

2024 ASIL Annual Meeting Program

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ITA-ASIL Annual Conference

Ancillary Events

4/3/2024 9:00:00 AM-4/3/2024 12:30:00 PM

Tenleytown

Description:

Separate registration with the ITA is required.

Speakers:

Executive Council Meeting (by invitation only)

Ancillary Events

4/3/2024 10:30:00 AM-4/3/2024 4:00:00 PM

Offices of Steptoe & Johnson L

Description:

Offices of Steptoe & Johnson LLP 1330 Connecticut Ave NW Washington, DC 20036

Speakers:

Registration Open

4/3/2024 12:00:00 PM-4/5/2024 3:30:00 PM

Description:

Speakers:

Accountability or Imperialism? From Terrorism to Territorial Torts

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

4/3/2024 2:00:00 PM-4/3/2024 3:00:00 PM

Columbia 11-12

Description:

Principles of foreign state immunity limit the judicialization of foreign relations, even in an era of interdependence. From one perspective, foreign state immunity protects the sovereign equality of states and prevents domestic courts from becoming embroiled in diplomatic disputes. From another perspective, immunity doctrines insulate “bad actors” from accountability and prevent victims from seeking redress. Forty years after the decision in *Letelier v. Chile* (1980) in the

United States involving a political assassination in Washington, D.C., other cases including *Usoyan v. Turkey* (2021) in the United States and *Al Masarir v. Saudi Arabia* (2022) in the United Kingdom have highlighted the potential use of civil lawsuits to address transnational repression of political émigrés and dissenters. Meanwhile, Iran has challenged Canada's terrorism exception to state immunity before the International Court of Justice, and U.S. lawmakers have proposed an additional exception to state immunity for acts of transnational repression that cause the personal injury or death of a U.S. person. This roundtable will discuss and debate current developments, with special attention to themes raised by Professor B.S. Chimni's 2021 essay on *TWAIL Approaches to Jurisdiction* and by contributions to the forthcoming 2024 special issue of the *National Law School of India Review*.

Speakers:

Mary Catherine Malin, Prof. Craig Scott, Obiora Okafor, Aslı Ü. Bâli, Diane Wood

Dispute Resolution Interest Group Meeting

IG Meetings/Sessions

4/3/2024 2:00:00 PM-4/3/2024 3:00:00 PM

Embassy

Description:

Beyond the Law Firm: Exploring Alternative Career Paths in International Arbitration In this interactive session, panelists from academia, arbitral institutions, and in-house legal teams will discuss alternative career paths within the realm of international arbitration distinct from traditional law firm roles. Topics for discussion will include strategies for transitioning into these alternative careers, necessary skill sets, the unique skill development opportunities they offer, as well as the challenges and advantages associated with pursuing diverse professional avenues.

Featuring: Benjamin Garel (ICSID) Dorieke Overduin (Sovereign Arbitration Advisors) Anne Marie Whitesell (Georgetown University) Rémy Gerbay (Hughes Hubbard & Reed LLP) - Moderator Belén Ibañez (Curtis, Mallet-Prevost, Colt & Mosle LLP) - Moderator

Speakers:

Mentoring Q&A: Elizabeth Zorrilla, Organization of American States

Professional Development

4/3/2024 2:00:00 PM-4/3/2024 3:00:00 PM

Cardozo

Description:

Speakers:

Elizabeth Zorrilla

Policy Keynote: Fireside Chat with Ambassador Tai

Keynotes & Plenaries

4/3/2024 2:00:00 PM-4/3/2024 3:00:00 PM

Columbia 5-8

Description:

Speakers:

Katherine Tai, Julian Arato

Small States and Rulemaking in the International Legal System

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

4/3/2024 2:00:00 PM-4/3/2024 3:00:00 PM

Columbia 9-10

Description:

As the world becomes ever more interdependent, and developments in any particular state increasingly have cross-border effects, states can rely on international law to influence global events. This has become increasingly important, particularly for small states that may lack other means to protect themselves and their interests. Small states can benefit from this increased interconnectivity and contribute to the progressive development of international law. This panel will explore how small states influence international rulemaking in this environment. For instance, to what extent can or do small states influence multilateral treaty negotiations? Can international legal proceedings amplify the voices of such states on issues important to them? To what extent can regional or subregional organizations or arrangements act as a force-multiplier for small states in tackling global challenges? And how much can or do (or should) the policies or actions of small states contribute to state practice in the formation of customary international law? The panelists will provide an inside perspective on these issues and discuss more broadly how small states use the mechanisms of international law to address today's challenges.

Speakers:

Gemma Nelson, Noah Browne, Jason Tan

International Labor Rights and Supply Chain Regulation

Track 3: International Trade, Investment, Finance, and Tax

4/3/2024 3:30:00 PM-4/3/2024 4:30:00 PM

Columbia 1-2

Description:

A persistent issue in international labor law is how to ensure compliance with international labor rights in global supply chains (GSCs). Transnational corporations headquartered in the Global North can readily disaggregate and outsource production to places where fundamental labor rights are not always able to be enforced, and then insulate themselves from liability through

private law techniques. Various legal efforts have been undertaken to tackle this problem. Domestically, the US, United Kingdom, Canada, France, Australia, the Netherlands, and sub-national units like California have passed GSC transparency and regulation initiatives. At the international level, soft law instruments such as the Ruggie Principles and more recently treaties such as the USMCA and the Indo-Pacific Economic Framework for Prosperity (IPEF) have developed novel techniques to address supply chain governance. The ILO has recently developed a strategy on decent work in supply chains, and there are ongoing efforts to litigate such violations in the Global North. Are these approaches to the problem of labor rights violations in GSCs effective? What mechanisms do they employ? What are the limits of their effectiveness? What challenges remain? This panel will critically examine recent developments in the regulation of supply chains to ensure compliance with international labor rights.

Speakers:

Thea Lee, Adelle Blackett, John Foote, Alvaro Santos

Deep Inside a Parallel Universe: Multimodal Dispute Resolution

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution

4/3/2024 3:30:00 PM-4/3/2024 4:30:00 PM

Columbia 11-12

Description:

Traditionally, inter-State disputes would be resolved, if at all, through a single mode. Today, inter-State disputes are taking on an increasingly multifaceted character. They are being resolved in part across different fora and often through unprecedented or unconventional bases. For example, the 2017-2021 Gulf crisis gave rise to proceedings before the ICJ, ICAO, WTO, and national courts, as well as the first inter-State conciliations before a UN human rights treaty body and a rarely utilized arbitration procedure under the Universal Postal Union Constitution. Similarly, Azerbaijan has instituted the first known inter-State arbitration under the Bern Convention on the Conservation of European Wildlife and Natural Habitats in the course of its wide-ranging dispute with Armenia, in addition to extant ICJ proceedings and related investor-State disputes. The various proceedings initiated by Mauritius in relation to the Chagos Archipelago provides a third example. Other examples abound. Does the availability of, and State recourse to, different fora to resolve aspects of the same Inter-State dispute strengthen the international framework for the peaceful resolution of disputes? Or will it lead to inevitable fragmentation, and the proliferation of too many parallel universes for the international legal community? Where does it leave international judicial comity?

Speakers:

Alison Macdonald KC, Daphne Hong, Patrícia Galvão Teles, Guled Yusuf, Andrew Loewenstein

Fulbright Scholar Program: Opportunities Abroad in Law & Legal Studies - Information Session

Professional Development

4/3/2024 3:30:00 PM-4/3/2024 4:30:00 PM
Columbia 3-4

Description:

Speakers:

Keegan Scott

International Environmental Law Interest Group Meeting

IG Meetings/Sessions

4/3/2024 3:30:00 PM-4/3/2024 4:30:00 PM

Fairchild East / West

Description:

The International Environmental Law Interest Group (IELIG) will hold its annual business meeting at the ASIL Annual meeting on April 3 from 3:30 - 4:30 pm. This will be the event for environmental lawyers to get together: networking, brainstorming and collectively plan IELIG's future agenda. Anyone interested in international environmental law and its role to address planetary crisis is welcome to attend in person. We look forward to seeing you there.

Speakers:

Resource Extraction in Outer Space—Current State of Play and Pathways for the Future

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

4/3/2024 3:30:00 PM-4/3/2024 4:30:00 PM

Columbia 9-10

Description:

This session covers the current state of play of technology and prospects for resource extraction in outer space. Specific issues to consider include the further development of outer space resource extraction and lessons that can be drawn from the experience of resource extraction in areas beyond national jurisdiction. The conversation will begin with an overview of the 19 December 2023 U.S. decision to expand the outer limits of the extended continental shelf and deep seabed mining. Panelists will discuss States' obligations to sustainably manage the global commons, the manner in which 'common heritage of humankind' apply to outer space resource extraction as an ethical and legal concept, liability of Flag or launch State, and the protection of indigenous peoples' rights and interests.

Speakers:

LCDR Tracy Reynolds, Charlotte Verdon, Monika Ehrman, Justin Ahasteen, Emily Pierce

The Geneva Conventions at 75 & the Future of International Humanitarian Law

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice
4/3/2024 3:30:00 PM-4/3/2024 4:30:00 PM
Columbia 5-8

Description:

The adoption of the four Geneva Conventions in 1949 was a watershed moment. In the aftermath of WWII, States came together to pursue the common goal of protecting persons not taking part in hostilities. However, as we celebrate their 75th anniversary, we are witnessing an explosion of international and non-international armed conflicts, from Ethiopia, to Russia/Ukraine, to Israel/Palestine. Furthermore, the circumstances of conflict are changing significantly: we see an increase in non-State armed groups, private military and security companies, and mercenaries participating in conflict, as well as the involvement of sub-regional coalitions. Climate change has the potential to spark new conflict. The current and future use of artificial intelligence is giving rise to new frontiers on the battlefield. There are myriad challenges around humanitarian access and assistance, and a need to demystify rules and their applicability to today's armed conflict situations, while ensuring that they continue to be relevant and sufficient for addressing current and future challenges. This panel will bring together experts to discuss these issues and what comes next for the IHL regime.

Speakers:

Christie Edwards, Ronald Alcala, Tadesse Kebebew, Ms. Lakmini Seneviratne, Afonso Seixas-Nunes

26th Annual Grotius Lecture on International Law

Keynotes & Plenaries
4/3/2024 5:00:00 PM-4/3/2024 6:00:00 PM
Columbia 5-8

Description:

Dame Meg Taylor will speak on the topic, "Sovereignty, Survival, and Climate justice: Legal and Political Frontiers of the Blue Pacific."

Speakers:

Julian Aguon, Dame Meg Taylor

Grotius Reception

Receptions & Luncheons
4/3/2024 6:00:00 PM-4/3/2024 7:30:00 PM
International Terrace West

Description:

Speakers:

Patrons' Toast (by invitation)

Ancillary Events

4/3/2024 6:00:00 PM-4/3/2024 6:30:00 PM

Kalorama

Description:

By invitation only.

Speakers:

AJIL Board of Editors Meeting (by invitation)

Ancillary Events

4/3/2024 6:30:00 PM-4/3/2024 8:30:00 PM

Holmead East / West

Description:

By invitation only.

