



OONA A. HATHAWAY

Gerard C. and Bernice Latrobe Smith Professor of International Law
Yale Law School
127 Wall Street • New Haven, CT 06511
(203) 436-8969 • oona.hathaway@yale.edu

PRESENT EMPLOYMENT

- 2009-present **YALE UNIVERSITY SCHOOL OF LAW**, New Haven, CT.
Gerard C. and Bernice Latrobe Smith Professor of International Law.
Counselor to the Dean (as of July 1, 2017)
Founder and Director, Center for Global Legal Challenges (since 2011).
Appointed to Yale University Faculty of Arts & Sciences Sept. 2015.
Secured grant of over \$400,000 from Hewlett Foundation to support interdisciplinary
2-year cyber-security initiative in 2016-2018.
- 2009-present **YALE UNIVERSITY MACMILLAN CENTER**, New Haven, CT
*Professor of International and Area Studies & Faculty, Jackson Institute for
International Affairs*
- 2010-present **YALE UNIVERSITY DEPARTMENT OF POLITICAL SCIENCE**, New Haven, CT.
Professor (by courtesy)

EDUCATION

YALE LAW SCHOOL, J.D., June 1997.
Yale Law Journal, Editor-in-Chief.
Yale Journal of International Law, Managing/Articles Editor.
Yale Journal of Law and Humanities, Editor.
Lowenstein International Human Rights Clinic.

HARVARD COLLEGE, B.A. in Government, *summa cum laude*, June 1994.
Thomas Temple Hoopes Prize (for outstanding research and writing).
Gerda Richards Crosby Prize (for outstanding research and writing).
Phi Beta Kappa.
John Harvard Scholar, Elizabeth Agaziz Award, Dean's List (all semesters).
Harvard International Review & Harvard Political Review, Editor.

ACADEMIC AND OTHER LEGAL EXPERIENCE

- 2014-2015 **DEPARTMENT OF DEFENSE, OFFICE OF THE GENERAL COUNSEL**
Special Counsel to the General Counsel for National Security Law
Recipient of Office of the Secretary of Defense Award for Excellence.
Top Secret/SCI Clearance.
- 2005-present **ADVISORY COMMITTEE ON INTERNATIONAL LAW FOR THE LEGAL ADVISER, U.S.
DEPARTMENT OF STATE**, Washington, D.C.
Committee Member.

- 2008-2009 **U.C. BERKELEY SCHOOL OF LAW**, Berkeley, CA.
Professor of Law.
- 2002-2008 **YALE UNIVERSITY SCHOOL OF LAW**, New Haven, CT.
Associate Professor of Law.
- October 2006 **UNIVERSITY OF TORONTO FACULTY OF LAW**, Toronto, Canada
Distinguished Visitor.
- January 2006 **HARVARD LAW SCHOOL**, Cambridge, MA.
(Winter Term) *Jeremiah Smith Jr. Visiting Associate Professor.*
- 2000-2002 **BOSTON UNIVERSITY SCHOOL OF LAW**, Boston, MA.
Associate Professor.
- 1999-2000 **HARVARD UNIVERSITY CENTER FOR ETHICS AND THE PROFESSIONS & HARVARD UNIVERSITY CARR CENTER FOR HUMAN RIGHTS POLICY**, Cambridge, MA.
Eugene P. Beard Visiting Graduate Fellow.
- Summer 1999 **MCDERMOTT, WILL & EMERY**, Boston, MA & Washington, DC.
Associate.
- 1998-99 **JUSTICE SANDRA DAY O'CONNOR**, U.S. Supreme Court, Washington, DC.
Law Clerk.
- 1997-98 **JUDGE PATRICIA WALD**, U.S. Court of Appeals, D.C. Circuit, Washington, DC.
Law Clerk.

