

115TH ASIL ANNUAL MEETING

***Reconceiving
International Law:
Creativity in
Times of Crisis***

March 24-26, 2021



American Society
of International Law

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 Category II 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 3,500 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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©2021 ASIL Annual Meeting

Dear Colleagues,

It is our pleasure to welcome you to the 2021 Annual Meeting of the American Society of International Law. We have worked hard to ensure that this year's Annual Meeting speaks to the uniqueness of the current moment. We selected the theme "Reconceiving International Law: Creativity in Times of Crisis" as an acknowledgement that the United States and the world find themselves at an inflection point. We have been confronting a once in a century global pandemic, an economic crisis, a racial justice crisis, as well as a climate crisis; and most recently in the United States, a crisis involving our democratic institutions. This year's theme also reflects the reality that times of crisis provide the opportunity for creative solutions. We know that international lawyers and members of the Society are used to finding solutions to difficult problems. This year's Annual Meeting is an excellent forum for our members and partners around the world to discuss the creative use and re-conception of international law as a positive tool to help address the multiple crises that humanity is confronting at this critical moment.

The ASIL Annual Meeting is not just a crucial forum to learn and exchange about international law. It is also a unique setting for reconnecting with old friends and meeting new colleagues. This year, we tried to maintain this essential function of the Annual Meeting despite the virtual format. Working closely with the wonderful ASIL staff, we took what could appear as a limitation and turned it into an opportunity to extend ASIL's reach around the globe. This year's format permitted greater flexibility in securing the participation of speakers from all parts of the world, who may not have been able to travel to Washington, DC. ASIL also launched a new "Global Engagement Series" in advance of the Annual Meeting, which highlighted regional perspectives and diversified audiences. This new series was developed in close partnership with international law societies across Africa, Asia, Europe, and Latin America. The Annual Meeting platform was also enhanced in an effort to recreate some of the social components of in-person conferences that are so valuable. This past year has underscored the importance of community, solidarity, and human connection. We sincerely hope that the 2021 Annual Meeting will play a part in bringing the international law community closer together.

Over the last year, the world has faced unprecedented challenges, but we in the international legal community have always risen to the occasion to find creative solutions and new ways of solving crises through a commitment to strong international norms, implementation of human rights, and creating a community of global lawyers dedicated to developing international laws to bring us ever closer together. As we spend the next few days together discussing creative solutions to the global pandemic, an economic crisis, a racial justice crisis, the climate crisis; and even recent democratic crises, we hope you all walk away inspired, motivated, and better connected – full of ideas of colleagues you can partner with and learn from to implement these creative approaches and reconceive our legal frameworks together to solve these challenges.

After the Annual Meeting, we hope to see new solutions, partnerships, thought leadership, and approaches to legal issues that we all create together. As the world reopens and we begin to reconnect in person, we hope this time together leads us to a better and brighter future.

Thank you for joining us,

Co-Chairs

2021 ASIL Annual Meeting Committee



A blue ink signature of Simon Batifort, written in a cursive style.

Simon Batifort



A black ink signature of Christie Edwards, written in a cursive style.

Christie Edwards



A black ink signature of Darin Johnson, written in a cursive style.

Darin Johnson

Dear Colleagues,

We are delighted to welcome you to the 115th Annual Meeting of the American Society of International Law—one of the largest and most diverse gatherings of international lawyers, jurists, scholars, and diplomats in the world. Over the next three days, you will have the opportunity to engage with thought leaders in international law and related disciplines through more than 50 substantive sessions and six thematic tracks, as well as special interactive sessions designed expressly for this year's virtual format.

The 2021 Annual Meeting theme, *Reconceiving International Law: Creativity in Times of Crisis*, will provide a forum for critical thinking about the future of international law. At this pivotal moment in world affairs, it is especially important for us to come together as a global community to challenge ourselves to imagine a new way forward.

Here are a few of the Annual Meeting highlights you will not want to miss:

The Annual Meeting will begin on Wednesday morning with the Opening Ceremonies, which will include keynote remarks by David Miliband, President and CEO of the International Rescue Committee and former Foreign Secretary of the United Kingdom. His remarks will be followed by a Presidents' Roundtable featuring four leaders in the field who served as President of the Society over the course of the last quarter century.

The Opening Ceremonies will be followed by our first substantive breakout sessions. Among the highlights will be the presentation of the 2021 Manley O. Hudson Medal to Professor Bernard H. Oxman (ASIL Academic Partner University of Miami School of Law). Professor Oxman will offer brief remarks, followed by a conversation with Professor Lori Damrosch (ASIL Academic Partner Columbia Law School), who served as President of the Society from 2014-2016.

The Wednesday sessions will conclude with the presentation of the 2021 Goler T. Butcher Medal to Louise Arbour, the former UN High Commissioner for Human Rights. The program will feature a conversation between Mme. Arbour and 2009 Butcher Medal recipient Mónica Pinto (University of Buenos Aires School of Law).

The Thursday sessions will begin with the 23rd annual Grotius Lecture, presented in cooperation with American University Washington College of Law. The lecture will be delivered by Yves Daudet, the President of the Curatorium of the Hague Academy. His remarks are titled, "Never Let a Good Crisis Go to Waste! Can International Law Seize the Advantage?" Hannah Buxbaum (ASIL Academic Partner Indiana University Maurer School of Law) will deliver the response.

The Thursday afternoon plenary will feature keynote remarks by Dr. Tedros Adhanom Ghebreyesus, the Director General of the World Health Organization who will speak on "Law, Equity and Global Public Health." Following his remarks, we will hold a virtual ceremony recognizing the recipients of the Society's honors and awards. Also on Thursday, the Women in International Law Interest Group will present the 2021 Prominent Woman in International Law Award to former ASIL Honorary President Gabrielle Kirk McDonald.

The Friday sessions will begin with the presentation of the Honorary Member Award to H.E. Abdulqawi Ahmed Yusuf of the International Court of Justice. Judge Yusuf will engage in a keynote conversation with Patrícia Galvão Teles of the International Law Commission. Other programs of note will include the Sixth Annual Detlev F. Vagts Roundtable on Transnational Law, convened by Gian Luca Burci (Graduate Institute Geneva), on "Pandemic Vaccines: Market products or global public goods?" and the Ninth Annual Charles N. Brower Lecture on International Dispute Resolution, to be delivered by Lucy Reed on "Crisis Cases: Not Reconceiving International Dispute Resolution."

The closing plenary will feature a roundtable discussion, sponsored by the Asser Institute for International and European Law, the Embassy of the Netherlands in the United States, and the Municipality of The Hague, on "Reconceptualizing International Law's Role in the Governance of AI: Autonomous weapons as a case study."

Throughout the Annual Meeting, we invite you to take advantage of a variety of interactive sessions designed for our virtual format. These include mentoring sessions that will connect students and new professionals with leading scholars and practitioners and "Ask Me Anything" sessions with leaders in the field. We also invite you to participate in the member meetings that the Society's Interest Groups will be hosting over the course of the Annual Meeting, and to visit our virtual exhibit hall to explore the information and resources presented by our sponsors and exhibitors. We're even offering optional wellness breaks to help ward off Zoom fatigue.

Finally, we would like to express our deep appreciation to the Annual Meeting Committee, led by co-chairs Simon Batifort, Christie Edwards, and Darin Johnson; to our speakers, sponsors, partners and exhibitors; to our technology partner, Silo Virtual Event Solutions; to our event planner, Eden Capuano, and her team at Voila! Inc.; and to the leaders and staff of the Society, all of whom have devoted countless hours to creating this experience.

Thank you for joining us, and best wishes for an enjoyable and rewarding meeting.



A handwritten signature in black ink, appearing to read "Catherine Amirfar".

Catherine Amirfar
President



A handwritten signature in black ink, appearing to read "Mark David Agrast".

Mark David Agrast
Executive Director

115th ASIL Annual Meeting

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Program at a Glance

WEDNESDAY, MARCH 24, 2021			
START TIME	END TIME	SESSION	CLE CREDITS
9:45am	11:00am	Opening Plenary & Keynote Remarks – David Miliband (IRC): “Combating the Global Rise in Impunity	N/A
11:00 am	11:15 am	Wellness Break	N/A
11:15am	12:15pm	Judging the Climate Crisis: The role of the International Court of Justice in addressing environmental harms	1.0
		Look Both Ways: Future and historical perspectives on the Refugee Convention at 70	1.0
		Protest and Police Force: Examining Racial Discrimination and the Legality of Police Force in the US	1.0
		The Road Ahead and Beyond: Future challenges and opportunities in the legal profession	1.0
		There and Back Again: How to ensure compliance with IHL by relying on non-traditional voices and live to tell the tale	1.0
12:15 pm	12:30 pm	Wellness Break	N/A
12:30pm	1:30pm	Advancing Human Rights Through U.S. Foreign Policy: Challenges and Opportunities	1.0
		Hudson Medal Discussion: A conversation with Bernard H. Oxman	N/A
		Indigenous Participation in International Organizations	1.0
		Should Courts Grant Discovery in Aid of Arbitration? A Supreme Court mock argument	1.0
		The Rise of Restrictions on Data Flows and Digital Technologies: National security, human rights, or geo-economics?	1.0
1:30 pm	1:45 pm	Wellness Break	N/A
1:45pm	2:45pm	Accomplice Accountability for Grave Violations of International Law	1.0
		Military and Commercial Developments in European Space Law	1.0
		Teaching International Law to Non-Legal Audiences	1.0
		Debate: "Parallel Proceedings in Investment Arbitration Are Abusive and Should be Banned"	1.0
		Transitional Justice for the United States: Can transitional justice tools help the U.S. address its legacy of racial injustice?	1.0
		2021 Detlev F. Vagts Roundtable on Transnational Law: Pandemic Vaccines: Market products or global public goods?	N/A
2:45 pm	3:00 pm	Wellness Break	N/A

WEDNESDAY, MARCH 24, 2021

START TIME	END TIME	SESSION	CLE CREDITS
3:00pm	3:30pm	Keynote: A Conversation with Louise Arbour	N/A
3:30pm	4:30pm	Teaching the Practice of International Law: L alumni as educators	N/A
3:30pm	4:20pm	Ask-Me-Anything with Donald Childress, U.S. Department of State	N/A
		International Criminal Law IG Business Meeting	N/A
		Minorities in International Law IG Business Meeting	N/A
		Intellectual Property Law IG Business Meeting	N/A
		NGO Job-Seeking during a Global Pandemic	N/A
4:20 pm	4:30 pm	Wellness Break	N/A
4:30pm	5:20pm	Ask-Me-Anything with Arif Ali, Dechert LLP	N/A
		Mentor Session with Jayne Huckerby, Duke University School of Law	N/A
		Lieber Society on the Law of Armed Conflict Business Meeting	N/A
		ASIL-Midwest IG Business Meeting	N/A
		International Environmental Law IG Business Meeting	N/A
5:20 pm	5:30 pm	Wellness Break	N/A
5:30pm	6:20pm	Third Annual International Law Review Editors-in-Chief Roundtable	N/A
		Cultural Heritage and the Arts IG Business Meeting	N/A
		International Legal Theory IG Business Meeting	N/A
		Private International Law IG Business Meeting	N/A
		Mentor Session with Nawi Ukabiala, Debevoise & Plimpton LLP	N/A
6:20 pm	6:30 pm	Wellness Break	N/A
6:30pm	7:20pm	Ask-Me-Anything with Jeanne Davidson, U.S. Department of Justice, Office of Foreign Litigation	N/A
		Teaching International Law IG Business Meeting	N/A
		Rights of Indigenous Peoples IG Business Meeting	N/A
		Government Attorneys IG Business Meeting	N/A
		Mentor Session with Rachel Davis, Shift	N/A

THURSDAY, MARCH 25, 2021

START TIME	END TIME	SESSION	CLE CREDITS
8:00am	8:50am	Ask-Me-Anything with Philippa Webb, King's College London, Dickson Poon School of Law	N/A
		Anti-Corruption Law IG Business Meeting	N/A
		New Professionals Interest Group Business Meeting	N/A
		Mentor Session with Isabel San Martin, King & Spalding LLP	N/A
8:50am	9:00am	Wellness Break	N/A
9:00am	9:50am	International Courts and Tribunals IG Business Meeting	N/A
		Asia-Pacific IG Business Meeting	N/A
		Space Law IG Business Meeting	N/A
		Ask-Me-Anything with Sarah Holewinski, Human Rights Watch	N/A
		Careers in International Law with Ben Juvelier, ASIL	N/A
9:50am	10:00am	Wellness Break	N/A
10:00am	11:00am	23rd Annual Grotius Lecture on International Law	N/A
11:00am	11:15am	Wellness Break	N/A
11:15am	12:15pm	Information Conflict in the Digital Age	1.0
		Interdisciplinary Approaches to Cultural Heritage and the Arts	1.0
		Litigating Health and Security Exceptions in Investment Treaties – A Simulation	1.0
		One Step Forward, Two Steps Back? Judicializing trade and investment dispute settlement	1.0
		Protecting People in the Context of Climate Change and Disasters	1.0
12:15pm	12:30pm	Wellness Break	N/A
12:30pm	1:30pm	Civilian Harm Mitigation in Urban Areas: A wargaming exercise	1.0
		International Trade Dispute Settlement 2.0	1.0
		Multilateral Diplomacy When the World Is Locked Down	1.0
		The Lorax Revisited: Protecting forests from illegal logging and deforestation	1.0
		Prominent Woman in International Law Award Discussion: Featuring Judge Gabrielle Kirk McDonald	N/A

THURSDAY, MARCH 25, 2021

START TIME	END TIME	SESSION	CLE CREDITS
1:30 pm	1:45 pm	Wellness Break	N/A
1:45pm	2:45pm	Key Questions in Foreign Relations Law Under the Biden Administration	1.0
		Mass Atrocities and Statelessness: (Re)considering the case of the Rohingya	1.0
		Reassessing Sovereign Bankruptcy in a Time of Global Economic Crisis	1.0
		Space Race for the Battlestar: International law implications of the militarization of space	1.0
		We Are All Climate Lawyers Now - ASIL Signature Topic Series	1.0
2:45 pm	3:00 pm	Wellness Break	N/A
3:00pm	3:30pm	Honors and Awards Ceremony & Keynote Remarks: Dr. Tedros Adhanom Ghebreyesus (World Health Organization): "Law, Equity, and Global Public Health"	N/A
3:30pm	4:20pm	Private Practice Job-Seeking during a Global Pandemic	N/A
		International Refugee Law IG Business Meeting	N/A
		Dispute Resolution IG Business Meeting: A conversation with Meg Kinnear, ICSID	N/A
		Transitional Justice and Rule of Law IG Business Meeting	N/A
		Mentor Session with Sonia Farber, Kluk Farber Law	N/A
3:30pm	4:30pm	Incitement to Discrimination, Hostility and Violence: A Comparative Analysis	N/A
4:30pm	5:20pm	Ask-Me-Anything with James T. Gathii, Loyola University Chicago School of Law	N/A
		Mentor Session with Amelia Mathias, U.S. Department of State	N/A
		Law of the Sea IG Business Meeting	N/A
		ASIL-Southeast IG Business Meeting	N/A
		International Economic Law IG Business Meeting	N/A

FRIDAY, MARCH 26, 2021

START TIME	END TIME	SESSION	CLE CREDITS
7:00am	7:50am	Ask-Me-Anything with Rod Rastan, International Criminal Court	N/A
		International Legal Research IG Business Meeting	N/A
		Africa IG Business Meeting	N/A
		Mentor Session with Louise Fournier, Greenpeace	N/A