Speakers:

Michigan Law Alumni Breakfast Reception (by invitation)

Ancillary Events

4/4/2024 7:30:00 AM-4/4/2024 9:00:00 AM

Rock Creek

Description:**Speakers:**

Business and Human Rights Disputes: Challenges and Opportunities

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution

4/4/2024 9:00:00 AM-4/4/2024 10:00:00 AM

Columbia 1-2

Description:

International human rights law is shaped by various actors, including States, individuals, and businesses. These actors have an interdependent relationship with human rights law. Although it is well-established that States are obligated under international human rights law to protect against human rights abuses within their territory, businesses do not have specific human rights obligations under international law. There is however a growing understanding that businesses—

particularly multinational corporations—must also respect human rights by putting in place policies and processes to identify, address, and mitigate human rights harms in their operations, including throughout their supply chains. These obligations are articulated in soft law instruments like the OECD Guidelines for Multinational Enterprises and, particularly, the UN Guiding Principles on Business and Human Rights. There is also an increasing focus on the use of non-judicial mechanisms—including international arbitration (both commercial and investment) and mediation—to resolve business and human rights (“BHR”) disputes. This panel will explore the challenges and opportunities facing different actors in the field of business and international human rights. It will discuss challenges and opportunities for addressing BHR issues in the modern international business landscape, and the potential of BHR in finding creative solutions for strengthening BHR norms.

Speakers:

Jonathan Drimmer, Stephanie Amoako, Jennifer Newstead, Selene Ko, Barnali Choudhury

Civilian Harm Mitigation Policies and the Creation of Customary International Law Requirements

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

4/4/2024 9:00:00 AM-4/4/2024 10:00:00 AM

Columbia 11-12

Description:

A new international trend of developing civilian harm mitigation policies has provoked significant debate over the role of policy in forming customary international law. The more prominent policies include NATO’s Policy for Protection of Civilians, the U.S. Department of Defense’s Civilian Harm Mitigation and Response Action Plan (CHMR-AP), and the Irish-led Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas adopted by 83 countries. One critique of these new policies is that policy will either be treated as law or may ripen into legal obligations over time, reducing needed flexibility for future conflicts. Another critique from the other side is skepticism that the policies are meant to be anything more than empty words with no discernible effect on actions on the ground, as evidenced by the ongoing conflicts in Ukraine and Gaza. This session will be a debate between those in favor of these policies and others to constrain actions, and those who are against constraining actions any more than is currently required by law.

Speakers:

Jessica Thibodeau, Loren Voss, Sarah Yager, Charles Pede, Jonathan Horowitz

Interest Group Co-Chairs Meeting

Ancillary Events

4/4/2024 9:00:00 AM-4/4/2024 10:00:00 AM

Fairchild East / West

Description:

For current and incoming IG Co-Chairs only. Light breakfast will be provided.

Speakers:

Late Breaking Panel: The African Contribution to the International Law of Democracy

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

4/4/2024 9:00:00 AM-4/4/2024 10:00:00 AM

Columbia 5-8

Description:

African institutions have made major contributions to the law of democracy. International courts based in the continent have developed a robust jurisprudence on democratization and democratic governance, reaching deeply into the constitutional orders of African states - such as a recent decision of the African Court of Human and Peoples' Rights declaring illegal anti-democratic constitutional amendments in Benin. Meanwhile, regional institutions have exerted their authority in defense of democracy in responding to coups d'état on the continent, occasionally resorting to sanctions and even the threat of force - as in the response of ECOWAS to the recent coup in Niger. This panel will consider how African institutions have advanced the law of democracy, on the continent and within international law more generally.

Speakers:

Joshua J. Niyo, Adaobi Egboka, Obiora Okafor, Christopher Fomunyoh, Christiana Essie Sagay

Pursuing a Career in International Law: Taylor Kilpatrick, ASIL

Professional Development

4/4/2024 9:00:00 AM-4/4/2024 10:00:00 AM

Cardozo

Description:**Speakers:**

Taylor Kilpatrick

Who Speaks for the State?

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

4/4/2024 9:00:00 AM-4/4/2024 10:00:00 AM

Columbia 9-10

Description:

Who speaks for the State is a critical question in international relations. Statements by government representatives have normative force – capable of binding the State in numerous

ways, from norm formation to staking out a litigation position. Governments choose their representatives carefully, and typically vet positions and even statements in advance. Indeed, the stability of international relations hinges on the assumption that State representatives act with governmental authority. The stakes of disputes over who speaks for the state are thus high. Several such contestations have emerged in recent years, in a variety of international fora. At the UN General Assembly, the Credentials Committee has repeatedly deferred determining who represents Afghanistan and Myanmar (and who can thus vote on their behalf). In the wake of this indecision, other UN agencies – including even the ICJ -- have had to decide these contests piecemeal, leading to inconsistencies. Such questions have also arisen in investment arbitration, as in recent suits against Venezuela where multiple counsel teams have contested the authority to represent the Respondent government (on behalf of the rival governments of Maduro and Guaidó). This panel will explore these cases and others, teasing out the norms, institutions, and politics of deciding contests over representation.

Speakers:

Kristina Daugirdas, Larry D. Johnson, Robert Young, Diem Huong Ho, Duncan Pickard

Can Climate Change Litigation by Small Island States Address Their Goals?

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

4/4/2024 10:30:00 AM-4/4/2024 11:30:00 AM

Columbia 9-10

Description:

Small island States have been the force behind two recent advisory opinion requests, one to the International Tribunal for the Law of the Sea and the other to the International Court of Justice, to clarify obligations of States under international law in relation to climate change. This strategic use of the advisory function of international courts and tribunals brings climate change to the forefront of the international stage and represents a novel attempt to leverage international law to address the crisis posed by climate change. This panel will discuss defining issues of these proceedings, taking into account the latest developments and focusing on the perspective of small island States: Why is it important to approach climate change from different angles? What do small island States hope to see in an advisory opinion on States' obligations? What exactly does a legal obligation to address climate entail for States? How should international courts and tribunals approach the issue of State responsibility, including reparations, regarding climate change? In this context, the panel will also discuss the climate change-related advisory opinion request presented to the Inter-American Court of Human Rights as another effort to address climate change by specially affected States.

Speakers:

Dr. Sarah Cooley, Donald Rothwell, Christina Hioureas, Zachary Phillips

China's Looted Cultural Property: Historical Injustice and Current Dilemma

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

4/4/2024 10:30:00 AM-4/4/2024 11:30:00 AM

Columbia 11-12

Description:

On August 27, 2023, the Global Times, a leading Chinese newspaper, issued a request to the British Museum for the return of Chinese cultural artifacts that were looted in the past. This action underscores the ongoing global debate about the return of historically plundered cultural treasures. China's experience is particularly noteworthy, as the country experienced significant looting of over ten million artifacts from the Opium War in 1840 to the establishment of the People's Republic in 1949. To delve into these matters, the ASIL Interested Group-Cultural Heritage and the Arts will present a panel of Chinese experts in cultural heritage and international law. This panel will discuss key issues, including the whereabouts of these artifacts, the reaction of the Chinese government and its citizens to this historical wrongdoing, and the validity of China's potential claims to these items. This panel will discuss both the legal appeals for restitution as well as ethical calls for the artifacts' return. This panel will also present a comparison of similar instances of art theft in other regions during the 19th and 20th centuries.

Speakers:

Dr. Jie (Jeanne) Huang, Yue Zhang, Xuemei Yang, Zhengxin Huo

Fostering Inclusion and Belonging at ASIL with the DEI Working Group

Professional Development

4/4/2024 10:30:00 AM-4/4/2024 11:30:00 AM

Columbia 1-2

Description:

Join members of ASIL Working Group on Diversity, Equity and Inclusion for an interactive session about the Society's efforts to live out its commitment to meaningful and sustainable inclusion and belonging for all its members. Speakers will describe and assess the impact of the Society's past and current efforts; summarize the Working Group's past and planned initiatives; and will solicit feedback, questions, and suggestions for the future.

Speakers:

Mélida Hodgson, Karen Bravo, Christie Edwards, Freddy Sourgens, Gregory Shaffer

Intellectual Property Law Interest Group Meeting

IG Meetings/Sessions

4/4/2024 10:30:00 AM-4/4/2024 11:30:00 AM

Embassy

Description:

The Intellectual Property Law Interest Group (IPLIG) will hold its annual business meeting at the ASIL Annual meeting on April 4 from 10:30 - 11:30 am. Anyone interested in intellectual property is welcome to attend in person or virtually by arrangement with Co-Chair Mary Ann McGrail. Please e-mail Ms. McGrail (at lawofficeofmamecgrail@gmail.com) if you wish to

receive a zoom link for the business meeting. We will review events from the past year, and upcoming programming and will open the floor to discussion and proposals for future programming, events or other ways for IPLIG to support attorneys and students working in the field of international intellectual property law. Law students and practitioners just starting out are especially welcome. This is an opportunity for brainstorming and networking. We look forward to seeing you there.

Speakers:

Mentoring Q&A: Steve Koh, Boston University School of Law

Professional Development

4/4/2024 10:30:00 AM-4/4/2024 11:30:00 AM

Cardozo

Description:

Steven Arrigg Koh teaches and writes in the areas of criminal law and international law. His scholarship—which explores the foreign relations, cultural, and racial dimensions of US domestic, transnational, and international criminal justice—has appeared or is forthcoming in journals such as New York University Law Review, Duke Law Journal Online, Cornell Law Review, Washington University Law Review, Minnesota Law Review, Boston College Law Review, Fordham Law Review, and UC Davis Law Review. He is also a contributor to Just Security and Lawfare law blogs. He joins the Boston University School of Law faculty after serving as the Marianne D. Short and Ray Skowrya Sesquicentennial Assistant Professor of Law at Boston College Law School, where he was a winner of the Innovation in Pedagogy Award. Prior to that, he completed a fellowship at Columbia Law School. Professor Koh’s scholarship is informed by a unique combination of high-level legal practice at both US federal criminal and international criminal legal institutions. As a Trial Attorney in the Criminal Division of the US Department of Justice (DOJ) in Washington, DC, he advised US federal and state prosecutors on international, criminal, and constitutional legal issues. His international legal experience spans multiple continents, highlighted by positions in two prominent international criminal courts in The Hague, Netherlands. Additional international experiences include service as Visiting Scholar at Seoul National University, South Korea; study at the Cornell Summer Institute in International & Comparative Law at Université Paris I Panthéon-Sorbonne in Paris, France; representation of the Robert F. Kennedy Center of Human Rights before the OAS Inter-American Commission on Human Rights; and human rights research on a mission to Colombia co-sponsored by Senator Edward M. Kennedy. Professor Koh earned his JD from Cornell Law School, where he served as Senior Article Editor of the Cornell Law Review. In 2019, Cornell awarded him the Law School Alumni Exemplary Public Service Award for “commitment to the highest standards of public service.” He earned an AB degree cum laude from Harvard College and an MPhil degree in Social and Developmental Psychology from the University of Cambridge, England. He is currently a member of the bar in New York, Massachusetts, and Washington, DC.

Speakers:

Steve Koh

NATO at 75: Collective Defence Past, Present, and Future

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

4/4/2024 10:30:00 AM-4/4/2024 11:30:00 AM

Columbia 3-4

Description:

Organized by: NATO During this year's Annual Meeting, NATO will mark 75 years since Allies signed the North Atlantic Treaty, also in Washington. A response to Soviet aggression and the limitations of the UN "collective security" model, this regional "collective defence" alliance – perhaps the most successful defence alliance in history – has both shaped and been shaped by international law since its inception. Whether by references made to the rule of law and the primacy of the UN within the North Atlantic Treaty, articulations of the jus ad bellum and jus in bello gleaned from various NATO operations over the years, or more recent statements by the North Atlantic Council calling out others' violations of international law, examples abound. This panel will take stock of some of those prominent developments throughout NATO's history (e.g., 9/11 and the application of self-defence to non-state actors or appeals to humanitarian intervention and Kosovo) as well as the indirect contributions from academics (such as those working on the Tallinn manual in the NATO Centre of Excellence) and NATO-related jurisprudence. It will note discussions around the law of neutrality and Allies' non-participation in hostilities in Ukraine and will look ahead to other domains and future challenges, including those potentially calling for responses beneath the threshold of collective defence.