PROFESSIONAL MEMBERSHIP POSITIONS AND HONORS

Strategic Initiatives Committee, American Society of International Law (2016-)
 Adviser to the Domestic Effect of Treaties section on the American Law Institute's
 Restatement Fourth, Foreign Relations Law of the United States project (2013-)
 U.S. Supreme Court Bar (admitted in 2009)
 Washington, D.C. Bar (admitted in 2000)
 New York State Bar, Third Department (admitted in 1998)
 American Society of International Law (member since 2000): Planning Committee for
 the Annual Meeting (2008-2009); Book Award Committee (2010); Member,
 Development Committee (2011-2014); Executive Committee (2012-2015); Co-
 Chair, Planning Committee for the Annual Meeting (2013-2014); Strategic
 Planning Committee (2015-present)
 Member, Council on Foreign Relations (since 2010)
 Fellow, Berkeley College, Yale University (since 2010)
 Executive Committee, The MacMillan Center, Yale University (since 2009)
 Board of Editors, Yale Journal of International Law (since 2009)
 Board of Editors, J. of International Law & International Relations (since 2006)
 Reviewer for *International Organization*, *International Studies Quarterly*, *Journal
 of Conflict Resolution*, *Journal of Peace Research*, *Human Rights Quarterly*,
 Oxford University Press, Princeton University Press, Yale University Press,
 among others.

PAST PROFESSIONAL MEMBERSHIP POSITIONS AND HONORS

Strategic Planning Task Force, American Society of International Law (2015-2016)
Senior Research Fellow in International and Area Studies for the MacMillan Center,
Yale University, 2007-2008
Board of Directors, Yale Law Journal Co., 2006-2008
Nonresident Fellow, New American Foundation (2006-2007)
Yale Center for International and Area Studies, Research Associate (2004-2008)
American Political Science Association (2000-2010)
Recipient of The MacMillan Center's Director's Award, 2004
Recipient of Carnegie Scholars Award, 2004

ACADEMIC PUBLICATIONS

THE INTERNATIONALISTS: HOW A RADICAL PLAN TO OUTLAW WAR REMADE THE
WORLD (with Scott Shapiro) (forthcoming 2017, Simon & Shuster) (rights also sold
in Japan, U.K., France, Italy, Germany)

*Ensuring Responsibility: Common Article 1 and State Responsibility for Non-State
Actors*, 95 TEXAS LAW REVIEW 539 (2017) (with Emily Chertoff, Lara Domínguez,
Zachary Manfredi and Peter Tzeng)

*Consent is Not Enough: Why States Must Respect the Intensity Threshold in
Transnational Conflict*, 165 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 11 (2016)
(with Rebecca Crootof, Daniel Hessel, Julia Shu, and Sarah Weiner)

*Asking for Directions: The Case for Federal Courts To Use Certification Across
Borders*, YALE LAW JOURNAL FORUM (November 2015) (with Michael Wishnie)

Fighting the Last War: The United Nations Charter in the Age of the War on Terror,
in THE U.N. CHARTER (Joseph Lambert & Ian Shapiro, eds.) (2014)

Consent-Based Humanitarian Intervention, 46 CORNELL INTERNATIONAL LAW
JOURNAL 499 (2013) (with Julia Brower, Ryan Liss, Tina Thomas, & Jacob Victor)

The Power to Detain: Detention of Terrorism Suspects After 9/11, YALE JOURNAL OF
INTERNATIONAL LAW (2013) (with Samuel Adelsberg, Spencer Amdur, Philip Levitz,
Freya Pitts, and Sirine Shebaya)

The Treaty Power: Its History, Scope, and Limits, CORNELL LAW REVIEW (2013)
(with Spencer Amdur, Celia Choy, Samir Deger-Sen, Haley Nix, John Paredes, and
Sally Pei)

Tortured Reasoning: The Intent to Torture Under International and Domestic Law,
52 VIRGINIA JOURNAL OF INTERNATIONAL LAW 791 (2012) (with Aileen Nowlan &
Julia Spiegel)

Between Power and Principle, in *THE ROLE OF ETHICS IN INTERNATIONAL LAW* (Donald Earl Childress III, ed.) (Cambridge University Press, 2012)

The Law of Cyber-Attack, *CALIFORNIA LAW REVIEW* (2012) (with Rebecca Crootof, Philip Levitz, Haley Nix, Aileen Nowlan, William Perdue, Julia Spiegel)

The Relationship Between International Humanitarian Law and Human Rights Law in Armed Conflict, *MINNESOTA LAW REVIEW* (2012) (with Rebecca Crootof, Philip Levitz, Haley Nix, William Purdue, Chelsea Purvis, Julia Speigel)

International Law at Home, *YALE JOURNAL OF INTERNATIONAL LAW* (2012) (with Sara Solow & Sabria McElroy) (examines the enforcement of international treaties in U.S. courts in light of the U.S. Supreme Court's decision in *Medellin v. Texas*).

