



### Upcoming Events



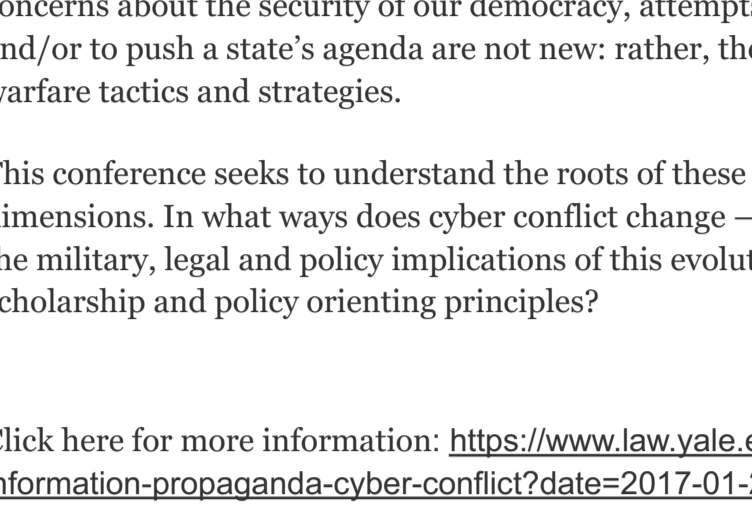
#### Dustin Lewis - Accountability for War Algorithms

Co-sponsored with ISP

When: January 17, 2017; 12:00p  
Where: Sterling Law Building; 128

In key respects, power and authority are increasingly expressed algorithmically. War is no exception. Militaries, for instance, are actively incorporating more and more forms of technical autonomy into weapons, logistics, and other systems. In a recent paper, Dustin and his co-authors have put forward the concept of "war algorithms." A war algorithm is defined as any algorithm that is expressed in computer code, that is effectuated through a constructed system, and that is capable of operating in relation to armed conflict. Through the war-algorithm lens, an attempt is made to link international law and related accountability architectures to relevant technologies. A three-part accountability approach is sketched: state responsibility under international law, individual responsibility for international crimes, and a broader notion of "scrutiny governance." While not exhaustive, the framework highlights traditional (think war reparations and war-crimes prosecutions) and unconventional (think normative design of technical architectures and self-regulation among technologists) accountability avenues.

Click here for more information: <http://isp.yale.edu/event/dustin-lewis>



#### Weaponizing Information: Propaganda to Cyber Conflict

Co-sponsored with ISP

When: January 24, 2017; 9a - 2p  
Where: Sterling Law Building (room TBD)

Information warfare is the use of information to delegitimize rivals and adversaries and/or to push a state's agenda. The "Weaponizing Information" conference, co-hosted by the Center for Global Legal Challenges and the Information Society Project, will bring together legal, policy, political science, and military experts to discuss the history and future trajectory of information warfare in the internet age. While foreign digital interference raises concerns about the security of our democracy, attempts to use information to delegitimize rivals and adversaries, and/or to push a state's agenda are not new; rather, they are modern iterations of long-standing information warfare tactics and strategies.

This conference seeks to understand the roots of these practices, as well as asks how today's technology adds new dimensions. In what ways does cyber conflict change – or reassert – existing information warfare norms? What are the military, legal and policy implications of this evolution? What existing precedents should inform new scholarship and policy orienting principles?

Click here for more information: <https://www.law.yale.edu/vls-today/yale-law-school-events/weaponizing-information-propaganda-cyber-conflict?date=2017-01-24T09%3A00%3A00-05%3A00>

#### Enabling National Security and Military Objectives Through Department of Defense Information Network (DoDIN) Operations and Defensive Cyberspace Operations (DCO) – a conversation with Major General Lori Reynolds and John Wilcox

When: January 31, 2017; 12n  
Where: Sterling Law Building - 128

Click here for bios:

#### CertiKOS – a Hacking-Resistant Operating System – a Conversation with Yale CS Professor Zhong Shao

When: February 7, 2017; 12n  
Where: Sterling Law Building - 128

A team of Yale researchers has unveiled CertiKOS, the world's first operating system that runs on multi-core processors and shields against cyber attacks, a milestone that the scientists say could lead to a new generation of reliable and secure systems software. Led by Zhong Shao, professor of computer science at Yale, the researchers developed an operating system that incorporates formal verification to ensure that a program performs precisely as its designers intended – a safeguard that could prevent the hacking of anything from home appliances and Internet of Things (IoT) devices to self-driving cars and digital currency.