Speakers:

Michael Schmitt, John Swords, Harold Hongju Koh, Oona Hathaway

The Authority of Scholarship

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

4/4/2024 10:30:00 AM-4/4/2024 11:30:00 AM

Columbia 5-8

Description:

Article 38(1)(d) of the ICJ Statute refers to the "teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law." Scholarship thus enjoys, or is supposed to enjoy, a particular authority in international law. Perhaps this formal recognition of its role in legal reasoning even understates its authority in our decentralized legal system. Historically, international legal scholarship focused more on doctrinal work, based on observations of practice or policy considerations. In the past few decades, a significant part of scholarship has turned toward more external methods – drawing, for instance, on critical theory, history, economics, and political science. This raises questions about international legal scholarship's roles and priorities, which this panel aims to explore. How should scholarship address questions related to the actual or potential application of international law? What is its responsibility to contribute to the shaping of the system and the rules from within? What is gained and what is lost when scholars focus instead on appraising the system from without, leaving internal questions to practitioners? Has Article 38(1)(d) become an

obsolete historical snapshot, or does it still reflect an important function of scholarship, doctrinal or critical?

Speakers:

Anne Orford, Jutta Brunnée, Fernando Bordin, Sean Murphy, Tony Anghie

A Recipe for (Countering) Disasters? ILC Draft Articles and other Legal Avenues

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

4/4/2024 12:00:00 PM-4/4/2024 1:00:00 PM

Columbia 9-10

Description:

Natural and man-made disasters have increased over the past few decades affecting almost every part of the globe. Events such as the COVID-19 pandemic and the impacts of global warming transcend political boundaries and affect a multitude of states and actors. Despite the obvious rise of such events, and their serious impacts, there is no clear legal framework in place for governing such disasters and the responsibilities of State actors and international organizations in managing their effects, ranging from mass displacement to water and food shortages. One legal instrument that has recently reemerged is the ILC's Draft Articles on the Protection of Persons in the Event of Disasters, adopted in 2016. The intended purpose of these Draft Articles is to provide an effective response to disasters, reduce their risk and respect the full rights of concerned persons. The Sixth Committee of the UN General Assembly recently commenced discussion on the Draft Articles to determine whether they should be elaborated into a convention. This panel will assess whether the Draft Articles are fit for their intended purpose and will consider other potential legal instruments and avenues to address the responsibilities of States and other international actors in disasters.

Speakers:

Eran Sthoeger, Ms. Azela Arumpac-Martel, Giulio Bartolini, Eileen Crowley

Hudson Medal Luncheon (separate ticket required)

Receptions & Luncheons

4/4/2024 12:00:00 PM-4/4/2024 1:30:00 PM

International Terrace West

Description:

Tickets for this event must be purchased separately with registration. The Manley O. Hudson Medal is the Society's most prestigious award and has been conveyed to a distinguished person of American or other nationality for outstanding contributions to scholarship and achievement in international law since its creation and conferral on Manley O. Hudson in 1956.

Speakers:

José E. Alvarez, Lucy Reed

International Law and Technology Interest Group Meeting

IG Meetings/Sessions

4/4/2024 12:00:00 PM-4/4/2024 1:00:00 PM

Fairchild East / West

Description:

New Scholarship in International Law and Technology New Scholarship in International Law and Technology," promises an in-depth round table discussion of "Big Data and Armed Conflict: Legal Issues Above and Below the Armed Conflict Threshold" (Dickinson & Berg eds., Oxford University Press, 2024). Co-editor Laura Dickison (GW Law), and chapter contributors Fionnuala Ní Aoláin (Minnesota Law, former UN Special Rapporteur on Counterterrorism), and Eric Talbot Jensen (BYU Law) will examine legal issues posed in international law by the use of "big data" in military operations and humanitarian relief. The participants will highlight the significance of big data for jus ad bellum, international humanitarian law, international human rights law, and international criminal law. In addition, we will dedicate a segment to honor the inaugural International Law and Technology Interest Group's Scholarship Prize Winner, awarded this year to Mark Jia for his compelling work on "Authoritarian Privacy." This recognition underscores the significance of Jia's groundbreaking research in shaping our understanding of privacy and governance in authoritarian contexts from a global perspective. As members of the Prize Selection. Committee noted, that the work "addresses questions that have been insufficiently addressed by Western scholars, is brilliant, original, a true tour de force. Featuring: Laura A. Dickinson (George Washington University Law School) Eric Talbot Jensen (Brigham Young University Law School) Mark Jia (Georgetown University Law School) Ching-Fu Lin (National Tsing Hua University) - Moderator Han-Wei Liu (Singapore Management University Law School) - Moderator Fionnuala Ní Aoláin (University of Minnesota Law School)

Speakers:

Law of the Sea Interest Group Meeting

IG Meetings/Sessions

4/4/2024 12:00:00 PM-4/4/2024 1:00:00 PM

Embassy

Description:

Arctic Update: Current Issues with Law of the Sea Implications The Arctic has historically been an area of cooperation and low tensions. As the ice cap melts, however, there is increasing activity in the region by both coastal States and other actors, prompting novel challenges and questions about applicable legal frameworks and governance structures. In this session, we will receive an overview brief from an Arctic expert and engage in a wide-ranging discussion about current issues in the Arctic region that hold law of the sea implications. Topics covered will include freedom of navigation, the effectiveness of current governance mechanisms, resource management, and extended continental shelf claims. Featuring: Cornell Overfield (Center for Naval Analyses) Pieter Bekker (CEPMLP University of Dundee/LOSIG) - moderator Margaret Materna (Office of the JAG, U.S. Navy/LOSIG) - moderator

Speakers:

Mentoring Q&A: Benjamin Salas Kantor, International Court of Justice

Professional Development

4/4/2024 12:00:00 PM-4/4/2024 1:00:00 PM

Cardozo

Description:

Benjamin Salas Kantor is an Associate Legal Officer at the International Court of Justice, where he advises and provides legal assistance to a Member of the Court. Before joining the Court, Benjamin was an International Lawyer at Foley Hoag, where he advised and represented sovereign States on matters of international law before the principal international dispute resolution bodies. From 2018 to 2021, Benjamin was the Principal Advisor to the President of Chile on International Law and Foreign Policy. In this capacity, he acted as the President's Sherpa before several multilateral fora. His career began as a Legal Officer at Chile's Ministry of Foreign Affairs, where he joined the team representing Chile before the ICJ in two disputes. In the academic field, Benjamin is a Lecturer in Law at Columbia Law School where he teaches a Practicum on the International Court of Justice. He has published in top-ranked journals of international law, on issues ranging from maritime delimitation to the application of general principles of law. Mr. Salas Kantor obtained his Law Degree from Pontificia Universidad Católica de Chile and attended The Hague Academy of International Law. He completed an LL.M. at Columbia Law School, where he obtained awards for excelling in the study of international law.

Speakers:

Benjamin Salas Kantor

Private Lawfare: International Arbitration, Global Litigation and Armed Conflict

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution

4/4/2024 12:00:00 PM-4/4/2024 1:00:00 PM

Columbia 11-12

Description:

We are experiencing an intense wave of global conflict; Ukraine and Gaza take most of the headlines, but the situations in Sudan, Myanmar, and Armenia are equally disruptive to local and global populations. While States can seek recourse from institutions like the International Court of Justice when they suffer from aggression, over the past century international law has provided rights to private parties—individual and corporate—that can be pressed before other tribunals and courts. The wave of investment arbitration cases filed against Russia when it occupied Ukraine; the cases coming online against Azerbaijan for its aggression in the Nagorno-Karabakh region; commercial arbitrations between the military junta and National Unity Government of Myanmar regarding offshore oil proceeds; and the many human rights cases that will be filed where there is a tribunal to hear it, demonstrates how principles of international law will be

invoked by private parties to affect these conflicts. And, equally important, these events illustrate how corporate investments can become embroiled in cross-border/armed conflict, and the avenues for recourse corporate and individual investors might have. This panel will discuss these ongoing conflicts and the general trend of private claims arising out of kinetic and asymmetrical warfare.

Speakers:

Won Kidane, Harrison Mbori, Charles Kotuby, Talin Hitik, Jill Goldenziel

The Weaponization of the World Economy

Track 3: International Trade, Investment, Finance, and Tax

4/4/2024 12:00:00 PM-4/4/2024 1:00:00 PM

Columbia 5-8

Description:

The post-war international economic order emerged from a dominant view that increased trade and investment flows would improve global economic conditions and mitigate geopolitical conflict. Today, that consensus is at risk of unraveling. In different ways, the three largest economic powers are seeking to reshape the international order in their own images – increasingly leveraging their own economic power, as well as their adversaries’ (and allies’) dependence on their markets, institutions, and technology, to pursue a broad set of geopolitical objectives. For instance: China has long leveraged access to its market and supply chains to achieve geopolitical objectives; the U.S. has (re)turned to industrial policy in the technology sector and in relation to sustainability initiatives; and the European Union has adopted a new anti-coercion instrument which empowers Member States to restrict access to the EU market in response to third-country measures the EU deems coercive. This session will examine the weaponization of our interdependent world economy. Panelists will debate how the U.S., E.U., and China are deploying sanctions, export controls, investment reviews, and tariffs to advance their security, competitiveness, and human rights objectives, and whether international legal norms provide a framework for disciplining this new geoeconomic reality.

Speakers:

Henry Farrell, Rachel Alpert, Lothar Ehring, Kristen Eichensehr, Xinquan TU

Tommaso Pavone, author of *The Ghostwriters*, in conversation with Mortimer Sellers

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution

4/4/2024 12:00:00 PM-4/4/2024 1:00:00 PM

Columbia 3-4

Description:

Organized by: Cambridge University Press Described as remarkable, unique and sophisticated, Tommaso Pavone’s groundbreaking and award-winning book overturns conventional wisdom regarding the judicial construction of Europe and illuminates how the politics of lawyers can profoundly impact institutional change and transnational governance. Beneath the radar,

Europe's political development unfolded as a struggle between judges who resisted European law and lawyers who pushed them to embrace change. Under the sheepskin of rights-conscious litigants and activist courts, these “Euro-lawyers” sought clients willing to break state laws conflicting with European law, lobbied national judges to uphold European rules, and propelled them to submit noncompliance cases to the European Union's supreme court – the European Court of Justice – by ghostwriting their referrals. By shadowing lawyers who encourage deliberate law-breaking and mobilize courts against their own governments, ‘The Ghostwriters’ seeks to advance a revisionist, bottom-up analysis of the construction of the world's sole supranational polity – the European Union – from a novel vantage point: that of practising lawyers.