International Law at a Crossroads, *YALE JOURNAL OF INTERNATIONAL AFFAIRS* (2012) (with Sara Solow & Sabria McElroy).

Outcasting, *YALE LAW JOURNAL* (2011) (with Scott Shapiro) (examines the functional and jurisprudential underpinnings of international law)

Human Rights Abroad: When Do Human Rights Treaty Obligations Apply Extraterritorially?, *ARIZONA STATE LAW JOURNAL* (2011) (with Philip Levitz, Elizabeth Nielsen, Aileen Nowlan, William Perdue, Chelsea Purvis, Sara Solow, and Julia Spiegel)

Limited War and the Constitution, *MICHIGAN LAW REVIEW* (2011) (with Bruce Ackerman) (argues that a new legal framework is required to reassert congressional control over limited warmaking by the United States)

The Case for Promoting Democracy Through Export Control, *HARVARD JOURNAL OF LAW & PUBLIC POLICY* 17 (2010) (critiques the claim that the presidential system of separation of powers can be easily exported to developing countries)

Presidential Power over International Law: Restoring the Balance, 119 *YALE LAW JOURNAL* 140 (2009) (examines the role of the president in U.S. international lawmaking)

Treaties' End: The Past, Present and Future of International Lawmaking in the United States, 117 *YALE LAW JOURNAL* (2008) (examines the use of treaties and ex post congressional-executive agreements from historical, comparative, and empirical perspectives and argues for greater replacing most treaties with congressional-executive agreements)

International Delegation and Domestic Sovereignty, *LAW AND CONTEMPORARY PROBLEMS* (2008) (examines the debate over the delegation of legal and political authority to international organizations)

Domestic Enforcement of International Law: Hamdan v. Rumsfeld, in *STORIES IN INTERNATIONAL LAW* (Foundation Press, 2007)

Why Do Nations Join Human Rights Treaties?, 51 *JOURNAL OF CONFLICT RESOLUTION* 588 (2007) (peer review journal) (examines why nations subscribe to international human rights treaties utilizing cross national data analysis and uses findings to assess a political theory of international law)

The Continuing Influence of the New Haven School, *YALE JOURNAL OF INTERNATIONAL LAW* 553 (2007) (discussing the ways in which the New Haven School of international law continues to influence legal scholarship today)

Rationalism and Revisionism in International Law, 119 *HARVARD LAW REVIEW* 1404 (2006) (with A. Lavinbuk) (assesses the state of the academic debate over international law in light of a recent book on international law, *The Limits of International Law*, by Jack Goldsmith and Eric Posner)

Between Power and Principle: An Integrated Theory of International Law, 72 *UNIVERSITY OF CHICAGO LAW REVIEW* 469 (2005) (proposes a new conception of the relationship between international law and state behavior), reviewed in *Legal Affairs* by Michael Ignatieff.

FOUNDATIONS OF INTERNATIONAL LAW AND POLITICS (with Harold H. Koh) (Foundation Press 2004) (a reader intended for legal and political science audiences), reviewed in Christopher C. Joyner, *International Law Is, as International Relations Theory Does?*, 100 *AM. J. INT'L L.* 248 (2006)

The New Empiricism in Human Rights: Insights and Implications, *AMERICAN SOCIETY OF INTERNATIONAL LAW PROCEEDINGS* 206 (2004) (discusses the lessons that can be drawn from existing empirical research into human rights law and proposes promising avenues for future research)

The International Law of Torture, in *TORTURE: PHILOSOPHICAL, POLITICAL, AND LEGAL PERSPECTIVES* (Sanford Levinson ed., Oxford University Press 2004) (explores the role of international law in efforts to end the practice of torture)

The Cost of Commitment, 55 *STANFORD LAW REVIEW* 1821 (2003) (argues that the cost of compliance varies according to a country's divergence from the requirements of a treaty and the likelihood that the country will change its practices to comply with its requirements)

Testing Conventional Wisdom, 13 *EUROPEAN JOURNAL OF INTERNATIONAL LAW* 185 (2003) (peer review journal) (arguing that empirical analysis can be an important and powerful tool for testing assumptions regarding state behavior)

Do Human Rights Treaties Make a Difference?, 111 YALE LAW JOURNAL 1935 (2002) (analyzes quantitative data on over 150 nations during a 40-year period to assess the impact of human rights treaties on countries' human rights practices and the empirical validity of current theories of international law compliance), *reviewed in* David Weissbrodt, *Do Human Rights Treaties Make Things Worse?*, FOREIGN POLICY 88 (Jan./Feb. 2003).