Click here for bio: <http://seas.yale.edu/faculty-research/faculty-directory/zhong-shao>.

### In the News

#### Yale Cyber Leadership Forum Launches

The [Yale Cyber Leadership Forum](#) is a two-day program on March 30 and April 1, 2017, that will focus on bridging the divide between law, technology, and business in cybersecurity. Participants will examine how to better communicate across the divide to more effectively recognize, prepare for, and respond to the threats we all face. Enrollment is limited. Applications are being accepted and processed on a rolling basis. The deadline to apply is March 1, 2017.

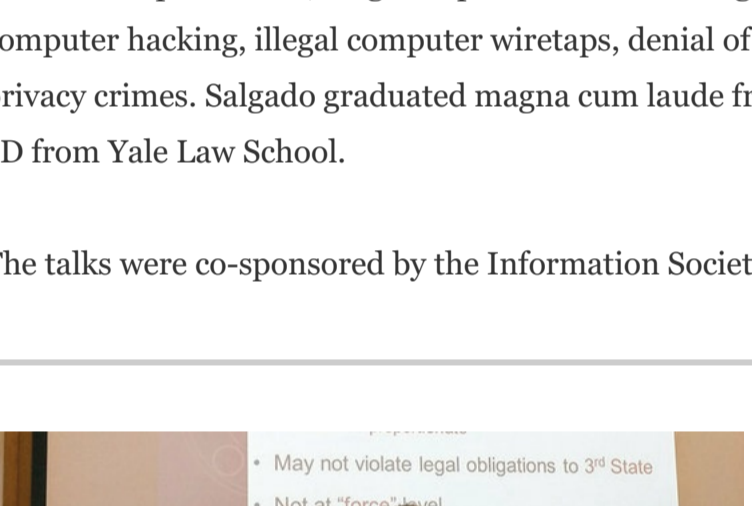
Click here for more information: <https://www.law.yale.edu/vls-today/news/yale-cyber-leadership-forum-launches>

#### Eric Chung '17 Publishes Note on Multilateral Treaties in Yale Law Journal

Herbet J. Hansell Student Fellow Eric Chung (YLS '17) wrote a note titled "The Judicial Enforceability and Legal Effects of Treaty Reservation, Understanding, and Declarations" in the October 2016 issue of the *Yale Law Journal*. Chung wrote the Note while participating in the Center for Global Legal Challenges student seminar as a Hansell Fellow. The Center aims to inject new ideas into legal policy debates and grow a new generation of lawyers with a sense of their capacity and responsibility to use international law, foreign affairs law, and national security law to address real challenges facing the nation.

Click here for more: <https://www.law.yale.edu/vls-today/news/eric-chung-17-publishes-note-multilateral-treaties-yale-law-journal>

[Link to paper](#)



#### Google's Salgado '89 Speaks on Data and Security

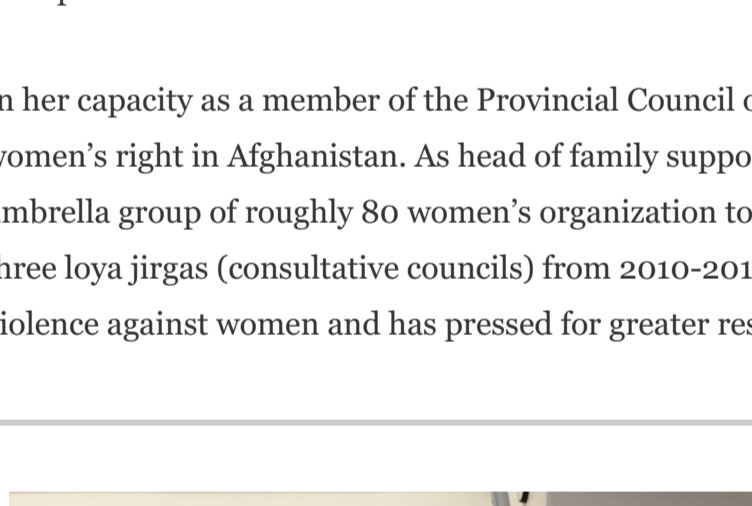
Google's Director for Information Security and Law Enforcement Matters Richard Salgado '89 joined YLS students over breakfast and lunch on Tuesday, November 8. At the breakfast meeting, students had an opportunity to hear Mr. Salgado's story, learn more about his career path, and seek advice for how to pursue a career that combines technology and law. Mr. Salgado offered advice on staying open to new opportunities, despite the pressure

in law school to plan years in advance.