FRIDAY, MARCH 26, 2021

START TIME	END TIME	SESSION	CLE CREDITS
7:50am	8:00am	Wellness Break	N/A
8:00am	8:50am	Human Rights IG Business Meeting	N/A
		Nonproliferation, Arms Control, and Disarmament IG Business Meeting	N/A
		Latin American IG Business Meeting	N/A
		Ask-Me-Anything with Lucinda Low, Steptoe & Johnson LLP	N/A
		Government and International Organizations Job-Seeking during a Global Pandemic	N/A
8:50am	9:00am	Wellness Break	N/A
9:00am	9:50am	Women in International Law IG Business Meeting	N/A
		International Organizations IG Business Meeting	N/A
		International Law and Technology IG Business Meeting	N/A
		How to Publish in AJIL and AJIL Unbound	N/A
		Mentor Session with Christos Ravanides, UN Office of Legal Affairs	N/A
9:50am	10:00am	Wellness Break	N/A
10:00am	11:00am	The Rule of Law at the International Level: Evolution and challenges – Keynote remarks by Judge Abdulqawi Yusuf	N/A
11:15am	12:15pm	The Evolving Role of Arbitral Institutions	1.0
		Pandemic Vaccines: Market products or global public goods? (2021 Vagts Roundtable)	1.0
		COVID-19's Lessons for Inter-governmental Pandemic Response Coordination	1.0
		International Aid in a Time of Global Crisis	1.0
		Late Breaking Panel: Democracy Under Threat	N/A
12:15 pm	12:30 pm	Wellness Break	N/A

FRIDAY, MARCH 26, 2021

START TIME	END TIME	SESSION	CLE CREDITS
12:30pm	1:30pm	"The Tribunal Knows the Law" (Iura Novit Curia), but What Should It Do With it?	1.0
		Backlash to the International Legal Order: Breakdown or breakthrough?	1.0
		Creating the Crime of Ecocide: An effective tool to address climate and environmental crises?	1.0
		Human Rights and COVID-19: Challenges and good practices to effective recovery	1.0
		Crisis Cases: Not reconceiving international dispute resolution (2021 Brower Lecture)	N/A
1:30 pm	1:45 pm	Wellness Break	N/A
1:45pm	2:45pm	BLM and International Human Rights Law: The challenge of systemic racism	1.0
		International Law Online: How will the pandemic change the practice of law?	1.0
		Reframing International Legal Inquiries: New voices discussion	1.0
		Realigning Investment Treaties with States' Interests	1.0
		Winning Likes and Minds: Creative responses to the international struggle over information	1.0
2:45 pm	3:00 pm	Wellness Break	N/A
3:00pm	4:00pm	Hague Plenary and Closing Remarks - Reconceptualizing International Law's Role in the Governance of AI: Autonomous weapons as a case study	N/A
4:00pm	4:10pm	Closing Remarks and 2021 ASIL Toast: Catherine Amirfar	N/A

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ASIL- Midwest	Brian Farrell and Stuart Ford
ASIL-Southeast	Robert Blitt and Jill Goldenziel
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Human Rights	Aaron Fellmeth and Zachary Kaufman
Intellectual Property Law	Imad Antoine Ibrahim and Shujie Feng
International Courts and Tribunals	Freya Baetens and David Bigge
International Criminal Law	Andrew Boyle and Ata Hindi
International Economic Law	Julian Arato and Kathleen Claussen
International Environmental Law	Etelle Higonnet and Paolo Farah
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Nonproliferation, Arms Control, and Disarmament	Rebecca Gerome
Private International Law	Rekha Rangachari and Armando Alvares Garcia
Rights of Indigenous Peoples	Brenda Gunn and Harry Hobbs
Space Law	Stefan Kirchner and Elsbeth Magilton
Teaching International Law	Armando Alvares Garcia and Iwetta Pyc
Transitional Justice & Rule of Law	Laurel E. Fletcher, Matiangai Sirleaf and Noha Aboueldahab
Women in International Law	Milena Sterio and Nienke Grossman



Debevoise & Plimpton would like to congratulate ASIL, Tillar House and the Annual Meeting Co-Chairs and Program Committee for organizing yet another successful Virtual Annual Meeting. We are proud to serve as a Platinum Sponsor again this year and congratulate our partner Catherine Amirfar on her continuing role as ASIL President.



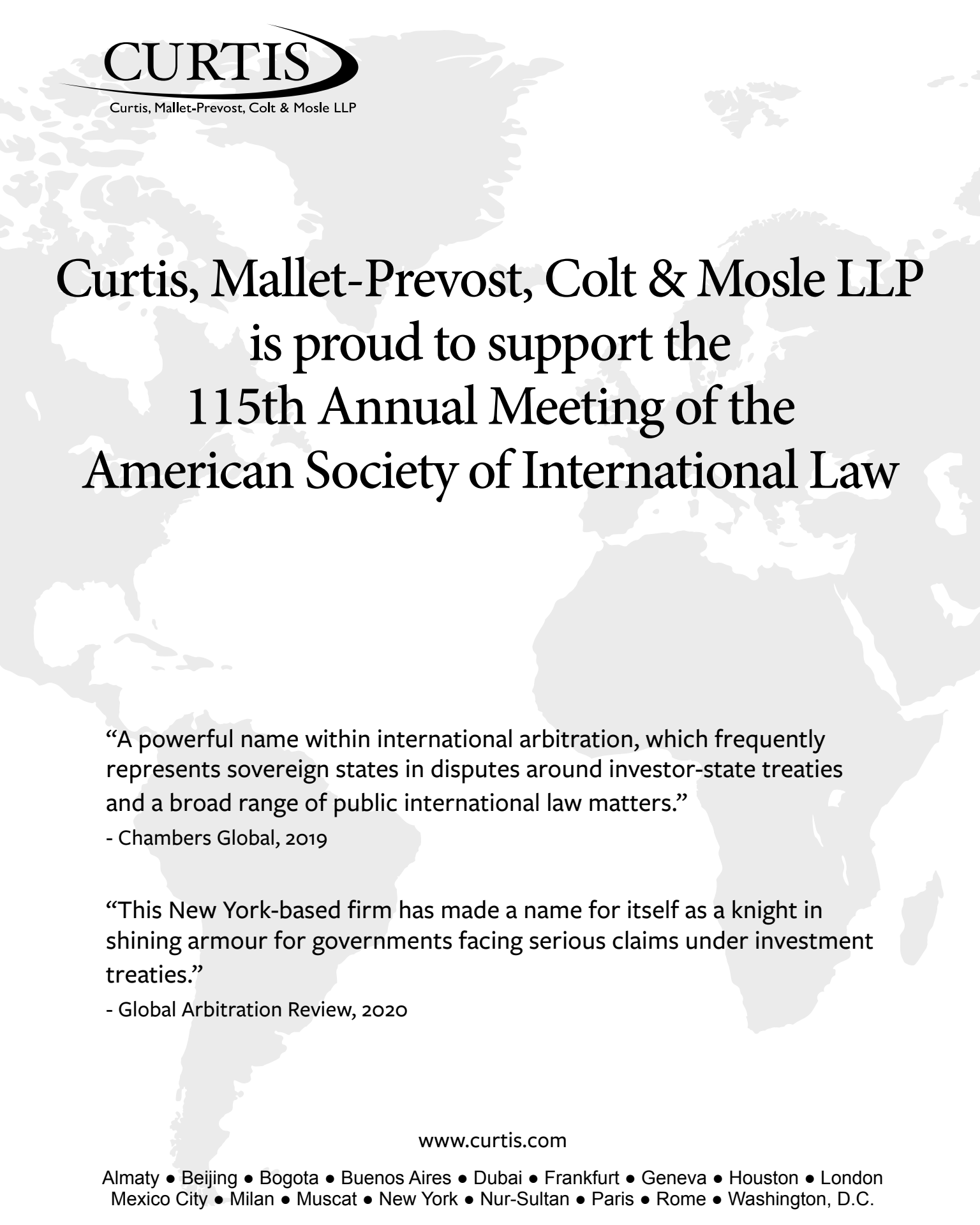
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2021 ASIL Meeting

Speakers

Ibrahim al-Kasem	Lori Damrosch	Mariam Gotsiridze
Faisal Al Mutar	Peter Danchin	Nienke Grossman
Radhya al-Mutawakel	Sarah Bauerle Danzman	Roojin Habibi
Rafael Alves	Yves Daudet	Nontando Hadebe
Catherine Amirfar	J. Jarpa Dawuni	Valdimar Hafstein
Elizabeth Anderson	Amal de Chickera	Kirsten Hagon
Setsuko Aoki	Pablo de Greiff	Justin Hansford
Ahilan Arulanantham	Donald Deya	Samaa Haridi
Pouria Askary	Alberto do Amaral	Keith Harper
Raymond Atuguba	Jenny Domino	Idayat Hassan
Jordan Robert Axt	Bernice Donald	Oona Hathaway
Funmi Badejo	Mauricio Duarte	Kristin Hausler
Chiann Bao	Kabir Duggal	J. Benton Heath
Giulio Bartolini	Alison Dundes Renteln	Mohammed Helal
Nnimmo Bassey	Mark Eccleston-Turner	Jean-Marie Henckaerts
Markus Beham	Marsha Echols	Harry Hobbs
Francesca Bignami	Elizabeth C. Economy	Mahulena Hofmann
Robert Blitt	Caroline Edwards	Jonathan Horowitz
Niels Blokker	Kristen Eichensehr	Azeem Ibrahim
Alexander Blumrosen	Robert Eno	Maria Teresa Infante
Thomas Bollyky	Carole Excell	Mark Iozzi
Pascal Bongard	Alice Farmer	Justin Jacinto
Ian Brasure	Brian Farrell	Neha Jain
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Hannah Buxbaum	Meaghan Fitzgerald	Ndanga Kamau
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Costanza Sciubba Caniglia	Stuart Ford	Chimène Keitner
Joaquin Castro	Diana Fu	Gabrielle Kirk McDonald
Welton Chang	Jean Galbraith	Swee Yen Koh
Claire Winifield Ngamihi Charters	Katherine Gallagher	Vera Korzun
Joyeeta Chatterjee	Patrícia Galvão Teles	Julian Ku
Gail Christopher	Lindsay Gastrell	Yasmine Lahlou
Lu Chuanying	James Gathii	Henning Lahmann
Ioana Cismas	Anna Gelpert	Jonathan Liljeblad
Michael Clarke	Rémy Gerbay	Marc Linning
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Wednesday, March 24, 2021

Day One Grand Sponsor: Debevoise & Plimpton LLP

Opening Plenary & Keynote Remarks – David Miliband (IRC): “Combating the Global Rise in Impunity”

March 24 – 10:00 am – 11:00 am

Reconceiving the Society’s Role in a Time of Crisis: A Presidential Roundtable

Drawing on the extensive experience represented in the past leadership of the Society, the Presidents Roundtable will address several questions about ASIL’s history, current status, and future path. Questions addressed will include past goals for the Society, contemporary challenges, an examination of successes and failures, future aspirations, and current concerns about the state of international law.

Panelist(s):

- José Alvarez, New York University School of Law
- Catherine Amirfar (Moderator), Debevoise & Plimpton LLP
- Edith Brown Weiss, Georgetown University Law Center
- Lucinda Low, Steptoe & Johnson LLP
- Sean D. Murphy, George Washington University Law School



Wellness Break

Track 6: Environment, Sea, Space, and Sustainable Development

Judging the Climate Crisis: The role of the International Court of Justice in addressing environmental harms

11:15 am – 12:15 pm

CLE Credit Hours: 1.0

In the past year, a global youth movement has started to campaign for a resolution from the UN General Assembly requesting an advisory opinion from the International Court of Justice (ICJ) to clarify the status and extent of emerging environmental law principles, including the right to a safe and healthy environment, sustainable development, transboundary harm, and polluter pays principle as it relates to specific rights and obligations of States. Several small island developing States, along with the UN High Commissioner for Human Rights, have expressed support for this initiative. This session will take the form of a debate between the four panelists, who will present

opposing views on the most likely contested legal issues and whether such a request would be useful to advance global efforts to fight climate change. An interactive dialogue between panelists and participants will then tease out the promises and pitfalls of the different approaches presented by the panelists.

Panelist(s):

- Lavanya Rajamani, University of Oxford Faculty of Law
- Jorge Viñuales (Moderator), University of Cambridge Faculty of Law
- Christina Voigt, IUCN World Commission on Environmental Law
- Solomon Yeo, Pacific Island Students Fighting Climate Change

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice

Track 1 sponsored by Debevoise & Plimpton LLP

Look Both Ways: Future and historical perspectives on the Refugee Convention at 70

11:15 am – 12:15 pm

CLE Credit Hours: 1.0

Organized by the International Refugee Law Interest Group

2021 marks the 70th Anniversary of the Convention on the Status of Refugees. This event will look to the successes and failures of the Convention's framework over the past 70 years, and then ask how this informs our understanding of the future of international refugee law. The speakers will take stock of state compliance with various articles of the Convention and with norms of refugee law, asking whether the Convention is adequate to address twenty-first century crises. Speakers will discuss how the COVID-19 pandemic has shifted our understanding of access to territory, and whether those shifts will continue to shape law once the pandemic has subsided. The event will look at innovations and future opportunities, including public health challenges and advancements and regional leadership on refugee rights issues.

Panelist(s):

- Alice Farmer (Moderator), UNHCR
- Guy Goodwin-Gill, University of New South Wales
- Jaya Ramji-Nogales, Temple University School of Law
- A. Ashley Tabaddor, Chief Counsel, U.S. Citizenship and Immigration Services, DHS; former Immigration Judge, U.S. Department of Justice
- Volker Turk, United Nations Executive Office of the Secretary-General

Track 5: Security, Foreign Relations, and Use of Force

Protest and Police Force: Examining Racial Discrimination and the Legality of Police Force in the US

11:15 am – 12:15 pm

CLE Credit Hours: 1.0

The tragic killing of George Floyd and the ongoing and disproportionate killings of black and brown people by law enforcement in the United States sparked demonstrations in all fifty states and around the world. In response, the police unleashed “less lethal weapons,” such as tear gas and rubber bullets, against protesters in ways that arguably violate international law. These actions threaten domestic security and illustrate a broader trend of militarization of police and excessive use of force by police against civilians in the United States. Indeed, a recent report by the University of Chicago’s Global Human Rights Clinic found that the police policies in twenty of the largest cities in the United States failed to meet international human rights standards on the use of force. This session will explore the legality and limits of the use of force by police under international law, particularly in the context of Black Lives Matter protests in the United States.

Panelist(s):

- Agnès Callamard, United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions
- Claudia M. Flores, University of Chicago School of Law
- Justin Hansford (Moderator), Howard University School of Law
- Gay McDougall, Fordham University School of Law
- Charles Ramsey, former Police Commissioner of Philadelphia
- Clément Nyaletsossi Voule, United Nations Special Rapporteur on Rights to Freedom of Peaceful Assembly and of Association

Track 4: International Organizations, Global Governance, and Global Health

The Road Ahead and Beyond: Future challenges and opportunities in the legal profession

11:15 am – 12:15 pm

CLE Credit Hours: 1.0

Organized by the New Professionals Interest Group

The on-going Covid-19 pandemic has not left the legal profession unaffected. Following the first few days of confusion and disorientation, law firms were quick to adapt to their clients’ needs and ways to pursue projects effectively with a workforce at home. While certain practice areas have seen a decline, others have flourished during the crisis. The session will focus not on how the crisis has affected these areas but on new opportunities to be expected for international legal work upon the horizon. This includes two of the most important future topics: digitalization and sustainability. The brackets around these topics will be an assessment of where we stand today and which new legal fields may arise as the hot topics the day after tomorrow. The session is addressed to new professionals in practice, both private and in government, young scholars, as well as recent

law school graduates. However, the implications of the discussion will be of interest to anyone practicing or studying law. The speakers will address how their own work has been affected and talk about current developments and signature topics to look out for due to the Covid-19 pandemic.

Panelist(s):

- Markus Beham, University of Passau
- Mauricio Duarte, A2J Tech
- Kabir Duggal, Arnold & Porter LLP
- Chandri Navarro, Hogan Lovells LLP
- Suhong Yang (Moderator), Georgetown University Law Center

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice

Track 1 Sponsored by Debevoise & Plimpton LLP

There and Back Again: How to ensure compliance with IHL by relying on non-traditional voices and live to tell the tale

11:15 am – 12:15 pm

CLE Credit Hours: 1.0

The application of international law in conflict settings faces several challenges, which can be linked to systemic and institutional reasons, such as the adherence of the applicable legal framework(s) by non-State armed groups (NSAGs) and the lack of appropriate organizational structures and resources allowing the parties, be they States or NSAGs, to fully implement their obligations. Improving compliance with humanitarian norms is therefore at the top of the international community's agenda. In this context, although there are 'traditional' sets of binding rules applicable to the parties, there are also 'non-traditional' actors and sources that influence their behaviors in the battlefield, such as religious leaders, non-governmental organizations, women leaders, and local and community stakeholders among others. These perspectives can lead to creative approaches to compliance with IHL and greater protections for civilian populations. Additionally, the ICRC, in its most recent updated commentary on the Third Geneva Convention, has included gender perspectives on IHL and international human rights law standards that can apply during armed conflicts. This panel will address some of these voices and perspectives to highlight good practices for compliance generation.

