

**FACULTY NEWS FROM PACE LAW SCHOOL'S
INTERNATIONAL LAW PROGRAM
2011-2012**

Changes in the International Law Program

After 33 years at Pace, **Professor and Director of International Law Programs Gayl Westerman**, who was instrumental in developing Pace's highly-regarded international law program, announced her retirement from full-time teaching in 2011. Among many other accomplishments, she developed the Pace London Law Program at the University College of London, the Pace Summer Internships Abroad Program, the Human Rights in Action Program and the Pace LLM Program in Comparative Legal Studies. She taught courses in International Law, Contracts, Commercial Law, and the Prosecution of War Crimes. Her bibliography includes many scholarly articles and major books on *THE JURIDICAL BAY* (1987, Oxford University Press); *STRAIGHT BASELINES IN INTERNATIONAL MARITIME BOUNDARY DELIMITATION* (with W.M. Reisman of Yale Law School, 1992, St. Martin's Press (U.S.)/MacMillan (Europe and Asia)); and *INTERNATIONAL LAW IN CONTEMPORARY PERSPECTIVE* (with Reisman, Arsanjani, and Wiessner, 2004, Foundation Press). [Professor Westerman's legacy](#) lives on in Pace's strong international programs.

Following Professor Westerman's retirement, Adjunct Professor Matthew Brotmann, who along with Professor Westerman developed the Pace International Criminal Court Moot Competition, was named Director of International Programs at the Law School. Vikki Rogers, Director of the Institute for International Commercial Law, now works with Professor Darren Rosenblum, who was appointed Faculty Executive Director of Institute for International Commercial Law. Assistant Dean Mark Shulman continues to direct Pace's Graduate Programs and Visiting Scholar Program, now in collaboration with new Assistant Dean Lin Harmon who directs the Environmental Law Programs, currently ranked third in the nation. Numerous Pace faculty members write and teach across a broad spectrum of international law topics.

Faculty Accomplishments 2011-12

Pace Women's Justice Center Executive Director Jane Aoyama-Martin and Deputy Director Cindy Kanusher presented in February at the U.S. Department of State Office of International Visitors for its International Visitor Leadership Project on "Women and Justice." The group consisted of 27 distinguished international visitors from twenty different countries. This program is designed for women in the legal field, including judges, attorneys, law enforcement officers, NGO leaders and advocates for legal and humanitarian rights for women around the world.

Adjunct Professor Abed Awad recently published an op-ed piece, "Chipping Away at Divorce Quagmire for Muslim and Jewish Women," in the February 13, 2012 edition of the New Jersey Law Journal.

Professor Ann Bartow joined the Pace Law School faculty in 2011 from the University of South Carolina School of Law. Her scholarship focuses on the intersection between intellectual property laws and public policy concerns, privacy and technology law, and feminist legal theory, and she has published numerous articles and book chapters on these subjects. During the 2011-12 academic year, Professor Bartow served as a Fulbright Scholar at Tongji University in Shanghai, China. In May, she blogged on [“Configuring the Networked Self: Perspectives from China,” Concurring Opinions.](#)

Director of International Law Programs and Adjunct Professor Matthew Brotmann participated in the Pearl Initiative Roundtable Luncheon on Corporate Accountability in the Arab World. The roundtable discussion took place at the UN during the opening day of the UN’s General Assembly. He was invited to serve on the Advisory Board of the International Criminal Law Network’s Moot Competition Committee. This board works directly with the ICC in The Hague in its efforts to develop the model of Pace’s ICC Moot into competitions to be held in languages other than English. In January, he was invited to attend the Assembly of States Party to the International Criminal Court. At the Coalition for ICC’s reception honoring outgoing President of the Assembly of States Party, Professor Brotmann spoke with ICC President Sang-Hyung Song and Ms. Ugoji Eze, noted international human rights attorney and President of the Eng Aja Eze Foundation. In June, he participated in a panel discussion on “The Incidence of the Female Child and the International Criminal Court” at a conference held at the African Union’s UN Observer Mission in Manhattan.

