

# *Harmony and Dissonance in International Law*

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## Dear Colleague,

International law, and the world in which it operates, are increasingly both harmonious and dissonant. The Society's Annual Meeting in 2011 will focus on the evolution of international law in the context of this paradox.

On the one hand, international law has become segmented, as specialized international institutions and rule-making have proliferated in a variety of issue areas. Another facet of segmentation has been the proliferation of competing and complementary conceptions of international law. Some view the growing body of specialized international legal rules as creating problems in the unity of international law, ultimately undermining the international legal system's ability to promote peaceful relations among states and other actors. Others view fragmentation as a positive development that reflects the expansion and increased diversity, and hence utility, of international legal norms, particularly in accommodating the diverging interests of international actors.

On the other hand, recent years have witnessed a seemingly opposite trend towards seamlessness, as evidenced by the collapsing of boundaries between public and private international law, between non-state actors and principles of state responsibility, between law and policy, and between the prerogatives of power and the demands of principle. Areas of international law once considered distinct are increasingly—perhaps routinely—borrowing principles, jurisprudence, and practice from one another.

The paradox of simultaneous segmentation and seamlessness raises important questions. Most broadly, when should international law be segmented, and when should it be seamless? What are the mechanisms for deciding this question, and what are the values that inform those decisions? What do these trends say about international law as a coherent system? To what extent are certain groups and their viewpoints excluded or ignored? What does this say about who the influential players within the international legal system are, and how that influence is exercised? What does the existence of competing conceptions of international law itself mean for ASIL's constituents, including judges deciding international issues, practitioners seeking to persuade courts and craft international policy, and scholars seeking to understand and propose solutions to global problems?

Society members are uniquely positioned to tackle these questions with their diverse perspectives, experiences, and areas of expertise, and their unifying commitment to investigating the limits and possibilities of international law. We look forward to an exciting and dynamic meeting that will examine such trends, and their implications for international law and legal institutions in the 21st century.

Co-Chairs, Program Committee  
ASIL 105th Annual Meeting



A handwritten signature in black ink that reads "Catherine Amirfar".

Catherine Amirfar



A handwritten signature in black ink that reads "Tai-Heng Cheng".

Tai-Heng Cheng



A handwritten signature in black ink that reads "Chimène Keitner".

Chimène Keitner



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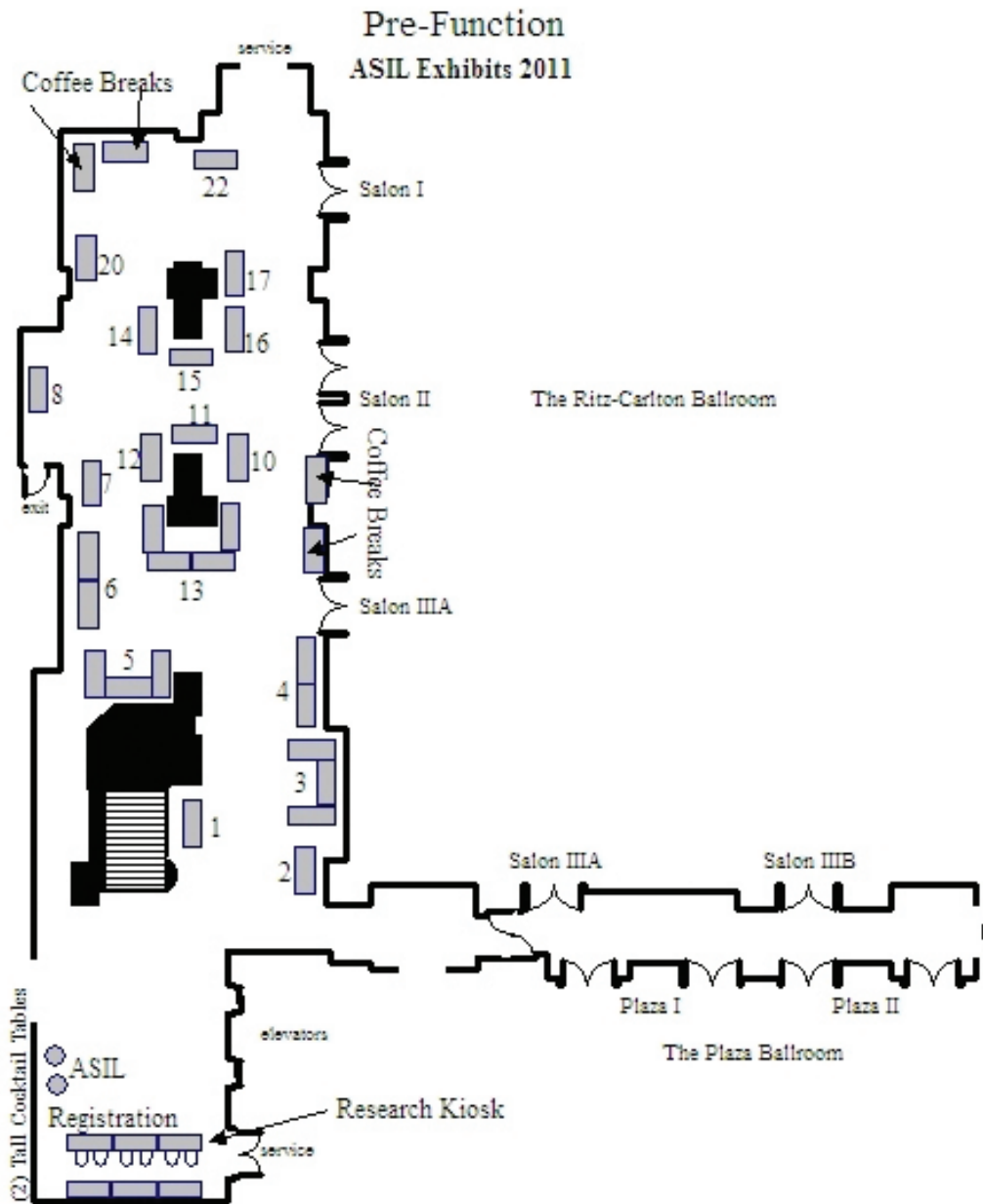
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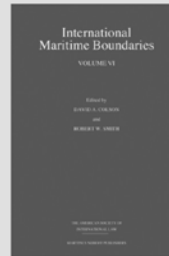
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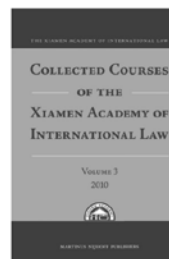
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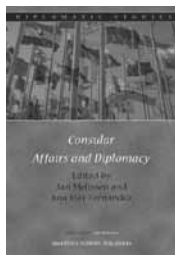
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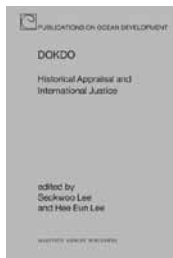


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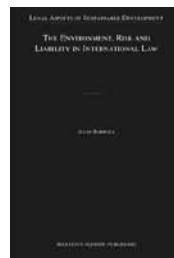
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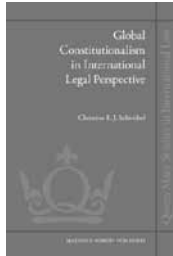
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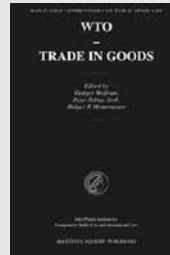
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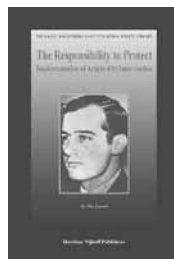
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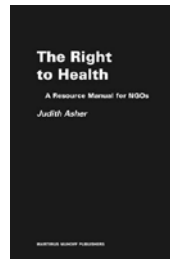
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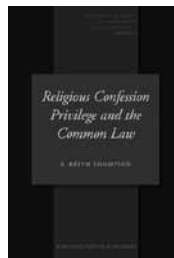
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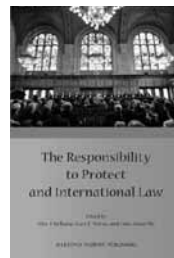
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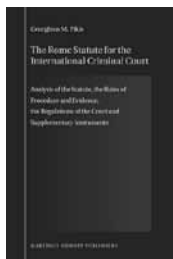


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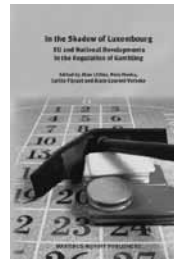
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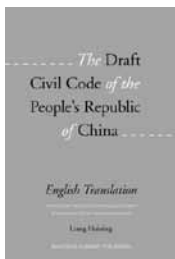
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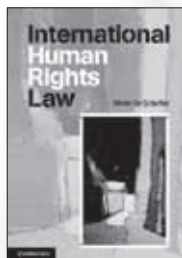
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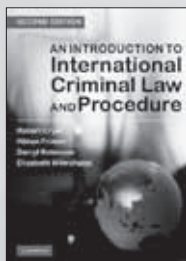


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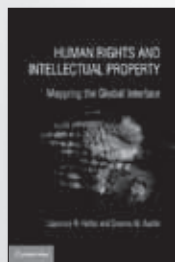


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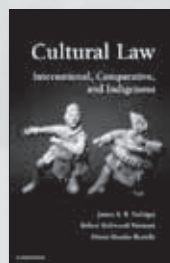
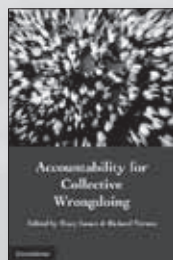
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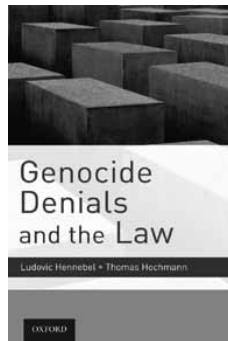
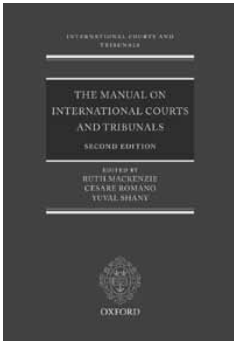
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The ASIL Meeting Registration Desk is located on the Ballroom Level.

## REGISTRATION HOURS

Wednesday, March 23	7:00 a.m. – 6:30 p.m.
Thursday, March 24	7:00 a.m. – 6:00 p.m.
Friday, March 25	7:00 a.m. – 6:00 p.m.
Saturday, March 26	7:00 a.m. – 10:00 p.m.

## NAME BADGES

Name badges must be worn for admittance to all meetings, receptions, and the ASIL Annual Dinner.

## EXHIBIT DATES AND HOURS

The exhibits, located on the Ballroom level, will be open during the following hours:

Wednesday, March 23	4:30 p.m. – 6:30 p.m.
Thursday, March 24	9:00 a.m. – 8:00 p.m.
Friday, March 25	9:00 a.m. – 8:00 p.m.
Saturday, March 26	9:00 a.m. – 12:00 p.m.

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## INFORMATION RESEARCH KIOSK

Volunteer members of the International Legal Research Interest Group will be providing on-site research assistance to Annual Meeting attendees, giving first priority to keynote speakers, panelists,

and ASIL officers participating in the Meeting. The information kiosk will be located next to the ASIL Meeting Registration Desk.

## CELL PHONE USE

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## PHOTOGRAPHY

ASIL will have a photographer onsite taking photographs in sessions, special events, keynote addresses, and throughout the Ritz Carlton documenting the 2011 Annual Meeting. Photos and videos taken of attendees during ASIL events will remain the property of ASIL and may be used in future marketing materials.

## RECYCLING

Recycle your name badge by handing them to the designated registration representative onsite during posted hours.

## Americans with Disabilities Act (ADA)

### Accommodations

ASIL is able to provide reasonable accommodations for attendees with disabilities, so long as we are informed of your disability in writing prior to our meeting. Please contact Lauren Pfeiffer at [lpfeiffer@asil.org](mailto:lpfeiffer@asil.org), if you have special needs.

# Program at a Glance

## Wednesday, March 23

9:00 AM	11:30 AM	Executive Council Orientation	Jefferson
12:00 PM	3:30 PM	Executive Council Meeting	Salon III
2:00 PM	3:30 PM	International Legal Research Interest Group Kiosk Volunteers Meeting	Jefferson
4:30 PM	6:30 PM	Grotius Lecture: Amartya Sen	Salon I & II
6:00 PM	8:00 PM	Grotius Reception	Salon III & Prefunction
7:00 PM	9:00 PM	Arbitral Women Reception	Plaza II
7:00 PM	8:30 PM	Transitional Justice and Rule of Law Interest Group Meeting	Plaza I
7:00 PM	11:00 PM	AJIL Board Dinner	Lincoln & Roosevelt

## Thursday, March 24

7:00 AM	8:30 AM	Breakfast Reunion of Annual Meeting Co-chairs	Lincoln
7:30 AM	9:00 AM	New Member Breakfast	Plaza I
9:00 AM	9:30 AM	Opening Welcome and Remarks: David D. Caron	Salon I & II
9:30 AM	11:00 AM	<b>Opening Plenary Keynote: Michael Posner</b>	Salon I & II
11:15 AM	12:45 PM	Commissions of Inquiry into Armed Conflict	Salon I & II
11:15 AM	12:45 PM	International Environmental Law Making and the ICJ	Salon III A
11:15 AM	12:45 PM	The Supreme Court and Arbitration Law	Roosevelt
11:15 AM	12:45 PM	New Voices I: Global Health, Trade and Common Resource Regimes	Lincoln
11:15 AM	12:45 PM	Legal Origins, Doing Business and Rule of Law Indicators: The Economic Evaluation of Legal Systems	Jefferson
11:15 AM	12:45 PM	International Courts and Tribunals IG: Judicial Selection	Salon IIIB
11:15 AM	12:45 PM	International Organizations Interest Group Meeting	Boardroom
1:00 PM	2:30 PM	International Law in Domestic Courts Interest Group Meeting	Boardroom
1:00 PM	2:30 PM	WILIG Luncheon: Political Dissonance, Personal Harmony: Negotiating with North Korea and Iran	The Plaza Ballroom
1:00 PM	2:30 PM	Responding to Nuclear Security Challenges in a Fragmented World	Salon IIIA
1:00 PM	2:30 PM	International Legal Research Interest Group Meeting	Lincoln
1:00 PM	2:30 PM	Seamlessness or Segmentation? International Economic Governance and European Sovereign Debt	Salon IIIB
1:00 PM	2:30 PM	Law of the Sea Interest Group Meeting and Discussion of the ASIL <i>International Maritime Boundaries</i> series	Jefferson
1:00 PM	2:30 PM	Fragmentation of International Legal Orders and International Law: Ways Forward	Roosevelt
3:00 PM	4:30 PM	Teaching International Law Interest Group Meeting	Lincoln
3:00 PM	4:30 PM	The Role of International Tribunals in Managing Coherence and Diversity in International Law	Roosevelt
3:00 PM	4:30 PM	Espionage and the First Amendment After Wikileaks	Salon IIIA

3:00 PM	4:30 PM	Inaugural Benjamin Ferencz Session: Integrating the Crime of Agression into International Criminal Law and Public International Law	Salon I & II
3:00 PM	4:30 PM	Dispute Resolution IG: Is ICSID Losing Its Appeal...Again?	Salon IIIB
5:00 PM	6:15 PM	Plenary: Decision-making in International Courts and Tribunals: A Conversation with Leading Judges and Arbitrators	Salon I & II
6:00 PM	8:00 PM	Members Reception	Salon III & Prefunction
6:30 PM	8:00PM	International Legal Materials Reception	Jefferson
6:30 PM	8:00 PM	L Alumni Reception	Plaza I & II
7:00 PM	8:00 PM	LGBT Reception	The Bar
6:30 PM	8:00 PM	International Refugee Law Interest Group Meeting	Roosevelt
6:30 PM	8:00 PM	Cultural Heritage and the Arts Interest Group Meeting	Boardroom
6:30 PM	8:00 PM	ASIL Midwest Interest Group Meeting	Salon II
6:30 PM	8:00 PM	Law in the Pacific Rim Interest Group Meeting	Lincoln
8:00 PM	10:00 PM	New Professionals Interest Group Happy Hour	The Bar

## Friday, March 25

7:00 AM	8:30 AM	Targeting with Drone Technology: Humanitarian Law Implications	Plaza I
7:00 AM	8:15 AM	International Economic Law Interest Group Meeting	Plaza II
7:00 AM	8:30 AM	Private International Law Interest Group Meeting	Jefferson
8:30 AM	9:00 AM	Human Rights Interest Group Meeting	Plaza II
9:00 AM	10:30 AM	What the Kosovo Advisory Opinion Means for the Rest of the World	Salon I
9:00 AM	10:30 AM	The Role of Legal Norms in Mediation and Negotiation: Views from the Field	Salon II
9:00 AM	10:30 AM	Ethical and Practical Challenges for Corporate Lawyers Advising Clients on Human Rights	Salon III A
9:00 AM	10:30 AM	Regional Regimes in Comparative Perspective	Salon III B
9:00 AM	10:30 AM	International Trade Law and International Investment Law: Convergence or Divergence?	Plaza I
9:00 AM	10:30 AM	International Environmental Law IG: Roundtable on Research Methodologies	Lincoln
9:00 AM	10:30 AM	International Disability Rights Interest Group Meeting	Roosevelt
9:00 AM	10:00 AM	Lieber Society Interest Group Meeting	Jefferson
10:45 AM	12:15 PM	Recent Trends in International Investment Treaty Law	Salon IIIA
10:45 AM	12:15 PM	The Roles and Responsibilities of International Organizations	Salon I
10:45 AM	12:15 PM	Elections and Ethnic Violence	Salon IIIB
10:45 AM	12:15 PM	New Battlefields/Old Laws: Shaping a Legal Environment for Counter-insurgency	Salon II
10:45 AM	12:15 PM	International Criminal Law Interest Group: "Fact Finding Without Facts:" A Conversation with Nancy Combs	Lincoln
10:45 AM	12:15 PM	Intellectual Property IG: Harmonizing International Law: An IP Perspective	Jefferson
10:45 AM	12:15 PM	Rights of Indigenous Peoples Interest Group Meeting	Roosevelt



12:30 PM	1:30 PM	Intellectual Property Law Interest Group Meeting	Jefferson
12:30 PM	2:30 PM	Luncheon Dialogue with Fatou Bensouda	Plaza I & II
1:00 PM	2:30 PM	Harmony & Dissonance in Extraterritorial Regulation	Salon II
1:00 PM	2:30 PM	Int'l Legal Research IG: Greater than the Sum of its Parts: Global Cooperation in Making the World's Law Accessible	Roosevelt
1:00 PM	2:30 PM	Labor Migration in International Law: Challenges of Protection, Specialization, and Bilateralism	Salon IIIA
3:00 PM	4:30 PM	Are there "Regional" Approaches to International Dispute Resolution	Salon III A
3:00 PM	4:30 PM	Africa Interest Group Meeting	Jefferson
3:00 PM	4:30 PM	Int'l Legal Theory IG: Harmony & Dissonance in International Legal Theory	Salon III B
3:00 PM	4:30 PM	International Legal Implications of Israel's Attack on the Gaza Aid Flotilla	Salon I & II
3:00 PM	4:30 PM	International Law and the Liability for Catastrophic Environmental Damage	Roosevelt
3:00 PM	4:30 PM	New Voices II: Internationalizing and Domesticating Law	Lincoln
3:00 PM	4:30 PM	UN21 Interest Group Meeting	Plaza I
5:00 PM	6:15 PM	Plenary Keynote: A Conversation with OECD Secretary General Angel Gurría	Salon I & II
6:30 PM	7:30 PM	Looking to the Future: Reception in Honor of W. Michael Reisman	Plaza I & II
6:30 PM	8:00 PM	President's Reception	Salon III and Prefunction
6:30 PM	8:00 PM	Government Attorney Interest Group Meeting	Jefferson
6:30 PM	8:00 PM	Patron and Major Donor's reception	Roosevelt
8:00 PM	11:00 PM	ASIL Annual Dinner	Salon I & II
10:00 PM	12:00 PM	ASIL-ILSA Dance Party & Lounge	Salon III

## Saturday, March 26

7:15 AM	8:45 AM	Interest Group Co-Chairs Breakfast	Jefferson
9:00 AM	10:30 AM	Annual General Meeting	Salon I
9:00 AM	10:30 AM	Author Meets Reader: International Law in the U.S. Supreme Court: Continuity & Change	Plaza II
9:00 AM	10:30 AM	Geoengineering Climate Change: Can the Law Catch Up?	Salon III A
9:00 AM	10:30 AM	Transnational Piracy: To Pay or to Prosecute?	Salon III B
9:00 AM	10:30 AM	Revolution and Intervention in the Middle East	Salon II
9:00 AM	10:30 AM	Trade and Investment in Africa: Harmony & Disharmony with the International Community	Roosevelt
9:00 AM	10:30 AM	Duplication and Divergence in the Work of the United Nations Human Rights Treaty Bodies	Plaza I
11:00 AM	12:30 PM	<b>Closing Plenary: International Law in the U.S. Government: The Views Outside "L"</b>	Salon I & II

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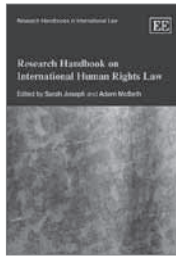
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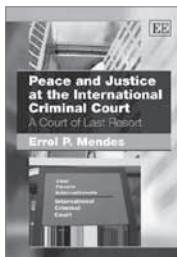
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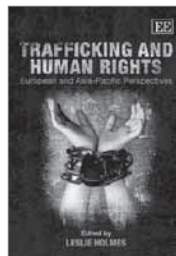


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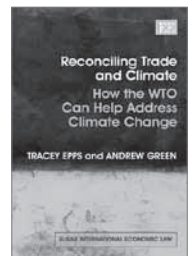
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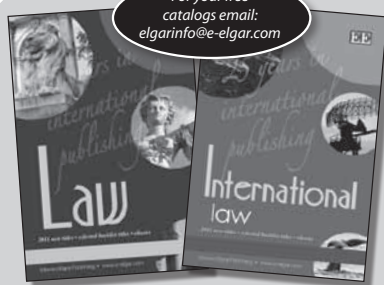


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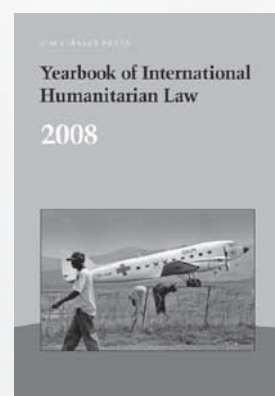
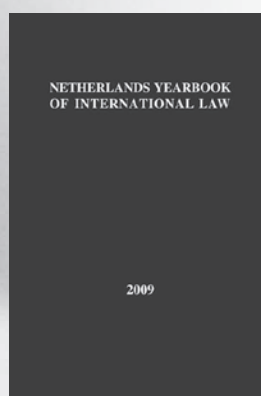
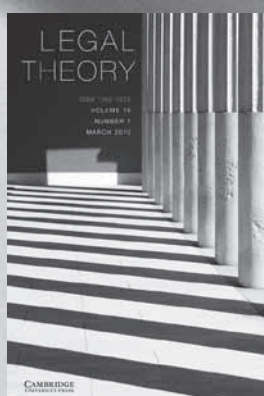
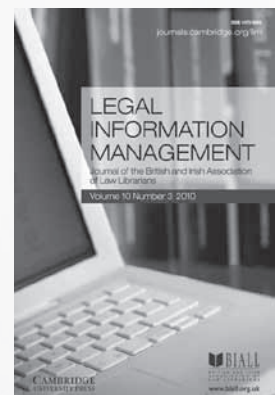
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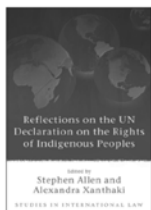
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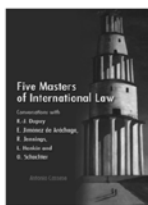
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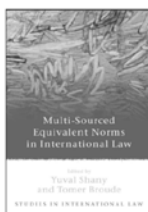
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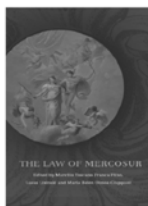
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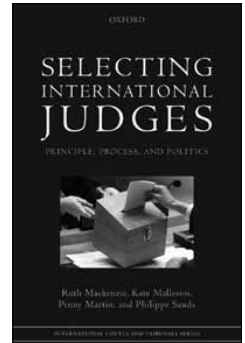
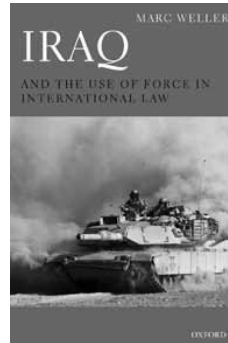
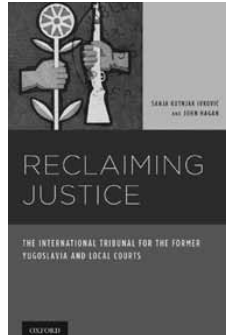
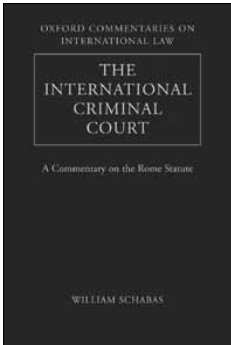
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# ASIL Interest Group Session Schedule

Interest Group	Meeting Time	Room	Session Title
AFRICA	March 25, 3:00 p.m. - 4:30 p.m.	Jefferson	Business/Social
ASIL-Midwest	March 24, 6:30 p.m. - 8:00 p.m.	Salon II	Business/Social
CULTURAL HERITAGE AND THE ARTS	March 24, 6:30 p.m. - 8:00 p.m.	Boardroom	Business/Social
DISPUTE RESOLUTION	March 24, 3:00-4:30 p.m.	Salon IIIB	Is ICSID Losing Its Appeal . . . Again?
GOVERNMENT ATTORNEYS	March 25, 6:30 p.m. - 8:00 p.m.	Jefferson	Business/Social
HUMAN RIGHTS	March 25, 8:30 a.m. - 9:00 a.m.	Plaza II	Business/Social
INTELLECTUAL PROPERTY	March 25, 10:45 am - 12:15 pm	Jefferson	Harmonizing International Law: An IP Perspective
INTERNATIONAL COURTS AND TRIBUNALS	March 24, 11:15 am - 12:45 pm	Salon IIIB	Judicial Selection
INTERNATIONAL CRIMINAL LAW	March 25, 10:45 am - 12:15 pm	Lincoln	"Fact Finding Without Facts:" A Conversation with Nancy Combs
INTERNATIONAL DISABILITY RIGHTS	March 25, 9:00 a.m. - 10:30 a.m.	Roosevelt	Business/Social
INTERNATIONAL ECONOMIC LAW	March 25, 7:00 a.m. - 8:15 a.m.	Plaza II	Business/Social
INTERNATIONAL ENVIRONMENTAL LAW	March 25, 9:00 am - 10:30 am	Lincoln	Roundtable on Research Methodologies
INTERNATIONAL LAW IN DOMESTIC COURTS	March 24, 1:00 p.m. - 2:30 p.m.	Boardroom	Business/Social
INTERNATIONAL LEGAL RESEARCH	March 24, 1:00 p.m. - 2:30 p.m.	Lincoln	Business/Social
INTERNATIONAL LEGAL RESEARCH	March 25, 1:00 pm - 2:30 pm	Roosevelt	Greater Than the Sum of its Parts: Global Cooperation in Making the World's Laws Accessible
INTERNATIONAL LEGAL THEORY	March 25, 3:00 pm - 4:30 pm	Salon IIIB	Harmony and Dissonance in International Legal Theory
INTERNATIONAL ORGANIZATIONS	March 24, 11:15 a.m. - 12:45 p.m.	Boardroom	Business/Social
INTERNATIONAL REFUGEE LAW	March 24, 6:30 p.m. - 8:00 p.m.	Roosevelt	Business/Social
LAW IN THE PACIFIC RIM REGION	March 24, 6:30 p.m. - 8:00 p.m.	Lincoln	Business/Social
LAW OF THE SEA	March 24, 1:00 p.m., - 2:30 p.m.	Jefferson	Business/Social
LIEBER SOCIETY	March 25, 9:00 a.m. - 10:00 a.m.	Jefferson	Business/Social
NEW PROFESSIONALS	March 24, 8:00 p.m. - 10:00 p.m.	Bar of hotel	Business/Social
PRIVATE INTERNATIONAL LAW	March 25, 7:00 a.m. - 8:30 a.m.	Jefferson	Business/Social
RIGHTS OF INDIGENOUS PEOPLES	March 25, 10:45 a.m. - 12:15 p.m.	Roosevelt	Business/Social
TEACHING INTERNATIONAL LAW	March 24, 3:00 p.m. - 4:30 p.m.	Lincoln	Business/Social
TRANSITIONAL JUSTICE AND RULE OF LAW	March 23, 7:00 p.m. - 8:30 p.m.	Plaza I	Business/Social
UN21	March 25, 3:00 pm - 4:30 pm	Plaza I	Business/Social
WOMEN IN INTERNATIONAL LAW	March 24, 1:00 p.m. - 2:30 p.m.	Plaza Ballroom	Political Dissonance, Personal Harmony: Negotiating with North Korea and Iran
INTEREST GROUP CO-CHAIRS' BREAKFAST	March 26, 7:15 a.m. - 8:45 a.m.	Jefferson	Business/Social

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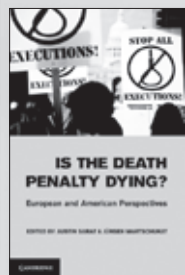
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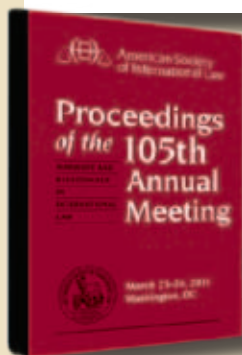


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# Meeting Agenda



Wednesday, March 23

## **ASIL Executive Council Orientation**

9:00 a.m. – 11:30 a.m.  
Jefferson

## **ASIL Executive Council Meeting**

12:00 p.m. – 3:30 p.m.  
Salon III

## **International Legal Research Interest Group Kiosk Volunteers' Meeting**

2:00 p.m. - 3:30 p.m.  
Jefferson

## **Grotius Lecture: "The Global Status of Rights"**

4:30 pm - 6:00 pm  
Salon I & II  
*Co-sponsored by American University Washington College of Law*

**Speaker:** Amartya Sen, Harvard University, Department of Economics

**Discussant:** Kim Lane Scheppele, Princeton University, Woodrow Wilson School of Public and International Affairs

## **Grotius Reception**

6:00 p.m. – 8:00 p.m.  
Salon III and Prefunction  
*Co-sponsored by American University Washington College of Law*

## **AJIL Board of Editors' Reception, Dinner and Meeting**

7:00 p.m. – 10 p.m.  
Lincoln and Roosevelt

## **Transitional Justice and Rule of Law Interest Group Meeting**

7:00 p.m. - 8:30 p.m.  
Plaza I

## **Arbitral Women's Reception**

7:00 p.m. - 8:30 p.m.  
Plaza II

**Breakfast Reunion of Annual Meeting Co-chairs**

7:00 am - 8:30 am  
Lincoln

**New Member's Breakfast**

7:30 am – 9:00 am  
Plaza I

**Opening Welcome and Remarks by ASIL President David D. Caron**

9:00 am – 9:30 am  
Salon I & II

**Opening Plenary : The Four Freedoms turn 70: Embracing an Integrated Approach to Human Rights**

9:30 am – 11:00 am  
Salon I & II

**Speaker:** Michael H. Posner, U.S. Assistant Secretary of State for the Bureau of Democracy, Human Rights, and Labor, United States

11:00 am – 11:15 am *Coffee Break*  
*Sponsored by Arnold & Porter LLP*

**The Supreme Court & Arbitration Law**

11:15 am – 12:45 pm  
Roosevelt

*Co-sponsored by the International Economic Law Interest Group*

*1.5 CLE credits offered for the States of CA, VA, IL, PA and NY (Accredited by NY Approved Jurisdiction of PA )*

In the last ten years, the U.S. Supreme Court has issued a disproportionate number of decisions in the field of arbitration relative to the number of decisions in other fields of international law. This roundtable addresses how these decisions have shaped the arbitration landscape, including on issues of jurisdiction, class actions, non-signatories to arbitration agreements, federal subject matter jurisdiction, scope of review under the Federal Arbitration Act, and venue, and what these decisions reveal about the Supreme Court's thinking in this field.

**Moderator:** Hagit M. Elul, Hughes, Hubbard & Reed LLP

**Speakers:**

- Lorraine M. Brennan, JAMS International
- Jack Coe, Pepperdine University
- William Park, Boston University
- Alex Yanos, Freshfields Bruckhaus Derringer LLP

## Legal Origins, Doing Business and Rule of Law Indicators: The Economic Evaluation of Legal Systems

11:15 am - 12:45 pm

Jefferson

*Co-sponsored by the International Economic Law Interest Group*

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
(Accredited by NY Approved Jurisdiction of PA )

Do the common law or civil law origins of a country's legal system affect its economic growth? This panel will evaluate the legal origins thesis: the influential and controversial view that countries with common law systems perform better economically than their civil law counterparts. Focusing on the use of indicators such as the World Bank's "Doing Business" reports, the panel will assess the merits and liabilities of advocating uniform approaches to promoting economic growth.

**Moderator:** Renaud Beauchard, Law Offices of Peter C. Hansen

### Speakers:

- Corinne Boisman, University of Metz
- Kevin Davis, New York University School of Law
- Jean Michel Lobet, International Finance Corporation
- Ralf Michaels, Duke University

## International Environmental Law Making and the International Court of Justice

11:15 am – 12:45 pm

Salon IIIA

*Co-sponsored by the International Environmental Law Interest Group*

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
(Accredited by NY Approved Jurisdiction of PA )

The International Court of Justice remains the forum of choice for disputes involving environmental issues. Yet a dissenting opinion in the Pulp Mills case has criticized the Court's failure to adequately scrutinize complex technical evidence, and some believe environmental disputes should be handled by specialized courts. This session will examine the International Court of Justice's role in environmental disputes, its impact on the development of international environmental law, and whether the International Court of Justice is capable of meeting the growing demand for global environmental governance.

**Moderator:** Caroline Foster, University of Auckland

### Speakers:

- Ronald J. Bettauer, Former Deputy Legal Adviser, U.S. Department of State
- Malgosia Fitzmaurice, University of London
- Natalie Klein, Macquarie Law School
- Cymie R. Payne, Lewis and Clark College of Law and ASIL International Environmental Law Interest Group

**International Courts and Tribunals Interest Group: Judicial Selection**

11:15 am – 12:45 pm

Salon IIIB

*Co-sponsored by the Government Attorney's Interest Group*

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY

(Accredited by NY Approved Jurisdiction of PA )

This panel examines the different regimes governing the appointment of judges to international courts and tribunals. The selection of international judges has a profound impact on the application of international law. This panel will discuss nomination and election procedures; the composition of courts; the qualifications and independence of judges; and the ability of the international judicial system to meet the needs of the international community.

**Moderator:** Brooks W. Daly, Permanent Court of Arbitration

**Speakers:**

- Eloïse Obadia, International Centre for Settlement of Investment Disputes
- Patrick Robinson, International Criminal Tribunal for the former Yugoslavia
- John B. Bellinger III, Arnold & Porter LLP

**International Organizations Interest Group Meeting**

11:15 am – 12:45 pm

Boardroom

**Commissions of Inquiry into Armed Conflict, Breaches of the Laws of War and Human Rights Abuses: Process, Standards, and Lessons Learned**

11:15 am – 12:45 pm

Salon I & II

*Co-sponsored by the Cultural Heritage and the Arts Interest Group, the International Criminal Law Interest Group, the International Refugee Law Interest Group and the Lieber Society on the Law of Armed Conflict*

Over the last decade, international commissions of inquiry have increasingly been used to conduct fact-finding investigations and report on alleged international law violations by states or other parties to conflicts. Recent examples include the UN expert panel to investigate alleged human rights abuses in the Sri Lankan civil war, and the Independent International Fact-Finding Mission on the Conflict in Georgia. There have also been domestic commissions of inquiry into the Iraq war. Speakers will consider: When should such commissions be established? What should their guiding purpose be? What should be the structures of accountability and independence? What lessons have been learned about process? How does politicization occur and why? And, are these commissions effective?

**Moderator:** Philip G. Alston, New York University School of Law

**Speakers:**

- Luc Cote, Leuven Centre for Global Governance Studies
- Agnieszka Jachec Neale, University of Essex
- Heidi Tagliavini, Ministry of Foreign Affairs, Government of Switzerland

## **New Voices I: Global Health, Trade & Common Resource Regimes**

11:15 am – 12:45 pm

Lincoln

*Co-sponsored by the International Economic Law Interest Group, the International Environmental Law Interest Group and the Women in International Law Interest Group*

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY

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**Moderator:** Jeff Dunoff, Temple University

### **Speakers:**

- Lisa Clarke, Amsterdam Center for International Law, University of Amsterdam, *The Exercise of Public Power over Global Health through Public-Private Partnerships and the Question of the Responsibility under International Law*
- David Gartner, Arizona State University, Sandra Day O'Connor College of Law, *Innovative Governance and Global Health*
- Erika Techera, Macquarie Law School, Macquarie University, *Good Environmental Governance: Overcoming fragmentation in international law for shark conservation and management*
- Margaret Young, Melbourne Law School, *Towards a Legal Framework for Regime Interaction: Lessons from Fisheries, Trade and Environmental Regimes*

## **Women in International Law Interest Group Luncheon: “Political Dissonance, Personal Harmony: Negotiating with North Korea and Iran”**

1:00 pm – 2:30 pm

Plaza Ballroom

**Honoree/Speaker:** Lucy F. Reed, Freshfields, Bruckhaus, Deringer LLP

## **International Law in Domestic Courts Interest Group Meeting**

1:00 pm - 2:30 pm

Boardroom

## **International Legal Research Interest Group Meeting**

1:00 pm - 2:30 pm

Lincoln

## **Law of the Sea Interest Group Meeting and Discussion of the ASIL International Maritime Boundaries series**

1:00 pm - 2:30 pm

Jefferson

**Fragmentation of International Legal Orders and International Law:  
Ways Forward?**

1:00 pm – 2:30 pm

Roosevelt

*Co-sponsored by the International Economic Law Interest Group and the International Legal Theory Interest Group*

The growing number of international and regional institutions and tribunals continues to raise concerns that international legal doctrine, international legal authority, and even conceptions of international law are fragmenting. This panel will assess these concerns and wrestle with ways to move forward by examining differences in attitudes towards legal rules, norms and policies, canons and principles of interpretation, and international law itself that are emerging from international courts, tribunals, political institutions, and domestic actors.

**Moderator:** Ruti Teitel, New York Law School

**Speakers:**

- George A. Bermann, Columbia Law School
- Jacob Katz Cogan, University of Cincinnati, College of Law
- Nele Matz-Lück, Max Planck Institute for Comparative Public Law and International Law
- Mario Prost, Keele University, School of Law
- Sahib Singh, Skadden Arps and the University of Vienna

**Responding to Nuclear Security Challenges in a Fragmented World**

1:00 pm – 2:30 pm

Salon IIIA

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

Two decades after the end of the Cold War, controlling the threat from nuclear weapons and nuclear materials remains one of the most pressing issues for national and international security. This panel will examine progress achieved, and challenges faced, in two main areas: (1) multilateral efforts to stop Iran’s nuclear program and the effectiveness of the sanctions regime; and (2) President Obama’s initiative to “lock down” all weapons-grade nuclear material, which was the focus of his 2010 nuclear security summit.

**Moderator:** Orde Kittrie, Arizona State University, Sandra Day O’Connor College of Law

**Speakers:**

- Asli Ü. Bâli, UCLA School of Law
- Rose Gottemoeller, U.S. Department of State, Bureau of Arms Control, Verification and Compliance
- Ken Handleman, Office of the Assistant Secretary for Global Strategic Affairs (GSA), U.S. Department of Defense
- David Huizenga, U.S. Department of Energy, National Nuclear Security Administration
- Leonard S. Spector, James Martin Center for Nonproliferation Studies, Monterey Institute of International Studies

## Seamlessness or Segmentation? International Economic Governance and European Sovereign Debt

1:00 pm – 2:30 pm

Salon IIIB

*Co-sponsored by the International Economic Law Interest Group*

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
(Accredited by NY Approved Jurisdiction of PA )

European sovereign debt poses significant legal challenges that differ from the market crises of the recent past. The panel will examine the respective roles of the G-20, G-7, components of the European Union, European Central Bank, IMF, and private investors of all types in the management of the European sovereign debt situation. It will also examine the gaps in the international legal structures surrounding sovereign debt, and what sovereignty -- a cornerstone principle of international law -- means in the context of sovereign debt crisis management.

**Moderator:** Thomas Laryea, Office of the General Counsel at the International Monetary Fund

### Speakers:

- Jay Collins, Citibank-London
- Eli Whitney Debevoise, Arnold & Porter LLP
- Odette Lienau, Cornell University
- Ann Misback, Federal Reserve Board

2:30 pm – 3:00 pm *Coffee Break*  
*Sponsored by Debevoise & Plimpton LLP*

## Espionage and the First Amendment After WikiLeaks

3:00 pm - 4:30 pm

Salon IIIA

*Co-sponsored by The Federalist Society and The American Constitution Society*

This “late-breaking” panel will discuss and debate the legal fallout from the publication of classified documents by the WikiLeaks website, including the December 2010 publication of part of a collection of 250,000 diplomatic cables. Panelists will consider whether WikiLeaks founder Julian Assange can or should be prosecuted under U.S. espionage laws; whether or not those responsible for WikiLeaks benefit from First Amendment protections; and how to address challenges posed by the internet to the balance between individual freedom and national security, both within the United States and across international borders.

**Moderator:** Edward T. Swaine, George Washington University School of Law

### Speakers:

- Roger P. Alford, Pepperdine University School of Law
- David B. Rivkin, Baker & Hostetler LLP
- Mary-Rose Papandrea, Boston College Law School
- Simon Chesterman, National University of Singapore and New York University School of Law

**Annual Benjamin Ferencz Session: Integrating the Crime of Aggression into International Criminal Law and Public International Law**

3:00 pm – 4:30 pm

Salon I & II

*Co-sponsored by the International Criminal Law Interest Group, the International Refugee Law Interest Group, the Women in International Law Interest Group and the Lieber Society on the Law of Armed Conflict*

Developments in international criminal law, including the recent adoption of amendments to the Rome Statute of the International Criminal Court in Kampala, have brought to light new tensions between traditional principles of public international law and processes of criminal adjudication, especially where concurrent jurisdiction exists between domestic and international courts. This panel will discuss this interface from a number of perspectives, including the new substantive and jurisdictional provisions on aggression, the principle of complementarity and how it will apply to the crime of aggression, immunity doctrines, and the Court’s current caseload in Africa.

**Moderator:** Michael A. Newton, Vanderbilt University School of Law

**Speakers:**

- Dapo Akande, Oxford University
- Clauss Kress, University of Cologne
- Teresa McHenry, U.S. Department of Justice
- Michael P. Scharf, Case Western Reserve School of Law
- Beth Van Schaack, Santa Clara University and U.S. Delegation to the ICC Review Conference

**The Role of International Tribunals in Managing Coherence and Diversity in International Law**

3:00 pm – 4:30 pm

Roosevelt

*Co-sponsored by the Canadian Council on International Law, the International Courts and Tribunals Interest Group, the International Economic Law Interest Group and the International Legal Theory Interest Group*

Disputes in the twenty-first century now touch upon multiple interconnected areas of international law and require tribunals to look at treaties and other sources of international law outside of their traditional purviews. This is often the case in WTO and investor-state dispute settlement, as well as more “generalist” international law tribunals such as the International Court of Justice. This roundtable brings together judges and practitioners to discuss the implications of judicial decision-making across different areas of law on coherence and diversity in international law more broadly.

**Moderator:** Kevin Gray, Canadian Department of Foreign Affairs and International Trade

**Speakers:**

- Andrea Bjorklund, University of California, Davis, School of Law
- Valerie Hughes, Legal Affairs Director, World Trade Organization
- Giorgio Sacerdoti, World Trade Organization Appellate Body



### Dispute Resolution Interest Group: Is ICSID Losing Its Appeal . . . Again?

3:00 pm – 4:30 pm

Salon IIIB

*Co-sponsored by the International Economic Law Interest Group*

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
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In the late 1980s, some questioned whether the early ICSID annulments jeopardized the future of ICSID. History, however, seemed to assuage those fears. After a few awards were annulled, annulment petitions became less frequent. Some of the occasional annulments in the ensuing two decades – such as *Vivendi* – were even well received. Over the past year, however, several awards have been annulled. Does this signal a new trend? Does this recent experience threaten the viability or desirability of ICSID arbitration? Can or should the ICSID Secretariat take any steps in this regard?

**Moderator:** Andrea Menaker, White & Case LLP

#### Speakers:

- Stanimir A. Alexandrov, Sidley Austin LLP
- Andreas F. Lowenfeld, New York University School of Law
- Christoph Schreuer, University of Vienna

### Teaching International Law Interest Group Meeting

3:00 pm – 4:30 pm

Lincoln

### Plenary Keynote: Decision Making in International Courts and Tribunals: A Conversation with Leading Judges and Arbitrators

5:00 pm – 6:15 pm

Salon I & II

*Co-sponsored by Georgetown University Law Center, the International Economic Law Interest Group and the Government Attorney's Interest Group*

Leading international judges and arbitrators from different fields in international law will engage in a conversation about the process of “judging,” with the aim of illuminating a critical act in the development of international law, but one which takes place out of the spotlight. The participants will reflect upon deliberations within their different institutions, how judgments are made, and how each of them personally approaches the task of reaching a judgment.

**Moderator:** Edith Brown Weiss, Georgetown University Law Center

#### Speakers:

- Charles N. Brower, Iran-United States Claims Tribunal and 20 Essex Street Chambers
- Rosalyn Higgins, former President of the International Court of Justice
- Theodor Meron, International Criminal Tribunal for the Former Yugoslavia and the Appeals Chambers of the International Criminal Tribunal for Rwanda
- Brigitte Stern, University of Paris, Panthéon-Sorbonne

**International Refugee Law Interest Group Meeting**

6:30 pm – 8:00 pm  
Roosevelt

**Cultural Heritage and the Arts Interest Group Meeting**

6:30 pm – 8:00 pm  
Boardroom

**ASIL-Midwest Interest Group Meeting**

6:30 pm – 8:00 pm  
Salon II

**Law in the Pacific Rim Region Interest Group Meeting**

6:30 pm – 8:00 pm  
Lincoln

**Members' Reception**

6:30 pm – 8:00 pm  
Salon III and Prefunction  
*Co-sponsored by Georgetown University Law Center*

**"L" Alumni Reception**

6:30 p.m. – 8:00 p.m.  
Plaza I & II  
*Co-sponsored by the Public International Law and Policy Group*

**International Legal Materials (ILM) Reception**

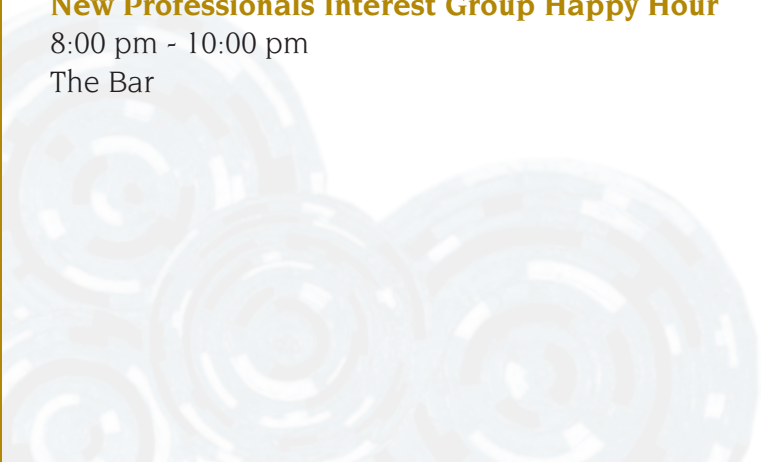
6:30 p.m. – 8:00 p.m.  
Jefferson

**LGBT Reception**

7:00 p.m. – 8:00 p.m.  
The Bar

**New Professionals Interest Group Happy Hour**

8:00 pm - 10:00 pm  
The Bar



### International Economic Law Interest Group Meeting

7:00 am – 8:15 am

Plaza II

### Targeting with Drone Technology: Humanitarian Law Implications

7:00 am – 8:30 am

Plaza I

*Co-sponsored by the Columbia Law School Human Rights Clinic the Lieber Society on the Law of Armed Conflict and the Human Rights Interest Group*

This panel explores the standards governing the rapidly expanding use of drone technology in targeting operations. Presenters will query US policy, focusing on perceived gaps that affect the legal analysis and the factors that counsel for or against greater clarity. Discussion will include (i) the geographic scope of conflict, (ii) targeting conducted by non-military personnel, and (iii) reciprocal application of policy by other countries and armed groups.

**Moderator:** Naz Modirzadeh, Harvard Program on Humanitarian Policy and Conflict Research

**Speaker:**

- LTC Chris Jenks, US Army
- Nils Melzer, International Committee of the Red Cross

### Private International Law Interest Group Meeting

7:00 am – 8:30 am

Jefferson

### Human Rights Interest Group Meeting

8:30 am – 9:00 am

Plaza II

### International Disability Rights Interest Group Meeting

9:00 am – 10:30 am

Roosevelt

### **International Environmental Law Interest Group: Roundtable on Research Methodologies**

9:00 am – 10:30 am

Lincoln

*Co-sponsored by the International Legal Research Interest Group and the Women in International Law Interest Group*

This roundtable discussion will focus on the rich and varied approaches for researching and understanding international environmental law. The participants will discuss their use of creative research methodologies appropriate to their substantive research, interdisciplinary work, and using qualitative and quantitative empirical research methods.

**Moderator:** Sara Seck, University of Western Ontario

#### **Speakers:**

- Edith Brown Weiss, Georgetown University Law Center
- Jutta Brunnée, University of Toronto, Faculty of Law
- Cinnamon Carlarne, University of South Carolina School of Law
- Benedict Kingsbury, New York University School of Law

### **Lieber Society Interest Group Meeting**

9:00 am – 10:00 am

Jefferson

### **International Trade Law and International Investment Law: Convergence or Divergence?**

9:00 am – 10:30 am

Plaza I

*Co-sponsored by the International Economic Law Interest Group*

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
(Accredited by NY Approved Jurisdiction of PA )

Many economic disputes arise out of international trade and international investments. Decisions of the World Trade Organization and investor-state arbitration tribunals thus often address similar issues, but from different perspectives. In recent years, some investment arbitration tribunals have explicitly referenced WTO jurisprudence in related areas, such as the national treatment principle. This panel addresses whether there is a trend of convergence in the trade and investment regimes and, if so, whether such convergence is desirable.

**Moderator:** Todd J. Weiler, Investment Treaty Law & Arbitration Counsel

#### **Speakers:**

- Marinn Carlson, Sidley Austin LLP
- Guiguo Wang, City University of Hong Kong School of Law
- Donald McCrae, University of Ottawa, Faculty of Law
- Jason Yackee, University of Wisconsin

## What the Kosovo Advisory Opinion Means for the Rest of the World

9:00 am – 10:30 am

Salon I

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
(Accredited by NY Approved Jurisdiction of PA )

This panel will discuss the International Court of Justice's long-awaited Advisory Opinion on Kosovo's Declaration of Independence, including its impact on the international law of secession, statehood, self-determination, and the interpretation and effect of U.N. Security Council Resolutions. Participants in this panel will discuss the political and legal significance of this opinion for the future of Kosovo and Serbia, as well as its potential relevance in other contexts such as Palestine, South Sudan, Somaliland, and South Ossetia/Abkhazia.

**Moderator:** Ralph Wilde, University College London

### Speakers:

- Marko Milanovic, University of Nottingham
- Anne Peters, University of Basel
- Qerim Qerimi, University of Prishtina in Kosovo and Harvard Law School

## The Role of Legal Norms in Mediation and Negotiation: Views from the Field

9:00 am – 10:30 am

Salon II

How - and how well - does international law function in the context of efforts to negotiate or mediate solutions to disputes between states? Drawing on their rich and varied experiences as high level officials and lawyers in international diplomacy, participants in this roundtable will discuss how international law is used (and perhaps abused) when governments undertake to resolve their differences outside of court, offering an applied perspective on the relationship between international law and international relations.

**Moderator:** Nicolas Michel, Geneva University Law Faculty and the Geneva Graduate Institute of International and Development Studies

### Speakers:

- John Crook, George Washington University Law School; former commissioner, Eritrea-Ethiopia Claims Commission
- Joel Hernandez Garcia, Legal Adviser of the Ministry of Foreign Affairs of Mexico
- Peter Goldsmith, Debevoise & Plimpton LLP, former Attorney General for England and Wales and Northern Ireland
- Jennifer Lake, Independent Diplomat

## Ethical and Practical Challenges for Corporate Lawyers Advising Clients on Human Rights

9:00 am – 10:30 am  
Salon IIIA

1.5 Ethics CLE credits offered for the States of CA, VA, IL, PA and NY (Accredited by NY Approved Jurisdiction of PA )

Corporate lawyers are increasingly encountering human rights issues in advising clients, structuring deals, and defending against lawsuits brought against corporations in U.S. and foreign courts. This discussion will address the professional role of corporate counsel in situations that could give rise to human rights claims from the perspectives of legal ethics, U.S. law, and international law.

**Moderator:** David Nersessian, Boston University School of Law

### Speakers:

- Sarah Altschuller, Foley Hoag LLP
- Rachel Davis, Harvard Kennedy School and Office of the UN Special Representative for Business and Human Rights
- Alexandra Guaqueta, Flinders University, School of International Studies
- Patrick Keenan, University of Illinois School of Law

## Regional Regimes in Comparative Perspective

9:00 am – 10:30 am  
Salon IIIB

*Co-sponsored by the Africa Interest Group and the International Organizations Interest Group*

This roundtable will discuss the role of regional regimes and organizations in international law. It will compare the attempts by different regimes to account for local traditions and experiences as they move toward greater integration, and as increasing cross-fertilization arises from their engagement with other regional regimes and organizations.

**Moderator:** Joseph Weiler, New York University School of Law

### Speakers

- Richard Burchill, University of Hull
- Maxwell O. Chibundu, University of Maryland School of Law
- John M. Wilson, Organisation of American States
- Walter Woon, National University of Singapore, Faculty of Law

10:30 am – 10:45 am Coffee Break

Sponsored by Freshfields Bruckhaus Deringer LLP

**International Criminal Law Interest Group:  
“Fact Finding Without Facts:” A Conversation with Nancy Combs**

10:45 am - 12:15 pm

Lincoln

*Co-sponsored by the Women in International Law Interest Group*

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
(Accredited by NY Approved Jurisdiction of PA)

This session on fact-finding in international criminal law will focus on Nancy Combs' new book: *Fact Finding Without Facts* (2010, Cambridge). The author will present her methodology, main findings, and prescriptive proposals. Her presentation will be followed by a moderated discussion with interest group members and attendees about whether or not the problems she identifies in ICL fact-finding significantly undermine the fundamental fairness of ICL, and about how such problems can be fixed.

**Moderator:** Linda A. Malone, William & Mary Law School

**Speaker:** Nancy Combs, William & Mary Law

**Intellectual Property Law Interest Group:  
Harmonizing International Law: An IP Perspective**

10:45 am - 12:15 pm

Jefferson

*Co-sponsored by the Cultural Heritage and the Arts Interest Group*

The notion of harmony and dissonance in international law is particularly salient in the area of international intellectual property law, not just because of the “laws-are-territorial-while transactions-are-global” issue, but also because the changes wrought by technology have made the world smaller and the forces of global business stronger. This panel will explore tensions between the developed and developing countries as they struggle to align with international norms without losing sight of the interests of national populations.

**Moderator:** Elizabeth Chien-Hale, Institute for Intellectual Property in Asia

**Speakers:**

- James Pooley, World Intellectual Property Organization
- Seagull Song, Renmin University

### **Rights of Indigenous Peoples Interest Group Meeting**

10:45 am – 12:15 pm  
Roosevelt

### **Recent Trends in International Investment Treaty Law**

10:45 am – 12:15 pm  
Salon IIIA

*Co-sponsored by the International Economic Law Interest Group*

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
(Accredited by NY Approved Jurisdiction of PA)

This panel will examine the theme of harmony and dissonance through the prism of recent trends in international investment law. Among the topics discussed will be recent developments relating to the independence/impartiality of arbitrators, provisional measures in the ICJ and investment treaty arbitration, recent annulment decisions, the transition of competence on foreign investment from the Member States to the European Union, and the relationship between the US Model BIT and international standards.

**Moderator:** Nassib Ziade, International Centre for Settlement of Investment Disputes

#### **Speakers**

- Rudolf Dolzer, Institute for International Law, at the University of Bonn, Germany
- Donald Francis Donovan, Debevoise & Plimpton LLP
- Carolyn Lamm, White & Case LLP
- Loretta Malintoppi, Eversheds LLP



## The Roles and Responsibilities of International Organizations

10:45 am – 12:15 pm

Salon I

*Co-sponsored by the International Organizations Interest Group and the Government Attorney's Interest Group*

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
(Accredited by NY Approved Jurisdiction of PA)

The topic of the responsibility of international organizations has drawn much attention over the last decade, in particular since 2007, when the European Court of Human Rights rendered its controversial decision in the Behrami and Saramati case. Currently, the International Law Commission is elaborating a set of draft articles on the responsibilities of international organizations that may have significant ramifications. This panel will explore the development of this body of law: what is it now, where is it going, and what should it be?

**Moderator:** Blanca Montejo, Office of Legal Affairs, United Nations

### Speakers:

- José Alvarez, New York University School of Law
- Vera Gowlland-Debbas, Université de Genève
- Maurizio Ragazzi, World Bank
- Daphna Shraga, Office of Legal Affairs, United Nations

## New Battlefields/Old Laws: Shaping a Legal Environment for Counterinsurgency

10:45 am – 12:15 pm

Salon II

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

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY (Accredited by NY Approved Jurisdiction of PA)

Counterinsurgency operations will dominate twenty-first century warfare. This panel will explore legal and policy gaps that arise when traditional treaty and customary rules of international humanitarian law, the laws of war, and human rights law are applied to asymmetric warfare between states and a range of non-state armed groups.

**Moderator:** William C. Banks, Institute for National Security and Counterterrorism, Syracuse University, College of Law

### Speakers:

- Ashley Deeks, Columbia University
- Col. Rich Gross, United States Central Command
- Sarah Sewall, Harvard Kennedy School of Government
- Robert D. Sloane, Boston University School of Law

## Elections and Ethnic Violence

10:45 am – 12:15 pm

Salon IIIB

International institutions have overseen elections around the world, but they have not developed a standard approach to anticipating, preventing and responding to election-related violence. In May 2010, the U.N. Special Rapporteur on Extrajudicial Executions released a report on election-related violence and killings that makes key recommendations in response to these gaps. This panel assembles experts from government and civil society to assess and respond to the report's recommendations, and to identify core issues requiring attention from academics and policy-makers.

**Moderator:** Sarah Knuckey, Center for Human Rights and Global Justice, New York University

### Speakers:

- Peter Bartu, University of California, Berkeley
- Susan Benesch, World Policy Institute
- Jeff Fischer, Creative Associates
- Chidi Odinkala, Open Society Justice Initiative

## Intellectual Property Law Interest Group Meeting

12:30 pm – 1:30 pm

Jefferson

## Luncheon Dialogue

12:30 pm – 2:30 pm

Plaza I & II

*Co-sponsored by the Women in International Law Interest Group*

**Speaker:** Fatou Bensouda, Deputy Prosecutor, Office of the Prosecutor, International Criminal Court

**Moderator/Discussant:** Diane Marie Amann, University of California, Davis

## International Legal Research Interest Group: Greater Than the Sum of its Parts: Global Cooperation in Making the World's Laws Accessible

1:00 pm – 2:30 pm

Roosevelt

Despite significant technological advancements in recent years, the world still lacks a systematic and comprehensive process for creating, sharing and authenticating legal information on the Internet. In fact, many laws remain completely inaccessible online. This panel will discuss the need for global cooperation in promoting access to the laws of the nations of the world, while providing specific examples of efforts to address this important issue. It will include the perspectives of governments, academic institutions, libraries, and private sector organizations.

**Moderator:** Amy Emerson, Cornell Law School

### Speakers:

- Thomas R. Bruce, Legal Information Institute at Cornell Law School
- Hongxia Liu, World Justice Project
- Marilyn Raisch, Georgetown Law School
- Roberta Schaffer, Law Library of Congress

## Harmony and Dissonance in Extraterritorial Regulation

1:00 pm – 2:30 pm

Salon II

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

When should U.S. courts apply U.S. law to regulate the overseas conduct of foreigners? In recent years, the U.S. Supreme Court has examined the extraterritorial reach of a number of key statutes, including the Sherman Antitrust Act (*F. Hoffmann-La Roche v. Empagran*) and the Securities Exchange Act (*Morrison v. National Australia Bank*). This panel will draw upon the U.S. Supreme Court's recent extraterritorial decisions to discuss and debate the geographic reach of U.S. statutes and the implications of this evolving jurisprudence for international law and global governance.

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

### Speakers:

- Hannah Buxbaum, Indiana University Maurer School of Law
- George T. Conway III, Wachtell, Lipton, Rosen & Katz
- William S. Dodge, University of California, Hastings College of the Law
- Austen Parrish, Southwestern Law School

## Labor and Migration in International Law: Challenges of Protection, Specialization and Bilateralism

1:00 pm – 2:30 pm  
Salon IIIA

The acceleration of labor migration has not been met by a coherent international legal response. Instead, the movement of highly skilled workers has been liberalized in free trade agreements, whereas the movement of lower skilled workers remains the domain of bilateral migration agreements. This panel will address problems flowing from this duality, and what steps can be taken to address these problems.

**Moderator:** Regan Ralph, Fund for Global Human Rights

### Speakers:

- Nisha Varia, Human Rights Watch
- Jürgen Bast, Max Planck Institute for Comparative Public Law and International Law
- Ayelet Shachar, University of Toronto
- Tomer Broude, Hebrew University

2:30 pm - 3:00 pm Coffee Break  
Sponsored by White & Case LLP

## International Law and the Liability for Catastrophic Environmental Damage

3:00 pm – 4:30 pm  
Roosevelt

*Co-sponsored by the International Environmental Law Interest Group and the Rights of Indigenous Peoples Interest Group*

Transboundary pollution from catastrophic events, such as the Deepwater Horizon/ BP disaster in the Gulf of Mexico, raises questions of how to determine liability and responsibility for clean-up, compensation, and restoration. Answers to these questions implicate both national and international law. This panel will address how international law has been, or could be, brought to bear in environmental catastrophes by looking at both successes and failures.

**Moderator:** Marie Soveroski, ASIL International Environmental Law Interest Group Chair

### Speakers:

- Tullio Treves, International Tribunal for the Law of the Sea
- Alan Boyle, Edinburgh University
- Peter Sand, University of Munich
- Monika Hinteregger, University of Graz
- Gunther Handl, Tulane University School of Law

**New Voices II: Internationalizing & Domesticating Law**

3:00 pm – 4:30 pm

Lincoln

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
(Accredited by NY Approved Jurisdiction of PA)

**Moderator:** Joel Trachtman, The Fletcher School, Tufts University

**Speakers:**

- Anna Dolidze, Cornell Law School, *Anglo-Saxonizing Rights: Transnational Public Interest Law Litigation in Europe*
- Molly Beutz Land, New York Law School, *Recalibrating TRIPS*
- Maximo Langer, UCLA School of Law, *The Diplomacy of Universal Jurisdiction: The Regulating Role of the Political Branches in the Transnational Prosecution of International Crimes*
- Tonya Putnam, Columbia University, *Back to Bedrock with U.S. Extraterritoriality? Safeguarding Domestic Rule Integrity as a Touchstone for Judicial Action*

**UN 21 Interest Group Meeting**

3:00 pm - 4:30 pm

Plaza I

**Africa Interest Group Meeting**

3:00 pm – 4:30 pm

Jefferson

**Are There “Regional” Approaches to International Dispute Resolution?**

3:00 pm – 4:30 pm

Salon IIIA

Participants in this roundtable will examine whether there are tendencies shaped by regional cultural, political or historical influences with respect to international dispute resolution, particularly in areas such as trade, investment, and human rights. If such tendencies exist, how do – and should -- decision-makers and advocates in international tribunals take account of them? What does this mean for dispute resolution processes and for harmony and dissonance in international law?

**Moderator:** Samaa A. F. Haridi, Crowell & Moring LLP

**Speakers:**

- Katia Fach Gómez, Fordham Law School
- Nkemdilim Izuako, United Nations Dispute Tribunal
- Catherine Kessedjian, University Pantheon-Assas in Paris and former Deputy Secretary General of the Hague Conference on Private International Law
- Zhaojie Li, Tsinghua University Law School
- Romesh Weeramantry, City University of Hong Kong School of Law

**International Legal Theory Interest Group:  
Harmony and Dissonance in International Legal Theory**

3:00 pm – 4:30 pm

Salon IIIB

This panel will explore harmony and dissonance in international legal theory. It will examine questions such as: Can a single international legal theory provide the foundation for all subject areas addressed by international law, or do different areas require different theories? Should international legal theory accommodate diverse legal, cultural, gender, and religious viewpoints, and if so, how? What role should democratic principles play in international law and international legal theory?

**Moderator:** Brian D. Lepard, University of Nebraska College of Law

**Speakers:**

- Nienke Grossman, University of Baltimore School of Law
- John Linarelli, University of La Verne College of Law
- John Morss, Deakin University
- Helen Stacy, Freeman Spogli Institute for International Studies, Stanford University

**International Legal Implications of Israel's Attack on the Gaza Aid Flotilla**

3:00 pm – 4:30 pm

Salon I & II

*Co-sponsored by the Lieber Society on the Law of Armed Conflict*

The Israeli attack on a Gaza aid flotilla raises questions involving the use of force, international humanitarian law, the law of the sea, and occupation law. This panel will address questions including: How should decision-makers navigate these legal complexities? Was there a clear legal standard governing the launch and conduct of the attack? In such situations, what questions does law answer, and what questions does it leave unresolved?

**Moderator:** Naomi Roht-Arriaza, University of California, Hastings College of the Law

**Speakers:**

- Sari Bashi, Gisha: Legal Center for Freedom of Movement
- Daoud L. Khairallah, Georgetown University Law Center, and the School of Advanced International Studies (SAIS), John's Hopkins University
- Sarah Weiss Ma'udi, Office of the Legal Adviser, Ministry of Foreign Affairs of Israel
- Naz Modirzadeh, Harvard Program on Humanitarian Policy and Conflict Research

## **Plenary Keynote: A Conversation with Angel Gurría, Secretary General of the Organisation for Economic Cooperation and Development**

5:00 pm - 6:15 pm

Salon I & II

*Co-Sponsored by George Washington University Law School*

### **Discussants:**

- Susan L. Karamanian, George Washington University Law School
- Lucinda A. Low, Steptoe & Johnson LLP

## **Looking to the Future: Reception in Honor of W. Michael Reisman**

6:15 pm – 7:15 pm

Plaza I & II

*Co-sponsored by Martinus Nijhoff (Brill) Publishers*

### **Remarks by:**

- David D. Caron, President of the American Society of International Law
- Rosalyn Higgins, former President of the International Court of Justice
- Harold Koh, Legal Advisor of the Department of State
- Siegfried Wiessner, St. Thomas University Law School

## **Government Attorneys Interest Group Meeting**

6:30 pm – 8:00 pm

Jefferson

## **President's Reception**

6:30 pm - 8:00 pm

Salon III & Prefunction

*Co-Sponsored by George Washington University Law School*

## **Patron and Major Donors' Reception**

6:30 pm – 8:00 pm

Roosevelt

## **ASIL Annual Dinner: A Celebration of Distinction and Promise**

8:00 pm - 10:00 pm

Salon I & II

### **Tributes to:**

- Christopher Merrilat by Richard Davis
- Shabtai Rosenne by Bernard Oxman
- Louis Henkin by Lori Damrosch

## ASIL Annual Dinner: A Celebration of Distinction and Promise

8:00 p.m. – 10:00 p.m.

Salon I & II

Tributes to:

- **Christopher Merillat** by Richard Davis
- **Shabtai Rosenne** by Bernard Oxman
- **Louis Henkin** by Lori Damrosch

Presentation of Society Honors and Awards

- Manley O. Hudson Medal: **Eric Stein**
- Goler T. Butcher Medal: **Gay McDougall**
- Certificates of Merit
  - Creative Scholarship: **Jutta Brunnee** and Stephen J. Toope for *Legitimacy and Legality in International Law*; Honorable mention: **Kal Raustiala** for *Does the Constitution Follow the Flag?*
  - High Technical Craftsmanship and Utility to Practicing Lawyers and Scholars: **Gary Born** for *International Commercial Arbitration*
  - Contribution to a Specialized Field of International Law: **Gary D. Solis** for *The Law of Armed Conflict*; Honorable mention: **Anne T. Gallagher** for *The International Law of Human Trafficking*
- 2011 Arthur C. Helton Fellows

## ASIL-ILSA Dessert, Dance Party, and Lounge

10:00 p.m. – 12:00 a.m.

Salon III and Plaza Ballroom



### **Interest Group Co-Chairs' Breakfast**

7:15 am - 8:45 am  
Jefferson

### **Annual General Meeting**

9:00 am – 10:30 am  
Salon I

### **Duplication and Divergence in the Work of the United Nations Human Rights Treaty Bodies**

9:00 am – 10:30 am  
Plaza I

*Co-sponsored by the International Refugee Law Interest Group*

This roundtable will discuss tensions between the increasing specialization of the eight United Nations human rights treaty bodies and ongoing efforts to develop greater harmonization of their practices. The proliferation of these bodies has generated both duplication and divergence of approaches. Participants will address advantages and problems with both of these trends, and evaluate suggestions for reform.

**Moderator:** Christina Cerna, Organization of American States

#### **Speakers:**

- Sarah McCosker, Australian Commonwealth Attorney-General's Department
- Catherine Powell, Secretary of State's Policy Planning Office, U.S. Department of State
- Sir Nigel Rodley, University of Essex
- Ibrahim Salama, Human Rights Treaties Division, Office of the High Commissioner for Human Rights

## Trade and Investment in Africa: Harmony and Disharmony with the International Community

9:00 am – 10:30 am

Roosevelt

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

Current models of development in Africa are adapting to account for Africa's changing economic landscape, which includes some of the fastest growing economies today. Africa is engaging its partners in commerce through multilateral, regional, cross-regional, and bilateral trade and investment agreements and platforms. This session will consider harmony and dissonance between the legal norms, institutions, and arrangements that make up the African trading system, on the one hand, and those that shape Africa's interaction with the global-multilateral system, on the other.

**Moderator:** Angela M. Banks, William and Mary Law School

### Participants:

- Uche Ewelukwa, University of Arkansas
- Won Kidane, Seattle University
- Victor Mosoti, International and Environmental Law Unit, Legal Vice-Presidency, The World Bank
- Thomas R. Snider, Wilmer Cutler Pickering Hale and Dorr LLP

## Geoengineering Climate Change: Can the Law Catch Up?

9:00 am – 10:30 am

Salon IIIA

*Co-sponsored by the International Environmental Law Interest Group*

This panel will address geoengineering as a potential solution to climate change. While climate geoengineering methods have the potential to substantially ameliorate, or reverse, current warming trends, they could also have serious negative ramifications. This panel will assess governance issues associated with geoengineering, including pertinent international treaty regimes, the potential implications of overlapping jurisdiction, and a potential framework for liability.

**Moderator:** Rebecca Bratspies, City University of New York School of Law

### Speakers:

- William C.G. Burns, Center for Environmental Studies- Williams College
- Lee Lane, Hudson Institute
- Hari Osofsky, University of Minnesota Law School

### **Author Meets Reader: International Law in the U.S. Supreme Court: Continuity and Change**

9:00 am – 10:30 am

Plaza II

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

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
(Accredited by NY Approved Jurisdiction of PA)

This forthcoming edited volume traces the Supreme Court's treatment of treaties and customary international law from 1789 through today, including the relationship between separation of powers issues and international law. This session offers critical engagement with the book, in terms of both methodology and conclusions. The discussion will canvass the past, present, and future of international law in U.S. Supreme Court decisions.

**Moderator:** Ingrid Wuerth, Vanderbilt University Law School

#### **Speakers:**

- Mary Dudziak, University of Southern California, Gould School of Law
- Lori Damrosch, Columbia Law School
- David Sloss, Santa Clara University Law School

### **Transnational Piracy: To Pay or to Prosecute?**

9:00 am – 10:30 am

Salon IIIB

*Co-sponsored by the International Criminal Law Interest Group*

1.5 CLE credits offered for the States of CA, VA, IL, PA and NY  
(Accredited by NY Approved Jurisdiction of PA)

The international community struggles with how to deal with non-state criminal actors such as pirates. Even though the principle of universal jurisdiction was first established in relation to piracy, domestic legal regimes fail in many instances to adequately address piracy. In addition, Somali pirates have used ransom money to become power brokers in the region. This panel will consider the logistical, legal, and political dimensions of approaches to combating piracy, and their implications for international law and other forms of transnational crime.

**Moderator:** Milena Sterio, Cleveland-Marshall Law School

#### **Speakers:**

- Douglas Guilfoyle, University College London
- Jennifer Landside, U.S. Department of State
- Ambassador Thomas Winkler, Foreign Ministry of Denmark

10:30 am – 10:45 am *Coffee Break*  
*Sponsored by Wilmer, Cutler, Pickering, Hale & Dorr*

### **Revolution and Intervention in the Middle East**

9:00 am – 10:30 am

Salon II

Recent uprisings in Middle Eastern and North African states have raised difficult questions for international law and policy. Whereas President Mubarak in Egypt ceded power relatively peacefully, Colonel Qaddafi has used military force against Libyan civilians. What are the rights and obligations under international law for foreign states and international organizations to intervene diplomatically, economically and even militarily in such uprisings? When deciding whether and how to intervene, how should officials balance potentially competing considerations, including maintaining peace and security, safeguarding economic stability, and promoting democracy? Before, during and after a revolution, what role is there for aid and other civilian assistance, either alongside or in lieu of military intervention?

**Moderator:** Monica Hakimi, University of Michigan School of Law

#### **Speakers:**

- Nancy Lindborg, U.S. Agency for International Development
- Hussein Hassouna, League of Arab States to the United States
- Mary Ellen O'Connell, Notre Dame Law School

### **Closing Plenary: International Law in the U.S. Government: The Views Outside "L"**

11:00 am - 12:30 pm

Salon I & II

*Co-sponsored by the Government Attorneys Interest Group*

International law permeates government operations across a wide range of U.S. government agencies outside of the State Department. This roundtable will bring together the principal legal advisers of these U.S. agencies to discuss international law issues that affect their agencies and activities. Topics will include treaty frameworks for international cooperation, the law of armed conflict, and international law implicated in espionage.

**Moderator:** Jeffrey Pryce, Steptoe & Johnson LLP

#### **Speakers:**

- James E. Baker, United States Court of Appeals for the Armed Forces
- Rear Admiral James W. Crawford III, Office of the Chairman of the Joint Chiefs of Staff
- Avril Haines, U.S. National Security Council
- Stephen Preston, U.S. Central Intelligence Agency
- Robert S. Taylor, U.S. Department of Defense

# Program By Track

## Wednesday, March 23, 2011

Track »	Plenary & Associated Events	Crime, Security & War	Energy & Environment	Human Rights & Development	International Dispute Resolution	International Law in the U.S.	Trade, Finance & Investment	International Legal Theory & History	Interest Groups, New Voices, Others
9:00am	9:00a - 11:30a Executive Council Orientation								
10:00am									
11:00am									
12:00pm	9:00a-12:15p ITA Meeting								
1:00pm									
	12:20p-1:30p ITA Luncheon								
2:00pm	12:00p - 3:30p Executive Council Meeting								2:00p - 3:30p Int'l Legal Research IG Kiosk Volunteers
3:00pm									
4:00pm	4:30p - 6:00p Grotius Lecture: The Global Status of Rights								
5:00pm									
6:00pm									
7:00pm	6:00p - 8:00p Grotius Reception (AU Co-Sponsored)								7:00p - 8:30p Transitional Justice and Rule of Law IG
8:00pm	7:00p - 9:00p Arbitral Women Reception								
9:00pm									
10:00pm	7:00p - 11:00p AJIL Board Dinner								
11:00pm									

## Thursday, March 24, 2011

Track »	Plenary & Associated Events	Crime, Security & War	Energy & Environment	Human Rights & Development	International Dispute Resolution	International Law in the U.S.	Trade, Finance & Investment	International Legal Theory & History	Interest Groups, New Voices, Others
7:00am	7:00a - 8:30a Reunion of Annual Meeting Co-chairs								
8:00am	7:30a - 9:00a New Member Breakfast								

## Thursday, March 24, 2011

Track »	Plenary & Associated Events	Crime, Security & War	Energy & Environment	Human Rights & Development	International Dispute Resolution	International Law in the U.S.	Trade, Finance & Investment	International Legal Theory & History	Interest Groups, New Voices, Others
9:00am	9:00a - 9:30a Opening Welcome & Remarks: David Caron								
10:00am	9:30a - 11:00a Opening Plenary: Mike Posner:								
11:00am									
12:00pm		11:15a - 12:45p Commissions of Inquiry into Armed Conflict	11:15a - 12:45p Int'l Environmental Law Making and the ICJ	11:15a - 12:45p Legal Origins, Doing Business and Rule of Law Indicators: The Economic Evaluation of Legal Systems		11:15a - 12:45p The Supreme Court and Arbitration Law			11:15a - 12:45p Int'l Courts and Tribunals IG: Judicial Selection  11:15a-12:45p International Organizations IG  11:15a - 12:45p New Voices 1: Global Health, Trade and Common Resource Regimes
1:00pm									
2:00pm		1:00p - 2:30p Responding to Nuclear Security Challenges in a Fragmented World					1:00p - 2:30p Seamlessness or Segmentation: The Case of Int'l Economic Governance and European Sovereign Debt	1:00p - 2:30p Fragmentation of Int'l Legal Orders and International Law: Ways Forward	1:00p - 2:30p WILIG Luncheon: Lucy Reed  1:00p - 2:30p Int'l Law in Domestic Courts IG  1:00p - 2:30p Law of the Sea IG
3:00pm		3:00p - 4:30p Integrating the Crime of Aggression into Int'l Criminal Law and Public Int'l Law			3:00p - 4:30p The Role of Int'l Tribunals in Managing Coherence and Diversity in Int'l Law	3:00p - 4:30p Espionage and the First Amendment After WikiLeaks	3:00p - 4:30p Dispute Resolution IG: Is ICSID Losing its Appeal		1:00p-2:30p Int'l Legal Research IG
4:00pm									3:00p - 4:30p Teaching Int'l Law IG
5:00pm	5:00p - 6:15p Decision-making in Int'l Courts and Tribunals: A Conversation with Leading Judges and Arbitrators  6:00p - 8:00p Member Reception  6:30p - 8:00p Int'l Legal Materials Reception  6:30p - 8:00p L Alumni Reception  7:30p - 8:30p LGBT Reception								6:30p - 8:00p Int'l refugee Law IG  6:30p - 8:00 p Cultural Heritage and Arts IG  6:30p - 8:00p ASIL Midwest IG  6:30p - 8:00p Law in Pacific Rim IG
6:00pm									
7:00pm									

## Friday, March 25, 2011

Track »	Plenary & Associated Events	Crime, Security & War	Energy & Environment	Human Rights & Development	International Dispute Resolution	International Law in the U.S.	Trade, Finance & Investment	International Legal Theory & History	Interest Groups, New Voices, Others
7:00am		7:00 a- 8:30 a Targeting with Drone Technology: Humanitarian Law Implications							7:00a - 8:15a Int'l Economic Law IG 7:00a - 8:30a Private Int'l Law IG
8:00am									
9:00am									
10:00am			9:00a - 10:30a Int'l Env Law IG: Roundtable on Research Methodologies	9:00a - 10:30a Ethical and Practical Challenges for Corporate Lawyers Advising Clients on Human Rights	9:00a - 10:30a The Role of Legal Norms in Mediation and Negotiation: Views from the Field		9:00a - 10:30a Int'l Trade Law and Int'l Investment Law: Convergence of Divergence?	9:00a - 10:30a What the Kosovo Advisory Opinion Means for the Future 9:00a - 10:30a Regional Regimes in Comparative Perspective	8:30a - 9:00a Human Rights IG 9:00a - 10:00a Lieber Society IG 9:00a - 10:30a Int'l Disability Rights IG
11:00am		10:45a - 12:15p New Battlefields/Old Laws: Shaping a Legal Environment for Counter-insurgency		10:45a - 12:15p Elections and Ethnic Violence			10:45a - 12:15p Recent Trends in Int'l Investment Treaty Law		10:45a - 12:15p Rights of Indigenous Peoples IG
12:00pm									10:45a - 12:15p Int'l Criminal Law IG: "Fact Finding Without Facts: A Conversation with Nancy Combs
1:00pm									10:45a - 12:15p IP IG: Harmonizing Int'l Law: An IP Perspective
2:00pm	12:30p - 2:30p Luncheon Discussion with Fatou Bensouda			1:00p - 2:30p Labor Migration in Int'l Law: Challenges of Protection, Specialization, and Bilateralism			1:00p - 2:30p Harmony & Dissonance in Extraterritorial Regulations		10:45a-12:15p Rights of Indigenous Peoples IG 12:30p - 1:30p Intellectual Property Law IG 1:00p - 2:30p Int'l Legal Research IG: Greater than the Sum of its Parts: Global Cooperation in Making the World's Law Accessible
3:00pm									3:00p - 4:30p ILT IG: Harmony & Dissonance in Int'l Legal Theory
4:00pm		3:00p - 4:30p Int'l Legal Implications of Israel's Attack on the Gaza Aid Flotilla	3:00p - 4:30p Int'l Law and the Liability for Catastrophic Environmental Damage		3:00p - 4:30p Are there "Regional" Approaches to Int'l Dispute Resolution?				3:00p - 4:30p Africa IG 3:00p - 4:30p New Voices II: Int'lization and Domesticating Law

5:00pm	5:00p - 6:30p Keynote: A Conversation with OECD Secretary General Angel Gurría									3:00p-4:30p UN21 IG
	6:30p - 7:30p Looking to the Future: Reception in Honor of W. Michael Reisman									3:00p-4:30p Africa IG
	6:30p - 8:00p President's Reception (GW Co-sponsored)									
	6:30p - 8:00p Patron's Reception									
6:00pm										
7:00pm	8:00p - 11:p									6:30p - 8:00p Gov't Attorneys IG
8:00pm	ASIL Annual Dinner									
9:00pm										
10:00pm 11:00pm	10:00p - 11:p ASIL-ILSA Dessert and Dance Party & Lounge									8:00p-10:00p New Professionals IG Happy Hour

## Saturday, March 26, 2011

Saturday, March 26, 2011										
Track »	Plenary & Associated Events	Crime, Security & War	Energy & Environment	Human Rights & Development	International Dispute Resolution	International Law in the U.S.	Trade, Finance & Investment	International Legal Theory & History	Interest Groups, New Voices, Others	
7:00am										7:15a - 8:45a IG Co-chairs Breakfast
8:00am										
9:00am	9:00a - 10:30a ASIL Annual General Meeting & Awards Ceremony			9:00a - 10:30a Duplication and Divergence in the Work of the United Nations Human Rights Treaty Bodies						
10:00am	11:00a - 12:30p Closing Plenary: Int'l Law in the U.S. Gov't: Views Outside "L"	9:00a - 10:30a Transnational Piracy: To Pay or to Prosecute?	9:00a - 10:30a Geoengineering Climate Change: Can the Law Catch Up?	9:00a - 10:30a Revolution and Intervention in the Middle East		9:00a - 10:30a Author Meets Reader: International Law in the U.S. Supreme Court: Continuity & Change	9:00a - 10:30a Trade and Investment in Africa: Harmony & Disharmony with the International Community			
11:00am										
12:00pm										





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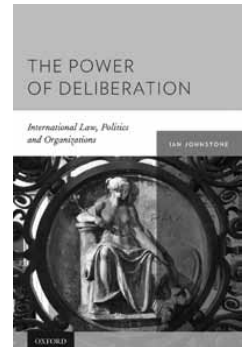
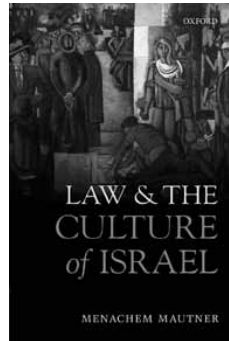
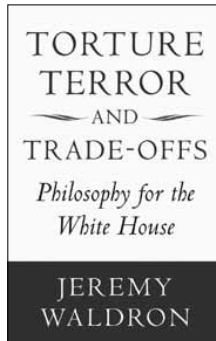
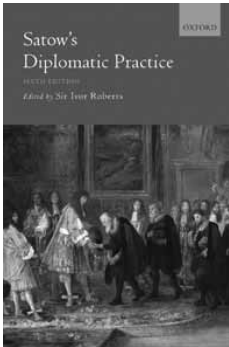
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