During the lunchtime talk, Mr. Salgado dove into the substance of his work and discussed the efforts Google has undertaken to be more transparent with how they share user data, how they respond to warrants and requests for information, and how companies can balance a strong desire for privacy with an effort to cooperate with the government on uncovering threats to national security. He detailed Google's desire to publish more data about various government requests and talked through the most recent [Google Transparency Report](#).

Salgado has spent his career lecturing and working in the field of cybersecurity and currently serves as a legal lecturer on computer crime and on Internet business legal and policy issues at Stanford Law School. Prior to joining Google, he was with Yahoo!, focusing on international security and compliance work. He also served as senior counsel in the Computer Crime and Intellectual Property Section of the United States Department of Justice. As a federal prosecutor, Salgado specialized in investigating and prosecuting computer network cases, such as computer hacking, illegal computer wiretaps, denial of service attacks, malicious code, and other technology-driven privacy crimes. Salgado graduated magna cum laude from the University of New Mexico and in 1989 received his JD from Yale Law School.

The talks were co-sponsored by the Information Society Project, and TechSoc.



#### Prof. Schmitt Discusses Tallinn Manual

On Tuesday November, 15, 2016, Professor Michael Schmitt visited Yale Law School, and the evening lecture talk to law students. Schmitt, one of the leading experts on cyber warfare and international law, talked about the upcoming Tallinn Manual ("Tallinn 2.0"), which is an effort to apply existing customary international law to cyber warfare. The Tallinn Manual is sponsored by NATO's Cooperative Cyber Defence Centre of Excellence, located in Estonia, and will replace the previous Tallinn Manual, by

providing a more comprehensive and broader framework.

The new Tallinn Manual, Schmitt explained, will deal with issues of sovereignty, non-intervention, law of the sea, diplomacy, espionage, and countermeasures, and their connection to cyberspace activities. Unlike the previous Manual, the new one will include experts from a broader set of countries, both members and non-members of NATO. Part of Schmitt's talk was dedicated to the question of whether data can qualify as a protected civilian object. According to Schmitt, this issue is among the most pressing ones in relation with cyber conflict, and the academic and military communities are deeply divided as to the characterization of civilian data in an armed conflict context, as leaving it unprotected may cause significant harms to individuals and organizations who rely on the availability and integrity of their data. Tallinn 2.0 is expected to be released in February 2017.

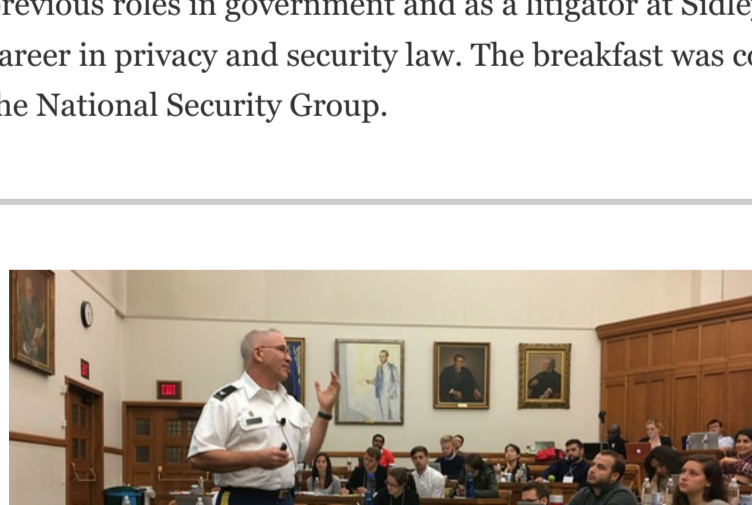
Prof. Schmitt's talk was co-sponsored by Information Society Project and TechSoc.



