ASIL

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

The Society’s 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.
Dear Colleagues,

The past year has been one of profound change, as social, political, and economic transformations have taken place in the United States and across the world. International law needs to adapt if it is to remain relevant. Hard questions need to be asked, and core premises need to be re-examined. We must ask fundamental questions about what international law values: what goals should be prioritized, whose voices need to be heard, and how our heterogeneous communities can best be harnessed in service of shared international purposes.

The 2017 ASIL Annual Meeting is a time for reflection. Is international law adapting appropriately to the significant transformations our societies are undergoing? Is international law a sufficient bulwark against states whose conduct conflicts with the values of international law? If not, where does international law fall short, and how can the tide be turned?

By gathering some of the greatest minds in international law, we hope that this Annual Meeting will focus our collective energy and intellect toward solving some of the world’s challenges. In so doing, we hope to remind ourselves of the value of our community, and to renew our sense of purpose in our work as advocates, critics, scholars, students, supporters, and practitioners of international law.

Thank you for joining us. We look forward to your contributions.

Co-Chairs
2017 ASIL Annual Meeting Committee

Aloysius (Louie) Llamzon
Julie Maupin
Saira Mohamed
We are pleased to welcome you to the 111th 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. This year’s meeting will offer an unparalleled opportunity to explore virtually every aspect of international law through over 40 substantive programs and to engage in dialogue and debate with many of the leading figures in the field.

This meeting comes at what may prove to be a defining moment for international law and the global legal order. When they began the planning process a year ago, the Annual Meeting Committee could not have foreseen the challenges that would confront international law and institutions in the wake of the U.S. elections.

As the new administration began its first 100 days in office, the Society launched a public education initiative on *International Law and the Trump Administration*, offering factual information, historical background, and thoughtful, bipartisan perspectives on the critical policy choices that will face America and the world in the coming months. We will continue to look at these issues throughout the Annual Meeting, with special sessions dedicated to the prospects for security, trade, and the environment during the Trump presidency.

Our keynote programs and the 40 panels that make up our six program tracks will explore the Annual Meeting theme, “What International Law Values,” from a broad range of historical and contemporary perspectives. On Wednesday, our Grotius Lecturer, Harvard historian David Armitage, will consider the place of civil wars in the context of four centuries of international law, in a lecture titled, “Civil War Time: From Grotius to the Global War on Terror.”

On Thursday, the Assembly will feature an address by Philippe Sands of University College London, whose recent work includes a parallel history of two of the most consequential modern figures in international law—Hersch Lauterpacht, who originated the concept of crimes against humanity, and Raphael Lemkin, who created another new legal category—the concept of genocide. The Assembly also will include the presentation of honors and awards, memorial tributes, and the election of our incoming leadership, to be followed by our Gala Reception.

On Friday evening, we will welcome the new general counsel of the World Bank, Sandie Okoro, who will deliver her first major address in that role. Our closing plenary on Saturday will feature a panel sponsored by the City of The Hague on “Building Trust in International Law and Institutions.” The panel will be followed by a special presentation by the City of The Hague to famed Nuremberg prosecutor Benjamin Ferencz, and will conclude with an informal lunch reception.

Other programs of note include the fifth annual Charles N. Brower Lecture on International Dispute Resolution, which will be delivered by Judge David Caron of the Iran-U.S. Claims
Tribunal (and a past president of the Society); and the second annual Detlev F. Vagts Roundtable on Transnational Law, which will examine "Lawyering in the Age of Transnational Governance."

The Manley O. Hudson Medal Luncheon will feature a conversation between the 2017 Hudson Medal recipient, Professor Georges Abi-Saab, and the recipient of our 2017 Honorary Member Award, Professor Philip Alston. And the Women in International Law Interest Group Luncheon will include remarks by ASIL’s honorary president, Judge Rosemary Barkett, who will receive the Prominent Woman in International Law Award.

As always, there will be numerous receptions, meetings, exhibits, and informal opportunities to renew longstanding friendships and form new ones. If you are a longtime member and you see someone with a “new member” ribbon, please take a moment to introduce yourself and make her feel at home.

We would like to express our appreciation to all of our speakers; the Annual Meeting Committee, led by co-chairs Aloysius (Louie) Llamzon, Julie Maupin, and Saira Mohamed; our sponsors, partners and exhibitors; our event planner, Eden Capuano, and her team at Voila! Inc.; and the leaders and staff of the Society, who have labored for so many months to create this event.

We welcome your feedback and particularly encourage you to complete the brief survey you will receive following the Annual Meeting. Thank you for joining us, and best wishes for a productive and enjoyable meeting.

Lucinda A. Low
President

Mark David Agrast
Executive Director
# 111th ASIL Annual Meeting

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Tweet about the 11th ASIL Annual Meeting using the hashtag #ASILAM
# Program at a Glance

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<td>1:00 PM</td>
<td>2:30 PM</td>
<td>Are WTO and Investor-State Adjudicators Sufficiently Independent to Strike the Right Balance between Economic and Non-Economic Interests?</td>
<td>Regency B</td>
<td>1.5</td>
</tr>
<tr>
<td>1:00 PM</td>
<td>2:30 PM</td>
<td>The Emerging Law of Energy Transition</td>
<td>Columbia C</td>
<td>1.5</td>
</tr>
<tr>
<td>1:00 PM</td>
<td>2:30 PM</td>
<td>Military Intervention by Consent</td>
<td>Lexington &amp; Concord</td>
<td>1.5</td>
</tr>
<tr>
<td>1:00 PM</td>
<td>2:30 PM</td>
<td>International Refugee Law IG Business Meeting</td>
<td>Yosemite</td>
<td>N/A</td>
</tr>
<tr>
<td>1:00 PM</td>
<td>2:30 PM</td>
<td>Government Attorneys IG Business Meeting</td>
<td>Bryce</td>
<td>N/A</td>
</tr>
<tr>
<td>1:00 PM</td>
<td>2:30 PM</td>
<td>International Organizations IG Business Meeting</td>
<td>Grand Teton</td>
<td>N/A</td>
</tr>
<tr>
<td>1:00 PM</td>
<td>2:30 PM</td>
<td>Private International Law IG Business Meeting</td>
<td>Glacier</td>
<td>N/A</td>
</tr>
<tr>
<td>2:30 PM</td>
<td>3:00 PM</td>
<td>Coffee Break</td>
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### FRIDAY, APRIL 14, 2017

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<tr>
<td>3:00 PM</td>
<td>4:30 PM</td>
<td>Charles N. Brower Lecture on International Dispute Resolution</td>
<td>Regency A</td>
<td>1.5</td>
</tr>
<tr>
<td>3:00 PM</td>
<td>4:30 PM</td>
<td>Duty, Disobedience, and the Law of Armed Conflict</td>
<td>Regency B</td>
<td>1.5</td>
</tr>
<tr>
<td>3:00 PM</td>
<td>4:30 PM</td>
<td>Regulating the Global Commons: The BBNJ Negotiations and Ocean Spaces Beyond National Jurisdiction</td>
<td>Regency C</td>
<td>1.5</td>
</tr>
<tr>
<td>3:00 PM</td>
<td>4:30 PM</td>
<td>BASIL International Law Careers and Speed Mentoring</td>
<td>Columbia B</td>
<td>N/A</td>
</tr>
<tr>
<td>3:00 PM</td>
<td>4:30 PM</td>
<td>The Inter-American Human Rights System: Latest Jurisprudential Advances and Setbacks from a Victim-Centered Approach</td>
<td>Lexington &amp; Concord</td>
<td>1.5</td>
</tr>
<tr>
<td>3:00 PM</td>
<td>4:30 PM</td>
<td>New Professionals IG Business Meeting</td>
<td>Yosemite</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>4:30 PM</strong></td>
<td><strong>5:00 PM</strong></td>
<td><strong>Break</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5:00 PM</td>
<td>6:00 PM</td>
<td>Friday Keynote: Seen and Not Heard</td>
<td>Regency A</td>
<td>1.5</td>
</tr>
<tr>
<td>6:00 PM</td>
<td>7:30 PM</td>
<td>ASIL-ILSA Joint Reception</td>
<td>Regency B, C, &amp; D</td>
<td>N/A</td>
</tr>
<tr>
<td>6:30 PM</td>
<td>7:30 PM</td>
<td>U.S. Holocaust Memorial Museum Ferencz Initiative Reception</td>
<td>Lexington &amp; Concord</td>
<td>N/A</td>
</tr>
<tr>
<td>6:30 PM</td>
<td>7:30 PM</td>
<td>L Alumni Reception</td>
<td>Thornton</td>
<td>N/A</td>
</tr>
<tr>
<td>7:30 PM</td>
<td>9:30 PM</td>
<td>Film Screening: The Uncondemned</td>
<td>Regency A</td>
<td>N/A</td>
</tr>
<tr>
<td>7:30 PM</td>
<td>9:30 PM</td>
<td>Film Screening: All Rise</td>
<td>Capitol A &amp; B</td>
<td>N/A</td>
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### SATURDAY, APRIL 15, 2017

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<tr>
<th>START TIME</th>
<th>END TIME</th>
<th>SESSION</th>
<th>ROOM</th>
<th>CLE ELIGIBILITY</th>
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</thead>
<tbody>
<tr>
<td>7:00 AM</td>
<td>8:45 AM</td>
<td>Interest Group Co-Chair Breakfast</td>
<td>Capitol Ballroom</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>8:30 AM</strong></td>
<td><strong>9:00 AM</strong></td>
<td><strong>Coffee Break</strong></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>9:00 AM</td>
<td>10:30 AM</td>
<td>International Law and the Trump Administration: Environmental Law</td>
<td>Regency A</td>
<td>1.5</td>
</tr>
<tr>
<td>9:00 AM</td>
<td>10:30 AM</td>
<td>Does International Law Value the Digital Individual?</td>
<td>Columbia B</td>
<td>1.5</td>
</tr>
<tr>
<td>9:00 AM</td>
<td>10:30 AM</td>
<td>Valuing Women in International Adjudication</td>
<td>Columbia C</td>
<td>1.5</td>
</tr>
<tr>
<td>9:00 AM</td>
<td>10:30 AM</td>
<td>The Value and Purpose of International Law</td>
<td>Lexington &amp; Concord</td>
<td>1.5</td>
</tr>
<tr>
<td>9:00 AM</td>
<td>10:30 AM</td>
<td>New Voices: Jurisdictional Issues in International Law</td>
<td>Congressional C &amp; D</td>
<td>1.5</td>
</tr>
<tr>
<td><strong>10:30 AM</strong></td>
<td><strong>10:45 AM</strong></td>
<td><strong>Coffee Break</strong></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>10:45 AM</td>
<td>12:30 PM</td>
<td>Closing Plenary: Building Trust in International Law and Institutions</td>
<td>Regency A</td>
<td>1.5</td>
</tr>
<tr>
<td>12:30 PM</td>
<td>1:30 PM</td>
<td>The Embassy of the Netherlands in Washington and the Municipality of The Hague Closing Lunch Reception</td>
<td>Columbia B &amp; C</td>
<td>N/A</td>
</tr>
<tr>
<td>2:00 PM</td>
<td>4:00 PM</td>
<td>White &amp; Case Jessup World Championship Round</td>
<td>Regency Ballroom</td>
<td>N/A</td>
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King & Spalding LLP

