

110TH ASIL ANNUAL MEETING

Charting New Frontiers in International Law



American Society
of International Law

www.asil.org

ASIL

is a nonprofit, nonpartisan, educational membership organization founded in 1906 and chartered by Congress in 1950. The mission of the American Society of International Law is to foster the study of international law and to promote the establishment and maintenance of international relations on the basis of law and justice. ASIL holds Special Consultative Status to the Economic and Social Council of the United Nations and is a constituent society of the American Council of Learned Societies.

The Society's 4,000 members from more than 100 nations include attorneys, academics, corporate counsel, judges, representatives of governments and nongovernmental organizations, international civil servants, students and others interested in international law. Through our meetings, publications, information services and outreach programs, ASIL advances international law scholarship and education for international law professionals as well as for broader policy-making audiences and the public.



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Dear Colleagues,

The past year has once again seen dramatic shifts in the global economy, the environment, technological innovation, geopolitical power structures, and human mobility. These shifts are creating new frontiers in the physical and conceptual structure of our international order and present challenges to us as policymakers, scholars, and practitioners of international law.

At ASIL's 2016 Annual Meeting, we will gather to reflect upon these shifting frontiers and the questions they raise. How have growing challenges in fields such as migration, climate change, and public health influenced the significance of geographic borders? How have non-State actors such as regional organizations, citizen groups, multinational corporations, and ISIL/Daesh strained the formal categorization of actors in international law? What consequences do technological advancements in warfare, surveillance, resource extraction, and information-sharing have for addressing global problems? Do the integration of public issues into private dispute resolution mechanisms and the rise of State-to-State arbitration and alternative forms of international adjudication change the way we think of international dispute resolution? How are international law-making processes evolving to be more inclusive of non-State actors and to achieve broader consensus?

Thank you for joining us, along with the experts we have gathered, to explore international law's new horizons at the 110th Annual Meeting. We look forward to your contributions.

Co-Chairs, Program Committee

ASIL 110th Annual Meeting



A handwritten signature in black ink, appearing to read 'T. Achiume'.

Tendayi Achiume



A handwritten signature in black ink, appearing to read 'Dawn Yamane Hewett'.

Dawn Yamane Hewett



A handwritten signature in black ink, appearing to read 'Ina C. Popova'.

Ina C. Popova



Welcome to the Annual Meeting of the American Society of International Law! Our program theme, "Charting New Frontiers in International Law," provides the focus for panels and keynotes involving more than 100 speakers over a four-day period. Our 2016 meeting – the 110th for the Society – continues our longstanding tradition of bringing together top-quality expertise and diverse perspectives on current controversies and enduring challenges. Excellence and diversity characterize the composition of the substantive programs, as well as those whom we will recognize during the meeting for their accomplishments and service to the Society and to the field of international law.

We welcome colleagues in the field of international law from around the world. Beginning with the opening Grotius Lecture to be delivered by President Michelle Bachelet of Chile, and continuing through the closing plenary session featuring Minister of Justice Ard van der Steur of the Netherlands, our Washington meeting provides a forum in which the most salient challenges for international law can be addressed and debated in global context and with multinational perspectives. In recent years, the annual meeting has attracted participants from more than 75 countries – reflecting the fact that approximately 40% of our Society's membership is located outside the United States.

The 110th Annual Meeting also continues a practice of providing the venue for remarks by those who shape international law from the perspective of U.S. policy and the U.S. legal system. On this occasion we are privileged to introduce the new Legal Adviser of the U.S. Department of State, Brian Egan, for his first major public address and to welcome Associate Justice Stephen Breyer of the U.S. Supreme Court for a discussion of "The Court and the World."

A special aspect of our annual gatherings is the opportunity to connect with colleagues who share common interests, across multiple generations. We inaugurate a new program this year – the first Detlev F. Vagts Roundtable on Transnational Law – endowed by the Vagts family in memory of one of the Society's late intellectual leaders, with a principal objective of cultivating new scholarship and building bridges across national and generational divides.

We owe particular gratitude to the annual meeting program committee, capably chaired by Tendayi Achiume, Dawn Yamane Hewett, and Ina Popova and consisting of 22 ASIL members, and to the full ASIL staff under the leadership of Executive Director Mark Agrast. The members of the committee and staff are listed elsewhere in the program booklet and can be identified by their lapel badges. Please take a moment to thank them when you see them.

In the pages of this booklet you will find detailed information about keynote events, topical panels, multimedia programs, and other activities that will unfold in the coming days. Please also check for updates to be posted electronically after the printed program goes to press. I look forward to greeting you in person.

Lori Fisler Damrosch
President



It is my pleasure to welcome you to the 110th Annual Meeting of the American Society of International Law – the one occasion each year that a substantial proportion of our international membership comes together in a single place and for a common purpose.

This year's Annual Meeting will offer over 40 substantive programs touching on virtually every aspect of international law. Highlights will include keynote events featuring prominent scholars, practitioners, judges, and diplomats from around the world, and a sitting head of state, President Michelle Bachelet of Chile, who will deliver the Grotius Lecture on Wednesday afternoon.

Our Thursday evening program will begin with an Assembly, which will include the presentation of honors and awards, remembrances of those we have lost during the past year, the election and introduction of our incoming leadership, and a keynote address by U.S. Supreme Court Associate Justice Stephen Breyer. A Gala Reception will follow at the National Building Museum. Just a short walk from the Hyatt, the museum is one of the grandest public spaces in Washington, and I believe it will be a very special evening. Guests with tickets for this event are also invited for dessert at the President's Reception, sponsored by ASIL Law Firm Member Steptoe & Johnson, where they can greet our new president, Lucinda Low.

Friday evening will begin with the first major policy address by U.S. Department of State Legal Adviser Brian Egan. His remarks will be followed by our first joint ASIL-ILSA reception, sponsored by ASIL Law Firm Member White & Case, with special remarks by renowned Nuremberg prosecutor and ASIL Patron Benjamin Ferencz marking the 70th anniversary of the Nuremberg Judgment. This will be an opportunity for members of the Society to welcome students from around the world participating in the Jessup International Moot Court Competition. Those of you who were first drawn to international law through Jessup will want to get to know some of these extraordinary young people, and to join us immediately following the reception for a screening of *All Rise*, an award-winning documentary about the Jessup experience.

Our Saturday closing plenary will feature an address by Ard van der Steur, Minister of Security and Justice of the Netherlands, followed by a panel and luncheon sponsored by the Embassy of the Netherlands, the Hague Institute for Global Justice and the City of the Hague.

Apart from the formal program, I hope you will take advantage of the many opportunities the Annual Meeting affords to renew longstanding relationships and forge new ones. If you are a longtime member and you see someone with a "new member" ribbon, I hope you will take a moment to introduce yourself and make her feel at home.

Finally, I would like to express my thanks to our presenters; our Annual Meeting Committee, so expertly led by co-chairs Tendayi Achiume, Dawn Yamane Hewett and Ina Popova; our sponsors, partners and exhibitors; and the leaders and staff of the Society, who have labored for so many months to create this event.

Thank you for joining us, and best wishes for a productive and enjoyable meeting.

Mark David Agrast
Executive Director

110th ASIL Annual Meeting

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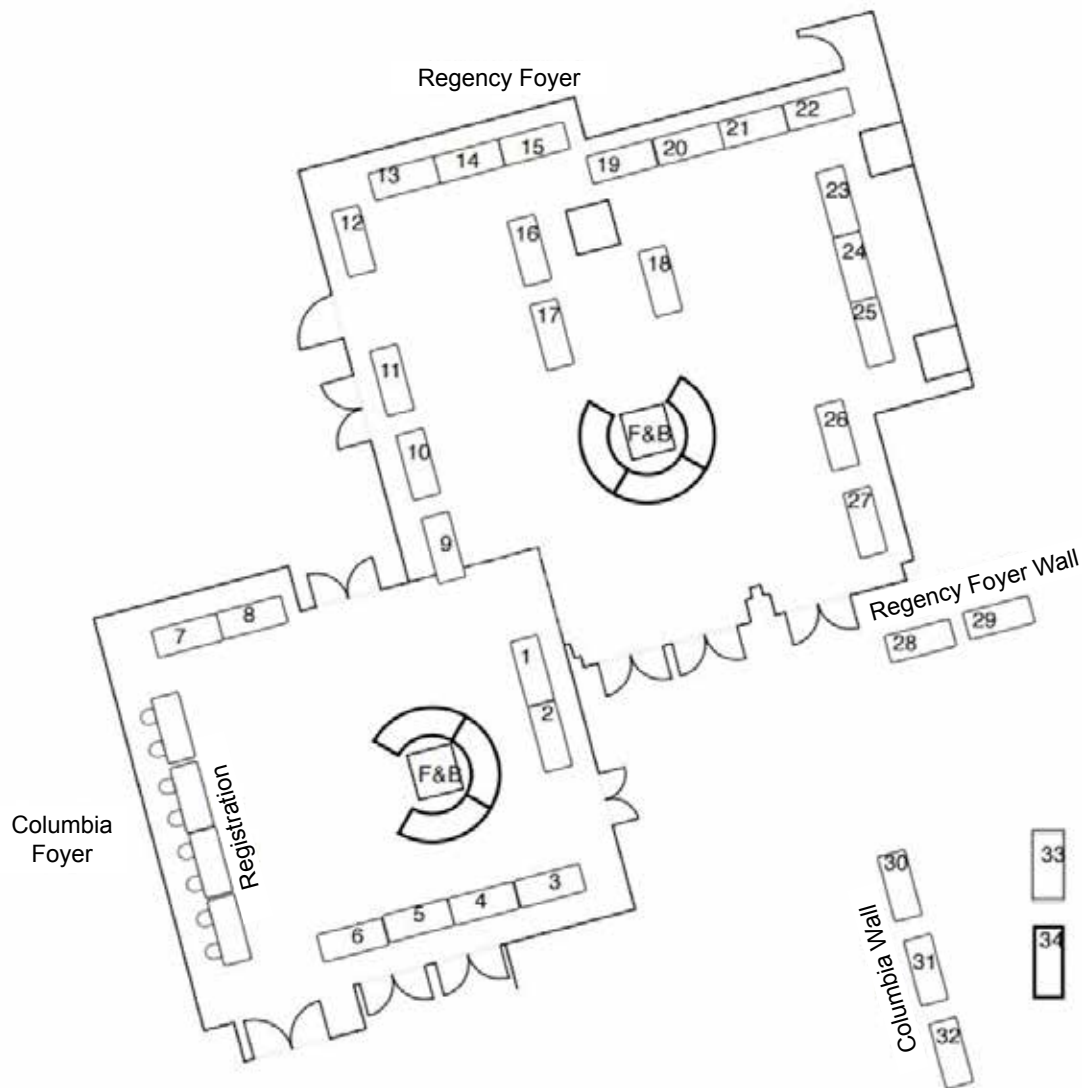
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Exhibitor Floor Plan



- 1 Routledge
- 2 Editions Pedone
- 3 – 6 Cambridge University Press
- 7 ASIL
- 8 CLE
- 9 – 11 Oxford University Press
- 14 – 15 Springer
- 16 – 17 Edward Elgar Publishing
- 18 American Red Cross

- 19 – 22 BRILL | Nijhoff Publishers
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- 28 ABA-Int'l Law Section
- 29 Public International Law & Policy Group
- 30 – 32 CIGI

Program at a Glance

WEDNESDAY, MARCH 30, 2016

START TIME	END TIME	SESSION	ROOM	CLE ELIGIBILITY
9:00 AM	11:00 AM	ASIL Executive Council Orientation Meeting	Capitol A	N/A
9:00 AM	12:30 PM	ITA-ASIL Conference	Regency C	N/A
11:30 AM	3:30 PM	ASIL Executive Council Meeting	Capitol A	N/A
12:30 PM	2:00 PM	ITA-ASIL Conference Luncheon	Regency B	N/A
1:00 PM	2:30 PM	Human Rights IG Business Meeting	Lexington	N/A
4:30 PM	6:00 PM	Grotius Lecture	Regency A	1.5
6:00 PM	8:00 PM	Grotius Reception	Regency B & C	N/A
6:00 PM	10:00 PM	AJIL Board Meeting and Dinner	Capitol A	N/A

THURSDAY, MARCH 31, 2016

START TIME	END TIME	SESSION	ROOM	CLE ELIGIBILITY
7:30 AM	9:00 AM	International Legal Research IG Business Meeting	Grand Teton	N/A
7:45 AM	8:45 AM	Colleague Societies Breakfast	Capitol A	N/A
7:45 AM	8:45 AM	ASIL Executive Council Breakfast Meeting	Concord	N/A
9:00 AM	10:30 AM	The Iran Nuclear Deal as a New Model of International Lawmaking	Regency A	1.5
9:00 AM	10:30 AM	New Frontiers in LGBTI Rights	Regency B	1.5
9:00 AM	10:30 AM	Late Breaking Panel: Achieving Consensus in Climate Change	Regency C	1.5
9:00 AM	10:30 AM	Forum Non Concurrence in the Resolution of Investment Treaty Disputes	Regency D	1.5
9:00 AM	10:30 AM	Theorizing Transnational Legal Orders	Columbia B	1.5
9:00 AM	10:30 AM	International Law & Technology IG Business Meeting	Redwood	N/A
9:00 AM	10:30 AM	Africa IG Business Meeting	Sequoia	N/A
11:00 AM	12:30 PM	Do We Need a Treaty on Business and Human Rights?	Regency A	1.5
11:00 AM	12:30 PM	The Emergence of Cyber Deterrence: Implications for International Law	Regency B	1.5
11:00 AM	12:30 PM	Africa's New Economic Partnerships and Dispute Settlement	Regency C	1.5
11:00 AM	12:30 PM	The Role of International Law Societies in Charting New Frontiers in International Law	Regency D	1.5
11:00 AM	12:30 PM	Protecting Cultural Heritage in Syria and Iraq: The Role of International Organizations and Governments	Columbia B	1.5
11:00 AM	12:30 PM	Jr.-Sr. Scholars Workshop: Abstract Pitch Session	Lexington & Concord	N/A