Panelist(s):

- Pascal Bongard, Geneva Call
- Ioana Cismas (Moderator), University of York Center for Applied Human Rights
- Tanisha Fazal, University of Minnesota
- Jean-Marie Henckaerts, International Committee of the Red Cross
- Nontando Habede, St. Augustine College



Wellness Break

Track 5: Security, Foreign Relations, and Use of Force

Advancing Human Rights Through U.S. Foreign Policy: Challenges and opportunities

12:30 pm – 1:30 pm

CLE Credit Hours: 1.0

Around the world, nations continue to engage in practices involving systemic human rights violations, oppression, and crackdowns on democratic processes and civil rights and civil liberties. Over the past five years, both China and India have intensified repression of minority communities and engaged in crackdowns on democracy. China has continued to engage in systematic oppression of the Uighur population in the Xinjiang province including mass internment and detention, repression of religious freedoms and practices, mass surveillance, torture, and other forms of repression, and has intensified its crackdown on democracy and rights in Hong Kong. India has engaged in repressive policies toward the Muslim population through the enactment of the Citizenship Amendment Act (CAA) and the implementation of a National Registry of Citizens (NRC), and has curbed democracy and civil liberties through the enactment of Article 370 stripping the state of Kashmir of autonomy, imposing martial law, and restricting and curbing political activity and civil rights and civil liberties. This panel will critically examine and evaluate the current state of U.S. engagement with China and India, including actions by the President and State Department, recent efforts in Congress to enact legislation, and recent work and campaigns by NGOs and human rights groups aimed at addressing repression and human rights violations in both nations. Existing U.S. engagement has largely been ineffective in building pressure on either country to change its policies. This panel will explore and consider how the U.S. can adopt new approaches to advancing human rights through its foreign policy with China, India and around the world.

Panelist(s):

- Joaquin Castro, US Congress
- Irfan Nooruddin (Moderator), Georgetown University
- Karuna Nundy, advocate, Supreme Court of India and international lawyer
- Sophie Richardson, Human Rights Watch
- Nury Turkel, The Hudson Institute
- Siddharth Varadarajan, The Wire

Hudson Medal Discussion: A Conversation with Bernard Oxman

12:30 pm – 1:30 pm

Panelist(s):

- Lori Damrosch, Columbia Law School
 - Bernard Oxman, University of Miami School of Law
-

Track 4: International Organizations, Global Governance, and Global Health

Indigenous Participation in International Organizations

12:30 pm – 1:30 pm

CLE Credit Hours: 1.0

The 2021 Annual Meeting theme recognizes that in these extraordinary times it may be necessary to reconsider and reshape international law and international institutions. Indigenous peoples have been calling for such a reformation for generations. Denied the right to exercise international legal personality, Indigenous communities have long been shut out of the international system. Their exclusion in international forums has contributed to the challenges that many Indigenous peoples face in seeking to protect and promote their interests in the domestic sphere. As the COVID-19 pandemic continues to disproportionately affect Indigenous peoples and communities, it is high time to consider how we may reconceive international law and international institutions to allow Indigenous peoples to speak for themselves on issues of concern. As the world devises policy measures to beat the current health crisis, these internationally consolidated efforts must include all people, especially indigenous groups whose voices have been drained by the surge of the pandemic. Amidst the agonizing disregard of their health concerns in the wake of COVID-19, the plight of indigenous people is deepened by the ongoing climate crises, economic deprivation and racial discrimination. Now more than ever the survival of indigenous people is threatened. After years of conceiving the idea of functional and effective representation of indigenous people in the United Nations system and within other intergovernmental organizations, the call for participation in global governance by and for indigenous peoples should materialize. The panel is set to focus on practical issues that concern the modalities of participation of indigenous groups. It will consider reformation of the legal order of international organizations to allow for enhanced participation and self-determination rights of indigenous peoples. Paramount in this discussion is the mandate of international organizations in accentuating indigenous rights in the present global healthcare crisis and in a post COVID-19 era.

Panelist(s):

- Rani Yan Yan (Chakma), Chakma Circle Chief adviser; Indigenous Peoples Human Rights Defenders Network
 - Diego A. Tituaña (Kichwa-Otavalo), Ministry of Foreign Affairs, Ecuador
 - Ambassador Keith Harper (Cherokee Nation), Jenner & Block
 - Claire Charters (Ngāti Whakaue), Auckland Law School
 - Dalee Sambo Dorough (Inuit-Alaska), Inuit Circumpolar Council; Special Advisor on Arctic Indigenous Peoples, University of Alaska Anchorage
 - Harry Hobbs (Moderator), Faculty of Law, University of Technology Sydney
-

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution

Track 2 sponsored by Curtis, Mallet-Prevost, Colt & Mosle LLP

Should Courts Grant Discovery in Aid of Arbitration? A Supreme Court mock argument

12:30 pm – 1:30 pm

CLE Credit Hours: 1.0

A compelling conflict is brewing in the United States regarding whether interested parties can obtain evidence in the United States in aid of private international arbitration. The statute permitting courts to provide aid in the form of compelling discovery for use in a “foreign or international tribunal”—known as Section 1782—had been interpreted as limiting this aid for use by foreign courts and state-sponsored or institutionalized arbitration. Over time, district courts and appellate courts in the United States have taken divergent views on this question. In a mock argument before the United States Supreme Court, advocates will present those conflicting views from the circuit court split in the United States and will also incorporate insights into how courts from other countries allow or restrict discovery for use in arbitration. After an opening argument, the Justices will ask the advocates thought-provoking questions concerning the factors courts consider when deciding whether to permit discovery, the advantages and disadvantages of permitting discovery in aid of private international arbitration, and the ramifications of expansive discovery on arbitration proceedings.

Panelist(s):

- Alexander Blumrosen (advocate), Polaris Law
- Judge Bernice Donald (justice), Sixth Circuit Court of Appeals
- Yasmine Lahlou (advocate), Chaffetz Lindsey LLP
- S.I. Strong (justice), University of Sydney Faculty of Law
- Yanbai Andrea Wang (justice), University of Pennsylvania School of Law

Track 3: International Trade, Investment, and Finance

Track 3 Sponsored by Berliner Corcoran & Rowe LLP

The Rise of Restrictions on Data Flows and Digital Technologies: National security, human rights, or geo-economics?

12:30 pm – 1:30 pm

CLE Credit Hours: 1.0

There has been a recent increase in governmental actions impacting trade and investment flows in data and digital technologies. The US has taken actions affecting Huawei, TikTok and WeChat because of concerns about Chinese access to data and technologies. China has responded by tightening its control over technology exports, such as TikTok’s algorithm, as well as its longstanding restrictions on data transfers and territorial data localization requirements. The Schrems II judgment of the EU Court of Justice invalidated the personal data transfer arrangement between the EU and the US and might force companies such as Facebook to store and process data within Europe. Are these actions based on data privacy/

human rights concerns? Are they driven by national security interests? Or do they reflect geo-economic struggles between Europe, the US, and China? Where does this leave other countries? This session will seek to address whether the international community needs to rethink its conceptual toolkit to account for the world's interconnected nature in terms of data flows, digital technologies, and investment, and whether new norms of international law need to be developed, and in which venues.

Panelist(s):

- Sarah Bauerle Danzman, Indiana University Bloomington
- Yan Luo, Covington & Burling LLP
- Maria Martin-Prat, European Commission Directorate General for Trade
- George Mina, Australian Representative to the World Trade Organization
- Thomas Streinz (Moderator), Guarini Global Law & Tech



Wellness Break

Track 5: Security, Foreign Relations, and Use of Force

Accomplice Accountability for Grave Violations of International Law

1:45 pm – 2:45 pm

CLE Credit Hours: 1.0

A close look at the most egregious examples of international law violations that have threatened peace and security in recent times reveals a common trend: governments perpetrating these serious crimes do not act alone. They often do so with the help of others, both State and non-State actors. Notable examples include the logistical support, weapons, and intelligence provided by the United States, United Kingdom, and France to a Saudi-led coalition whose airstrikes have killed numerous civilians in Yemen; almost a decade of Russian and Iranian air and ground support for the Assad regime's systematic torture and killing of civilians in Syria; and the failure of Facebook to remove posts that incited genocide of the Muslim Rohingya minority in Myanmar. This panel will explore the range of "help" from direct participation to complicity and what accountability is warranted under international law. It will seek to answer: what legal responsibility should potential "accomplices" bear for their role in the grave violations of international law?

Panelist(s):

- Ibrahim al-Kasem, European Center for Constitutional and Human Rights
- Radhya al-Mutawakel, Mwatana for Human Rights
- Welton Chang, Human Rights First
- Katherine Gallagher, Center for Constitutional Rights
- Oona Hathaway (Moderator), Yale Law School
- Miranda Sissons, Facebook

Track 6: Environment, Sea, Space, and Sustainable Development

Military and Commercial Developments in European Space Law

1:45 pm – 2:45 pm

CLE Credit Hours: 1.0

Organized by the Space Law Interest Group

Cooperation between different actors is essential for the successful exploration and use of outer space. From the practising lawyer's perspective, this cooperation can mean that it becomes necessary to understand different perspectives on the same sets of legal rules. Conversing about space law for the purpose of enhancing our understanding of space law and of each other's approaches to space law is therefore an essential aspect of international space cooperation. The panel will feature discussion of the Artemis Accords, harmful contamination issues, spectrum regulation, launch licensing, and national space legislation development throughout Europe. With the University of Nebraska-Lincoln College of Law and the American Branch of the International Law Association, the Space Law Interest Group will host a virtual session on international perspectives on space law as part of the "World Speaks Space Law Series."

Panelist(s):

- Joyeeta Chatterjee (Moderator), Airbus SE
- Marco Ferrazzani, European Space Agency
- Mahulena Hofmann, University of Luxembourg
- Irmgard Marboe, University of Vienna
- Jenni Tapio, Finnish Space Agency
- Frans G. von der Dunk, Black Holes Consultancy

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice

Track 1 is sponsored by Debevoise & Plimpton LLP

Teaching International Law to Non-Legal Audiences

March 24 – 1:45 pm – 2:45 pm

CLE Credit Hours: 1.0

Organized by the Teaching International Law Interest Group

There is a wide interest in learning more on the subject of international law. International law composes many different subjects including, but not limited to, human rights, humanitarian law, global environmental law, indigenous people's rights, disability law, and arbitration law. Often teaching international law is discussed in the context of education for law students or attorneys, however, a large audience interested in or benefiting from understanding such subjects include undergraduate students, staff at nonprofit & international organizations, politicians, military officers, diplomats, and ordinary citizens. Teaching international law outside of the legal community, therefore, is important as it touches and has effect on many different parts on people's lives. This session will explore how international law can be taught to different audiences and what different approaches to teaching non-legal audiences can be utilized.

Panelist(s):

- Vanessa Montague-James, International Development and Foreign Policy
 - Gregory Noone, Fairmont State University
 - Iwetta Pyc, Independent Consultant
 - Julie Recinos, Supreme Court of Mexico
 - Hardy Vieux, Human Rights First
-

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution

Track 2 sponsored by Curtis, Mallet-Prevost, Colt & Mosle LLP

Debate: "Parallel Proceedings in Investment Arbitration Are Abusive and Should be Banned"

1:45 pm – 2:45 pm

CLE Credit Hours: 1.0

The increase in investor-State arbitrations has been accompanied by an increase in parallel proceedings. This includes proceedings arising from the same underlying facts under (i) treaties and national law, (ii) treaties and contracts, and (iii) even multiple treaties. States have objected that multiple related proceedings are abusive, impose undue burdens and risks, and should result in the dismissal of claims. Investors have argued that multiple related proceedings are a natural result of accessing the procedural rights and remedies afforded by States in applicable treaties, contracts, and local laws. Tribunals have reached seemingly inconsistent results: for example, the ICSID tribunal in *Ampal v. Egypt* found that multiple treaty claims regarding the same economic harm constituted curable abuse of process, while the tribunal in *Orascom v. Algeria* declared that a similar situation rendered the claims before it inadmissible. Other tribunals have found no abuse at all, particularly when the related proceedings stem from different legal orders. This Oxford-style debate between two of the leading voices on the subject will address this tension through arguments both for and against the abusiveness of parallel proceedings in investor-State arbitration, and discussion of recent reform proposals aimed at addressing this phenomenon.

Panelist(s):

- Lindsay Gastrell, Arbitration Chambers
 - Mariam Gotsiridze, Georgia Ministry of Justice
 - Pierre Mayer, International Arbitrator
 - Caline Mouawad, Chaffetz Lindsey
 - Jan Paulsson, University of Miami School of Law
 - Sam Wordsworth, Essex Court Chambers
-

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice

Track 1 is sponsored by Debevoise & Plimpton LLP

Transitional Justice for the United States: Can transitional justice tools help the U.S. address its legacy of racial injustice?

1:45 pm – 2:45 pm

CLE Credit Hours: 1.0

The deaths of George Floyd and Breonna Taylor at the hands of police have reinvigorated a nationwide movement to comprehensively acknowledge and address the need for racial justice in the United States. To address the systematic racism and abuse that has taken many forms over the past 400 years and continues to affect black Americans, many are demanding that justice must take the form of institutional reforms, policy changes, truth commissions, reparations, and rectifying memorialization across the country - tools of transitional justice which have been used in many international contexts. While many domestic actors have no experience with these tools, a few have invoked the German and South African experiences as potential examples. However, there are an array of international transitional justice experiences, which may have relevant lessons for U.S. actors seeking to address 400 years of systematic racial injustice. This discussion will aim to bring together leaders from the U.S. racial justice community with international transitional justice experts to begin to explore (1) whether transitional justice is appropriate in the U.S. context and if so, what are its limitations; (2) what international transitional justice experiences might have relevant lessons for U.S. racial justice initiatives; and (3) challenges that may be unique to the U.S. context.

Panelist(s):

- Gail Christopher, Former Senior Advisor and Vice President at the W.K. Kellogg Foundation
- Pablo de Greiff, former UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence
- Robert Thomas, Racial Justice Coalition
- Beth van Schaack (Moderator), Stanford Law School
- Galuh Wandita, Asia Justice and Rights

Track 4: International Organizations, Global Governance, and Global Health

2021 Detlev F. Vagts Roundtable on Transnational Law: Pandemic Vaccines: Market products or global public goods?

1:45 pm – 2:45 pm

CLE Credit Hours: 1.0

The current global scramble to secure sufficient quantities of COVID-19 vaccines, and the tension between unilateral "vaccine nationalism" and the multilateral COVAX initiative, raise complex questions on the legal and political status of life-saving medical countermeasures. Are they global public goods requiring strong governmental involvement and special rules to ensure distributive equity and fairness? Or are they mostly industrial products subject to

market dynamics underpinned by international rules on patents and other proprietary rights? Similar questions are also raised by the tension between access to viral samples and related genetic data, which are necessary for the identification of pathogens and the development of countermeasures, and access to medicines and vaccines. Access to pathogens is more and more regulated by international law on biodiversity, in particular the Nagoya Protocol to the UN Convention on Biological Diversity. Biodiversity law is based on a bilateral and transactional approach, where access to genetic resources should be matched by the equitable sharing of benefits deriving from their utilization. Is this a fair approach to the international allocation of crucial resources such as COVID-19 vaccines? What are the possible alternatives? What is the role of WHO in this debate? This roundtable will discuss such systemic issues from a multidisciplinary perspective, including political and ethical considerations.