Julie Maupin,
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Mary Beth Shults, Acting Communications, Education, and Research Coordinator
Markita Sing, Member Services Assistant
James Steiner, Director of Technology
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<td>International Legal Theory</td>
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<td>Anti-Corruption Law</td>
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<td>Migration Law</td>
<td>Jaya Ramji-Nogales and Peter Spiro</td>
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<td>ASIL-Midwest</td>
<td>Milena Sterio and Cindy Buys</td>
<td>International Organizations</td>
<td>Sarah Dadush and Noah A. Bialostozky</td>
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<td>ASIL-Southeast</td>
<td>John Coyle and Chiara Giorgetti</td>
<td>International Refugee Law</td>
<td>Susan Akram and Steven Schneebaum</td>
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<td>Anne-Marie Carstens</td>
<td>Latin America</td>
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<tr>
<td>Disaster Law</td>
<td>Kirsten Bookmiller and David Fisher</td>
<td>Law in the Pacific Rim Region</td>
<td>Tim Webster and Chun-i Chen</td>
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<td>Dispute Resolution</td>
<td>Perry Bechky and Christina Hioureas</td>
<td>Law of the Sea Interest Group</td>
<td>Christina Hioureas and Stefan Kirchner</td>
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<tr>
<td>Government Attorneys</td>
<td>Alicia Cate and Alejandro Sousa</td>
<td>Lieber Society</td>
<td>Christie Edwards</td>
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<tr>
<td>Human Rights</td>
<td>Kirsteen Shields and Siobhán McInerney-Lankford</td>
<td>Minorities in International Law</td>
<td>Tamara Shockley and Maria Mkandawire</td>
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<td>Intellectual Property Law</td>
<td>Uche Ewelukwa and Jennifer Vanderhart</td>
<td>New Professionals</td>
<td>Marija Dordeska and Patricia Cruz Trabanino</td>
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<td>International Courts and Tribunals</td>
<td>Nienke Grossman and Tamara Shockley</td>
<td>Nonproliferation, Arms Control, and Disarmament</td>
<td>Kathleen Doty</td>
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<td>Margaret deGuzman and Jenia Turner</td>
<td>Private International Law</td>
<td>Cristian Gimenez Corte and Frédéric Sourgens</td>
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<td>Maya Sabatello and Michael Perlin</td>
<td>Rights of Indigenous Peoples</td>
<td>George Foster and Dwight Newman</td>
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<td>Space Law</td>
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<td>Hari Osofsky and Jacqueline Peel</td>
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<td>Bill Dodge and Jean Galbraith</td>
<td>Transitional Justice and Rule of Law</td>
<td>Marie-Claude Jean-Baptiste, Lisa Laplante, Louise Mallinder</td>
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<td>Markus Wagner and Laura Dickinson</td>
<td>Women in International Law</td>
<td>Tracy Roosevelt and Shana Tabak</td>
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<tr>
<td>International Legal Research</td>
<td>Victoria Szymczak and Peter Roudik</td>
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New and Forthcoming titles

Holding UNPOL to Account
Individual Criminal Accountability of United Nations Police Personnel
Associate Professor Ai Kihara-Hunt, University of Tokyo

Ai Kihara-Hunt’s *Holding UNPOL to Account: Individual Criminal Accountability of United Nations Police Personnel* analyzes whether mechanisms that address criminal accountability of United Nations police personnel serving in Peace Operations are effective, and if there is a problem, how it can be mitigated.

- March 2017
- ISBN 978 90 04 32880 8
- Hardback (approx. 305 pp.)
- List price EUR 149 / US$ 172

Interactions between Regional and Universal Organizations
A Legal Perspective
Laurence Boisson de Chazournes

Cooperation through international organizations is fundamental to the international legal order. International organizations are nowadays ubiquitous and come in many different manifestations, each allowing for different levels of international cooperation. The volume analyses current challenges, including those of legal identity, responsibility and accountability, as well as making proposals for reform, such as through the development of a common law between organizations.

- November 2016
- ISBN 978 90 04 25886 0
- Hardback (xxvi, 384 pp.)
- List price EUR 175 / US$ 227

The United Nations Special Procedures System
Edited by Aoife Nolan, Rosa Freedman and Thérèse Murphy

The United Nations Special Procedures system is a key element of the evolving international framework for human rights protection and promotion. Featuring expert contributions from key players within, and expert commentators on, the Special Procedures system.

- January 2017
- ISBN 978 90 04 30469 7
- Hardback (xxiv, 472 pp.)
- List price EUR 170 / US$ 204

International Law and the Protection of Humanity
Essays in Honor of Flavia Lattanzi
Edited by Professor Pia Acconci, University of Teramo

This challenging volume contains articles by a wide variety of well-known scholars and practitioners, and deals with human rights, international humanitarian law, international criminal law and humanitarian assistance, as well as other areas of international law relating to the protection of humanity. These are topics to which Flavia Lattanzi, in whose honour the volume is being published, has made an outstanding contribution.

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- ISBN 978 90 04 26949 1
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Conciliation in International Law
The OSCE Court of Conciliation and Arbitration
Edited by Christian Tomuschat, Professor em., Humboldt University, Riccardo Pisillo Mazzeschi, Prof. University of Siena, and Daniel Thürer, Prof. em. of Law at the University of Zürich

This volume collects the materials underlying the International Colloquium "Conciliation in the Globalized World of Today", held on 11 and 12 June 2015 in Vienna under the auspices of the Court of Conciliation and Arbitration within the OSCE. The aim of the Colloquium was to examine the merits and possible shortcomings of this method of conflict resolution, and it concluded that the pros heavily outweigh the cons.

- November 2016
- ISBN 978 90 04 31210 4
- Hardback (xii, 245 pp.)
- List price EUR 135 / US$ 175

‘Boat Refugees’ and Migrants at Sea: A Comprehensive Approach
Integrating Maritime Security with Human Rights
Edited by Violeta Moreno-Lax, Queen Mary University of London, and Efthymios Papastavridis, Oxford University

This book aims to address ‘boat migration’ with a holistic approach. The different chapters consider the multiple facets of the phenomenon and the complex challenges they pose, bringing together knowledge from several disciplines and regions of the world within a single collection.

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International Refugee Law Series, 7
The United Nations Convention on the Rights of the Child
Taking Stock after 25 Years and Looking Ahead

Edited by Prof. Ton Liefaard, Leiden University, and Prof. Julia Sloth-Nielsen, University of the Western Cape, South Africa.

This book, based on papers from the conference ‘25 Years CRC’ held by the Department of Child Law at Leiden University, draws together a rich collection of research and insight by academics, practitioners, NGOs and other specialists to reflect on the lessons of the past 25 years, take stock of how international rights find their way into children’s lives at the local level, and explore the frontiers of children’s rights for the 25 years ahead.

- November 2016
- ISBN 978 90 04 29504 9
- Hardback (xxvi, 938 pp.)
- List price EUR 255 / US$ 330

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Rethinking the Sword Function of Human Rights Law

Dr Krešimir Kamber, Ghent University

In Prosecuting Human Rights Offences: Rethinking the Sword Function of Human Rights Law the author explores the features of the procedural obligation to investigate, prosecute and punish human rights offences, and explains how they determine the contemporary understanding of function of criminal prosecution.

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- ISBN 978 90 04 33775 6
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- List price EUR 180 / US$ 233
- Nottingham Studies on Human Rights, 5

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Edited by Emmanuel Ugirashebuja, East African Court of Justice, John Ruhangisa, High Court of Tanzania, Tom Ottervanger and Armin Cuyvers, University of Leiden

Written by leading experts in EAC and EU law, including the President of the EACJ, East African Community Law is the first comprehensive and open-access text book on EAC law which also provides a systemic comparison with the EU.

- March 2017
- ISBN 978 90 04 32206 6
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Investment Protection in Southeast Asia

Edited by Loretta Malintoppi and Charis Tan, Eversheds LLP

Investment Protection in Southeast Asia: A Country-by-Country Guide on Arbitration Laws and Bilateral Investment Treaties is a vital reference guide to investment protection in the region, providing succinct answers to the main questions that investors may consider in connection with investments in a given jurisdiction.

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José E. Alvarez, New York University Law School

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- Paperback (viii, 480 pp.)
- List price EUR 69 / US$ 79
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- February 2017
- ISBN 978 90 04 33845 6
- Hardback (xiv, 534 pp.)
- List price EUR 319 / US$ 367
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- ISBN 978 90 04 33846 3
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Editor-in-Chief: Stephan W. Schill, University of Amsterdam

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Editor-in-Chief: Paul van der Heijden, Leiden University
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Editor-in-Chief: Eduardo Valencia-Ospina

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Conference Information

Registration and Name Badges
The Annual Meeting Registration Desk is located on the Basement Level next to the main escalator.

Registration Hours

<table>
<thead>
<tr>
<th>Day</th>
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<tbody>
<tr>
<td>Wednesday, April 12</td>
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<td>Thursday, April 13</td>
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<tr>
<td>Saturday, April 15</td>
<td>7:00 am – 10:45 am</td>
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</tbody>
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All conference attendees will receive their conference badge and printed program at the onsite registration desk.

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

Continuing Legal Education (CLE) credit
The 2017 ASIL Annual Meeting offers attendees access to approximately 40 Continuing Legal Education (CLE) course sessions on a wide variety of topics presented by seasoned international legal experts.

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

Internet Access
Wireless internet is complimentary at the conference with the password, “ASIL17.”

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

Learn more during the Meeting by visiting www.asil.org/blogs/asil-cables.

Conference App
The 2017 ASIL Annual Meeting app is available on Google and Apple app stores as “ASIL meetings” and is supported by Crowd Compass.
Social Media
You can follow the 111th ASIL Annual Meeting on Twitter, Facebook, and Instagram. Please tweet about the conference using the hashtag #ASILAM.

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

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

Photography
ASIL will have a photographer onsite taking photographs in sessions, special events, keynote addresses, and throughout the Hyatt Regency Capitol Hill documenting the 2017 Annual Meeting. Photos and videos taken of attendees during ASIL events will remain the property of ASIL and may be used in future marketing materials.

Recycling
When you leave the conference, please recycle your name badge by handing them to the designated registration representative onsite during posted hours.

Americans with Disabilities Act (ADA) Accommodations
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Religious Observances
Although the Society seeks to avoid having meetings conflict with religious holidays, this Annual Meeting coincides with portions of both Passover and Holy Week. We have scheduled future Annual Meetings to prevent this from recurring, but for the present, we have identified a number of services below that may assist those who are observing the holidays during this time.

Passover food options:
We regret that the hotel is not equipped to provide Kosher for Passover meals at our ticketed luncheons, although they will provide matzo upon request.

For other meals, there are several Kosher restaurants in the greater DC area, some of which provide delivery service. The Rabbinical Council of Greater Washington has a list of Kosher restaurants in the DC Metro Region at http://www.capitolk.org/restaurants.html. Two of these restaurants are relatively near to the conference hotel and offer online ordering and delivery service:

Char-Bar (Glatt Kosher)
2142 L Street, NW,
Washington, DC
Tel: (202) 785-4314
Website: http://www.charbardc.com/about.html

Soupergirl (Pareve)
1829 M Street, NW,
Washington, DC
Tel: (202) 733-4401
Website: https://thesoupergirl.com/

Attendees are permitted under hotel rules to order meals for themselves to consume in their private rooms. Meals may not be eaten in the lobby or general conference areas of the hotel.
Holy Week Observances:

There are several houses of worship within walking distance of the conference hotel for attendees interested in attending religious services in observance of Holy Week. The names, addresses, and phone numbers of a few of these locations are provided below. There are many more options throughout the greater DC Metro area which attendees may find through a general search online.

Churches near Hyatt Regency Washington on Capitol Hill (Estimated walking distance indicated.)