THURSDAY, MARCH 31, 2016

START TIME	END TIME	SESSION	ROOM	CLE ELIGIBILITY
11:00 AM	12:30 PM	Government Attorneys IG Business Meeting	Redwood	N/A
11:00 AM	12:30 PM	International Refugee Law IG Business Meeting	Sequoia	N/A
1:00 PM	2:30 PM	Hudson Medal Luncheon	Capitol A	N/A
1:00 PM	2:30 PM	U.S. and International Perspectives on the New U.S. Department of Defense Law of War Manual	Regency A	1.5
1:00 PM	2:30 PM	One View of the Arena: The Agent's Perspective in International Dispute Settlement	Regency B	1.5
1:00 PM	2:30 PM	Economizing Justice in Times of Debt and Austerity	Regency C	1.5
1:00 PM	2:30 PM	Resources, Rights, and Revenue-Sharing: Redefining Standards for Consultations with Indigenous Peoples	Regency D	1.5
1:00 PM	2:30 PM	Energy on the Move: Treaties on Transit of Energy via Pipelines	Columbia B	1.5
1:00 PM	2:30 PM	International Legal Theory IG Business Meeting	Redwood	N/A
3:00 PM	4:30 PM	Fourth Annual Charles N. Brower Lecture on International Dispute Resolution	Regency A	1.5
3:00 PM	4:30 PM	The Disorganization of International Intellectual Property Law	Regency B	1.5
3:00 PM	4:30 PM	The Classification of Torture and the Continuing Impact of 9/11	Regency C	1.5
3:00 PM	4:30 PM	Conflict, Accountability, and Justice (New Voices)	Regency D	N/A
3:00 PM	4:30 PM	Migrants at Sea: What Role for International Law?	Columbia B	1.5
3:00 PM	4:30 PM	Cultural Heritage and the Arts IG Business Meeting	Redwood	N/A
3:00 PM	4:30 PM	Disaster Law IG Business Meeting	Sequoia	N/A
4:45 PM	6:30 PM	Assembly & Keynote Address by Justice Stephen Breyer	Regency A	N/A
6:30 PM	8:30 PM	Gala Reception	National Building Museum	N/A
6:30 PM	7:30 PM	Patrons' Reception	National Building Museum	N/A
7:30 PM	8:30 PM	President's Reception	National Building Museum	N/A

FRIDAY, APRIL 1, 2016

START TIME	END TIME	SESSION	ROOM	CLE ELIGIBILITY
7:30 AM	9:00 AM	Intellectual Property IG Business Meeting	Glacier	N/A
7:30 AM	8:30 AM	ASIL New Members Breakfast	Lexington & Concord	N/A
9:00 AM	10:30 AM	Mock Debate: Is the Primacy of the International Court of Justice in International Dispute Settlement Under Threat?	Regency A	1.5
9:00 AM	10:30 AM	Conceptualizing International Migration Law	Regency B	1.5
9:00 AM	10:30 AM	Mining the Deep Seabed and Near Earth Asteroids	Regency C	1.5

FRIDAY, APRIL 1, 2016

START TIME	END TIME	SESSION	ROOM	CLE ELIGIBILITY
9:00 AM	10:30 AM	Re-Examining International Law at the International, Regional, and State Levels (New Voices)	Columbia C	N/A
9:00 AM	10:30 AM	Did the Obama Administration Rebalance U.S. Interests in East Asia? Legal, Economic, and Security Concerns	Lexington & Concord	1.5
9:00 AM	10:30 AM	International Law & Domestic Courts IG Business Meeting	Glacier	N/A
9:00 AM	10:30 AM	ASIL-Midwest IG Business Meeting	Grand Teton	N/A
11:00 AM	12:30 PM	Shifting Rules for Intelligence in International Law	Regency A	1.5
11:00 AM	12:30 PM	Steering Africa's Blue Economy: The Role of International Law & Lessons for Other Maritime Regions	Regency B	1.5
11:00 AM	12:30 PM	Climate Litigation and the North-South Divide in International Environmental Law	Columbia C	1.5
11:00 AM	12:30 PM	International Law Beyond the Nation State? From People Power to ISIL/Daesh	Columbia B	1.5
11:00 AM	12:30 PM	Careers in International Organizations and the Public Interest	Lexington & Concord	1.5
11:00 AM	12:30 PM	Teaching International Law IG Business Meeting	Glacier	N/A
11:00 AM	12:30 PM	International Courts & Tribunals IG Business Meeting	Grand Teton	N/A
11:00 AM	12:30 PM	Space Law IG Business Meeting	Bryce	N/A
11:00 AM	12:30 PM	Minorities in International Law IG Business Meeting	Yosemite	N/A
1:00 PM	2:30 PM	WILIG Luncheon: 25 Years Later: A Discussion of "Feminist Approaches to International Law"	Columbia B	1.5
1:00 PM	2:30 PM	Arbitrating the Public Interest	Regency A	1.5
1:00 PM	2:30 PM	Comparative Perspectives on the Judicialization of Foreign Affairs: Adjudication of Military Deployment in National Courts	Regency B	1.5
1:00 PM	2:30 PM	Great Expectations? The Rise of the Regional Development Banks in a DC-Centered World	Lexington & Concord	1.5
1:00 PM	2:30 PM	Transitional Justice & Rule of Law IG Business Meeting	Glacier	N/A
1:00 PM	2:30 PM	Latin America IG Business Meeting	Grand Teton	N/A
1:00 PM	2:30 PM	Dispute Resolution Interest Group Business Meeting	Bryce	N/A
3:00 PM	4:30 PM	Inaugural Detlev F. Vagts Roundtable on Transnational Law: Transnational Professional Ethics	Regency A	1.5 (Ethics)
3:00 PM	4:30 PM	A Critical Assessment of Reparation in International Law	Regency B	1.5
3:00 PM	4:30 PM	BASIL International Law Careers & Speed Mentoring Event	Columbia B	1.5
3:00 PM	4:30 PM	Top-Down or Bottom-Up? TPP as a Model of Multilateral Law Making	Regency C	1.5
3:00 PM	4:30 PM	Human Rights Cities	Columbia C	1.5

3:00 PM	4:30 PM	International Criminal Law IG Business Meeting	Grand Teton	N/A
3:00 PM	4:30 PM	Lieber Society IG Business Meeting	Bryce	N/A
FRIDAY, APRIL 1, 2016				
START TIME	END TIME	SESSION	ROOM	CLE ELIGIBILITY
3:00 PM	4:30 PM	International Refugee Law IG Business Meeting	Yosemite	N/A
5:00 PM	6:00 PM	Keynote Address: Brian Egan, Legal Adviser, U.S. Department of State	Regency A	N/A
6:00 PM	7:30 PM	ASIL-ILSA Reception	Regency B & C	N/A
6:00 PM	7:30 PM	"L" Reception	Thornton	N/A
7:00 PM	8:00 PM	New Professionals Networking Reception	Lexington & Concord	N/A
7:30 PM	9:00 PM	Film Screening: "All Rise"	Regency A	N/A
SATURDAY, APRIL 2, 2016				
START TIME	END TIME	SESSION	ROOM	CLE ELIGIBILITY
7:15 AM	8:15 AM	Interest Group Co-Chairs Breakfast	Capitol A	N/A
8:30 AM	9:00 AM	Coffee Break		N/A
9:00 AM	10:30 AM	New Technologies, International Criminal Accountability, and First Responders	Regency A	1.5
9:00 AM	10:30 AM	Emerging Frontiers in the South China Sea	Columbia B	1.5
9:00 AM	10:30 AM	Domestic Implementation of International Treaties: The Next New Challenge for Private International Law?	Columbia C	1.5
11:00 AM	12:30 PM	Keynote Address and Closing Plenary: Ard van der Steur, Minister of Security and Justice, Government of the Netherlands	Regency A	1.5
12:30 PM	1:30 PM	City of the Hague Closing Luncheon Reception	Columbia A & B	N/A
2:00 PM	4:00 PM	Final: 2016 Jessup Competition	Regency	N/A

2016 Annual Meeting

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Group Name	Chair-Names	Group Name	Chair-Names
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Cultural Heritage and the Arts	Anne-Marie Carstens	Latin America	Thomas Antkowiak and Paolo Carozza
Disaster Law	Kirsten Bookmiller and David Fisher	Law in the Pacific Rim Region	Tim Webster and Chun-i Chen
Dispute Resolution	Perry Bechky and Christina Hioureas	Law of the Sea Interest Group	Christina Hioureas and Stefan Kirchner
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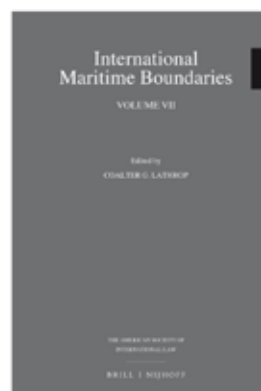
The ultimate guide to international maritime boundaries provides update-to-date, regionally-organized content. Complete with hyperlinked maps and keyword search functionality, features include:

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- Detailed maps depicting individual boundaries in their geographic context.
- Annually updated, detailed, hyperlinked regional maps accompany reports examining the status of maritime boundary delimitation in eleven regions of the world.
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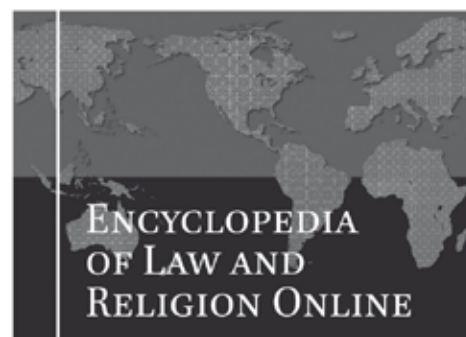
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and **W. Cole Durham, Jr.**, Susa Young Gates Professor of Law Brigham Young University,
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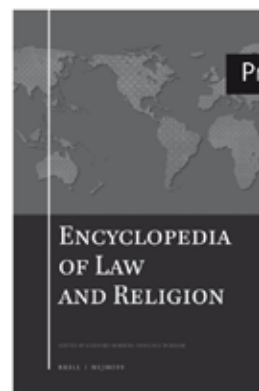
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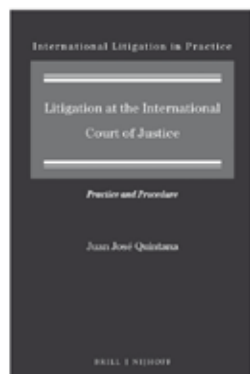
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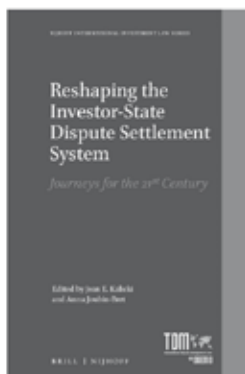
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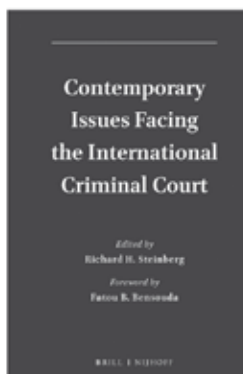
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Journeys for the 21st Century

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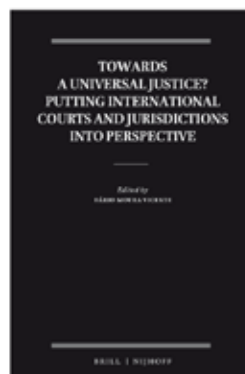


Contemporary Issues Facing the International Criminal Court

Edited by **Richard H. Steinberg**
Foreword by **Fatou B. Bensouda**

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Law, Territory and Conflict Resolution examines the role of law in territorial disputes and legal realities in territorial conflicts by critically reflecting on the well-established assumption that law is 'part of the solution' rather than 'part of the problem'.

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Edited by **Dário Moura Vicente**

Towards a Universal Justice? Putting International Courts and Jurisdictions into Perspective offers a comprehensive overview of legal issues concerning the role and interrelations of international courts and jurisdictions.

- April 2016
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Conference Information

Registration, Event Tickets, and Name Badges

The Annual Meeting Registration Desk is located on the Basement Level next to the main escalator. Tickets for ticketed events (the Hudson Medal Luncheon, the Women in International Law Luncheon, and the Gala Reception at the National Building Museum) are available for purchase in the registration area. Registrants are advised to purchase tickets before they are sold out.

Registration Hours

Wednesday, March 30	2:00 pm – 5:30 pm
Thursday, March 31	7:30 am – 5:30 pm
Friday, April 1	7:30 am – 5:00 pm
Saturday, April 2	8:00 am – 10:00 am

All conference attendees will receive their conference badge and printed program at either the pre-site or onsite registration desks.

For safety and security reasons, photo ID will be required to pick-up conference badges. Name badges must be worn for admittance to all meetings, sessions, receptions, lunches, and dinner. The badges also contain a bar code for scanning attendance at each session for Continuing Legal Education purposes.

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The 2016 ASIL Annual Meeting offers attendees more than 40 Continuing Legal Education (CLE) course sessions on a wide variety of topics presented by seasoned international legal experts.

CLE participants will record their attendance at each session by scanning the bar code on their name tag

at the entrance of each session room at the start and end of each scheduled session. Staff and volunteers will be present to scan participants' badges and can assist you with any questions you may have. Badges will be scanned if you exit a session early and partial credit will be given (based on either a 50-minute or 60-minute increment). Data collected by this process is used by ASIL and will not be shared with any other organization for any purpose other than state-required audits. Your CLE certificates will be e-mailed to you approximately 6 weeks after the Annual Meeting. If you have questions, please stop by the CLE Help Desk, located along the Columbia exhibit wall. **Please note that ASIL will only process CLE credit for those who paid for CLE at registration.**

Internet Access

Wireless Internet is complimentary in the hotel lobby. If you are a guest of the hotel, Internet access is available for a fee of \$14.95/24 hours. In-room business amenities include computer data port and high-speed internet access. Information on how to access the Internet during conference sessions will be available at the registration desk.

ASIL Annual Meeting Blog

The Society's Annual Meeting blog, ASIL Cables, will once again publish daily reports on discussions and events, as they occur at the Meeting, and connect – almost in real time – conferees with the rest of the world. ASIL Cables is a way to stay abreast of the latest ideas generated at the Meeting – session by session – and is also another arena for ASIL members to engage each other in conversations, either as contributors to ASIL Cables or by posting comments. ASIL Cables contributors reflect the diversity and richness of the Society's membership.

Learn more during the Meeting by visiting asilcables.org.

Conference App

Find all the information you need for the 2016 ASIL Annual Meeting in the palm of your hand! Our app will provide you with the full conference schedule, speakers, building maps, and real time messages and updates from the Meeting. Download today to browse the agenda, view conference session information and general meeting details, create your own custom schedule, navigate the exhibitor hall, give feedback on sessions, and more. The app is compatible with iPhones, iPads, iPod Touches and Android devices. To get the guide for free, go to the app store on your mobile device and search for "ASIL Annual Meeting Mobile App." Tap the ASIL icon (dark blue background with the white "ASIL" lettering on it) to install it on your device. Other mobile phone users, laptop users, and PC users can access the entire 2016 ASIL Annual Meeting guide content via our mobile site at <https://guidebook.com/app/ASIL2016/>.

If you need help downloading the app or have any questions about it, email Amy Morello, Programs Fellow, at ilfellow2@asil.org, or ask any ASIL staff member at the Meeting.

Magna Carta Exhibit

ASIL is pleased to host the "Magna Carta: Enduring Legacy" exhibit, developed by the ABA Standing Committee on the Law Library of Congress and the Law Library of Congress. The exhibit will be open to attendees from Wednesday, March 30 at 2 p.m. through Friday, April 1, at 6 p.m. and will be on display in the Columbia A ballroom. Food and beverages are not permitted in the same space as the exhibit.

