rights
- **Ruth Wedgwood**, Edward B. Burling Professor of International Law and Diplomacy, Johns Hopkins School of Advanced International Studies; former member of UN Human Rights Committee and special rapporteur for follow-up on views; President, International Law Association (worldwide)

9:00am
Room 2-01B

The Department of Defense Law of War Manual: The Tension between State and Non-State Expressions of Customary International Humanitarian Law

Only States participate in the formation of customary international humanitarian law (CIHL) through practice and opinio juris. Nevertheless, other actors - such as the ICRC, NGOs, academics, or non-State parties to a conflict - also indirectly contribute to shaping CIHL. Using concrete examples such as the new DoD Law of War Manual or the ICRC Study on CIHL, the panelists will discuss how CIHL emerges and the weight to be given to differing assessments of the customary status of specific IHL topics

Moderator:

- **Michael Schmitt**, Naval War College - Stockton Center for the Study of International Law; University of Exeter Law School; Harvard Law School

Panelists:

- **Gabor Rona**, Visiting Professor of Law, Cardozo Law School
- **Karl Chang**, Attorney Advisor, Office of General Counsel, Department of Defense
- **Dr. Els Debuf**, Senior Advisor - Humanitarian Affairs, The Independent Commission on Multilateralism; Former Head of Customary IHL project at ICRC

Schedule

Saturday, November 7

10:30am

Room 4-03

ILSA Board of Directors Meeting

10:45am

Room 2-02C

**This panel is approved for CLE credit*

It's "Shocking" to Think There Is Corruption at FIFA

The FIFA indictment of 14 individuals triggers many fascinating questions. Why would United States authorities become involved in alleged corruption in soccer, the world's favorite sport which is largely ignored in the U.S.? Should the Justice Department have higher priorities than to get involved with the administration of this sport? Why is it only now that the Swiss Attorney General, the Swiss FIFA Ethics prosecutor and the UK have announced investigations into FIFA corruption? It cannot be that they, like Capt. Renault in Casablanca, are suddenly "shocked, shocked" to find bribery at FIFA? Our expert panel will discuss current developments in the FIFA affair as well as the U.S. connection with this truly international prosecution.

Moderator:

- **Bruce W. Bean**, Professor, Michigan State University Law School

Panelists:

- **Thomas Firestone**, Partner, Baker McKenzie
- **Michael Koehler**, Professor, Southern Illinois Law School & author of the authoritative FCPA Professor blog
- **Coral Marshall**, Senior Manager of Partnerships, Sports Management, Columbia University
- **Kathleen Hamann**, Partner, White & Case LLP

10:45am

Room 2-02B

Accountability for Crimes in Syria and Iraq

With horrific crimes being committed by a number of actors, including but not limited to Assad's regime forces and ISIS, learn about what is being done to document the crimes and proposals for accountability. Can the ICC play any meaningful role in light of China and Russia's veto of the referral? What realistic alternatives for a new tribunal exist?

Moderator:

- **Jennifer Trahan**, Associate Professor, NYU Global Affairs; Chair, ABILA ICC Committee

Panelists:

- **David Crane**, Professor of Practice, Syracuse University School of Law
- **Christian Wenaweser**, Permanent Representative of Liechtenstein to the UN
- **Richard Dicker**, Director, International Justice Program, Human Rights Watch
- **Mohammad al Abdallah**, Executive Director, Syrian Justice and Accountability Center

Schedule

Saturday, November 7

10:45am
Room 2-02A

Sustainable Development as a “Grundnorm” of International Environmental Law and Policy

Sustainable development opened a new paradigm by requiring linkage between economic viability, social development, and environmental aspects to ensure development that is sustainable. It bridged the initial North-South divide by engendering a clear realization that both environment and development concerns are equally valid and are not necessarily in conflict. This panel will discuss the promising developments pertaining to Sustainable Development Goals as successors to the Millennium Development Goals for the post-2015 Development Agenda.

Moderator:

- **Ved Nanda**, John Evans University Professor and Thompson G. Marsh Professor of Law, and Director, the Ved Nanda Center for International Law, University of Denver Sturm College of Law

Panelists:

- **Lakshman Guruswamy**, Nicholas Doman Professor of International Environmental Law, University of Colorado Law School
- **Larry Johnson**, Former UN Assistant-Secretary-General for Legal Affairs; Adjunct Professor, Columbia Law School
- **Bruce Rashkow**, Former Director of the General Legal Division, UN Office of Legal Affairs; Adjunct Professor, Columbia Law School

10:45am
Room 2-01B

Regulating On-Orbit Activities and Property Rights In Outer Space: Translating Broad, Open and (Sometimes) Conflicting Principles of International Law into US and Other National Regimes

New on-orbit activities in outer space will increasingly be a reality in the next decade. These activities may include private research labs and hotels, asteroid mining, and on-orbit servicing of satellites. The Outer Space Treaty (OST), remarkably resilient throughout the decades of the evolution of space activities, contains broad, open, and (sometimes) conflicting principles of the OST. The panel will examine recent efforts by the US Congress to translate OST principles into national law in a fashion that allows “light” regulation of on-orbit activity and at least a limited recognition of property rights over extracted resources.