**Bible Way Temple, (14 minutes)**
1100 New Jersey Ave NW
Washington, DC 20001
(202) 789-0700

**Capitol Hill Baptist Church (19 minutes)**
525 A Street, NE
Washington, DC 20002
(202) 543-6111

**Capitol Hill Presbyterian Church (22 minutes)**
201 4th Street, SE
Washington, DC 20003
(202) 547-8676

**Capitol Hill United Methodist Church (25 minutes)**
421 Seward Square, SE
Washington, DC 20003
(202) 546-1000

**Chinese Community Church (14 minutes)**
500 I St NW
Washington, DC 20001
(202) 637-9852

**Evangelical Lutheran Church (5 minutes)**
122 C St NW
Washington, DC 20001
(202) 783-1092

**Grace Covenant Church of DC (16 minutes)**
707 7th St NW
Washington, DC 20001
(202) 832-3330

**Grace Presbyterian Church (13 minutes)**
637 Indiana Ave NW # 300
Washington, DC 20004
(202) 386-7637

**Holy Rosary Church (7 minutes)**
595 3rd St NW
Washington, DC 20001
(202) 638-0165

**Mt Carmel Baptist Church (12 minutes)**
901 3rd St NW
Washington, DC 20001
(202) 842-3411

**St Aloysius Church (12 minutes)**
19 1st St NW
Washington, DC 20001
(202) 336-7181

**St. Joseph’s on Capitol Hill (11 minutes)**
313 Second Street, NE
Washington, DC 20002
(202) 547-1223

**St Mary Mother of God Catholic Church (14 minutes)**
727 5th St NW
Washington, DC 20001
(202) 289-7770

**St. Peter’s on Capitol Hill (21 minutes)**
313 2nd Street, SE
Washington, DC 20003
(202) 547-1430
2017 ASIL Meeting
Speakers

Georges Abi-Saab
Eleanor Acer
Rohini Acharya
E. Tendayi Achiume
Bruce Ackerman
Mehreen Afzal
Philip Alston
Catherine Amirfar
Thomas Antkowiak
David Armitage
Gulen Atay
Deepa Badrinarayana
Cecilia Bailliet
Ernst Hirsch Ballin
Rosemary Barkett
Elena Baylis
Perry Bechky
John Bellinger
Eva Maria Belser
Fatou Bensouda
Ayelet Berman
George Bermann
Doak Bishop
Andrea Bjorklund
Laurie Blank
Melissa Blue Sky
Laurence Boisson de Chazournes
Nicolas Boring
Michelle Brady
Rachel Brewster
Clara Brillembourg
Lea Brilmayer
Robert Brookfield
Carl Bruch
AnnaBelle Bryan
Hannah Buxbaum
David Caron
Susan Casey-Lefkowitz
Antonia Chayes
Tai-Heng Cheng
Simon Chesterman
Marilyn Chiafullo
Maxwell Chibundu
Kathleen Claussen
Gary Corn
James Crawford
John Crook
Myles Culhane
Lori Fisler Damrosch
Jennifer Daskal
Christina Davis
Josephine Dawuni
Erika de Wet
Ashley Deeks
Margaret deGuzman
Hugo Perezcano Diaz
Laura Dickinson
Elliot Diringer
Eileen Donahoe
Mark Drumbl
Mary Dudziak
Bernard Duhaime
Charlie Dunlap
Jeffrey Dunoff
Christie Edwards
E. Donald Elliott
Mark Ellis
Sergio Fernández de Córdova
Sophie-Charlotte Fischer
Oonagh Fitzgerald
Susan Franck
Robin Frank
David Freestone
Ximena Fuentes
Patricia Galvao-Teles
Maggie Gardner
James Gathii
Markus Gehring
Ahmed Ghappour
Chiara Giorgetti
Jim Goldston
Alejandra Gonzal
Ryan Goodman
Guy Goodwin-Gill
Douglas Guilfoyle
Kath Hall
Harriet Harden-Davies
Andrea Harrington
Christopher Hearsey
Gleider Hernandez
Steven Hill
Jennifer Hillman
Theresa Hitchens
Angel Horna
Jonathan Horowitz
Gary Hufbauer
Valerie Hughes
Alexandra Huneeus
Shireen Hunter
Maria Teresa Infante
Douglas Irwin-Erickson
Marie Jacobsson
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ASIL would like to extend our sincere appreciation to our special event sponsors.
Wednesday, April 12, 2017

ASIL Executive Council Orientation
9:00 am - 11:00 am
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ITA-ASIL Conference
9:00 am - 12:15 pm
Regency C & D
Separate registration with the ITA is required.

ASIL Executive Council Meeting
11:30 am - 4:00 pm
Capitol A & B
By Invitation Only

ITA-ASIL Conference Luncheon
Regency B
Separate registration with the ITA is required.

Human Rights IG Business Meeting
1:00 pm - 2:30 pm
Lexington

Annual Meeting Registration Opens
2:00 pm
Columbia A

Space Law IG Business Meeting
2:30 pm - 4:00 pm
Lexington

Grotius Lecture: Civil War Time: From Grotius to the Global War on Terror
4:30 pm - 6:00 pm
Regency A
Sponsored by American University Washington College of Law

2017 Grotius Lecturer: David Armitage, Harvard University Department of History
Distinguished Discussant: Mary Dudziak, Emory University School of Law
Grotius Reception
6:00 pm - 7:30 pm
Regency B & C
Sponsored by American University Washington College of Law

AJIL Board of Editors Meeting & Dinner
6:00 pm - 10:00 pm
Capitol A
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Hart Publishing welcomes you to their book exhibit where we are pleased to offer a special conference discount on all of our international law titles! Feel free to come and talk to our representatives to get information about our titles and publishing activities.

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Michelle Limenta
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Fortresses and Fairness
Edited by Maria O’Sullivan and Dallal Stevens
Mar 2017 | 9781509901289
336pp | Hbk | RSP: $88

Globalisation, Law and the State
Jean-Bernard Auby
Feb 2017 | 9781509903528
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Methodology Problems in International Law
Ernst Ulrich Petersmann
Jan 2017 | 9781509909124
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A Commentary
Edited by Alexander Proelß
Mar 2017 | 9781849461924
1800pp | Hbk | RSP: $567

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The Role of China and Finland
Edited by Timo Koivurova, QIN Tianbao, Sébastien Duyck and Tapio Nykänen
Feb 2017 | 9781849467025
312pp | Hbk | RSP: $108

Rethinking Free Trade, Economic Integration and Human Rights in the Americas
María Belén Olmos Giupponi
Jan 2017 | 9781849467445
448pp | Hbk | RSP: $94

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Colleague Societies Breakfast
7:45 am - 8:45 am
Capitol A & B
By Invitation Only

Coffee Break
8:30 am - 9:00 am

International Law and the Trump Administration: National and International Security
9:00 am - 10:30 am
Regency A

**CLE Credit Hours: 1.5**
Sponsored by the Centre for International Governance Innovation
Co-sponsored by the Lieber Society on the Law of Armed Conflict

The Trump Administration has announced a foreign policy that puts “America first” and focuses on “American interests and American national security.” Pledging to pursue “peace through strength,” President Trump has declared defeating ISIS and other terror groups his highest priority, and has committed to increasing military spending and embracing diplomacy. The new administration also has announced its intention to fix the United Nations; has described the Iran nuclear agreement as a “terrible deal”; and has issued two executive orders (both currently facing judicial restraining orders) halting refugee admissions for 120 days, indefinitely barring Syrian refugees, and prohibiting citizens of certain Muslim-majority nations from entering the United States. The new administration’s approach to foreign policy raises important questions about the role of international law in national and international security. This session focuses on how the international legal system can contribute to the goals of international and national security in three areas: The use of force, refugee protections, and efforts to combat terrorism.

**Moderator:** Benjamin Wittes, Brookings Institution

**Speakers:**
- John Bellinger, Arnold & Porter Kaye Scholer LLP
- Shireen Hunter, School of Foreign Service, Georgetown University
- Elisa Massimino, Human Rights First

Balancing Rights and Obligations of States and Investors
9:00 am - 10:30 am
Regency B

**CLE Credit Hours: 1.5**
Co-sponsored by the International Courts and Tribunals Interest Group, Dispute Resolution Interest Group, Human Rights Interest Group and the International Economic Law Interest Group
In recent years, the investor-state dispute settlement mechanisms contained in investment treaties have come under widespread and sustained attack, leading to concerns about the system’s future viability. Much of the criticism centers on the obligations of host states under investment treaties, on the one hand, and human rights, public health and environmental norms, on the other. The system’s principal users - whether States or investors - all value the dynamic and harmonious development of international law. At present, however, legal and political developments seem set on a collision course which could possibly portend the demise of the investment dispute settlement system as we know it. Yet efforts to rebalance the rights and obligations of investors and states have made steady progress. The 2011 UN Guiding Principles on Business and Human Rights (UNGPs) aimed to promote improved corporate risk management practices at the pre-investment stage on the premise that investment-related conflicts - particularly in the extractive industries, but also in “public goods” sectors such as water concessions, clean energy and toll road projects - can be avoided or mitigated where corporations address potential public impacts in an anticipatory way at the time when the investments are made. UNCTAD’s 2012 Investment Policy Framework for Sustainable Development addressed the state side of this coin, seeking to help states leverage foreign direct investment for sustainable development by offering guidance on how they might (re-) formulate their national and international investment policies. In the same year, the Southern African Development Community adopted a model investment treaty template for sustainable development which includes explicit obligations for investors, an approach subsequently followed by a number of states. More recent work includes the IBA’s 2015 Business and Human Rights Guidance for Bar Associations and the OECD’s draft Due Diligence Guidance for Responsible Business Conduct. The panel will discuss how all of these developments might influence and contribute to future investment treaty law and practice and whether they adequately address the concerns about balance that have been raised.

**Moderator:** R. Doak Bishop, King & Spalding LLP

**Speakers:**
- Laurence Boisson de Chazournes, University of Geneva Faculty of Law
- Donald McRae, University of Ottawa Faculty of Law
- Marcos Orellana, Center for International Environmental Law
- Hewitt Pate, Office of the General Corporation, Chevron Corporation
- John Sherman, Shift Project.org

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**International Law and Cyberspace: Challenges for and by State and Non-State Actors**

9:00 am - 10:30 am

Regency C

**CLE Credit Hours:** 1.5

**Organized by the International Law and Technology Interest Group**

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

The unprecedented use of cyberspace by state and non-state actors, and the cutting-edge technologies they employ, test the limits of existing international legal rules and raise questions
about the extent to which such rules reflect the values of the international community. Core legal challenges in this emerging area include those addressed in the Tallinn manual process: the boundaries of sovereignty; difficulties in attributing acts and omissions in cyberspace to states; the role and influence of non-state actors on the formation of international cyber law norms; and the norms protecting critical infrastructure that is virtual rather than physical, such as essential databases. In addition to discussing potential legal frameworks to address these specific problems, panelists will also consider the broader questions about how norms should develop appropriately in this area, including the role of states and other actors in norm development and enforcement.

**Moderator:** Laura Dickinson, George Washington University School of Law  
**Speakers:**  
- Colonel Gary Corn, U.S. Cyber Command  
- Jeannie Rhee, Wilmer Cutler Pickering Hale and Dorr LLP  
- Sean Watts, Creighton University School of Law

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**How International is International Law?**  
9:00 am - 10:30 am  
Regency D  
**CLE Credit Hours:** 1.5

*Co-sponsored by the International Law in Domestic Courts Interest Group and the International Legal Theory Interest Group*

International law depends on a shared understanding and acceptance by states of rules applicable to their actions. But how genuine is this shared understanding in practice? The number of states and stakeholders in the global community continues to grow, adding new voices and ideologies to the international law discourse. Russia and China recently issued a Declaration on the Promotion of International Law, which reflects differences in approach and emphasis on foundational principles of international law from those common in the West. States are also increasingly turning to regional rather than international associations to advance their foreign policy interests. These phenomena test the claim that international law is universal. Through an interactive roundtable, this panel will examine the core values of the international legal system as seen by states from various parts of the world and consider the extent to which their perspectives converge or differ and the implications that these differences in national approaches to international law have for the system’s integrity and effectiveness.

**Moderator:** Lauri Mälksoo, University of Tartu Center for E.U.-Russia Studies  
**Speakers:**  
- Lori Fisler Damrosch, Columbia Law School  
- Vincent O. Nmehielle, African Development Bank  
- Maria Teresa Infante, Ambassador of Chile in the Netherlands
**The Right to a Fair Trial under International Law**
9:00 am - 10:30 am  
Columbia B

**CLE Credit Hours: 1.5**

Co-sponsored by International Courts and Tribunals Interest Group, Human Rights Interest Group, Transitional Justice and Rule of Law Interest Group and the International Criminal Law Interest Group

The right to a fair trial is one of the most fundamental human rights. While it is commonly thought of as a domestic law topic, the right to a fair trial, including the right to counsel, is increasingly the subject of international law and global thought, especially in light of the UN Sustainable Development Goals and the forthcoming UN Global Study on Legal Aid. In the United States and around the world, those accused of crime, and especially the poor and the vulnerable, are often subject to lengthy pre-trial detention, unfair investigatory practices, and denial or weakening of the right to counsel. In international trials, defendants accused of crimes endure pretrial processes that are as onerous and lengthy as the trials themselves, while they may face difficulties securing zealous representation given the gravity and often gruesomeness of their alleged crimes. Meanwhile, international law governing the right to a fair trial is varied and fragmented, with numerous bodies interpreting the relevant law in different ways. This panel seeks to highlight these issues and provide insight into the meaning of the right to a fair trial, drawing upon national and international experience and good practices to highlight the need for effective legal assistance and other protections for defendants in criminal cases as a strong human rights value and indeed a most pressing global imperative. The panelists will share their own experiences working with international and domestic criminal justice systems and consider how the ambition of the human right to a fair trial may be translated into reality in courtrooms around the world.