Social Media

You can follow the 110th ASIL Annual Meeting on Twitter, Facebook, and LinkedIn. Please tweet about the conference using the hashtag [#ASILAnnual](#).

Non-Smoking Law

Washington DC law prohibits smoking in all areas of the hotel except for designated smoking guest rooms. Guestrooms and all public spaces at the Hyatt Regency Capitol Hill are non-smoking.

Electronic Devices

We kindly ask that you silence your electronic devices during the meeting sessions.

Photography

ASIL will have a photographer onsite taking photographs in sessions, special events, keynote addresses, and throughout the Hyatt Regency Capitol Hill documenting the 2016 Annual Meeting. Photos and videos taken of attendees during ASIL events will remain the property of ASIL and may be used in future marketing materials.

Recycling

When you are finished with the conference, please recycle your name badge by handing it to the designated registration representative onsite during posted hours.

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If you have special needs and require reasonable accommodations, please contact Eden Capuano at asilregistration@voilameetings.com in advance of the meeting.

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Cecilia Akintomide
Catherine Amirfar
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Elizabeth Andersen
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Carlos José Argüello-Gómez
Sumudu Atapattu
Thomas Ayers
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Caio Borges
Heather Brandon
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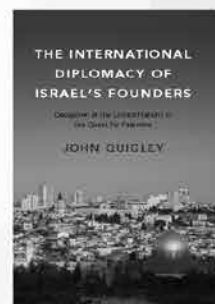
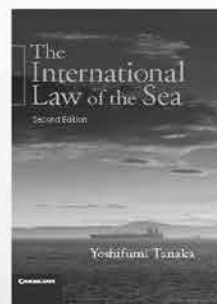
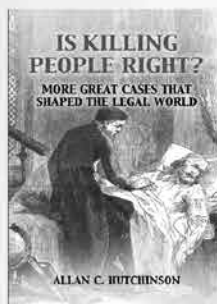
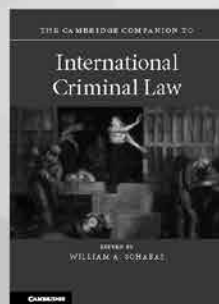
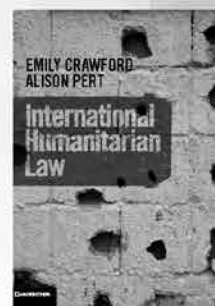
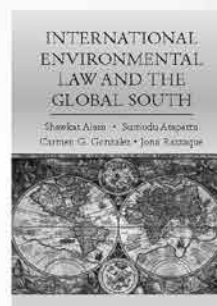
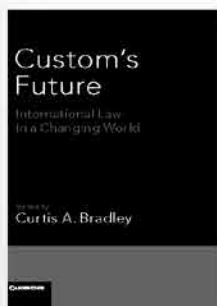
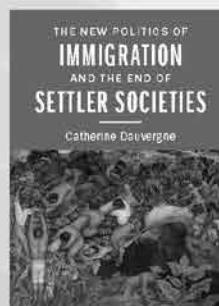
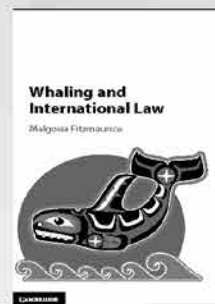
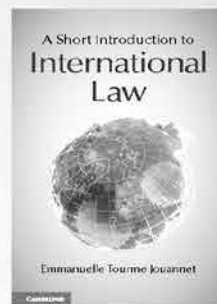
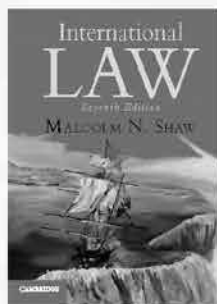
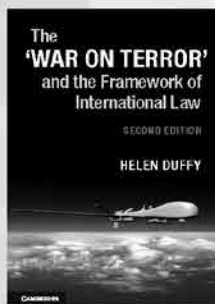
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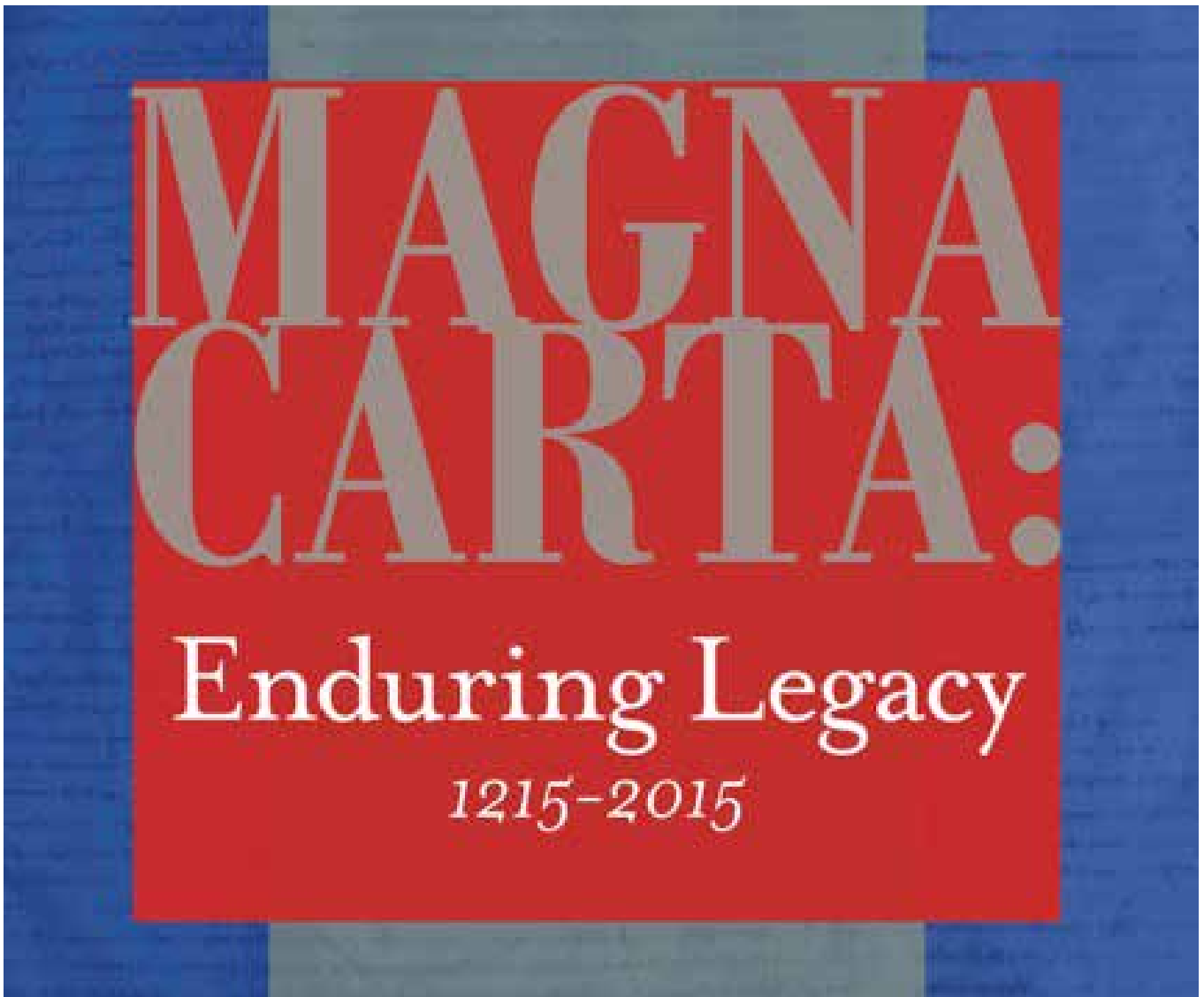
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Wednesday, March 30, 2016

ASIL Executive Council Orientation

9:00 am - 11:00 am

Capitol A

ITA-ASIL Conference

9:00 am - 12:30 pm

Regency C

Separate registration with the ITA is required.

ASIL Executive Council Meeting

11:30 am – 3:30 pm

Capitol A

ITA-ASIL Conference Luncheon

12:30 pm – 2:00 pm

Regency B

Separate registration with the ITA is required.

Human Rights Interest Group Business Meeting

1:00 pm – 2:30 pm

Lexington

Annual Meeting Registration Opens

2:00 pm

Columbia Foyer

Grotius Lecture: The Challenges to International Law in the 21st Century

4:30 pm – 6:00 pm

Regency A

Sponsored by American University Washington College of Law

2016 Grotius Lecturer: Michelle Bachelet, President of the Republic of Chile

Discussant: Margaret McKeown, Judge, U.S. Court of Appeals for the Ninth Circuit

Grotius Reception

6:00 pm - 8:00 pm

Regency B & C

Sponsored by American University Washington College of Law

AJIL Board of Editors Meeting & Dinner

6:00 pm - 10:00 pm

Capitol A



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- The Special Rapporteurs of the United Nations: The Unfinished Business of Dealing with Torture
- The International Criminal Courts at a Crossroad: Unfulfilled Demands for Justice or Unattainable Expectations
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The catalog also features video content from recent ASIL Annual Meetings and is constantly growing to include new content on current event issues and skills needed by international practitioners.

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Chiara Giorgetti
Assistant Professor
University of Richmond
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**American Society
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Thursday, March 31, 2016

International Legal Research Interest Group Business Meeting

7:00 am - 8:30 am

Redwood

Colleague Societies Breakfast

7:45 am - 8:45 am

Capitol A

ASIL Executive Council Breakfast Meeting

7:45 am - 8:45 am

Concord



Coffee Break

8:30 am - 9:00 am

The Iran Nuclear Deal as a New Model of International Lawmaking?

9:00 am - 10:30 am

Regency A

CLE Credit Hours: 1.5

Co-sponsored by the Government Attorneys and Nonproliferation, Arms Control, and Disarmament Interest Groups

The Joint Comprehensive Action Plan of Action agreed to by the P5+1 and Iran in July 2014 is one of the most important recent developments in international relations. While the Plan is not a legally binding treaty, it puts in place a sophisticated enforcement mechanism, including International Atomic Energy Agency inspections and other elements, aiming to verify the peaceful nature of Iran's nuclear program.

This roundtable will take stock of the Plan as a model of international lawmaking and diplomacy, considering the Plan's most important legal and policy innovations, as well as its interaction with other international and transnational legal regimes. Participants will situate the Plan within its historical and political context, but will also reflect on whether the Plan holds the potential to shape the future form of international agreements.

Moderator: David Koplow, Georgetown University Law Center

Speakers:

- Asli Bali, University of California, Los Angeles School of Law
 - Kelsey Davenport, Arms Control Association
 - Newell Highsmith, Office of the Legal Adviser, U.S. Department of State
 - Dave Jonas, Georgetown University Law Center
-

New Frontiers in LGBTI Rights

9:00 am - 10:30 am

Regency B

CLE Credit Hours: 1.5*Co-sponsored by the Women in International Law Interest Group*

This roundtable panel will explore trends regarding sexual orientation, gender identity, and intersex conditions. Legal standards surrounding lesbian, gay, bisexual, transgender and intersex people are rapidly evolving. Last year the United States became the twenty-third country to recognize same sex marriage nationally. Sixty-two countries prohibit employment discrimination, two countries protect intersex people from discrimination, and eleven countries recognize a third gender. On the other hand, seventy-four countries criminalize homosexual identity or behavior, and anti-gay legislative proposals are appearing in all regions of the world. Legal efforts have become transnational as more claims are filed in regional bodies, lawyers are increasingly involved in litigation across borders, and plaintiffs are using international standards in national courts. Panelists will give an update on litigation and advocacy efforts, discuss the efficacy of Western advocacy in the Global South, highlight emerging trends convening transgender and intersex people, and raise questions about religious freedom arguments.

Moderator: Andrew Park, University of California, Los Angeles School of Law

Speakers:

- Melanie Bezyk, University of Oxford
- Fanny Gómez, Inter-American Commission on Human Rights
- Mark Wojcik, The John Marshall Law School

Late-Breaking Panel: Achieving Consensus in Climate Change

9:00 am - 10:30 am

Regency C

CLE Credit Hours: 1.5

The 21st session of the Conference of the Parties culminated in the conclusion of a landmark global agreement on climate change in Paris last November. The Paris Agreement was a remarkable success given the complexity and length of the negotiations, and the huge differences between the initial viewpoints of developed and developing countries. It is the first climate change agreement to commit all parties to reduce greenhouse gas emissions and to establish a common system of reporting and review. At the same time, most commitments are not legally binding and their enforcement will rely primarily on transparency and accountability mechanisms rather than adjudication.

This panel will consider the innovations used in the negotiation process, the framework, and the substance of the agreement. To what extent does the Paris Agreement represent a new approach to multilateralism? What are the possibilities for future innovation? How does its innovativeness relate to the likelihood of its success in combating climate change?

Moderator: Hari Osofsky, University of Minnesota Law School

Speakers:

- Susan Biniaz, U.S. Department of State
- Lisa Benjamin, The College of The Bahamas
- Daniel Bodansky, Arizona State University
- Yamide Dagnet, Collective Climate Action Objective, World Resources Institute

Forum Non Concurrence in the Resolution of Investment Treaty Disputes

9:00 am - 10:30 am

Regency D

CLE Credit Hours: 1.5

Organized by the International Economic Law Interest Group

In what forum are investment treaty disputes best resolved? The Trans-Pacific Partnership has opted to maintain the status quo in its continued reliance on ad hoc investor-state arbitration, although leaving open the possibility of some manner of appeals process down the road. The argument is that with tightened substantive standards and expanded exceptions clauses, this approach can adequately protect investors and still safeguard the legitimate regulatory objectives of states. The European Union, by contrast, is insisting that only a permanent investment court can provide a fair and legitimate forum for investment disputes without harming the (local, regional, and global) public interest. But the EU proposal for the Transatlantic Trade and Investment Partnership faces major implementation hurdles, including how it might sit with the existing ICSID framework. Countries like Brazil, South Africa, and Indonesia, meanwhile, are moving away from international investor-state dispute resolution altogether and expressing a preference for a combination of state-to-state dispute resolution and reliance upon domestic courts. This panel will discuss the implications of the differing approaches and whether the structural shift from bilateralism to multilateralism will lead to unification or fragmentation of the regime.

Moderator: Jarrod Wong, McGeorge School of Law

Speakers:

- Dennis M. Davis, High Court of Cape Town, South Africa
- Karen Lynn Kizer, U.S. Department of State
- Fabio Morosini, New York University
- Ko-Yung Tung, Morrison Foerster LLP

Theorizing Transnational Legal Orders

9:00 am - 10:30 am

Columbia B

CLE Credit Hours: 1.5

Co-sponsored by the Government Attorneys, International Economic Law, and International Legal Theory Interest Groups

Increasingly, social orders are legalized transnationally. Various actors create formalized bodies of

legal norms that integrate transnational, national, and local norms. This new activity challenges the old dualist conception of law as either national or international in character. The term transnational legal order (TLO) describes the resulting legal structure.