Speakers:

Mortimer Sellers, Tommaso Pavone

Lunch Break

Break

4/4/2024 1:00:00 PM-4/4/2024 2:00:00 PM

Description:

Speakers:

Asia-Pacific Interest Group Meeting

IG Meetings/Sessions

4/4/2024 2:00:00 PM-4/4/2024 3:00:00 PM

Fairchild East / West

Description:

Career Development in the Asia Pacific: Pathways to Academic Growth and Publishing This meeting will offer a unique networking platform, allowing members to connect and discuss collaborative opportunities. We will present our latest updates and future directions, ensuring attendees are well-informed about the group's activities and focus areas. A highlight of the meeting will be the Career Development Roundtable, where distinguished speakers will share insights and practical advice on pursuing academic careers in the Asia Pacific region and publishing Asia-Pacific topics in international law journals. This meeting is an essential gathering for members to gain knowledge, build networks, and advance their professional development within the Asia Pacific context. Featuring: Yueming Yan (Chinese University of Hong Kong) Martins Paporinskis (University College London) Yoosong Lee (Georgetown University) Manjiao Chi (University of International Business and Economics) Pasha Hsieh (Singapore Management University) Jeanne (Jie) Huang (University of Sydney)

Speakers:

Butcher Medal Conversation: International Law, Theocracy, and the Struggle for Human Rights in Iran

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

4/4/2024 2:00:00 PM-4/4/2024 3:00:00 PM

Columbia 5-8

Description:

International Law, Theocracy, and the Struggle for Human Rights in Iran: A Conversation with Roya Boroumand The Goler T. Butcher Medal has been awarded by ASIL since 1997 to a distinguished person of American or other nationality, for outstanding contributions to the development or effective realization of international human rights. It is named for Goler Teal Butcher, a prominent African American scholar and professor of international law at Howard University School of Law, who served as assistant administrator for Africa at the U.S. Agency for International Development in the Carter Administration and was a leading advocate for ending global hunger. Roya Boroumand is the founder and Executive Director of the Abdorrahman Boroumand Center, a Non-Governmental Organization dedicated to the promotion of human rights and democracy in Iran. The organization was established in memory of her late father, Abdorrahman Boroumand, a critic of both the Shah and Khomeini regimes. Her father was assassinated in April 1991 by Iranian government agents. Through its research and outreach, the Center hopes to help restore the dignity of Iran's countless victims of human rights violations. Ms. Boroumand has served as a source of rigorous, objective documentation aimed at achieving justice and accountability under international law, leveraging the UN Human Rights system to expose the abuses carried out by the Iranian government, and defending universal human rights and the rule of law in the difficult context of a theocracy. Please join us for a discussion of her work and the current struggle for human rights in Iran, 1.5 years after the launch of the Women, Life, Freedom movement.

Speakers:

Karima Bennoune, Roya Boroumand

Comparative Perspectives on Extraterritoriality

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

4/4/2024 2:00:00 PM-4/4/2024 3:00:00 PM

Columbia 3-4

Description:

U.S. scholars and judges have spilled much ink over the geographic reach of U.S. statutes. Last Term alone, the Supreme Court issued two decisions applying its presumption against extraterritoriality to U.S. statutes. But at the same time that the Supreme Court is worried about constraining U.S. law, other countries are embracing extraterritoriality to confront problems like data privacy, anticompetitive behavior, climate change, and supply chain accountability. This session brings together experts on extraterritorial regulation from outside the United States for fresh perspectives on extraterritorial regulation. When is extraterritorial regulation permissible, when is it desirable, and how can regulatory conflicts be managed?

Speakers:

Hannah Buxbaum, Danielle Ireland-Piper, Matteo Gatti, Angela Zhang

Mentoring Q&A: Simon Batifort, Curtis, Mallet-Provost, Colt & Mosle LLP

Professional Development

4/4/2024 2:00:00 PM-4/4/2024 3:00:00 PM

Cardozo

Description:

Simon Batifort is a partner at Curtis, Mallet-Prevost, Colt & Mosle LLP based in New York and Brussels. His practice focuses on investment treaty arbitration, international commercial arbitration, and public international law. A dual French-U.S. national, he is also an Adjunct Professor of Law in New York and Paris where he teaches advanced courses in international investment law.

Speakers:

Simon Batifort

The Tensions of Trade and Sustainability

Track 3: International Trade, Investment, Finance, and Tax

4/4/2024 2:00:00 PM-4/4/2024 3:00:00 PM

Columbia 11-12

Description:

Modern trade law has been successful in promoting economic growth. Spurred by technological advancements, decades of trade liberalization have also facilitated unprecedented levels of global interdependence. However, this interdependence has brought with it novel challenges and strains on existing resources – including the management of crises of the commons such as climate change and biodiversity loss, and the remediation of social inequalities among and within countries. Can the trade law edifice, built for another time, survive and sufficiently manage the growing demands of the sustainability agenda? How far should our institutions be defended? What should be preserved and what rethought? This panel will focus on the increasingly urgent tension within the trade and sustainability agenda, and address the many questions this intersection poses. Can the goal of ever-freer trade be pursued in tandem with pressing sustainability goals? Does the pursuit of sustainability necessarily herald a return to protectionism and unilateralism? What kind of governance and institutional processes are needed to pursue sustainability within an increasingly divided and fragmented trade system? And can the trade system prioritize distributional and equitable outcomes, while also pursuing the most economically efficient outcomes?

Speakers:

Maureen Hinman, Geraldo Vidigal, Pedideh Ala'i, Dan Esty

Transnational Justice for International Crimes: State of the Art

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

4/4/2024 2:00:00 PM-4/4/2024 3:00:00 PM

Columbia 9-10

Description:

Against predictions in the 2010s that universal jurisdiction was singing its swan song, universal jurisdiction complaints and trials have increased steadily in the last twenty years. The conflicts in Syria, with the Islamic State, and in Ukraine, among others, have given new impetus to universal jurisdiction prosecutions by creating new sets of victims and survivors seeking justice. With limits in the reach of the International Criminal Court and the ability of national authorities to conduct cases in countries where crimes have been committed, it is clear that domestic transnational prosecutions are a critical venue for accountability efforts and may be a stepping stone to more comprehensive efforts within the global justice ecosystem. This question-and-answer roundtable will bring together perspectives from affected communities, nongovernmental organizations and academics to discuss recent trends, with an emphasis on learning from past advocacy and litigation to extend justice's footprint. The panel will consider: (a) the elements of a successful prosecution, including the role of evidence collection and preservation bodies at the UN; (b) the role of universal jurisdiction to decolonize justice for international crimes and challenge great power politics often leading to double-standards; (c) efforts to strengthen the infrastructure for universal jurisdiction in all regions; and (d) not just criminal accountability, but also corporate liability.

Speakers:

Mr. Hassan Bility, Maximo Langer, Carmen Cheung, Stephen Rapp, Brittany Benowitz

BASIL Speed Mentoring Program

Professional Development

4/4/2024 3:00:00 PM-4/4/2024 4:30:00 PM

Holmead East / West

Description:

Students and new professionals are invited to participate in a speed mentoring session with international lawyers from a wide variety of practice areas and professional backgrounds. Participants will spend 10-12 minutes at a table, engaging with a mentor, before switching to a new table. This session is open to all Annual Meeting attendees.

Speakers:

Justin Hansford, Tafadzwa Pasipanodya, Tadesse Kebebew, Adom Cooper, Darin Johnson, Jan Yves Remy, Adrien Wing

By Peaceful Means: International Adjudication and Arbitration - Essays in Honour of David D. Caron

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution
4/4/2024 3:30:00 PM-4/4/2024 4:30:00 PM
Columbia 5-8

Description:

Organized by: Oxford University Press In dedication to the remarkable legacy of past ASIL President David D. Caron (1952-2018), this panel features authors of *By Peaceful Means: International Adjudication and Arbitration*, a collection of essays by distinguished friends and colleagues published by Oxford University Press in 2024 exploring how international dispute resolution seeks to avert disaster and mitigate discord, and how it might continue to do so in our uncertain future. The book converses with Caron's work and scholarship as an international judge, arbitrator and professor of international dispute resolution, law of the sea and environmental law, in which he modelled how engagement with international institutions and conventions can promote stability in world affairs. The book canvasses Caron's work on the history, institutions and actors relevant to international dispute settlement, to explore the role of politics and various stakeholders in the development and practice of law in the field and identify cross-cutting themes and lessons for its future. The collection provides indispensable guidance on the connections between procedures and substantive rules with the legitimacy of international courts and tribunals, while highlighting insights on how international law and its institutions must remain adaptive to effectively respond to as-yet un contemplated future developments in the international legal order.

Speakers:

Susan L. Spencer, Joan Donoghue, Meg Kinnear, Esmé Shirlow, Philippa Webb, Hannah R. Garry

How Feminist is International Law?

Track 1: International Human Rights, Humanitarian Law, and Criminal Justice
4/4/2024 3:30:00 PM-4/4/2024 4:30:00 PM
Columbia 9-10

Description:

This panel considers the extent to which feminist scholars and practitioners have made progress in transforming the theory, practice, norms, and institutions of international law. It will explore the degree to which international law engages with or reflects feminist approaches in various contexts including international criminal law, security and terrorism, and refugee law, among others. Panelists will examine aspects of international law to identify areas of progress in promoting a broad range of feminist goals, as well as remaining challenges. They will seek to identify concrete suggestions for the future development of international law in line with feminist ideals. Panelists will consider various ways of understanding feminism and its goals and ideals.

Speakers:

Margaret M. deGuzman, Nienke Grossman, Patricia S. Visser, Jaya Ramji-Nogales, Fionnuala Ní Aoláin

International Law and Social Science Interest Group Meeting

IG Meetings/Sessions

4/4/2024 3:30:00 PM-4/4/2024 4:30:00 PM

Embassy

Description:

At its second annual meeting, the Interest Group on International Law and Social Science (ILASS) proposes a two-part program. First, the co-chairs of the section will briefly share a summary of events and activities over thesectionsfirst year and plans for the coming year, followed by member input and discussion. Second, we will then pivot to an informal roundtable discussion about "Publishing Social Science and International Law Research." Our panelists will include Karen Alter (Northwestern University, ILASS Co-Chair), Ingrid Brunk (Vanderbilt University, American Journal of International Law Co-Editor), Kathleen Claussen (Georgetown University, Journal of International Economic Law Co-Editor), and Monica Hakimi (Columbia University and American Journal of International Law Co-Editor). Please join us as we continue to build our community of ILASS scholars! Featuring: Karen Alter (Northwestern University, ILASS) Ingrid Brunk (Vanderbilt University, American Journal of International Law) Kathleen Claussen (Georgetown University, Journal of International Economic Law) Monica Hakimi (Columbia University and American Journal of International Law Co-Editor)

Speakers:

Private International Law Interest Group Meeting

IG Meetings/Sessions

4/4/2024 3:30:00 PM-4/4/2024 4:30:00 PM

Fairchild East / West

Description:

Recent Development of Private International Law in the US and Beyond During this fireside chat, our esteemed speakers will discuss recent developments in private international law in the US and beyond. Professor Ronald A. Brand will analyze the developments at the Hague Working Group, which is currently pursuing a convention on parallel proceedings and related actions or claims. Ms. Sarah Prosser will provide an overview of recent developments in the private international law efforts of the U.S. Department of State in 2023, with insights into initiatives planned for 2024. Professor Carlos M. Vázquez will focus on developments in the United States, including such recent decisions as *Mallory v. Norfolk Southern Railway Co*, *Cassirer v. TBM*, and the Mexican Gun Litigation. The fireside chat will adopt a relaxed format, ensuring a casual and enjoyable experience for both speakers and the audience. Featuring: Ronald A. Brand (University of Pittsburgh School of Law) Carlos M. Vázquez (Georgetown University Law Center) Sarah Prosser (U.S. Department of State) Jie (Jeanne) Huang (Private International Law Interest Group) - Moderator

Speakers:

Sanctions and Interdependence: Human Rights Implications

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

4/4/2024 3:30:00 PM-4/4/2024 4:30:00 PM

Columbia 11-12

Description:

Three of the world economy's major actors, the US, EU, and UK, are increasingly using sanctions as a major response to major crises and human rights abuses, such as against Russia over its invasion of Ukraine. Despite touting sanctions as necessary to preserve national security, address vulnerabilities and dependencies, or respond to previous acts by their targets, different jurisdictions' considerations of the human rights implications of sanctions are often unknown. Sanctions can complicate the provision of humanitarian aid, procurement, and trade and investment – frequently involving private actors on both sides. While some steps have been taken to carve out humanitarian activities from multilateral and unilateral sanctions, the potentially devastating harm on innocent citizens in countries being sanctioned has led some scholars to propose that principles of proportionality from international humanitarian law should be applied to economic warfare. This session will evaluate the current legal analytical framework for sanctions from different jurisdictions, human rights consequences arising from the increased usage of sanctions, and ideas for mitigating the negative impact on civilians and communities.