Associate Professor Elizabeth Burleson co-authored (with **Professor Nicholas Robinson**) COMPARATIVE ENVIRONMENTAL LAW AND REGULATION (Burleson, Heng & Robinson ed. West 2012). She authored two book chapters, “The Polar Regions and Environmental Law,” in ROUTLEDGE HANDBOOK OF INTERNATIONAL ENVIRONMENTAL LAW, (Alam et. al ed. Routledge: 2012) and “Tribes as Essential Partners in Achieving Sustainable Governance,” in LEGAL STRATEGIES FOR GREENING LOCAL GOVERNMENT (Hirokawa & Salkin, ed. ABA: 2012). Her articles include “Arctic Justice: Addressing Persistent Organic Pollutants,” 30 L. & INEQUALITY 57 (2012) (with Stephanie Dodson Dougherty), “Energy Revolution and Disaster Response in the Face of Climate Change,” 22 VILL. ENVTL. L.J. 169 (2011), “From Coase to Collaborative Property Decision-Making: Green Economy Innovation,” 14 TUL. J. TECH. & INTELL. PROP. 79 (2011), “Innovation Cooperation: Energy Biosciences and Law,” 2011 U. ILL. L. REV. 335 (2011) (with Winslow Burleson), “Making Sand Castles as the Tide Comes In: Legal Aspects of Climate Justice,” 2 J. ENERGY ENVTL. L. 422 (2011), “Water, Climate, and Energy Security,” 18 SW. J. INT’L LAW 181 (2011). She served as a moderator/panelist on the “Climate Change – What Does Hope Look Like?” panel at Case Western Reserve School of Law’s “International Law in Crisis” colloquium in September. She was selected to present her work on “Emerging Human Rights & Environmental Law in the Arctic” as part of the “New Voices” panel at the meeting of the International Human Rights Section during the AALS Annual Meeting in January 2012. She spoke at the University of Georgia’s symposium on “Striking the Right Balance: Energy Security in International Law.” She also spoke on “Environmental Integrity and Human Rights” at the George Washington University Law School Symposium on Human Rights and the Environment. She co-led a workshop with **Pace Judicial Scholar, the Hon. Merideth Wright**, on Specialized Courts and Tribunals at Yale Law School’s New Directions in Environmental Law conference “[Re]claiming Accountability.” She participated in the Limoges Rio+20 climate conference, and in the New York “informal-informal” negotiations on the Rio+20 zero draft on behalf of the Stakeholder Forum. She currently serves as chair of the AALS North American Cooperation Committee. In February, she spoke at the University of Georgia’s symposium on “Striking

the Right Balance: Energy Security in International Law.” In March, she presented on “The Future of Green Technology Law and Policy,” Georgetown International Environmental Law Review symposium on Green Technology and International Law. She also spoke on “Environmental Integrity and Human Rights” at the George Washington University Law School Symposium on Human Rights and Environment. As a Fulbright Senior Specialist, Professor Burleson guest taught human rights and the environment to UFBA School of Law students in Salvador, Brazil in May. At the IUCN Academy of Environmental Law at the University of Maryland in Baltimore in July, she spoke at a climate change panel on “Taking Stock of the Global Climate Consensus Reached in Durban.”