Moderator:

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

Panelists:

- **Henry Hertzfeld**, Research Professor, Elliott School of International Affairs Space Policy Institute; Adjunct Professor of Law, George Washington University
- **Frans von der Dunk**, Othmer & Perlman Professor of Law, University of Nebraska College of Law
- **Giugi Carminati**, Principal, Carminati Law
- **Caryn Schenewerk**, Counsel & Director of Government Affairs, SpaceX

Schedule

Saturday, November 7

10:45am
Room 2-01A

Challenges Related to Incorporating & Respecting Children's Rights in Conflict Resolution Internationally

Incorporating the views, and respecting the rights of children in dispute resolution is increasingly important. Children can simultaneously be both victims and offenders, or subject to a claim while simultaneously trying to promote their own best interests in areas such as family law. Increasingly, the law must strike a balance between being overly paternalistic and balancing the rights of others (e.g. family members and/or the community). This panel aims to cover a variety of conflict resolutions mediums that affect children, including criminal actions, peace-building, and family law disputes, with an eye towards discerning any broader themes in international dispute resolution affecting children.

Moderator:

- **Kaitlin M. Ball**, PhD Candidate at the University of Cambridge

Panelists:

- **Diane Marie Amann**, Professor, University of Georgia, Associate Dean for International Programs & Strategic Initiatives, Woodruff Chair in International Law; Special Adviser on Children in Armed Conflict to the International Criminal Court's Prosecutor
- **Ambassador Susan Jacobs**, U.S. Department of State, Special Advisor for Children's Issues
- **James Cooke**, Political Affairs Officer Office of the Special Representative of the Secretary-General for Children and Armed Conflict

11:45pm
Room 4-02

ABILA Committee Chairs Meeting

12:30pm
Room 4-02

ABILA Executive Committee Meeting (lunch provided)

12:30pm
Room 2-01B

ILSA Congress, Meeting of ILSA Members (lunch provided)

All ILSA members are invited to attend the ILSA Congress, the bi-annual meeting of ILSA Chapters. At the Congress, ILSA members will meet the 2015-2016 Student Officers, discuss the year's activities, and plan for the future of the organization.

Schedule

Saturday, November 7

1:45pm

Room 2-02C

**This panel is approved for CLE credit*

Emerging International Trends and Practices in Guardianship

The United Nations' Convention on the Rights of Persons with Disabilities, together with the Hague Convention on the International Protection of Adults and the Yokohama Declaration have laid out emerging international law on guardianship and ultimately the legal capacity and rights of an individual with a disability to make decisions. This panel will explore the foundation that these bodies of law have created for establishing the rights of individuals to preserve their legal capacity and how international decision making bodies are addressing guardianship issues before them. Experts will share how the U.S. is reshaping its policies on guardianship and self-determination and what can be learned from countries abroad that have redeveloped their own judicial system and legal policies around guardianship.

Moderator:

- **Esme Grant Grewal**, Senior Director of Government Relations, ANCOR; Chair, ABILA Disability Committee

Panelists:

- **Bob Dinerstein**, Professor of Law, Washington College of Law, American University
- **Jonathan Martinis**, Legal Director, Quality Trust

1:45pm

Room 2-02B

**This panel is approved for CLE credit*

TRIPS Agreement at 20

2015 marks the 20th anniversary of the entering into effect of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights. How effective was the TRIPS Agreement in the past two decades? What have been its strengths and weaknesses? What are the future challenges in the international intellectual property field? This timely panel is sponsored by the ABILA Committee on International Intellectual Property.