**Moderator:** Michelle Brady, Rule of Law Unit, Office for Democratic Institutions, Organization for Security and Cooperation in Europe  

**Speakers:**
- Mark Ellis, International Bar Association  
- Marie O’Leary, Office of Public Counsel for Defense, International Criminal Court  
- Kimberly Prost, Chef du Cabinet to the President, International Criminal Court  
- Michele Roberts, National Basketball Players’ Association

**Law of the Sea Interest Group Business Meeting**
9:00 am - 10:30 am  
Redwood

**Coffee Break**
10:30 am - 11:00 am
TPP, Brexit, and After: The Uneasy Future of Deep Economic Agreements
11:00 am - 12:30 pm
Regency A

**CLE Credit Hours: 1.5**

*Co-sponsored by the Intellectual Property Interest Group and the International Economic Law Interest Group*

The drafters of the February 2016 Trans-Pacific Partnership (TPP) agreement hoped to inaugurate an ambitious international legal innovation: pursuit of national regulatory alignment and deep economic co-operation on a new "megaregional" scale. Since then, the Brexit vote and strong opposition to TPP by major US presidential candidates have given voice to widespread frustration and discontent with elites and the pro-"globalization" agreements and policies they support. This antipathy has affected other megaregional projects, such as the proposed EU-US Transatlantic Trade and Investment Partnership (TTIP). Megaregionals, which gained momentum as a deeper and faster alternative to the WTO, now face opposition to what they symbolize and to what they do and do not do about inequality, sustainability, and the human costs of globalization. Yet the issues these agreements engage are some of the most pressing ones stemming from the globalization of commerce, for example: intellectual property rights; new cross-national infrastructure and communications technologies; services growth; the booming digital economy; and new patterns of finance and investment. Moreover, the economic narrative has blended with a geopolitical one stemming from the role of China in shaping the dynamics driving megaregional agreements and mega-regulation. This roundtable will debate the merits and future of projects promoting regional and megaregional economic ordering, focusing on the international law values at stake.

**Moderator:** Benedict Kingsbury, New York University School of Law  
**Speakers:**
- Rohini Acharya, Regional Trade Agreements, World Trade Organization
- Kathleen Claussen, Office of the United States Trade Representative
- Christina Davis, Princeton University
- Markus Gehring, International Legal Research Program, Centre for International Governance Innovation

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How Procedure Makes Substance in International Courts and Tribunals
11:00 am - 12:30 am
Regency B

**CLE Credit Hours: 1.5**

*Co-sponsored by the International Courts and Tribunals Interest Group, Dispute Resolution Interest Group, and the Transitional Justice and Rule of Law Interest Group*

Participants in international disputes expect a fair, effective and efficient process. Whether these expectations are met depends largely on the procedural management of the case, through a range of case management decisions made throughout the proceeding. The importance of procedural decisions may be underappreciated; however, procedure is the vehicle through which substantive issues are decided and can be the key to whether justice is done or denied, or
seen to be done or denied. This panel will reflect on case management and procedure, and the extent to which it has impacted outcomes in cases before the International Court of Justice, the Permanent Court of Arbitration, the International Centre for Settlement of Investment Disputes, and other international courts and tribunals. The panelists will explore the expectations of participants in a dispute and consider a range of procedural issues, including the channels of communication between key players in the proceeding; the number, scope and volume of written submissions; hearing design; methods of evidence-taking; the appointment of independent experts; and third party interventions. The goal of the panel will be to identify best practices for case management in international proceedings and to explore opportunities for improvement and innovation.

Moderator: Hélène Ruiz-Fabri, Max Planck Institute Luxembourg for International, European, and Regulatory Procedural Law

Speakers:
- Clara Brillembourg, Foley Hoag LLP
- Caline Mouawad, King & Spalding LLP
- Dirk Pulkowski, Permanent Court of Arbitration
- V.V. Veeder, Essex Street Chambers

Under Pressure: the Global Refugee Crisis and International Law
11:00 am - 12:30 pm
Regency C

CLE Credit Hours: 1.5

Co-sponsored by the International Environmental Law Interest Group, the Latin America Interest Group, Human Rights Interest Group and the Disaster Law Interest Group

The international refugee regime is under severe pressure. The EU’s chaotic response to Syrians, Australia’s offshore processing, and US detention and deterrence policies toward women and children fleeing gang violence in Central America are symptomatic of the largely unsuccessful struggle of the architects of the 1951 Refugee Convention to align their protection obligations with their migration control and national security concerns. These examples are keenly observed by nations in the developing world, where 85% of all refugees are hosted with little media fanfare and insufficient international assistance. At the same time, a growing number of voices are calling for legal recognition of those who fall outside the international refugee definition including internally displaced persons and “climate refugees.” This roundtable will bring together practitioners to share their litigation and advocacy strategies with scholars who will help contextualize and critique them from a comparative and international law perspective.

Moderator: Itamar Mann, Georgetown University Law Center

Speakers:
- Tendayi Achiume, University of California, Los Angeles School of Law
- Eleanor Acer, Human Rights First
- Mehreen Afzal, Office the U.N. High Commissioner for Refugees
- Guy Goodwin-Gil, All Souls College, Oxford University
Are International Claims Commissions Effective Dispute Resolution Mechanisms?
11:00 am - 12:30 pm
Regency D

**CLE Credit Hours: 1.5**

Organized by the ASIL Southeast Interest Group

International Mass Claims Commissions (IMCC) are ad hoc international judicial institutions created to resolve specific international disputes generally involving a great variety and number of claims and claimants. This panel seeks to evaluate the effectiveness and viability of IMCCs as international dispute resolution mechanisms. Looking in particular at the examples set by the Iran-US Claims Tribunal, the UN Claims Commission and the Eritrea-Ethiopia Claims Commission, speakers will assess strengths and weaknesses of these unique institutions. Panelists will also consider the use of IMCCs in future situations, as an alternative to standing international tribunals.

**Moderator:** Natalie Klein, Macquarie University Law School

**Speakers:**
- Lea Brilmayer, Yale Law School, former Legal Advisor to the Office of the President of Eritrea, Eritrea-Ethiopia Claims Commission
- John Crook, Administrative Tribunal, North Atlantic Treaty Organization
- Chiara Giorgetti, University of Richmond School of Law
- Jeremy Sharpe, Shearman & Sterling LLP

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Making Space for Private Space Actors?
11:00 am - 12:30 pm
Columbia B

**CLE Credit Hours: 1.5**

Co-sponsored by Nonprolifeation, Arms Control and Disarmament Interest Group, International Environmental Law Interest Group, the Space Law Interest Group and the New Professionals Interest Group

On the eve of the 50th anniversary of the Outer Space Treaty, space exploration and commercialization have rendered the final frontier likely unrecognizable to the Treaty’s drafters. Private, commercial actors—not governments—are at the forefront of developing new concepts and technologies that have rendered space increasingly accessible, navigable, and exploitable, and they are also increasingly encroaching on defense and security-related space innovations. Access to and habitation in space is being dominated by private actors, with Virgin Galactic’s SpaceShipTwo, the Bigelow Expandable Activity Module (BEAM) by Bigelow Aerospace, and Blue Origin’s New Shepard representing the approaching reality that the list of humans who have been to space will be dominated by corporate clients instead of government astronauts. Meanwhile, SpaceX, Mars One, and Mars Base Camp all represent private or joint public-private efforts to reach the red planet. In light of these developments, questions necessarily arise regarding the proper role for private actors in space under international law: Should such actors be regulated? If yes, how so and by whom? What mechanisms are available to tackle the increasingly crowded and heterogeneous crew of space actors? Is the 50-year old Outer Space Treaty ill-equipped to answer these questions? This debate seeks to define the gaps in current regulation of
private actors in space, and provide suggestions on how to fill these gaps to ensure a peaceful, profitable, and sustainable development of commercial space operations.

**Moderator:** Oonagh Sands, Eversheds Sutherland

**Speakers:**
- Robin Frank, Office of the General Counsel, National Aeronautics and Space Administration
- Andrea Harrington, University of Mississippi School of Law
- Christopher Hearsey, Legislative Affairs, Bigelow Aerospace, LLC
- Theresa Hitchens, University of Maryland Center for International and Security Studies

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**Jr.-Sr. Scholars Workshop: Abstract Pitch Session**
11:00 am - 12:30 pm
Lexington & Concord

The Society encourages junior academics, practitioners, and students interest in drafting for scholarly works on international law topics to attend this workshop, where members of the *American Journal of International Law* Board of Editors will be on hand to provide feedback and input on proposed ideas. Attendees are welcome to bring a short (no more than one paragraph) abstract, though this is not required.

**Lieber Society on the Law of Armed Conflict Business Meeting**
11:00 am - 12:30 pm
Redwood

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**Break**
12:30 pm - 1:00 pm

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**WILIG Luncheon**
12:45 pm - 2:45 pm
Capitol A and B
*Sponsored by Georgetown University Law Center*

**Honoree/Speaker:** Judge Rosemary Barkett, Iran-U.S. Claims Tribunal

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

*Tickets for this event must be purchased separately at registration.*
Adjudicating International Environmental Disputes: Lessons from Recent Jurisprudence
1:00 pm - 2:30 pm
Regency A

CLE Credit Hours: 1.5
Co-sponsored by the International Environmental Law Interest Group, International Courts and Tribunals Interest Group, Dispute Resolution Interest Group and the New Professionals Interest Group

Over the past five years, there has been a marked increase in cases concerning actual or potential environmental harm being submitted to the International Court of Justice and to other international courts and tribunals. These cases have resulted in important advances in substantive and procedural aspects of international environmental law, and have also presented challenges to international courts and tribunals in addressing complex scientific and technical evidence. Yet, there are still concerns with whether international courts and tribunals are well-equipped or even ready to integrate environmental values, such as sustainable development, scientific uncertainty and anticipation. The diverse solutions adopted show both some aspects of receptiveness and non-receptiveness to environmental values as well as to certain principles of international environmental law.

Moderator: Catherine Amirfar, Debevoise and Plimpton LLP
Speakers:
• Ximena Fuentes, Chilean Ministry of Foreign Affairs
• Charles di Leva, American University Washington College of Law
• Andrew Loewenstein, Foley Hoag LLP
• Daniel Magraw, John Hopkins University School of Advanced International Studies
• Cymie Payne, Rutgers University School of Law - Camden

Does International Law Value Regionalism in Criminal Law Enforcement?
1:00 pm - 2:30 pm
Regency B

CLE Credit Hours: 1.5
Co-sponsored by the International Courts and Tribunals Interest Group, the Latin America Interest Group, the Transitional Justice and Rule of Law Interest Group and the International Criminal Law Interest Group

The present enforcement of international criminal law essentially rests on two main pillars. First, there are prosecutions of certain core crimes before national courts that possess jurisdiction. Second, there are prosecutions of grave crimes within certain international or hybrid tribunals such as the International Criminal Tribunal for Rwanda, the International Criminal Court (“ICC”), the Special Court for Sierra Leone and the Extraordinary African Chambers in the Courts of Senegal. In June 2014, the African Union adopted a treaty that would establish the first regional court with jurisdiction over human rights, general and criminal matters including international and transnational crimes as well as corporate criminal liability. Since then, the Africa example has emboldened advocates for a regional criminal court to prosecute transnational organized crime in Latin America. These developments raise important questions, which this panel will seek to
address, about 1) whether there is a place for regional courts in the enforcement of international or transnational criminal law and 2) the implications of any such role(s) for future prosecutions of crimes at the national and international levels, including for the ICC and its 124 States Parties.

