SYMPOSIUM ON THE IDENTITY AND FUTURE OF HUMAN RIGHTS

Honoring Dinah Shelton
SYMPOSIUM ON THE
IDENTITY AND FUTURE
OF HUMAN RIGHTS

Honoring Dinah Shelton

Agenda

9:00 a.m. - 9:30 a.m.  Registration and Breakfast

9:30 a.m. - 9:45 a.m.  Welcome Remarks
  Blake D. Morant, Dean and Robert Kramer Research Professor of Law, George Washington University Law School

9:45 a.m. - 11:15 a.m.  Session I: Human Rights Treaties and Systems Broadly
  Philip Alston, John Norton Pomeroy Professor of Law, New York University School of Law
  Marc Bossuyt, Emeritus Professor, University of Antwerp; Emeritus President, Constitutional Court of Belgium
  Paolo Carozza, Professor of Law, Concurrent Professor of Political Science, and Director of the Kellogg Institute for International Studies, University of Notre Dame
  Hurst Hannum, Professor of International Law, Fletcher School of Law and Diplomacy, Tufts University
  MODERATOR: Sean D. Murphy, Patricia Roberts Harris Research Professor of Law, George Washington University Law School

11:15 a.m. - 12:45 p.m.  Lunch and Reflection by Dinah Shelton on her Career
  Dinah Shelton, Manatt/Ahn Professor Emeritus of International Law, George Washington University Law School
  MODERATOR: Susan L. Karamanian, Associate Dean for International and Comparative Legal Studies and Burnett Family Professorial Lecturer in International and Comparative Law and Policy, George Washington University Law School

12:45 p.m. - 1:00 p.m.  Coffee
THE MODERN HUMAN RIGHTS PROJECT began with the passage of the Universal Declaration of Human Rights and two covenants, one on Civil and Political Rights and the second on Economic, Social, and Cultural Rights. Thereafter, special treaties came into effect that protected specific groups, such as racial minorities, women, migrants, and others. Are these special treaties simply a reflection of special interest politics that undermine the notion of universal human rights, or do they reinforce universal norms? How much do these treaties call for accommodation or exemptions from otherwise applicable laws? Are regional systems part of the subdivision of human rights to reflect regional identity, or do they provide effective means to enforce global standards?

1-2:30 p.m. **Session II: Human Rights Treaties and Systems Specifically**

*S. James Anaya*, Regents Professor and James J. Lenoir Professor of Human Rights Law and Policy, University of Arizona James E. Rogers College of Law  
*Péter Kovács*, Judge, International Criminal Court  
*Michael O’Boyle*, Former Deputy Registrar, European Court of Human Rights  
*Thérèse O’Donnell*, Reader in Law, University of Strathclyde  
**MODERATOR:** *Edward T. Swaine*, Professor of Law, George Washington University Law School

2:30-2:45 p.m. **Tea Break**

2:45-4 p.m. **Session III: Roundtable Q&A**

*Christina Cerna*, Adjunct Professor, Georgetown University Law Center; former Principal Specialist, Inter-American Commission on Human Rights  
*Kelly Fry*, Associate Legal Advisor, Human Rights Law Section, U.S. Department of Homeland Security  
*Carlos Vázquez*, Professor of Law, Georgetown University Law Center  
*Ruth Wedgwood*, Edward B. Burling Professor of International Law and Diplomacy and Director of the International Law and Organizations Program, Johns Hopkins School of Advanced International Studies  
**MODERATOR:** *Laura A. Dickinson*, Oswald Symister Colclough Research Professor of Law, George Washington University Law School

4-4:30 p.m. **Concluding Remarks**

*Ralph G. Steinhardt*, Professor of Law and International Affairs and Arthur Selwyn Miller Research Professor of Law, George Washington University Law School

4:30 p.m. **Reception**
Honoree

Dinah Shelton  
Manatt/Ahn Professor of International Law  
Emeritus, George Washington University Law School

Dinah L. Shelton joined the GW Law faculty in 2004. Before her appointment, she was Professor of International Law and Director of the Doctoral Program in International Human Rights Law at the University of Notre Dame Law School from 1996 to 2004. She previously taught at Santa Clara University and was a Visiting Lecturer at the University of California, Davis; Stanford University; University of California, Berkeley; the University of Paris; and the University of Strasbourg, France. From 1987 to 1989, she was the Director of the Office of Staff Attorneys at the U.S. Court of Appeals for the Ninth Circuit. Professor Shelton received both BA and JD degrees from the University of California, Berkeley.

Professor Shelton is the author or editor of three prize-winning books: Protecting Human Rights in the Americas (winner of the 1982 Inter-American Bar Association Book Prize and co-authored with Thomas Buergenthal); Remedies in International Human Rights Law (awarded the 2000 Certificate of Merit, American Society of International Law); and the three-volume Encyclopedia of Genocide and Crimes Against Humanity (awarded a Best Research Book award by the New York Public Library). She also is the author of many articles and books on international law, human rights law, and international environmental law. She was a member of the Board of Editors of the American Journal of International Law and is now an honorary Editor of the Journal. In addition, she was a Vice President of the American Society of International Law.

Professor Shelton has served on the boards of many human rights and environmental organizations. In 2006, she was awarded the prestigious Elizabeth Haub Prize in Environmental Law. In 2013, she received the American Society of International Law's Goler T. Butcher Medal for “outstanding contributions to the development or effective realization of international human rights law.” She was a legal consultant to the U.N. Environment Programme, U.N. Institute for Training and Research, World Health Organization, European Union, Council of Europe, and Organization of American States (OAS). In 2009, she became the first woman nominated by the United States to become a member of the Inter-American Commission on Human Rights, established by the OAS to promote and protect human rights in the Western Hemisphere. She served a four-year term, during which she went on to become President of the Commission.

Participants

Philip Alston  
John Norton Pomeroy Professor of Law, New York University School of Law

In addition to his position at NYU Law, Philip Alston is U.N. Special Rapporteur on extreme poverty and human rights. In 2014, he was a member of the U.N. Security Council established commission of inquiry on the Central African Republic. He was Special Rapporteur on extrajudicial executions (2004-10), as well as Chairperson of the U.N. Committee on Economic, Social, and Cultural Rights (1991-98). He has taught at various law schools around the world, including the Fletcher School of Law and Diplomacy, Harvard Law School, Australian National University, and the European University Institute.

S. James Anaya  
Regents Professor and James J. Lenoir Professor of Human Rights Law and Policy, University of Arizona James E. Rogers College of Law

James Anaya teaches and writes in the areas of international human rights, constitutional law, and issues concerning indigenous peoples. He was on the law faculty at the University of Iowa (1988-99) and has been a Visiting Professor at Harvard Law School, the University of Toronto, and the University of Tulsa. Before becoming a full-time law professor, he practiced law in Albuquerque, New Mexico, representing Native American peoples and other minority groups. He was the U.N. Special Rapporteur on the Rights of Indigenous Peoples (2008-14), in which he monitored the human rights conditions of indigenous peoples worldwide, addressed situations in which their rights were being violated, and promoted practical measures to secure indigenous peoples’ rights, travelling frequently to meet with government officials and visit indigenous communities. His publications include Indigenous Peoples in International Law (Oxford Univ. Press (1996); 2d ed. (2004)) and International Human Rights: Problems of Law, Policy and Process (Wolters/ Kluwer, 6th ed. 2011) (with Hurst Hannum and Dinah Shelton). He has participated in the drafting of the U.N. Declaration on the Rights of Indigenous Peoples and was the lead counsel for the indigenous parties in the case of Awas Tingni v. Nicaragua, in which the Inter-American Court of Human Rights for the first time upheld indigenous land rights as a matter of international law.

Marc Bossuyt  
Emeritus Professor, University of Antwerp; Emeritus President, Constitutional Court of Belgium

Marc Bossuyt served as a Judge (1997-2007) and President (2007-14) of the Constitutional Court of Belgium. Most recently, he was a Visiting Professor at the College of Law of the National Taiwan University in Taipei (2015-16) and a fellow at the Stellenbosch Institute for Advanced Study (ST AeIS) (2014; 2016). At the United Nations, he has held numerous positions including (honorary) Commissioner-General for Refugees and Stateless Persons, Chairman of the U.N. Commission on Human Rights, and Chairman of the U.N. Sub-Commission on the Elimination of Racial Discrimination. He was a Professor of International Law and International Organizations at the
University of Antwerp (1977-2007). Additionally, he has been a Visiting Professor at the School of Law of the Santa Clara University, the Faculties of Law of the University of Burundi, and the National University of Rwanda.

Paolo Carozza  
**Professor of Law, Concurrent Professor of Political Science, and Director of the Kellogg Institute for International Studies, University of Notre Dame**

Paolo Carozza’s expertise is in comparative law, human rights, and international law, and his extensive writings in these areas have been published in Europe, Latin America, and the United States. He was a member of the Inter-American Commission on Human Rights (2006-10) and served as its President (2008-09). At Notre Dame, he is the Director of the Kellogg Institute for International Studies, an interdisciplinary, university-wide institute focusing primarily on the themes of democracy and human development. In the law school, he has been Director of the Center for Civil and Human Rights and continues to direct its JSD program in international human rights law. He is also a fellow of the Kroc Institute for International Peace Studies and of the Nanovic Institute for European Studies. Professor Carozza earned both AB and JD degrees from Harvard and pursued graduate studies at Cambridge University and at Harvard Law School as a Ford Foundation Fellow in Public International Law. After law school, he was a judicial clerk at the Supreme Court of the Federated States of Micronesia and an associate at Arnold & Porter.

Christina Cerna  
**Adjunct Professor, Georgetown University Law Center; former Principal Human Specialist, Inter-American Commission on Human Rights**

In 2011, Christina Cerna retired as Principal Human Rights Specialist at the Inter-American Commission on Human Rights (IACHR) with the OAS after 33 years of service. Since 2005, she has been an Adjunct Professor of Law at Georgetown University Law Center. She is active in the American Society of International Law and the American Branch of the International Law Association (ILA) and chairs ILA’s International Human Rights Law Committee. She has been on the Advisory Board of International Legal Materials since 1996. Since 2007, she has been a consultant to ASEAN regarding the creation of a human rights mechanism in South East Asia and an ASEAN human rights declaration. She has written widely on international human rights law and has been published in journals throughout the world. She received a BA from New York University, MA as a Fulbright scholar from Ludwig-Maximilians Universität, JD from American University, and LLM from Columbia University.

Laura A. Dickinson  
**Oswald Symister Colclough Research Professor of Law, George Washington University Law School**

Laura A. Dickinson joined GW Law in 2011 as the Oswald Symister Colclough Research Professor of Law. Previously, she was the Foundation Professor of Law and the Faculty Director of the Center for Law and Global Affairs at the Sandra Day O’Connor College of Law at Arizona State University (ASU). Her work focuses on human rights, national security, foreign affairs privatization, and qualitative empirical approaches to international law. Prior to her position at ASU, Professor Dickinson was on the faculty of the University of Connecticut School of Law (2001-08), and she was a Visiting Research Scholar and Visiting Professor in the Law and Public Affairs Program at Princeton University (2006-07). She served as a Senior Policy Adviser to Harold Hongju Koh, Assistant Secretary of State for Democracy, Human Rights, and Labor at the U.S. Department of State and is a former law clerk to U.S. Supreme Court Justices Harry A. Blackmun and Stephen G. Breyer and to Judge Dorothy Nelson of the U.S. Court of Appeals for the Ninth Circuit. She is a Future of War Fellow with the New America Foundation’s International Security Program. She has been a member of the Executive Council of the American Society of International Law and co-organizer of a Collaborative Research Network on Empirical Approaches to International Human Rights Law, convened under the auspices of the Law and Society Association.

Kelly Fry  
**Associate Legal Advisor, Human Rights Law Section, U.S. Department of Homeland Security**

Kelly Fry joined the Human Rights Law Section (HRLS) at U.S. Immigration and Customs Enforcement (ICE) in 2008, after working with ICE’s Enforcement Law Division and serving as an Attorney Advisor with the DHS Office of the General Counsel. She specialized in Latin American human rights cases for more than six years before assuming responsibility for HRLS’s Middle East and Asia portfolio. In addition to her case work, she provides ICE and other U.S. government clients with counsel and subject matter expertise regarding human trafficking and atrocity prevention issues. Before joining ICE, Ms. Fry worked in Sarajevo as a Legal Associate with the Criminal Defense Support Section of the War Crimes Chamber for Bosnia and Herzegovina, and in Geneva as the Legal Liaison for the U.S. representative to the U.N. International Law Commission. As an original member of the Guantanamo Bay Military Commission Project, she provided legal expertise in support of the defense team for one of the Military Commission defendants. Ms. Fry graduated from Princeton University in 2002 with a degree in political science (focus in international relations). She received a JD cum laude from GW Law in 2005 and earned two certificates in international human rights law from Oxford University. She is a candidate for a master’s degree in international human rights law at Oxford, with an expected degree completion date in 2018.

Hurst Hannum  
**Professor of International Law, Fletcher School of Law and Diplomacy, Tufts University**

Hurst Hannum has taught courses on public international law, international human rights law, minority rights, international organizations, and nationalism and ethnicity. His focus is on human rights and its role in the international legal and political order, including, in particular, issues such as self-determination, minority rights, and conflict resolution. His scholarly work has been complemented by service as consultant/advisor to a number of intergovernmental and nongovernmental organizations, including the U.N. High Commissioner for Human Rights and Department of Political Affairs. He has been counsel in cases before European and Inter-American human rights bodies and is a member of the international Council of
Minority Rights Group International (London). A graduate of the University of California, Berkeley School of Law, he has taught at the University of Hong Kong, Central European University (Budapest), Harvard, American University, Georgia, and Virginia. Professor Hannum is the author or editor of numerous books and articles on international law and human rights, and his publication tentatively entitled “Reinventing Human Rights for the Twenty-First Century” is forthcoming in Human Rights Law Review later this year. He serves on editorial advisory boards of Human Rights Law Review and Human Rights Quarterly.

Susan L. Karamanian
Associate Dean for International and Comparative Legal Studies and Burnett Family Professorial Lecturer in International and Comparative Law and Policy, George Washington University Law School

Susan Karamanian joined GW Law in 2000 after a 14-year career at Locke Lord LLP in Dallas, where she litigated commercial disputes and maintained an active pro bono docket on behalf of inmates on Texas death row. She has held leadership positions in the American Society of International Law, including Vice President (1996-98) and is a member of the boards of the Center for American and International Law and the Texas Appleseed Foundation and on the advisory boards of the Kuwait International Law School and Karamah. In 2009, she was President of the Washington Foreign Law Society. A Rhodes Scholar, she has served on the board of the Association of American Rhodes Scholars. She is a member of the Council on Foreign Relations and the American Council on Germany and a fellow of the American Bar Foundation and the Texas Bar Foundation.

Péter Kovács
Judge, International Criminal Court

After graduating from the Law School of the Attila József University (Szeged), Judge Péter Kovács pursued postgraduate studies in France (Nancy, Centre Européen Universitaire). After his return to Hungary, he began his academic career, first as a Lecturer at the University of Miskolc and then as head of the Department of International Law in Miskolc and, in Budapest, at the Péter Pázmány Catholic University. He holds a PhD dr. habil and DSc. He also served as a diplomat at the Hungarian Embassy in Paris (1990-94) and was head of the department of Human Rights & Minority Law at the Ministry of Foreign Affairs (1998-99). As a governmental expert, he participated in the drafting of the European Charter of Regional or Minority Languages and the framework convention for the Protection of National Minorities, both elaborated under the auspices of the Council of Europe. He was Judge of the Hungarian Constitutional Court (2005-14). He is the author of international law manuals, books, and articles on minority protection, human rights, international humanitarian law, and comparative international jurisprudence. He is a member of the Société Française pour le Droit International, the International Law Association, and the Institut International des Droits de l’Homme. He lectured as a Visiting Professor at several universities in France (Paris II, Paris XI, Nantes, Montpellier), Germany (Regensburg) and the United States (Denver). He was decorated with the Ordre National du Mérite of the French Republic.

Blake D. Morant
Dean and Robert Kramer Research Professor of Law, George Washington University Law School

Blake D. Morant assumed the GW Law deanship on September 1, 2014, after having served seven years as Dean of the Wake Forest University School of Law. He has taught at several law schools and has been a visiting fellow of University College, Oxford. Before becoming a legal academic, he was in the Army’s Judge Advocate General Corps, was a senior associate with a Washington, D.C., law firm, and an Assistant General Counsel for the Washington Metropolitan Area Transit Authority. Dean Morant has published extensively in the areas of contract theory, media law, and administrative law. He was President of the Association of American Law Schools in 2015. He was appointed to the Federal Judicial Center Foundation Board by U.S. Supreme Court Chief Justice John G. Roberts and by the Virginia Supreme Court to serve on a task force to study gender bias in the Virginia courts. Among his many professional honors, Dean Morant was named the John R. Kramer Outstanding Law Dean by Equal Justice Works and was twice recognized by National Jurist magazine as one of the most influential people in legal education.

Sean D. Murphy
Patricia Roberts Harris Research Professor of Law, George Washington University Law School

Sean D. Murphy teaches, writes, and practices in the fields of public international law and U.S. foreign relations law. Before joining GW Law in 1998, he was legal counsel at the U.S. Embassy in The Hague, arguing before the International Court of Justice and representing the U.S. government in matters before the International Criminal Tribunal for the former Yugoslavia, the Permanent Court of Arbitration, and The Hague Conference on Private International Law. He also served as U.S. agent to the Iran-U.S. Claims Tribunal. Between 1987 and 1995, he served in the U.S. Department of State Office of the Legal Adviser. Since leaving the government, Professor Murphy has represented countries in international courts and tribunals, including Ethiopia, Kosovo, Macedonia, Suriname, and the United States. In 2011, the U.N. General Assembly elected Professor Murphy a member of the U.N. International Law Commission (2012-17). He is the Special Rapporteur on Crimes against Humanity. In 2015, U.S. Secretary of State John Kerry nominated him for reelection to the ILC.

Michael O’Boyle
Former Deputy Registrar, European Court of Human Rights

Michael O’Boyle was Deputy Registrar of the European Court of Human Rights (2006-15). He has worked in different legal capacities within the human rights institutions in Strasbourg since 1977. He was educated at Queen’s University, Belfast; Harvard Law School; and the International Institute of Human Rights, Strasbourg (Diploma in the International and Comparative Law of Human Rights). He is a Barrister-at-Law and former Lecturer in Public Law, Faculty of Law, Queen’s University. He is co-author of The Law of the European Convention on Human Rights (Butterworths, 1995) (with Professors Harris, Bates and Buckley), the third edition of which was published by Oxford University Press in 2014. He received an honorary Bencher of the Inn of Court of Northern Ireland.
Thérèse O’Donnell  
*Reader in Law, University of Strathclyde*

Thérèse O’Donnell specializes in public international law and human rights law. She has published and presented papers on diverse issues in both areas, notably in the areas of economic sanctions, terrorism, and security and transitional justice. More recently, she has been researching in the area of natural disasters, particularly focusing on the current ILC drafting project and its impact on sovereignty. She has produced a number of articles regarding a disaster-affected state’s right to refuse aid, duties of co-operation, and whether there is (or should be) a legal duty to offer to provide assistance. As well as sitting on a number of editorial boards, Professor O’Donnell is a member of the Advisory Panel on Public International Law of the British Institute of International and Comparative Law.

Ralph G. Steinhardt  
*Professor of Law and International Affairs and Arthur Selwyn Miller Research Professor of Law, George Washington University Law School*

Ralph G. Steinhardt specializes in international law, human rights, conflict of laws, international civil litigation, and international business transactions. His research and advocacy concern the human rights obligations of multinational corporations. He was the only U.S. citizen on the Expert Legal Panel on that subject under the auspices of the International Commission of Jurists. He also serves on the Board of Editors of the Oxford University Press project on international law in domestic courts. He has written books and articles on the application of international law in U.S. courts, statutory construction, international trade law, jurisprudence, and human rights. He served as counsel to the U.N. High Commissioner for Refugees, Amnesty International, Human Rights Watch, and the International Human Rights Law Group, as well as to individuals alleging violations of international human rights law. He also has served as Chairman of the Board of the Center for Justice and Accountability in San Francisco, an anti-impunity organization established by Amnesty International in 1998.

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

Edward T. Swaine teaches and writes in the areas of international law, foreign relations law, international antitrust, and contracts. He joined the GW Law faculty in 2006, after serving as the Counselor on International Law at the U.S. Department of State. At GW Law, Professor Swaine has served as the Senior Associate Dean for Academic Affairs and Director of the Competition Law Center. Previously, he was Associate Professor (with tenure) at the Wharton School, with a secondary appointment at the University of Pennsylvania Law School. Before entering academia, he practiced law at the Brussels office of Cleary, Gottlieb, Steen and Hamilton, where his work focused on European Community law and antitrust, and he served as a member of the civil appellate staff at the U.S. Department of Justice. He is co-author of *Foreign Relations and National Security Law: Cases, Materials and Simulations* (4th ed., 2011) (with Franck, Glennon, and Murphy), has published numerous articles, and is a reporter for the American Law Institute’s Restatement of the Law (Fourth), Foreign Relations Law of the United States.

Carlos Vázquez  
*Professor of Law, Georgetown University Law Center*

After graduating from Columbia Law School, where he was Articles and Book Reviews Editor of the *Columbia Law Review*, Carlos Vázquez served as a law clerk to the Honorable Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit. He then practiced law with Covington & Burling, before joining the faculty of the Georgetown University Law Center as a Visiting Professor of Law in 1990, and then as an Associate Professor in 1991. He was a member of the Inter-American Juridical Committee (2000-03) and a member of the U.N. Committee for the Elimination of Racial Discrimination (2012-16). He is a member of the Board of Editors of the *American Journal of International Law* and an adviser to the American Law Institute’s *Restatement of Foreign Relations Law* project. Professor Vázquez writes and teaches primarily in the areas of international law, constitutional law, and federal courts.

Ruth Wedgwood  
*Edward B. Burling Professor of International Law and Diplomacy and Director of the International Law and Organizations Program, Johns Hopkins School of Advanced International Studies*

Ruth Wedgwood was educated at Harvard College and Yale Law School, and clerked for Judge Henry J. Friendly, U.S. Court of Appeals for the Second Circuit, and Judge Harry Blackmun, U.S. Supreme Court. Subsequently, she served as Senior Counselor to the head of the Criminal Division of the U.S. Department of Justice, drafting the reformed FBI investigative and undercover guidelines and devising the trial procedures that became the Classified Information Procedures Act. As a federal prosecutor in the Southern District of New York, she also tried cases ranging from RICO landlord arson in the Bronx and Harlem to a Bulgarian nuclear spy. After her trial career, she became a Professor at Yale Law School, writing on international and constitutional law and American legal history. In 1993, she also served as the Director of the Council on Foreign Relations program on international law and was deeply involved in the debates on Bosnia, Rwanda, the International Criminal Courts for the former Yugoslavia and Rwanda, and the reform of U.N. peacekeeping. Subsequently, she was elected to the U.N. Human Rights Committee, serving two terms in Geneva and New York and meeting with diplomatic delegations to assess the human rights performance of member states. She also served on the U.S. delegation to the Organization for Security and Co-operation in Europe and the “Wehrkunde” Munich security conference delegation. She has been a Visiting Lecturer at the University of Paris (Sorbonne) and the Charles H. Stockton Professor at the U.S. Naval War College. A former Vice President of the American Society of International Law, she is currently President of the London-based International Law Association (founded in 1883), which will hold its global meeting in Johannesburg in August 2016, and is a member of the U.S. Secretary of State’s advisory committees on private and public international law.
Special Thanks

The George Washington University International Law Review would like to extend the sincerest thanks to the following individuals, without whom this event would not have been possible:

Ms. Gail Bell
Ms. Silena Davis
Professor Laura Dickinson
Ms. Natalie Fields
Ms. Jamie Freedman
Ms. Alicia Grant
GW ILR Members
GW ILR Editorial Board Volumes 48 and 49
GW ILR Symposium Committee Members
Ms. Carolyn Harris
Ms. Patricia Jackson
Associate Dean Susan Karamanian
Dean Blake Morant
Professor Sean Murphy
Associate Dean Scott Pagel
Professor Dinah Shelton
Professor Ralph Steinhardt
Professor Edward Swaine
Ms. Wanda Wilder

Sponsors