Panelist(s):

- Gian Luca Burci (Convenor), Graduate Institute Geneva
- Yuvraj Dalvi, the Serum Institute of India Pvt Ltd
- Suerie Moon, Harvard Global Health Institute
- Beatriz Thome, Federal University of São Paulo
- Mark Eccleston Turner (Presenter), Keele University School of Law



Wellness Break

Keynote: A Conversation with Louise Arbour

3:00 pm – 3:30 pm

The Goler T. Butcher Medal has been awarded since 1997 to a distinguished person of American or other nationality for outstanding contributions to the development or effective realization of international human rights. The American Society of International Law is honored to present the 2021 Goler T. Butcher Medal to Louise Arbour.

Panelist(s):

- Louise Arbour, U.N. Special Representative for International Migration
 - Mónica Pinto, University of Buenos Aires
-

Ancillary Events

IG Meetings, Workshops, Mentoring Sessions, Ask-Me-Anything Sessions 3:30 pm – 7:30 pm

Ask-Me-Anything: Donald Childress, U.S. Department of State

3:30 pm – 4:20 pm

Professor Childress serves as the Counselor on International Law in the Office of the Legal Adviser in the U.S. State Department. As the Counselor on International Law, Professor Childress works on litigation in U.S. courts that raises international and foreign relations law issues and serves as the liaison between the Legal Adviser's Office, the Office of the Solicitor General, and the Department of Justice. He works on matters before the International Court of Justice and the Iran-US Claims Tribunal.

International Criminal Law IG Business Meeting

3:30 pm – 4:20 pm

Panelists who have extensive experience in various aspects of international criminal law will discuss their paths to working in ICL, describe their past and current roles, and offer advice for law students and early-career lawyers on how to enter the field.

Panelist(s):

- Yasmine Chubin, Legal Advocacy Director, Clooney Foundation for Justice, The Docket
 - Kate Gibson, Defense Counsel at International Criminal Court
 - Roger Lu Phillips, Legal Director, Syria Justice and Accountability Centre
 - Sunil Pal, Chief, Victims' Participation Unit, Special Tribunal for Lebanon
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Minorities in International Law IG Business Meeting

3:30 pm – 4:20 pm

International Property Law IG Business Meeting

3:30 pm – 4:20 pm

NGO Job-Seeking during a Global Pandemic

3:30 pm – 4:20 pm

This session is one of three sessions that are geared toward educating and informing students and recent graduates as to how to navigate the job market in various sectors, including, in addition to this panel, private practice and government and international organizations. Panelists will address the fundamentals of the NGO job market, as well as discuss topics including what students should be doing now to prepare for a career in a non-governmental organization, how COVID-19 has impacted the hiring process, and how recent graduates seeking employment can demonstrate professional experience in the absence of proper employment.

Panelist(s):

- Andrea Harrison (Moderator), International Committee of the Red Cross
 - Lia Lindsey, Oxfam America
 - Sarah McIntosh, U.S. Holocaust Memorial Museum
 - Babette Ngene, Internews
-

Teaching the Practice of International Law: L alumni as educators

Sponsored by Arnold & Porter LLP

3:30 pm – 4:30 pm

Many former lawyers in the Office of the Legal Adviser at the U.S. Department of State are now teaching international law in American law schools. This discussion between former attorneys from “L” will explore how their experiences shaped their educational content and methods. They will discuss how their professional experiences provided unique tools in how they prepare to teach public international law. How does their practical experience in representing a government’s legal positions inform the process by which they prepare students to practice international law, whether in government service or in private practice students?

Speakers:

- John Bellinger (Moderator), Arnold & Porter LLP
 - Kristina Daugirdas, University of Michigan Law School
 - Rebecca Ingber, Yeshiva University Cardozo School of Law
 - Darin Johnson, Howard University School of Law
-

Ask-Me-Anything: Arif Ali, Dechert LLP

4:30 pm – 5:20 pm

Arif Hyder Ali is the co-chair of Dechert’s International Arbitration practice, which consists of some 50 partners and associates across the firm’s 26 offices. He splits his time between the firm’s Washington, D.C. and London offices. He is also an Adjunct Professor of Law at Georgetown University, where he teaches international commercial and investment arbitration. He was an Honorary Lecturer and Global Faculty Member of the University of Dundee’s Centre for Energy, Mining and Petroleum Law and Policy. In 2001, he was decorated with the Order of Bahrain (II) for his role in the resolution of Bahrain’s maritime and territorial boundary dispute with Qatar before the International Court of Justice.

Mentor Session: Jayne Huckerby, Duke University School of Law

4:30 pm – 5:20 pm

Jayne Huckerby is an associate clinical professor of law and inaugural director of the Duke International Human Rights Clinic. Prior to joining Duke, she most recently served as a human rights adviser to UN Women – the United Nations Entity for Gender Equality and the Empowerment of Women – on women and conflict prevention, conflict, and post-conflict; gender

equality and constitutional reform in post-Arab Spring countries; and the use of gender and human rights indicators in national security policy frameworks. After serving as a human rights officer with the International Service for Human Rights in Geneva, Huckerby joined the Center for Human Rights and Global Justice at NYU Law in 2005, serving as its research director from 2006 to 2011 and also teaching in NYU's International Human Rights Clinic and Global Justice Clinic for two and a half years.

Pre-registration required

- Only one session per attendee
- Limited to 15 participants

Lieber Society on the Law of Armed Conflict Business Meeting

4:30 pm – 5:20 pm

ASIL-Midwest IG Business Meeting

4:30 pm – 5:20 pm

International Environmental Law IG Business Meeting

4:30 pm – 5:20 pm

Third Annual International Law Review Editors-in-Chief Roundtable

5:30 pm – 6:20 pm

Invitation Only

In recognition of the important role that student-edited international law journals play in the dissemination of international legal scholarship, the Society hosts an annual International Law Review Editor Roundtable. This Roundtable will discuss key issues around legal scholarship, including: selecting great topics that might be more relevant to the various audiences of law journals, including scholars and practitioners; how international law journals can be more effective at soliciting and/or selecting relevant pieces of international legal scholarship; and how to work with authors (who may have different cultural perspectives) to successfully publish their pieces. The Roundtable will be facilitated by international law experts as well as sitting editors-in-chief of law student-run international law journals. The Society invites current students and recent graduates interested in the process of scholarship and publication in international law to connect with their peers and distinguished scholars and practitioners.

Cultural Heritage and the Arts IG Business Meeting

5:30 pm – 6:20 pm

International Legal Theory IG Business Meeting

5:30 pm – 6:20 pm

Private International Law IG Business Meeting5:30 pm – 6:20 pm

Mentor Session: Nawi Ukabiala, Debevoise & Plimpton LLP

5:30 pm – 6:20 pm

Nawi Ukabiala is a litigation associate based in the New York office of Debevoise & Plimpton. His practice focuses on international dispute resolution and public international law. He previously served as the legal officer to Judge Julia Sebutinde at the International Court of Justice and judicial law clerk to Justice Edward Mansfield at the Supreme Court of the State of Iowa. He also previously worked as a legal consultant in the Operations Policy Group of the World Bank's legal department.

Pre-registration required

- Only one session per attendee
 - Limited to 15 participants
-

Ask-Me-Anything: Jeanne Davidson, U.S. Department of Justice, Office of Foreign Litigation

6:30 pm – 7:20 pm

Jeanne E. Davidson is the Director of the Offices of Foreign Litigation in the Commercial Litigation Branch of the Civil Division at the United States Department of Justice. Previously, Davidson worked for more than 25 years in the National Courts Section of the Commercial Litigation Branch, where she served in various leadership roles, including as Director. Davidson previously served as Associate General Counsel in the Office of the United States Trade Representative. She began her legal career as an associate at Steptoe & Johnson.

Teaching International Law IG Business Meeting6:30 pm – 7:20 pm

Rights of Indigenous Peoples IG Business Meeting6:30 pm – 7:20 pm

Government Attorneys IG Business Meeting6:30 pm – 7:20 pm

Mentor Session: Rachel Davis, Shift

6:30 pm – 7:20 pm

Rachel is one of Shift's co-founders and has led work at Shift over the last decade on standard-setting, human rights and sports, financial institutions, conflict and international law. As Vice President, Rachel shapes Shift's strategy and oversees a range of its collaborations with companies, governments, investors, civil society and other partners. Rachel leads Shift's work to integrate the UN Guiding Principles into the rules that govern business, including engaging with governments and the European Union on mandatory human rights due diligence.

Pre-registration required

- Only one session per attendee
 - Limited to 15 participants
-

THE TANG PRIZE



Established in December 2012 by Dr. Samuel Yin as a response to the most pressing problems human beings face in the 21st century, the biennial Tang Prize recognizes major achievements in four fields, namely Sustainable Development, Biopharmaceutical Science, Sinology, and Rule of Law. (For more information, please visit us at <https://www.tang-prize.org/en/first.php>)



The Prize in Rule of Law
The Prize in Rule of Law recognizes individual(s) or institution(s) who have made
and everyone, including states and international organizations, is accountable
and sustainable development
individual(s) or institution(s) who have made
advancements of leg
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Louise Arbour

2016 Tang Prize Laureate

Congratulations to our 2016 Laureate
in Rule of Law for receiving the
Goler T. Butcher Medal.

Thursday, March 25, 2021

Ancillary Events

IG Meetings, workshops, Mentoring Sessions, Ask-Me-Anything Sessions

08:00 – 10:00 am

Ask-Me-Anything: Philippa Webb, King's College London, Dickson Poon School of Law

8:00 am – 8:50 am

Philippa Webb is Professor of Public International Law at The Dickson Poon School of Law after a decade in international legal practice. Professor Webb has extensive experience in international courts and tribunals. She served as the Special Assistant and Legal Officer to Judge Rosalyn Higgins during her Presidency of the International Court of Justice and, prior to that, as the Judicial Clerk to Judges Higgins and Owada. She was the Associate Legal Adviser to Prosecutor Luis Moreno-Ocampo at the International Criminal Court.

Anti-Corruption Law IG Business Meeting

8:00 am – 8:50 am

New Professionals Interest Group Business Meeting

8:00 am – 8:50 am

Mentor Session: Isabel San Martin, King & Spalding LLP

8:00 am – 8:50 am

Isabel is an associate in King & Spalding's International Arbitration Group, based in the Paris office. Her practice focuses on international arbitration and public international law. She has experience in commercial and investment treaty arbitrations under the ICSID, LCIA, UNCITRAL, SCC and CAIP Rules, with a particular focus on Latin America and Europe. She also has experience in human rights law, and other areas of public international law.

Pre-registration required

- Only one session per attendee
 - Limited to 15 participants
-

International Courts and Tribunals IG Business Meeting

9:00 am – 9:50 am

Asia-Pacific IG Business Meeting

9:00 am – 9:50 am

Space Law IG Business Meeting9:00 am – 9:50 am

Ask-Me-Anything: Sarah Holewinski, Human Rights Watch

9:00 am – 9:50 am

Sarah Holewinski is the Washington Director at Human Rights Watch, and leads the organization's engagement with the United States government on global human rights issues, with a particular focus on national security and foreign policy. Prior to joining Human Rights Watch, she was the first senior advisor on human rights in the Chairman's Office at The Joint Staff of the U.S. Department of Defense and, prior, served as deputy chief of staff for policy at the U.S. Mission to the United Nations under Ambassador Samantha Power. For nearly a decade Sarah was executive director of Center for Civilians in Conflict (CIVIC), leading efforts to advise warring parties on civilian protection and responsible use of force. In that role, she worked extensively with the U.S. military and its allies in Afghanistan, Iraq, Somalia, CAR, Burma, and elsewhere.

Careers in International Law

9:00 am – 9:50 am

The market for legal jobs is difficult right now and specializing in a particular issue, like international law, can make your job search even more frustrating. Ben Juvelier is the program officer at the American Society of International Law, which publishes *Careers in International Law*, a practical guide to pursuing the practice of international law. He will discuss the steps that all students can take while still in law school to help them stand out in the search for an international law position. Topics covered will include targeted job searching, resume drafting, managing one's professional contacts, identifying appropriate international experiences, pursuing valuable volunteer and professional membership opportunities, and other practical issues that students can pursue.

Panelist(s):

- Ben Juvelier, ASIL
-

Main Program

23rd Annual Grotius Lecture on International Law

"Never let a good crisis go to waste: Can international law seize the advantage?"

10:00 am – 11:00 am

Grotius Lecturer: Yves Daudet, President of the Hague Academy of International Law

Distinguished Discussant: Hannah Buxbaum, Indiana University

It is well known that international law is currently undergoing transformations and challenges in many respects, regarding sources, subjects, ends and main principles in an international society that bears little resemblance to what it was in the aftermath of the Second World War. As international law is intended to be the glue that holds together a diverse international society, it is naturally at the heart of the crises affecting that society, as we are currently experiencing with the health crisis. Facing a crisis, one can be passive and hope for its end. Conversely, one can opt for a positive vision and try to find a dynamic of progress highlighted by the content of the crisis itself. In this perspective, it is necessary to check whether lessons can be learned, or even benefits achieved, as the crisis raises questions about the relevance or the need to reassess and transform major pillars of international law, such as the principle of sovereignty or that of multilateralism. Emergence of common interest or a principle of solidarity also needs to be addressed as they can provide legal means for responding to and preventing new crises. In this respect, this progress must be welcomed as an undeniable advance. Progress on other fronts, less comprehensive, should be seen as a step forward and a source of hope.



Wellness Break

Track 5: Security, Foreign Relations, and Use of Force

Information Conflict in the Digital Age

CLE Credit Hours: 1.0

11:15 am – 12:15 pm

As evidenced by Russia's recent efforts at election interference in the United States and Europe, and the growing spread of COVID-19 related disinformation, the role of information conflict in global strategic competition has evolved and taken on new weight. Developments in the technological structure and global interconnectedness of information and telecommunications (IT) infrastructure have enabled states to engage in malicious influence campaigns at an unprecedented scope, scale, depth, and speed, generating what one expert describes as "one of the greatest vulnerabilities we as individuals and as a society must learn to deal with." And while international law has historically been very tolerant of state's use of propaganda and suasion, the new reality of information conflict threatens to undermine the essence of sovereign equality, independence,

and the rules-based international order. Since the inception and unprecedented expansion of IT technology, states have struggled to adapt existing international law to the cyber context, and are only beginning to grapple with the unique challenges presented by IT technology-enabled influence campaigns. This roundtable will explore whether and how international law can play a role in regulating the evolving face of information conflict in the digital age.

Panelist(s):

- Commander Robin Crabtree, US Navy
- Kristen Eichensehr (Moderator), University of Virginia School of Law
- Jens David Ohlin, Cornell Law School
- Harriet Moynihan, Chatham House
- Sujit Raman, Sidley Austin LLP

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice

Track 1 sponsored by Debevoise & Plimpton LLP

Interdisciplinary Approaches to Cultural Heritage and the Arts

CLE Credit Hours: 1.0

11:15 am – 12:15 pm

Organized by the Cultural Heritage and the Arts Interest Group

Many fields afford insight into cultural heritage and the arts. These include anthropology, folklore, human rights, law, museum studies, photography, and philosophy. Scholarship from these fields may prove useful to international law advocates in their practice. In this interdisciplinary session, we hear from scholars based in several fields who analyze challenges in cultural heritage and the arts from diverse perspectives. This includes assessment of the authenticity of heritage, the protection of photography, digital humanities, cultural heritage that is politically disfavored and the 21st challenges associated with walls. Should international law protect evil or repugnant cultural heritage? If so, how should the field handle these normative questions?

Panelist(s):

- Alison Dundes Renteln (Moderator), University of Southern California
- Valdimar Hafstein, University of Iceland
- Kristin Hausler, British Institute of international and Comparative Law
- Jonathan Liljeblad, Australian National University College of Law
- James Nafziger, Willamette University

Track 3: International Trade, Investment, and Finance

Track 3 Sponsored by Berliner Corcoran & Rowe LLP

Litigating Health and Security Exceptions in Investment Treaties – A Simulation

CLE Credit Hours: 1.0

11:15 am – 12:15 pm

The Covid-19 pandemic presents a looming challenge for the system of investor-state arbitration. Although few cases filed to date have directly addressed Covid-19-related measures, observers have argued that a wide range of national responses to the pandemic—including lockdown orders, nationalizations, export restrictions, and capital controls—could give rise to claims under investment treaties. Treaty-based exceptions for security, emergency, and public health measures are one widely recognized means of securing additional flexibility for host states in their treatment of foreign investments. There is, however, no consensus on the proper interpretation and application of treaty-based exceptions, including on critical questions such as the scope and standard of review or whether exceptions are suitable for determination as a preliminary matter. This makes their application to Covid-19-related measures uncertain, at best. This session will consider the application of security and public-health exceptions through a simulated investor-state arbitral hearing. The panelists, acting as counsel and tribunal members, will work from a simplified fact pattern involving a state regulation restricting business activity in response to the pandemic. The moderator will offer critical remarks that situate the issues raised among broader questions about the flexibility, stability, and legitimacy of the investment treaty regime.