**Moderator:** Erika de Wet, Institute of International and Comparative Law in Africa, University of Pretoria Faculty of Law

**Speakers:**
- James Gathii, Loyola University Chicago School of Law
- Alexandra Huneeus, University of Wisconsin School of Law
- Vincent O. Nmehielle, African Development Bank

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**Spreading Justice: International Criminal Tribunals and National Legal Systems**
1:00 pm - 2:30 pm  
Regency C  

**CLE Credit Hours: 1.5**

**Organized by the International Legal Research Interest Group**

The methods of bringing international actors to justice for criminal acts have developed and changed over the course of decades due in large part to lawyers practicing in the field. The program will highlight select past and present tribunals where legal practitioners were effective and impacted both international and domestic legal systems. Panelists will examine the role of the international justice system and its individual actors in promoting the rule of law and analyze how international tribunals influence the rebuilding of post-conflict communities. Over the course of the session, the attendees will become familiar with major trends in international criminal justice and learn how to locate information on courts and their rulings.

**Moderator:** Victoria Szymczak, University of Hawaii School of Law

**Speakers:**
- Nicholas Boring, Law Library of Congress
- Douglas Irvin-Erickson, The School for Conflict Analysis and Resolution, George Mason University
- Steven Koh, U.S. Department of Justice
- Jane Stromseth, Georgetown University Law School

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**Late Breaking Panel: Missile Strikes Against Syria**
1:00 PM – 2:30 PM  
Columbia B  

**CLE Credit Hours: 1.5**

This late-breaking panel examines the legal questions surrounding the recent unilateral missile strikes by the United States on Syrian forces. It will explore whether the attack, which was undertaken without Security Council or Congressional authorization, was a violation of the U.N. Charter; whether the strikes can be justified as humanitarian intervention or as an exercise
of the responsibility to protect; and whether the strikes satisfy domestic law requirements for uses of force under the Constitution and the War Powers Resolution. It will also consider the implications of the resolution of these questions for future decision-making, both by the United States and by other governments, on the use of force.

**Moderator:** Catherine Powell, Fordham University School of Law

**Speakers:**

- Jennifer Daskal, American University Washington College of Law
- Harold Koh, Yale Law School
- Steven Pomper, former Special Assistant to the President and Senior Director for African Affairs, Multilateral Affairs and Human Rights, National Security Council
- Saikrishna Prakash, University of Virginia School of Law

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**Rights of Indigenous Peoples IG Business Meeting**

1:00 pm - 2:30 pm

Redwood

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**Coffee Break**

2:30 pm - 3:00 pm

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**Debate: Compulsory Jurisdiction in International Dispute Settlement: Beyond David versus Goliath?**

3:00 pm - 4:30 pm

Regency A

**CLE Credit Hours: 1.5**

Co-sponsored by the Dispute Resolution Interest Group

Compulsory jurisdiction is an integral element of the modern system for the settlement of international disputes. The Statute of the International Court of Justice, the mechanisms of dispute settlement under the United Nations Convention on the Law of the Sea, the World Trade Organization’s Dispute Settlement Body, and regional human rights treaties all provide for compulsory jurisdiction in varying degrees. Similarly, specific jurisdictional clauses in multilateral treaties (or their Optional Protocols) provide a further means by which States may commit themselves in advance to settle particular categories of dispute through the adjudication of an international court or tribunal. The recent conduct of China, Russia and others, however, makes clear that some States continue to perceive the bringing of claims by another State pursuant to compulsory jurisdiction provisions as unfriendly and impermissible. Moreover, their conduct may make other States hesitant to take advantage of the system of compulsory jurisdiction that can sometimes serve as their only means of challenging a powerful State and achieving recognition of their rights under international law.

**Moderators:**

- Judge James Crawford, International Court of Justice
Can Trade Serve as a Tool to Promote International Law Values? The Use of Trade Agreements to Raise and Enforce Labor and Environmental Standards
3:00 pm - 4:30 pm
Regency B
CLE Credit Hours: 1.5
Co-sponsored by the International Environmental Law Interest Group, the Latin America Interest Group, and the International Economic Law Interest Group

What do claims that a country has turned a blind eye to the illegal harvesting of timber, has failed to enforce its own labour laws, or has prevented the formation of independent unions, have to do with international trade law? Over the past decades, enforceable obligations regarding labour rights and environmental protection have become an increasingly common feature of trade agreements. This development could mark a fundamental shift in the relationship between international trade law and other values championed by international law. Trade agreements used to be seen primarily as a threat to the pursuit of those values. Could they instead become an engine for the development and enforcement of labour and environmental standards? The panel will consider the use of dispute settlement proceedings to enforce the labour provisions of trade agreements, the role of labour and environmental obligations in the TPP and in a potentially renegotiated NAFTA, and the implementation challenges encountered under already concluded agreements.

Moderator: Jennifer Hillman, Cassidy Levy Kent LLP
Speakers:
- Melissa Blue Sky, Center for International Environmental Law
- Lewis Karesh, Assistant U.S. Trade Representative for Labor
- Jason Kearns, U.S. House of Representatives, Ways and Means Committee
- Marco T. Molina Tejeda, Mission of Guatemala to the World Trade Organization

Arms Control and the Challenges of New Technologies
3:00 pm - 4:30 pm
Regency C
CLE Credit Hours: 1.5
Co-sponsored by the Nonproliferation, Arms Control and Disarmament Interest Group, the Space Law Interest Group and the Lieber Society on the Law of Armed Conflict

Classically, the international community regulated new weapons by controlling their means of production, limiting their proliferation, and identifying and punishing violations. But these
approaches do not work well for new weapons technology. Consider: How can states’ and non-state actors’ capacity for physically and economically devastating cyberattacks be minimized? How can autonomous weapon systems be regulated if it is impossible for observers to distinguish between a “semi” and “fully” autonomous weapon system? How are we to address the risk of a superintelligence arms race? This panel will consider and address these and similar questions in light of the underlying goals and values of the international legal order.

**Moderator:** Antonia Handler Chayes, The Fletcher School of International Affairs, Tufts University

**Speakers:**
- Sophie-Charlotte Fischer, Center for Security Studies, Swiss Federal Institute in Zurich
- Steven Hill, Legal Advisor to the Secretary General, North Atlantic Treaty Organization
- Tamara Patton, Princeton University
- Paul Scharre, Center for a New American Security

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**Prevention and Guarantees of Non-Repetition: Taking Stock of Two Decades of Transitional Justice Mechanisms**

3:00 pm - 4:30 pm

Regency D

**CLE Credit Hours: 1.5**

*Organized by the Transitional Justice and Rule of Law Interest Group*

*Co-sponsored by the International Criminal Law Interest Group and Transitional Justice and Rule of Law Interest Group*

Prevention and guarantees of non-repetition are regarded as fundamental pillars of transitional justice (TJ) and ultimately the overarching purpose of TJ work. Over the past decades, most transitional justice processes have included as one of their objectives the guarantee of non-repetition, as exemplified by the phrases “nunca más” and “never again.” However, we still want for critical assessment of how well the various mechanisms of TJ have worked to achieve the goal of non-repetition/prevention. This roundtable will explore how and if the system of transitional justice values the ideals of non-repetition and promotes this value in the development of international law. Specifically, a diverse group of experts representing both practitioners and academics will respond to the question: Have mechanisms such as truth commissions and truth recovery, reparations; national and international criminal trials; institutional reform; and other TJ mechanisms achieved the goal of prevention and non-repetition? If not, how have these mechanisms failed? If so, how have they succeeded?

**Moderators:**
- Zinaida Miller, Seton Hall University School of Diplomacy
- Lisa Laplante, New England School of Law

**Speakers:**
- Naomi Roht Arriaza, UC Hastings Law School
- Chris Mahony, World Bank Group
- Phuong Ngoc Pham, Harvard Humanitarian Initiative
- Jamie Rowen, University of Massachusetts Amherst Department of Political Science
Foreign Affairs Federalism: A Comparative Perspective  
3:00 pm - 4:30 pm  
Columbia B

**CLE Credit Hours: 1.5**

Co-sponsored by the International Law in Domestic Courts Interest Group, the Latin America Interest Group and the International Legal Theory Interest Group

States whose constitutions divide power between national and sub-national governments confront unique challenges in both making international obligations and ensuring compliance with them. These challenges arise across many different areas of international law, including investment, human rights, and trade. National governments that are committed to international norms may have difficulty getting sub-national governments to incorporate those norms into local law and practice. Conversely, sub-national governments who embrace international norms may find a lack of support for them at the national level. This panel will bring together a group of experts from Canada, Mexico, Switzerland, and the United States. They will discuss these issues from a comparative perspective during a round-table conversation.

**Moderator:** David Sloss, University of California - Santa Clara Law School

**Speakers:**
- Eva Maria Belser, University of Fribourg, Switzerland
- Robert Brookfield, Trade Law Bureau of Canada
- Hugo Perezcano Diaz, International Law Research Program, Centre for International Governance Innovation

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**Release of the American Classics in International Law Book Series and Recognition of Brill/Nijhoff Authors**  
3:00 pm - 4:30 pm  
Lexington & Concord Rooms

Together with General Editor, W. Michael Reisman, Brill | Nijhoff announces the launch of *American Classics in International Law* and the publication of the first two volumes, *General Theory of International Law*, edited by Siegfried Wiessner, and *International Investment Law*, edited by José E. Alvarez.

The new edition of *Rosenne’s Law and Practice of the International Court: 1920 – 2015* will also be on display, along with other recent publications highlights.

In recognition of their many notable contributions, all Brill/Nijhoff authors and editors are invited to join us for a casual celebratory event.

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**International Economic Law IG Business Meeting**  
3:00 pm - 4:30 pm  
Redwood
Teaching International Law IG Business Meeting
3:00 pm - 4:30 pm
Sequoia

Assembly
4:45 pm - 6:30 pm
Regency A

The Assembly program will include the presentation of our annual honors and awards, remembrances of those we have lost during the past year, and the election and introduction of our incoming officers and Executive Council members. The centerpiece of the Assembly will be a keynote address by Professor Philippe Sands, University College London, whose latest book, *East West Street*, discusses the origination of the ideas of "genocide" and "crimes against humanity.

**Speaker:**
- Philippe Sands, University College London Faculty of Laws

Gala Reception
6:30 pm - 8:00 pm
Sponsored by Cambridge University Press

New Professionals Reception
7:00 pm - 8:00 pm
Lexington & Concord

Patrons’ Reception
7:00 pm - 8:00 pm
Thornton
Sponsored by Debevoise & Plimpton LLP
By Invitation Only
JOIN ASIL

The American Society of International Law is dedicated to fostering the study of international law and to promoting the establishment and maintenance of international relations on the basis of law and justice. Founded in 1906, it brings a 100-plus-year-old tradition of convening its diverse community, comprising nearly 4,000 members from more than 100 countries, to address the pressing international legal questions of the day. Its reputation for providing a forum for balanced, non-partisan, and rigorous analysis is unparalleled.

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International Law in Domestic Courts IG Business Meeting  
7:00 am - 8:30 am  
Yosemite

Executive Council Breakfast  
8:00 am - 9:00 am  
Lexington & Concord

Coffee Break  
8:30 am - 9:00 am

International Law and the Trump Administration: Trade & Investment  
9:00 am - 10:30 am  
Regency A  
Sponsored by the Centre for International Governance Innovation  
Co-sponsored by the International Economic Law Interest Group

President Trump has made it a central pillar of his foreign policy to review the terms of the United States’ cross-border trade and investment deals with the aim of “putting America first.” In pursuit of this objective, the administration has withdrawn the US from the Transpacific Partnership Agreement (TPP), suspended negotiations toward a Transatlantic Trade & Investment Partnership Agreement (TTIP), announced steps to re-negotiate the North American Free Trade Agreement (NAFTA), and pressured the G20 to drop from its 2017 communiqués the group’s prior shared commitment to “resist all forms of protectionism.” Supporters of these moves argue the US has lost large numbers of well-paying jobs to countries who have unfairly or disproportionately benefitted from American free trade largesse in the past. Critics allege that the US has actually gained more than it has lost from its trade and investment deals and assert that undermining the rules-based multilateral trading system would do more to harm than to help American businesses and workers. Who is right in this debate? What does the best available evidence tell us, and what are the implications of that data for the international legal arrangements that govern the world economy? This panel will tackle these difficult questions from the perspective of both international economics and international law.