Path Dependence in the Law: The Course and Pattern of Change in a Common Law Legal System, 86 IOWA LAW REVIEW 601 (2001) (develops and applies three strands of path dependence theory to explain change in common law legal systems and to offer a positive and normative account of *stare decisis*).

Positive Feedback: The Impact of Trade Liberalization on Industry Demands for Protection, 52 INTERNATIONAL ORGANIZATION 575 (1998) (peer review journal) (proposes and empirically tests a theory that helps explain variation in demand for trade protection).

BRIEFS

Counsel of Record, *Amicus Brief for Yale Law School Center for Global Legal Challenges, U.S. v. Jesner*, U.S. Supreme Court (June 2017) (merits stage)

Counsel of Record, *Amicus Brief for Yale Law School Center for Global Legal Challenges, U.S. v. Bond*, U.S. Supreme Court (August 2013) (merits stage)

Counsel of Record, *Amicus Brief for Yale Law School Center for Global Legal Challenges, U.S. v. Bond*, U.S. Supreme Court (October 2012) (certiorari stage)

Counsel of Record, *Supplemental Amicus Brief for Yale Law School Center for Global Legal Challenges, Kiobel v. Shell Oil Co.*, U.S. Supreme Court (June 2012)

Counsel of Record, *Amicus Brief for Yale Law School Center for Global Legal Challenges, Kiobel v. Shell Oil Co.*, U.S. Supreme Court (December 2011)

Co-Counsel, *Amicus Brief for Non-Governmental Organizations and Scholars as Amici Curiae in Support of Rehearing or Rehearing En Banc, Al-Bihani v. Obama*, Court of Appeals for the D.C. Circuit (March 22, 2010)

Counsel of Record, *International Law Experts Brief, Kiyemba v. Obama*, United States Supreme Court (December 2009)

CONGRESSIONAL TESTIMONY AND BRIEFINGS

House Foreign Affairs Committee, Subcommittee on Oversight, testified on "The U.S.-Iraq Bilateral Agreement: Constitutional and other Legal Concerns," House Foreign Affairs Committee, Subcommittee on Oversight (Nov. 13, 2008), available at <http://www.internationalrelations.house.gov/110/hat111908.pdf>.

Congressional Briefing on U.S.-Iraqi Relations and the Bush-Maliki Agreement

(Sept. 22, 2008)

House Foreign Affairs Committee, Subcommittee on Oversight, testified on “Declaration and Principles: Future U.S. Commitments to Iraq,” House Foreign Affairs Committee, Subcommittee on Oversight (Mar. 4, 2008), available at <http://www.internationalrelations.house.gov/110/hat030408.htm>.

House Foreign Affairs Committee, Subcommittee on Oversight, testified on “The November 26 Declaration of Principles: Implications for UN Resolutions on Iraq and for Congressional Oversight,” House Foreign Affairs Committee, Subcommittee on Oversight (February 2008), available at <http://www.internationalrelations.house.gov/110/hat020808.pdf>.

POPULAR AND OTHER WRITINGS

How to Oppose Trump from Within Government, Newsweek (January 2017) (with Sarah Weiner)

Why the Spike in Civilian Casualties of U.S. Military Action?, Newsweek (March 2017)

The Government’s Prepublication Review Process is Broken, Washington Post (December 26, 2015) (with Jack Goldsmith)

On Syria, a U.N. Vote Isn’t Optional, The New York Times (September 3, 2013) (with Scott Shapiro)

Attacking Syria without the U.N. Approval Would Be A Mistake, Washington Post (August 28, 2013) (with Scott Shapiro)

Going It Alone: The Anti-Counterfeiting Trade Agreement as a Sole Executive Agreement, ASIL INSIGHTS (Aug. 24, 2011) (with Amy Kapczynski)

