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## Annual Report of Center for International Law and Justice: 2013-2014

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## Annual Report of Center for International Law and Justice: 2013-2014

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September 15, 2014

This memorandum summarizes the program initiatives, student achievements, and faculty activities of the Center for International Law and Justice in the 2013-2014 academic year. The report also includes the initiatives and achievements of the Environment, Development & Justice Project within CILJ.

### I. Program Initiatives

#### International Human Rights Fellows

- Sabrina Collins, Tia Crosby, Megan Reid
- Completed research and writing projects for CILJ on international human rights issues

#### International Law Scholars Program

- The International Law Program (ILSP) is a specialized program designed for a select number of students interested in making a substantial commitment to the study and practice of international law and foreign affairs. Students that are selected for the program are required to attend a number of events, lectures, symposia, and conferences hosted by CILJ each academic year. ILSP students are assigned an affiliated faculty mentor that advises them on research opportunities, study abroad programs, international law internships, fellowships, and career opportunities. Six full-time faculty members serve as CILJ affiliated faculty.
- In the 2013-2014 academic year, 22 students were enrolled in the ILSP program.

#### International Law Track

- The International Law Track (ILT) is designed for students interested in receiving information on international law-related events and opportunities at the College of Law, but that are not interested in making a substantial commitment to the study and practice of international law and foreign affairs. ILT students receive information about upcoming events hosted by CILJ.
- In the 2013-2014 academic year, 52 students were enrolled in the ILT program.

#### International Law Theory Reading Group Lecture Series

- **Prof. Randall S. Abate**— Topic: *Climate Change Regulation: International Environmental Law's Greatest Challenge?*, Sept. 12, 2013

- **Prof. John Duncan**—Topic: *An Overview of National Security Law*, Oct. 17, 2013
- **Prof. Jeremy Levitt**—Topic: *The Black Origins of International Law: Myth or Reality?*, Jan. 27, 2014
- **Prof. Ronald Griffin**— Topic: *Physical Space and Cyberspace: The Reconfiguration of International Law*, Feb. 19, 2014
- **Prof. Nise Nekheba**—Topic: *Racial Subordination in Latin America*, Mar. 19, 2014

#### Symposium and Annual Lecture

- **The Fourth Environmental Law and Justice Symposium**, “Empowering Environmental Justice Communities Locally and Globally”, Nov. 7-8, 2013  
<http://law.famu.edu/go.cfm/do/Page.View/pid/239/t/2013-Environmental-Law-and-Justice-Symposium.html>
- **Fourth Annual Lecture on International Human Rights & Global Justice**, “Human Rights, Chinese Investments and Africa,” Professor Muna Ndulo, Cornell Law School, Mar. 20, 2014

#### Information Panels

- Perspectives on International Internships Panel – Sept.19, 2013
- Perspectives on Study Abroad Panel – Oct. 3, 2013
- Perspectives on Study Abroad Panel – Jan. 22, 2014
- Study Abroad Orientation – Apr. 2, 2014

## **II. Student Activities and Achievements**

#### Recipients of Certificate in International Human Rights and Global Justice Studies (May 2014)

- Stephon Woods
- Oneka Campbell
- Sabrina Collins
- Tia Crosby

#### International Law Internships (6 credits)

Kayann Chambers—NOAA International Program Office, Washington, D.C.

## Study Abroad

### Fall 2013

Monique Keels participated in Stetson University College of Law's fall semester study abroad program in London

### Summer 2014

Five students were approved to take courses in summer study abroad programs in Italy, England, Belgium, Switzerland, and France.

### Winter Intersession (Dec. 2014-Jan. 2015)

Eight students have been approved to participate in Stetson University College of Law's winter intersession study abroad program in the Cayman Islands.

## Published Student Authors on International and Environmental Law Topics

- Tia Crosby, *Unquenched Thirst: The Need for a Constitutionally Recognized Right to Water in Ghana*, 4 J. SUSTAINABLE DEV'T L. & POL'Y (Afe Babalola University, Nigeria) (forthcoming Fall 2014).
- Rana Balesh, *Submerging Islands: Tuvalu and Kiribati as Case Studies Illustrating the Need for a Climate Refugee Treaty*, 5 ENVTL. & EARTH L.J. (Barry Law School) (forthcoming Summer 2015)
- Cindy Campbell, "Give Them a Dam Break!" *Protecting the Ngäbe-Buglé Community of Panama with Clean Development Mechanism Safeguards to Promote Culturally Sensitive Development*, 3 AM. INDIAN L.J. 547 (2014), <http://www.law.seattleu.edu/Documents/ailj/Spring%202014/Campbell.pdf>
- Cynthia Vel, *Respecting the "Guardians of Nature": Chile's Violations of the Diaguita Indigenous Peoples' Environmental and Human Rights and the Need to Enforce Obligations to Obtain Free Prior, and Informed Consent*, 3 AM. INDIAN L.J. 641 (2014), <http://www.law.seattleu.edu/Documents/ailj/Spring%202014/Vel.pdf>
- Andrew Ballentine, *Full of Hot Air: Why the Atmospheric Trust Litigation Theory is an Unworkable Attempt to Expand the Public Trust Doctrine Beyond its Common Law Foundations*, 12 DARTMOUTH L.J. (forthcoming Fall 2014)
- Megan Reid, *Going Overboard: The Criminalization of Seafarers in Violation of Their Human Rights, Regional and Domestic Law's Conflict with UNCLOS and MARPOL, and the Need for Reform*, 22 CAL. INT'L L.J. (forthcoming Fall 2014)
- Royce Badger, *Procedural and Substantive Reform of the World Bank's Development Strategies to Promote Environmental Human Rights Protection in the Sahel Region of*

*Sub-Saharan Africa*, AFRICA LAW TODAY (publication of the ABA Section of International Law) (Winter 2014 issue), [http://www.americanbar.org/content/dam/aba/un categorized/international\\_law/reforming\\_the\\_wb\\_s\\_development\\_strategies\\_to\\_promote\\_environmental\\_human\\_rights\\_protection\\_in\\_the\\_sahel\\_region\\_of\\_sub\\_saharan\\_africa\\_royce\\_b\\_badger\\_jr\\_edited\\_authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/un categorized/international_law/reforming_the_wb_s_development_strategies_to_promote_environmental_human_rights_protection_in_the_sahel_region_of_sub_saharan_africa_royce_b_badger_jr_edited_authcheckdam.pdf)

- Stephan Krejci, *Is the Human Right to Water in Pennsylvania Fracked? An Analysis of the Pennsylvanian Right to Water in the Hydraulic Fracturing Context and a Proposal for Reform Based on French and Ontario Environmental Rights Statutes*, 8 APPALACHIAN NATURAL RESOURCES L.J. 175 (2014)
- Cynthia McGee, *Breaking Up Is Hard to Do: The Failure of U.S. Oil Dispersant Policy and Lessons to Be Learned from Australia and Norway*, 4 LAW OF THE SEA REPORTS (2014) (lead article) (online journal of the American Society of International Law)
- Sabrina Collins, *A Tale of Two Cities: The Need for Greater Federal Involvement to Ensure Proper Notification, Medical Monitoring and Treatment, and Successful Relocation for Tallevast, Florida and Other Environmental Justice Communities*, 4 ENVTL. & EARTH L.J. (Barry Law School) (forthcoming Fall 2014)

#### Writing Competition Winners

- Cindy Campbell and Cynthia Vel placed first and second, respectively, in the annual National Native American Law Students Association Writing Competition. A student from Yale Law School placed third in this prestigious competition. Ms. Campbell and Ms. Vel received cash prizes and their papers were published in the *American Indian Law Journal*. A press release with more information is available here: <http://law.famu.edu/go.cfm/do/Event.View/evid/146.html>
- Loren Vasquez placed second in the annual Dean Frank Maloney Environmental Law Writing Competition, sponsored by the Environmental and Land Use Law Section of the Florida Bar. A press release with more information is available here: <http://law.famu.edu/go.cfm/do/Event.View/evid/151.html>

#### Jessup International Law Moot Court Competition

- The FAMU team of Sabrina Collins, Ashley Rawlings, Royce Badger, Vanessa Calcano-Thomas, and Megan Reid was ranked in the **Top Ten Memorials** in the South Regional rounds of the 55<sup>th</sup> Annual Jessup International Law Moot Court Competition, which is the oldest and largest moot court competition in the world. The 2013-14 competition had 557 teams from 86 countries.
- Sabrina Collins was the **Best Oralist** in the team's argument round against South Texas School of Law, which is one of the top 16 moot court programs in the nation.

### NOAA-ECSC Fellows in Ocean and Coastal Law and Policy

- The NOAA-ECSC Fellows for the 2013-14 academic year were Cindi McGee, Cameryn Rivera, Loren Vasquez, and Kayann Chambers. Professor Abate and Professor Abrams serve as the co-advisors of the program. Prof. Dineen provides valuable assistance.
- The fellows conducted research and writing on ocean and coastal law and policy issues and delivered presentations at an annual conference of the consortium of the universities involved in this multi-year grant.
- Press releases describing Cindi McGee's success in the NOAA-ECSC program are available here:

NOAA International Program Internship

<http://www.ecsc.famu.edu/newspress-releases/cindi-mcgee-famu-law-partic.html>

Published Article

<http://www.ecsc.famu.edu/newspress-releases/congratulations-to-cynthia.html>

### **III. Alumni News**

#### Job Placements in International Law and Policy

- Victoria Orero, U.S. Department of State, Washington, D.C.

#### These FAMU graduates have completed or are working on LL.M. Degrees in 2014

- Mfon Etukeren - LL.M. in International Taxation, Northwestern University
- Akunna Olumba - LL.M. in International Taxation, University of Florida
- Michael Harrison – LL.M. in Energy and Environmental Law, Univ. of Houston

### **IV. Faculty Activities in the 2013-2014 Academic Year**

*Prof. Randall S. Abate*

## Books

- WHAT CAN ANIMAL LAW LEARN FROM ENVIRONMENTAL LAW? (Environmental Law Institute Press, forthcoming Nov. 2015)
- CLIMATE CHANGE IMPACTS ON OCEAN AND COASTAL LAW: U.S. AND INTERNATIONAL PERSPECTIVES (Oxford University Press, forthcoming Nov. 2014) <http://global.oup.com/academic/product/climate-change-impacts-on-ocean-and-coastal-law-9780199368747?cc=us&lang=en&>

## Book Chapters

- *Climate Change Impacts on Ocean and Coastal Law: Scientific Realities and Legal Responses* (co-authored with Dr. Sarah Krejci) in CLIMATE CHANGE IMPACTS ON OCEAN AND COASTAL LAW: U.S. AND INTERNATIONAL PERSPECTIVES (Oxford University Press, forthcoming Nov. 2014)

## Presentations

- Panelist, *Atmospheric Trust Litigation: New Hope for Climate Justice?*, 3<sup>rd</sup> UNITAR-Yale Conference on Environmental Governance and Democracy, Yale Law School, Sept. 5-7, 2014
- Panelist, *Compensation for Climate Loss and Damage: The Challenge of Slow-Onset Events*, Environment and Human Rights Law Symposium, Santa Clara Law School, Jan. 24, 2014

## Summer Teaching

- China University of Political Science and Law, Beijing
  - Invited to teach in inaugural Summer Environmental Law Program
  - Taught two-credit *Climate Change Adaptation Law and Justice* course, July 14-Aug. 7, 2014

## ***Prof. Robert Abrams***

## Books

- LEGAL CONTROL OF WATER RESOURCES (5th ed. 2013) (co-authored with Barton Thompson, Jr. & John Leshy)

- 2014 Annual Update to ENVIRONMENTAL LAW AND POLICY: NATURE, LAW AND SOCIETY (Aspen Publishing Co., 4<sup>th</sup> ed. 2010) (co-authored with Zygmunt Plater, Robert Graham, Lisa Heinzerling, David Wirth & Noah Hall)

#### Speeches and Articles

- *Transboundary Water Allocation Risks of Compacts: Who Wins When Legal Rules Face Adaptive Challenges?*, 60 Rocky Mt. Min. L. Inst. 9-1 (2014)
- Presented that paper to the 60<sup>th</sup> Rocky Mountain Mineral Law Foundation, June 17, 2014, Vail, CO

#### Activities

- Contributing Editor, Preview of United States Supreme Court Cases, 1983-1997; 2002-present.
- Vice-Chair, American Bar Association, Section on Environment and Natural Resources, Water Resources Committee, 2013-2014 (also reappointed for 2014-2015)
- Life member, American Law Institute
- Member State Bar of Michigan

#### NOAA-ECSC Program

- NOAA-ECSC Program, Decision and Policy Tools, Focus Area Lead
- Presenter, NOAA-ECSC Program Core Competency Course, August 5-6, 2014, St. Teresa, FL

#### ***Prof. John Duncan***

#### Teaching

- Public International Law
- National Security Law

#### Activities



- 23rd Annual Review of the Field of National Security Law - ABA Standing Committee on National Security Law, DC Bar, and Georgetown Law (Participant)
- 4th Annual Seminar on Teaching National Security Law - UVA Law School (Participant)
- "LAWshaping in National Security: The Past, the Progress, and the Path Ahead" - Duke Law School (Participant)
- 5th Annual Summer Conference on Indigenous Peoples
- Presentation to CILJ Student forum
- Judge and Advisor at Model United Nations for North Carolina Consortium of International and Intercultural Education (NCCIE), recognition as a superior judge
- United States Air Force Judge Advocate General's School Foundation – Board of Trustees Member
- Guest Speaker at Shaw University International Programs
- University of Oklahoma Overseas Programs, Participant
- Retired Air Force Colonel, Service in Special Operations and Judge Advocate General; worldwide assignments and intelligence oversight

***Prof. Nise Nekheba***

- In October 2013, the International Indian Treaty Council invited Prof. Nekheba to be a judge at a tribunal in which indigenous witnesses testified before the tribunal regarding the disparity of the administration of justice regarding Native Americans; cases of environmental injustice on Native American reservations; cases of cultural genocide in the 20th century regarding forced governmental “Indian” boarding schools; and Leonard Peltier's case.
- In summer 2014, Prof. Nekheba collaborated with the International Indian Treaty Council, the National Congress of American Indians, and Leonard Peltier's Defense Committee (for which she served as the Executive Chair). The Committee drafted a report regarding increased hate crimes against Native Americans, disparate sentencing of Native youths, and Leonard Peltier's case. This report was recently submitted to the U.N.'s Committee Against Racism (in August 2014).
- In June-July 2014, Prof. Nekheba received a writing residency award from the Blue Mountain Center. Each year, the Center holds an international competition for academics, artists, and writers and awards a few residencies at a resort in the Adirondacks. Prof. Nekheba worked on two law review articles during her residency.