Professor David Cassuto authored “Hard, Soft & Uncertain: The Guarani Aquifer and the Challenges of Transboundary Groundwater” (w/Rômulo S.R. Sampaio), COLO. J. INT’L ENVTL. L. (forthcoming 2013) and “The Evolution of the Regulation of Brazilian Ethanol and Possible Lessons for the United States” (w/Carolina Gueiros), WIS. J. INT’L L. (Symposium Issue, forthcoming 2012), “Keeping It Legal: Transboundary Management Challenges Facing Brazil and the Guarani” (w/Romulo S.R. Sampaio), 36 WATER INT’L 661 (2011). His op-ed, “[Belo Monte: The Legal Waters Continue to Roil](#),” appeared in the December 9, 2011 JURIST FORUM. In March, he spoke on “The Evolution of the Regulation of Brazilian Ethanol and Possible Lessons for the United States” at the Wisconsin Journal of International Law Symposium -- Renewable Energy & Climate Change: Opportunities and Challenges for International Law in Madison, Wisconsin, in March, and in May he presented “Hot, Cruel & Legal: A Look at Industrial Agriculture in the United States & Brazil” at the Rule of Law for Nature Conference, Oslo, Norway. In September, Professor Cassuto was awarded the highest international animal law honor, Lifetime Member of the international Abolitionist Institute for Animals, in recognition of his work in the struggle for animal rights. He currently serves on the editorial board of the Revista de Direito Administrativo, a publication of the Getulio Vargas Foundation School of Law, in Brazil.

Professor Luis Chiesa authored (with **Professor Alexander K.A. Greenawalt**) “Beyond War: Justifying Targeted Killings in Law and Morality,” WASH. & LEE L. REV. (forthcoming 2012). He spoke at a symposium on DNA and Criminal Procedure at Universitat Jaume I in Castellón de la Plana, Spain in July. He also took a group of Pace Law students to Cuba in summer 2012 to study comparative criminal law.

Professor Leslie Yalof Garfield filed an amicus brief in the United States Supreme Court in support of respondents in the case of *Kiobel v. Royal Dutch Petroleum*. The matter concerns whether U.S. federal courts have subject matter jurisdiction over cases brought by foreign plaintiffs against foreign issuers based on foreign stock purchases.

Professor Alexander K.A. Greenawalt authored “Milošević and the Justice of Peace” in Timothy Waters, ed., THE MILOŠEVIĆ TRIAL: AN AUTOPSY (Oxford University Press, 2011) and “The Pluralism of International Criminal Law,” 86 IND. L.J. 1063 (2011). He was chosen to present his work at the second annual American Society of International Law (ASIL) Research Forum during ASIL’s Midyear Meeting in Georgia in October. In September, he served as a respondent to papers presented at the St. John’s Center for International and Comparative Law, New York Research Roundtable. In January, he participated at ASIL’s International Criminal Law Interest Group meeting in Chicago, where he provided commentary on a paper. He presented his work on “The Pluralism of International Criminal Law” at a conference on Pluralism v. Harmonization: National Adjudication of International Crimes at

Vrije Universiteit Amsterdam in June. Professor Greenawalt's 1999 student note, "Rethinking Genocidal Intent: The Case for a Knowledge-based Interpretation," 99 COLUM. L. REV. 2259 (1999), was selected for inclusion in three-volume book INTERNATIONAL CRIMINAL LAW to be edited by Professor William A. Schabas, Director, Irish Centre for Human Rights, National University of Ireland. Professor Greenawalt also has been invited to serve as an external peer reviewer for Oxford University Press. His article on targeted killings with **Professor Luis Chiesa** is forthcoming in the Washington & Lee Law Review.

Professor Lissa Griffin's article "International Perspectives on Correcting Wrongful Convictions: The Scottish Criminal Cases Review Commission" has been accepted for publication in Volume 21 of the William & Mary Bill of Rights Journal. Her article, co-authored with Pace Law alumna Kate Blacker, on "Megan's Law and Sarah's Law: A Comparative Study of Sex Offender Community Notification Schemes in the United States and the United Kingdom," 46 CRIM. L. BULL. 987 (2010), placed in the Top Ten List for papers in the SSRN journal LSN: Criminal Law (Sexuality) for the month of August 13, 2011 to October 12, 2011.

Assistant Dean and Director of Environmental Law Programs Lin Harmon took the helm of Pace's internationally-renowned environmental law program in August 2011. Her previous international experience included a decade of directing, *inter alia*, the international LLM and visitor programs at Lewis & Clark Law School and developing a course in "Comparative Environmental Law from a Global Resource Perspective." In October, she taught a week-long course in Environmental Dispute Resolution (*Negociacio de Conflitos Ambientais*) in Rio de Janeiro, Brazil for federal judges, environmental agency officials, energy and sustainability company officers and environmental groups. In July, she presented on "Teaching Environmental Law from a Global Resources Perspective" at the International Union for the Conservation of Nature's (IUCN's) Academy of Environmental Law Colloquium. In September, at the IUCN World Conservation Congress, she moderated the Center for Environmental Legal Studies' four-hour workshop on "Giving Force to Environmental Laws: Environmental Adjudication," spoke on Ecosystem Services in the Environmental Law Centre's day-long training on Rights-Based Approaches to Conservation, and kept track of the 180+ motions on the table from various members over the course of the Assembly. All seven of Pace's motions for Resolutions before the IUCN were successfully adopted by the Assembly, which includes both member governments and hundreds of NGOs. She then spoke on the Congress and Pace's participation at Ocean University School of Law in Qingdao, China. She has been appointed co-chair of the ABA Section on Environment, Energy and Resources' Endangered Species Committee for 2012-13.

Director of International Strategic Initiatives Lisa Lancia chaired a panel entitled "Trends and Challenges in ABA-Approved Semester Abroad Programs" with colleagues from Stetson, Iowa and Notre Dame at the International Legal Education Conference at American's Washington College of Law in April.

Professor Franz Litz became the new Executive Director of the Pace Energy & Climate Center in August 2011. He headed climate change initiatives at the New York Department of Environmental Conservation from 2003 to 2007 and most recently was a senior fellow at the World Resources Institute in Washington, D.C. where he oversaw work in more than thirty states and provinces in North America, as well as the three regional multistate climate change programs. He serves as the primary facilitator for

the upcoming meeting of North America 2050—a partnership of 19 U.S. States and four Canadian provinces who are working together on clean energy and climate change policies.

Professor Thomas M. McDonnell authored a lengthy preface and updates to his book *THE UNITED STATES, INTERNATIONAL LAW AND THE STRUGGLE AGAINST TERRORISM* (Routledge, hard copy 2009; revised paperback ed. 2011). His article “Sow What You Reap? Using Predator and Reaper Drones to Carry Out Assassinations or Target Killing of Suspected Islamic Terrorists” has been accepted for publication by the *George Washington International Law Review*. He was quoted several times in the *New York Law Journal*’s “Special Edition on 9/11 and the Law.” He participated in a panel on “Fostering Collaboration in International Economic Law Through Web 2.0” as part of a meeting of the American Society of International Law International Economic Law Interest Group.

Professor and Immigration Justice Clinic Director Vanessa Merton was selected as the recipient of the 2012 Elmer Fried Excellence in Teaching Award sponsored by the American Immigration Lawyers Association. The award is made to “outstanding professors in the area of immigration law.” She received the award in June at the organization’s Annual Conference on Immigration Law in Nashville, Tennessee.

Professor Michael Mushlin spoke to the International Human Rights Committee of the New York City Bar Association in December on the subject of solitary confinement in the United States as a human rights issue. In March, he was featured in a Great Hall program at the New York City Bar entitled “‘Supermax’ Confinement in U.S. Prisons: A Necessary Practice or Torture?”

Professor John R. Nolon authored the eighth edition of his casebook, *LAND USE AND SUSTAINABLE DEVELOPMENT LAW*. Part II of the new edition contains in-depth material on the history and evolution of sustainable development law at the international, national, and state level. It concentrates on municipal strategies that achieve sustainable development including sustainable building, smart growth, affordable housing and urban revitalization (including eminent domain), local environmental law and enhancing sequestration through open space preservation. With this new part, the book can be used for an advanced course or seminar on sustainable development law around the world. His paper, “Land Use for Energy Conservation and Sustainable Development: A New Path Toward Climate Change Mitigation,” was listed on SSRN’s Top Ten recent-download list for: SRPN: Energy Politics (Topic), SRPN: Land Use (Topic), SRPN: Sustainable Development (Topic) and Socially Responsible Investment eJournal.

Dean Emeritus Richard Ottinger submitted a paper to UN Department of Economic and Social Affairs (UNDESA) for publication at Rio+20, and to the International Renewable Energy Agency (IRENA), which provides case studies and analyzes renewable energy programs from China, Brazil, Morocco, Indonesia, and India. He is currently writing a paper on renewable energy programs in Dominica, Turkey, and Kenya. He is also currently writing an essay for the University of Adelaide as a tribute to retiring Professor Adrian Bradbrook for his contributions to the law of energy for sustainable development.

Professor Ann Powers gave a presentation on major coastal and ocean issues to the Roger Williams University School of Law Maritime Law Society in December. She gave a presentation entitled “From New Orleans to Nauru: Coasts and the Climate Debate” at the Louisiana Law Review’s 2012 symposium Coastal Land Loss in the Gulf Coast and Beyond. She also represented the International Council of Environmental Law (ICEL) at the Second Intersessional Meeting of the Rio+20 process at the UN.

Professor Powers was appointed by the Bonn-based ICEL as its Representative to the UN in New York. In that capacity, she reports on UN environmental meetings for the Council's bimonthly publication, ENVIRONMENTAL POLICY AND LAW: THE JOURNAL FOR DECISION MAKERS. This spring, with her students in the UN Environmental Diplomacy Practicum course, she participated in extensive preparatory committee meetings and other planning sessions for the then upcoming Rio+20 conference, the UN Conference on Sustainable Development and side events, which took place in Rio de Janeiro, Brazil in July. She then represented the ABA and ICEL at Rio+20. She was appointed as the ABA Section of Environment, Energy and Resources' (SEER) Liaison to the Law Academy of the International Union for the Conservation of Nature (IUCN) and will serve on ABA SEER's Special Committee on Environmental Rights & Justice. Professor Powers participated in a number of ocean-related events and welcomed participants in the "Legal Frameworks for Sustainable Development" colloquium at the Getulio Vargas Foundation Law School in Brazil, which was co-sponsored by Pace Law School. **Professor David Cassuto** and Pace alumnus Professor Romulo Sampaio were the colloquium's co-conveners. In July, at the IUCN Academy of Environmental Law at the University of Maryland in Baltimore, she spoke at a climate change panel on "Teaching the Art of Environmental Diplomacy." Her Environmental Diplomacy course, co-taught by **Ambassador Robert van Lierop**, was lauded by former Environmental Program director Alex Dunn in a letter to the editor in the May issue of the ABA Journal. Dunn wrote to comment on an article "Washed Away," describing the plight of small island nations affected by climate change and quoting Pace Law alumnus Caleb Christopher, Legal Advisor to the UN Mission of the Marshall Islands.

University Professor and Gilbert and Sarah Kerlin Professor Professor Nicholas Robinson authored: "Beyond Sustainability: Environmental Management for the Anthropocene Epoch," J. PUB. AFFAIRS 12(3) (2012); "Reflecting on Measured Deliberations," 42 ENVTL. L. & POL'Y 219 (2012); "Reflecting on Rio: Environmental Law in the Coming Decades," in J. Benidickson et al., eds., ENVIRONMENTAL LAW AND SUSTAINABILITY AFTER RIO (2011); "The Effectiveness of International Environmental Law," in A. Postiglione, ed., GLOBAL ENVIRONMENTAL GOVERNANCE (2011). He provided keynote addresses on: "Foundations for Sustainable Development in Urban Asia" at the 10th Anniversary Conference of the Masters of Environmental Management Degree, National University of Singapore; "Evolved Principles: Norms for the Anthropocene Epoch" at the University of Tennessee Animals, Ethics & Law Symposium; and "A Canon for the Anthropocene" at the University of Oslo Rule of Law for Nature conference. He spoke on "Climate Change and REDD" at the ASEAN Climate Change conference; "Environmental Management: Challenge for the Next Decade," "International Environmental Law," and "Sustainable Environmental Management in Urban Asia" at the National University Singapore; "Where Will They Go? The International Impact of Climate Displacement" at New York Law School's Justice Speaks Program; and "Facing New Realities" at SUNY Buffalo Law School's Beyond Jurisdiction: Wetlands Policy for the Next Generation conference. He chaired the plenary panel "20 Years After Rio: Why We Are Not There Yet?" at the US/Canada Citizens' Summit for Sustainable Development, Yale School of Forestry & Environmental Studies. In July, at the International Union for the Conservation of Nature (IUCN) Academy of Environmental Law at the University of Maryland in Baltimore, Professor Robinson spoke at a plenary panel on "What Happened at Rio+20 and Where Do We Go from Here?" In September, he received one of the highest honors of the IUCN at its World Conservation Congress in Jeju, South Korea in recognition of his extraordinary contributions to IUCN and to the environment.

Director of the Institute for International Commercial Law Vikki Rogers and Professor Marie Newman will be presenting at the conference on International Sales Law Conference: Global Challenge of International Sales Law at the University of Florida in November. The conference papers will be published by Cambridge University Press. Professor Rogers was invited to speak at the upcoming ABA conference on Dispute Resolution to be held in Washington, D.C. and the conference on International Law to be held in New York regarding her work on Online Dispute Resolution (ODR). Professor Rogers was also invited to write the chapter on International Sales Law for the American Society of International Law's Benchbook on International Law (its primary audience to be U.S. District Court Judges). She was interviewed on her work on ODR for the JAMS magazine.

Professor and Faculty Executive Director of Institute for International Commercial Law Darren Rosenblum authored "After Gender?: Examining International Justice Enterprises: An Introduction," 31 PACE L. REV. 799 (2011). He appeared with European corporate law scholars on a panel at Centre Sorbonne Finance of the Institut de Recherche Juridique de la Sorbonne in Paris in October. His talk, "la Contradiction du Pouvoir des Accionaires," addressed issues of shareholders' voting rights in the U.S. context. He also spoke on "Multidimensionality and LGBT Rights Movements" as one of the headline events at Leiden University's diversity week in the Netherlands. He was accepted as a participant in the June 2012 Workshop on Global Law and Economic Policy at the Harvard Institute for Global Law and Policy, a six-day intensive residential program designed for doctoral and post-doctoral scholars and junior faculty to promote innovative ideas and alternative approaches to issues of global law, economic policy, and social justice in the aftermath of the economic crisis. Professor Rosenblum and his co-author presented their work on "Toward a European Legal Culture" at a conference in September at Cambridge University Judge Business School.

Assistant Dean and Director of Graduate Programs Mark Shulman authored "Support and Defend: Civil-Military Actions in the Age of Obama," 35 FORDHAM INT'L L.J. 409 (2012) and "Making Progress: How Eric Bergsten and the Vis Moot Advance the Enterprise of Universal Peace," 24 PACE INT'L L. REV. 1 (2012). In September, he served as a respondent to papers presented at the St. John's Center for International and Comparative Law New York Research Roundtable. He gave a presentation on the "Implications of Climate Change for International Peace and Security" at Ajou University's symposium on Climate Change and International Law in Suwon, South Korea.

Adjunct Professor Robert F. Van Lierop, a partner at the New York law firm McLaughlin & Stern, LLP, was recently named a Special Envoy for the Republic of Suriname and elected a Vice President for the Conference of the Parties of the UN Framework Convention on Climate Change, which he previously helped negotiate as the Ambassador/Permanent Representative of the Republic of Vanuatu, and Chair of the Alliance of Small Island States (AOSIS).

Pace Judicial Scholar Merideth Wright, retired Vermont Environmental Court Judge and expert on international environmental courts and tribunals, taught a new course in Comparative Environmental Adjudication at Pace. She co-led a workshop with **Professor Elizabeth Burleson** on Specialized Courts and Tribunals entitled "[Re]claiming Accountability" at Yale Law School's New Directions in Environmental Law conference in February.