Panelist(s):

- Samaa Haridi, Hogan Lovells LLP
- J. Benton Heath (Moderator), Temple University Beasley School of Law
- Justin Jacinto, Curtis, Mallet-Prevost, Colt & Mosle LLP
- Tafadzwa Pasipanodya, Foley Hoag LLP
- Ina Popova, Debevoise & Plimpton LLP
- Sabina Sacco, Levy Kaufmann Kohler LLP

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution

Track 2 sponsored by Curtis, Mallet-Prevost, Colt & Mosle LLP

One Step Forward, Two Steps Back? Judicializing trade and investment dispute settlement

CLE Credit Hours: 1.0

11:15 am – 12:15 pm

Radical events in the 20th century have ushered in waves of judicialization in many areas of international law, from the creation of the PCIJ following the catastrophic use of force in World War I to the establishment of international criminal tribunals to redress heinous international crimes. In these instances, participating States embraced an approach to dispute resolution premised upon notions of judicial integrity and independence. In a similar vein, to address the perceived legitimacy crisis of the investor-State dispute settlement system, UNCITRAL is currently

discussing the creation of standing adjudicatory bodies, including a potential multilateral investment court and an appellate mechanism, to complement or replace ad hoc arbitration. However, the recent crisis in confidence at the WTO suggests that increased judicialization may result in its own problems. Focusing on the recent developments in international trade and investment law, this rapid response panel will discuss whether standing courts are the most effective mechanisms for the resolution of international disputes with inherently political dimensions. Is judicialization the only approach to address systemic crises, or is it time to reconceive of international dispute resolution based on international commissions, referral mechanisms from domestic courts to international tribunals, or other models?

Panelist(s):

- Mónica Pinto, University of Buenos Aires
- Jan Yves Remy (Moderator), Shridath Ramphal Centre for International Trade Law
- Jeremy Sharpe, Independent Arbitrator
- Tullio Treves, Curtis, Mallet-Prevost, Colt & Mosle LLP
- André von Walter, European Commission

Track 6: Environment, Sea, Space, and Sustainable Development

Protecting People in the Context of Climate Change and Disasters

CLE Credit Hours: 1.0

11:15 am – 12:15 pm

Climate change constitutes one of the preeminent threats of our time, menacing fragile ecosystems, exacerbating natural disasters, and disrupting societies, such as through the creation of climate refugees fleeing rising sea levels which threaten island nations. The legal protection of persons affected by climate change and disasters features on the agenda of several international bodies, including the United Nations General Assembly (including the SDGs and the Global Compact for Migration), the Human Rights Council specialized agencies, the International Organization for Migration, UNHCR, and the International Law Commission (including the recent work on the Protection of Persons in the Event of Disasters and the on-going work on sea-level rise in relation to international law), as well as civil society organizations. Recently, international, regional and domestic litigation has increased in frequency and significance, including before the United Nations Human Right Committee and the Committee on the Rights of the Child. In this session, the speakers will address the treatment of this topic before these various entities. The discussion will focus also on developments arising from cases brought before UN Human Rights Treaty Bodies, Regional Human Rights Systems, and national jurisdictions.

Panelist(s):

- Giulio Bartolini (Moderator), Roma Tre University
 - Patrícia Galvão Teles, UN International Law Commission
 - Kirsten Hagon, International Federation of Red Cross and Red Crescent Societies
 - Ambassador Duncan Muhumuza-Laki, UN Human Rights Committee
 - Mohamed Nasheed, former President of the Maldives
-



Wellness Break

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice

Track 1 Sponsored by Debevoise & Plimpton LLP

Civilian Harm Mitigation in Urban areas: A wargaming exercise (Lieber Society on the Law of Armed Conflict)

CLE Credit Hours: 1.0

12:30 pm – 1:30 pm

Organized by the Lieber Society on the Law of Armed Conflict

The minimization of civilian casualties is a central objective of the law of armed conflict, but it poses legal, operational and policy challenges. To better understand these challenges, this simulation will demonstrate how a coalition war gaming exercise may be used to improve planning to minimize civilian harm in an urban setting.

- Section 1 (15 minutes): The facilitator will lay out for the participants and the audience an imaginary scenario of a military operation that will take place in an urban area out. Rules of engagement, mission objectives, and available resources will be presented, including through visuals such as satellite imagery.
- Section 2 (15 minutes): This section will include a discussion of the military strategy and tactics that will be deployed. Other participants will ask questions such as the number of expected casualties or the types of weapons that will be used.
- Section 3 (30 minutes): The ICRC/NGO will flag any potential legal or humanitarian issues they foresee. Participants should discuss how they could amend their strategy or tactics to better protect civilian lives and civilian objects while still achieving the mission objective.

Panelist(s):

- Ian Brasure, Committee on Foreign Investment in the US
- Marc Linning, Center for Civilians in Conflict
- Andrea Prasow, Human Rights Watch
- Lindsay Rodman (Moderator), New York University School of Law
- Kieran Tinkler, United Kingdom Armed Forces

Track 3: International Trade, Investment, and Finance

Track 3 Sponsored by Berliner Corcoran & Rowe LLP

International Trade Dispute Settlement 2.0

CLE Credit Hours: 1.0

12:30 pm – 1:30 pm

With the change in WTO leadership and the creation of the Multi-Party Interim Appeal (MPIA) arrangement in 2020, set against the backdrop of escalating trade tensions and the pandemic,

the trade dispute landscape is on the verge of seismic change. What types of trade disputes are likely to mushroom post-pandemic? Is the MPIA here to stay, and can, or will, it be replaced by other mechanisms such as those in Free Trade Agreements (FTAs) as the preferred choice of resolving trade disputes with finality? Why have FTA dispute settlement mechanisms remained underutilized? This session will look back on the key developments in 2020 before looking ahead and considering creative means through which trade disputes might be dealt with in the future. The panel will review WTO disputes that were appealed “into the void”, and consider if there may have been alternative means of resolution. For those that cannot be resolved as such, will this herald the return to a power-based trading system, and what will be the impact of the simmering US-China tensions? Will trade law jurisprudence witness fragmentation in tandem with the increasingly multi-polar political landscape, and might this in fact be desirable?

Panelist(s):

- Kathleen Claussen (Moderator), University of Miami School of Law
- Cherise Valles, Advisory Centre on WTO Law
- Geraldo Vidigal, University of Amsterdam
- Heng Wang, University of New South Wales School of Law
- Alan Yanovich, Akin Gump LLP

Track 4: International Organizations, Global Governance, and Global Health

Multilateral Diplomacy When the World Is Locked Down

CLE Credit Hours: 1.0

12:30 pm – 1:30 pm

Multilateral meetings attended by delegations from numerous countries are a central feature of many international organizations. This session offers a practical review and assessment of how international organizations, their Member States and host countries responded to the immigration restrictions, travel challenges and quarantine restrictions resulting from the COVID-19 pandemic. Panelists will discuss a range of issues including: changes to established consultation and decision-making processes when it became impossible for Member State representatives to travel from abroad to attend meetings; how international organizations’ requests for exemptions from immigration and movement restrictions were balanced with the public health concerns of the host country; and how approaches to advocacy and consensus-building were modified to remain effective without in-person engagement. The session will address the impact of adjustments for the lack of physical presence; the impact of distance on the pace, form and frequency of discussion among Member States; and the impact of adjustments to multilateral organizations’ decision-making processes. The panelists will explore the legal considerations informing these adjustments and the pandemic’s long term impact upon the nature and form of multilateral diplomacy.

Panelist(s):

- Niels Blokker (Moderator), Leiden University
- Peri Lynne Johnson, International Atomic Energy Agency
- Stephen Mathias, United Nations Office of Legal Adviser

- Namira N. Negm, African Union
- Verity Robson, UK Mission to the UN and Other International Organizations in Geneva

Track 6: Environment, Sea, Space, and Sustainable Development

The Lorax Revisited: Protecting forests from illegal logging and deforestation

CLE Credit Hours: 1.0

12:30 pm – 1:30 pm

Human-driven deforestation, such as illegal logging, large-scale agricultural investments, cattle grazing, and mining have caused concern around the globe, particularly during the 2019 Amazon fires, and have become key issues in the fight against climate change. Large-scale deforestation occurs everywhere and is thus a global problem: in the Amazonian basin, in Western and Central Africa, and South-East Asia. The few original forests in Europe are also under threat. Illegal logging is a major threat to global forest resources and a multibillion-dollar operation worldwide, reaching as much as \$ 10 billion a year. It is also a major risk to the lives and livelihoods of indigenous communities, as “rainforest mafias” have threatened, attacked, and even killed indigenous “forest guardians” who patrol their native homelands and report illegal logging practices. It is also a threat to the biodiversity and wildlife of the forests as they face habitat degradation and loss. Panelists will address the legal and practical implications of illegal logging and deforestation on the indigenous and wildlife residents in diminishing forests around the globe. They will also address solutions and accountability measures to prevent further destruction of these habitats and encourage reforestation and sustainable development.

Panelist(s):

- Carole Excell, World Resources Institute
- Francisco Souza, Forest Stewardship Council’s Indigenous Foundation
- Luca Tacconi (Moderator), Australia National University
- Julia Urrunaga, Environmental Investigative Agency, Peru
- Daniel Wilkinson, Human Rights Watch

Prominent Woman in International Law Award Discussion: Featuring Judge Gabrielle Kirk McDonald

Organized by the Women in International Law Interest Group

12:30 pm – 1:30 pm

A conversation with Judge Gabrielle Kirk McDonald, recipient of the 2021 Prominent Woman in International Law Award, and the co-chairs of the Women in International Law Interest Group, Nienke Grossman and Milen Sterio.

Panelist(s):

- Elizabeth Anderson, World Justice Project
- Judge Gabrielle Kirk McDonald, 2021 Prominent Woman in International Law Recipient



Wellness Break

Track 5: Security, Foreign Relations, and Use of Force

Key Questions in Foreign Relations Law Under the Biden Administration

CLE Credit Hours: 1.0

1:45 pm – 2:45 pm

Organized by the International Law in Domestic Courts Interest Group

The Biden administration faces an array of challenges in foreign affairs, from the pandemic, climate change, and China's ascendance, to weakened U.S. relations with allies, heightened tension with Iran, and a hobbled State Department, to name just a few examples. Moreover, the administration does so amidst hyper-polarization of the American electorate, and with policy preferences that are in many ways quite different from those of its predecessor. These circumstances are likely to raise important questions for the field of U.S. foreign relations law over the course of the next four years. For example, if President Biden hopes to rejoin international agreements and institutions that the United States left under the Trump administration, what processes are available under domestic law for doing so? How should a body of foreign relations law that was developed largely in an era of American hegemony be adapted to an age of multipolarity? Will the legal positions that Democrats and Republicans adopted on issues in foreign relations law under President Trump flip on account of the new administration, or are there some features of the law that have durable political valences? Panelists will offer their insights on these kinds of questions.

Panelist(s):

- Jean Galbraith, University of Pennsylvania
- Mark Iozzi, House Foreign Affairs Committee
- Chimène Keitner, University of California, Hastings
- Ryan Scoville (Moderator), Marquette University Law School
- Richard Visek, Office of the Legal Adviser, U.S. Department of State

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice

Track 1 is sponsored by Debevoise & Plimpton LLP

Mass Atrocities and Statelessness: (Re)considering the case of the Rohingya

CLE Credit Hours: 1.0

1:45 pm – 2:45 pm

In the vast majority of cases of mass atrocities, most of them involve statelessness. Statelessness is a commonality among groups who have been brutalized by states throughout the world and can be a justification used to defend horrendous human rights abuses. It is impossible to talk about mass atrocities and statelessness without looking to the Rohingya of Myanmar. The Rohingya have suffered systemic discrimination, persecution, crimes against humanity and genocide and, today,

comprise the largest stateless population in the world. Using the Rohingya crisis as a case study, this panel will examine the role of statelessness as a driver of marginalization and the commission of mass atrocities. Panelists will examine the interlinkages between the distinct international legal frameworks governing mass atrocities and those that govern statelessness. They will also explore parallels with the unfolding crisis of mass deprivation of nationality in Assam, India as well as good practices in Kyrgyzstan, and will discuss the role of citizenship in providing protections for vulnerable groups from mass atrocities. Panelists will also examine how local strategies in different contexts for tackling statelessness might inform efforts to address aspects of the Rohingya crisis.

Panelist(s):

- Amal de Chickera (Moderator), Institute on Statelessness and Inclusion
- Wai Wai Nu, Women's Peace Network
- Regina M. Paulose, Common Good Foundation
- Akila Radhakrishnan, Global Justice Center
- Katherine G. Southwick, United States Holocaust Memorial Museum

Track 3: International Trade, Investment, and Finance

Track 3 Sponsored by Berliner Corcoran & Rowe LLP

Reassessing Sovereign Bankruptcy in a Time of Global Economic Crisis

CLE Credit Hours: 1.0

1:45 pm – 2:45 pm

The economic crisis precipitated by COVID-19 is expected to cause a new wave of sovereign defaults. In the last year, over 100 countries have requested emergency assistance from the International Monetary Fund. States that were previously teetering on the brink of crisis – including Argentina, Ecuador and Lebanon – have defaulted or begun the process of restructuring their debts. Several others are expected to follow close behind. Like previous defaults, this next wave of sovereign debt crises will occur in the absence of a comprehensive sovereign bankruptcy mechanism. However, it will be subject to new legal and political developments including: more wide-spread use of private ordering solutions such as Collective Action Clauses; the use of investor-state dispute settlement; and efforts by the World Bank and IMF to impose a moratorium on emerging market debt. This next wave of defaults thus provides an opportunity to evaluate the impact of recent developments and test the limits of managing sovereign debt restructurings in the absence of a comprehensive sovereign bankruptcy mechanism. It thus provides an opportunity to reassess private, public, and international solutions to the sovereign debt problem and imagine the way forward.

Panelist(s):

- Lee C. Buchheit, 3 Verulam Buildings
- Anna Gelpern, Georgetown University Law Center
- Daniel Marx, Quantum Finanzas
- Andrea Menaker, White & Case LLP
- Stratos Pahiis (Moderator), New York University School of Law

Track 6: Environment, Sea, Space, and Sustainable Development

Space Race for the Battlestar: International law implications of the militarization of space

CLE Credit Hours: 1.0

1:45 pm – 2:45 pm

Over the last decade, as states have moved aggressively to establish their advantage in new domains, the rules-based international order is under unprecedented stress. The so-called return to great power competition is literally reaching for the stars, with states adopting new military strategies, command structures, and technologies aimed at securing dominance and competitive advantage in outer space. The United States recently created a unified combatant command (the US Space Command), as well as a new branch of the Armed Forces—the US Space Force. Other space powers, such as Russian and China, have expressed concern, and underlined the implications this may have for developing defensive capacities. These developments present acute challenges to the existing framework of international space law generally, and international humanitarian law more specifically. This panel will address the increasing militarization of space and the international legal challenges it presents.