Speakers:

Scott Johnson, Nathanael Tilahun, Ryan Martínez Mitchell, Javaid Rehman, Amanda Strayer, Soledad García Muñoz

ASIL Assembly & Keynote

Keynotes & Plenaries

4/4/2024 5:00:00 PM-4/4/2024 6:30:00 PM

Columbia 5-8

Description:

The Assembly program includes presentation of the Society's annual honors and awards, remembrances of those we have lost during the past year, and the election and introduction of incoming officers and Executive Council members.

Speakers:

Rosalie Silberman Abella

50th President's Reception: Celebrating Gregory Shaffer

Receptions & Luncheons

4/4/2024 6:30:00 PM-4/4/2024 8:00:00 PM

Columbia Exhibit Hall

Description:

Speakers:

ABILA and Friends Reception - with a toast in memory of our colleague Professor Ved Prakash Nanda

Receptions & Luncheons

4/4/2024 6:30:00 PM-4/4/2024 7:30:00 PM

Kalorama

Description:

Speakers:

L Reception (by invitation)

Ancillary Events

4/4/2024 6:30:00 PM-4/4/2024 7:30:00 PM

Holmead East / West

Description:

Speakers:

Leadership Toast (by invitation only)

Ancillary Events

4/4/2024 6:30:00 PM-4/4/2024 7:00:00 PM

Piscataway

Description:

Speakers:

2024 ASIL Executive Council Meeting (by invitation)

Ancillary Events

4/5/2024 8:00:00 AM-4/5/2024 9:00:00 AM

International Terrace West

Description:

Speakers:

**Breakfast Info Session: Sandra Day O'Connor College of Law (ASU LAW) LLM & MLS
in Int'l Rule of Law**

Ancillary Events

4/5/2024 8:00:00 AM-4/5/2024 9:00:00 AM

Holmead East / West

Description:

Speakers:

ASIL New York Chapter Meeting

IG Meetings/Sessions

4/5/2024 9:00:00 AM-4/5/2024 10:00:00 AM

Fairchild East / West

Description:

This will be the first meeting of the Chapter at an Annual Meeting of the ASIL since this is the first Annual Meeting following the Chapter's recent establishment.

Speakers:

Crafting Your Resume & Cover Letter for International Law Jobs

Professional Development

4/5/2024 9:00:00 AM-4/5/2024 10:00:00 AM

Cardozo

Description:

Our cover letter workshop and our resume workshop will each offer participants detailed insight drafting these documents in a way that makes them attractive to prospective employers from a variety of legal sectors. Topics under discussion will include cover letter and resumé "must-haves," dos and don'ts, how to strike the correct tone, and an overview of what should be showcased in a cover letter vs. what should be saved for the resumé.

Speakers:

Taylor Kilpatrick

Inaugural Meeting of the Global Health Law Interest Group

IG Meetings/Sessions

4/5/2024 9:00:00 AM-4/5/2024 10:00:00 AM

Embassy

Description:

To celebrate the launch of the Global Health Law Interest Group (GHLIG), we are hosting an inaugural business meeting for everyone interested in learning more about global health law and networking with peers. The meeting will begin with a brief overview of the past and future activities of the GHLIG, presented by the Co-Chairs, including updates on governance. This will be followed by a roundtable discussion featuring experts who will share their insights on current developments in the field and what to expect in the future. The event will conclude with a networking session, allowing participants to connect with colleagues and discuss collaborative opportunities. Featuring: Alex Phelan (Johns Hopkins University) Matiangai Sirelaf (University of Maryland) Nicole Foster (University of the West Indies) Sam Halabi (Georgetown - O'Neill) Oscar A. Carera (Georgetown - O'Neill) Emily Bleimund (HHS)

Speakers:

More than a Prosecutor: Honoring Benjamin Ferencz and the Interconnectedness of Int'l Justice

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

4/5/2024 9:00:00 AM-4/5/2024 10:00:00 AM

Columbia 3-4

Description:

Organized by: UVA Press In his forthcoming biography Nuremberg's Citizen Prosecutor: Benjamin Ferencz and the Birth of International Justice, Gregory Gordon demonstrates that the individual best known for his work as the Einsatzgruppen Trial Chief Prosecutor achieved much more in his career than successfully bringing that proceeding's defendants to justice. Rather, his Nuremberg prosecution experience was a moment of perfect equipoise in his life – not chronologically, but experientially/thematically – that recalled his service as a pioneer war crimes investigator and telegraphed his achievements in victim advocacy and atrocity prevention. This panel will explore those components of Ferencz's body of work, considering in sequence his WWII investigative contributions, Nuremberg prosecutorial exploits, Holocaust restitution work and contributions toward aggression's criminalization and the ICC's creation. Panelists will initially consider each piece of the Ferencz legacy, followed by a panel discussion of how Ferencz's trailblazing work served as the human connective tissue among all phases of the justice process, ultimately showing how essentially interlinked they are. It will honor Ferencz's lifetime accomplishments comprehensively/holistically while resonating with this year's Annual Meeting theme of "International Law in an Interdependent World."

Speakers:

Leila Sadat, David Scheffer, Beth Van Schaack, Jocelyn Getgen Kestenbaum, Gregory Gordon

Putting Mediation to the Test: A Mock Investment Mediation

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution

4/5/2024 9:00:00 AM-4/5/2024 10:00:00 AM

Columbia 5-8

Description:

There is growing interest in the potential of mediation to resolve investor-State disputes as evidenced by the discussions in UNCITRAL's Working Group III and the adoption of the 2022 ICSID Mediation Rules by ICSID's 158 Member States. Yet, while about 30-40% of investment arbitrations settle or are discontinued without a final ruling by an arbitral tribunal, little is known about the use of investor-State mediation in practice which leads to the perception that mediation might be underutilized. This panel aims to test whether mediation can be a viable means of dispute resolution for investor-state cases. This panel will use a mock investment dispute scenario to simulate an investment mediation. The simulation will track the main phases of an investment mediation and address issues and topics that routinely arise in practice, such as how to commence a mediation, questions of internal State organization, mediator selection, written statements, and developing the mediation protocol. The simulation will be followed by a Q&A. The hypothetical fact pattern will be made available in advance on the ASIL website or by clicking the link in the electronic program.

Speakers:

Frauke Nitschke, Ximena Bustamante, Bill Marsh, Amal Bouchenaki

Remote Sensing from Space: Who is Watching the Watchers?

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

4/5/2024 9:00:00 AM-4/5/2024 10:00:00 AM

Columbia 11-12

Description:

Space activities, particularly remote sensing, highlight the interdependence of our world. These activities increasingly are carried on by commercial companies notwithstanding their immense potential to further States' political, economic, environmental and military objectives. Both public and private entities invest in satellite research, development, and production for an ever wider range of applications. Several projections estimate that the global market for remote sensing satellites and technology could reach \$50 to \$70 billion by 2030. A resurgence in classical conflicts exacerbates concerns over dual-use space technologies and tends to inhibit consensus in multilateral forums. States have responded with bilateral initiatives, such as the Artemis Accords, and with efforts to court commercial actors through streamlined, patchworks of national laws, raising the specter of flags of convenience. Panelists will explore remote sensing through the lens of foundational multilateral space law treaties and under national laws, and will examine the search for international consensus on how States should regulate this evolving industry in our current interdependent world. With States and private actors navigating an ever-shifting gauntlet of risks—including collisions, national security concerns, ESG obligations, and State-sponsored cyberattacks—remote sensing makes an obvious case for new, coordinated international legal action.

Speakers:

Jeremy Weinberg, Danielle Pineres, Michelle Lea Desyin Hanlon, Derek Hanson, Almudena Azcárate Ortega

The Financial Institutions of the Peripheries

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

4/5/2024 9:00:00 AM-4/5/2024 10:00:00 AM

Columbia 1-2

Description:

Development assistance is typically associated with the Bretton Woods institutions – the World Bank and the International Monetary Fund, institutions that have been well understood, studied, lauded, and criticized through the entire Post-War Period. Yet the world of public development finance is populated by a wide variety of multilateral institutions. Many of these have been missed, misunderstood, and marginalized – particularly regional multilateral development banks in the global south, like the Africa Export/Import Bank, and the African Development Bank. This panel seeks to shift the focus from the Bretton Woods institutions to these underappreciated “regional multilateral banks.” In doing so, it seeks to re-center the most pressing debates around development finance, including the reform of the international financial architecture, and debt restructuring. It shifts the focus to institutions within the Global South, and their relationship both to the countries within which they finance development projects and the global financial institutions with whom they cooperate/compete. Rather than rehash debates about how reforming the global financial architecture can help developing countries manage unsustainable debt portfolios, this panel turns the spotlight toward regional institutions and their capacity to give countries of the Global South more meaningful voice in their affairs.

Speakers:

Babajide Sodipo, Gerald Chihota, Daniel Bradlow, Jan Yves Remy, Gertrude Amorkor Amarh, Vikram Raghavan

Vagts Roundtable: Preserving Cultural Heritage and Protecting Humanity in Conflict Zones

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

4/5/2024 9:00:00 AM-4/5/2024 10:00:00 AM

Columbia 9-10

Description:

Preserving Cultural Heritage and Protecting Humanity in Conflict Zones: A Comparative Analysis of Cultural Heritage Protection and Civilian Protection Since its earliest codifications, the law of armed conflict has called for protecting cultural heritage in conflict zones and occupied territories. International legal protection for qualifying cultural sites and movable works underwent its most significant development after the Second World War, when cultural heritage protection advanced through both treaty law and customary law, though these

developments also typically—but not exclusively—followed on the heels of civilian protection. This roundtable will discuss a paper by presenter Professor Anne-Marie Carstens that examines parallels in civilian protection as an avenue for understanding the contours of cultural heritage protection. The discussion also will address important caveats that reflect material differences between these two objectives, as well as parse notable departures between the international legal regimes governing cultural heritage protection and civilian protection.

Speakers:

Michael Kelly, Karl Chang, Patty Gerstenblith, Anne-Marie Carstens, Tracey Begley

Ask Me Anything: Careers in International Law

Professional Development

4/5/2024 10:30:00 AM-4/5/2024 11:30:00 AM

Columbia 1-2

Description:

Geared towards students and new professionals, this panel will discuss the ways in which attorneys can find their footing in the early years of practicing international law. Panelists from a variety of practice settings will offer advice on wide ranging topics from approaching legal research questions, to networking, and avoiding burn out. The panel will be followed by an audience Q&A session. Attendees will leave with actionable steps to stand out as they begin to build an international legal practice.

Speakers:

Stephanie Farior, Monica Hakimi, Marrayum Kahloon, Juliette Green

Cyberwar Strategies & ICC Implications in the Age of AI

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

4/5/2024 10:30:00 AM-4/5/2024 11:30:00 AM

Columbia 11-12

Description:

As with all other aspects of cyber activity, cyberwar will undergo a significant paradigm shift as AI replaces algorithmic-based development, deployment, command, and control. This roundtable explores international law as a framework for managing the impacts of that shift on both traditional aspects of cyberwar (sovereignty, use of force, anticipatory self-defense, cyberattacks, automated targeting, and aggression) and newer aspects brought to surface by the war in Ukraine (the role of citizens and private actors, cloud services, Starlink, etc.). Voices from Europe and the U.S. offer comparative perspectives on how this issue is being or should be approached and what strategies for doing so may be most effective in light of new observations that the ICC may be able to assert jurisdiction over cyber-enabled atrocity crimes under the Rome Statute.