Moderator: Gary Hufbauer, Peterson Institute for International Economics  
Speaker:  
- Rachel Brewster, Duke Law  
- Warren Maruyama, Hogan Lovells LLP  
- Aaditya Mattoo, World Bank  
- Michael Smart, Rock Creek Group
The Bases for Jurisdiction in Private International Disputes
9:00 am - 10:30 am
Regency B

**CLE Credit Hours: 1.5**

Co-sponsored by International Law in Domestic Courts Interest Group, the Dispute Resolution Interest Group, and the International Legal Theory Interest Group

This panel will discuss the tension between sovereignty and party autonomy at the basis of jurisdiction in private cross-border disputes. It will revisit and challenge the viability of the tradition that state sovereignty should provide the foundation for jurisdiction in international civil and commercial matters. It will evaluate other candidate values that could form the basis of allocation of jurisdiction. It will consider the interests involved from the perspective of states and individual actors in international law, touching upon practical and academic points of controversy. Is it time to abandon sovereignty as the starting basis of determining an appropriate forum? What risks can transpire from shifting the power to private actors, and what limits are appropriate to be placed on party autonomy? This panel will bring together leading minds in private international law to address these and other questions in light of the proliferating recognition of party autonomy across the globe.

**Moderator:** Milana Karayanidis, Trinity College Dublin

**Speakers:**
- Marta Pertegas, Hague Conference on Private International Law
- George Bermann, Columbia Law School
- Carolyn Lamm, White & Case LLP

Claims against the United Nation: From Within and Without
9:00 am - 10:30 am
Regency C

**CLE Credit Hours: 1.5**

Co-sponsored by the Human Rights Interest Group, Transitional Justice and Rule of Law Interest Group, and Dispute Resolution Interest Group

The UN faces persistent questions relating to its accountability. These include how it chooses to exercise its privileges and immunities and those of its staff members, and how it responds to alleged international torts of the organization. The cholera outbreak in Haiti, and allegations of sexual exploitation and abuse by UN officials on missions, have most recently brought these issues to the fore. This panel will examine the legal framework within which the UN operates when it responds to claims brought against the UN. The panel will also examine if the UN is alone in the challenges that it faces in this regard, and whether there are lessons that can be learnt for and from the experience and practice of other intergovernmental organizations.

**Moderator:** Alejandro Sousa, General Assembly of the United Nations
Speakers:
- Simon Chesterman, National University of Singapore Faculty of Law
- Patricia Galvao Teles, United Nations International Law Commission
- Andreas Vaagt, United Nations Secretariat

The Regime of Islands in the Aftermath of the South China Sea Arbitration
9:00 am - 10:30 am
Columbia B

CLE Credit Hours: 1.5
Co-sponsored by the International Environmental Law Interest Group, International Courts and Tribunals Interest Group and the Law of the Sea Interest Group

In July 2016, the award in the South China Sea Arbitration was issued. The tribunal constituted under Annex VII of the UN Convention on the Law of the Sea is the first to give sustained attention to the interpretation and application of the regime of islands under Article 121 of the Convention. While much of the international attention following the decision in the South China Sea Arbitration has focused on the immediate context of the South China Sea and the claims of the various littoral States, the Tribunal’s decision on the maritime entitlements of island features under Article 121(3) of UNCLOS has far broader implications, extending not only to the law of the sea, but also to the vital geopolitical interests of large and small States. This panel will explore and critique the South China Sea Tribunal’s interpretation of Article 121(3), and will consider the implications for other States with remote island exclusive economic zone claims.

Moderator: Coalter Lathrop, Sovereign Geographic

Speakers:
- David Freestone, George Washington University School of Law
- Douglas Guilfoyle, Monash University Faculty of Law
- Oliver Lewis, U.S. Department of State
- Joanna Mossop, Victoria University of Wellington Faculty of Law

Vagts Roundtable: Lawyering in the Age of Transnational Government
9:00 am - 10:30 am
Lexington & Concord

CLE Credit Hours: 1.5

The regulatory environment in which multinational businesses operate has become largely transnational. A growing number of legal instruments set forth rules or guidelines that apply across national borders and domestic regulators frequently act in cooperation with their foreign counterparts both in setting regulatory standards and in conducting cross-border investigations. As a result, the lawyers representing multinational enterprises routinely confront various aspects of transnational governance—including the application of multiple laws to cross-border activity, the growth in soft-law instruments, and the expansion of transnational regulatory networks.
In considering these developments, the panel will begin with a paper by Dr. Kath Hall (Australian National University) entitled “Lawyers in Action: The Evolving Nature of Transnational Legal Expertise.” Drawing on interviews with lawyers working in the area of transnational anti-corruption law, the paper discusses how lawyers develop transnational expertise, what challenges and opportunities this brings to their work and what it means for legal practice. The paper also develops a definition of transnational legal expertise as comprised of three elements: *multi-jurisdictional knowledge, connections to transnational sites of influence,* and *intellectual reflectiveness.* It discusses the value these elements bring to global legal practice, and highlights the unique opportunities for lawyers to be at the cutting edge of new and emerging areas of transnational law.

The panelists will then participate in a moderated discussion on the role of lawyers operating in the transnational sphere, bringing to bear their own expertise within private practice, government, and international organizations.

**Convener:** Hannah Buxbaum, University of Indiana School of Law  
**Participants:**  
- Kath Hall, Australia National University College of Law  
- Sally March, private practitioner  
- Laura Stein, Office of the General Counsel, Clorox Corporation  
- Jonathan Welch, Office of Foreign Litigation, Department of Justice

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**Africa Law IG Business Meeting**  
9:00 am - 10:30 am  
Grand Teton

**Intellectual Property Law IG Business Meeting**  
9:00 am - 10:30 am  
Yosemite

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**Coffee Break**  
10:30 am - 11:00 am

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**Debate: Bombing Terrorist Revenue: Legitimate Military Strategy or War Crime?**  
11:00 am - 12:30 pm  
Regency A  
**CLE Credit Hours: 1.5**  
*Co-sponsored by the Lieber Society on the Law of Armed Conflict and the International Criminal Law Interest Group*

A number of states, including the United States, have targeted cash storage sites, conveys of trucks carrying crude oil destined for black markets, and oil infrastructure controlled by the so-called Islamic State of Iraq and the Levant (ISIL) as part of a strategy to deny the terrorist group the revenue it needs to sustain its operations. Some view these strikes as a legitimate military
strategy in the fight against a genocidal terrorist group. Striking stolen cash hoards and revenue sources seized by the armed group saves lives by diminishing ISIL’s ability to put fighters on the battlefield, to brutalize civilians, and to finance terrorist attacks. But where some see hardened cash depots, others see civilian banks—which generally have not been viewed as a legitimate target under international humanitarian law. Is ISIL’s revenue too far removed from the battlefield to constitute a legitimate military objective? Is the strategy to target ISIL-controlled cash and revenue streams actually a war crime of attacking civilian objects? This session will debate the legality of targeting terrorist-controlled cash and revenue sources under the laws of war. The debate takes an issue of current significance that implicates long-running academic disputes about the line between military objectives and civilian objects and that may be a significant precedent for future conflicts.

Moderator: Christie Edwards, American Red Cross International Humanitarian Law Division

Speakers:
- Laurie Blank, Emory University School of Law
- Charlie Dunlap, Duke University School of Law
- Ryan Goodman, New York University School of Law
- Jens David Ohlin, Cornell Law School

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The Rise of Multistakeholder Global Governance
11:00 am - 12:30 pm
Regency C

CLE Credit Hours: 1.5

Co-sponsored by the International Environmental Law Interest Group, the Space Law Interest Group and the International Legal Theory Interest Group

The term “multistakeholder governance” was rare decades ago but is heard with rising frequency today. Increasingly international institutions explicitly aim to reflect not simply the preferences and positions governments but those of the full spectrum of stakeholders in a given issue area, such as civil society groups, corporations, scientists and experts, and indigenous peoples. Prominent examples of multistakeholder cooperation include the Internet Corporation for Assigned Names and Numbers, the Global Alliance for Vaccines and Immunization, and, most recently, the Sustainable Development Goals Fund. This roundtable will examine where this evolution is occurring, why it is occurring, what advantages and disadvantages it offers, and reflect on whether multistakeholderism, as opposed to traditional state-centric multilateralism, better reflects the values of inclusive and democratic governance that many believe the international legal system ought to embody.

Moderator: Kal Raustiala, University of California - Los Angeles School of Law

Speakers:
- Gulen Atay, Former General Counsel, Global Fund to Fight AIDS, Tuberculosis, and Malaria
- Ayelet Berman, Centre for International Law, National University of Singapore
Should the ICC Privilege Global or Local Justice Goals?
11:00 am - 12:30 pm
Columbia B

CLE Credit Hours: 1.5
Organized by the International Criminal Law Interest Group
Co-sponsored by the Transitional Justice and Rule of Law Interest Group

Accepted wisdom holds that the ICC can and should serve the global community, particularly through global crime prevention, and, at the same time, should seek to provide local justice to affected communities. While these agendas can sometimes be pursued simultaneously, they often conflict. In those instances, the ICC must privilege either global or local goals. In this session, participants will debate whether, and under what circumstances, the ICC should privilege global or local justice goals. This debate goes to the heart of this year’s theme about what international law values. The session will be structured as a debate and will follow a rapid response format. Participants will be asked to provide their opinions regarding specific potential clashes between global and national justice goals in such areas as jurisdiction, complementarity, case selection, and the identification of substantive norms. The rapid response format and use of hypotheticals will enable the panel to provide a broad overview of the issues and a diversity of perspectives on each. This will set the scene for a productive engagement with the audience on both the specific issues debated and the big picture question of when the ICC should privilege global and local justice goals.

Moderator: Margaret deGuzman, Temple University School of Law

Speakers:
- Elena Baylis, University of Pittsburgh School of Law
- Mark Drumbl, Washington and Lee University School of Law
- Godfrey Musila, Africa Atrocities Watch
- Steven Rapp, former U.S. Ambassador for War Crimes Issues
- Elies van Sliedregt, VU University Amsterdam Faculty of Law

The Value(s) of International Dispute Resolution
11:00 am - 12:30 pm
Lexington & Concord

CLE Credit Hours: 1.5
Organized by the Dispute Resolution Interest Group
Co-sponsored by the International Courts and Tribunals Interest Group, the Dispute Resolution Interest Group, and the International Legal Theory Interest Group

What values do international courts advance? It is a truism that international judges serve
the private value in dispute resolution, and widely recognized that they explicate and give force to public values embodied in authoritative texts and rules applicable to a dispute. Less commonly noticed is that, at the same time, courts themselves stand for and embody a number of normative values through their procedural rules and institutional practices. Given the proliferation of international tribunals, and the notable judicialization of international relations, a focus on the values that courts themselves embody is long overdue. This panel looks at historical and current practices across international courts to identify and analyze the normative values these courts represent and advance. In particular, the panel will examine: who decides what values courts embody?; which substantive or process values do international courts embody or advance?; and what strategies do judges use to advance those values?

Moderator: Perry Bechky, Berliner Corcoran & Rowe LLP

Speakers:
- Jeffrey Dunoff, Temple University School of Law
- Judge Helen Keller, European Court of Human Rights
- Mark Pollack, Temple University Department of Political Science
- Judge Julia Sebutinde, International Court of Justice
- Yuval Shany, Hebrew University of Jerusalem Faculty of Law

Migration Law IG Business Meeting
11:00 am - 12:30 pm
Yosemite

Minorities in International Law IG Business Meeting
11:00 am - 12:30 pm
Bryce

Disaster Law IG Business Meeting
11:00 am - 12:30 pm
Grand Teton

Midwest IG Business Meeting
11:00 am - 12:30 pm
Glacier

Break
12:30 pm - 1:00 pm

Hudson Medal Luncheon: A Conversation with Georges Abi-Saab
1:00 pm - 2:30 pm
Columbia B
Sponsored by Foley Hoag LLP
Honoree/Speaker: Georges Abi-Saab, Graduate Institute of International & Development Studies, Geneva
Moderator: Philip Alston, New York University School of Law

Tickets for this event must be purchased separately at registration.