Panelist(s):

- Setsuko Aoki (Moderator), Keio University Law School
- Laurent Gisel, International Committee of the Red Cross
- Elina Morozova, Intersputnik International Organization of Space Communications
- Amy Sfara, Office of the Judge Advocate General, U.S. Air Force
- Dale Stephens, Adelaide Law School

Track 6: Environment, Sea, Space, and Sustainable Development

We Are All Climate Lawyers Now

CLE Credit Hours: 1.0

1:45 pm – 2:45 pm

Climate change constitutes one of the preeminent threats of our time. By now, the impacts of a warming world are evident and inevitable. Given the current climate forecast, it is no longer sensible to treat climate change as a discrete issue or one causal factor to manage. Climate change is the context within which law, economies, and culture will evolve in the 21st Century. Recognizing the scale of the challenge, climate change issues will eventually intersect with virtually all other areas of international law. Almost without exception, climate change will engage actors, institutions, and mechanisms at all scales and from all sectors. As a result, we are all climate lawyers now. However, even as climate change intersects with and disrupts international legal norms and institutions, it also presents opportunities to usher in new forms of international cooperation to enhance the prospects of national and collective survival and well-being. During this roundtable discussion, panelists will explore the ways in which international climate change law is intersecting with, influencing, and influenced by other areas of international law and the

potential challenges and opportunities this poses both for discreet areas of international law, as well as for the larger functioning of the international legal system.

This session is part of the Signature Topic Series on “International Law and Climate Change” of the American Society of International Law.

Panelist(s):

- Carmen Gonzalez, Loyola University Chicago School of Law
- Sailesh Mehta, Red Lion Chambers
- Nilufer Oral, UN International Law Commission
- Hermann Ott, Client Earth
- Margaret Young, University of Melbourne Law School
- Rob Verchick (Moderator), Loyola University New Orleans



Wellness Break

Honors and Awards Ceremony & Keynote Remarks: Dr. Tedros Adhanom Ghebreyesus (World Health Organization): “Law, Equity, and Global Public Health”

3:00 pm – 3:30 pm

ASIL President Catherine Amirfar and Executive Director Mark Agrast will recognize the recipients of the Society’s 2021 honors and awards, including its annual honors, the Society’s book awards, and interest group prizes.

Ancillary Events

IG Meetings, workshops, Mentoring Sessions, Ask-Me-Anything Sessions

3:30 pm – 5:30 pm

Incitement to Discrimination, Hostility and Violence: A Comparative Analysis

Side Event Sponsored by OSCE ODIHR

3:30 pm – 4:30pm

While digital technology is a huge opportunity to communicate across countries and cultures, it unfortunately also has the ability to spread disinformation, hatred, and incitement to violence. Since the outbreak of the COVID-19 pandemic, we have seen hatred spreading as minority and marginalized communities have found themselves scapegoated and, in some cases, even become victims of targeted violence. This spread has often been fueled by digital technologies, which make it easier and faster to disseminate conspiracy theories that have been in circulation for years or even centuries.

Human rights are increasingly used to restrict one another rather than advanced together as part of a single indivisible and interrelated framework. The lack of an international legal definition of "hate speech," the coded and contextual nature of "hate speech," and the vast amounts of user-generated content and the diversity of content in terms of form and language greatly complicate the challenge of balancing the right to freedom of expression with the need to protect against the advocacy of hate that amounts to incitement to discrimination, hostility or violence.

This side event will examine how the international regulatory framework around incitement to discrimination, hostility and violence is implemented at the domestic and regional levels in various contexts and to discuss the benefits and detriments of various systems of regulation.

Speakers:

- Karoline Fernandez de la Hoz Zeitler, National Point of Contact on Hate Crime, Spain
- Louisa Klingvall, DG JUST, European Commission
- Iain Levine, Senior Human Rights Adviser, Facebook
- Emerson J. Sykes, Staff Attorney, Speech, Privacy, and Technology Project, ACLU
- Joanna Szymanska (Moderator), Article 19

Private Practice Job-Seeking during a Global Pandemic

3:30 pm – 4:20 pm

This session is one of three sessions geared toward educating and informing students and recent graduates as to how to navigate the job market in various sectors, including private practice, non-profit, and government/international organizations. Panelists will address the fundamentals of the private practice job market, as well as discuss topics including what students should be doing now to prepare for a career in private practice, how COVID-19 has impacted the hiring process, and how recent graduates seeking employment can demonstrate professional experience in the absence of proper employment.

Panelist(s):

- Saadia Bhatti (Moderator), Gide Loyrette Nouel
- Andrew Larkin, Curtis, Mallet-Prevost, Colt & Mosle LLP
- Duncan Pickard, Debevoise & Plimpton LLP
- Alyssa Yamamoto, Debevoise & Plimpton LLP

International Refugee Law IG Business Meeting

3:30 pm – 4:20 pm

Dispute Resolution IG Business Meeting

3:30 pm – 4:20 pm

Featuring guest speaker Meg Kinnear, Secretary-General, International Centre for the Settlement of Investment Disputes (ICSID)

Transitional Justice and Rule of Law IG Business Meeting

U.S. Truth, Racial Healing and Transformation Coalition: In Conversation with Marcus A. Hunter
3:30 pm – 4:20 pm

Mentoring Session: Ms. Farber Farber, Kluk Farber Law

3:30 pm – 4:20 pm

Ms. Farber is a partner at Kluk Farber Law, where she leads the firm's litigation practice. She represents companies and individuals in commercial litigation and arbitration, employment matters, and intellectual property disputes. Ms. Farber has particular expertise in matters relating to technology, venture capital and other financial services, consumer products, food and beverage, fashion, and insurance. Ms. Farber's practice includes working closely with executives and founders on sophisticated employment matters, including negotiation of compensation packages, buyouts and separations, and discrimination and human rights violations in the workplace. In addition, Ms. Farber acts as general counsel advising companies on regulatory compliance matters, risk management, and privacy and cybersecurity issues.

Pre-registration required

- Only one session per attendee
 - Limited to 15 participants
-

Ask-Me-Anything: James T. Gathii, Loyola University Chicago School of Law

4:30 pm – 5:20 pm

James T. Gathii is a professor of law and the Wing-Tat Lee Chair in International Law at Loyola University Chicago School of Law. He sits on the board of editors of the American Journal of International Law, the Journal of African Law and the Journal of International Trade Law and Policy, among others. His research and teaching interests are in Public International Law, International Trade Law, Third World Approaches to International Law, (TWAIL), and African Constitutionalism and Human Rights. Professor Gathii is an Independent Expert of the Working Group on Extractive Industries, Environment, and Human Rights Violations in Africa formed by the African Commission on Human and Peoples' Rights. He is also an expert member of the Working Group on Agricultural Land Investment Contracts of the International Institute for the Unification of Private Law (UNIDRIOT). He has sat as an arbitrator in two international commercial arbitrations hosted by the Permanent Court of Arbitration in the Hague and has consulted for the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Economic Commission for Africa (ECA).

Mentor Session: Amelia Mathias, U.S. Department of State

4:30 pm – 5:20 pm

Amelia Mathias is a Foreign Service Officer at the U.S. Department of State. She has held posts around the world and has worked on consular and diplomatic issues related to human rights, democracy, and labor. She currently trains other Foreign Service Officers at the State Department's Foreign Service Institute.

Pre-registration required

- Only one session per attendee
 - Limited to 15 participants
-

Law of the Sea IG Business Meeting

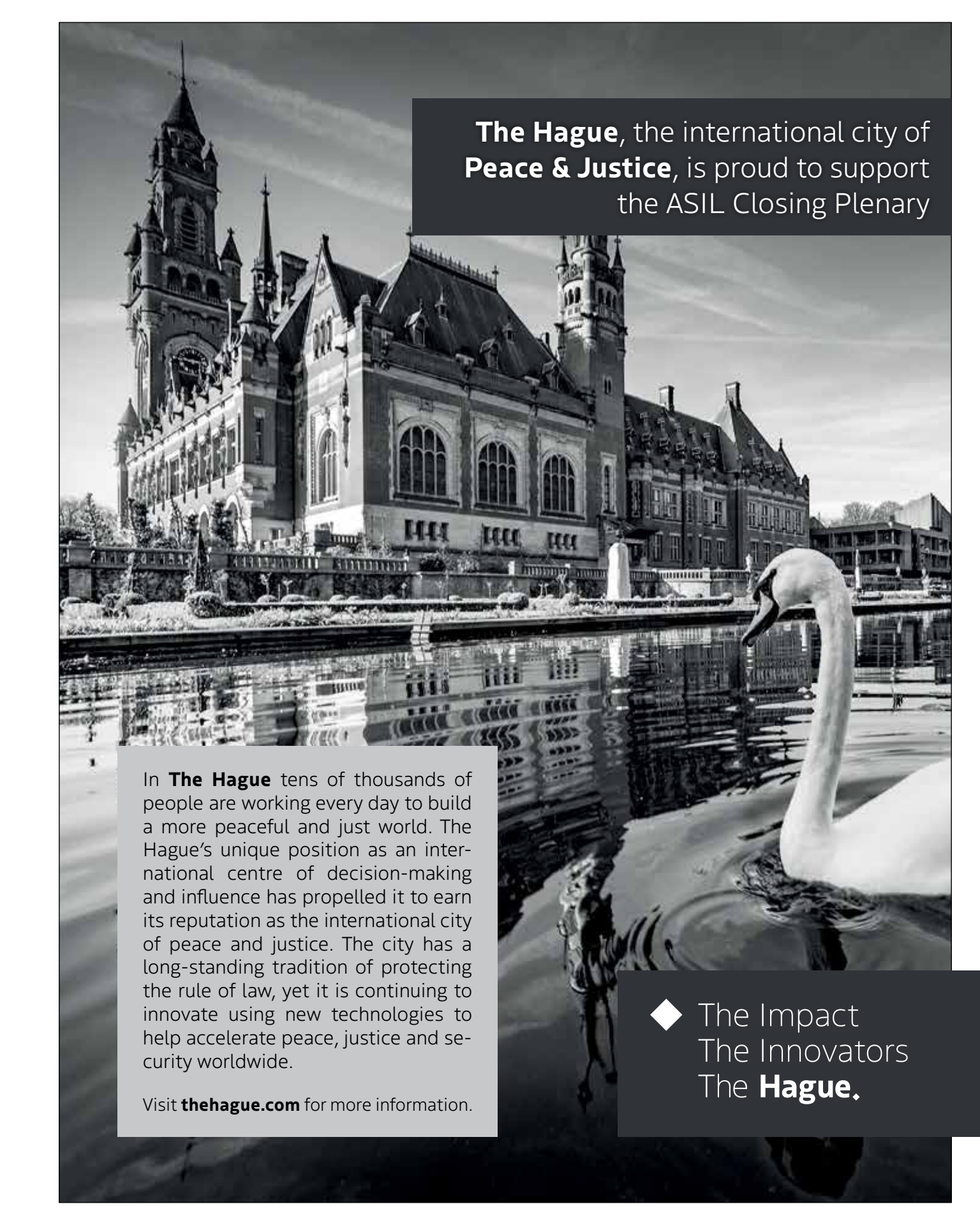
4:30 pm – 5:20pm

ASIL-Southeast IG Business Meeting

4:30 pm – 5:20pm

International Economic Law IG Business Meeting

4:30 pm – 5:20pm



The Hague, the international city of **Peace & Justice**, is proud to support the ASIL Closing Plenary

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PROFESSOR JAY BUTLER
on his nomination to the governing
Executive Council for the American
Society of International Law.



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Friday, March 26, 2021

Ancillary Events

IG Meetings, workshops, Mentoring Sessions, Ask-Me-Anything Sessions March 25 – 07:00 – 10:00 am

Ask-Me-Anything: Rod Rastan, International Criminal Court

7:00 am – 7:50 am

Dr. Rod Rastan serves as Legal Advisor in the Office of the Prosecutor at the International Criminal Court, where he deals with international law issues, in particular in relation to jurisdiction, admissibility and judicial assistance. Prior to joining the ICC, he worked for several years in the area of human rights, rule of law, and mediation with United Nations missions in Bosnia and Herzegovina, East Timor and Cyprus as well as with field presences of the European Union and the Organisation for Security and Cooperation in Europe. He also participated in the negotiation of the ICC Statute and Rules of Procedure and Evidence.

International Legal Research IG Business Meeting

7:00 am – 7:50 am

Africa IG Business Meeting

7:00 am – 7:50 am

Mentor Session: Louise Fournier, Greenpeace

7:00 am – 7:50 am

Louise leads Greenpeace's climate justice and liability strategies. Louise has a keen interest in movement lawyering, corporate accountability and human rights. Prior to joining Greenpeace International, Louise interned at the UNFCCC Legal Affairs and worked in land claims, ancestral and treaty rights and environmental litigation for Indigenous Peoples of northern Quebec, Canada. Louise is on the advisory panel of the Disability-Inclusive Climate Action Research Program.

Pre-registration required

- Only one session per attendee
 - Limited to 15 participants
-

Human Rights IG Business Meeting

8:00 am – 8:50 am

Nonproliferation, Arms Control and Disarmament IG Business Meeting

8:00 am – 8:50 am

The NACDIG will hold a careers panel discussing the fields of nonproliferation, arms control, and disarmament. Featured speakers include:

- Nicole Hogg, Legal Advisor and Head of Department at the ICRC’s Regional Delegation for the United States and Canada
- Loren Voss, Senior Advisor for Civilian Harm Mitigation at the US Defense Security Cooperation Agency
- Mike Meier, Senior Civilian Adviser to the Army Judge Advocate General”

Latin American IG Business Meeting

8:00 am – 8:50 am

Ask-Me-Anything: Lucinda Low, Steptoe & Johnson LLP

8:00 am – 8:50 am

Lucinda Low is a past president of the Society (2016-2018), and is a partner at Steptoe & Johnson where she serves as a member of the firm’s Management Committee and heads the Compliance, Investigations, Trade and Enforcement Department. She also leads Steptoe’s Brazil-specific initiative incorporating a focus on FCPA/anti-corruption compliance and enforcement work. Lucinda’s FCPA/anti-corruption experience includes extensive work in Latin America, including Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guyana, Mexico, Nicaragua, Peru, Uruguay and Venezuela, as well as several Caribbean countries. She has particular authority in matters involving the US Foreign Corrupt Practices Act (FCPA) and other anti-bribery and anti-corruption laws, and other international business compliance issues.

Government and International Organizations Job-Seeking during a Global Pandemic

8:00 am – 8:50 am

This session is one of three sessions that are geared toward educating and informing students and recent graduates as to how to navigate the job market in various sectors, including, in addition to this panel, private practice and non-profit. Panelists will address the fundamentals of the Government and International Organizations job market, as well as discuss topics including what students should be doing now to prepare for a career in these sectors, how COVID-19 has impacted the hiring process, and how recent graduates seeking employment can demonstrate professional experience in the absence of proper employment.

Panelist(s):

- Ari Bassin, Office of Global Criminal Justice, U.S. Department of State
- Darin Johnson (Moderator), Howard University School of Law
- Karla Jones, Organization of American States

- Katerina Ossanova, Office of Foreign Litigation, U.S. Department of Justice
 - Andrés Felipe Esteban Tovar, Former International Disputes officer at National Agency for the Legal Defense of the State (Colombia)
-

Women in International Law IG Business Meeting

9:00 am – 9:50 am

International Organizations IG Business Meeting

9:00 am – 9:50 am

International Law and Technology IG Business Meeting

9:00 am – 9:50 am

How to Publish in AJIL and AJIL Unbound

9:00 am – 9:50 am

The Editors-in-Chief of the American Journal of International Law (AJIL) and editors of the AJIL Unbound online platform will discuss their submission processes. They will describe what they look for when reviewing submissions, and they will offer tips for developing a successful article and for navigating the peer-review process. This session is aimed at early career scholars and first-time authors who may be interested in submitting future work to the Journal or AJIL Unbound.

Panelist(s):

- Karen J. Alter, Northwestern University
 - Curtis A. Bradley, Duke University School of Law, Co-Editor-in-Chief, AJIL
 - Melissa J. Durkee, University of Georgia School of Law
 - Laurence R. Helfer, Duke University School of Law, Co-Editor-in-Chief, AJIL
 - Meaghan Kelly, Duke University School of Law, AJIL Assistant to the EICs
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Mentor Session: Christos Ravanides, UN Office of Legal Affairs

9:00 am – 9:50 am

Christos Ravanides is a Legal Officer at the UN Office of Legal Affairs, Previously, he was stationed at the Mechanism for International Criminal Tribunals (IRMCT) and prior to that served as Deputy Chef de Cabinet to the Office of the President at the UN International Criminal Tribunal for the former Yugoslavia (ICTY). Christos has previously worked in private practice at Skadden Arps and Sullivan & Cromwell, and was a judicial clerk at the U.S. Court of Appeals for the Second Circuit.