#### Fatema Jafari Talks on Women's Rights in Middle East

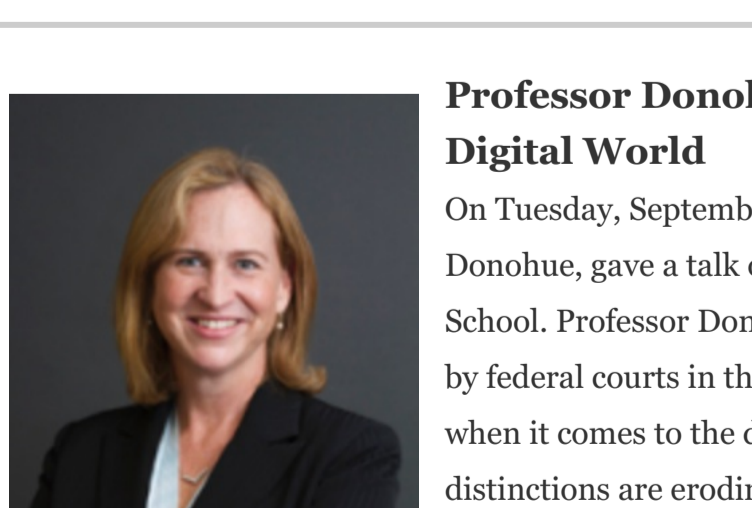
GLC and MENALSA co-sponsored a talk on "Women's Rights and Political Participation in the Middle East" on October 26. Fatema Jafari, Yale World Fellow and a woman's rights advocate and public official recently reelected as a member of the Provincial Council of Herat, spoke about the challenges she faced running for elected office, the guidance and help she received from US-led non-profit organizations based in Afghanistan, and her desire to use her education to encourage other women in Afghanistan to follow in her footsteps and get involved in local politics.

In her capacity as a member of the Provincial Council of Herat, Jafari serves on a number of committees related to women's rights in Afghanistan. As head of family support committee, she has also facilitated the creation of an umbrella group of roughly 80 women's organization to help coordinate their efforts. Previously she participated in three loya jirgas (consultative councils) from 2010-2013. She has worked on several advocacy campaigns opposing violence against women and has pressed for greater respect for women's right at the national level.



#### David Sanger Discusses Cyberwar

On October 17, David Sanger, the Pulitzer-Prize winning correspondent for the New York Times, led a discussion on cyberwar, hacking, and deterrence. Sanger made the case for greater government transparency in discussing cyber capabilities, arguing that public discussion of cyber conflict is badly needed. He also shed light on the process of reporting on cyber conflict, including his work in covering the Stuxnet attack on Iran.

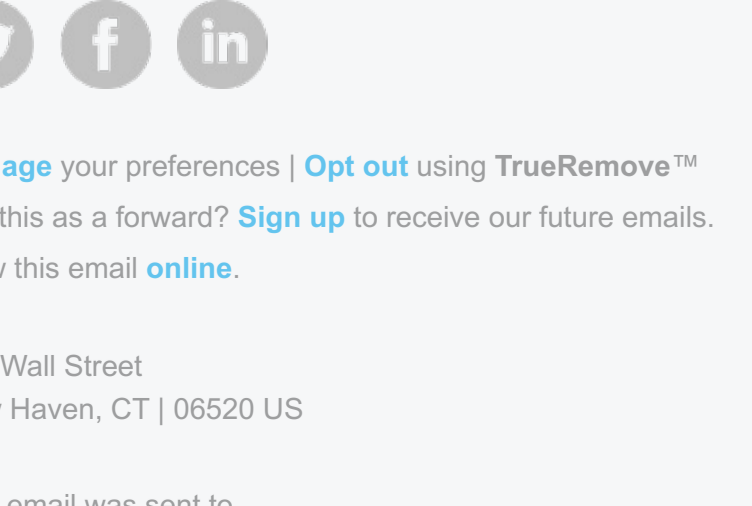


#### Yale-Duke Foreign Relations Law Roundtable Examines International Agreements

On Saturday, October 15, the Center for Global Legal Challenges at Yale Law School and the Center for International and Comparative Law at Duke Law School hosted the annual Yale-Duke Foreign Relations Law Roundtable. The roundtable brought together more than 20 of the country's leading scholars of foreign relations

law to address the future of international agreements.

The roundtable also featured keynote remarks on the continued importance of Senate-approved Article II treaties by Avril Haines, U.S. Deputy National Security Adviser, and Brian Egan, the Legal Adviser at the U.S. Department of State. Each participant in the off-the-record roundtable prepared a short paper on one of four topics: Article II treaties, executive agreements, non-binding political agreements, and the fragmentation of international cooperation. Among the questions raised were whether Senate-approved treaties are on the decline; if so, whether that is problematic for U.S. foreign relations or the development of international law; why such a trend may be occurring; and how Article II treaties compare to other types of international agreements. Participants discussed the Obama Administration's most prominent recent international agreements—the Iranian nuclear deal and the Paris Climate Change accord—neither of which was submitted to the Senate as a treaty.



#### Vivek Mohan Gives Talk On Privacy and Cybersecurity

On Tuesday, October 4 2016, Vivek Mohan, Privacy Counsel at Apple, gave a talk on the "Privacy and Cybersecurity: Legal Issues in Private Practice" at Yale Law School. Mohan discussed how U.S. law is often difficult to apply to new technologies, due mainly to outdated definitions and conceptions of communications. Mohan suggested that the Electronic Communications Privacy Act (ECPA) of 1986, which defines "electronic communication" in a manner inconsistent with today's technological world, is a perfect example of this. Mohan further explained that due to a disparity in the perception of the right to privacy between the EU and U.S., the EU has stopped transmitting sensitive information to the U.S. Mr. Mohan talked briefly about the *FBI v. Apple* dispute. He argued technology companies did a good job explaining to the public why privacy is important and why it should be protected at all costs. Mohan was speaking in his personal capacity, and not on behalf of Apple, Inc. The talk was co-sponsored by the Center for Global Legal Challenges and the Information Society Project.

Mr. Mohan also joined a small group of interested students to discuss his career development over breakfast on Tuesday, October 4. He discussed his current role at Apple Inc., talked about how his current job differs from his previous roles in government and as a litigator at Sidley Austin, and gave students advice on how to craft a legal career in privacy and security law. The breakfast was co-sponsored by the Center for Global Legal Challenges and the National Security Group.



#### YLS Hosts International Humanitarian Law Workshop

An International Humanitarian Law Workshop was held at Yale Law School on Friday, September 30, 2016 and Saturday, October 1, 2016. The two-day event was sponsored by The Center for Global Legal Challenges at Yale Law School and the International Committee of the Red Cross (ICRC).

Click here to read more: <https://www.law.yale.edu/vls-today/news/yls-hosts-international-humanitarian-law-workshop>



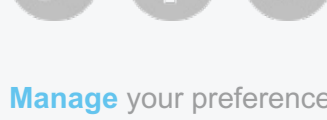
#### Professor Donohue Gives Talk on Fourth Amendment in a Digital World

On Tuesday, September 13, 2016, Georgetown University Professor of Law, Laura Donohue, gave a talk on the "Fourth Amendment in a Digital World" at Yale Law School. Professor Donohue laid out the Fourth Amendment doctrines developed by federal courts in the 70's and 80's, and demonstrated how these are inadequate when it comes to the digital world. Primarily, Donohue explained that past binary distinctions are eroding in the digital era, for example – how do we distinguish between "public information" and "private information" in the digital world? In what way should we address transnational communications, when those are routed through multiple countries? How should we regulate personal data held by third parties, who constantly transmit it to law enforcement authorities? All these challenges, and more, were addressed by Professor Donohue, as she argued that we need a new Fourth Amendment doctrine to meet the challenges of the digital world and protect people from unreasonable search and seizure. In doing so – Donohue referenced several court decisions, who focused their reasonable evaluation on a multitude of factors – extent and type of information collected, length of collection, number of individuals affected, and more. This talk was co-sponsored by the Center for Global Legal Challenges and the Information Society Project.

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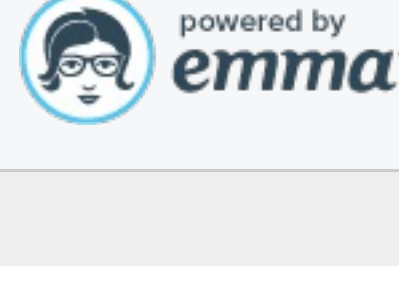


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