This panel applies the TLO framework to ask a number of questions about law's development and efficacy: How do TLOs rise, change, and fall? What affects and explains the capacity of a TLO to constrain behaviors in diverse spheres of social life.

Transnational legal orders are only effective when the meanings of international legal norms normatively settle within States. For this reason, in a world of multiple substantive bodies of international law, these laws must align with each other coherently if legal order is to become institutionalized transnationally. The presentations in this panel build from sustained empirical study and practice that addresses the prospects for – and challenges to – legal alignment and settlement in a diverse range of substantive areas, from human rights to trade governance to climate change.

Moderators:

- Terence Halliday, American Bar Foundation
- Gregory Shaffer, University of California, Irvine School of Law

Speakers:

- Hannah Buxbaum, Indiana University Maurer School of Law
- Tom Ginsburg, University of Chicago Law School
- Paulette Lloyd, U.S. Department of State

International Law & Technology Interest Group Business Meeting

9:00 am - 10:30 am

Redwood

Africa Interest Group Business Meeting

9:00 am - 10:30 am

Sequoia



Coffee Break

10:30 am - 11:00 am

Do We Need a Treaty on Business and Human Rights?

11:00 am - 12:30 pm

Regency A

CLE Credit Hours: 1.5

Co-sponsored by the Government Attorneys, International Economic Law, and Women in International Law Interest Groups

Is an international treaty on business and human rights needed? Is it achievable? In 2014, Ecuador and South Africa tabled a resolution before the UN Human Rights Council to establish

an intergovernmental working group to elaborate a treaty on human rights and corporations. The group's first session was held in 2015. Speakers on this panel will review the major developments in the business and human rights field over the last 10-15 years and the extent to which the UN Guiding Principles on Business and Human Rights, and voluntary regimes encouraging a particular model of corporate behavior, can lead to meaningful change in business practice. They will consider whether a binding treaty is necessary and achievable. Panelists will highlight key areas of dispute about the substance and process of negotiating a treaty and highlight competing treaty proposals. The panel will conclude by discussing how to advance corporations' respect for human rights, and how to achieve corporate and state accountability for violations. Central to the panel's discussions will be questions regarding how to involve affected communities and business enterprises in the treaty-making process, and whether State buy-in is possible for a rigorous human rights-promoting treaty.

Moderator: Samuel Witten, Arnold & Porter LLP

Speakers:

- Surya Deva, City University of Hong Kong School of Law
- Amy Lehr, Foley Hoag LLP
- Amol Mehra, International Corporate Accountability Roundtable
- Lynn Sicade, U.S. Department of State

The Emergence of Cyber Deterrence: Implications for International Law

11:00 am - 12:30 pm

Regency B

CLE Credit Hours: 1.5

Organized by the Nonproliferation, Arms Control, and Disarmament Interest Group

Military and civilian policymakers increasingly stress the importance of deterring other nations from engaging in computer network exploitation and attacks against the United States. Resulting from the behavior of China, Iran, and North Korea respecting offensive cyber capabilities, deterrence features prominently in the new Department of Defense cyber strategy, the response of the Obama administration to high profile attacks, and the Congressional debate around cyber issues. This panel will explore the emergence of cyber deterrence, and new trends in cyber security generally, as they relate to international law. Some important areas of concern include: how the emphasis on deterrence might affect the law on State responsibility, non-intervention, counter-measures, and the use of force; whether moving to strengthen cyber deterrence requires changing the permissive nature of international law on espionage; what new norms might be needed to support and stabilize cyber deterrence, such as confidence-building measures, arms control rules, and norms on escalation control; and how the emergence of cyber deterrence might affect other cyber issues important in international law, including Internet governance, digital commerce, and human rights. The session will also analyze what international legal lessons might be learned from nuclear and non-nuclear contexts where States have adopted deterrence strategies.

Moderator: Kathleen A. Doty, University of Georgia School of Law

Speakers:

- Gary Brown, United States Marine Corps University
- Jonathan E. Davis, Office of the Legal Adviser, U.S. Department of State
- Tara McGraw Swaminatha, DLA Piper LLP

Africa's New Economic Partnerships and Dispute Settlement

11:00 am - 12:30 pm

Regency C

CLE Credit Hours: 1.5

Organized by the Africa Interest Group

Co-sponsored by the Dispute Resolution, Government Attorneys, International Courts & Tribunals, and International Economic Law Interest Groups

Africa's unprecedented economic growth of the last decade and related political changes coupled with the emergence of contemporary international norms have produced unprecedented levels of international investment and commercial disputes. Arbitration is emerging as the preferred means of dispute settlement with Africa's new economic partners from the East. The panel will discuss these developments and peculiarities of international arbitration in Africa. The panelists will explore the economic and political changes that are taking place in Africa with a focus on China-Africa economic relations and how these relations affect the nature and magnitude of economic disputes and the manners of their resolution. The panelists will further opine on the suitability of the traditional arbitral fora for the resolution of the relatively new types of disputes and explore further the use of newly established centers and also consider the option of third party funding for African parties.

Moderator: Uche Ewelukwa, University of Arkansas School of Law

Speakers:

- Victoria Shannon Sahani, Washington and Lee University School of Law
- David Shinn, George Washington University School of Law
- Thomas R. Snider, Greenberg Traurig LLP

The Role of International Law Societies in Charting New Frontiers in International Law

11:00 am - 12:30 pm

Regency D

CLE Credit Hours: 1.5

Moderator: Edward Kwakwa, World Intellectual Property Organization

Speakers:

- Simon Chesterman, National University of Singapore Law
- Olufemi Elias, African Association of International Law
- Maria Teresa Infante, University of Chile
- Marko Milanovic, University of Nottingham School of Law
- Ruth Wedgwood, International Law Association

Protecting Endangered Cultural Heritage in Syria and Iraq: The Role of International Organizations and Governments

11:00 am - 12:30 pm

Columbia B

CLE Credit Hours: 1.5

Co-sponsored by the International Environmental Law Interest Group

Conflicts in Syria and Iraq have wrought immense human suffering in these countries and beyond. As international actors continue to express alarm at the enormous loss of life and livelihoods, there is also increasing concern about the devastating destruction, looting, and threats to the rich cultural heritage in Syria and Iraq.

This session considers the steps that international organizations, governments, and other actors are taking to protect endangered cultural heritage in Syria, Iraq, and elsewhere. Panelists will consider the ongoing protection challenges, the linkages between attacks on cultural heritage and broader conflict dynamics, and the adequacy of tools currently available in the international regime. Other issues to be explored will include legislative innovations in national jurisdictions and the applicable rules in the law of armed conflict.

Moderator: Roger O'Keefe, University College London Faculty of Laws

Speakers:

- Michael Danti, Cultural Heritage Initiatives, Boston University
- Patty Gerstenblith, DePaul University College of Law
- Haider Ala Hamoudi, University of Pittsburgh School of Law
- Corine Wegener, ICOM US, Cultural Heritage Preservation, Smithsonian Institution

Jr.-Sr. Scholars Workshop: Abstract Pitch Session

11:00 am - 12:30 pm

Lexington & Concord

Government Attorneys Interest Group Business Meeting

11:00 am - 12:30 pm

Redwood

International Refugee Law Interest Group Business Meeting

11:00 am - 12:30 pm

Sequoia



Break

12:30 pm - 1:30 pm

Hudson Medal Luncheon

1:00 pm - 2:30 pm

Capitol A

Honoree/Speaker: Richard Bilder, University of Wisconsin Law School**Moderator:** Thomas Buergenthal, former Judge, International Court of Justice*Tickets for this event may be purchased at registration.***U.S. and International Perspectives on the New U.S. Department of Defense Law of War Manual**

1:00 pm - 2:30 pm

Regency A

CLE Credit Hours: 1.5*Sponsored by the International Committee of the Red Cross**Co-sponsored by the Cultural Heritage and the Arts, Government Attorneys, International Criminal Law, and Nonproliferation, Arms Control, and Disarmament Interest Groups*

The U.S. Department of Defense's Office of the General Counsel recently issued its long-awaited Law of War Manual. Some commentators view the Manual as embodying a return to broad-based IHL principles. Others, however, argue that the Manual embodies a significant shift away from these principles in several key areas. Participants in this session will offer their views on the Manual in light of this debate.

Issues of focus will include: the Manual's seeming departure from established U.S. views on the status of customary international law obligations in a number of areas including non-international armed conflicts; whether the Manual's reading of obligations under Additional Protocol I to take precautions to minimize harms to civilians is consistent with customary international law; and whether the Manual provides sufficiently clear guidance to military personnel on the international law governing their conduct.

This session brings together domestic and international experts to explore (1) whether the Manual represents a shift in U.S. doctrine and practice, (2) reactions to the Manual from other governments, and (3) the broader impact the Manual may have on international law.

Moderator: Oona Hathaway, Yale Law School**Speakers:**

- Juliet Bartlett, Ministry of Defence, United Kingdom
- Karl Chang, U.S. Department of Defense, Office of the General Counsel
- Anna Dolidze, Ministry of Defence, Georgia
- David Glazier, Loyola Law School Los Angeles
- Jelena Pejic, International Committee of the Red Cross

One View of the Arena: The Agent's Perspective in International Dispute Settlement

1:00 pm - 2:30 pm

Regency B

CLE Credit Hours: 1.5

Co-sponsored by the Dispute Resolution, Government Attorneys, and International Courts & Tribunals Interest Groups

The Agent is the authoritative voice of the State before international courts and tribunals, but the Agent's perspective is seldom heard beyond the hearing room.

This panel – composed of Agents, as well as counsel and Registrars who interact with them on a regular basis – will explore the multiplicity of roles Agents take, including as representatives of their governments, coordinators of legal teams and strategy, and as clients of international courts and tribunals. Drawing from cases at the International Court of Justice and the Permanent Court of Arbitration, as well as investment treaty and contract arbitrations involving States, the panel will tackle key issues faced by Agents: How do they balance legal and political considerations, and engage with the multiplicity of voices within their own States and on their legal teams? To what extent do their strategies differ when engaged in inter-State cases versus investment disputes? Did judgments or awards in their cases address the essence of the dispute and resolve it? What are international courts and tribunals doing right, and what reform is necessary? Through these questions, the panel will explore from the perspective of the Agent, the promise and limits of international courts and tribunals in resolving international disputes.

Moderator: Nienke Grossman, University of Baltimore School of Law

Speakers:

- Carlos José Argüello-Gómez, Ambassador of Nicaragua to The Netherlands
- Sarah Grimmer, Permanent Court of Arbitration
- Khang Chau Pang, International Affairs Division, Singapore Attorney-General's Chambers
- Lucy Reed, Freshfields Bruckhaus Deringer

Economizing Justice in Times of Debt and Austerity

1:00 pm - 2:30 pm

Regency C

CLE Credit Hours: 1.5

Co-sponsored by the Government Attorneys and International Economic Law Interest Groups

Since the global financial crisis a number of euro area Member States have experienced dramatic stress involving structural imbalances, liquidity problems, and payments deficits. A so-called troika of institutions – the European Commission, the European Central Bank, and the International Monetary Fund – responded with austerity to restore market confidence and achieve primary budget surpluses. However, the bailout measures have raised serious questions as to the efficacy of austerity, among other policies, the extent of external influence on democratic decision-making in borrowing countries, and the severe impact on the socio-

economic rights of people in those countries. Greece is a case in point and evinces strong parallels to the human impacts of past currency crises in Argentina and elsewhere, while the debt crisis unfolding in Puerto Rico has driven millions into poverty. Looking through the lens of justice there are many questions for international lawyers to consider: how was the debt incurred and is it legitimate, how should the burden of adjustment be shared, what human rights obligations do the various international creditors have, and what should be expected of sovereign debt restructuring processes moving forward?

Moderator: Margot Salomon, Law Department & Centre for the Study of Human Rights, London School of Economics

Speakers:

- Aldo Caliari, Center of Concern
- George Katrougalos, Greek Minister of Labour and Social Security
- Odette Lienau, Cornell Law School

Resources, Rights, and Revenue-Sharing: Redefining Standards for Consultations with Indigenous Peoples

1:00 pm - 2:30 pm

Regency D

CLE Credit Hours: 1.5

Organized by the Rights of Indigenous Peoples Interest Group

Co-sponsored by the Cultural Heritage and the Arts and Latin America Interest Groups

At one time it was common for those seeking to carry out extractive operations or other development projects on lands claimed by indigenous peoples to proceed with little or no consultation or benefit sharing with impacted communities. In recent years, however, a variety of international instruments, financial institution standards, and domestic laws and court decisions have redefined expectations by requiring some degree of consultation and accommodation. Nevertheless, opinions differ over what exactly these authorities contemplate, including whether indigenous peoples have a "veto right" over projects or simply a right to be consulted about them in good faith. Moreover, certain standards are still in flux, including a draft World Bank Environmental and Social Standard on Indigenous Peoples. Speakers on this panel will engage the debates over the nature of indigenous rights in connection with development projects, and consider how these rights may vary in different contexts. They will also highlight what is at stake for all the relevant actors when a project is under consideration, and identify factors that can facilitate effective consultation and promote long-term success in any collaborative relationship between project developers and local stakeholders.

Moderator: George K. Foster, Lewis & Clark Law School

Speakers:

- James Anaya, University of Arizona School of Law
- Leonardo Crippa, Indian Law Resource Center
- Kirsty Gover, Melbourne Law School
- Paul Wilson, Fasken Martineau

Energy on the Move: Treaties on Transit of Energy via Pipelines

1:00 pm - 2:30 pm

Columbia B

CLE Credit Hours: 1.5*Co-sponsored by the International Economic Law and International Environmental Law Interest Groups*

Today States attach to pipelines the same importance they attached in the past to rivers and international canals. International law has recently witnessed a proliferation of treaties in this area. The WTO Agreement, the Energy Charter Treaty, NAFTA and bespoke pipeline treaties around the world establish obligations concerning energy transit via pipelines. Despite this 'treatification', numerous international disputes in the twenty-first century have involved the suspension of exports or transit of energy via pipelines. This panel will analyze the emerging treaty practice governing the transit of energy via pipelines by reference to real case studies (e.g. Russia, Ukraine, EU; South Sudan, Sudan; Keystone XL) grounding the discussion in the law of State responsibility, in particular countermeasures, and placing it against the background of pressing and often opposing interests of States in energy security, but also environmental and other considerations.