Pre-registration required

- Only one session per attendee
 - Limited to 15 participants
-



Wellness Break

The Rule of Law at the International Level: Evolution and challenges – Keynote remarks by Judge Abdulqawi Yusuf

10:00 am – 11:00 am

**Featuring Judge Abdulqawi Ahmed Yusuf, International Court of Justice
Discussant: Patrícia Galvão Teles, UN International Law Commission**



Wellness Break

Track 4: International Organizations, Global Governance, and Global Health

COVID-19's Lessons for Inter-governmental Pandemic Response Coordination

CLE Credit Hours: 1.0

11:15 am – 12:15 pm

This session will assess the intergovernmental response of states and global governance institutions to the COVID-19 pandemic. Panelists will explore this question with the intention of developing concrete measures to improve international response coordination in the face of future pandemics. In particular, the session will explore to what extent response failures to COVID-19 were the result of poor or misinformed decision-making on the part of global institutions and national governments, and attempt to extract discrete lessons that might allow us to enhance such decision-making capacity in the near term (and ideally before the emergence of the next pandemic). The session will also address to what extent response failures stem from more fundamental maladies within existing mechanisms of global governance, how global institutions could be restructured or reconceived to address such maladies, and likely obstacles to any efforts at reform (including issues of legitimacy, increased nationalism, and great power competition).

Panelist(s):

- Thomas Bollyky, Council on Foreign Relations
 - Lu Chuanying, Shanghai Institutes for International Studies
 - Caroline Edwards, Department of Health, Government of Australia
 - Roojin Habibi (Moderator), Global Strategy Lab
-

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution

Track 2 sponsored by Curtis, Mallet-Prevost, Colt & Mosle LLP

The Evolving Role of Arbitral Institutions

CLE Credit Hours: 1.0

11:15 am – 12:15 pm

While arbitral institutions have traditionally occupied an administrative role in support of arbitral proceedings, their impact on arbitral proceedings, and on the arbitration community more generally, has substantially evolved. Faced with a legal void or inconsistent rules, arbitration users have called on arbitral institutions for guidance and standards relating to key issues affecting arbitrations, such as codes of conduct, corruption, cybersecurity, transparency and diversity, and more recently, guidance on how to conduct virtual hearings in COVID-19 times. Having grown considerably in both size and number in the past years, arbitral institutions across the world have embraced this evolving role, especially in times of crisis, acting as key norm-makers and trend-setters in arbitration. With this evolving role—one traditionally reserved to states—the legitimacy and accountability of arbitral institutions has been questioned, especially considering the varying regimes of liability applicable to arbitral institutions across jurisdictions. This session will consider the pregnant role of arbitral institutions, the challenges it raises, and suggested solutions to address these challenges.

Panelist(s):

- Rémy Gerbay (Moderator), MoloLamken
- Alexis Mourre, International Chamber of Commerce
- Ismail Selim, Cairo Regional Centre for International Commercial Arbitration
- Barbara Warwas, Hague University of Applied Sciences

Track 5: Security, Foreign Relations, and Use of Force

International Aid in a Time of Global Crisis

CLE Credit Hours: 1.0

11:15 am – 12:15 pm

In recent years, some world leaders have employed a nationalist agenda that has minimized traditional foreign-policy commitments, such as international aid. The rise in this populist shift away from the traditional foreign assistance model came during a time of protracted and complex crises and the increase and intensification of natural disasters, exacerbated by the global climate crisis. Most recently, the COVID-19 pandemic has devastated economies and significantly altered the political landscapes in many countries, consequences whose effects will be felt for many years. This panel will reflect on how the international aid community should revisit its legal, political, and conceptual structures to address these many pressing challenges.

Panelist(s):

- Marsha Echols (Moderator), Howard University School of Law
- Sergio Gusmao Suchodolski, Development Bank Minas do Gerais – Brazil

- Katherine Meighan, International Fund for Agricultural Development
- Jay Pozenel, General Legal Division, United Nations
- Mark Ward, International Medical Corps

Late Breaking Panel: Democracy Under Threat

CLE Credit Hours: 1.0

11:15 am – 12:15 pm

The January 6, 2021 attack on the U.S. Capitol by a mob seeking to prevent the U.S. Congress from certifying the 2020 U.S. Presidential election results highlighted the vulnerability of U.S. democratic institutions. The insurrection was the result of a misinformation scheme that eroded trust in the electoral process, and activity on social media networks that heightened political polarization and amplified conspiracy theories and hate-based ideologies. The incident crystallizes the longstanding vulnerabilities and emerging threats to democratic systems globally, made evident by the fact that not even a longstanding democracy such as the United States is immune from these challenges. Using the U.S. crisis as a case study for these themes, this conversation will address current and historical efforts to destabilize democracies around the world, and the ways in which democratic institutions can resist these threats.

Speakers:

- Rosa Brooks, Georgetown University Law Center
- Sean D. Murphy, George Washington University Law School



Wellness Break

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution

Track 2 sponsored by Curtis, Mallet-Prevost, Colt & Mosle LLP

“The Tribunal Knows the Law” (Iura Novit Curia), but What Should It Do With it?

CLE Credit Hours: 1.0

12:30 pm – 1:30 pm

The arbitral tribunal’s power to depart from the parties’ submissions under the iura novit curia principle remains controversial. The maxim boils down to the notion that the parties cannot limit the tribunal’s legal cognition, since the purpose of an adjudicator’s mandate is to promote the adequate administration of justice and application of the law. In other words, the principle of iura novit curia confers upon the tribunal the freedom to depart from the legal grounds raised by the parties – particularly where only such departure would allow for an arguably fairer solution to the dispute. However, the precise outlines of such freedom are still very contentious, especially in an international arbitration. When discussing iura novit curia, one is faced with a myriad of questions: can tribunals apply legal grounds ex officio without exceeding their mandate? If so, is

there a duty or a right to this effect? Would such an application violate the due process rights of the parties? What law regulates iura novit curia: the lex arbitrii, the lex causae, or yet another law? This session will explore these and other issues to map out the current state of play with respect to the principle from a transnational perspective.

Panelist(s):

- Rafael Alves, MamG
- Franco Ferrari (Moderator), NYU School of Law
- Ndanga Kamau, Kamau Law
- Swee Yen Koh, Wong Partnership
- Philippe Pinsolle, Quinn Emanuel LLP

Track 4: International Organizations, Global Governance, and Global Health

Backlash to the International Legal Order: Breakdown or breakthrough?

CLE Credit Hours: 1.0

12:30 pm – 1:30 pm

The post-WWII international legal order has demonstrated resiliency over the past several decades. Now, it arguably confronts its most dramatic and diverse set of challenges yet. The rise of a multipolar world order and America's abdication, for the past four years, of its traditional role of defending international institutions and norms places significant strain on the international legal order. Concurrently, a populist backlash has emerged that opposes not only global governance conceptions of international law, but also key pillars of the UN Charter's "liberal" regime of sovereign equality and collective security. These currents can be traced to contradictions internal to the normative structure of international law itself and, in particular, the dramatic shift in understandings of sovereignty under conditions of technological globalization. Are we backsliding from a rules-based international order to a more lawless world? Is there an existential crisis of values driving resentment against the liberal international order? Has the rules-based international order itself incubated authoritarian populism and illiberal democracy? And is this "backlash" a true threat to the international legal order necessitating its re-imagination and re-conception, or do we underestimate the resiliency of the international legal order? This roundtable conversation will examine these questions and more.

Panelist(s):

- Peter Danchin (Moderator), University of Maryland Law School
- Jamil Dakwar, ACLU Human Rights Program
- Shruti Rana, Indiana University at Bloomington
- Amb. Ebrahim Rasool, former South African Ambassador to the U.S.
- Anne-Marie Slaughter, New America

Track 6: Environment, Sea, Space, and Sustainable Development

Creating the Crime of Ecocide: An effective tool to address climate and environmental crises?

CLE Credit Hours: 1.0

12:30 pm – 1:30 pm

A growing number of activists and environmental defenders believe criminalizing acts amounting to “ecocide” would better equip international law to address climate and biodiversity crises. The term “ecocide” ordinarily refers to the destruction of the environment to the detriment of life. This session will examine the potential of its incrimination through a dynamic discussion on four issues. First, understanding the practical gaps or shortages in international criminal law, international environmental law and other relevant fields of international law that the incrimination of ecocide could overcome. Second, determining the point at which a specific conduct has environmental consequences so grave that it could be considered as ecocide and why it is important to differentiate between ecocide and any other environmental crimes. Third, turning ecocide into an international crime would require agreeing on the definition of its material and intentional elements, such as which acts and/or omissions would fall within the scope of ecocide and whether a special or regular intent would be required. Whether or not corporate actors could be held responsible is also key. Finally, it is important to identify and agree on the most appropriate forum to effectively investigate, prosecute and adjudicate this new international crime.

Panelist(s):

- Nnimmo Bassey, Health of Mother Earth Foundation
- Maud Sarlieve (Moderator), Paris Nanterre University
- Fadjar Schouten-Korwa, Coordinator Dutch Cooperating Organisations for West Papua
- Marie Toussaint, Member, European Parliament
- Justice Tuiloma Neroni Slade, former Judge, International Criminal Court

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice

Track 1 is sponsored by Debevoise & Plimpton LLP

Human Rights and COVID-19: Challenges and Good Practices to Effective Recovery

CLE Credit Hours: 1.0

12:30 pm – 1:30 pm

As COVID-19 became a global health crisis, it threatened human security, affected the global economy, human rights, and fundamental freedoms integral in societies governed by the rule of law. The scale and severity of the pandemic is testing the world’s humanity and resilience, at a time of acute inequality, which disproportionately affects vulnerable and marginalized groups. Women and men, children, youth and older persons, refugees and migrants, economically vulnerable individuals, people with disabilities, persons in detention, LGBTQ individuals, and others are being impacted differently. Public health measures enacted to contain the virus have

also encroached on freedom of movement, which inadvertently affect people's livelihoods, work, education, and non COVID-19 related access to health care. Many States have declared states of emergency and expanded their powers to censor information, surveil populations, detain critics, discriminate against vulnerable groups, arbitrarily detain, and misuse crowd control weapons. Governments must strike a fair balance between protecting and promoting public health, along with the duty to respect, protect, and fulfill human rights. This panel will discuss challenges in responding to COVID-19 and identify good practices to effective response and recovery to the pandemic to ensure respect for fundamental civil, political, economic, and social rights.

Panelist(s):

- Meaghan Fitzgerald, Office for Democratic Institutions and Human Rights, Organization for Security and Cooperation in Europe
- Idayat Hassan, Centre for Democracy and Development
- Albrecht Schnabel, DCAF – Geneva Centre for Security Sector Governance
- Kathryn Sikkink (Moderator), Harvard Kennedy School
- Michael Tanner, Cato Institute

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution

Track 2 sponsored by Curtis, Mallet-Prevost, Colt & Mosle LLP

Crisis Cases: Not reconceiving international dispute resolution

Ninth Annual Charles N. Brower Lecture on International Dispute Resolution

12:30 pm – 1:30 pm

Featuring: Lucy Reed, Independent Arbitrator



Wellness Break

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice

Track 1 is sponsored by Debevoise & Plimpton LLP

BLM and International Human Rights Law: The challenge of systemic racism

CLE Credit Hours: 1.0

1:45 pm – 2:45 pm

Organized by the Human Rights Interest Group

The 2020 Black Lives Matter (BLM) protests were inspired by the need to end racist violence by public authorities, but the movement has the much larger goal of challenging not just specific racist acts, but systemic cultural, political, legal, and economic bias in the United States. International human rights law (IHRL) is often thought of as a system of discrete individual rights, but the duty-based structure of many rights and the open-ended nature of the nondiscrimination right make it possible for IHRL to address systemic problems at their root rather than through individual cases. This panel will explore the nature of the problem of racism in the United States

that gave rise to the BLM movement and analyze the ways in which IHRL can help address the problem systemically.

A multidisciplinary approach is necessary to understand the BLM movement and the roles IHRL can play in it. As the theme suggests, creativity is needed to address the crisis of violence and systemic discrimination against members of racial minority groups, because the problem is not simply governmental, but social. Racism is not just a matter of specific acts, but of biased practices in many societal institutions, and, even harder to eradicate, in the minds of millions of most Americans. In some cases, the racism is conscious; in most, it is unconscious or implicit. IHRL offers the possibility of addressing these problems creatively, and that is what this panel aims to develop.

Panelist(s):

- Ahilan Arulanantham, UCLA
- Jordan Robert Axt, McGill University
- Anna Spain Bradley, UCLA
- Zachary D. Kaufman (Moderator), University of Houston School of Law
- Reginald Noël, U.S. Department of Labor

Track 4: International Organizations, Global Governance, and Global Health

International Law Online: How will the pandemic change the practice of law?

CLE Credit Hours: 1.0

1:45 pm – 2:45 pm

Organized by the Midwest Interest Group

The coronavirus pandemic has caused enormous disruption throughout the world over the last year. Numerous fields have been affected, including the law. Litigation, in particular, has been affected by the risks associated with in-person events such as hearings. In this panel, the Midwest Interest Group explores the changes that the pandemic has had on the practice of international law through a roundtable discussion with a diverse group of practitioners. The panel will explore questions like: What changes have law schools, law firms, governments, civil society, and international courts & organizations made to accommodate the pandemic? How has this changed the practice of international law? Once the pandemic is under control, what changes are likely to persist? Will this lead to an eventual decentralization of the practice of international law away from the traditional geographic centers of its practice?

Panelist(s):

- Judge Robert Eno, African Court of Human and Peoples' Rights
- Brian Farrell (Moderator), University of Iowa College of Law
- Stuart Ford (Moderator), UIC John Marshall Law School
- Vera Korzun, University of Akron School of Law
- Lawrence Schaner, Schaner Dispute Resolution LLC
- Juliet Suzanne Sorensen, Northwestern Pritzker School of Law
- Kanglin Yu, University of Iowa College of Law

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice

Track 1 is sponsored by Debevoise & Plimpton LLP

Reframing International Legal Inquiries: New voices discussion

CLE Credit Hours: 1.0

1:45 pm – 2:45 pm

For over a decade, the Society has reserved a session during each Annual Meeting to feature up-and-coming voices in the international law community. These presentations were selected from nearly 100 submissions and represent interesting perspectives, new ideas, and fresh takes on a wide variety of international law issues.

Panelist(s):

- Julia Emtseva, Max Planck Institute for Comparative Public Law and International Law, "Philanthropic Justice: The Role of Private Foundations in Transitional Justice Processes"
- Mohammed Helal (Moderator), Ohio State University
- Mara Redlich Revkin, Georgetown University Law Center, "Insurgent Legality"
- Aaron Wu, UK Department for International Trade, "Sustaining International Law: History, Nature, and the Politics of Global Ordering"

Track 3: International Trade, Investment, and Finance

Track 3 Sponsored by Berliner Corcoran & Rowe LLP

Realigning Investment Treaties with States' Interests

CLE Credit Hours: 1.0

1:45 pm – 2:45 pm

In July 2017, the United Nations Commission on International Trade Law (UNCITRAL) tasked its Working Group III with a "broad mandate" to explore potential reforms to investor-state dispute settlement (ISDS), in response to the growing concerns about the legitimacy and efficacy of ISDS, particularly with respect to its aims of attracting and protecting foreign investment for economic development. Working Group III has interpreted this mandate narrowly as being limited to a consideration of procedural reforms of ISDS, despite many States' and other stakeholders' noting that the critiques of ISDS relate as much to investment treaties' substantive provisions and protections, the effects of which are intertwined with the procedural aspects of ISDS. This session will step back from the ongoing discussions of procedural reforms in UNCITRAL's Working Group III to reflect holistically on the objectives of investment treaties and the States that sign them. It will consider the extent to which both the substantive and procedural aspects of investment treaties are aligned with States' objectives and the universally agreed sustainable development goals, and the tools available to States to shape existing and new treaties to better align with and support States' development objectives.