Our Unbalanced Democracy, New York Times (August 1, 2011) (with Jacob Hacker)

Obama’s Illegal War, Foreign Policy (June 1, 2011) (with Bruce Ackerman)

The Death of the War Powers Resolution?, Washington Post (May 18, 2011) (with Bruce Ackerman)

The World After Bin Laden, Washington Post (May 3, 2011) (with Bruce Ackerman)

The Clock is Ticking on Obama’s War, Foreign Policy (April 6, 2011) (with Bruce Ackerman)

It’s Not Up to the President to Impose a No-Fly Zone Over Libya, The Huffington Post (March 9, 2011) (with Bruce Ackerman)

Did Congress Approve America's Longest War? THE GUARDIAN (January 27, 2011)
(with Bruce Ackerman)

How to Swing Arms Control: Obama Can Model Nixon and Clinton to Get a New Treaty Through Congress, LA Times (April 3, 2010) (with Bruce Ackerman)

Hear the Uighurs: The Critical Guantanamo Case the Supreme Court Should Not Duck, Slate Magazine (February 17, 2010) (with Rebecca Crootof)

What Will Congress Do About Afghanistan?, Slate Magazine Online (December 9, 2009) (with Bruce Ackerman)

America needs to prepare for early Iraq pullout, The Financial Times (August 23, 2009) (with Bruce Ackerman)

How Obama Can Fix and Illegal War, San Francisco Chronicle (Jan. 23, 2009) (with Bruce Ackerman), available at http://www.sfgate.com/cgi-bin/blogs/opinionshop/detail?&entry_id=35025.

The Iraq War is Now Illegal, The Daily Beast (Jan. 1, 2009) (with Bruce Ackerman), available at <http://www.thedailybeast.com/blogs-and-stories/2008-12-31/the-iraq-war-is-now-illegal/>.

A legal time bomb in Iraq, The Guardian (U.K.) (December 12, 2008) (with Bruce Ackerman), available at <http://www.guardian.co.uk/commentisfree/2008/dec/12/comment-iraq-occupation-us-legality>.

Bush should include Congress, The Boston Globe (November 26, 2008) (with Congressman Bill Delahunt), available at http://www.boston.com/bostonglobe/editorial_opinion/oped/articles/2008/11/26/bush_should_include_congress/.

Bush's Final Illusion: The president's agreement with Iraq bypasses Congress. Again, Slate Magazine (October 21, 2008) (with Bruce Ackerman), available at <http://www.slate.com/id/2202771/>.

The Case for Replacing Article II Treaties with Ex Post Congressional-Executive Agreements, American Constitution Society Issue Brief (Nov. 16, 2008), available at <http://www.acslaw.org/node/7625>.

What Bush Will Surrender in Iraq, TIME MAGAZINE (ONLINE), September 10, 2008 (with Bruce Ackerman) (arguing that the draft agreement with Iraq includes several unconstitutional provisions)

Into No-Man's Land, THE L.A. TIMES, July 25, 2008 (with Bruce Ackerman) (arguing that the proposed memorandum of understanding with Iraq is unconstitutional and does not adequately protect the troops)

The War's Expiration Date, THE WASHINGTON POST ONLINE, Saturday, April 5, 2008 (with Bruce Ackerman) (arguing that the war in Iraq will become illegal on Jan. 1, 2009 unless new legislation is passed or the UN Mandate is extended)

An Agreement That Needs Agreement, THE WASHINGTON POST ONLINE, Saturday, Feb. 15, 2008 (with Bruce Ackerman) (arguing that the proposed agreement between the U.S. and Iraq must be approved by Congress to be legal)

Why We Need International Law, THE NATION, November 19, 2007 (putting forth a case for international law on the ground that international law benefits the United States's national interest)

A Tortured Way to Run War on Terror, NEWSDAY, October 26, 2005 (op-ed discussing the Administration's efforts to stop Congress from regulating the military's treatment of detainees)

Judge Roberts and International Law & other posts, Supreme Court Extra: Think Progress, at <http://court.thinkprogress.org/> (blog).