Speakers:

Dr. Charles C. Jalloh, François Delerue, Laurie Blank, Sandra Hodgkinson

International Legal Theory Interest Group Meeting

IG Meetings/Sessions

4/5/2024 10:30:00 AM-4/5/2024 11:30:00 AM

Embassy

Description:

Theory Forum The Theory Forum, hosted by the International Legal Theory interest group, will feature presentation of several works in progress that develop claims related to international legal theory, broadly construed. Presenting authors were selected through a call for papers. The papers are unpublished and audience feedback will be welcomed. The Forum is open to members of the International Legal Theory interest group and all Annual Meeting attendees. Featuring: Ryan Liss (University of Western Ontario) Paper: The Normative Structure of International Criminal Law Trang (Mae) Nguyen (Temple University School of Law) Paper: Legal Hedging: Power Acceptance and Rejection by Peripheral States Matina Papadaki (National and Kapodistrian University of Athens & Academy of Athens) Paper: General Principles in International law: upending orthodoxies?

Speakers:

Race & National Security Book Roundtable

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

4/5/2024 10:30:00 AM-4/5/2024 11:30:00 AM

Columbia 3-4

Description:

Organized by: University of Maryland On both a national and global stage we are witnessing a reckoning on issues of racial justice. This historical moment that continues to unfold in the United States and elsewhere also creates an opening to spark and revitalize debate and policy changes on a range of crucial topics, including national security. By surfacing the depths to which White hegemonic power influences our institutions and cultural assumptions, we gain more accurate understanding of how race manifests in national security domestically, transnationally, and globally. In this book roundtable on Race and National Security, leading experts will challenge conventional interpretations of national security by illuminating the underpinning of White supremacy in our social consciousness. The conversation will center the experience of those who have long been on the receiving end of racialized state violence. Commentators will offer visions for reforming and transforming national security, including adopting an abolitionist framework. The roundtable on Race and National Security will invites us to radically reimagine a world where the security state does not keep Black, Brown, and other marginalized peoples subordinated through threats of and actual incarceration, violence, torture, and death.

Speakers:

Matiangai Sirleaf, Jaya Ramji-Nogales, Margaret Hu, Ryan Goodman, Aslı Ü. Bâli

Rights of Indigenous Peoples Interest Group Meeting

IG Meetings/Sessions

4/5/2024 10:30:00 AM-4/5/2024 11:30:00 AM

Fairchild East / West

Description:

The Rights of Indigenous Peoples Interest Group will have an in-person meeting 10:30-11:30am Friday April 5 at the ASIL Annual Meeting 2024. The meeting agenda will be to introduce new members, discuss webinars for 2024, and plan for potential events and publications. The business meeting is open to any interested ASIL members. Any questions can be directed to Co-Chair Jonathan Liljeblad (jonathanliljeblad@gmail.com), who will lead the business meeting.

Speakers:

The Law(s) of the International Civil Service

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

4/5/2024 10:30:00 AM-4/5/2024 11:30:00 AM

Columbia 9-10

Description:

International organizations in the United Nations family employ over 125,000 civil servants, performing an expansive range of governance functions, sometimes in dangerous circumstances. Their work is governed by a growing body of international institutional law, which structures the daily life of the international civil service. Employment disputes inevitably arise here, as in any public sector setting – from contract non-renewal to workplace harassment. Because international organizations enjoy privileges and immunities shielding them from domestic jurisdiction, their employees cannot appeal to national courts to settle employment disputes. Instead international organizations have, over time, developed a multitude of internal systems of justice, each with their own sets of precedents. This constellation of administrative tribunals, across partially overlapping organizations, is generating an overarching law of the international civil service. However, this emergent legal field is already proving a divergent one. Remarkable discrepancies have ensued, including recent splits on similar cases before the United Nations Appeals Tribunal and the Administrative Tribunal of the International Labor Organization on the levels of pay for staff serving in Geneva. This panel explores the emergence and divergence of international civil service law, asking: who makes the rules? How are they interpreted, applied, and harmonized? And to which legal order do these rules ultimately belong?

Speakers:

Olufemi Elias, Julia Kyung Min Lee, Nikoleta Paraskevi Chalanouli, Melissa Su Thomas, Fabrizio Mastrogirolamo

Twelfth Annual Charles N. Brower Lecture: Process and Adjudication

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution
4/5/2024 10:30:00 AM-4/5/2024 11:30:00 AM
Columbia 5-8

Description:

The Brower Lecture is named in honor of Judge Charles N. Brower for his many contributions to the field of international law. It was established to recognize outstanding achievement in the practice and or scholarship of international dispute resolution.

Speakers:

Rosemary Barkett

If Nature has Rights, Who Speaks on its Behalf?

Track 6: Environment, Sea, Space, and Sustainable Development
4/5/2024 12:00:00 PM-4/5/2024 1:00:00 PM
Columbia 11-12

Description:

In a departure from the traditional view that ecological entities are mere objects for human use, there has been a recent and growing recognition of nature -- including rivers, mountains, forests, and other ecological entities -- as active legal subjects. This new perspective acknowledges the interconnectedness and co-evolution of the human and natural world, recognizing the intrinsic value of both. This movement has been gaining traction globally, with environmental organizations and Indigenous peoples, in particular, advocating for the expansion and implementation of these rights. This panel will explore which ecological entities have had their rights recognized, and what are those specific rights. These legal developments cannot be seen as simply transferring human rights to the environment, but rather, as granting distinct rights, like “river rights” or “forest rights,” to different entities. These distinct rights are tailored to the local context, but commonly include the right to exist, regenerate, and evolve. The panel will also examine how rights of nature can be enforced. Different jurisdictions have approached enforcement in different ways. For example, some countries have established comprehensive guardianship mechanisms involving nominated representatives whereas in other regions, individuals can go to court to enforce the rights of nature.

Speakers:

Erin O'Donnell, Dinah Shelton, Frank Bibeau, Anne Peters, Dan Bodansky

International Criminal Law Interest Group Meeting

IG Meetings/Sessions
4/5/2024 12:00:00 PM-4/5/2024 1:00:00 PM
Embassy

Description:

The International Criminal Law Interest Group will hold a business meeting in person. This will provide an opportunity for the co-chairs to introduce themselves to the group and for the membership to identify programming priorities for the coming year.

Speakers:

Mentoring Q&A: Kayla Winarsky Green, Business for Social Responsibility

Professional Development

4/5/2024 12:00:00 PM-4/5/2024 1:00:00 PM

Cardozo

Description:

Kayla collaborates with BSR member companies on projects centering on the corporate responsibility to respect human rights, focusing on companies within the consumer sectors industry. Her areas of expertise include energy transition, anti-corruption, and gender. Prior to joining BSR, Kayla spent several years advising multinational companies and investors on human rights and sustainable development as an Adviser at the Danish Institute for Human Rights in Copenhagen, during which she also served as a Lecturer in Law at the University of Amsterdam, focusing on Business and Human Rights (BHR), international human rights, anti-corruption, and EU law. Previously, she worked on global anti-corruption investigations and cross-border white collar litigations as an Associate at the international law firm King & Spalding LLP, where she was the founding member of the firm's BHR initiative. Kayla holds a JD and a Certificate in Global Human Rights from the University of Pennsylvania School of Law, which included course work at the Institut de hautes études internationales et du développement in Geneva, and a BA, Phi Beta Kappa, Summa Cum Laude from Tulane University.

Speakers:

Kayla Winarsky McKenzie

Migration Law Interest Group Meeting

IG Meetings/Sessions

4/5/2024 12:00:00 PM-4/5/2024 1:00:00 PM

Fairchild East / West

Description:

At the MLIG Interest Group Meeting, we will meet the new IG chairs, hear about the interests of the IG members, and brainstorm opportunities for involvement and uplifting the international law issues most of interest to IG members with regard to international migration.

Speakers:

New “Frontiers”: Boundary Dispute Resolution in the Post-Colonial Era

Track 2: Transnational Litigation, Arbitration, and Dispute Resolution
4/5/2024 12:00:00 PM-4/5/2024 1:00:00 PM
Columbia 9-10

Description:

In adjudicating boundary disputes in the post-colonial era, conventional principles of stability and continuity may no longer be fit for purpose. This challenge can be seen, for example, through the failed efforts of the Eritrea-Ethiopia Claims Commission to resolve this border dispute and, more recently, in the decision of the International Court of Justice to hear a century-old border dispute between Guyana and Venezuela. At the same time, when other factors are considered, such as nomadic populations' rights, the results may have more lasting success (as in the Frontier Dispute (Burkina Faso/Niger) case). This session will consider key issues with the application of uti possidetis in border disputes and explore additional factors and modes of dispute resolution. Questions to be considered include: In the absence of agreement, which administrative line does uti possidetis transform into international borders? Has the application of the principle uti possidetis helped to achieve stability and peace? How can uti possidetis be reconciled with the right to self-determination? How might considerations such as preserving cultural or environmental assets, or contributing to peace efforts be considered alongside or in place of uti possidetis? Are there alternatives to traditional adjudication to consider in resolving border disputes?

Speakers:

Anouche Beaudouin, Ximena Fuentes, Lauri Mälksoo, Paul Reichler, Dr. Mamadou Hébié, Suzanne Lalonde

Prominent Woman in International Law (WILIG Luncheon - separate ticket required)

Receptions & Luncheons
4/5/2024 12:00:00 PM-4/5/2024 1:30:00 PM
International Terrace West

Description:

Tickets for this event must be purchased separately with registration 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.

Speakers:

Stephanie Farior, Margaret M. deGuzman, Karima Bennoune, Valerie Oosterveld

Repairing War Injuries: Reconstruction, Compensation Mechanisms and Transitional Justice

Track 5: Security, Foreign Relations, and Use of Force
4/5/2024 12:00:00 PM-4/5/2024 1:00:00 PM
Columbia 5-8

Description:

This panel will discuss the role of compensation mechanisms for injuries suffered as a consequence of armed conflict, both as instruments for post-war reconstruction and as potential channels for broader transitional justice goals. Panelists will compare recent examples of compensation mechanisms (e.g., Register of Damages for Ukraine, the UN Compensation Commission, the Eritrea Ethiopia Claims Commission, and the UN Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory) and their impact as follows: 1) To what extent, if any, have differences and similarities in such models given rise to particular advantages or limitations?; 2) How does a compensation mechanism's "origin story" and constitution affect its performance, and the ability to deliver on its mandate?; and 3) Could such mechanisms be constructed to prioritize specific categories of grave harm such as gender or racial injustice; to address root causes such as the legacies of imperial conquest or colonial domination; and to avoid pitfalls in implementation due to endemic corruption? Importantly, the panel will prioritize how such mechanisms can more effectively ensure that the voices, needs, and perspectives of impacted victims and communities, alongside those of the affected State(s), are duly taken into account in redressing injury and harm.