The Future of International Criminal Justice
1:00 pm - 2:30 pm
Regency A

CLE Credit Hours: 1.5
Co-sponsored by the Transitional Justice and Rule of Law Interest Group

The international criminal justice system is in a state of transition. The International Criminal Court is emerging as the critical court of last resort its founders envisioned. But multiplying global human rights crises, budgetary constraints, and the paralysis of the U.N. Security Council have left the Court falling behind in the resources and political support needed to fully meet demands for accountability. This panel will explore strengthening the infrastructure needed to support the future of international criminal justice. It will focus on the technical, political, and resource challenges to bolstering accountability, including the relationship between existing and proposed mechanisms, at the national, regional and international levels, and the potential promise and perils of those new mechanisms, as well as overcoming political backlash to the operation of international criminal law. The panel will also evaluate how to improve the quality of justice delivered, in particular when viewed from the perspective of victims and affected communities. Finally, the panel will seek to identify what forms of new scholarship are needed to help the system of international justice more fully meet future challenges.

Moderators: Jim Goldston, Open Society Justice Initiative
Speakers:
- Fatou Bensouda, Office of the Prosecutor, International Criminal Court
- Stephen Mathias, United Nations Office of Legal Affairs
- Judge Theodor Meron, United Nations Mechanism on International Criminal Tribunals
- Susana SaCouto, American University Washington College of Law

Are WTO and Investor-State Adjudicators Sufficiently Independent to Strike the Right Balance between Economic and Non-Economic Interests?
1:00 pm - 2:30 pm
Regency C

CLE Credit Hours: 1.5
Co-sponsored by the Latin America Interest Group, Human Rights Interest Group, and the Dispute Resolution Interest Group

Recent decisions by investor-state tribunals and by the WTO Appellate Body seem to suggest that both the investment and trade normative systems are sufficiently flexible to balance economic and non-economic interests. The tribunal in Phillip Morris v. Uruguay, for example,
recently held that Uruguay did not violate its BIT obligations by adopting tobacco-control measures that were justified on public health grounds. Similarly, the Appellate Body in Argentina - Financial Services held that Argentina did not violate its GATS obligations by distinguishing between “cooperative” and “non-cooperative” tax havens. Yet, rather than being lauded as mature adjudicative systems, both investor-state and WTO dispute settlement are undergoing a legitimacy crisis, stemming in part from questions related to judicial independence. The panel will discuss whether criticisms relating to the pro-investor bias in ISDS are warranted in light of recent developments, and whether following the re-appointment crisis the WTO Appellate Body can remain sufficiently independent to continue to uphold a rules-based system.

Moderator: Andrea Bjorklund, McGill University Faculty of Law

Speakers:

- Valerie Hughes, Queens University
- Ricardo Ramirez Hernandez, World Trade Organization Appellate Body
- Luke Sobota, Three Crowns LLP

The Emerging Law of Energy Transition
1:00 pm - 2:30 pm
Columbia C

CLE Credit Hours: 1.5

Organized by the International Environmental Law Interest Group

Climate change underlines the imperative for rapid transition in the global economy from fossil fuel energy sources to cleaner alternatives in order to reduce emissions of greenhouse gas pollutants. This roundtable will offer perspectives on the novel law of energy transition emerging at the intersection between international environmental law and international energy law - and the interface of both areas of international law with varying national and subnational law. It will discuss the role of the Paris Agreement in fostering new legal measures for energy transition, as well as the uncertainties regarding implementation of that Agreement under the administration of President Donald Trump. Participants will address key challenges posed by efforts to progress energy transition through law, including: - how best to foster development and uptake of clean energy technologies such as renewable energy, energy storage and energy efficiency technologies; - how to ensure equitable access to sustainable energy and build infrastructure resilience; and - how to manage intersections between the emerging law of energy transition and other areas of multi-scalar law such as international economic law, human rights and other areas of environmental law.

Moderators:

- Jacqueline Peel, University of Melbourne Faculty of Law
- Hari Osofsky, University of Minnesota School of Law

Speakers:

- Deepa Badrinarayana, Chapman University School of Law
- Myles Culhane, Office of the General Counsel, Occidental Petroleum Corporation
- Elliot Diringer, Center for Energy and Climate Solutions
Military Intervention by Consent
1:00 pm - 2:30 pm
Lexington & Concord

**CLE Credit Hours: 1.5/2.0**

*Co-sponsored by the Transitional Justice and Rule of Law Interest Group, the Lieber Society on the Law of Armed Conflict and the International Criminal Law Interest Group*

This session will examine the modern international law governing military intervention by invitation, or consent, and the extent to which this law has evolved, with an eye toward examining whether such evolution has eroded the prohibition on the use of force. Questions raised include who within the state may request forcible intervention, whether that entity must possess effective control of the territory or a measure of democratic legitimacy, whether the right to self-determination limits the type of situations in which an invitation for forcible intervention can be extended, and whether international law sufficiently speaks to these questions. This session will provide insight to scholars, practitioners, international diplomats, civil servants and humanitarian aid workers into the (evolving) legal benchmarks pertaining to military intervention by invitation as it is practiced today. In addition, it will provide insight on how the modern practice of military intervention by invitation is affecting (i.e. eroding) the prohibition of the use of force in international law.

**Moderator:** Naz Modirzadeh, Harvard Law School Program on International Law and Armed Conflict

**Speakers:**
- Ashley Deeks, University of Virginia School of Law
- Eliav Lieblich, Tel-Aviv University Faculty of Law
- Jonathan Horowitz, Open Society Foundations
- Robert Taylor, Harvard Law School

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**Government Attorneys IG Business Meeting**
1:00 pm - 2:30 pm
Bryce

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**International Refugee Law IG Business Meeting**
1:00 pm - 2:30 pm
Yosemite

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**International Organizations IG Business Meeting**
1:00 pm - 2:30 pm
Grand Teton

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**Private International Law IG Business Meeting**
1:00 pm - 2:30 pm
Glacier
Coffee Break
2:30 pm - 3:00 pm

Fifth Annual Charles N. Brower Lecture on International Dispute Resolution: The Multiple Functions of International Courts and the Singular Task of the Adjudicator
3:00 pm - 4:30 pm
Regency A
Co-sponsored by the Dispute Resolution Interest Group

The Fifth Annual Charles N. Brower Lecture on International Dispute Resolution will be presented at the 2017 ASIL Annual Meeting by David D. Caron, Judge of the Iran-U.S. Claims Tribunal in The Hague and Professor of International Law, King’s College London. Judge Caron was the C. William Maxeiner Distinguished Professor of Law at the University of California at Berkeley for most of his career before joining King’s College London as the Dean of The Dickson Poon School of Law in 2013. He served as President of ASIL from 2010 to 2012. The Brower lecture is named in honor of Judge Charles N. Brower for his many contributions to the field of international law.

Speaker:
• Judge David D. Caron, Iran-U.S. Claims Tribunal

Duty, Disobedience, and the Law of Armed Conflict
3:00 pm - 4:30 pm
Regency B
CLE Credit Hours: 1.5
Co-sponsored by the Transitional Justice and Rule of Law Interest Group, the Lieber Society on the Law of Armed Conflict and the International Criminal Law Interest Group

What are the legal obligations of service members who object to specific armed conflicts on legal and moral grounds? Generally we assume that soldiers are required to serve in whatever conflict the state demands. But recently, American service members have refused to deploy or filed suit against the government on the grounds that the military actions in which they were to serve were unlawful. These cases raise difficult questions. The law of war prohibits war crimes, but does participating in illegal war amount to a war crime, or is it a service member’s duty? Do soldiers have a right, or even an obligation, to refuse to serve in a conflict they believe violates jus ad bellum, just as they have a right and obligation to refuse orders that manifestly violate jus in bello? How are soldiers lives’ after deployment shaped by undertaking actions they believe violate the law of war? Focusing on these cases and the larger political, legal, and moral questions they raise, this panel addresses whether state adherence to international law and domestic constitutional law is required for soldiers’ obedience to orders, and the impact on soldiers of participating in they view as an illegal war.

Moderator: Gary Solis, Georgetown University Law Center
Speakers:
• Bruce Ackerman, Yale Law School
• AnnaBelle Bryan, National Center for Veterans Studies, University of Utah
• Brigadier General Marilyn Chiafullo, Chief Judge, U.S. Army Court of Criminal Appeals
• Major Keith Petty, U.S. Army Judge Advocate General’s Corps

Regulating the Global Commons: The BBNJ Negotiations and Ocean Spaces Beyond National Jurisdiction
3:00 pm - 4:30 pm
Regency C

**CLE Credit Hours: 1.5**
Co-sponsored by the Law of the Sea Interest Group and the International Environmental Law Interest Group

The 1982 United Nations Convention on the Law of the Sea establishes a broad and largely comprehensive framework for the regulation of the oceans. It is not, however, complete. One of the major gaps in regulation concerns the conservation and sustainable use of marine resources in areas beyond national jurisdiction, areas that are potentially imperiled by: climate change, passing ships, oil spills, pollution, dumping of waste, dredging, island building and destructive fishing. To address this gap, the General Assembly has established a Preparatory Committee to make recommendations on a legal text for the conservation and sustainable management of marine biological diversity beyond areas of national jurisdiction. They are studying the following issues: - marine genetic resources, including sharing of benefits; - area-based management tools, including marine protected areas; - environmental impact assessments; and - capacity building and transfer of marine technology. This panel will address each of these issues, examining the challenging issues and sticking points, and will discuss the prospects of drafting an effective convention with significant State support.

**Moderator:** Catherine Redgwell, University of Oxford Faculty of Law

**Speakers:**
• Harriet Harden-Davies, Australian National Centre for Ocean Resources and Security, University of Wollongong
• Angel Horna, Legal Adviser of Peru to the United Nations
• Penelope Nevill, 20 Essex Street
• Robin Warner, Australian National Centre for Ocean Resources and Security, University of Wollongong

The Inter-American Human Rights System: Latest Jurisprudential Advances and Setbacks
3:00 pm - 4:30 pm
Lexington & Concord

**CLE Credit Hours: 1.5**
Organized by the Latin America Interest Group
Co-sponsored by the Human Rights Interest Group, the Transitional Justice and Rule of Law Interest Group, and the International Courts and Tribunals Interest Group
The Inter-American Human Rights System’s two institutions, the Inter-American Court and Inter-American Commission, have increasingly influenced the development of international human rights law. Nevertheless, many international lawyers are still unfamiliar with the System’s significant accomplishments. This expert panel will review and critique recent, key developments in the Inter-American jurisprudence, as well as consider their relevance for the progression of global human rights law.