Moderator:

- **Peter K. Yu**, Professor of Law & Co-Director, Center for Law and Intellectual Property, Texas A&M University School of Law; Member, ABILA Executive Committee; Chair, ABILA Committee on International Intellectual Property

Panelists:

- **Tahir Amin**, Co-Founder and Director of Intellectual Property, I-MAK (Initiative for Medicines, Access & Knowledge)
- **Doris Estelle Long**, Professor of Law & Director, Center for Intellectual Property, Information & Privacy Law, John Marshall Law School, Chicago; Attorney-Advisor, Office of International and Legislative Affairs, U.S. Patent & Trademark Office (2000)
- **Timothy Trainer**, President, Global IP Strategy Ctr, P.C.; President, International AntiCounterfeiting Coalition (1999-2005)

Schedule

Saturday, November 7

1:45pm
Room 2-02A

Tinker, Tailor, Cyber Spy: International Legality of Mass Surveillance, Cyber Attacks by State Actors & Other Issues from the 2016 Jessup Compromis

A panel of experts will discuss some of the topics of the 2016 Jessup Compromis, which addresses the legality of mass surveillance programs, the expropriation of property allegedly used in the frameworks of these programs and the international legal consequences of cyberattacks attributable to states. This panel will be recorded and made available online for all Jessup participants after the conference.

Moderator:

- **Tariq Mohideen**, Jessup Competition Director, International Law Students Association

Panelists:

- **Catherine Lotrionte**, Associate Director, Institute for Law, Science and Global Security, Georgetown University
- **Isaac Kfir**, Visiting Assistant Professor of International Relations and Law at Syracuse University; Research Associate at the Institute for National Security and Counterterrorism; and Assistant Director of the Global Black Spots Project in the Moynihan Institute of the Maxwell School of International Relations
- **Felix Wu**, Professor of Law, Cardozo School of Law, and Faculty Director, Cardozo Data Law Initiative (CDLI)

1:45pm
Room 2-01B

International Courts as Architects of the International Legal System and Sub-Systems

The contribution of international courts to the consolidation the rules pertaining to the functioning of the international legal system (i.e. secondary rules) has been the object of very limited attention. Most discussions have pertained to the making of primary rules of international law. Such a lack of attention is surprising given the wide-ranging exercise of power that lies with the definition of secondary rules. This panel will examine and critically evaluate the contribution of international courts to the consolidation of secondary rules of international law in a variety of areas.

***International courts as architects and the fluctuating idea of legal system (Jean d'Aspremont); The making of secondary rules in international environmental disputes (Makane Moïse Mbengue); The "clean hands" doctrine as an established secondary rule in international investment arbitration? (Attila Tanzi); The contribution of the International Court of Justice to the development of secondary rules in international human rights law (Dominika Švarc)*

Moderator:

- **Jean d'Aspremont**, Professor, University of Manchester & University of Amsterdam

Panelists:

- **Makane Moïse Mbengue**, Professor, University of Geneva
- **Attila Tanzi**, Professor, University of Bologna
- **Dominika Švarc**, Assistant Appeals Counsel, UN Mechanism for International Criminal Tribunals

Schedule

Saturday, November 7

1:45pm
Room 2-01A

**Rising Seas, Baselines Issues: The Work of the International Law Association
Baselines and Sea Level Rise Committee**

This panel will bring together the chair of the ILA Committee on Baselines under the Law of the Sea, the chair of the ILA Committee on International Law and Sea Level Rise, and the co-rapporteur of the Committee on International Law and Sea Level Rise to discuss the current work of these committees and related developments in the law of the sea. Countries represented on the panel are speakers from Norway, the United Kingdom and the United States.

Moderator:

- **George Walker**, Dean's Professor of Admiralty and International Law, Wake Forest University School of Law, member of the ILA Baselines Committee, chair of the ABILA Law of the Sea Committee

Panelists:

- **Ashley Roach**, Retired Captain, U.S. Navy Judge Advocate General's Corps and retired attorney-adviser, Office of the Legal Adviser, U.S. Department of State; chair, ILA Committee on Baselines
- **Davor Vidas**, Research Professor, Director of the Law of the Sea Programme, The Fridjof Nansen Institute, Norway; chair, ILA International Law and Sea Level Rise Committee
- **David Freestone**, Visiting Scholar and Professional Lecturer, George Washington University School of Law; co-rapporteur, ILA International Law and Sea Level Rise Committee

3:30pm
Room 4-02

ABILA Members Meeting

3:30pm
Room 2-02C

Careers in International Development

This roundtable discussion features practitioners with experience in international development within the U.S. Government. 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 unlikely paths to a career in this field.

Moderator:

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

Panelists:

- **David Young**, Acting Deputy General Counsel, USAID
- **Jun Jin**, Assistant General Counsel, USAID
- **Amanda Wall**, Attorney Adviser for Human Rights and Refugee Law, Office of the Legal Adviser, U.S. Department of State
- **Monique Ricker**, Attorney Advisor, Office of General Counsel, Millennium Challenge Corporation

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