Speakers:

Emma Lindsay, Patrick Pearsall, Monica Hakimi, Mariana Salazar Albornoz, Markiyan Kliuchkovskyi

Shaping the Trade-Technology Nexus in Indo-Pacific Regionalism: The US-Taiwan Initiative

Track 3: International Trade, Investment, Finance, and Tax

4/5/2024 12:00:00 PM-4/5/2024 1:00:00 PM

Columbia 3-4

Description:

Organized by: Chinese (Taiwan) Society of Int'l Law, Chinese (Taiwan) Branch of the Int'l Law Association, & ASIL ILTech IG Indo-Pacific regionalism has rapidly accelerated amid economic and geopolitical challenges ranging from the impasse in WTO negotiations to the Ukraine war. Key to the United States and its Asian allies, recent trade deals will shape the trade-technology nexus in the global legal order. The accession of the United Kingdom to the CPTPP, along with potential applicant countries, has enabled the mega-FTA to influence technology regulations. The RCEP, ASEAN frameworks, and new digital trade and green economy agreements will further invigorate trade rules on sustainability, AI, and 5G technology. The United States initiated the IPEF as a non-traditional trade pact that involves no tariff and services commitments. In tandem with the San Francisco summit of APEC, 14 parties agreed on the draft Agreement on IPEF, which aims to consolidate its four pillars on trade, supply chains, clean economy, and fair economy. In June 2023, the first batch of the US-Taiwan Initiative on 21st Century Trade was signed, marking the Biden Administration's first trade agreement. Ongoing negotiations under the Initiative involve key areas such as digital trade, and environmental and labor issues. The contents are expected to influence the IPEF and dynamic trade-technology rules in the region. Against this background, the panel will provide Asian and US perspectives on trade-technology normative developments under these agreements, constitutional issues

involving trade authority, and the impact on industries including TSMC's expansion, and broader implications for Indo-Pacific strategies.

Speakers:

Kathleen Claussen, Barbara Weisel, Ching-Fu Lin, Pasha Hsieh, Han-Wei Liu, Inu Manak

Cyber Horizons: Safeguarding Human Rights in the Digital Era

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

4/5/2024 2:00:00 PM-4/5/2024 3:00:00 PM

Columbia 11-12

Description:

In the digital era, human rights face challenges from privacy infringements, AI biases, disinformation, censorship, the digital divide, and surveillance. In this evolving landscape, state actors, international organizations, and technology companies, among others, must understand and address these challenges to craft policies and regulations that protect human rights and ensure a fair, inclusive, and respectful digital environment for all. In the words of the U.N. High Commissioner for Human Rights, Völker Turk, "To be effective, to be humane, to put people at the heart of the development of new technologies, any solution – any regulation – must be grounded in respect for human rights". This roundtable discussion seeks to navigate the intricate intersection where human rights meet the challenges and opportunities of the digital age.

Panelists will explore artificial intelligence regulation, such as the European Union AI Act, the digital divide, online harassment, digital ethics, and the role of public and private sectors in line with the U.N. Guiding Principles on Business and Human Rights.

Speakers:

Annalisa Ciampi, Ignacio Alvarez, Laura Bingham, Can Yeginsu

International Courts and Tribunals Interest Group Meeting

IG Meetings/Sessions

4/5/2024 2:00:00 PM-4/5/2024 3:00:00 PM

Fairchild East / West

Description:

This is an opportunity to informally meet and network with members of the International Courts and Tribunals Interest Group. There is no fixed agenda beyond a short introduction to the Group and our recent and upcoming events.

Speakers:

International Law through the Looking Glass of ISDS

Track 3: International Trade, Investment, Finance, and Tax

4/5/2024 2:00:00 PM-4/5/2024 3:00:00 PM

Columbia 9-10

Description:

General international law plays a critical role in investment treaty jurisprudence. Not a single investment treaty dispute can be resolved without relying on primary and secondary rules from general international law, and references to classical articulations of legal principles in PCIJ and ICJ decisions like *Chorzów*, *ELSI*, and *Barcelona Traction* are commonplace. Yet, investment treaty tribunals' interpretation and application of international legal rules periodically diverges from general international law, as with jurisdictional preconditions (e.g. futility), equitable doctrines (e.g. unclean hands), treaty interpretation, and the right to regulate. At the same time, investment treaty jurisprudence has developed far more systematic (and robust) rules concerning compensation than those prevailing in any other international legal fora. What happens in ISDS will not necessarily stay in ISDS – interpretive choices there can affect general international law in turn. This panel will thus explore the normative transmission belt between ISDS and general international law. It will also consider how these regimes may further influence one another in relation to challenges to the global commons, concerning corruption, human rights, climate change, and biodiversity. This panel will pay particular attention to whose voices are included in the synthetic development of international (investment) law through litigation, and whose voices are left out.

Speakers:

Ibironke Odumosu-Ayanu, Ina Popova, Andreas Kulick, Martins Paporinskis, Robert Howse

Just Transitions in International Law

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

4/5/2024 2:00:00 PM-4/5/2024 3:00:00 PM

Columbia 3-4

Description:

Organized by: Durham Law School Amidst conceptual ambiguities, just transitions are now high on the agenda of the yearly meetings of Parties under the United Nations Framework Convention on Climate Change and the Paris Agreement. In 2022, at the 27th Conference of Parties (COP27) and 4th meeting of Parties under the Paris Agreement (CMA4), the Sharm El-Sheikh implementation plan identified the need for a new work programme on just transition pathways. Building on this, Parties adopted at CMA5 in Dubai the UAE Just Transition work programme. The decision was delayed after contentious negotiations, concerning the starting date, duration and scope of the programme. In the end, Parties agreed on an immediate starting date, an effectiveness review in 2026, and a number of broad substantial elements. In this panel, we will consider the elements of the just transition work programme through the lens of the outcome of the global stocktake, at the intersection of general international law, investment law and environmental law, including the consideration of legal barriers for investing in climate action. The session will begin with short lightning talks followed by discussion. It aims at setting the agenda for just transition research and international collaboration on the topic.

Speakers:

Cinnamon Carlarne, Lydia Slobodian, Dan Esty, Rozemarijn Roland Holst, Petra Minnerop

Late Breaking Panel: The Conflict in Gaza

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

4/5/2024 2:00:00 PM-4/5/2024 3:00:00 PM

Columbia 5-8

Description:

Israel's military operations in Gaza have divided the international community, as have Hamas' attacks of October 7th. What can we expect of international law and international institutions in this conflict? This panel will address some of many legal questions the evolving conflict raises. How can one assess the conduct of hostilities? What are the implications of ongoing international court proceedings? What are the roles and responsibilities of third states? How can we make sense of international law on the resort to force in the context of a decades long conflict and occupation?

Speakers:

Janina Dill, Eliav Lieblich, Vivian Salama, Dr. Ardi Imseis

Mentoring Q&A: Natalie McCauley, European Union Delegation to the United Nations

Professional Development

4/5/2024 2:00:00 PM-4/5/2024 3:00:00 PM

Cardozo

Description:

Natalie McCauley is an international lawyer focused on diplomacy, civilian protection, and human rights. She is currently a Humanitarian Policy Adviser at the European Union Delegation to the United Nations, where she represents the EU in multilateral negotiations on humanitarian topics. Previously, she worked as a Legal Attaché at the International Committee of the Red Cross Delegation to the UN and a Law Fellow at the Public International Law and Policy Group. Natalie earned a JD from Harvard Law School, and she served as Editor-in-Chief of the Harvard International Law Journal. Natalie also holds an MA in environmental law from SOAS, University of London and a BA in international relations and environmental science from New York University. She has lived in Jordan, Tunisia, The Netherlands, the United Arab Emirates, and France.

Speakers:

Natalie McCauley

Sixth Annual International Law Review Editors-in-Chief Roundtable (by invitation)

Professional Development

4/5/2024 2:00:00 PM-4/5/2024 3:00:00 PM

Holmead East / West

Description:

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

Speakers:

Kathleen Claussen, Monica Hakimi, Jeffrey Dunoff

The Present and Future of Nuclear Disarmament

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

4/5/2024 2:00:00 PM-4/5/2024 3:00:00 PM

Columbia 1-2

Description:

In a time of multiple major crises and conflicts around the globe and talk about a risk of escalation among nuclear powers, it is essential to ask whether the international legal architecture supporting the control of nuclear weapons is up to the task. Departing from the UN General Assembly's conviction that "the complete elimination of nuclear weapons is the only guarantee against the threat of nuclear war" (GA Resolution 49/75 K), this panel surveys the challenges and opportunities of the current legal landscape: what is the status of the existing multi- and bilateral agreements on nuclear arms control and disarmament and is it possible to discern a trajectory for the future? How should the legal order reflect the move towards a multipolar nuclear environment, away from the certainties of the Cold War? Is there a risk of regression or are the existing commitments irreversible? Is a universal approach preferable to bi-lateral/trilateral/quadrilateral arrangements between the nuclear powers? How can international law principles inform a path to "global zero"?

Speakers:

Izumi Nakamitsu, Seth Shelden, Bonnie Jenkins, David Koplow

ASIL-Midwest Meeting

IG Meetings/Sessions

4/5/2024 3:30:00 PM-4/5/2024 4:30:00 PM

Embassy

Description:

The Midwest IG business meeting will discuss the group's events over the past few years and plans for the next two years, including ways to reinvigorate activities across the Midwest and collaborate with other interest groups within ASIL

Speakers:

Crimes Against Humanity: from Draft Articles to Treaty in 2024?

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

4/5/2024 3:30:00 PM-4/5/2024 4:30:00 PM

Columbia 3-4

Description:

Organized by: UCLA Law Promise Institute for Human Rights, Washington University in St. Louis School of Law & Atlantic Council In 2022, the U.N. General Assembly's (UNGA) Sixth Committee adopted a resolution on the International Law Commission's 2019 Draft Articles on Prevention and Punishment of Crimes Against Humanity (CAH), establishing a two-year process for exchange of "substantive views" on the draft articles in April of 2023 and 2024, with a decision on next steps in Fall 2024. A CAH treaty based on the draft articles would require States to prevent and punish CAH; provides for interstate cooperation; and confers jurisdiction on the International Court of Justice. The treaty could also progressively develop the definition of CAH, provide for capacity-building, and establish a treaty mechanism. This panel will examine key questions before the UNGA in 2024: 1) Why are States generally supporting a new CAH treaty based upon the draft articles? 2) What would be the relationship of any new treaty to the Rome Statute for the International Criminal Court and the new Ljubljana-Hague Treaty on Mutual Legal Assistance? 3) What political and legal challenges might block moving to treaty negotiations? 4) How will civil society demands for sexual, gender-based, and reproductive violence crimes; environmental crimes; or the crime of slavery and the slave trade play out during future treaty negotiations?

Speakers:

Leila Sadat, Pablo Arrocha, Akila Radhakrishnan, Beth Van Schaack, Hannah R. Garry

Decolonizing International Tax Law

Track 3: International Trade, Investment, Finance, and Tax

4/5/2024 3:30:00 PM-4/5/2024 4:30:00 PM

Columbia 11-12

Description:

International tax rules are under increasing strain. Demands for increased revenues and greater equity have produced a moment in which multilateral reform is genuinely possible. Yet, as in other areas of international economic law, it must be asked how far the dominant reform movement promotes real social change, or, ultimately, retrenchment – and what alternatives might be waiting in the wings. The main locus of intergovernmental tax law reform is the OECD,

whose most prominent proposals are a global corporate minimum tax and a new taxing right on large multinational corporate profits. Proponents claim that these reforms would ensure that corporations finally pay their fair share. Critics, however, stress that they do little to address the revenue concerns of the Global South, and actually cut deeply against the interests of all but the wealthiest nations. This panel will examine our moment of possible global tax law reform, with an eye toward pathways that address incorporate the voices of underrepresented states in the rulemaking process and address their priorities directly. Panelists will focus on the institutions of reform, situating OECD efforts against initiatives within the more widely representative United Nations and those championed by new voices like the African Tax Administration Forum.