Moderator: Danae Azaria, University College London Faculty of Laws**Speakers:**

- Matthew Kronby, Bennett Jones LLP
- Gabrielle Marceau, World Trade Organization
- Matthew Weiniger, Linklaters LLP

International Legal Theory Interest Group Business Meeting

1:00 pm - 2:30 pm

Redwood

**Coffee Break**

2:30 pm - 3:00 pm

**Fourth Annual Charles N. Brower Lecture on International Dispute Resolution:
Accountability in International Investment Arbitration**

3:00 pm - 4:30 pm

Regency A

*Co-sponsored by the Dispute Resolution and International Economic Law Interest Groups***Speaker:** Gabrielle Kaufmann-Kohler, Professor of Law, University of Geneva; Partner, Levy Kaufmann-Kohler

The Disorganization of International Intellectual Property Law

3:00 pm - 4:30 pm

Regency B

CLE Credit Hours: 1.5*Organized by the International Organizations Interest Group**Co-sponsored by the International Economic Law and International Legal Theory Interest Groups*

This panel will focus on the increasing incursion of international investment law into international Intellectual Property (IP) law. International IP is the subject of a number of major multilateral treaties, and is the province of at least two major formal international organizations – the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO), via the agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). In recent years, there has been a proliferation of smaller bilateral and regional instruments expanding IP rights within their ambits, including in particular the so-called mega-regional treaties currently under negotiation. Beyond these formal instruments on international IP, much of IP law remains territorial - left up to each national state's own policy determinations. But at the same time, a separate (though partially overlapping) regime of bilateral and multilateral investment treaties has been extended to cover and regulate intellectual property, often only tacitly.

This panel will consider how international investment law has gradually reshaped the balance between international and domestic IP law. The discussion is intended to be descriptive, normative and conceptual. Panelists will be asked to discuss: the extent to which investment treaties have augmented the requirements of international IP law, and how they have encroached on the competences of public international organizations like the WTO and WIPO; the possible harms of this shift, as well as any possible advantages; and finally whether the shift toward the investment paradigm carries with it any broader meaning for the very notion of intellectual property.

Moderator: Julian Arato, Brooklyn Law School**Speakers:**

- Viren Mascarenhas, King & Spalding LLP
- Jennifer Permesly, Chaffetz Lindsey LLP
- Sylvie Tabet, Global Affairs Canada
- Michael Waibel, University of Cambridge Faculty of Law

The Classification of Torture and the Continuing Impact of 9/11

3:00 pm - 4:30 pm

Regency C

CLE Credit Hours: 1.5*Co-sponsored by the Government Attorneys, International Criminal Law, and International Law in Domestic Courts Interest Groups*

The United States was an essential actor in the drafting of the United Nations Convention Against Torture and has continued to speak out against acts of torture and Cruel, Inhuman, or

Degrading Treatment (CID) around the world. At the same time, the U.S. has been criticized by the international community for its own commission—admitted and alleged—of torture and CID in the years after September 11, 2001. An enduring complaint is that the U.S. government has classified much of the evidence of torture and CID, making it impossible to pursue accountability for any violations. In addition to this lack of remedy for torture victims, an often-overlooked consequence of the continued secrecy is the inability to conduct fair trials for the 9/11 defendants accused at the Guantanamo Bay military commissions.

This session will examine different real-life scenarios in which the United States was forced to explain or defend to different audiences the classification of torture evidence in counter-terrorism. Panelists will offer their perspectives on the United States' response in light of international legal obligations. They will also consider expansions of secrecy under the justification of national security in other countries, and the collective impact of such expansions on the global treatment of torture.

Moderator: Alka Pradhan, Guantanamo Bay Military Commissions, U.S. Department of Defense

Speakers:

- James Connell, Military Commissions Defense Organization
- Elizabeth Goitein, Brennan Center for Justice
- David Luban, Georgetown University Law Center

Conflict, Accountability, and Justice (New Voices)

3:00 pm - 4:30 pm

Regency D

Co-sponsored by the International Criminal Law, Government Attorneys, and New Professionals Interest Groups

Moderator: Beth Van Schaack, Stanford Law School

Speakers:

- Hassan Ahmad, University of California, Berkeley Boalt School of Law
- Rebecca Hamilton, New York University School of Law
- Steven Koh, U.S. Department of Justice
- Shiri Krebs, Stanford Law School

Migrants at Sea: What Role for International Law?

3:00 pm - 4:30 pm

Columbia B

CLE Credit Hours: 1.5

Co-sponsored by the Government Attorneys, International Environmental Law, International Refugee Law, and Migration Law Interest Groups

From Rohingya fleeing Burma to Eritreans, Somalis, Syrians, and Sudanese aiming for the shores of Europe, hundreds of thousands of migrants each year embark on life-threatening sea journeys in search of refuge. The human and other costs of these journeys are profound and as policy-

makers develop responses at the international, regional and domestic levels important questions remain regarding the appropriate role of international law in this complex context.

To consider international law's appropriate role, this panel focuses on one case study: the Mediterranean. Examining the current Mediterranean migration crisis, panelists will focus on different stages of the journey: migrant-sending states and transit states prior to the sea journey; the journey at sea; movement through European "transit" countries; and reception on land in migrant-receiving states. Panelists will examine current policy responses and discuss the key failures and successes of international law and governing frameworks in regulating global migration for the benefit of both migrants and receiving states, including sub-state entities and host communities.

Moderator: Chiara Cardoletti-Carroll, United Nations High Commissioner for Refugees

Speakers:

- Siobhán Mullally, University College Cork
- Melissa Phillips, Danish Refugee Council
- Maria Theodorou, Greek Embassy
- Ralph Wilde, University College London Faculty of Laws

Cultural Heritage and the Arts Interest Group Business Meeting

3:00 pm - 4:30 pm

Redwood

Disaster Law Interest Group Business Meeting

3:00 pm - 4:30 pm

Sequoia

Assembly

4:45 pm - 6:30 pm

Regency A

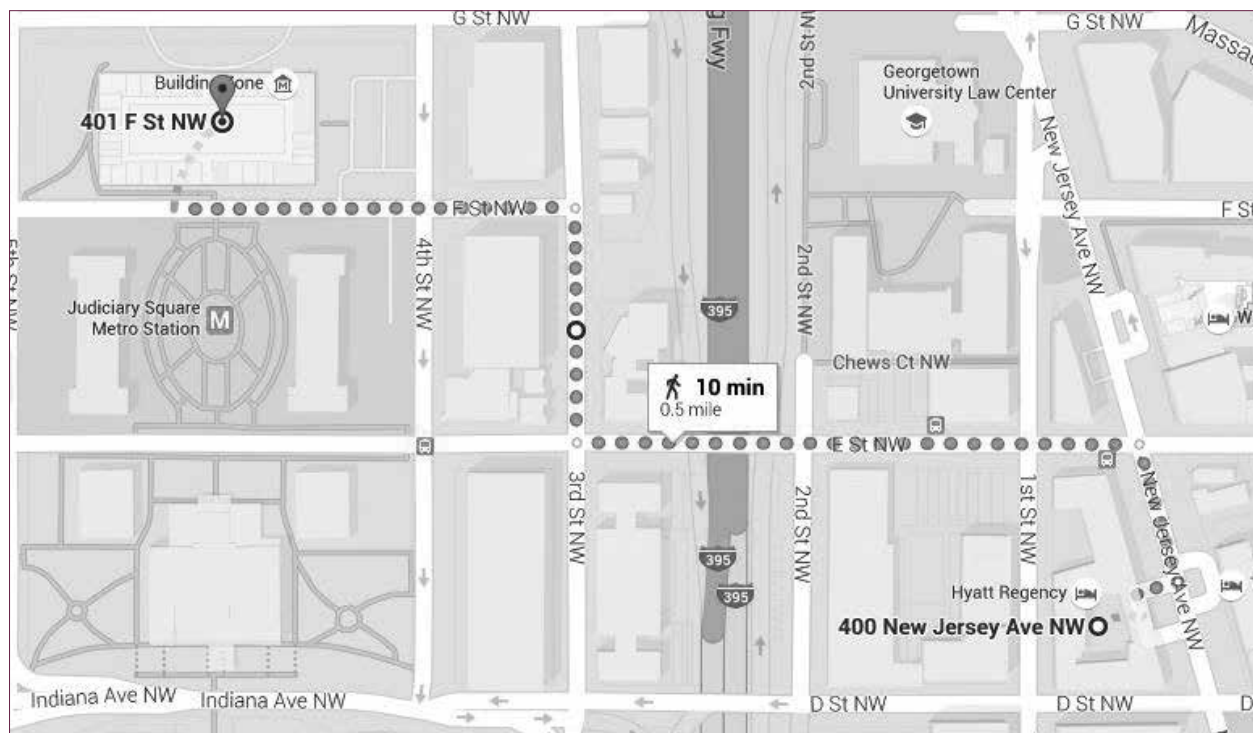
The Assembly program will include the presentation of our annual honors and awards, remembrances of those we have lost during the past year, and the election and introduction of our incoming officers and Executive Council members. The centerpiece of the Assembly will be a keynote address by Associate Justice Stephen Breyer of the U.S. Supreme Court, whose latest book, *The Court and the World*, discusses the importance of international and transnational law to the Court's jurisprudence. The Assembly will conclude with the passing of the gavel from our outgoing president, Lori Damrosch, to incoming president Lucinda Low.

Keynote Address: Justice Stephen Breyer, U.S. Supreme Court

Gala Reception at the National Building Museum (ticketed event)

6:30 pm - 8:30 pm

Building Museum Address: 401 F St NW, Washington, DC 20001

*Tickets for this event may be purchased at registration.***Patrons' Reception**

6:30 pm - 7:30 pm

*By invitation**Sponsored by White & Case LLP***President's Reception**

7:30 pm - 8:30 pm

National Building Museum

Sponsored by Steptoe & Johnson LLP

SAVE THE DATE

**Sixth Annual
ASIL Research Forum**

**November 11-12, 2016
Seattle, Washington**



**American Society
of International Law**

Howard M. Holtzmann Research Center for the Study of International Arbitration and Conciliation

The Howard M. Holtzmann Research Center for the Study of International Arbitration and Conciliation was established by the American Society of International (ASIL) to serve as an education and research forum for individuals interested in international dispute resolution. Building on the Society's recognized expertise in this growing field, the Center will serve as an indispensable research and education resource, providing cutting-edge, expert information and analysis on significant issues and current developments in the international arbitration field. Center activities will include:

- ***Collection of research materials on international arbitration, including Judge Holtzmann's personal library and papers;***
- ***A regular program of events, including a speaker series with leading figures and continuing legal education courses on hot topics in the field; and***
- ***Working groups and task forces convened to address the key challenges and emerging issues relating to international arbitration.***

The Center is conveniently located at the Society's headquarters and is open to everyone interested in learning more about international arbitration and conciliation.



For more information about the Center and its upcoming programs, please contact D. Wes Rist at dwrisk@asil.org.



The ASIL Holtzmann Center is established in honor of Judge Howard M. Holtzmann. Over the course of his career, Judge Holtzmann has made enormous contributions to the field of international arbitration and conciliation, and mentored scores of young lawyers working in the field. He was central to the American Arbitration Association (AAA) work with the Arbitration Institute of the Stockholm Chamber of Commerce to build an East-West bridge through international arbitration. Notable achievements include: service as a member of the U.S. delegation to the Arbitration Working Group of the UN Commission on International Trade Law (1974-2011), which produced the UNCITRAL Arbitration Rules, the UNCITRAL Conciliation Rules, and the UNCITRAL Model Law on International Commercial Arbitration, and service as a Member of the Iran-U.S. Claims Tribunal (1981-1994). For his pioneering work, the King of Sweden inducted Judge Holtzmann as a Commander of the Royal Order of the Polar Star in 2003. In 2005, he received the Silver Medal of Honor of Vienna, and in 2006, the AAA gave him its highest honor, the Peacemaker Award, for his "work to further peace throughout the world." Judge Holtzmann has been a member of ASIL since 1972.

Friday, April 1, 2016

Intellectual Property Interest Group Business Meeting

7:00 am - 8:30 am

Glacier

ASIL New Members Breakfast

7:30 am - 8:30 am

Lexington & Concord



Coffee Break

8:30 am - 9:00 am

Mock Debate: Is the Primacy of the International Court of Justice in International Dispute Settlement Under Threat?

9:00 am - 10:30 am

Regency A

CLE Credit Hours: 1.5

Co-sponsored by the Dispute Resolution and International Courts & Tribunals Interest Groups

Assured of its pre-eminent status as 'principal judicial organ' by the UN Charter, the ICJ has traditionally been considered both the primary fount of judicially-pronounced international law and the primus inter pares of international courts and tribunals.

But the ICJ's central place in international dispute settlement appears to be uncertain. With many other international adjudicatory bodies now in existence, it may no longer be the natural first port of call for meaningful pronouncements in many substantive areas of the law. States seem increasingly to favor the use of international arbitration, as the PCA's revitalization indicates. And even when judicial decision-making is preferred, regional or topically-specialized courts such as the ITLOS are resorted to by States with greater frequency.

Are these apparent shifts from adjudication to arbitration and from general jurisdiction to specific courts and tribunals just passing phenomena, or are these enduring trends that will leave the ICJ permanently diminished?

The distinguished panel will discuss the apparent structural shifts in international dispute settlement and the ICJ's current place within the system. With a view to fostering a lively and dynamic discussion, the panelists will present their arguments in the form of a mock debate, followed by Q&A with audience participation.

Mock Tribunal:

- Jan Paulsson, Three Crowns LLP
- Joan Donoghue, International Court of Justice
- Christopher Greenwood, International Court of Justice

Speakers:

- Chester Brown, The University of Sydney
- Bruno Simma, Iran-US Claims Tribunal
- Anna Spain, University of Colorado Law School
- Samuel Wordsworth, Essex Court Chambers

Conceptualizing International Migration Law

9:00 am - 10:30 am

Regency B

CLE Credit Hours: 1.5*Organized by the Migration Law Interest Group**Co-sponsored by the Disaster Law, International Legal Theory, International Refugee Law, Latin America, and Women in International Law Interest Groups*

Migration is a relative newcomer to the arena of international cooperation. Historically, decisions about the admissions of migrants onto a State's territory have been viewed as largely within the authority of individual States, an authority with which international law has been reluctant to interfere. Migration has been described as "the last bastion of sovereignty." Massive global flows of human beings have been addressed almost entirely through discretionary State policies, with little constraint at the supranational level. Migration stands by itself relative to other global issues, all of which are now subject to robust international legal regimes.

Because migration has lacked an international legal infrastructure, there has been no focal point for advancing academic conceptualization of migration law and its application to pressing challenges posed by growing transboundary movement. International migration law has been severely under-theorized. This panel brings together leading thinkers from a variety of international legal fields that touch on migration to begin to chart the theoretical frontiers of a new field.

Moderator: Peter Spiro, Temple University Beasley School of Law**Speakers:**

- Vincent Chetail, Graduate Institute of International and Development Studies
- Janie Chuang, American University Washington College of Law
- Karen Knop, University of Toronto Faculty of Law
- Chantal Thomas, Cornell Law School

Mining the Deep Seabed and Near Earth Asteroids

9:00 am - 10:30 am

Regency C

CLE Credit Hours: 1.5*Co-sponsored by the International Economic Law, International Environmental Law, Nonproliferation, Arms Control, and Disarmament, and Space Law Interest Groups*

Recent developments show that the next frontier in resource extraction is mining, both above and below the earth's surface. Advances in technology are bringing commercial mining of these as-yet untapped and potentially vast resources into the realm of possibility. However, human expansion into these areas raises a host of issues.

For instance, how should we reconcile national interests and the common heritage of mankind in mining claims? The International Seabed Authority regulates activities in the international seas, but the United States and other countries continue to operate outside the UNCLOS legal framework. Likewise, the Outer Space Treaty specifies that the exploration and use of outer space shall be for the benefit of all countries, while the recently-passed US SPACE Act recognizes private property rights to mined asteroid resources. Other nations may soon follow suit.

Furthermore, to what extent do the doctrine of transboundary harm or the precautionary principle apply when so much of the deep sea and outer space ecosystems remain unknown? These issues are coming into keener focus as technology advances without uniform or comprehensive regulations.

This session will explore the problems and legal regimes developing at the extreme limits of international law.

Moderator: John Pendergrass, Environmental Law Institute

Participants:

- Sagi Kfir, Deep Space Industries
- Michael Lodge, International Seabed Authority
- Steven Mirmina, NASA Office of the General Counsel
- Jennifer Warren, UK Seabed Resources

Re-Examining International Law at the International, Regional, and State Levels (New Voices)

9:00 am - 10:30 am

Columbia B

Co-sponsored by the New Professionals Interest Group

Moderator: Rosemary Barkett, Iran-US Claims Tribunal

Speakers:

- Jessica Beess und Chrostin, King & Spalding LLP
- Yang Liu, University of California, Los Angeles School of Law
- Vincent-Joël Proulx, National University of Singapore Faculty of Law
- Shana Tabak, Georgia State University College of Law

Did the Obama Administration Rebalance U.S. Interests in East Asia? Legal, Economic, and Security Concerns

9:00 am - 10:30 am

Lexington & Concord

CLE Credit Hours: 1.5

Organized by the Law of the Pacific Rim Interest Group

Upon taking office, President Obama sought to reorient foreign policy. From Cairo to Moscow, Oslo to Tokyo, Teheran to Yangon, the Obama Administration touted diplomacy, multilateralism, engagement, and the alliance-based system that the United States led for most of the 20th century. A central plank of Obama's foreign policy would be to reinforce relationships with Asian powers: allies, competitors and non-aligned countries alike.

The "Pivot to Asia" (or "Rebalance") operated on several levels. In the military sphere, the United States reassured traditional allies about its level of commitment to the region, while signaling to China its intent to remain a Pacific power. In terms of international economics, the Pivot took shape through international treaties, the most important of which is the Trans-Pacific Partnership (TPP). The TPP would embed principles of free trade, investment protection, human rights and dispute resolution mechanisms in East Asia. The Pivot also sought to revitalize regional alliances (Japan, South Korea, the Philippines) to engage China on issues of mutual agreement: investment protection, increased market access, and climate change.

The panel will examine the legal instruments that Obama used to implement the Pivot. Panelists will discuss the potential impact of the TPP, U.S. relations with China, developments in the South China Sea, and other topics to synthesize the accomplishments and setbacks of the Pivot.

Moderator: Tim Webster, Case Western Reserve University Faculty of Law

Speakers:

- Bonnie Glaser, Center for Strategic and International Studies
- Probir Mehta, Office of the United States Trade Representative
- Kevin Nealer, Scowcroft Group

International Law in Domestic Courts Interest Group Business Meeting

9:00 am - 10:30 am

Glacier

ASIL-Midwest Interest Group Business Meeting

9:00 am - 10:30 am

Grand Teton



Coffee Break

10:30 am - 11:00 am

Shifting Rules for Intelligence in International Law

11:00 am - 12:30 pm

Regency A

CLE Credit Hours: 1.5

Co-sponsored by the Nonproliferation, Arms Control, and Disarmament Interest Group

Conventional wisdom suggests that international law has little to say about the conduct of intelligence. But as intelligence services take on new missions and the transparency of intelligence activities grows, the role of international law in regulating intelligence activities has the potential to expand rapidly. This rapid-response panel will explore the substantive areas in which international law is being “repurposed” to regulate intelligence; consider which actors are urging that “repurposing”; and examine the ways in which major intelligence-collecting States are reacting. Issues to be considered include the following:

- What precisely has changed to heighten interest in international law for intelligence activities? Is the change qualitative (e.g., cyber spying undermines the Internet) or quantitative (e.g., mass surveillance)?
- Does State practice globally really suggest international law can play an important role in regulating intelligence?
- What does international law have to say about the surveillance controversy sparked by the Snowden disclosures? Is there a duty under international law to protect certain forms of unauthorized disclosures?
- What is the scope of the right to privacy under Article 17 of the ICCPR in the contemporary intelligence terrain, and is its application extraterritorial?

Moderator: Ashley Deeks, University of Virginia

Speakers:

- Kristen Eichensehr, University of California, Los Angeles School of Law
- Caroline Krass, Central Intelligence Agency
- Jim Lewis, Center for Strategic and International Studies
- Andrea Prasow, Human Rights Watch

Steering Africa's Blue Economy: The Role of International Law & Lessons for Other Maritime Regions

11:00 am - 12:30 pm

Regency B

CLE Credit Hours: 1.5

Co-sponsored by the International Economic Law and International Environmental Law Interest Groups

The Economist reports that “the ocean and its inestimable pool of resources represents a new economic frontier for growth, development and investment.” Africa – the world’s largest island, surrounded by three of the five oceans – should be well poised to harness the power of the

oceans. Yet non-African nations have been the greatest beneficiaries of the waters off African coasts. The vast majority of fish there are caught by foreign fleets and shipped away to Asia and Europe. Moreover, crude exploitation of energy resources, environmental degradation, waste dumping, and transnational organized crime increasingly threaten African waters. This panel will discuss how African states, in order to fight these ills, are pursuing a “blue economy” approach which, by definition, reaps the economic benefits of marine development while protecting the environment and improving social well-being. The panel will explore the role of international law in achieving blue economies by considering: 1) how African states have used the law of the sea to claim their waters; 2) how international law can better address critical maritime security concerns; and 3) how international law can be applied creatively to fight environmental harms arising from human activities at sea.

Moderator: Tafadzwa Pasipanodya, Foley Hoag LLP

Speakers:

- James Kraska, U.S. Naval War College
- Vincent Nmehielle, African Union Commission
- Nilufer Oral, Istanbul Bilgi University Law Faculty
- John Virdin, Nicholas Institute for Environmental Policy Solutions, Duke University

Climate Litigation and the North-South Divide in International Environmental Law

11:00 am - 12:30 pm

Columbia C

CLE Credit Hours: 1.5

Co-sponsored by the International Environmental Law and Latin America Interest Groups

This session will examine the limitations and promise of climate litigation as a strategy for promoting environmental protection in the context of a persisting divide between countries in the global north and global south over core environmental issues. The unprecedented degradation of the planet’s climate system and vital ecosystems is one of today’s most pressing international challenges. Despite the proliferation of legal instruments to combat environmental degradation and global climate change, international environmental law has largely failed to halt or reverse the rapid deterioration of the planet’s life support systems. Conflicts over environmental priorities, the allocation of responsibility for environmental harm, and the relationship between environmental protection and economic development, have exacerbated tension between affluent and poor countries. While the Paris climate accord represents a historic global step toward bridging this “north-south” divide, climate justice issues remain unresolved.

In this context, this session explores the increasing turn by southern countries and communities to litigation as a means of holding polluters and northern countries responsible for global warming impacts. It will also examine the ways in which conflicting national perspectives have compromised the effectiveness of efforts to address global climate change and promote climate justice.

Moderator: Carmen Gonzales, Seattle University School of Law

Speakers:

- Sumudu Atapattu, University of Wisconsin Law School
- Carroll Muffett, Center for International Environmental Law
- Erika Rosenthal, Earthjustice

International Law Beyond the Nation State? From People Power to ISIL/Daesh

11:00 am - 12:30 pm

Columbia B

CLE Credit Hours: 1.5

Co-sponsored by the International Legal Theory Interest Group

Recent developments prompt a needed re-evaluation of the concept of State sovereignty in international law: the rise of ISIL/Daesh, anti-democratic political developments in African countries, and the Ukraine crisis. The dominance of a traditional State-centric prism has arguably constrained much of the international legal and policy development. Analyses of the response to ISIL/Daesh have centered on whether it ought to be considered a State or is the antithesis of statehood and therefore responses are subject to the sovereignty of the affected conflict-State. At the same time, anti-democratic developments – such as constitutional changes that revoke civil liberties, extend terms or impose indefinite “states of emergency” – prompt questions of whether serious abrogations of domestic rights implicate international law even though they occur within a traditional nation State. This is contrasted with Russia’s manipulation of the Responsibility to Protect (R2P) doctrine to justify military interventions in Georgia and Crimea.

These developments challenge the State-centric prism in determining what role international law and policy should play in resolving these crises. Through an interactive round-table format, we will examine these developments and their implications for the concept of statehood and Westphalian State sovereignty.

Moderator: Scott Lyons, United States Agency for International Development

Speakers:

- Anicée Van Engeland, Oxford University Centre for Socio-Legal Studies
- Steven Feldstein, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State
- Boris Mamlyuk, University of Memphis School of Law

Careers in International Organizations and the Public Interest

11:00 am - 12:30 pm

Lexington & Concord

Organized by the International Organizations Interest Group

Co-sponsored by the International Criminal Law and New Professionals Interest Groups

This panel will discuss the various pathways to legal careers in the public sector (government, non-profits, international organizations, and non-traditional legal fields). Designed to inform law students, young professionals, and experienced practitioners alike, the panel will endeavor to

demystify established recruitment initiatives, and offer strategic professional development tips. Following the panel discussion, there will be an extended question and answer session.

Moderator: Noah Bialostozky, UN Office of Legal Affairs

Speakers:

- Melissa del Aguila, American University Washington College of Law
- Andrea Gittleman, Simon-Skjodt Center for the Prevention of Genocide, U.S. Holocaust Memorial Museum
- David Nanopoulos, UN Office of Legal Affairs

Teaching International Law Interest Group Business Meeting

11:00 am - 12:30 pm

Glacier

International Courts & Tribunals Interest Group Business Meeting

11:00 am - 12:30 pm

Grand Teton

Space Law Interest Group Business Meeting

11:00 am - 12:30 pm

Bryce

Minorities in International Law Interest Group Business Meeting

11:00 am - 12:30 pm

Yosemite



Break

12:30 pm - 1:00 pm

WILIG Luncheon: 25 Years Later: A Discussion of "Feminist Approaches to International Law"

1:00 pm - 2:30 pm

Columbia B

CLE Credit Hours: 1.5

Organized by the Women in International Law Interest Group

The Prominent Woman in International Law Award is awarded annually by the Women in International Law Interest Group in recognition of a woman recipient's contribution to the development of international law.

Honoree: Elizabeth Andersen, Director of the American Bar Association Rule of Law Initiative

Moderator: Catherine Powell, Fordham Law School

Speakers:

- Elizabeth Andersen, American Bar Association Rule of Law Initiative
- Aisling Swaine, George Washington University School of Law

Tickets for this event may be purchased at registration.

Arbitrating the Public Interest

1:00 pm - 2:30 pm

Regency A

CLE Credit Hours: 1.5

Co-sponsored by the Dispute Resolution, International Courts & Tribunals, and International Economic Law Interest Groups

The increasing number of challenges against general regulatory measures adopted by the State has given rise to three developments. First, States are changing their approach towards investment treaty making, preserving their ability to regulate for the public interest either by carving public interest measures out of investment treaties, or by excluding recourse to investor-State arbitration altogether. Second, States and arbitral tribunals are grappling with the issues of transparency and third party intervention. Third, the jurisprudence on the substantive consequences of qualifying a dispute as one involving the public interest remains an unsettled frontier in investment law. Some tribunals take the view that the public interest can serve as a complete justification for good faith and non-discriminatory regulation of the State even where it affects the economic interests of the foreign investor. Others opine that the public interest merely renders the challenged measures lawful but that the obligation to compensate the investor remains. A third group of tribunals has engaged in a proportionality analysis, weighing the importance of the public interest considerations with the impact on the economic interests of the investor.

These recent phenomena prompt questions as to what is (or should be) the purpose of investment arbitration.

Moderator: Rumiana Yotova, University of Cambridge Faculty of Law

Speakers:

- N. Jansen Calamita, British Institute of International and Comparative Law
 - Marc Lalonde, International arbitrator, former Canadian Cabinet Minister
 - Yongjie Li, Ministry of Commerce, People's Republic of China
 - Noradele Radjai, LALIVE LLC
-

Comparative Perspectives on the Judicialization of Foreign Affairs: Adjudication of Military Deployment in National Courts

1:00 pm - 2:30 pm

Regency B

CLE Credit Hours: 1.5

Co-sponsored by the International Law in Domestic Courts Interest Group

Focusing on recent cases in Europe, the United States, and Israel, the session will analyze the circumstances under which courts have been willing to adjudicate issues relating to military deployment. It will also assess the operational impact of this trend toward the judicialization of military deployment decisions.

In many jurisdictions, the executive branch has historically conducted military operations with limited interference from the judicial branch. Modern interpretations of human rights and the rule of law, both at the level of national and international law, have resulted in increased judicial engagement with executive decisions to use armed force. This trend has raised serious concerns among some governments about whether more judicial involvement might overly constrain military operations or even make decisions to use force impossible in the first place. Militaries have also encountered practical challenges in planning and conducting operations, for example in the context of detention, targeting, and civilian casualties. At the same time, some have noted that judicial involvement can promote desirable outcomes such as providing a remedy for civilians harmed by military operations and promoting better integration of human rights considerations into military planning and operations. This session explores these and other issues in a comparative context.

Moderators: Katja Ziegler, University of Leicester Law School

Speakers:

- Major General Thomas Ayres, Judge Advocate General's Office, U.S. Army
- Eyal Benvenisti, Tel Aviv University, University of Cambridge Faculty of Law
- Claire Landais, French Ministry of Defense
- Douglas Wilson, UK Foreign and Commonwealth Office

Great Expectations? The Rise of the Regional Development Banks in a DC-Centered World

1:00 pm - 2:30 pm

Lexington & Concord

CLE Credit Hours: 1.5

Co-sponsored by the International Economic Law Interest Group

There are new actors in International Development Finance such as the Asian Infrastructure Investment Bank (AIIB) and the New Development Bank (NDB BRICS) which are poised to provide developing countries with alternative sources of funds without World Bank lending conditions. However, there is continuing uncertainty about their governance procedures and financing methods. The emergence of these new actors raises a critical question: Is international

development finance law and the governance of its institution departing from a Washington-based model?

This panel of experts will address:

1. The different governance arrangements, oversight bodies and voting structures in these new financing institutions vs. the traditional MDBs;
2. Their adherence to social and environmental standards, including the transparency of their operations, and whether their standards and operations differ from those followed by the traditional MDBs;
3. Accountability mechanisms in these new institutions; and
4. Whether these new banks can be instruments of change.

Moderator: Diane Desierto, University of Hawaii William S. Richardson School of Law

Speakers:

- Cecilia Akintomide, African Development Bank
- Caio Borges, Business & Human Rights Project, Conectas
- Vikram Raghavan, World Bank

Transitional Justice and Rule of Law Interest Group Business Meeting

1:00 pm - 2:30 pm

Glacier

Latin America Interest Group Meeting

1:00 pm - 2:30 pm

Grand Teton

Dispute Resolution Interest Group Meeting

1:00 pm - 2:30 pm

Bryce



Coffee Break

2:30 pm - 3:00 pm

Inaugural Detlev F. Vagts Roundtable on Transnational Law: Transnational Professional Ethics

3:00 pm - 4:30 pm

Regency A

CLE Credit Hours: 1.5 (ethics)

Co-sponsored by the International Economic Law Interest Group

The Detlev F. Vagts Roundtable seeks to honor the memory of Professor Vagts by promoting scholarship of young academics and supporting intellectual exchanges across jurisdictions on

important topics of international and transnational law. This inaugural session of the Roundtable will focus on a topic that was pioneered by Professor Vagts and remains of central importance today: the professional conduct and role of legal representatives before international tribunals. Guided by both a scholarly paper on the topic, and a complex hypothetical case study, this session will bring together leading experts to discuss and debate the nuances of international legal ethics.

Moderator: Catherine Rogers, Penn State School of Law

Speakers:

- Catherine Amirfar, U.S. Department of State
- Pierre Bodeau-Livinec, University of Paris VIII
- Cecily Rose, Leiden Law School
- Stephan Schill, Max Planck Institute of Public and Comparative Law
- Christina Parajon Skinner, Columbia Law School

A Critical Assessment of Reparation in International Law

3:00 pm - 4:30 pm

Regency B

CLE Credit Hours: 1.5

Co-sponsored by the Cultural Heritage and the Arts, Dispute Resolution, and Transitional Justice and Rule of Law Interest Groups

A State's obligation to pay reparation for injuries caused by its internationally wrongful actions is well-established in international law. Yet this principle has a different scope and implementation depending on the particular forum granting reparation (such as human rights courts, investment arbitration tribunals, as well as standing and ad hoc courts) and the particular field of international law in question.

This panel will offer a critical assessment of existing approaches on reparation in international law. It will also examine whether a gulf exists between the general standard of reparation for internationally wrongful acts and how different courts and tribunals have implemented that standard in practice—including differences in implementation, such as awarding restitution and specific performance versus pecuniary awards.

The panel members will share their insights into reparation from a variety of angles, with perspectives from international human rights law, international investment law and international environmental law.

Moderator: Donald Francis Donovan, Debevoise & Plimpton LLP

Speakers:

- Andrés Jana, Bofill Mir & Alvarez Jana Abogados
- Heikki Kanninen, General Court of the European Union
- Margarette May Macaulay, Inter-American Commission on Human Rights
- Makane Moïse Mbengue, University of Geneva Law School

Top-Down or Bottom-Up? TPP as a Model of Multilateral Lawmaking

3:00 pm - 4:30 pm

Regency C

CLE Credit Hours: 1.5*Co-sponsored by the International Economic Law and International Environmental Law Interest Groups*

While still awaiting congressional approval, the TPP promises to not only be the largest regional trade and investment agreement to date, but also a milestone in regional integration. It is just one example, though, of the heightened role that regional collaborations have had in charting new frontiers for international trade and investment.

This trend away from multilateralism towards bilateral, regional, and plurilateral negotiations has presented an optimistic counterpoint to the inability of multilateral consensus in key trade and investment areas such as services, investment, the environment, and agricultural subsidies. But while it allows key players to negotiate piecemeal for more trade liberalization, it also may disadvantage smaller and less developed countries that may, otherwise, have had a stronger voice at the multilateral level.

This panel will discuss the Trans-Pacific Partnership in the context of multilateralism and its potential impact on key areas of concern for North America. A look at the negotiations of past regional agreements, such as the NAFTA, will help provide context to the negotiating process of the TPP and what it means for the role of the WTO and the multilateral trading system. In what ways will the TPP modify the NAFTA and other preferential trading agreements in the region? How will it impact areas such as labor and economic development for North America, as compared to other trade agreements? What new challenges will it have for lesser industrialized nations like Mexico?

Moderator: Elizabeth Trujillo, Suffolk University Law School

Speakers:

- Salvador Behar, Embassy of Mexico
- Thea Lee, The American Federation of Labor and Congress of Industrial Organizations
- Charles Roh, Weil, Gotshal & Manges LLP

Human Rights Cities

3:00 pm - 4:30 pm

Lexington & Concord

CLE Credit Hours: 1.5*Co-sponsored by the Cultural Heritage and the Arts and Women in International Law Interest Groups*

The failure of many States to ratify key human rights treaties has led a growing number of local communities to question the traditional assumption that national-level treaty ratification and action must precede local implementation. Cities across the globe are taking measures to implement the framework principles of human rights treaties on their own, creating their own supervisory mechanisms of monitoring, oversight, promotion, and accountability. This "Human

Rights Cities” movement is illustrative of growing recognition that an overly narrow focus on national-level treaty ratification, without simultaneous efforts to incorporate the treaty’s operative principles into local thinking, planning, policy, and practice, merely pushes down the road what ultimately needs to be done at the local level, even after ratification. The “rapid-response” panel will look at experiences across the globe in the local implementation of several key human rights treaties, and consider the critical implications for international law and human rights compliance theory.

Moderator: Tara Melish, SUNY Buffalo Law School

Speakers:

- Chidi Anslem Odinkalu, Open Society Justice Initiative
- William Bell, Mayor of Birmingham, Alabama
- Emily Murase, San Francisco Department on the Status of Women
- JoAnn Kamuf Ward, Human Rights Institute, Columbia Law School

International Law Careers & Speed Mentoring Event (Blacks of the American Society of International Law)

3:00 pm - 4:30 pm

Columbia B

The Blacks of the American Society of International Law Task Force (BASIL) will host this forum to give law students and new legal professionals access to experienced international law practitioners. The event will begin with a panel discussion, led by ASIL Director of Education and Research D. Wes Rist, designed to showcase the various avenues that led the panelists to a career in international legal practice and to provide insight into professional development opportunities. Following the discussion, each panelist will host a table where a small group of students can spend 10-12 minutes talking with the professional. When time is up, students rotate to a new table, so that by the end of the afternoon participants have had the chance to learn about several different paths to international employment.

The BASIL Task Force is an initiative of the American Society of International Law designed to help to increase the number of blacks in international law.

Speakers:

- Heather Brandon, Human Rights First
- Marsha Cadogan, Osgoode Hall Law School, York University
- Adom Cooper, Bureau of Diplomatic Security, U.S. Department of State
- Major Megan C. Mallone, U.S. Air Force Judge Advocate General Office
- Hon. Gabrielle Kirk McDonald, former President ICTY, former Judge/Arbitrator, Iran-United States Claims Tribunal
- Andy Michels, Governance and Rule of Law team, U.S. Agency for International Development
- Tafadzwa Pasipanodya, Foley Hoag LLP
- Christos Ravanides, United Nations Mechanism for International Criminal Tribunals
- Rita Siemion, Human Rights First

- Basil Ugochukwu, International Law Research Program, Centre for International Governance Innovation
- Darren Walker, United Nations Headquarters
- Adrien Wing, University of Iowa Law School
- Arezo Yazd, U.S. Department of Commerce

Book Launch: Celebrating the Release of *International Maritime Boundaries*, Volume VII

3:00 pm – 4:30 pm

Columbia C

Volume VII of *International Maritime Boundaries* edited by Coalter Lathrop and published by Brill/Nijhoff in cooperation with ASIL has just been published. Those interested in perusing the latest volume are invited to join the Editor, Contributors and Publisher for a casual celebratory event. An introduction to the online edition of the *International Maritime Boundaries* collection will also be presented.

International Criminal Law Interest Group Business Meeting

3:00 pm - 4:30 pm

Grand Teton

Lieber Society Business Meeting

3:00 pm - 4:30 pm

Bryce

International Refugee Law Interest Group Business Meeting

3:00 pm - 4:30 pm

Yosemite



Break

4:30 pm - 5:00 pm

Keynote Address: International Law, Legal Diplomacy and the Counter-ISIL Campaign

5:00 pm - 6:00 pm

Regency A

Speaker: Brian Egan, Legal Adviser, U.S. Department of State

ASIL-ILSA Reception and Film Screening: "All Rise"

Reception: 6:00 pm - 7:30 pm

Regency B & C

Featuring remarks by: Benjamin B. Ferencz, former prosecutor, Einsatzgruppen trial, Trials of War Criminals before the Nuremberg Military Tribunals (NMT)

Film Screening: "All Rise": 7:30 pm - 9:00 pm

Regency A

ALL RISE follows the journeys of seven passionate law students from India, Israel, Jamaica, Palestine, Russia, Singapore, and Uganda who compete in the Philip C. Jessup International Law Moot Court Competition. The film was an official selection for both the 2015 DOC NYC Film Festival and the 2016 Manchester Film Festival, where it also received a jury award.

Sponsored by White & Case LLP

"L" Reception

6:00 pm - 7:00 pm

Thornton (11th Floor)

By Invitation

Sponsored by Arnold & Porter LLP

Special Guests: Brian Egan, Legal Adviser, U.S. Department of State, and Mary McLeod, former Acting Legal Adviser

New Professionals Networking Reception

7:00 pm - 8:00 pm

Lexington & Concord

Debate, Discussion, and Problem Solving



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Lucinda Low
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Saturday, April 2, 2016

Interest Group Co-Chairs Breakfast

7:15 am - 8:45 am

Capitol A



Coffee Break

8:30 am - 9:00 am

New Technologies, International Criminal Accountability, and First Responders

9:00 am - 10:30 am

Regency A

CLE Credit Hours: 1.5

Co-sponsored by the International Criminal Law Interest Group

New technologies – such as video, satellite imagery and other remote sensing, cell phones, crisis mapping, and social media – are already advancing investigations of human rights and international crimes, have the potential to enhance international criminal accountability efforts, and will undoubtedly transform the field in the years to come. These new technologies raise a host of issues for so-called first responders – the human rights workers and local actors who are first on the scene when atrocities occur, often months or even years before international criminal efforts are underway. What should be goals of these first responders and how should they deploy new technologies to collect and preserve evidence? What standards of evidence collection and proof should they consider? How can they mediate the multiple aims of evidence collection at the early stages? To what extent should international criminal standards and methods be brought into human rights investigations? Do new technologies have the potential to promote deterrence? This panel will bring academics and practitioners together to examine the potential of new technologies with a particular focus on the legal and policy challenges that they pose.

Moderator: Alison Cole, Open Society Justice Initiative

Speakers:

- M. Kamari Clarke, Carleton University
- Molly Land, University of Connecticut School of Law
- Kelly Matheson, WITNESS
- Cristina Ribeiro, International Criminal Court

Emerging Frontiers in the South China Sea

9:00 am - 10:30 am

Columbia B

CLE Credit Hours: 1.5*Organized by the Law of the Sea Interest Group*

The intensification of disputes regarding maritime rights in the South China Sea has brought into focus the political, economic and security implications of island-building. China, Vietnam, Malaysia, the Philippines and Taiwan have all built or expanded islands in the region.

The creation or expansion of artificial islands in the South China Sea has the potential to chart new frontiers, and implicates unresolved questions of territorial sovereignty, undersea resources, secure sea-lanes, and the projection of geopolitical power. UNCLOS does not address whether a State's constructed artificial islands may secure additional rights, though it makes clear that the only islands that can secure territorial rights are "naturally formed area[s] of land." The legal status of artificial islands is of particular importance when the islands interfere with shipping routes within a State's territorial sea, or lie in a contested area with overlapping claims. The Permanent Court of Arbitration's decision in 2015 to admit the case brought by the Philippines against China regarding China's so-called "nine-dash line," has made this question even more topical. China's decision not to participate might also raise questions concerning the role of international law in this dispute.

Moderator: Christina Hioureas, Foley Hoag LLP**Speakers:**

- Jerome Cohen, New York University School of Law
- Nong Hong, Institute for China-America Studies
- Oliver Lewis, U.S. State Department
- Paul Reichler, Foley Hoag LLP
- Sienho Yee, Wuhan University School of Law

Domestic Implementation of International Treaties: The Next New Challenge for Private International Law?

9:00 am - 10:30 am

Columbia C

CLE Credit Hours: 1.5*Organized by the Private International Law Interest Group**Co-sponsored by the Nonproliferation, Arms Control, and Disarmament Interest Group*

This session considers the problems associated with domestic implementation of private international law from a variety of public and private perspectives. Issues include domestic constitutional concerns (such as federalism), the role of international organizations, lack of political will, and matters relating to the proper scope of the implementing legislation.

Moderators:

- Cristian Gimenez Corte, Universidad Nacional del Litoral (Argentina)
- Stacie Strong, University of Missouri School of Law

Speakers:

- Mike Coffee, U.S. Department of State
- Jeannette Tramhel, Organization of American States

**Coffee Break**

10:30 am - 11:00 am

Closing Plenary: Countering Violent Extremism: Understanding the Shifting Landscape in National and International Approaches

11:00 am - 12:30 pm

Regency A

CLE Credit Hours: 1.5*Sponsored by the Royal Netherlands Embassy*

International organizations and national governments are devoting increasing resources to preventing radicalization and diminishing the appeal of violent ideologies—religious, political or otherwise. Countering violent extremism (CVE) measures range from technological interventions aimed at disrupting online recruiting by non-state terrorist organizations, and enhancing surveillance within and across jurisdictions; to structural interventions in the areas of development, access to justice, and education among others. Some measures have raised serious concerns within the human rights community, and within the communities most directly impacted by these interventions. A central concern is that these measures violate fundamental human rights, including privacy, security, freedom of religion, and freedom of expression.

This closing plenary will address emerging trends in CVE; the human rights and security implications of these trends; and the international framework applicable to CVE including new developments such as the recently released U.N. Secretary General's "Plan of Action to Prevent Violent Extremism." Panelists will situate their remarks in the broader debate regarding the efficacy and unintended consequences of CVE measures, and the broader context of international, national and proxy conflict confronting the global order.