Debate Club: Is International Law Really Useful?, on-line at LEGAL AFFAIRS (http://www.legalaffairs.org/webexclusive/debateclub_.msp) (Jan. 2005) (on-line written debate with Eric Posner, a prominent critic of international law)

The Court Puts the White House in its Place, NEWSDAY, June 30, 2004 (op-ed discussing the Supreme Court's cases on the rights of prisoners in the war on terror), reprinted as *Supreme Court Brings Bush Administration Back to Earth*, THE HARTFORD COURANT, July 1, 2004, as *A Check on the Executive*, THE STAR-LEDGER, July 1, 2004, and as *White House Brought Back to Earth Bush's Power Over Inmates in War on Terror Reined in*, WINNEPEG FREE PRESS, July 3, 2004.

Human Rights and Security, a paper for the United Nations High Level Panel on Global Security Threats (commissioned by the UN Foundation) (proposes ways the UN can use international law to more effectively shape what states do)

Two Cheers for International Law, 27 WILSON QUARTERLY 50 (Autumn 2003) (examines the role of international law in modern international politics)

Making Human Rights Treaties Work: Global Legal Information and Human Rights in the 21st Century, 31 INT'L J. OF LEGAL INFO. 312 (2003) (discussing why human rights treaties have been ignored in discussions of the war against terrorism and how they can be made more effective)

Making Human Rights Treaties Work, 4 YALE POLITIC 28 (2003) (discussing why human rights treaties have been ignored in discussions of the war against terrorism and how they can be made more effective)

Human Rights, Project Syndicate (Nov. 2002) (op-ed for a syndicate of 228 newspapers in 107 countries, reprinted in numerous local newspapers)

Book Note, The Politics of the Confirmation Process, 107 YALE LAW JOURNAL 235

(1996) (reviews John Anthony Maltese, *The Selling of Supreme Court Nominees*).

Lifting the Veil, 19 HARV. POL. REV. 16 (Mar. 1992) (examining the political and social status of women in Kuwait). Winner of the Kennedy School of Government Political Journalism Award.

WORKS-IN-PROGRESS

Our Foreign Affairs Constitution: The President, Congress, and the Making of International Law (book examining the past, present, and future of international lawmaking in the United States).

OTHER PUBLIC PRESENTATIONS (2003-present)

The Role of the Legal Adviser in the Interagency Process, U.S. Department of State, Washington, DC (June 2017)
Human Rights and the Corporation, Yale Law School Corporate Law Breakfast, New York, NY (May 2017)
International Law of Cyber, Yale Cyber Leadership Forum, New Haven, CT (March 2017)
2017 Cyber Initiative Grantee Convening, Austin, TX (January 2017)
State and Individual Responsibility for Arms Sales and Military Assistance to Foreign Partners and Non-State Actors, Advisory Committee on International Law, Department of State (December 2016)
Keynote Address, YLS Doctoral Conference, New Haven, CT (November 2016)
The Post-9/11 Wars: International Law Challenges Facing the Next Administration, International Law Weekend, New York, NY (October 2016)
Moderated “National Security in a Turbulent World,” Yale Law School Alumni Weekend, New Haven, CT (October 2016)
The Internationalists, University College London, London, England (June 2016)
ICRC/Oxford Transatlantic Workshop on International Law, Oxford, England (July 2016)
Cyber Attack and Information Operations as Means and Methods of War, Fugh Symposium, The Judge Advocate General's Legal Center and School, Charlottesville, Virginia (August 2016)
Hacking the Election, Yale Law School (September 2016)
Presented & Organized, ICRC-International Humanitarian Law Workshop, Yale Law School (October 2016)
The Internationalists, Yale World Fellows Program, New Haven, CT (October 2016)
Comparative Foreign Relations Law, Duke-Japan Conference on Foreign Relations Law, Tokyo, Japan (October 2016)
Co-organized Yale-Duke Foreign Relations Law Conference, New Haven, CT (October 2016)
The U.S. Law of War Manual (moderator), American Society of International Law Annual Conference (March 2016)
The End of the World Order, Middle East Legal Studies Seminar, Amman Jordan (January 2016)

Cross Border Electronic Data Access, Advisory Committee on International Law
Department of State, Washington, D.C. (Dec. 2105)

The Worst Crime of All, International Relations Workshop, Yale University (Dec.
2015)

Constitution Center's We the People Podcast (discussed relationship between
international law and U.S. Constitutional law with Jeffrey Rosen and Michael
Paulson) (October 2015)