Panelist(s):

- Lise Johnson (Moderator), Columbia Center for Sustainable Investment
- George Kahale III, Curtis, Mallet-Prevost, Colt & Mosle LLP

- Kinda Mohamadieh, Third World Network
- Patience Okala, Nigerian Investment Promotion Commission
- Ralf Van De Beek, Ministry of Foreign Affairs, the Kingdom of the Netherlands

Track 5: Security, Foreign Relations, and Use of Force

Winning Likes and Minds: Creative responses to the international struggle over information

CLE Credit Hours: 1.0

1:45 pm – 2:45 pm

Organized by the ASIL Southeast Interest Group

Can international law help fight misinformation and disinformation? How can states, corporations, and other relevant stakeholders use international law to protect themselves from dangerous falsehoods? This panel brings together scholars and activists to discuss contemporary international challenges generated by the spread of misinformation and disinformation and ways for stakeholders to combat it. Panelists will highlight varying motivations for the spread of misinformation and disinformation, methodologies for its spread, and discuss its impact in law and policy across a range of issue areas, including elections and COVID-19. Panelists will also share possible short- and long-term solutions for identifying and countering the dissemination of misinformation and disinformation.

Panelist(s):

- Faisal Al Mutar, Ideas Beyond Borders
- Robert Blitt (Moderator), University of Tennessee College of Law
- Constanza Sciubba Caniglia, Harvard Kennedy School of Government
- Jill Goldenziel (Moderator), Marine Corps University-Command and Staff College
- Henning Lahmann, Digital Society Institute, ESMT Berlin
- Priscilla Moriuchi, Belfer Center for Science and International Affairs, Harvard Kennedy School of Government

Hague Plenary and Closing Remarks: Reconceptualizing International Law's Role in the Governance of AI: Autonomous weapons as a case study

3:00 pm – 4:00 pm

Sponsored by the Municipality of the Hague, the Embassy of the Netherlands to the United States, and convened by the T.M.C. Asser Institute

Artificial intelligence (AI) plays an increasingly significant role in our daily lives, from social media algorithms determining what news is seen to machine learning-based models being used to search for effective viral therapies or to detect welfare fraud by governments. AI is also changing international relations and the challenges the international community is facing. International law has struggled to provide a governance framework within which the role of AI can be addressed, in significant part because the current structure of international law conceptualizes "actors" as states and multi-lateral organizations and, more recently, non-state actors. Existing international law has developed with human subjects in mind. Autonomous machines problematize

traditional legal assumptions and categories, such as the military applications of AI, which poses increasingly urgent questions of well-established norms of jus ad bellum, jus in bello, and arms control law.

This roundtable will examine the ways in which international law needs to reorganize its engagement with AI using the issue of autonomous weapons as a case study. Speakers will discuss how AI is challenging existing practices within the law of armed conflict; the underlying conceptual challenges that AI poses to the current international law framework, and ways in which a reconceived international law could contribute to the governance of AI.

Panelist(s):

- Jonathan Horowitz, International Committee of the Red Cross
- Mary Ellen O’Connell, University of Notre Dame Law School
- Sadjad Soltanzadeh (Moderator), T.M.C. Asser Institute
- Amb. Marjolijn van Deelen, EU Special Envoy for Non-proliferation and Disarmament
- Karen Yeung, University of Birmingham Law School

Closing Remarks & 2021 ASIL Toast

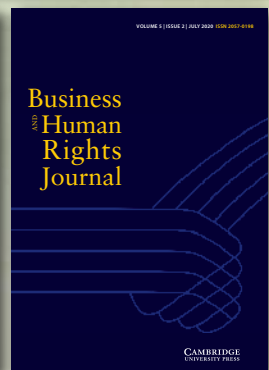
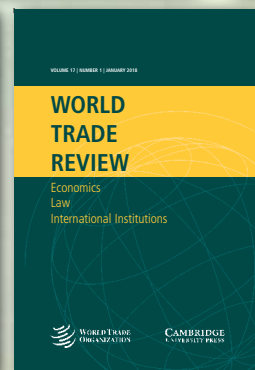
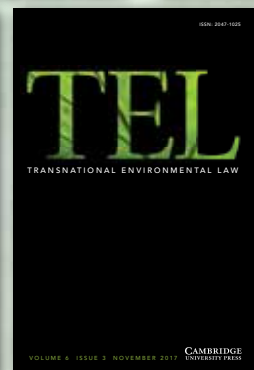
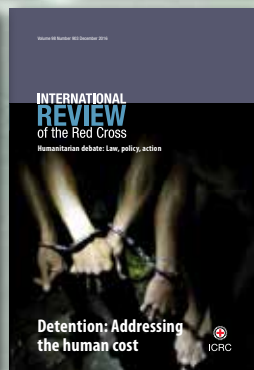
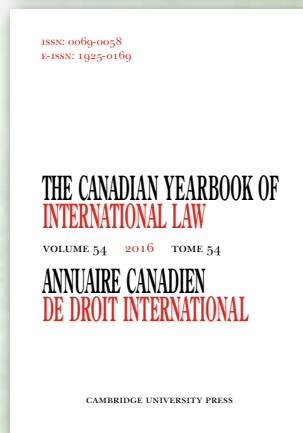
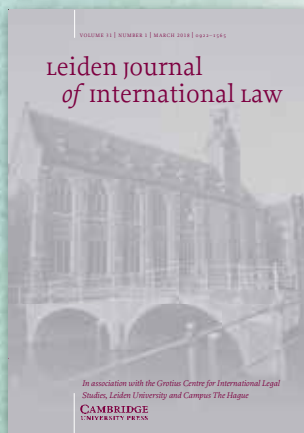
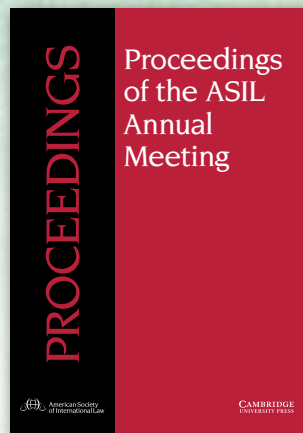
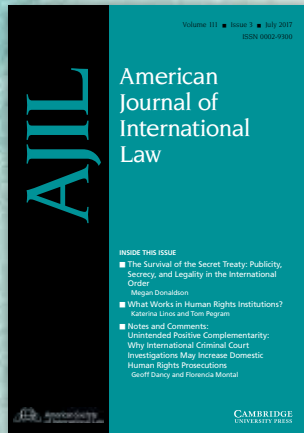
4:00 pm – 4:10 pm

ASIL President Catherine Amirfar will share closing remarks and a toast with our Signature Cocktail to adjourn the 115th ASIL Annual Meeting.

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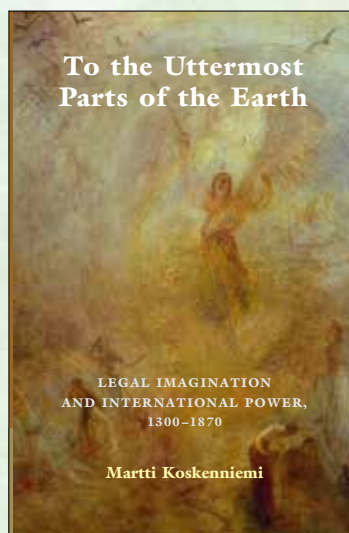
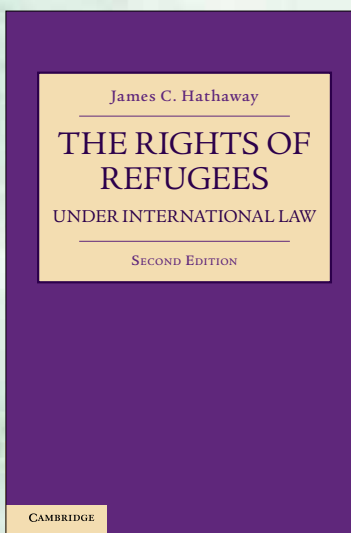
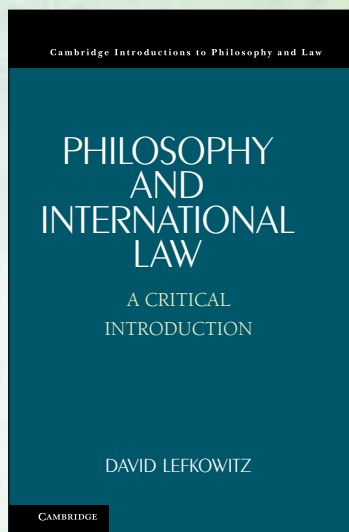
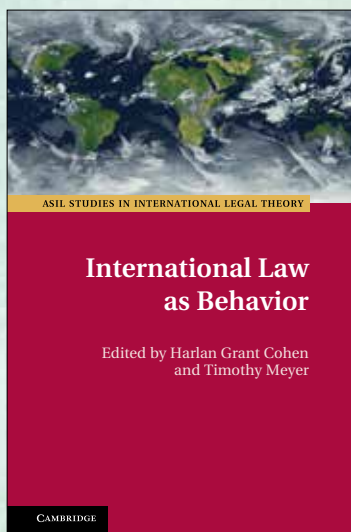


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Program by Track

International Human Rights, Humanitarian Law, and Criminal Justice <i>Sponsored by Debevoise & Plimpton LLP</i>	
Look Both Ways: Future and historical perspectives on the Refugee Convention at 70	Wednesday, March 24 11:15am – 12:15pm
There and Back Again: How to ensure compliance with IHL by relying on non-traditional voices and live to tell the tale	Wednesday, March 24 11:15am – 12:15pm
Transitional Justice for the United States: Can transitional justice tools help the U.S. address its legacy of racial injustice?	Wednesday, March 24 12:30pm – 1:30pm
Teaching International Law to Non-Legal Audiences	Wednesday, March 24 1:45pm – 2:45pm
Interdisciplinary Approaches to Cultural Heritage and the Arts	Thursday, March 25 11:15am – 12:15pm
Civilian Harm Mitigation in Urban Areas: A wargaming exercise	Thursday, March 25 12:30pm – 1:30pm
Mass Atrocities and Statelessness: (Re)considering the case of the Rohingya	Thursday, March 25 1:45pm – 2:45pm
Human Rights and COVID-19: Challenges and good practices to effective recovery	Friday, March 26 12:30pm – 1:30pm
BLM and International Human Rights Law: The challenge of systemic racism	Friday, March 26 1:45pm – 2:45pm
Transnational Litigation, Arbitration, and Dispute Resolution <i>Sponsored by Curtis, Mallet-Prevost & Mosle LLP</i>	
Should Courts Grant Discovery in Aid of Arbitration? A Supreme Court mock argument	Wednesday, March 24 12:30pm – 1:30pm
Debate: “Parallel Proceedings in Investment Arbitration are Abusive and Should be Banned”	Wednesday, March 24 1:45pm – 2:45pm
One Step Forward, Two Steps Back? Judicializing Trade and Investment Dispute Settlement	Thursday, March 25 11:15am – 12:15pm
The Evolving Role of Arbitral Institutions	Friday, March 26 11:15am – 12:15pm
“The Tribunal Knows the Law” (Iura Novit Curia), but What Should It Do With It?	Friday, March 26 12:30pm – 1:30pm
Ninth Annual Charles N. Brower Lecture on International Dispute Resolution: Crisis Cases: Not Reconceiving International Dispute Resolution	Friday, March 26 12:30pm – 1:30pm
International Trade, Investment, and Finance <i>Sponsored by Berliner Corcoran & Rowe LLP</i>	
The Rise of Restrictions on Data Flows and Digital Technologies: National security, human rights, or geo-economics?	Wednesday, March 24 12:30pm – 1:30pm
Litigating Health and Security Exceptions in Investment Treaties – A Simulation	Thursday, March 25 11:15am – 12:15pm
International Trade Dispute Settlement 2.0	Thursday, March 25 12:30pm – 1:30pm
Reassessing Sovereign Bankruptcy in a Time of Global Economic Crisis	Thursday, March 25 1:45pm – 2:45pm
Realigning Investment Treaties with States’ Interests	Friday, March 26 1:45pm – 2:45pm

International Organizations, Global Governance, and Global Health	
The Road Ahead and Beyond: Future challenges and opportunities in the legal profession	Wednesday, March 24 11:15am – 12:15pm
Indigenous Participation in International Organizations	Wednesday, March 24 12:30pm – 1:30pm
Multilateral Diplomacy when the World is Locked Down	Thursday, March 25 12:30pm – 1:30pm
COVID-19's Lessons for Intergovernmental Pandemic Response Coordination	Friday, March 26 11:15am – 12:15pm
Backlash to the International Legal Order: Breakdown or Breakthrough	Friday, March 26 12:30pm – 1:30pm
International Law Online: How will the pandemic change the practice of law?	Friday, March 26 1:45pm – 2:45pm
Security, Foreign Relations, & the Use of Force	
Protest and Police Force: Examining Racial Discrimination and the Legality of Police Force in the US	Wednesday, March 24 11:15am – 12:15pm
Advancing Human Rights through U.S. Foreign Policy: Challenges and Opportunities	Wednesday, March 24 12:30pm – 1:30pm
Accomplice Accountability for Grave Violations of International Law	Wednesday, March 24 1:45pm – 2:45pm
Information Conflict in the Digital Age	Thursday, March 25 11:15am – 12:15pm
Key Questions in Foreign Relations Law under the Biden Administration	Thursday, March 25 1:45pm – 2:45pm
International Aid in a Time of Global Crisis	Friday, March 26 11:15am – 12:15pm
Winning Likes and Minds: Creative responses to the international struggle over information	Friday, March 26 1:45pm – 2:45pm
Environment, Sea, Space, and Sustainable Development	
Judging the Climate Crisis: The role of the International Court of Justice addressing environmental harms	Wednesday, March 24 11:15am – 12:15pm
Military and Commercial Developments in European Space Law	Wednesday, March 24 1:45pm – 2:45pm
Protecting People in the Context of Climate Change and Disasters	Thursday, March 25 11:15am – 12:15pm
The Lorax Revisited: Protecting forests from illegal logging and deforestation	Thursday, March 25 12:30pm – 1:30pm
Space Race for the Battlestar: International law implications of the militarization of space	Thursday, March 25 1:45pm – 2:45pm
We Are All Climate Change Lawyers Now	Thursday, March 25 1:45pm – 2:45pm
Creating the Crime of Ecocide: An effective tool to address climate and environmental crises?	Friday, March 26 12:30pm – 1:30pm
Professional and Academic Development	
NGO Job-Seeking during a Global Pandemic	Wednesday, March 24 3:30pm – 4:20pm
International Law Review Editors Roundtable	Wednesday, March 24 5:30pm – 6:20pm
New Professionals IG business meeting	Thursday, March 25 8:00am – 8:50am
How to Get a Job in International Law: ASIL Careers Workshop	Thursday, March 25 9:00am – 9:50am
Private Practice Job-Seeking during a Global Pandemic	Thursday, March 25 3:30pm – 4:20pm
Government and International Organizations Job-Seeking during a Global Pandemic	Friday, March 26 8:00am – 8:50am
How to Publish in AJIL and AJIL Unbound	Friday, March 26 9:00am – 9:50am
New Voices Panel	Friday, March 26 11:15am – 12:15pm

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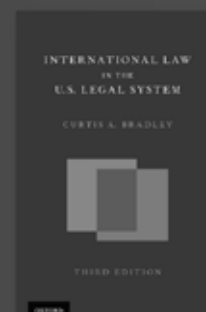
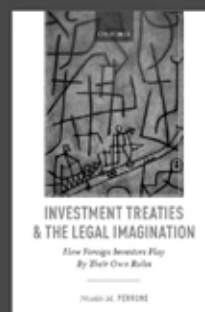
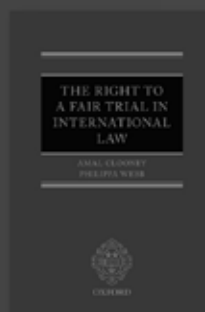
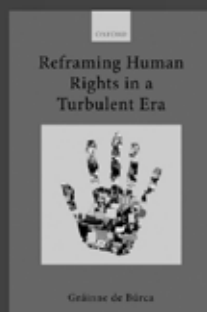
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