Speakers:

Manal Corwin, Karen Brown, Ryan Pinder, Shu-Yi Oei, Shreya Rao

Defending the Defenders: Women's Rights and Gender Persecution at Home and Abroad

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

4/5/2024 3:30:00 PM-4/5/2024 4:30:00 PM

Columbia 5-8

Description:

Defenders of human rights and women's rights are under attack around the world as authoritarian regimes have grown in their capacity to exercise control. Even democracies have retreated in their protection of individual rights in recent years. The use of digital technologies and social media to target defenders is a global phenomenon from which no country is immune. Online violence must be seen in the context of the globally shrinking democratic and civic space as well as insecurity in digital networks, demanding a multi-dimensional and cross-border approach. This panel will discuss how human rights defenders are under threat globally—from the digital to the physical—and what can be done about it. Panelists will also share how human rights defenders at the margins of vulnerable or intersecting identities have compounded security threats in their work engaging in cross-border movement-building in both digital and physical spaces. Panelists will examine three case scenarios: Iran, Afghanistan and China as well as the universalities of threats shared among them. Panelists will also discuss rapid response strategies as well as long term legal strategies taking place to not only protect defenders but also to advance their work and counter shrinking civil society space.

Speakers:

Lü Pin, Huma Saeed, Jessica Stern, René Urueña, Valerie Oosterveld

Government Attorneys Interest Group Meeting

IG Meetings/Sessions

4/5/2024 3:30:00 PM-4/5/2024 4:30:00 PM

Fairchild East / West

Description:

The Government Attorneys Interest Group (GAIG) invites all ASIL Members to join us for a conversation with the authors of “The 2019 Hague Judgments Convention” by Ronald A. Brand, Michael S. Coffee, and Paul Herrup. GAIG is honored to have Professor Ronald Brand, the Chancellor Mark A. Nordenberg University Professor of Law and the founding Director of the Center for International Legal Education (CILE) at the University of Pittsburgh School of Law and Michael Coffee, Professorial Lecturer in Law at the George Washington University Law School and the head of the U.S. delegation to the diplomatic session that adopted the Convention, discuss the diplomatic background and historical context of the Hague Judgments Convention, possibilities of ratification by the United States, and share their insights and analysis of the Convention and the law on judgments recognition in the absence of the Convention’s ratification. GAIG will wrap up with a short 10-minute organizational business meeting for GAIG members.

Speakers:

Mentoring Q&A: Wes Rist, U.S. Department of State (contractor)

Professional Development

4/5/2024 3:30:00 PM-4/5/2024 4:30:00 PM

Cardozo

Description:

D. Wes Rist is an Atrocity Prevention Policy Advisor (Tuvli contractor) in the Bureau of Conflict & Stabilization Operations (CSO) at the U.S. Department of State. He previously served as the Deputy Executive Director (2017-2023) and Director of Education and Research (2012-2017) at the American Society of International Law (ASIL). He was a member of the Prevention and Protection Working Group (PPWG), which advised the U.S. Government on genocide and atrocities prevention issues, from 2013-2023 and served as a co-chair of the PPWG Elie Wiesel Act Implementation Committee. Wes was the Assistant Director of the Center for International Legal Education and professor at the University of Pittsburgh School of Law (2007-2012), and as a lecturer in international Law at UWE Bristol Law School. He holds a JD from the University of Pittsburgh School of Law and an LL.M. (with distinction) in International Human Rights Law from UWE Bristol Law School in the United Kingdom.

Speakers:

Wes Rist

SAILS Symposium Launch on Int'l Law Scholarship: What We Write, Where We Publish, and Why It Matters

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

4/5/2024 3:30:00 PM-4/5/2024 4:30:00 PM

Columbia 1-2

Description:

Organized by: Consortium for the Study & Analysis of International Law Scholarship & ASIL ILASS IG The Yale Journal of International Law, Virginia Journal of International Law, and Georgetown Journal of International Law are pleased to present this panel and conversation on trends in international and comparative law scholarship. Until now, little work has been done to analyze how international, comparative, and foreign relations law research and publications are influencing the practice of international law, and even less has been done with special attention to what areas, regions, and individuals are left out. This conversation marks the launch of the first SAILS (Study and Analysis of International Law Scholarship) Project Symposium published jointly across all three journals this spring and featuring essays on the history, funding, scientometrics, empirics, interdisciplinarity, regionalism, and much more behind how international law scholarship is published, cited, and considered in practice. Commentators will kick off the discussion by engaging with the symposium essays, each of which takes a close look at how international law journals have influenced the ways in which both scholars and practitioners inside and outside of the field think about international law. Audience participation will be welcome for this important conversation

Speakers:

Krister Rasmussen, Neha Jain, Mishan Kara, Melissa J. Durkee, Steve Koh, Nicolas Friedlich, Julian Arato, Rebecca Ingber

What is the BBNJ Agreement’s impact on deep-sea mining?

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

4/5/2024 3:30:00 PM-4/5/2024 4:30:00 PM

Columbia 9-10

Description:

The BBNJ Agreement is an historic achievement. It regulates the access to and benefit-sharing of marine genetic resources of areas beyond national jurisdiction and aims at protecting the marine environment through the establishment of marine protected areas and the conduct of environmental impact assessments. However, its implications for the “freedom of the seas” and the deep seabed regime remain unclear. Deep-sea mining is a polarizing issue on the international stage today. Proponents argue that it is essential to the green energy transition and slowing catastrophic climate change, resulting in less biodiversity loss than terrestrial mining. Opponents highlight the significant and potentially irreversible environmental impacts that would result from mining activities, including the likelihood of large-scale loss of biodiversity. Several issues arise as to the regulation of deep-sea mining under international law. Does the BBNJ apply to and interact with the current regime governing deep-sea mining? In view of environmental considerations, is a precautionary pause on deep-sea mining called for, or even required under international law? To what extent should the International Seabed Authority seek consistency with the BBNJ Agreement when drafting the mining regulations and taking measures for protecting the marine environment from harmful effects of deep-sea mining?

Speakers:

Klaas Willaert, Nico Schrijver, Catherine Blanchard, Kathryn Youel Page

Reflections from Lviv: Stand Tall for the Rule of Law Summit

Ancillary Events

4/5/2024 5:00:00 PM-4/5/2024 6:00:00 PM

Columbia 5-8

Description:

Speakers:

Neha Jain, Harold Hongju Koh, Svitlana Starosvit, Gregory Shaffer, Fionnuala Ní Aoláin

51st President's Reception: Welcoming Mélida Hodgson

Receptions & Luncheons

4/5/2024 6:00:00 PM-4/5/2024 7:30:00 PM

Heights Courtyard

Description:

Speakers:

BASIL Toast Honoring Mélida Hodgson (by invitation only)

Ancillary Events

4/5/2024 6:00:00 PM-4/5/2024 6:30:00 PM

Holmead East / West

Description:

Speakers:

The ILSA Jessup Competition Go-National Dress Ball at the Hyatt Regency

Ancillary Events

4/5/2024 8:00:00 PM-4/5/2024 10:30:00 PM

Description:

The Go-National Dress Ball is one of the most popular events at ILSA's annual Jessup Competition in Washington, DC. This year, Jessup and the Annual Meeting overlap, so we're delighted to offer ASIL attendees tickets to the Dress Ball. This is an offsite event (Hyatt Regency on Capitol Hill, 300 New Jersey Avenue, NW). Transportation will not be provided. Doors open at 8:00pm.

Speakers:

Colleague Societies Breakfast (by invitation)

Ancillary Events

4/6/2024 8:00:00 AM-4/6/2024 9:00:00 AM

Holmead East / West

Description:

By invitation only.

Speakers:

WILIG Mentors & Mentees Coffee Hour

Professional Development

4/6/2024 8:30:00 AM-4/6/2024 9:30:00 AM

Kalorama

Description:

Speakers:

Artificial Intelligence and the Future of International Law-Making

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

4/6/2024 9:00:00 AM-4/6/2024 10:00:00 AM

Columbia 9-10

Description:

Legal and political discourse about digital technologies focus on whether and how the technology should be regulated—including discussions about machine learning, often grouped under the umbrella of Artificial Intelligence or “AI”. This panel will shift the focus to ask how the proliferation of AI impacts the practice of international law(-making). Examples abound. International organizations are increasingly using AI for operational and advisory functions, commercial technology companies are becoming active players in global law-making, data modeling and AI are emerging as central to planetary governance, and AI is challenging established concepts and rubrics of international economic law. This roundtable will convene a conversation among scholars and practitioners about “next-generation international law” How does our digital turn affect international legal decision-making? How might our model of diplomacy be rethought in light of technological advances? What role do AI and other digital technologies play in negotiating our geopolitical and climate challenges?

Speakers:

Yirong Sun, Victoria Adelmant, Adele Barzelay, Thomas Streinz, Laura O'Brien

Regional Human Rights Mechanisms and Courts under Pressure

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

4/6/2024 9:00:00 AM-4/6/2024 10:00:00 AM

Columbia 5-8

Description:

International human rights law (IHRL) relies on regional courts and quasi-judicial mechanisms in Africa, the Americas, and Europe for its legitimacy and enforcement. These bodies have made significant strides in becoming interdependent through formal and informal mechanisms of fact-finding and judicial dialogue. As of late, the threats to these bodies are also increasingly shared, ranging from implementation defiance, the rise of populism, denunciation of the relevant treaties, and challenges to the overall legitimacy and jurisdiction of these bodies for specific areas or cases. These challenges call into question the potential of these courts and mechanisms to create beneficial forms of interdependence, as states retreat into sovereigntist positions that point to a regression of multilateralism and the universalist promise of IHRL. In this roundtable discussion, speakers will offer their own region-based perspectives on these challenges, and whether IHRL's norms and institutions can withstand them successfully while still promoting human flourishing. Further, they will query whether present-day realities are leading to less faith in the promises of interdependence generally for greater respect for human rights.

Speakers:

Ganna Yudkivska, Álvaro Paúl, Laurence Burgorgue-Larsen, Nsongurua Udombana

The Hague Closing Plenary - Confronting Impunity and Safeguarding Journalists in a Global Context

Keynotes & Plenaries

4/6/2024 10:30:00 AM-4/6/2024 12:00:00 PM

Columbia 5-8

Description:

Sponsored by: the Municipality of The Hague and organized by the T.M.C. Asser Institute Journalists worldwide confront escalating threats, intimidation, and violence, whether in the throes of armed conflict or within increasingly authoritarian contexts. Global monitoring of the safety of journalists demonstrates that growing numbers of journalists are jailed and the rate of killings is on the rise, with a record toll of journalists killed in the Israel-Gaza war since 7 October 2023. Meanwhile, impunity for crimes against journalists persists at a rate above 85% over the last 15 years. This panel critically examines the pressing issue of safeguarding journalists and addressing the rampant impunity for crimes committed against them—a fundamental tenet for preserving the right to freedom of opinion and expression under the Universal Declaration of Human Rights and preserving democracy more generally. The panelists will discuss the intricate challenges of combatting impunity, exploring both the willingness and the capacity of states to pursue justice. By scrutinizing innovative legal approaches and existing initiatives, the panel seeks to provide a nuanced understanding of the multifaceted efforts

required to combat impunity and ensure the safety of journalists globally, and the interdependency of local and international actors in supporting these efforts.

Speakers:

Catherine Amirfar, Evelien Wijkstra, Mariëlle Vavier, Gabriele Chlevickaite, Can Yeginsu

The Hague Closing Reception

Receptions & Luncheons

4/6/2024 12:00:00 PM-4/6/2024 1:30:00 PM

Heights Courtyard

Description:

Speakers:
