



NEWSLETTER

SAVE THE DATE!
International Law Weekend 2024
October 24-26, 2024
New York City

ILW 2023: A Resounding Success

International Law Weekend (ILW) 2023 took place from October 19-21, 2023 in New York City. The unifying theme was *Beyond International Law*, which the American Branch was excited to explore during the International Law Association's 150th anniversary.

This year's annual event invited discussions on international law's successes and shortcomings, exposed by prolonged armed conflicts, a lack of accountability for atrocities, a global pandemic followed by an economic downturn, and entrenched economic and social inequalities exacerbated by the disastrous effects of climate change.

With 34 panels, a high level opening plenary, a keynote address, 13 networking rooms, more than 200 speakers, a record number of registrations and attendees, and participants from 50+ countries, ILW 2023 offered the opportunity to consider creative solutions beyond the international legal system and explore how international law can adapt to effectively address the complex challenges of today. The full program is available [here](#).

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ILW 2023 President's High Level Opening Plenary panelists: **Maxine Burkett**, **Graciela Gatti Santana**, **Michael Scharf**, **Michael Imran Kanu**, and **Christopher Ward**.

Visit the ABILA Website for up-to-date information on events and activities.

www.ila-americanbranch.org

Editor's Note

The names of ABILA members are identified in bold throughout this *Newsletter*. Join the Branch and be recognized!

Message from the American Branch President

Dear Branch Members,

As emblazoned on our [Home Page](#), the ABILA's motto is "We need international law and cooperation NOW MORE THAN EVER." Those words are being put to the test by the horrific attacks by Hamas in Israel of October 7 and Israel's response.

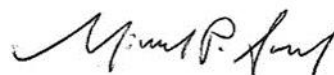
The ABILA celebrated its 101st anniversary by hosting its largest International Law Weekend ever on October 19-21, 2023, at the New York City Bar Association and Fordham University School of Law. A record 1,500 people registered for the conference, including 203 panelists and keynote speakers. The theme of ILW 2023 was "Beyond International Law," with speakers exploring the shortcomings of international law and institutions and discussing creative approaches for addressing the challenges facing the international community. With this theme, it was not surprising that several of the panels, including the President's High Level Opening Plenary which I chaired, discussed the application of law to the Israel-Hamas conflict, which was on everyone's mind. It was a tribute to our organization that these discussions elicited a wide range of views and were conducted with civility and mutual respect.

But the ABILA is so much more than the premier fall conference of international law. With over 400 members, we are the largest of the 63 branches of the International Law Association. Many of our members are actively engaged in the Branch's twenty committees, which organize panels and produce reports and resolutions that have had a significant impact on "the study, clarification and development of International Law and the advancement of peace, equity and justice worldwide." If you are not yet a member of one of our committees, I encourage you to sign up for one today.

With all that is going on in the world, I too was hearing the call to action reflected in the words, "Now More than Ever." I have therefore decided that after ten years as Dean of Case Western Reserve University School of Law, I will be stepping down from the position on June 30, 2024, to return to heading up CWRU School of Law's International Law program and devote more time to leading the ABILA and other projects related to international peace and justice. Frequent listeners will be happy to hear that I will also be expanding my radio show/podcast, "Talking Foreign Policy," from quarterly to monthly broadcasts out of Cleveland's NPR station.

Finally, I'd like to provide a shout out to **Madaline George**, the Branch's inaugural Chief Operating Officer (COO), who is leaving us for an exciting position at White & Case in Washington, D.C. Madaline was a force of nature who did so much to improve every facet of our organization. I am also thrilled to welcome **Julia Liston** as the Branch's new COO and **Freya Doughty-Wagner** as our new Chief Content Officer and am excited to work with them to continue building on the Branch's successes. I look forward to seeing you at the ASIL Annual Meeting in D.C. this coming April and at our next International Law Weekend in New York on October 24-26, 2024.

Sincerely,



Michael P. Scharf

President of ABILA

Dean of Case Western Reserve University School of Law



Michael Scharf

ILW 2023 Recap *(cont'd)*

ILW 2023 attendees included leading academics, ambassadors and other diplomats, federal and state government officials, NGO leaders, practitioners and partners at some of the world's top law firms, students, journalists, business leaders, and other interested persons.

The conference offered a broad array of both public international law and private international law topics, such as:

- ◆ *Outer Space and Earth Interactions within Environmental Governance and Accountability Regimes*
- ◆ *Russia and Ukraine: A Springboard or a Setback for International Accountability?*
- ◆ *Negotiating a Torture-Free Trade Treaty*
- ◆ *Top Ten Developments in Private International Law*
- ◆ *The Global South and the Shaping of International Law: Challenges, Opportunities, and Lessons Learned*
- ◆ *The Role of International Courts in Promoting State Responsibility for Climate Change*
- ◆ *Global AI Regulation: The (Mis)Alignment Challenge*
- ◆ *The UN International Law Commission and the Future of International Law-Making*



ILW 2023 Panel: *Pathways to Employment in International Law*



ILW 2023 Panel: *The Global South and the Shaping of International Law*

Seventeen American Branch committees sponsored panels this year, and all 34 panels were designated for continuing legal education (CLE) credit, made possible through our generous sponsors.

A select number of panels from ILW 2023 are available on the ABILA [YouTube channel](#).

(cont'd on p. 4)



Top row, from left: Keynote Address Speaker **Gregory Shaffer**; Panel: *Why the Slave Trades of the Past, Present and Future Call for Rome Statute Rectification*; and Panel: *Rethinking Solutions to International Disputes?*
Bottom row, from left: Panel audience: *Prosecuting War Crimes in U.S. Courts*; Panel: *Reimagining International Refugee Law*; **Kristi Ueda**, **Madaline George**, and **Elena Athwal** following the 101st Annual Members Meeting.

ILW 2023 Recap *(cont'd)*

ILW 2023 opened at the New York City Bar Association on Thursday with a President's High Level Opening Plenary Panel. Moderated by American Branch President **Michael P. Scharf**, plenary speakers included: **Maxine Burkett** (Assistant Director for Climate, Ocean, and Equity of the White House Office of Science and Technology Policy); **Ambassador Michael Imran Kanu** (Permanent Representative of the Permanent Mission of Sierra Leone to the United Nations); Judge Graciela Gatti Santana (President of the International Residual Mechanism for Criminal Tribunals); and **Christopher Ward SC** (Immediate-Past President and Vice President of the International Law Association and Senior Counsel of 6 St James Hall Chambers).

Following a lively session of question and answer with the Plenary speakers, the evening's festivities continued with a reception at the New York City Bar Association. The reception provided the opportunity for ABILA members, colleagues, and attendees from around the globe to gather, enjoy hors d'oeuvres and refreshments, and celebrate the opening of International Law Weekend.

ILW 2023 continued on Friday at Fordham University School of Law. It featured an afternoon welcome by Matthew Diller, Dean and Paul Fuller Professor of Law at Fordham University School of Law, and a keynote address by **Gregory Shaffer**, Scott K. Ginsburg Professor of International Law at Georgetown University Law Center and President of the American Society of International Law, on *Beyond International Law? A Dangerous Time*. Shaffer explored past examples of international coordination and creative problem solving in difficult contexts, stressing that while the specific horrors and conflicts of today are new, the world has experienced such strife before and has had to experiment together to innovatively overcome each hurdle. He declared the importance of "engaging in transnational tools and processes that both incorporate and go beyond international law" especially in these uncertain, dangerous times. He concluded that "thinking beyond international law does not signify its abandonment. We must rather integrate international law as part of broader transnational processes so that we pragmatically and cooperatively enhance our understanding of problems and effectively address them."

The Friday program concluded with a reception at the Permanent Mission of France to the United Nations.

(cont'd on p. 5)



Top row: ILW 2023 attendees enjoying the Opening Reception.

Bottom row: ILW 2023 attendees attending the President's High Level Opening Plenary.

ILW 2023 Recap *(cont'd)*

The Saturday program began with the 101st Annual ABILA Members Meeting led by Branch President **Michael Scharf** and Chair **Leila Sadat**. ILW 2023 Organizing Committee Co-Chair **William Aceves** then introduced Branch Members to the [2023 Student Ambassadors](#) (see p. 10), the [2023 Emerging Voices](#) (see p. 6), the International Law Association Media Officer Elena Athwal, and [invited representatives from the South African Branch of International Law Association](#): Jaymion Hendricks and Sikelela Ndlazi. Award Presentations followed (see p. 12-13). The Members Meeting and Award Presentations concluded with remarks by **Christopher Ward SC**, Immediate-Past President and Vice President of the International Law Association.

ILW 2023 concluded with an extremely well-attended Pathways to Employment in International Law session for students and young professionals, organized in partnership with the ABA Section on International Law and the International Law Students Association.



American Branch leaders, award winners, and noted guests gathered at the 101st Annual Members Meeting.

Reception at the French Mission to the United Nations



ILW 2023 featured a sold-out reception on Friday night at the Permanent Mission of France to the United Nations, where attendees enjoyed a night of small bites and refreshments in the company of colleagues. Following welcoming remarks by ILW Organizing Committee Co-Chair **Floriane Lavaud**, Legal Counselor and Head of the Human Rights, Humanitarian and Influence Affairs Division at the Mission, Diarra Dime-Labille, said, “We really need you all in these very challenging times. We need to work together and be creative—not just think about our differences, but what we can do together.”

The Branch wholeheartedly agrees with her message and sends its gratitude to the Permanent Mission and its gracious staff for hosting us.



Top row, from left: ILW 2023 attendees enjoying the Reception; ILW 2023 attendees listening to remarks by **Floriane Lavaud** and Diarra Dime-Labille.
Bottom row: ILW 2023 attendees enjoying the Reception.

Networking Opportunities at ILW 2023

ILW 2023 included **networking rooms** by several ABILA committees and three community networking rooms for Young Professionals, Minorities, and Women.

The ABILA committees that hosted networking rooms included Arms Control and Disarmament, International Criminal Court, International Environmental and Energy Law, International Humanitarian Law, International Investment Law, and Legitimacy and Fundamental Principles of International Law on Friday and International Human Rights Law, International Law in Domestic Courts, Teaching Public International Law, and The Formulation of Rules of Customary International Law on Saturday.

The Young Professionals Networking Room was co-hosted with CIArb Global Young Members Group and the Minority Lawyers Networking Room was co-hosted with ASIL's Minorities in International Law Interest Group (MILIG).



Top row: ILW 2023 attendees engaging with a book publisher's table during a coffee break.
Bottom row: ILW 2023 students gathering at the conference.

Highlighting New Voices at ILW 2023

In line with the Branch's commitment to supporting the next generation of international lawyers, ILW 2023 included an **Emerging Voices** panel, which featured scholars and practitioners who are considered new and emerging in the international law field. Over the summer, the ILW Organizing Committee invited the submission of abstracts responding to the conference theme from professionals who have been in the field of international law for five years or less. The Committee received a record number of applicants.

Under the moderation of ILW 2023 Organizing Committee Member and ILW 2022 Emerging Voices panelist **Emily Behzadi Cárdenas**, this year's Emerging Voices panel featured four young professionals who presented on a diverse range of issues:

- **Christine Carpenter**, Associate at Dechert, LLP: *Whose [Crime] Is it Anyway?: Adapting the Crime of Aggression to Grapple with AI & the Future of International Crimes*
- **Sophie Eastwood**, Independent Scholar: *Exploitation at Sea: Legal Vulnerability in the Global Fishing Industry*
- **Karina Sibilska**, Junior Arbitration Practitioner: *Third-Party Funding: The Fuel that Ignites a Failing System or the Key to Future of Investment Arbitration?*
- **Jaideep Singh Lalli**, LL.M. Candidate at the University of Cambridge

(Trinity College): *The (Missing?) Relevance of International Law in Judgments on Same-Sex Marriages*



Sophie Eastwood, Christine Carpenter, Karina Sibilska, and Jaideep Singh Lalli

Reflecting on her experience as an Emerging Voices panelist, Eastwood said, "It truly was an honor to be chosen as one of this year's Emerging Voices. This gave me the opportunity to share my ideas with an engaged, thoughtful audience, whose ideas and comments will be invaluable as I revise my paper for publication. And to top it all, I attended stimulating panels and met some wonderful people. I'm immensely grateful for ABILA's support and already looking forward to the next ILW."

Read more about the ILW 2023 Emerging Voices panelists on our [blog](#).

Thank you to the Sponsors of ILW 2023

- ◆ **Diamond:** Fordham University School of Law; Silicon Valley Community Foundation; and UCLA School of Law International and Comparative Law Program
- ◆ **Platinum:** Leitner Center for International Law and Justice
- ◆ **Gold:** Arizona State University Sandra Day O'Connor College of Law; Columbia Law School; The Fletcher School at Tufts University; Georgetown Law Center; George Washington University Law; University of Baltimore Center for International and Comparative Law; The University of Georgia School of Law; and University of Pittsburgh School of Law Center for International Legal Education
- ◆ **Silver:** American Bar Association—International Law Section; American Society of International Law; Brill Nijhoff; California Western School of Law; Case Western Reserve University School of Law; CIARB Global Young Members Group; Ford Paulekas, LLP; Harvard Law School; International Law Students Association; New York University School of Law; Seton Hall University School of Diplomacy and International Relations; University of Chicago Law School; University of Connecticut School of Law; University of Nebraska College of Law; University of Pennsylvania Carey Law School; Washington and Lee Law School—Transnational Law Institute; and Washington University in St. Louis School of Law

ILW 2023 Organizing Committee

ILW 2023 was made possible by the Organizing Committee and Student Ambassadors as well as the effort of **Madaline George**, ABILA Chief Operating Officer, and **Kristi Ueda**, ABILA Media Officer. The ILW 2023 Co-Chairs were **William Aceves**, Chief Justice Roger Traynor Professor of Law, California Western School of Law; **Floriane Lavaud**, Counsel, Debevoise & Plimpton LLP; and **Milena Sterio**, Charles R. Emrick Jr.-Calfee Halter & Griswold Professor of Law, Cleveland-Marshall College of Law.

Other members of the ILW 2023 Organizing Committee were **Carolina Arlota**, Associate Research Scholar, Sabin Center for Climate Change Law, Columbia Law School; **David Attanasio**, Counsel, Dechert LLP; **Emily Behzadi Cárdenas**, Associate Professor, California Western School of Law; **Amity Boye**, Director of Executive Projects, White & Case LLP; **Jovana Crnčević**, Special Counsel, Withersworldwide; **Yvonne Dutton**, Professor of Law, Indiana University Robert H. McKinney School of Law; **Martin Flaherty**, Founding Co-Director, Leitner Center for International Law and Justice, Visiting Professor, School of Public and International Affairs, Princeton University; **Rachel López**, Associate Professor of Law, Drexel University Thomas R. Kline School of Law; **Yaw Otu Mankata Nyampong**, Legal Officer, The International Civil Aviation Organization; **Lisa Reinsberg**, Executive Director, International Justice Resource Center; **Jennifer Trahan**, Clinical Professor and Director, Concentration in International Law and Human Rights, NYU Center for Global Affairs; **Federico Wynter**, Associate, Debevoise & Plimpton LLP; and **Alyssa Yamamoto**, Legal Advisor to UN Special Rapporteur on Counter-Terrorism and Human Rights. ABILA President **Michael P. Scharf** and Chair **Leila Nadya Sadat** participated *ex officio*.

Our ILW 2023 Student Ambassadors were **Sylvie Bissaloué**, George Washington University Law School; **Grant Carter**, Villanova University Charles Widger School of Law; **Ludmilla Evelin**, Syracuse University College of Law; **Bohdan Krivuts**, University of Georgia School of Law; **Alexis Legaspi**, Santa Clara University School of Law; and **Valerie Sigamani**, California Western School of Law.

We are also incredibly thankful for the assistance of the *Fordham International Law Association* and its members, who assisted throughout the conference.

Save the Date!

ILW 2024 will be held in New York City on October 24-26, 2024. Look out for the theme, panel requests, and further information on the ABILA website soon.



Top: William Aceves
Middle: Floriane Lavaud, Michael Scharf, and Melina Sterio
Bottom: Ludmilla Evelin, Madaline George, Grant Carter, Valerie Sigamani, Alexis Legaspi, and Kristi Ueda

A South African Perspective on ILW 2023

By Jaymion Hendricks and Sikelela Ndlazi (SABILA Representatives)

“[The] law must be stable, but yet it cannot stand still” – Roscoe Pound

Cited in the elucidating panel on *Customary International Law and Beyond*, this quotation by Pound resonates strongly. The theme for International Law Weekend 2023, *Beyond International Law*, enabled us to pause and consider whether contemporary global challenges can be tackled within the existing international law framework, or whether fresh, new approaches are required to ensure that international law does not remain stagnant in an increasingly complex global environment.

Coming from a developing country, this theme is especially important as new challenges present new opportunities for countries from the Global South to shape responses to them, a potential role that has scarcely existed since the Peace of Westphalia in 1648.

But perhaps to first sketch the background: two South Africans arrived in New York City to attend a gathering of among the best legal minds in the United States and globally. After a 24-hour journey from Johannesburg via Paris and Germany, we eventually arrived and joined the American Branch organizing team to help finalize the arrangements for the opening evening, which took place at the New York City Bar Association.



Jaymion Hendricks, Kristi Ueda, and Madaline George en route to the opening night of ILW 2023.

Meeting ILW 2023 Student Ambassadors and organizers was a special treat. The welcoming energy and enthusiastic environment made us feel right at home as we hit the ground running. Once preparations were finalized, it was time to attend the President’s High Level Opening Plenary – *Beyond International Law*. The session set the perfect tone for the days to follow. A key takeaway was that international law has always responded to the various crises of the world – it can be argued that international law itself was formed in crisis. A rise in armed conflicts, geopolitical contestations, and emerging threats present a reordering opportunity. However, such a reordering must consider the pluralistic nature of international law, i.e., the inequality of history. Here, Global South perspectives are important.

The second day of ILW 2023 brought with it equally intriguing academic and policy discourse. The *Outer Space* panel was quite informative. South Africa has the most developed space infrastructure on the African continent and, with the launch of the African Space Agency in early 2023, Africa has her sights set on broadening outer space exploration and involvement. While the Artemis Accords and the Chinese-Russian Lunar Station present opportunities for space-faring nations to collaborate and jointly innovate, a common legal and ethical understanding on outer space exploration and exploitation is required to avoid earth-based inequality extending to outer space. Failure to do so could result in forms of coloniality being perpetuated to the detriment of developing nations. While outer space innovation has already outpaced international legal frameworks and is, in some sense, already “*Beyond International Law*,” States should progressively develop international law through multilateral processes in response to increased innovation. This will ensure that outer space remains the province of humankind and is used exclusively for peaceful purposes and in aid of global development.

(cont’d on p. 9)

A South African Perspective on ILW 2023 *(cont'd)*

On the philosophical front, the practice, protection, and preservation of international law are at a crucial state. We are witnessing instances where contemporary politics, actions, and desires of certain States and international actors have seemingly taken priority over the advancement of international norms and standards. Legitimacy in international law remains crucial and must be advanced if we are to adapt it going forward. When challenging international law, this must be undertaken in a principled manner, as **Dr. Christopher Ward SC** mentioned. Failure to do so will drive a further wedge between the Global North and South. For academics and practitioners of international law to consciously contend with the ever-changing global circumstances, a meeting of the minds on these imperatives is necessary.



Furthest right: Sikelela Ndlazi and Jaymion Hendricks

Furthermore, discourse on the intersections between international law and modern phenomena, such as artificial intelligence and emerging investment regimes, requires that we become innovators of old practices to counter the new challenges brought on to legal spaces. Of certain interest, the poignant meaning of which could not be overstated, was the conversation on border governance in an interdependent world.

This conversation fittingly brought together thoughts on the practical ramifications of externalizing border controls towards the suggested aims of strengthening national security and State independence. What frustrates this age-old norm of border control, however, is the negative impact of “border hardening” and its detrimental result on the human rights of vulnerable groups, such as migrants. So many administrative, legal, and logistical barriers to migration exist today, at a time when the push and pull of migration has never been higher. Securitization of irregular migration has regrettably overtaken development responses as policy tools to address the challenge.

Functioning in tandem with the hardening of borders through external means, the use of digital tools to further heighten the hurdles to border access are increasingly proving to be injurious to international human rights. Contrastingly, at a time when transnational trade is proliferating and increasing in a synthesized world, one battles to justify a globalized world operating under international law without honoring the value migration adds to the equation. The same kind of innovation in critical thought and knowledge generation is also required for the realms within international law that have been around for decades. This is due to new and studious observations of current developments in prior understandings of international law.

Conversations such as these could not occur anywhere but in a space that allows for free academic opinion and expression. The events and panels at ILW 2023 created a perfect platform. Coming together for a unified understanding, for and by people from different backgrounds, perspectives, and beliefs, made for a nutritious philosophical indulging in our quest for understanding *Beyond International Law*. We take with us that the law can – and should – be stable but ought not remain still in the face of adversity.

Jaymion Hendricks is a Legal Advisor, International Law, at South Africa’s Department of International Relations and Cooperation.

Sikelela Ndlazi is a senior lecturer of Human Rights Litigation and a doctoral candidate at the University of South Africa.

The American Branch’s relationship with the South African Branch

The American Branch is proud to continue our collaboration with the South African Branch of the International Law Association (SABILA). We were excited to invite SABILA representatives to attend ILW 2021 virtually and delighted to sponsor SABILA representatives to attend ILW 2022 and 2023 in person in New York City. We look forward to deepening our partnership with SABILA and other ILA branches.



Meet Our ILW 2023 Student Ambassadors

Each year, Branch members are invited to nominate students to be Student Ambassadors. Student Ambassadors help with the work of the organization, especially International Law Weekend. Through their work at the conference and with Branch leaders, including the ILW Organizing Committee Chairs, Chief Operating Officer, President, and Media Officer, they gain valuable networking experience as well as guidance on their writing and research skills.

Dr. Sylvie Bissaloue holds a Ph.D. in Law and is a current student in the International and Comparative Law program at The George Washington University Law School and a consultant to the World Bank. She has served as a Senior Legal Advisor to the Ministry for Planning and Development of the Republic of Benin, taught International Commercial Law, Arbitration Law, and Money Laundering and Counter Terrorism as a law professor in Benin and France, and is a licensed attorney in France. She has authored books and substantive articles on International Investment Law.

Grant Carter is a 2L and J.D. candidate at Villanova University Charles Widger School of Law, where he serves on the executive board of the International Law Society. He is Editor-in-Chief of the International Law Society Blog and works under Professor Won Kidane researching topics in International Investment Arbitration and Comparative Law. Over the summer, he interned with the First Judicial District of Pennsylvania. He hopes to work in international arbitration.

"I am grateful for all the connections and new friendships that emerged from ILW."

Ludmilla Evelin, 2023 Student Ambassador

Ludmilla Evelin is an LL.M. candidate at Syracuse University College of Law. She has gained extensive experience in criminal trials while working as a prosecutor in Brazil. In addition to her work in the Criminal Division, she has actively been involved in civil matters, particularly class actions related to environmental law, the educational system, and the child welfare system. She is passionate about upholding the rule of law and defending fundamental rights.

"It was a remarkable and enriching experience."

Bohdan Krivuts, 2023 Student Ambassador

Bohdan Krivuts is an LL.M. candidate at University of Georgia School of Law. He earned his Bachelor's in Law at Yaroslav Mudryi National Law University and Master's in Law from Taras Shevchenko National University of Kyiv. He serves as a representative for the UGA Privacy, Security, and Technology Law Society and holds the position of Graduate Notes Editor at the *Georgia Journal of International & Comparative Law*. He is a graduate research assistant to Professor Christian Turner, focusing on topics related to the impact of AI on the legal field. He is deeply passionate about the development of the international legal framework pertaining to the application of economic sanctions and their influence on global diplomatic relations.

Alexis Legaspi is a J.D. candidate at Santa Clara University (SCU) School of Law, where she focuses on International Humanitarian Law and International Human Rights Law. Prior to law school, she received her B.A. in International Relations before serving as a volunteer in Peace Corps Benin. In summer 2023, she interned with the Commonwealth Human Rights Initiative, Africa Office, in Accra, Ghana, where she worked on access to information, freedom of expression, and access to justice. She spent the summer as an intern with the California Public Utilities Commission's Legal Division. She serves as the Communications Chair for SCU's International Law Students' Association and participates in its International Human Rights Clinic. She graduates in May 2024.

"So many great moments, panels, and people. I won't forget this experience."

Valerie Sigamani, 2023 Student Ambassador

Valerie Sigamani is a 2023 J.D. candidate at California Western School of Law. She is passionate about humane international policies regarding refugees and migrants. As a former Jessup International Law Moot Court competitor, she is excited about persuasive advocacy and court room excellence. Valerie holds a B.A. in Theology and M.S. in Community International Development through which she developed a love for service and international policy. She recently interned with Jewish Family Services in their removal defense program for two summers. Her research interests include international migration policies, incarceration/detention, linguistics, and environmental issues. She graduates in May 2024.



Sylvie Bissaloue, Grant Carter, Ludmilla Evelin, Bohdan Krivuts, Alexis Legaspi, and Valerie Sigamani

A Student Ambassador's Reflection on ILW 2023

By: Valerie Sigamani (California Western School of Law J.D. candidate; 2023 Student Ambassador)

The prosecution of gender-based crimes in international courts has always been focused on sexual violence, but what happens when gender-based crimes are much more systemic and insidious? Does the definition of gender persecution reach beyond sexual violence? In December 2022, the International Criminal Court's Office of the Prosecutor (ICC OTP) launched its Policy on the Crime of Gender Persecution, which enhanced the ability of international accountability bodies to prosecute gender-based violations expanding beyond sexual violence by clarifying existing international criminal law. Gender persecution crimes are crimes that target groups based on gender, including expression of gender roles, and policies that regulate aspects of life based on gender. The new Policy clarifies that "[u]nderlying acts or crimes of gender persecution may include, but are not always manifested as, ... psychological abuse ... [and] cultural destruction or confiscation or attacks on schools or hospitals."



Screen: Priya Pillai
Seated: Milena Sterio, Yvonne Dutton,
Lisa Davis, and Valerie Oosterveld

On October 21, 2023, **Milena Sterio**, Professor of Law at Cleveland State University's Cleveland-Marshall College of Law and Managing Director at the Public International Law & Policy Group, moderated a conversation on *The ICC's Gender Persecution Policy: Definitions, Implementation, and Way Forward*. The distinguished panelists included **Yvonne Dutton**, Professor of Law at the Indiana University Robert H. McKinney School of Law and a former federal prosecutor in the U.S. Attorney's Office for the Southern District of New York; **Lisa Davis**, Professor of Law at CUNY and Special Advisor on Gender Persecution to the International Criminal Court; **Valerie Oosterveld**, Professor at Western Law with a research and writing focus on gender issues within international criminal justice; and Priya Pillai, lawyer and international law specialist, with two decades of expertise in the areas of international justice.

Davis noted the importance of creating a policy around gender persecution because gender-based violence is not a crime, but rather a term of art. Gender persecution is the only way that people can be held accountable for gender-based violence. The ICC OTP's Policy Paper called for submissions from people living with the effects of gender persecution. This Policy is reflective of the comments received from the submissions and sought to address the concerns of those who are seeing the effects of gender persecution on their communities,

government, and health. The definition of gender persecution goes beyond the identity of the victim and targets the *reason* for the crime, which is motivated by the perpetrator's view of gender.

Dutton and Oosterveld discussed a recent case that could change the landscape of gender persecution charges at international courts. Since the release of the Policy, a precedent-setting gender persecution case, *Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mahomed Ag Mahmoud* has been brought to the ICC. It is the first case to be litigated at the Court on the crime against humanity of persecution on gender grounds. The case addresses gender persecution through both sexual violence as well as through the systemic control of women and disproportionate punishment for women for violating gender ideals reflected in the law imposed by Al Hassan. The results of this case will have a large impact on the future of gender persecution cases at international courts.

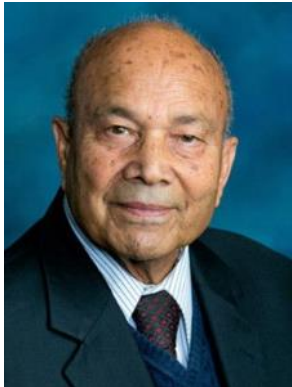
Pillai discussed how gender persecution is enabled by systemic practice found at the local level. Complementarity is the principle by which the ICC gains jurisdiction only when domestic courts are unwilling or unable to prosecute the crime. The aim is to end impunity for serious crimes, and complementarity drives international bodies to emphasize local capacity building. If there is an emphasis on capacity building at domestic courts in the application of the Policy on the Crime of Gender Persecution, then there will be greater movement towards the eradication of gender persecution. The Policy offers inspiration for domestic courts to make gender-based crimes a priority. The Policy contemplates the support of domestic prosecutions of gender-based crimes, thus integrating of complementarity into the Policy.

The Policy on Crimes of Gender Persecution clarifies and enhances the ability for documentation of gender persecution at a national and international level. These data points will serve for a greater ability to prosecute and capacity build to address the issues that States are facing. Although the Policy has only been in existence for less than a year, it is encouraging to see the impact that it has made in the prosecution of gender-based crimes.

In the next coming months, stay tuned for more Student Ambassador reflections on ILW 2023, which will be posted periodically on our website.

2023 Charles Siegal Distinguished Service Awards

The Charles Siegal Distinguished Service Award was established by the ABILA Board of Directors in 2020 to recognize outstanding contributions to the Branch by current members in good standing at the time of nomination. Such contributions could include those made to the ABILA Board, committees, and/or International Law Weekend. Nominations are collected annually by the deadline in the summer. In choosing the recipients, the Selection Committee considers an individual's specific extraordinary service initiatives and/or sustained superior contributions to the ABILA over a number of years. The Committee is chaired by **Larry Johnson** and includes **Andrea Bjorklund**, **Ron Brand**, **Charlotte Ku**, and **David Stewart**. The Committee selected two 2023 recipients: **Ved Nanda** and **John Noyes**.



Ved Nanda

John Noyes is Roger J. Traynor Professor of Law Emeritus at California Western School of Law, San Diego, CA. An Honorary Vice President of the American Branch since 2014, he served as President (2008-2010), chaired the Executive Committee (2010-2014), and held many other offices, including Editor of the Branch Proceedings (1995-2004). A Patron since 2008, Noyes oversaw the transformation of the Branch from a voluntary association to an incorporated not-for-profit. He has represented the Branch at the ILA, including on its Executive Council and on several law of the sea committees.

The American Branch acknowledges and thanks Nanda and Noyes for their wise leadership, thoughtful counsel, and dedicated service to our Branch.

Ved Nanda was the Distinguished University Professor and Thompson G. Marsh Professor of Law at the University of Denver Sturm College of Law, where he founded the International Legal Studies Program in 1972 and directs the Nanda Center for International and Comparative Law. The Center was established in his honor by alumni and friends who also endowed a professorship in his name. The American Branch recognizes him for his decades of active service in and invaluable contributions to the Branch, including as a member of the Executive Committee, an Honorary Vice President, and a David Dudley Field Patron. He organized and participated in numerous panels at many International Law Weekends and regional International Law Weekends over the years. He has also been an active participant in many International Law Association committees spanning a range of key international law topics.



Larry Johnson and John Noyes

2023 Outstanding Achievement Award

The ABILA Outstanding Achievement Award was established in 2021 to recognize outstanding contributions in the field of international law. Such contributions might include, but are not limited to, service to an international organization, a State, or an international court or tribunal; or to teaching, research, and scholarship in the field of international law. While candidates are reviewed comprehensively, factors considered may include an individual's specific extraordinary service initiatives and/or sustained superior contributions to the field of international law over a number of years, as well as visionary and innovative leadership. Nominations are accepted every summer. The 2023 recipient is Navi Pillay.



Navi Pillay

Navi Pillay has served as the U.N. High Commissioner for Human Rights, President of the International Criminal Tribunal for Rwanda, and Judge of the International Criminal Court. Throughout her career, she has been a trailblazer, encouraging and inspiring other women and South Africans to pursue and contribute to international law. She became the first non-white woman to start a law practice in her home province of Natal in 1967. In the 1980s, she graduated from Harvard Law School with an LL.M. and Doctor of Juridical Science, becoming the first South African to obtain a doctorate there. She currently serves as Judge *ad hoc* of the International Court of Justice on the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*The Gambia v. Myanmar*). She is the Commissioner of the International Commission Against the Death Penalty and the President of the Advisory Council of the International Nuremberg Principles Academy. She also serves as Chair of the Quasi-Judicial Inquiry into Detention in North Korea.

2023 ABILA Book Awards

The American Branch accepts nominations for its annual Book Awards every spring. Members are encouraged to submit nominations by the deadline in the summer. The Committee is chaired by **Mortimer Sellers** and includes **Fernanda Nicola** and **Alison Dundes Renteln**.

ABILA Book of the Year Award: Frédéric Sourgens

This award is given to the best book published in the previous year on international law.

Frédéric Sourgens for *Good Faith in Transnational Law: A Pluralist Account* (Brill Nijhoff, 2022). Sourgens is the James McCulloch Chair in Energy Law at Tulane University Law School's Center for Energy Law. His book recasts fragmentation of transnational law and its capture by self-interested corporate actors as something valuable. He argues that for communication across vastly different commercial, economic, social, cultural, and linguistic contexts to remain legally meaningful, different expectations must be translated into a shared transnational discourse.



Frédéric Sourgens and Mortimer Sellers

ABILA Practitioners Book Award: Margaret E. McGuinness and David P. Stewart

This award is given to the best book published in the previous year on a technical topic in international law or on a topic likely to be of particular interest to practitioners of international law.



David P. Stewart, Mortimer Sellers, & Margaret E. McGuinness

adjudication, they assess the roles of lawyers, diplomats, and lawyer-diplomats and their professional conduct.

Margaret E. McGuinness and David P. Stewart (eds.) for *Research Handbook on Law and Diplomacy* (Elgar, 2022). McGuinness is Professor of Law, Director of the LL.M. in Transnational Legal Practice Program, and Co-Director of St. John's Center for International and Comparative Law at St. John's University School of Law. Stewart is Professor from Practice, Co-Director of the Global Law Scholars Program, and Director of the Center on Transnational Business and the Law at Georgetown University Law Center. Their book provides insight into the complex, dynamic, and interdependent relationship between international law and diplomacy. Through analyses of bilateral and multilateral diplomacy in international law making, interpretation, and

ABILA New Authors Book Award: Marcela Prieto Rudolph

This award is given to the best first book published on international law by an author who has not previously published a book on this or any other subject.

Marcela Prieto Rudolph for *The Morality of the Laws of War: War, Law, and Murder* (Oxford, 2023). Rudolph is Associate Professor of Law at USC Gould School of Law. Her book provides an assessment of modern ethical thought on killing in wartime and deconstructs the revisionist view of war. She proposes an alternative morality of war and argues there is moral pressure to improve the laws of war, notably to bring them closer to the ideal where war no longer exists.



Mortimer Sellers and Marcela Prieto Rudolph

ABILA Edited Volume Award: Jeffrey L. Dunoff and Mark A. Pollack

This award, new in 2023, is given to the best edited volume on international law.



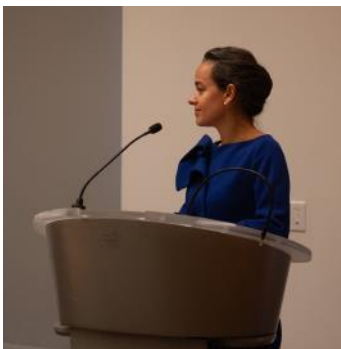
Jeffrey L. Dunoff, Mortimer Sellers, and Mark A. Pollack

Jeffrey L. Dunoff and Mark A. Pollack for *International Legal Theory* (Cambridge University Press, 2022). Dunoff is the **Laura H. Carnell** Professor of Law and Director of LL.M. in Transnational Law Program at Temple University Beasley School of Law. Pollack is Professor of Political Science and Law, Jean Monnet Chair, and Director of Global Studies at Temple University. Their volume investigates developments in international law and explores different approaches' core assumptions and concepts, analytical tools, and key challenges.

International Law Weekend 2023 Gallery



International Law Weekend 2023 Gallery (cont'd)



Thank you to Student Ambassador **Valerie Sigamani** for her photography throughout ILW 2023. Taken photos of ABILA events you would like us to share? Please forward them to Chief Content Officer Freya Doughty-Wagner at media@ilw-americanbranch.org.

If you are interested in contributing to the American Branch's blog or Newsletter with a substantive piece or preview of a publication or event, contact ABILA Chief Content Officer Freya Doughty-Wagner at media@ila-americanbranch.org.

UN News: Sixth Committee of the UN General Assembly on the International Law Commission's Crimes Against Humanity Draft Articles

The Sixth Committee of the UN General Assembly's two-year timeline laid out in Resolution 77/249 from November 18, 2022 on the International Law Commission's draft articles on prevention and punishment of crimes against humanity is still underway. The two-year timeline includes a process for debates and discussions with a variety of stakeholders on the Crimes Against Humanity Draft Articles.

On October 11-12, 2023, the Sixth Committee held a general debate on the CAH Draft Articles during its normal session. A record number of States intervened positively at this session. Amadou Jaiteh, Legal Adviser of The Gambia to the UN, delivered a statement on behalf of 86 States stating that "a convention on crimes against humanity would strengthen the prevention and punishment of such heinous crimes." In total, 110 States intervened positively, 7 States intervened neutrally, and 8 States intervened negatively during the October 2023 session, indicating increased support. The 2022 Resolution 77/249 was adopted with 86 cosponsors and 100 States in support.

Some substantive issues addressed by States in October 2023 included the importance of complementing the International Criminal Court's Rome Statute, an expansion of the definition of crimes against humanity to include acts such as environmental degradation and gender apartheid, and the relationship between a crimes against humanity convention and the new Mutual Legal Assistance Treaty. Other States raised concerns about the need for clarification on States exercising concurrent jurisdiction and for a treaty monitoring body.

Following this session, States were invited to submit written observations by December 1, 2023. The Secretary-General is to prepare and circulate a compilation of the States' comments and observations before April 1, 2024.

The Sixth Committee will meet again on this topic in a six-day resumed session on April 1-5 and 11, 2024. A written summary of the deliberations will be prepared by the Sixth Committee at the close of this resumed session.

At the seventy-ninth session of the General Assembly in Fall 2024, the Sixth Committee will make a decision on the International Law Commission's recommendation that a treaty be elaborated on the basis of the Draft Articles without prejudice to the question of their future adoption or other appropriate action.



ILW 2023 Panel: *Crimes Against Humanity: New Offenses, New Frontiers?*



UN Sixth Committee

Leadership Change: Madaline George, ABILA's First Chief Operating Officer, to Join White & Case LLP



Madaline George

as increased engagement with members, patrons, and partners. Members and non-members alike recognize the tremendous amount of work and coordination she puts in to ensure the Branch's success throughout the year, and common sentiment expressed by ILW speakers and participants is praise for her expertise and professionalism in making the event a success.

"Madaline has been an indispensable member, officer, and supporter of the Branch for a decade. We are thrilled to have had her as the Branch's first COO, ushering the Branch into its second century with her immense energy, talent, and experience to the Branch," said Branch Chairperson **Leila Sadat**.

In addition to her work with the Branch, Madaline has lectured and published in international criminal law, refugee law, human rights, international organizations, and global governance. She leaves the Branch to join White & Case LLP in its Washington, D.C., office as its Global Citizenship Manager.

The American Branch congratulates her and wishes her continued success in her new position!

Madaline George, the American Branch's first Chief Operating Officer (COO) and long-time Membership Officer, steps down from her role with the Branch on January 1, 2024.

Madaline was promoted to the newly-created COO position of by the Board of Directors in July 2023. A longstanding member of the Branch since 2012, she served as Membership Officer and International Law Weekend (ILW) Administrative Coordinator since 2020. She previously served as the Branch's Program Officer from 2018 to 2020.

Reflecting on her impact, American Branch President **Michael Scharf** said, "Having worked closely with Madaline for several years, I can attest to the indelible mark she has made on our organization through her creativity and diplomacy, and her problem solving, crisis management, and organizational expertise."

Her efforts led to significant growth and reach of the Branch as well



Madaline George (far right) registering speakers at ILW 2023



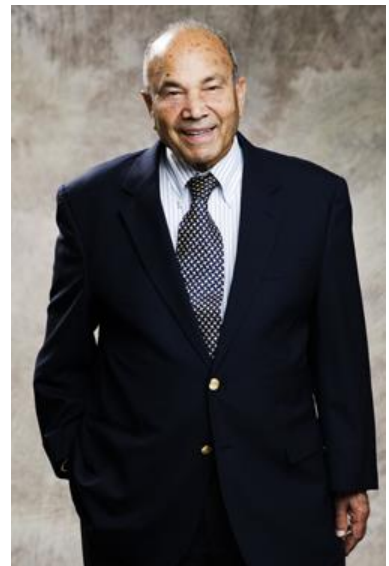
Madaline George at ILW 2022 and 2023, with Kristi Ueda, Freya Doughty-Wagner, and 2022 Student Ambassadors.

In-Memoriam: Professor Ved Prakash Nanda

The American Branch is sad to announce the passing of Professor Ved Prakash Nanda, widely acclaimed international law scholar, fierce protector of human rights, and vital member of the American Branch. Professor Nanda passed away on Monday, January 1, 2024.

Professor Nanda was involved with the American Branch for decades, including roles as a member of the Executive Committee, the Vice-President, David Dudley Field Patron, and as an Honorary Vice President until his passing. For these efforts and more, he was recognized with the 2023 Charles Siegal Distinguished Service Award.

Professor Nanda has taught international law at over a dozen schools globally. His professorial home was Strum College of Law, University of Denver, where he founded the International Legal Studies Program in 1972 and was the Director of the eponymous Ved Nanda Center for International and Comparative Law. His final title at the University of Denver was as a Distinguished University Professor and Thompson G. Marsh Professor of Law. He received several faculty awards and acted as a Faculty Adviser to the Denver University Law Review and the Denver Law Forum.



Professor Nanda authored or co-authored 24 books and over 225 chapters and law review articles in international and comparative law, and received more than 50 awards over his career. Some of his many publications include *International Environmental Law & Policy for the 21st Century* (Brill Publishers, 2012 with George W. Pring) and *Law in the War on International Terrorism* (2005, Transnational Publishers). In 2018, he received the Padma Bhushan award, the third-highest civilian award in the Republic of India, for his work in the field of literature and education. He previously served as the President of the World Jurist Association, Director of the American Society of Comparative Law, and President of the World Association of Law Professors, and held a variety of advisory roles. With several awards established thanks to the work of Professor Nanda, his remarkable legacy will live on.

From our President, **Michael P. Scharf**: *“Over thirty years, I spent many wonderful times with Ved and his wife Katherine, in Denver, Cleveland, DC, New York, and abroad. Ved was a warm, humorous, and supportive friend and colleague as well as a mentor and an inspiration to a generation of international law professors and practitioners, including Brenda Hollis who went on to be the Chief Prosecutor of the Special Court for Sierra Leone and the International Prosecutor of the Cambodia genocide tribunal. Ved was an acclaimed scholar, human rights advocate, and institutional builder — culminating in the establishment of the International Law Center at Denver University that bears his name. The ABILA was one of his favorite organizations, and we were happy that his lifetime contributions and leadership were honored last fall when Ved received the ABILA’s Charles Siegel Service Award.”*

From our Chair, **Leila Nadya Sadat**: *“Ved was one of the most thoughtful and brilliant international law scholars of his generation. At the same time, he was also kind and humble. I first met him during the Rome Diplomatic Conference, attending as a very junior scholar, and we immediately became fast friends. “...He was a stalwart member of the American Branch, never missing a meeting, and always contributing to our activities. His passing is a great loss personally, to the Branch, and to the entire international community. He will be greatly missed.”*

From our Honorary Vice-President, **James A. R. Nafziger**: *“I’ll miss him greatly, having first met him not long after I emerged into the profession after law school and a federal clerkship. He memorably took me under his wing, where I remained as a close friend and collaborator ever after. (I called him “Commander-in-Chief”—and what a gentle but effective one he was!—and he called me “General”). I hope all of us will remember him not only for his enormous, steadily flowing contributions to the development and advancement of international law, but also for his joie de vivre and kindness.”*

Introducing Julia Liston: ABILA's New Chief Operating Officer

The American Branch is pleased to introduce its new Chief Operating Officer: **Julia Liston**. Julia is an accomplished professional with a rich background in international law, education, and leadership. She is currently a Postdoctoral Fellow at Case Western Reserve University School of Law (CWRU), where she instructs international master's level students in the schools' LLM program. She was voted 2023 LLM Teacher of the Year by her students.

Prior to teaching, Julia worked at the United States Department of Justice where she served as the Assistant General Counsel at Interpol Washington and spent time detailed to the DOJ's Office of International Affairs. Additionally, she worked as an Associate Attorney at a law firm in Cleveland, Ohio. Julia earned her law degree at CWRU and served as the Editor-in-Chief of the Case Western Journal of International Law and graduated from the University of Rochester with her Bachelor's degree.

Julia is excited to contribute to ABILA's continued growth and success.



Julia Liston

Introducing Freya Doughty-Wagner, ABILA's Inaugural Chief Content Officer

The American Branch is delighted to introduce **Freya Doughty-Wagner** as its new Chief Content Officer. This newly created position replaced that of the Media Officer, held by **Kristi Ueda** since 2022. We thank Kristi for all of her work over the years.

"I'm thrilled to be joining ABILA as the Chief Content Officer. From being a Student Ambassador to presenting on panels, I've seen firsthand the great work of this organization and I'm excited to continue and bolster this legacy."
- Freya Doughty-Wagner



Freya Doughty-Wagner

Freya Doughty-Wagner is a final year JSD Candidate at Washington University in St. Louis, focusing on the right to a clean, healthy, and sustainable environment for children and youth. She is also the website and social media manager for the Global Network for Human Rights and the Environment and a Seasonal Lecturer at UWE Bristol Law School. Her international legal interests include international climate change law and climate litigation, international human rights law, and law of the European Union. Freya earned her LLM in Public International Law at the London School of Economics and Political Science.

As part of the new Chief Content Officer role, ABILA's online presence is set to increase. Over 2024, look out for blog symposiums and student opportunities.

New Branch Members

We welcome the following members who have joined our Branch since May 2023:

Kelly Adams
Anees Ahmed
Azab Alaziz Alhashemi
Mariame Almoghanam
Al-Daana Al-Mulla
Adele Barzelay
Jutta Bertram-Nothnagel
Carolyn Blum
Yariv Brauner
Laurence Busching
William Byrnes
Christine Carpenter
A Carstens
Miriam Cohen
Lorraine Cooke
Jovana Crnčević
Yash Dattani
Martha Davis
Don De Amicis
Raissa De Castro Silva
Guillermo DeLeon
Rossana Deplano
Sophie Eastwood
Harout Ekmanian
Mansoor Eyvazi
Angelina Fisher
Luis Fortuño
Rez Gardi
Hannah Garry
Sara Gibson
Citlalli Villanueva Grace
Natalie Grieco
Jonathan Hafetz
Oona Hathaway
Clarissa Iglesias
Daniel Jang
Brett Jones
Genevieve Kiernan
SangYeob Kom
Melissa Kotulski
Antigona Kukaj
Lisa Lachowicz
Harpal Lehal

New Member Spotlight: Rez Gardi

Rez Gardi is an international lawyer and human rights advocate. Born in a refugee camp in Pakistan, she became New Zealand's first female Kurdish lawyer and the first Kurd to graduate from Harvard Law School, where she graduated as a Fulbright Scholar with a Master of Laws. Today, she uses her difficult start in life as motivation to help others.



Rez Gardi

She is the Co-Managing Director of Refugees Seeking Equal Access at the Table (R-SEAT), an international initiative working to enhance the effectiveness of global refugee responses by co-designing mechanisms to amplify refugee leadership ecosystems and increase the participation of refugees at state levels in a meaningful, sustainable, and transformative way. R-SEAT's mission is to secure commitments from 20 ExCom Member States to formalize refugee participation in their respective national delegations and amplify refugee leadership ecosystems. In addition to her work at R-SEAT, she is a Legal Advisor and Co-Founder and Co-Director of the Centre for Asia Pacific Refugee Studies at the University of Auckland.

Previously, she was a legal officer for the New Zealand Human Rights Commission, a commercial litigator at New Zealand's preeminent law firm, a lecturer on international law and human rights, and a Harvard Human Rights Fellow in Iraq working to build cases for the prosecution of ISIS regarding their targeted genocidal campaign against the Yezidis. She represented New Zealand in the first ever Global Refugee Youth Consultations, was a founding member of the Global Youth Advisory Council to the UNHCR, contributed to the Global Summit of Refugees in 2018, and helped to establish the Refugee Advisory Group for the UNHCR's Advisory Board and as an expert on the Refugee and Forced Displacement Initiative at the Woodrow Wilson International Center for Scholars.

"Given the current challenges we face as a globe, it is clear that now, more than ever, we need to work together to ensure that international law is used effectively to advance peace and justice for all. I am delighted to join the American Branch to work alongside a dedicated and diverse community of leading international lawyers and academics to further our shared objectives." - Rez Gardi

Gardi has won various awards for her work, including 2017 Young New Zealander of the Year, 2018 Women of Influence Finalist, 2018 NEXT Woman of the Year Finalist, 2019 Outstanding Youth Delegate Award at the UN Youth Assembly, 2019 Eisenhower Youth Fellow, 2020 Global Impact Award, and 2021 Peace Ambassador for the One Young World Summit. She was recognized as a Gates Foundation Global Goalkeeper in 2022 as part of a group of leaders advancing the Global Sustainable Development Goals.

Gardi has been an active participant at the American Branch's International Law Weekends. At ILW 2022, she was a panelist on *From Policy Back to Principles: Refugee Protection Under International Law and State (Non)-Compliance*, and at ILW 2023, she organized and moderated the panel *Reimagining International Refugee Law*.



ILW 2023 Panel: *Reimagining International Refugee Law*

Introducing Michael Moffatt: New Co-Chair of the ABILA Committee on United Nations Law



Michael Moffatt

The American Branch is excited to introduce **Michael Moffatt** as the new Co-Chair of the ABILA Committee on United Nations Law and sends our sincere thanks to **Bart Smit Duijzentkunst** for his years of services as the former Co-Chair.

Michael Moffatt is a lecturer, researcher, and Ph.D. Candidate at the University of Vienna, Section for International Law and International Relations and a Fellow at the Vienna Doctoral Academy (Communicating the Law). Previously, he was an Associate Legal Officer in the Office

of Legal Affairs of the International Atomic Energy Agency and a visiting scholar at the Lauterpacht Centre for International Law.

His research focuses include Privileges and Immunities of International Organizations, International Nuclear War, International Investment Law, Law of Sustainable Development, and Territorial Disputes. His [dissertation](#) “In search of the elusive conflict: The (in-)compatibility of the Treaties on the Non-Proliferation and Prohibition of Nuclear Weapons” was published in the *OECD Nuclear Law Bulletin*. Moffatt’s other publications, including [1938–80 Years After the Anschluss: Can a Theory of Incorporation Harmonize the Dissonance?](#) and [Austrian Judicial Decisions Involving Questions of International Law](#), can be found in the *Austrian Review of International and European Law Online*. He has taught courses on Territorial Disputes in International Law, the International Law of Territory, Advocacy in International Law, and International Law.

The UN Law Committee offers a forum for discussion of legal issues arising from the work of the United Nations and its specialized agencies. The Committee engages practitioners, academics, and students in a collaborative discourse to further understanding and foster constructive solutions. We look forward to seeing the UN Law Committee continue to thrive with Moffatt as Co-Chair!

[Publish on Our Blog](#)

The American Branch of the International Law Association loves to highlight our members’ fantastic work.

If you would like for us to feature your work—whether it is a recent publication or an important case you worked on – we would be more than happy to work with you on a piece for our blog. In 2024, we will also be hosting blog symposiums with themes linked to ILW 2024, and will put out calls for editors and abstracts. Interested? Follow us on [X/Twitter](#), [LinkedIn](#), and [Facebook](#) for the most up-to-date ABILA news.

Contact our Chief Content Officer Freya Doughty-Wagner at media@ila-americanbranch.org for more information.

[New Branch Members](#) *cont'd*

Ryan Mitchell
Gerard Mitchell
Madeline Morris
Donna Moustapha
Dorkina Myrick
Nora Niazian
Frauke Nitschke
Udodilim Nnamdi
Citlalli Ochoa
Kristina O'Young
Alice Pai
John Pereira
Mary Kelly Persyn
Keri Pflieger
Alexander Preve
Zena Prodromou
Brian Quigley
Sammy Rabieh
Vikram Raghavan
Weijia Rao
Mahaliana Ravaloson
Marcela Prieto Rudolph
Visuvanathan Rudrakumaran
Tamar Sarjeladze
Aaron Schwabach
Afonso Seixas-Nunes
Payal Shah
Nathalie Smuha
Steven Snell
Melanie Stein
Anastasiia Sydorenko
Esti Tambay
Eytan Tepper
Catherine Tinker
Vito Todeschini
Vladimir Trofimchuk
Cora True-Frost
Shayda Vance
Michael Varacalli
Margaret Vernal
Melissa Verpile
Alyn Ware
Allen Weiner

The ILA's 150th Anniversary: Paris and Beyond | June 18-20, 2023

The International Law Association (ILA), the parent organization of the American Branch, was founded in 1873 and celebrated its 150th anniversary throughout 2023. The commemoration included the publication of a series of forward-looking white papers prepared by specialized global committees, monthly webinars, and a 704-page volume. The book, entitled "To the Benefit of International Law," includes chapters on "The Moment 1873," histories of individual branches, and the influence of the ILA's work on the development of international law.



The centerpiece of the anniversary celebrations was a [Symposium](#) on "Build Tomorrow" held at the Cité Internationale Universitaire de Paris on June 18-20 in Paris, France. Nearly 20 members of the American Brancher attended the event-packed program. Activities unfolded with an artistic flourish of modern dance and music in the Opening Ceremony, which featured top officials from the French Ministry of European and Foreign Affairs, international organizations, and academic institutions. ILA speakers included President Manuel de Almeida Ribeiro from Portugal and Executive Chair Christine Chinkin from the United Kingdom. The night featured the unveiling of a spectacular commissioned mural by Goinaz Afraz to be hung in the Cité Internationale.

The opening events were followed by a welcome reception hosted by the American Branch. ABILA Chairwoman **Leila Sadat** congratulated the ILA on its

anniversary and welcomed participants to the conference. **Jim Nafziger** traced the history, development, and contribution of ABILA to the ILA, noting America's role in establishing the ILA's precursor, marked by the Alabama Claims Award and the leadership of David Dudley Field. Nafziger's remarks were drawn from a history of ABILA, co-authored with **John Noyes**, that appeared in the ILA's commemorative volume.



Leila Sadat opening the "Welcome Cocktail"

The "Build Tomorrow" theme of the Symposium lent itself to forward-looking themes of substantive panels ranging from a new relationship between hard and soft law to ethics in international economic relations. A concluding session offered all attendees an opportunity to make suggestions to help guide the ILA's future. One suggestion, for example, was to expand the organization's capacity to notify and maintain dialogues with significant individuals and entities concerning the work-product of committees. ABILA was well represented on the panels by **Andrea Bjorklund**, **Chimène Keitner**, and **Leila Sadat**. The three-day celebration included a gala dinner at the unique Musée des Arts Forains, with toasts to Professor Frank Latty, President of the French Branch, and Professor Emerita Catherine Kessedjian, Chair of the 150th Anniversary Organizing Committee.

The ILA's Executive Council, meeting just before the opening ceremony of the symposium, considered several of the rules and guidelines of committees and study groups. In addition to the normal financial and housekeeping items on its semiannual agenda, the Council tentatively approved the establishment of two new branches—Senegal and U.A.E.—subject to timely objections. The Council also endorsed the formation of two new committees: Protection of People at Sea and Safeguarding Cultural Heritage in All Stages of Armed Conflicts.



Panelists Vasilka Sancin, **Leila Sadat**, Susan Karamanian, Florian Couveinhes-Matsumoto, and Cristina Voigt (left to right) discuss *International Law Confronted with the Uncertain, Unforeseen, Unthinkable*.

ILA 2024 Biennial Conference | June 25-28, 2024

Every two years, the ILA organizes a major biennial conference, hosted by different national branches, to bring together leading international lawyers, international law academics, and members of governments and non-governmental organizations from around the world. A focus of the conference is on the work of the ILA's Committees and Study Groups.

The Hellenic Branch, the 2024 host, has announced that the venue of the ILA's 2024 Biennial Conference has been changed from Delphi to Athens, Greece on June 25-28, 2024.

All members are encouraged to attend, so please mark your calendars!



Co-Sponsored Event: ICC Scholars Forum 2023 | June 2, 2023

The ICC Scholars Forum is convened each year to provide academics working on and teaching about the International Criminal Court a space to gather and discuss common challenges experienced in teaching and researching this topic. The American Branch Committee on the International Criminal Court once again co-sponsored this annual event.

This year, the ICC Scholars Forum was organized by the Indiana University Robert H. McKinney School of Law and the University of Illinois College of Law and hosted by Citizens for Global Solutions in Washington, D.C. on June 2, 2023. ABILA ICC Committee Co-Chair **Patrick Keenan** served as moderator and ABILA Chair **Leila Sadat** opened the forum with welcome remarks alongside ABILA ICC Committee Advocacy Director **Rebecca Shoot**. Ambassador David J. Scheffer delivered a Keynote Address. The Forum included a workshop on *Ecocide: Critical Insights on Sustainable Development and the Anthropocene*, with Sadat as a discussant, a workshop on *The Normative Structure of International Criminal Law*, with **Hannah Garry** as a discussant, and a workshop on *Erasing Ukraine: Lessons from the Yugoslavia Tribunal*. The event also featured a report on *U.S. Cooperation with the International Criminal Court on Investigation and Prosecution of Atrocities in Ukraine: Possibilities and Challenges* and an advocacy update on the Atrocity Crimes Initiative from **Kristin Smith**.

Co-Sponsored Event: A Major Development to End Impunity for Mass Atrocities | November 15, 2023

The American Branch Committee on International Humanitarian Law co-sponsored, with the Cardozo Law Institute in Holocaust and Human Rights, hosted a virtual panel entitled *A Major Development to End Impunity for Mass Atrocities: The Ljubljana—The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity, War Crimes and other International Crimes*. The virtual discussion was moderated by ABILA International Humanitarian Law Committee Co-Chair **Gabor Rona** and brought together academics and expert representatives of States and NGOs that were responsible for the successful conclusion of treaty negotiations. Their discussion focused on what comes next.



Ezéchiel Amani Cirimwami, Vaios Koutroulis, Marko Rakovec, **Gabor Rona**, and Raquel Saavedra

Co-Sponsored Event: Climate Change & International Law at a Crossroad September 28-29, 2023

The American Branch co-sponsored the conference, *Climate Change and International Law at a Crossroad*, on September 28-29, 2023 at Case Western Reserve University School of Law. The event was organized by the school's Frederick K. Cox International Law Center and Coleman P. Burke Center for Environmental Law.

Two dozen of the foremost experts on international law and climate change addressed the following questions: How should the international community enforce the newly recognized human right to a healthy environment? Is "ecocide" a viable international crime? Are environmental migrants entitled to refugee status? Can corporations be sued for climate change?

The conference commenced with a Thursday evening dinner with remarks from Jim Chen, former Vice President and counsel of Tesla and Rivian Motors, who discussed the need to safeguard human rights in the production of electric car batteries and proposed potential approaches to incentivize manufacturers to adopt standards to protect the environment and human rights in their supply chains. Co-dean **Michael Scharf** gave a Friday morning welcome address, addressing how some of the worst environmental disasters of our lifetime have occurred in 2023. The UN's first Special Rapporteur on human rights and the environment, John Knox, delivered the Friday morning keynote address, where he explained how the new UN Resolution on the Human Right to a Healthy Environment was developed and ultimately received unanimous support from the General Assembly.

Several panels followed, with **Milena Sterio** discussing the evolution of attempts to recognize ecocide as a separate international crime and **Leila Sadat** opining that peacetime ecocide is a phenomenon, not a crime. The Honorable Chile Eboe-Osuji expanded on this discussion in his Friday luncheon speech by discussing the individual right to peace and its relation to attacks against the environment during an act of aggression. Closing remarks were given by Austin Fragomen, Chairman of the Business Advisory Group on Migration of the Global Forum on Migration and Development, who hailed the Global Compact on Migration as a positive first step towards aiding climate migrants.

Conference speakers' articles will be published in Volume 56 of the *Case Western Reserve Journal of International Law* in May 2024. Archived videos of the conference are available [here](#).



Top row: Giovanni Chiarini, Paul Williams, **Milena Sterio**, **Leila Sadat**, and Chile Eboe-Osuji; John Knox
Bottom row: Paul Williams, **Milena Sterio**, Giovanni Chiarini, and **Leila Sadat**

New International Law Association (ILA) Committees Commence Work

The **ILA Committee on Business and Human Rights** (chaired by Humberto Cantú Rivera, Markus Krajewski, and Carolina Olarte-Bácares) commenced on November 16, 2023. Its purpose is to study and analyze developments in international, transnational, and domestic legal systems with regards to state and corporate obligations in the field of human rights and business and concerning access to remedies and justice for victims of human rights violations in the context of business activities. While it will focus on a broad range of legal questions in diverse legal disciplines, the Committee's main focus will be on the perspective of rights-holders affected by business activities of multinational corporations and in international value chains and production networks.



Aziz Tuffi Saliba

The **ILA Committee on Comparative Diplomatic and Consular Immunities Privileges and Inviolabilities** (chaired by Aziz Tuffi Saliba) commenced on November 16, 2023. It is focused on domestic courts' interpretation and application of international norms concerning diplomatic and consular immunities, privileges, and inviolabilities. Presently, domestic judicial decisions on international law matters surpass international courts' rulings. Domestic courts' judgments, embedded within States' jurisdiction, may significantly impact international law enforcement – perhaps even more than international jurisdictions' decisions. Accordingly, quantitative and qualitative analyses have emerged to explore how specific topics or international legal instruments are addressed by domestic courts. However, no such study exists on international

diplomatic and consular law, particularly regarding immunities, privileges, and inviolabilities, underscoring the need for the ILA Committee.

The **ILA Committee on Protection of People at Sea** (chaired by Irini Papanicolopulu) commenced on June 18, 2023. It will address the emerging issue of how to protect all people who are at sea and their human rights. In its first four years, it will focus on the jurisdiction of States for the purpose of protecting people at sea, and in particular three aspects: (a) how notions of “jurisdiction” in human rights law, mostly developed with regards to situations on land, operate at sea; (b) how the concept of jurisdiction under the law of the sea, pointing to allocation of power among States, affects the human rights obligations of these States; and (c) how notions of “jurisdiction” under the law of the sea and human rights law can be combined to maximize protection for people at sea. The Committee will work towards advancing knowledge in the field, producing reports that illustrate the state of the art in this field as well as addressing the current debate, and issuing recommendations that provide guidance to States and other key actors on the scope of their obligations vis-à-vis people at sea. Its first meeting will be held on March 8, 2024 in Milan following a conference on the topic of jurisdiction on March 7, 2024.



Irini Papanicolopulu



Kristin Hausler

The **ILA Committee on Safeguarding Cultural Heritage in Armed Conflict** (chaired by Kristin Hausler) commenced on June 18, 2023. It has three key objectives: first, to conduct a gap analysis of the international legal regime addressing the safeguarding of cultural heritage from the effects of armed conflicts; second, to identify good practices stemming from past efforts to redress the harm caused to cultural heritage; and third, to develop policy-oriented recommendations for ensuring that cultural heritage is addressed in a comprehensive and adequate manner at all stages of an armed conflict in order to harness the potential of safeguarding cultural heritage as a vehicle for lasting peace.

The **ILA Committee on Urbanisation and International Law – Potential & Pitfalls** (chaired by Helmut Aust and Janne E. Nijman) commenced on November 16, 2023. It will study and clarify how existing international law develops and is developed in urban contexts and in turn why and how cities participate at the level of international law and governance. The Committee aims to help shed light on whether fundamental concepts of international law are shaped, and if so how, by the urbanization of international law, including the impact of international law on life in and governance of cities. A broader focus on urban contexts will allow the Committee: (a) to study the normative processes in which cities and other urban actors engage in and with international law; (b) to assess how their involvement in institutional practices shape law, policy, and their implementation; (c) and to assess what patterns of argumentation or discourse constitute the urban turn in international law and governance and the politics of this discourse. This Committee builds on the work of the Study Group on the role of cities in international law, which examined the legal ramifications of the rise of the city as an actor on the international stage.

News from ABILA Committees

The **Committee on the International Criminal Court** (chaired by **Patrick Keenan** and **Jennifer Trahan**) released a report on August 23, 2023, entitled "[Five Recommendations for Resetting the U.S./ICC Relationship](#)." The report advocates that the U.S. should (1) fully cooperate with the ICC's investigation in the situation of Ukraine; (2) remove impediments to assisting the ICC in situations other than Ukraine; (3) take practical steps toward cooperation with the ICC, such as providing expertise and material support for witness protection and relocation; (4) formally and fully re-commit to its obligations as a signatory to, and work toward eventual ratification of, the ICC's Rome Statute; and (5) provide financial support to the ICC's Trust Fund for Victims.

ABILA Committees at ILW 2023

Ten committees hosted Networking Rooms, and seventeen Committees sponsored panels at ILW 2023:

The **Committee on Formation of Rules of Customary International Law** (chaired by **Brian Lepard**) sponsored *Customary International Law and Beyond: What Is Its Unique Role in Facilitating Global Cooperation?*, which explored the limits of customary international law in relation to other modalities of cooperation by examining it through various interdisciplinary lenses. Lepard moderated, and panelists included Rosanna Deplano, **Jocelyn Getgen Kestenbaum**, and **Mark W. Janis**.



ILW 2023 networking room



ILW 2023 Panel: *Empowering the UN Security Council to Address Modern Threats to Peace and Security*

The **Committee on International Arbitration** (chaired by **Floriane Lavaud** and **Daniel Reich**) sponsored *Empowering the UN Security Council to Address Modern Threats to Peace and Security*, which discussed tools that empower the Security Council's elected members, restrain the permanent members' veto, and reimagine internal and external partners. Lavaud moderated, and panelists included Juan Manuel Gomez Robledo, Ian Johnstone, Mona Ali Khalil, and Ambassador Alexander Marschik.

The **Committee on the International Criminal Court** (chaired by **Patrick Keenan** and **Jennifer Trahan**) and the **Committee on International Humanitarian Law** (chaired by **Gabor Rona** and **Ashika Singh**) co-sponsored *Russia & Ukraine: A Springboard or a Setback for International Accountability?*, which analyzed the international community's reaction to Russia's invasion of Ukraine. Rona moderated, and panelists included Ambassador Hans Corell, **Oona Hathaway**, Trahan, and Ambassador Christian Wenawesar. The **Committee on the International Criminal Court** also sponsored *Prosecuting War Crimes in U.S. Courts: New Avenues for Legal Accountability in Ukraine and Beyond* which considered future war crimes prosecutions by the United States. Catherine Powell moderated, and panelists included **Catherine Amirfar**, **Jonathan Hafetz**, Michel Paradis, Rita Siemion, and **Ambassador Beth Van Schaack**.

The **Committee on International Commercial Law** (chaired by **Irene Calboli**) sponsored *Economic Sanctions and International Immunity: Current Developments*, which examined international sanctions developments from transactional, systemic, human rights, and immunities perspectives. **David P. Stewart** moderated, and panelists included Ingrid Wuerth Brunk, Alena Douhan, and Marco Longobardo.



ILW 2023 Panel: *Economic Sanctions and International Immunity: Current Developments*



ILW 2023 Panel: *Can International Law Give a Boost to the Energy Transition? Challenges and Possibilities*

The **Committee on International Environmental and Energy Law** (chaired by **Carolina Arlota** and **Myanna Dellinger**) sponsored *Can International Law Give a Boost to the Energy Transition? Challenges and Possibilities*, which examined climate governance challenges. Dellinger moderated, and panelists included Arlota, **Freya Doughty-Wagner**, Tibisay Morgandi, and **Frédéric Sourgens**.

The **Committee on International Human Rights** (chaired by **Warren Binford** and **Aaron Fellmeth**) sponsored *Negotiating a Torture-Free Trade Treaty*, which discussed the problem of trade in torture implements and technologies, and the status of the efforts by governments and civil society to bring the proposed treaty to fruition. Committee Co-Chair Fellmeth moderated, and panelists included Laura Auger-Pérez, Verity Coyle, and Kevin J. Wolf.

ABILA Committees at ILW 2023 *(cont'd)*

The **Committee on International Intellectual Property Law** (chaired by **Sean Flynn** and **Peter K. Yu**) sponsored *Beyond Multilateral Intellectual Property Law*, which discussed how the multilateral intellectual property system interfaces with and often lags behind other policy fora in addressing key policy issues. Panelists included Margaret Chon, Flynn, Aman Gebru, Michal Shur-Ofry, and Yu.

The **Committee on International Investment Law** (chaired by **David Attanasio** and **Diora Ziyaeva**) sponsored *Investment Law and Energy in Times of Armed Conflict*, which discussed sanctions' impacts on investment treaty obligations, effects on investment arbitration practice, and precedents of claims commissions as a post-conflict solution to manage investment claims. **Guillermo J. Garcia Sanchez** moderated with panelists **Arif Ali**, Michael D. Nolan, and Ziyaeva.

The **Committee on International Law in Domestic Courts** (chaired by **Martin Flaherty** and **Steven Schneebaum**) sponsored *Pushback: The Increasing Opposition to the Domestic Relevance of International Law*, which considered whether courts closing their doors to international law is a real problem or merely a passing fad that will tail off in due course. Flaherty moderated, with panelists Netta Barak-Corren, Dennis Kwok, Erin O'Donnell, and Schneebaum.

The **Committee on International Trade Law** (chaired by **Richard Steinberg**) sponsored *Geopolitics and the Emerging Investment Regime*, which examined outbound investment review and its effect on capital flows between the United States, Europe, and China. **Amy Porges** moderated, and panelists included Josh Gruenspecht, Zongyuan Zoe Liu, Theodore R. Posner, and Anne Salladin.

The **Committee on the Law of the Sea** (chaired by **Coalter Lathrop**) sponsored *The Advisory Function of the International Tribunal for the Law of the Sea in a Time of Climate Crisis*, which explored the Tribunal's advisory jurisdiction, the effects of its advisory opinions, and how it may contribute to solving the climate crisis. Romain Zamour moderated, and panelists included Payam Akhavan, Kevin Chand, Phoebe Okowa, **Cymie Payne**, and Rozemarijn Roland Holst.



ILW 2023 Panel: *The Advisory Function of the International Tribunal for the Law of the Sea in a Time of Climate Crisis*



ILW 2023 Panel: *Is the International Legal Order Unraveling?*

The **Committee on the Legitimacy and Fundamental Principles of International Law** (chaired by **Mortimer Sellers**) sponsored several panels. *Border Governance in an Interdependent World* advanced thinking about how border governance can better accommodate human rights, welfare, and national security. Sellers moderated with panelists Moria Paz, **Jaya Ramji-Nogales**, Beth Simmons, and Chantal Thomas. View the recording [here](#). With the **Study Group on Threats to the Liberal International Order** (chaired by **David Sloss**), the Committee also co-sponsored *Is the International Legal Order Unraveling?*, which considered how the perceived legitimacy of international law or lack thereof affects change in the

international legal order. Sloss moderated the discussion with panelists **Maxine Burkett**, Laura A. Dickinson, and **Richard Steinberg**. Finally, the Committee co-sponsored, with the **Committee on United Nations Law** (chaired then by **Christiane Ahlborn** and **Bart Smit Duijzentkunst**), *The UN International Law Commission and the Future of International Law-Making*, which discussed why States are pushing forward on the Draft Articles on protection of persons in the event of disasters and on the prevention and punishment of crimes against humanity. **Vladyslav Lanovoy** moderated, and panelists included Natalia Jiménez Alegría, Enrico Milano, **Sean D. Murphy**, Nilufer Oral, and **Douglas Pivnichny**.

The **Committee on Space Law** (chaired by **Henry Hertzfeld** and **Matthew Schaefer**) sponsored *Outer Space and Earth Interactions within Environmental Governance and Accountability Regimes*, which explored new commercial and governmental activities and plans involving human travel back to the Moon and to Mars, as well as the use of space assets in combatting global climate change on Earth. Co-Chair Schaefer moderated, and panelists included Mike Gold, Angel Hsu, Karen L. Jones, and **Meg Vernal**.

The **Committee on Teaching International Law** (chaired by **Milena Sterio**) sponsored *The ICC's Gender Persecution Policy: Definitions; Implementation; Way Forward*, which discussed the Office of the Prosecutor's new policy by focusing on the policy's definitions and challenges associated with its successful implementation. Sterio moderated, and panelists included **Lisa Davis**, **Yvonne Dutton**, **Julie Fraser**, **Valerie Oosterveld**, and Priya Pillai.



ILW 2023 Panel: *Outer Space and Earth Interactions within Environmental Governance and Accountability Regimes*

News from Branch Members: New Positions, Promotions & Appointments



Maxine Burkett

Maxine Burkett, formerly the Deputy Assistant Secretary for Oceans, Fisheries and Polar Affairs at the U.S. Department of State Bureau of Oceans and International Environmental and Scientific Affairs, was appointed to Assistant Director for Climate, Ocean, and Equity at the White House Office of Science and Technology Policy in October 2023.

Jovana Crnčević was promoted to Special Counsel in the Litigation and Arbitration Team at Withersworldwide in August 2023.

Lisa Davis was announced as a founding Advisory Board Co-Chair at the new Institute on Gender Law and Transformative Peace in October 2023.

Freya Doughty-Wagner joined the Global Network for the Study of Human Rights and the Environment team as the new website and social media manager.

MJ Durkee joined the faculty at Washington University in St. Louis School of Law as a Professor of Law.

Hannah Garry joined [UCLA School of Law Promise Institute for Human Rights](#) as its new Executive Director in July 2023.

Madaline George was promoted to Chief Operating Officer of the American Branch of the International Law Association in August 2023 and joined White & Case LLP as a Global Citizenship Manager in November 2023.



Michael Imran Kanu

Tom Ginsburg was appointed Faculty Director of the University of Chicago's Forum for Free Inquiry and Expression, which launched on October 5, 2023.

Kiran Nasir Gore joined the U.S. Department of Commerce Commercial Law Development Program as an Intermittent Expert on alternative dispute resolution.

Michael Imran Kanu was appointed as Ambassador and Permanent Representative of Sierra Leone to the UN in New York in August 2023.



Kiran Nasir Gore

Chimène Keitner became the Martin Luther King Jr. Professor of Law at UC Davis School of Law.

M. Imad Khan was one of sixteen elevated to Partner at [Winston & Strawn LLP](#) in their International Arbitration practice group on December 1, 2023.

Annie Lespérance became Jus Mundi's new Head of the Americas in September 2023.

John Linarelli joined the University of Pittsburgh School of Law in September 2023.

Abdul Aziz Meslat has been admitted to the List of Counsel at the ICC and launched his own legal consulting firm, [American Premier Law Group Co, LPA](#), to provide consulting services with a focus on international law matters.

Valerie Oosterveld was appointed [Special Adviser on Crimes Against Humanity](#) by the Prosecutor of the International Criminal Court in November 2023.



Melissa Stewart

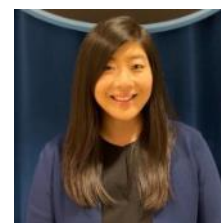
Theresa (Tracy) Roosevelt, who was part of Foley Hoag's International Litigation and Arbitration Department, joined the Biden administration as attorney adviser in the Office of the General Counsel of the Department of the Navy.

Melissa Stewart joined the faculty at the University of Hawai'i at Mānoa, William S. Richardson School of Law in August 2023.

Ioanna Tourkochoriti is now an Associate Professor of Law at University of Baltimore School of Law.

Frédéric Sourgens was named to lead Tulane University Law School's innovative Center for Energy as the James McCulloch Chair in Energy Law in July 2023.

Alyssa Yamamoto joined Atlantic Council's Strategic Litigation Project as a Senior Legal and Policy Advisor in September 2023.



Alyssa Yamamoto

News from Branch Members: Activities

Christiane Ahlborn spoke on International Law as a Profession at Glasgow Centre for International Law and Security on October 26, 2023.

Diane Amann, Michael Newton, Valerie Oosterveld, Leila Sadat, Michael Scharf, Milena Sterio, and Jennifer Trahan led discussions at The Cutting Edge of International Humanitarian Law in 2023: The 15th Annual International Humanitarian Law Roundtable in Chautauqua, New York in August 2023.

Catherine Amirfar and **Cymie Payne** were panelists on *Climate Science, the causal link and demonstrating impact in advisory opinions*, at The Climate Science and State Responsibility Dimensions in the ICJ Advisory Opinion Request on Climate Change conference held on July 24, 2023 in New York City. **Eirik Bjorge** and **Mamadou Hébié** were panelists on *State responsibility and climate change*, which was moderated by **Lucía Solano**.

Carolina Arlota was quoted in [Climate Crisis Fuels Violence Against Women: Research](#) published by *International Business Times* in July 2023.

Angelina Fisher, Lisa Reinsberg, and Beth Van Schaack were panelists at the 12th edition of RightsCon in San José, Costa Rica in June 2023.

Henry Hertzfeld was featured in [Lunar Orbital Congestion IV – Policy Recommendations](#) published in *Forbes* in July 2023, in [Putin's Pride Dented as India's Moon Landing Highlights Russia's Decline](#) published in *U.S. News & World Report* in August 2023, and in ['Lunar gold rush': NASA wants to mine the moon](#) published in *E&E News by Politico* in November 2023.

Matthew C. Kane was recognized in this year's edition of BTI Client Service All-Stars and was ranked in Labor and Employment in California by this year's edition of the Chambers USA Guide: America's Leading Lawyers for Business.

Patrick Keenan was featured in a *2Civility* article entitled [Where Two Illinois Law School Professors Stand on AI in Their Classrooms](#) in August 2023.

Leila Sadat recorded a podcast entitled [A Court Date for Humanity](#) with the Center for Strategic and International Studies on October 4, 2023. She delivered the 2023 Klatsky Endowed Distinguished Lecture in Human Rights and received the [Cox International Law Center Humanitarian Award for Advancing Global Justice](#) at Case Western Reserve University School of Law on October 25, 2023.

Michael Scharf's quarterly radio program and podcast, ["Talking Foreign Policy,"](#) examined how international law is responding to global climate change on November 20, 2023. Guests included **Milena Sterio** and UN Special Rapporteur for Human Rights and the Environment John Knox.

David Sloss won the 2023 University Award for Sustained Excellence in Scholarship at Santa Clara University in September 2023.

Milena Sterio moderated an expert roundtable entitled [Dusting off the Law Books on Gender Persecution: Intent to Discriminate](#) featuring **Lisa Davis** in September 2023.

David Stewart gave the opening remarks and moderated the [2023 Robert E. Dalton Roundtable on International Law in Government Practice](#) on October 5, 2023.

Helen Tung was featured on Middlesex University Mooting Society's [The Interview Series: Interview with a Space Lawyer](#) in September 2023.

Adrien Wing spoke on [Demarginalizing Race, Class, and Gender in International Education in the Post-COVID World](#) at the University of Iowa College of Law as part of International Programs' annual Commitment to Internationalization Lecture Series on October 25, 2023.

Peter Yu was featured in a *Texas A&M Today* article entitled [Artificial Intelligence Raises Questions on Intellectual Property and Ownership](#) in October 2023. He delivered the opening keynote address at the 2023 Conference of the Asian Pacific Copyright Association at Srinakharinwirot University in November 2023.

Diora Ziyaeva was recognized by Law360 as a "Rising Star" in July 2023.

Have your professional updates featured by the American Branch

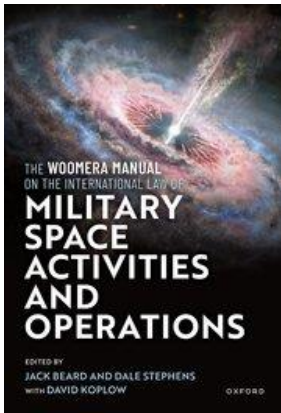
If you have professional updates that you would like featured by the American Branch, please contact ABILA's Chief Content Officer Freya Doughty-Wagner (media@ila-americanbranch.org) or use our member update submission form:

<https://www.ila-americanbranch.org/submit-an-update/>.



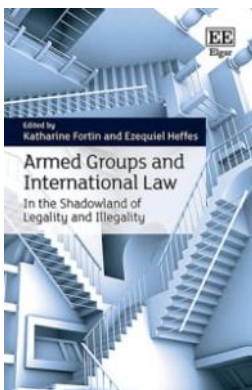
David Sloss

Branch Member Publications: Books



Jack Beard co-authored, with Dale Stephens, [The Woomera Manual on the International Law of Military Space Activities and Operations](#) (Oxford University Press, 2024). Military uses in space are rapidly changing and expanding, challenging states and non-governmental agencies in identifying and applying the governing rules. In the midst of these challenges, states, policymakers, and practitioners must engage with new, real circumstances in space, not merely hypothetical threats or problems. *The Woomera Manual* is interdisciplinary in nature, drawing on space law, national security law, technology, international law, and diplomacy. It serves as the first comprehensive examination of the field. All three phases of military space interactions are analyzed (during times of peace, tension or crisis, and armed conflict), with relevance to both the public and private space sectors. Utilizing meticulous research and focusing particularly on state practice, it explores the interaction of different legal regimes, including space law, the UN Charter, other treaty-based regimes, as well as international humanitarian law.

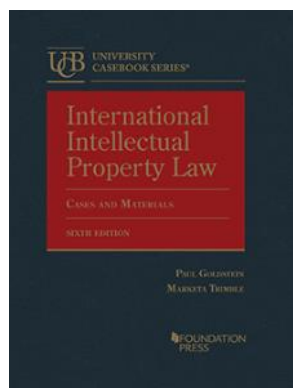
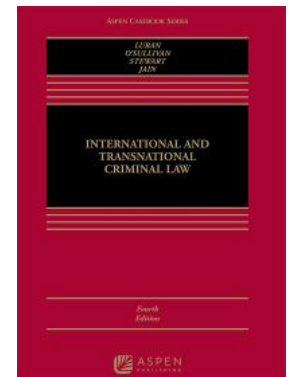
Ronald Brand co-authored, with Michael S. Coffee and Paul Herrup, [The 2019 Hague Judgments Convention](#) (Oxford University Press, 2024). This authoritative treatise provides the diplomatic background and the historical context for the Convention, discussing the law on judgments recognition in the absence of the Convention's ratification. After recounting the twenty-seven-year history of the negotiations leading to the Convention's conclusion, it offers an article-by-article discussion of each provision. It also considers paths not taken, advancing possible solutions to address future pressures and developments. This volume is designed to be an indispensable source for lawyers, judges, and legislators in the adoption, implementation, and use of the 2019 Hague Judgments Convention.



Ezequiel Heffes edited, with Katharine Fortin, [Armed Groups and International Law: In the Shadowland of Legality and Illegality](#) (Edward Elgar Publishing, 2023). Through its careful consideration of the status of armed groups within a complex legal landscape, this insightful volume identifies and examines the tensions that arise due to their actions existing across a spectrum of legality and illegality. Considering the number of armed groups currently exercising governance functions and controlling territory and population in the world, its analysis is especially topical.

David P. Stewart, with David Luban, Julie R. O'Sullivan, and Neha Jain authored the Fourth Edition of [International and Transnational Criminal Law](#) (Aspen Publishing, 2023). The textbook covers international criminal law and the application of U.S. criminal law transnationally, with chapters on each of the core crimes as well as

terrorism and torture, and separate chapters on the international tribunals from Nuremberg on and the ICC. It also covers U.S. criminal law in transnational contexts, modes of liability, defenses, crimes against women, alternatives to criminal prosecution in post-conflict societies extradition, evidence gathering abroad, comparative criminal procedure and comparative sentencing, and U.S. constitutional rights abroad.



Marketa Trimble, with Paul Goldstein, authored the Sixth Edition of [International Intellectual Property Law: Cases and Materials](#) (Foundation Press, 2023). This casebook organizes contemporary foreign, as well as U.S., case law and literature to equip law students with the knowledge they need to practice intellectual property law in both transactional and litigation settings in the current globalized environment. Carefully selected materials also expose students to the social, economic, and cultural considerations that underpin intellectual property law around the world. The casebook covers aspects of public international law, conflict of laws (private international law), and comparative law of intellectual property. Each area of law—copyright, patent, trademark, unfair competition, trade secrets, and industrial design—is introduced by a comprehensive authors' note placing the field in its international and comparative law context, and extensive notes on the cases and materials fill in relevant details.

Branch Member Publications: Academic Articles and Chapters

Carolina Arlota published [When Federal Law Goes Unnoticed: Assessing the CISG's Applicability across U.S. Courts based on an Empirical Research of Cases from 1988 to 2020](#) in the *American Business Law Journal*, Volume 60, Issue 3 in August 2023.

Warren Binford co-authored [Supporting health professionals who serve gender-diverse youth](#) in *Families, Systems, and Health* in September 2023. She published [Instituting Children's Full Political Participation and Representation in the 21st Century United States](#) in the *Harvard Human Rights Journal* in July 2023.



Irene Calboli

Irene Calboli co-published [Intellectual property in the circular economy](#) in the *Journal of Intellectual Property Law & Practice* in May 2023.

Emily Behzadi Cárdenas's abstracts, [Desettling Fixation](#) and [National Security or National Origin? The Implications of Florida's Alien Land Law Under the Federal Fair Housing Act](#), were posted by the *North Carolina Law Review* and the *South Carolina Law Review*, respectively, in July 2023.

Yvonne Dutton authored the chapter, *Funding Terrorist Groups and Activities through Kidnapping and Human Trafficking: Prevention and Response*, in [Countering Terrorist and Criminal Financing: Theory and Practice](#), published by CRC Press in October 2023.

Aaron Fellmeth published [Human Rights Derogations in National Emergencies: Lessons from Africa](#) in the *Southwestern Journal of International Law*.

Kiran Nasir Gore co-published *Harnessing Artificial Intelligence in International Arbitration Practice* in the *Contemporary Asia Arbitration Journal*, Volume 16, Issue 2 in November 2023.

Rachel López published [Participatory Law Scholarship](#) in the *Columbia Law Review* in October 2023. She also authored the chapter, [Black Guilt, White Guilt at the International Criminal Court](#), and **Jaya Ramji-Nogales** authored the chapter, [This Border Called My Skin](#), in [Race and National Security](#) (Oxford University Press, 2023).



Top: Rachel López Bottom: Jaya Ramji-Nogales

Arnold Pronto contributed a chapter entitled *Change in International Law*, and **Jennifer Trahan** contributed *Sovereignty as Responsibility: Understanding the Legal Parameters of the Veto Power* in [Reimagining the International Legal Order](#) (Routledge, 2023).