The Rule of Law in National Security Law, Yale-Duke Forum on Foreign Relations
Law, Duke Law School (October 2015)

The Worst Crime of All, Yale NUS, Singapore (August 2015)

The Counterterrorism 'War Paradigm' and the Protection of Rights, Open Society
Foundation, Washington DC (June 2015)

Outlawing War, Yale Global Affairs, New Haven, CT (June & July 2015)

The Worst Crime of All, Yale Club, New York City (June 2015)

International Committee for the Red Cross & Columbia Law School International
Humanitarian Law Roundtable (October 2014)

Judging Across Borders, Moderator, Yale Alumni Weekend (October 2014)

Yale-Duke Roundtable on Foreign Relations Law (co-convener) (October 3, 2014)

Oxford Transatlantic Workshop on Armed Conflict, "Military Operations Beyond the
Traditional Battlefield," Oxford, England (July 2014)

Countermeasures in Cyberspace, NATO CCD COE Cyber Conference, CyCon 2014,
Tallin, Estonia (June 2014)

American Society of International Law Annual Meeting, co-chair Organizing
Committee, Washington, D.C. (April 2014)

Moderator, "Migrant Interdiction, Sale, and International Law," The Globalization of
High Seas Interdiction: Sale's Legacy and Beyond, Yale Law School (March
2014)

Military Commissions, A Conversation with Brigadier General Mark Martins Chief
Prosecutor of U.S. Military Commissions, Yale Law School National Security
Group, ACS, Center for Global Legal Challenges (February 2014)

Principal-Lawyer Relations in National Security Law, A Conversation with General
Stanley McChrystal and General Richard Gross, Yale Law School National
Security Group (February 2014)

Treaty Advisory Committee Meeting, Restatement of Foreign Relations Law (4th),
American Law Institute, Philadelphia, PA (February 2014)

Trade and Transparency, Foreign Affairs in the Internet Age (February 2014)

The Law of the World, U.S. Department of State (December 2013)

Chapter VI: Past, Present, and Future, UNITAR (hosted by Yale and the New
Zealand Mission to the United Nations) (October 2013)

Moderated Session on Globalization, Foreign Policy, and National Security, Yale Law
Alumni Weekend, Yale Law School (October 2013)

Led Conversation on Enforcement of International Law, Yale Law School Global
Constitutions Conference (October 2013)

Thinking about Drone Warfare, Interdisciplinary Forum of the Graduate Students
Association (April 2013)

International Bar Association, Boston, MA (October 2013)

Syria, Brian Lehrer Show, WNYC Radio (NPR) (September 2013)

Grotius and War, New York University School of Law, New York, NY (September 2013) (with Scott Shapiro)

The War to End War, Theories Des Relations Internationales, Projet de Recherche CERI, Sciences Po, Paris (June 2013)

When War was Legal, Conference on the Status of International Law and International Human Rights, Institute for Law and Philosophy at the University of San Diego School of Law, San Deigo, CA (May 2013)

Drones, Debate with Douglas Feith on International Law, Yale Federalist Society, New Haven, CT (April 2013)

Hosted Conference on Internet Governance, Foreign Affairs in the Internet Age Initiative, Yale Law School (April 2013)

New Haven Goes to Washington: How an Innovative YLS Seminar Enables Students to Tackle Cutting-Edge International and National Security Law Questions, D.C. YLS Alumni Association, Washington, D.C. (April 2013)

U.S. v. Bond, American Society of International Law Annual Meeting, Washington D.C. (April 2013)

The Legality of Drones, Yale University, International Student Union (February 2013)

The Legality of Autonomous Weapons Systems, Yale University Interdisciplinary Center for Bioethics (December 2012)

Potential Application of Self-Defense Principles, Advisory Committee on International Law, U.S. Department of State, Washington, D.C. (Dec. 2012)

Boston University School of Law, Faculty Workshop, “The Law of the World” (November 2012)

The State of Jurisprudence, Antwerp, Belgium, “The Law of the World” (October 2012) (with Scott Shapiro)

Cyber-War Conference, University of Pennsylvania School of Law, “The Law of Cyber Attack” (October 2012)

American University, “Presidential Power Over International Law: Restoring the Balance” (October 2012)