**Moderator:** Thomas Antkowiak, Seattle University School of Law

**Speakers:**
- Bernard Duhaime, United Nations Working Group on Enforced or Involuntary Disappearances
- Alejandra González, Inter-American Court of Human Rights
- Viviana Krsticic, Center for Justice and International Law

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**BASIL International Law Careers and Speed Mentoring**

3:00 pm - 4:30 pm  
Columbia B  
**Sponsored by Freshfields Bruckhaus Deringer LLP**

**Mentors:**
- Heather Brandon, Human Rights First  
- Rafael Cox Alomar, University of the District of Columbia David A. Clarke School of Law  
- Orga Cadet, Public International Law and Policy Group  
- Aleesha Fowler, Freshfields Bruckhaus Deringer  
- Naana A. Frimpong, King & Spalding LLP  
- Judge Gabrielle Kirk McDonald, International Criminal Tribunal for the former Yugoslavia  
- Katerina Ossenova, U.S. Department of Justice  
- Patricia Sellers, Office of the Prosecutor for the International Criminal Court and Visiting Fellow in International Criminal Law, Oxford University  
- Nawi Ukabiala, Debevoise & Plimpton LLP  
- Adrien Wing, University of Iowa School of Law Programs  
- Arezo Yazd, U.S. Department of Commerce  
- Junteng Zheng, Human Rights Watch

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**New Professionals IG Business Meeting**

3:00 pm - 4:30 pm  
Yosemite

**Solo Practitioner Business Meeting**

3:00 pm - 4:30 pm  
Glacier

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**Break**

4:30 pm - 5:00 pm
Gender-based Violence (GBV) is costly, from a human, psychological and economic point of view. It is estimated to represent worldwide a loss equivalent to Canada’s GDP (1.5 trillion dollars). This loss is seen but not heard. GBV has taken the lives of over 200 million women worldwide, comparable in number to the population of either Brazil, Pakistan or Nigeria. GBV has destroyed the lives of millions of women and girls, who are survivors of this everyday violence. In this respect, GBV again is seen but not heard. In this speech Sandie Okoro, the General Counsel of the World Bank, will reflect upon her personal experience as a female international lawyer, and on her journey towards achieving recognition and leadership in her field. She will present the life stories of courageous and inspirational women on every continent who have suffered extreme violence, yet who have persevered and fought ferociously for the rights of other women who also suffer a similar plight. The focus will be on women who have employed their efforts towards shaping and influencing the direction of international law and national jurisprudence, so they can be seen and heard. Sandie’s speech will also hone in on the fragmentation that exists with respect to women’s rights, both in terms of enforcement and implementation. She will illustrate the fact that even in instances where laws tackling GBV or gender inequality exist, in certain contexts, there are still severe gaps in their application. It is indisputable that the agenda to combat GBV is of paramount importance. Yet the question remains as to what our individual and collective roles in this regard ought to be. It is incumbent upon us, the legal community at large, to ensure that it is both seen and heard from this point on.

Speaker: Sandie Okoro, Senior Vice President and Group General Counsel, World Bank Group

ASIL-ILSA Reception
6:00 pm - 7:30 pm
Regency B, C and D
Sponsored by White & Case LLP

U.S. Holocaust Memorial Museum Ferencz Initiative Reception
6:30 pm - 7:30 pm
Lexington/Concord
Sponsored by the U.S. Holocaust Memorial Museum

Building on Ben Ferencz's legacy, the Simon-Skjodt Center for the Prevention of Genocide established the Ferencz International Justice Initiative to promote justice and accountability for past and ongoing atrocity crimes so victims can be redressed and would-be perpetrators deterred, helping to break the cycle of violence and prevent future atrocities

Featuring remarks by:
• Fatou Bensouda, prosecutor, International Criminal Court
• Sara Bloomfield, director, U.S. Holocaust Memorial Museum
• Ben Ferencz, prosecutor, International Military Tribunals (Nuremberg)

L Alumni Reception
6:30 pm - 7:30 pm
Thornton
Sponsored by Arnold & Porter Kaye Scholer LLP
By Invitation Only

Film Screening of The Uncondemned
7:30 pm - 9:30 pm
Regency A
Featuring remarks by:
• Michele Mitchell, director, writer, and producer, The Uncondemned
• Lisa Pruitt, University of California - Davis School of Law
• Patricia Sellers, Office of the Prosector, International Criminal Court and visiting fellow, Oxford University

Film Screening of All Rise
7:30 pm - 9:30 pm
Capitol A & B
Debate, Discussion, and Problem Solving

ASIL 112th Annual Meeting
April 4 – April 7, 2018 Washington, DC

Save the Date!

With over a century of tradition and experience behind it, the American Society of International Law’s Annual Meeting has become the most important gathering in the field of international law.

More than 1,200 practitioners, academics, and students travel to Washington, DC, each spring from all over the world to debate and discuss the latest developments in their field.

Visit www.asil.org/annualmeeting to learn more. ASIL member discounts apply.

The Annual Meeting is a bit like an overflowing buffet table of international law dishes. It brings people from all over the world, interesting topics, and is truly a defining event for international law aficionados.

Lucinda Low
Partner, Steptoe & Johnson, LLP
ASIL Insights are a wonderful way for me to learn quickly from people who are knowledgeable and authoritative about recent and ongoing developments in international law, particularly in areas that are a little outside my own area of expertise, so they help me stay abreast, and they make me more effective in my teaching.

Allen Weiner  
Senior Lecturer at Stanford University Law School and Director of Stanford’s Program in International and Comparative Law

ASIL Insights, the “international law behind the headlines,” provide brief, balanced accounts of the international law issues raised by newsworthy late-breaking events. They cover the gamut of international legal topics, with past articles covering topics such as the legality of intervention in Syria, the United States’ implementation of adverse WTO rulings, and the International Court of Justice’s ruling on Antarctic whaling. ASIL Insights are distributed to subscribers and posted on the ASIL website approximately two times a month.

To receive ASIL Insights, simply create a guest account at asil.org. To view past Insights or propose a new one, visit www.asil.org/Insights.
Interest Group Co-Chair Breakfast
7:00 am - 8:45 am
Capitol A and B
By Invitation Only

Coffee Break
8:30 am - 9:00 am

International Law and the Trump Administration: Global Engagement on Environmental Law
9:00 am - 10:30 am
Regency A
Sponsored by the Centre for International Governance Innovation

During his campaign for the presidency, President Donald Trump routinely questioned the legitimacy of climate change science, promised to cancel the Paris Agreement, and pledged to abolish the U.S. Environmental Protection Agency (EPA). His appointment of a climate change sceptic who is closely tied to the fossil fuel industry as the head of the EPA has raised further questions regarding his domestic policy on an issue that has global implications. This session will address the current global framework for environmental law and the potential implications of President Trump’s stated domestic goals, including the impact of a United States withdraw from the Paris Agreement or other multilateral environmental agreements, as well as the role that international law and organizations may play in pursuing international environmental objectives given the issue’s importance to the rest of the international community.

Moderator: Paul Joffe, World Resources Institute
Speakers:
• Carl Bruch, Environmental Law Institute
• Susan Casey-Lefkowitz, National Resources Defense Council
• E. Donald Elliot, Yale University School of Law

Does International Law Value the Digital Individual?
9:00 am - 10:30 am
Regency C

CLE Credit Hours: 1.5
Co-sponsored by the Intellectual Property Interest Group and the International Economic Law Interest Group

An ever increasing portion of many people’s daily activities occurs digitally. Whether the topic is global commerce, national security, human rights advocacy, or even private social communications, nearly every human activity now makes use of some combination of “old school” internet, instant messaging and social networking platforms and, more recently,
de-centralized peer-to-peer technologies like cryptocurrencies, smart contracts, and other blockchain use cases. The widespread use of these technologies raises important questions about how international law values the digital individual—the portions of ourselves that find their expression via these online “rails.” This panel will examine the extent to which international law, in its present constellation, sufficiently values and protects the digital self. The discussion will center around three live technology demos: one on search algorithms, one on techniques of big data analytics and personal psychological targeting, and one on the use of blockchain for international financial transactions. After each demo, experts in international law and technology will comment on the implications of these digital developments with respect to international law concerns such as: privacy; consumer protection; access to information, free speech and democratic discourse; global financial system stability, and inclusive and sustainable economic development principles.

**Moderator:** Oonagh Fitzgerald, Centre for International Governance Innovation

**Speaker:**
- Eileen Donahoe, formerly of the United Nations Human Rights Council
- Emma Llanso, Free Expression Project, Center for Democracy and Technology
- Peter van Valkenburgh, CoinCenter

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**Valuing Women in International Adjudication**

9:00 am - 10:30 am

Columbia B

**CLE Credit Hours: 1.5**

*Organized by the International Courts and Tribunals Interest Group*  
*Sponsored by Freshfields Bruckhaus Deringer LLP*  
*Co-sponsored by the Women in International Law Interest Group, the Minorities in International Law Interest Group, the New Professionals Interest Group, the Transitional Justice and Rule of Law Interest Group, and the International Legal Theory Interest Group*

To what extent do international law and institutions value the participation of women in international adjudication? What does it mean to apply a gender lens to international adjudication and to what extent is it useful to do so? Empirical studies in recent years show women are found in surprisingly low percentages on most international court benches and serve as oral advocates in the International Court of Justice much less frequently than men. Little additional empirical research exists concerning women’s roles and experience as litigators, registrars, and judges, and about women of diverse backgrounds and identities in any of these roles. This moderated roundtable discussion seeks to spark a conversation about the experience of women working in various different capacities in international adjudicative bodies, and the extent to which they are valued in international adjudication. Questions may include:

- Are selection processes for litigators, registrars and judges structurally biased against women?
- What unique challenges do women involved in international adjudication face? Do challenges and experiences vary across courts with differing subject matter jurisdictions or between
older and younger institutions? How do intersecting identities affect the experience of women working in international adjudication?
• Why is it important to have women on the bench, in the Registry or litigating before international courts?
• What can be done to increase the percentage of women serving at the highest levels in international adjudication, both behind and in front of the bench?
• What gaps exist in academic research about women and international courts?

Moderator: Susan Franck, American University Washington College of Law
Speakers:
• Josephine Dawuni, College of Arts & Sciences, Howard University
• Meg Kinnear, International Centre for Settlement of Investment Disputes
• Kate Parlett, 20 Essex Street
• Liesbeth Lijnzaad, The Netherlands Ministry of Foreign Affairs

The Value and Purpose of International Law
9:00 am - 10:30 am
Lexington & Concord

CLE Credit Hours: 1.5
Organized the International Legal Theory Interest Group

The purpose of this session is to address directly the main theme of the 2017 ASIL Annual Meeting: What are the fundamental values that international law exists to serve? Unless international law and international lawyers can articulate an argument that international law is in some way valuable, it would be foolish to expect anyone to obey or respect it. The ASIL itself was founded to advance the idea that international lawyers should seek “peace and justice between nations through law” (inter gentes ius et pax). Is this still true? What would such a doctrine require? Have other values become fundamental to international law? This panel will consider whether shared fundamental values can and should inspire our discipline and whether (if there are no such common values) international law can be said to have any value at all.

Moderator: Marie Jacobsson, Swedish Ministry of Foreign Affairs
Speakers:
• Maxwell Chibundu, Maryland School of Law
• Cecilia Bailliet, University of Oslo Faculty of Law
• Mortimer Sellers, University of Baltimore School of Law

New Voices: Jurisdictional Issues in International Law
9:00 am - 10:30 am
Congressional C & D

CLE Credit Hours: 1.5

Moderator: Judge Bruno Simma, Iran-U.S. Claims Tribunal
Speakers:
- Maggie Gardner, Harvard Law School
- Ahmed Ghappour, University of California, Hastings College of Law
- Ben Love, Freshfields Bruckhaus Deringer LLP
- Brian McGarry, Geneva Graduate Institute of International and Development Studies

**BASIL Task Force Meeting**
9:00 am - 10:30 am
Yosemite

**Coffee Break**
10:30 am - 10:45 am

**Closing Plenary: Building Trust in International Law and Institutions**
10:45 am - 12:30 pm
Regency A

**CLE Credit Hours: 1.5**
*Sponsored by the Embassy of the Netherlands in Washington and the Municipality of The Hague*

The development of the international legal system and its growth as a framework for global diplomacy and justice was one of the achievements of the 20th and early 21st centuries, based on the principles of multilateralism endorsed at the Hague Peace Conferences. However, the landscape of international cooperation has changed dramatically over the past year, with such developments as BREXIT, the announced withdrawal of states from the International Criminal Court, and the ongoing political developments in the U.S. and Europe that further erode trust in international law and multilateral institutions. This closing plenary of the 2017 Annual Meeting of the American Society of International Law will evaluate the criticisms levied against international courts and other institutions and consider what steps should be taken to restore faith in their ability, in the words of ASIL’s founding mission, “to promote the establishment and maintenance of international relations on the basis of law and justice.”

**Moderator:** Ernst Hirsch Ballin, Center for International and European Law, Asser Institute

**Speakers:**
- Philip Alston, New York University School of Law
- Maurice Kamto, Hague Academy of International Law
- Judge Bruno Simma, University of Michigan School of Law
- Judge Christine van den Wyngaert, International Criminal Court

**Closing Luncheon Reception**
12:45 pm - 1:45 pm
Columbia B & C
*Sponsored by The Embassy of the Netherlands in Washington and the Municipality of The Hague*
Visit the Oxford University Press booth to receive **25% OFF** all titles on display and learn more about Oxford Law Online.

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