Melissa Stewart published [Cascading Consequences of Sinking States](#) in the *Stanford Journal of International Law* in August 2023. The Association of American Law Schools Section on International Law announced that she will be awarded its inaugural New Scholars Award for this article.



Ioanna Tourkochoriti

Ioanna Tourkochoriti's paper, [The Digital Services Act and the EU as the Global Regulator of the Internet](#), was published in the *Chicago Journal of International Law* in July 2023 and her article, [Is Neutrality Possible? A Critique of the CJEU on Headscarves in the Workplace from a Comparative Perspective](#), was published in *The American Journal of Comparative Law* in November 2023.

Recruit New Members

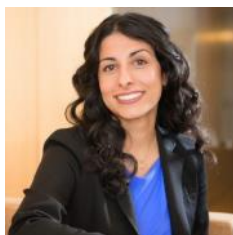
Every ABILA member is encouraged to recruit new members to the American Branch. The health and success of our Branch depends on a steady infusion of new talent, enthusiasm, and energy.

Please take time now to think about reaching out to several likely prospects, encouraging them to join, attend ILW 2024, participate in Branch committees and study groups, and/or sponsor local and regional events.

To help you in this effort, the ABILA membership brochure is available for download from the Branch website under the [Membership tab](#).

You can also contact us at membership@ila-americanbranch.org for additional information about becoming an ABILA member.

Branch Member Publications: Blogs, Guides, and News Articles



Catherine Amirfar



Nicole Marton



Christel Tham

Catherine Amirfar, Nicole Marton, and Christel Tham co-authored [Remote Sensing from Space: What Norms Govern?](#) on *Just Security* and *Japan's New Arbitration and Mediation Laws* in May 2023. Amirfar co-authored [Arbitrators, Not Courts, Should Resolve Disputes Concerning Escalation Clauses Confirms the Hong Kong Court of Final Appeal](#) on *Debevoise Update* in July 2023.

Sahar Aziz published [Sure, the US cares about human rights – when it benefits us](#) on *The Hill* in June 2023 and [Muslim women in the West in the crosshairs of Zionists, white ‘feminists’](#) on *Al Jazeera* in October 2023. She was a contributor to [A US Pivot Away from the Middle East: Fact or Fiction?](#), published by *Arab Center Washington, D.C.* in September 2023.

Lisa Davis published [Dusting Off the Law Books on the Crime of Gender Persecution](#) on *Just Security* in May 2023.



Sebastian Dutz

Yvonne Dutton and Milena Sterio published [The ICC's 2022 Gender Persecution Policy in Context: An Important Next Step Forward](#) on *Just Security* in June 2023.

Sebastian Dutz co-authored [Supreme Court Decides Extraterritorial Reach of Civil RICO Claims in Case Involving Foreign Arbitral Award](#) and [Supreme Court Decision in Coinbase Gives Parties Seeking to Compel Arbitration an Automatic Stay of Court Proceedings](#) on *Debevoise Update* in July 2023.

Luis Fortuño co-authored [Mexico's Mining Reforms: Another Test for the Industry](#) for *Bloomberg Law* in May 2023 and [What is Fueling the Future of the ECT?](#) in *Jus Connect's October 2023 Energy Arbitration Report*.

Chiara Giorgetti, with Patrick Pearsall, published [A Significant New Step in the Creation of an International Compensation Mechanism for Ukraine](#) on *Just Security* in July 2023.

Jonathan Hafetz published [Third Annual Symposium on Pop Culture and International Law: Judgment at Nuremberg – Capturing the Complexities of Mass Atrocity Trials on Film](#) on *Opinio Juris* in November 2023.



Nora Niazian

Rhianna Hoover co-authored [Biodiversity 101: A Guide to the Next Frontier in the “E” of ESG](#) in October 2023.

Nora Niazian was a co-author of [FCPA Update: A Global Anti-Corruption Newsletter August 2023](#), which was published by Debevoise & Plimpton in September 2023.

Valerie Oosterveld published [Recognizing the Complexity of Gender in the Crime Against Humanity of Persecution](#) on *Just Security* in July 2023.

Cymie Payne published [The New High Seas Biodiversity Treaty Offers Conservation, Equity, and Regulatory Certainty](#) in *ASIL Insights*, Volume 27, Issue 6 in August 2023.

Aníbal Sabater contributed to *Economic Sanctions and Arbitration: A Practical Guide for Parties, Counsel and Arbitrators*, published by the *International Association of Lawyers* in November 2023.

Leila Sadat co-authored [Differences ‘Getting Narrower’ on Proposed Crimes Against Humanity Treaty](#) on *Just Security* in May 2023 and [Continued Positive Momentum on Crimes Against Humanity Treaty](#) on *Just Security* in November 2023. She published [The Promise and Perils of the ICC Prosecutor's Engagement with External Stakeholders](#) on *ICCForum* in September 2023 and [Understanding the New Convention on Mutual Legal Assistance for International Atrocity Crimes](#) in *ASIL Insights*, Volume 27, Issue 12 in November 2023.

Payal Shah co-authored [Broken Promises: Conflict-Related Sexual Violence Before and After the Cessation of Hostilities Agreement in Tigray, Ethiopia](#) published by *Physicians for Human Rights* in August 2023.

Milena Sterio and Jennifer Trahan published [Cyber Operations as Crimes at the International Criminal Court](#) on *Lieber Institute* in October 2023.

Diora Ziyayeva co-authored [Deep sea mining: How does it work when there is a dispute?](#) on *Dentons Mining Law Canada Blog* in November 2023.



Aníbal Sabater





INTERNATIONAL LAW ASSOCIATION

AMERICAN BRANCH

EST. 1922

Resolution Congratulating Professor Sarah H. Cleveland on her Election to the International Court of Justice

Whereas Professor Sarah H. Cleveland has a noted record of expertise and leadership in the field of international law; and

Whereas the work of the Court is critically important to the maintenance of international peace and security; and

Whereas the American Branch of the International Law Association is dedicated to the study, clarification, and development of international law and the advancement of peace, equity, and justice worldwide; and

Whereas the Board applauds Professor Cleveland's commitment to "preserving the integrity and authority of the court and securing the faithful interpretation of international law;" and

Whereas the Board recognizes that Professor Cleveland becomes only the sixth female and second American female elected to serve on the Court;

Now be it therefore resolved that the Board of Directors of the American Branch of the International Law Association **congratulates** Professor Sarah H. Cleveland on her historic election to serve as a judge of the International Court of Justice and wishes her the best in her new position.

Done this 20th day of November 2023

Michael P. Scharf, President
Leila Nadya Sadat, Chair
William Aceves
David Attanasio
Amity Boye
Andrea Kay Bjorklund
James H. Boykin
Ronald A. Brand
Christina Cerna
Paul Richard Dubinsky
Valerie Epps
Aaron X. Fellmeth

Martin S. Flaherty
Madaline George
Chiara Giorgetti
Scott Horton
Larry Johnson
M. Imad Khan
Floriane Lavaud
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Ved P. Nanda
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Alison Dundes Renteln
Gabor Rona
Mortimer Sellers
Steven Schnnebaum
Frédéric Gilles Sourgens
Milena Sterio
David P. Stewart
Louise Ellen Teitz
Nancy Thevenin
Jennifer Trahan
Nawi Ukabiala
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Procedure for Board Statements

On April 6, 2023, the American Branch Board unanimously approved a procedure for adopting Board Statements and Resolutions on salient international law issues, proposals, and developments.

The procedure contains seven provisions:

1. Any ABILA Officer, Board Member, or Committee Chair can propose that the Board issue a Board Statement or a Board Resolution on a matter involving salient International Law issues, proposals or developments and circulate it to the members of the Board via email. For this purpose, the Board includes members, officers, and the honorary Vice Presidents.
2. During a period of five-days following circulation of the proposal, any Board Member can offer Friendly Amendments to the Statement or Resolution which may be accepted by the proposer and circulated to the Board. Board members can also circulate arguments in favor or opposed to adoption of the Statement or Resolution during this period.
3. During the five-day period, Board members and officers should indicate their approval of the Statement or Resolution by an email to the Members of the Board.
4. If a two-thirds majority of the officers and members of the Board indicate their approval during the five-day period, the Statement or Resolution shall be deemed adopted.
5. If adopted, the Statement or Resolution will be posted on the ABILA website and otherwise circulated as deemed appropriate by the President.
6. The names of those Board Members and officers who indicated their approval will appear under the Board Statement or Resolution when it is issued with an indication that the undersigned are supporting the Statement or Resolution as a member of the ABILA Board and that their support does not represent the position of any other institution to which they may belong. The names of Board members that did not indicate their approval will not be listed.
7. This procedure does not affect the existing authority of the ABILA President or ABILA Committees to issue statements.

Find American Branch Documents

All important documents related to the American Branch, including the Bylaws, Articles of Incorporation, and the Procedure for Board Statement, may be found on our website: <https://www.ila-americanbranch.org/>.

Find them under the “About” tab.



ILA Executive Council Meeting: November 2023

By James Nafziger (ILA Vice Chair and Management Committee Member)

The semiannual meetings of the ILA Management Committee (November 10) and Executive Council (November 11) were unusually important and lively. Both sessions were held virtually and focused primarily on two related issues: whether the ILA should issue a public statement on the Israel-Hamas conflict and, looking to the future, whether and according to what criteria the ILA should, if ever, issue such public statements. The Management Committee recommended to the Executive Council against making statements, either now or in the future, given the lack of criteria and adequate resources to achieve a timely consensus for selecting which issues to address and making statements accordingly in terms of the ILA's mission. Inevitably, divisive questions were apt to be raised about any decision, whether to issue a statement or not to do so. Instead, the Management Committee recommended that the ILA should continue to rely on individual Branches to make such statements, as the Albanian Branch did in the instance of the Israel-Hamas conflict.

During the Executive Council meeting, several distinguished colleagues vigorously questioned the Management Committee's recommendation. They argued primarily that because the ILA had already issued a policy statement after the Russian invasion of Ukraine, it would (and should) be expected to do so again regarding the Israel-Hamas conflict as well as other future conflicts. Several Council members argued that the ILA's mission of promoting the role of international law would be well served by issuing such statements in response to the most serious challenges to the rule of international law. Indeed, such initiatives might be expected of the ILA; reliance on scattered statements by individual Branches was not enough.

Overall, both issues of substance and voting procedures during the session were hotly debated. As one Council member observed, it was "an interesting meeting—with tensions quite visible. I can't remember ever having experienced this before at an ILA meeting." Nor could I. In the end, the Council voted quite handily to adopt the Management Committee's recommendation against a statement about the Israel-Hamas conflict but declined to vote on whether the ILA should or should not issue public statements in the future. Individual Branches may continue to issue their own statements, however.

The remainder of the two meetings went smoothly. The membership statistics prepared by Claire Martin, our indefatigable Chief Operating Officer in London, showed that ABILA is the largest of more than 60 branches—and growing.

The year-long celebration of the ILA's 150th Anniversary, under the extraordinary leadership of the French Branch's Catherine Kessedjian, highlighted by the commemorative conference in Paris last June, had been a big success.

The ILA's finances are in good shape. Rainer Hoffmann of the German Branch was reelected Honorary Treasurer.

The Council decided to establish new branches in Cameroon, Senegal, and the U.A.E. as well as three new committees on Business and Human Rights; Comparative Diplomatic and Consular Immunities Privileges and Inviolabilities; and Urbanisation and International Law.

Maria Gavouneli, President of the Hellenic Branch, reviewed plans for the next Biennial Conference, to be held in Athens, Greece on June 25-28, 2024. Council members expressed their appreciation for careful planning of the conference, including unusually attractive conference fees. Further information will be forthcoming.



Maria Gavouneli

Upcoming ILA Executive Council Meetings

The Executive Council will next meet online or in a hybrid format on May 11, 2024.

The Executive Council will then convene for a Full Council Meeting on June 28, 2024 during the ILA Biennial Conference (June 25-28, 2024) in Athens, Greece.





Calendar of Upcoming Events

February 27-March 1, 2024: ABA International Law Section's Houston Energy Conference (Houston, TX)

April 3-6, 2024: ASIL Annual Meeting: *International Law in an Interdependent World* (Washington, D.C.)

May 7-10, 2024: ABA International Law Section's 2024 Annual Conference (Washington, D.C.)

June 20, 2024: Reparative Justice in the United States: Human Rights in Practice (New York, NY)

June 25-28, 2024: ILA's 2024 Biennial Conference (Athens, Greece)

July 8-10, 2024: The International Society of Public Law's 2024 Annual Conference (Madrid, Spain)

October 17-18, 2024: The London Conference on International Law (London, U.K.)

October 24-26, 2024: International Law Weekend 2024 (New York, NY)

American Branch of the International
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