Keynote Address: Mr. Ard van der Steur, Minister of Security and Justice, Kingdom of the Netherlands

Experts' Panel (following keynote remarks):

Moderator: Abiodun Williams, Hague Institute for Global Justice

Speakers:

- Michèle Coninsx, EUROJUST
- Rashad Hussain, U.S. Department of Justice, National Security Division
- Jean-Paul Laborde, UN Counter-Terrorism Committee Executive Directorate
- Hina Shamsi, American Civil Liberties Union

City of the Hague Closing Luncheon Reception

12:30 pm - 1:30 pm

Columbia A & B

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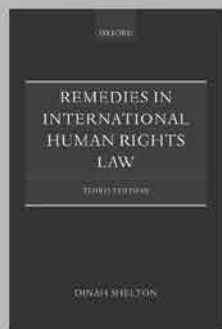
2:00 pm - 4:00 pm

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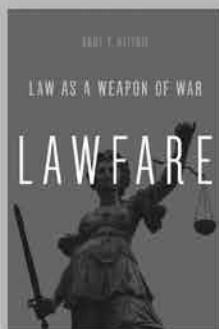
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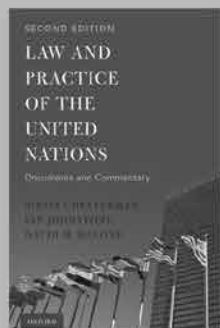
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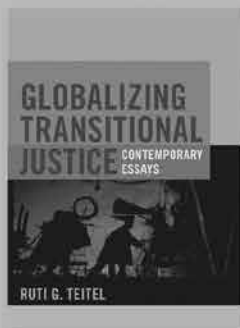
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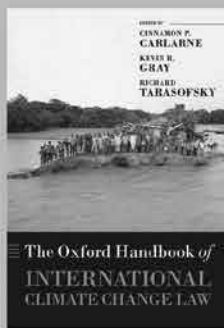
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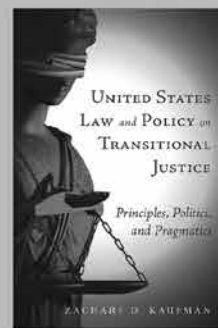
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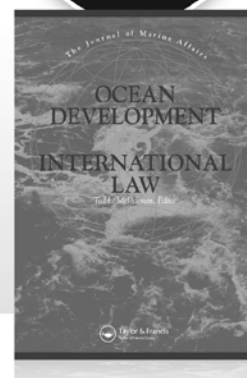
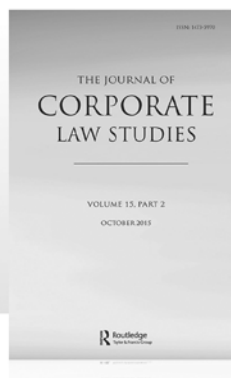
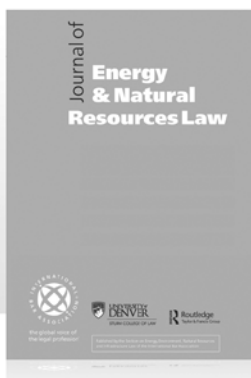
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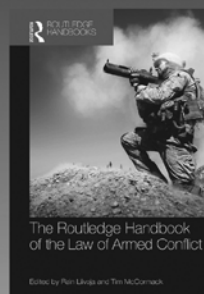
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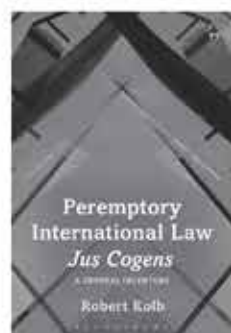
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Human Rights & International Criminal Law		
New Frontiers in LGBTI Rights	March 31, 9:00 - 10:30 AM	Regency B
Do We Need a Treaty on Business and Human Rights?	March 31, 11:00 AM - 12:30 PM	Regency A
Resources, Rights, and Revenue-Sharing: Redefining Standards for Consultations with Indigenous Peoples	March 31, 1:00 - 2:30 PM	Regency D
WILIG Luncheon: 25 Years Later: A Discussion of "Feminist Approaches to International Law"	April 1, 1:00 - 2:30 PM	Columbia B
Human Rights Cities	April 1, 3:00 - 4:30 PM	Lexington & Concord
New Technologies, International Criminal Accountability, and First Responders	April 2, 9:00 - 10:30 AM	Regency A
Trade, Development, & Energy		
Forum Non Concurrence in the Resolution of Investment Treaty Disputes	March 31, 9:00 - 10:30 AM	Regency D
Energy on the Move: Treaties on Transit of Energy via Pipelines	March 31, 1:00 - 2:30 PM	Columbia B
The Dis-Organization of International Intellectual Property Law	March 31, 3:00 - 4:30 PM	Regency B
Steering Africa's Blue Economy: The Role of International Law & Lessons for Other Maritime Regions	April 1, 11:00 AM - 12:30 PM	Regency B
Great Expectations? The Rise of Regional Development Banks in a DC-Centered World	April 1, 1:00 - 2:30 PM	Lexington & Concord
Top-Down or Bottom-Up? TPP as a Model of Multilateral Law-Making	April 1, 3:00 - 4:30 PM	Columbia B
Laws of War, Migration, Disaster Law, & Environment		
Late Breaking Panel: Achieving Consensus in Climate Change	March 31, 9:00 - 10:30 AM	Regency C
Protecting Endangered Cultural Heritage in Syria and Iraq: The Role of International Organizations and Governments	March 31, 11:00 AM - 12:30 PM	Columbia B
U.S. and International Perspectives on the New Department of Defense Law of War Manual	March 31, 1:00 - 2:30 PM	Regency A
Migrants at Sea: What Role for International Law?	March 31, 3:00 - 4:30 PM	Columbia B
Conceptualizing International Migration Law	April 1, 9:00 - 10:30 AM	Regency B
Climate Litigation and the North-South Divide in International Environmental Law	April 1, 11:00 AM - 12:30 PM	Columbia C
Emerging Frontiers in the South China Sea	April 2, 9:00 - 10:30 AM	Columbia B
Foreign Relations, National Security, and International Law in Domestic Groups		
The Iran Nuclear Deal as a New Model of International Law-Making	March 31, 9:00 - 10:30 AM	Regency A
The Emergence of Cyber Deterrence: Implications for International Law	March 31, 11:00 AM - 12:30 PM	Regency B

The Classification of Torture and the Continuing Impact of 9/11	March 31, 3:00 - 4:30 PM	Regency C
Did the Obama Administration Rebalance U.S. Interests in East Asia? Legal, Economic, and Security Concerns	April 1, 9:00 - 10:30 AM	Lexington & Concord
Shifting Rules for Intelligence in International Law	April 1, 11:00 AM - 12:30 PM	Regency A
Comparative Perspectives on the Judicialization of Foreign Affairs: Adjudication of Military Deployments in National Courts	April 1, 1:00 - 2:30 PM	Regency B
International Dispute Resolution and Adjudication		
International Arbitration in Africa	March 31, 11:00 AM - 12:30 PM	Regency C
One View of the Arena: The Agent's Perspective in International Dispute Settlement	March 31, 1:00 - 2:30 PM	Regency B
Charles N. Brower Lecture on International Dispute Resolution	March 31, 3:00 - 4:30 PM	Regency A
Mock Debate: Is the Primary of the ICY in International Dispute Settlement Under Threat?	April 1, 9:00 - 10:30 AM	Regency A
Arbitrating the Public Interest	April 1, 1:00 - 2:30 PM	Regency A
A Critical Assessment of Reparation in International Law	April 1, 3:00 - 4:30 PM	Regency A
Domestic Implementation of International Treaties: The Next New Challenge for Private International Law?	April 2, 9:00 - 10:30 AM	Columbia C
Emerging Issues in International Law: Regions, Theories, Actors		
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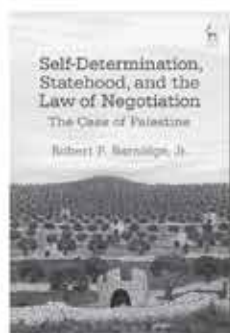


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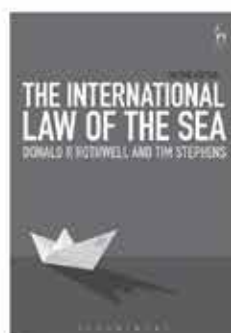


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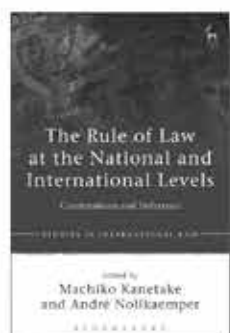


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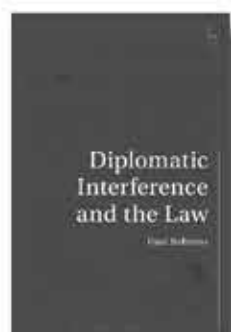


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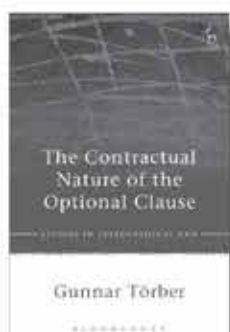
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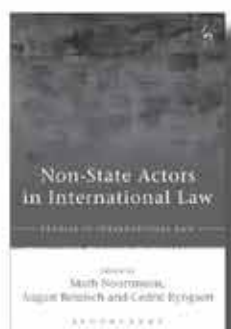
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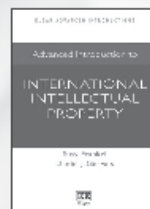
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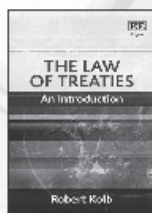
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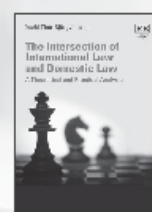
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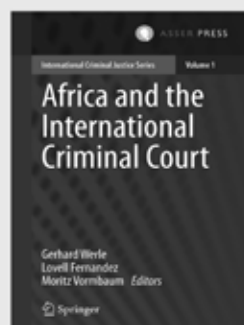


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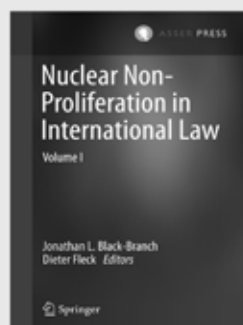


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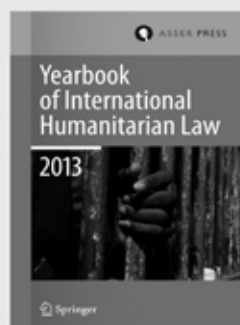
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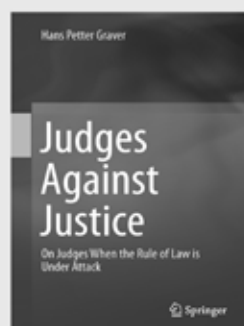
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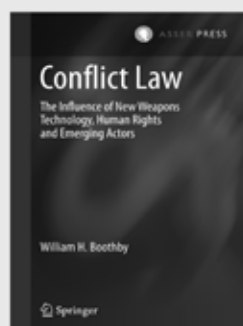
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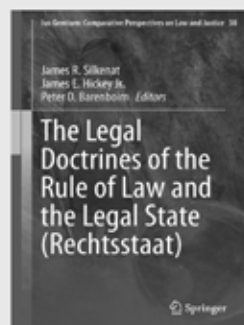
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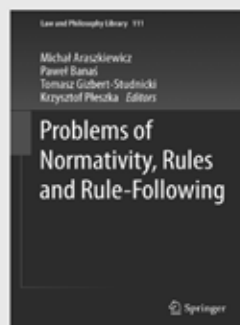
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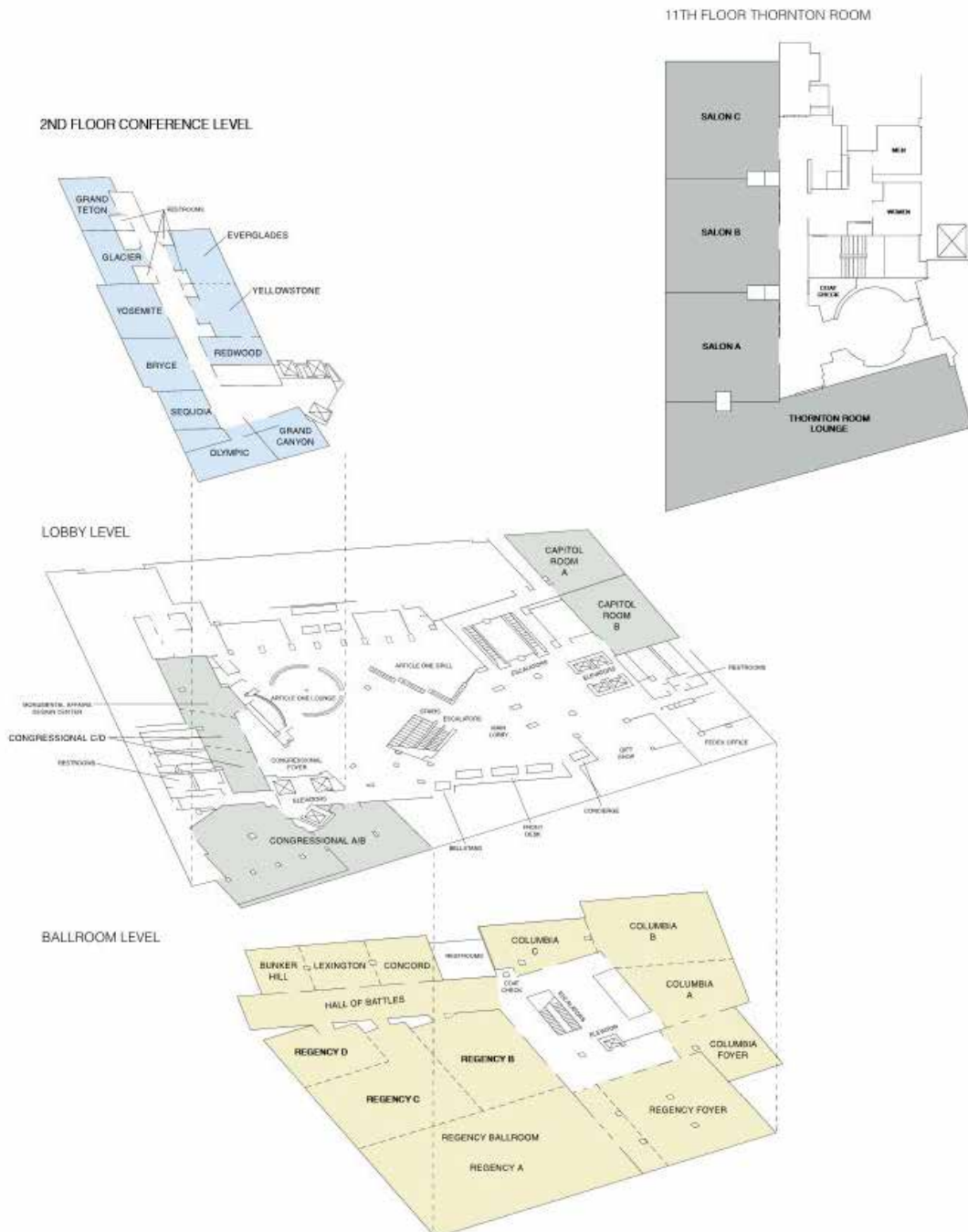


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