Vanderbilt Law School, International Law Scholarship Roundtable (Sept. 2012)

Rule of Law Institute, Berlin, Germany, “The Law of the World” (July 2012)

American Law Institute, Revisions to the Restatement (Third) of Foreign Relations Law, Washington, D.C. (June 2012)

U.S. Embassy, Luxembourg, Founders Conference (May 2012)

George Washington School of Law, Conference on Cyberwar, “The Law of Cyber Attack” (April 2012)

Harvard National Security Journal Symposium, Harvard Law School, “International Law & Covert Operations” (April 2012)

Yale Journal of International Affairs, Yale University, “International Law at a Crossroads: The Paradox in International Law and U.S. Courts” (April 2012)

Colloquium on International Law and Politics, U.C. Berkeley School of Law, “Our Foreign Affairs Constitution,” March 2012

Foreign Relations Law Colloquium, Georgetown University Law Center (Jan. 2012)

William H. Timbers Distinguished Lecturer for 2012, Dartmouth College, Nelson A. Rockefeller Center for Public Policy and the Social Sciences, the Legal Studies

Faculty Group, the Office of Alumni Relations, and the Dartmouth Lawyers Association, “Our Foreign Affairs Constitution,” January 12, 2012.

Yale Law School, Targeted Killing, New Haven, CT, December 12, 2011

U.S. Department of State, “Congressional-Executive Agreements,” Meeting of the Advisory Committee to the Legal Adviser, Washington, D.C., December 8, 2011

ABA 21st Review of the Field of National Security Law Conference, “Kosovo, Libya, and Presidential War Powers,” Washington, D.C., December 1, 2011

Stanford Law School, “Do International Bodies Undermine Sovereignty?” Constitution in the World Conference (October 28, 2011)

Yale Law School 1L Orientation, Introduction to Transnational Law, September 1, 2011

Branford College, Yale University, Fellows Dinner (discussing current events in Libya), September 15, 2011

WWRL Morning Show with Mark Riley, Discussing U.S. Military Action in Libya, June 8, 2011

MSNBC, Interview on Libya and the War Powers Resolution, clip available at <http://mms.tveyes.com/Transcript.asp?StationID=205&DateTime=5%2F25%2F2011+11%3A38%3A26+AM&Term=Yale+%2BProfessor&PlayClip=TRUE>

Sirius XM, Stand Up with Pete Dominick, May 23, 2011 (Interview on the War Powers act and Libya)

KCBS Radio, San Francisco, CA, May 20, 2011 (Interview on the War Powers Act and Libya)

RTTV, Washington, D.C. (via video link), May 2011 (interview on Libya and the War Powers Resolution)

Columbia Law School Legal Theory Workshop, New York, NY April 2011 (“Outcasting”) (with Scott Shapiro)

American Bar Association, Ratification of the Convention on the Elimination of all Forms of Discrimination Against Women: Politics, Principles, or Treaty Phobia?, Washington D.C., April 2011 (“The Legal Challenges of Treaty Ratification”)

International Law/International Relations Stocktaking Conference, University of Pennsylvania School of Law, April 2011 (“The Realist Tradition”)

U.S. Use of Drones in the War on Terror, American Constitution Society, Yale Law School, March 29, 2011 (discussion with Lawrence Korb, senior fellow at the Center for American Progress)

The Separation of Powers: Theory, Development, and Applications, Notre Dame Law School, South Bend, Indiana, March 2011 (“Democracy in the Balance: Strengthening Accountability in International Lawmaking”)

Advisory Committee of International Law, U.S. Department of State, Washington, D.C., December 2010 (“Is the 2001 AUMF enough to support current U.S. military and detention activities?”)

New York University Law School International Law Workshop, New York, NY (“Outcasting”) November 2010 (with Scott Shapiro)

Foreign Relations Law Workshop, Duke Law School, November 2010 (“Limited War and the Constitution”)

Yale Federalist Society, Withdrawing from International Custom: A Debate with Curtis Bradley and Mitu Gulati, Yale Law School, September 2010

Ditchley Foundation, Chaired Section Meeting at Conference on the Condition of International Law, Oxfordshire, England, May 2010 (“The Health of the International Legal System”)

University of Pennsylvania School of Law, Conference on Foundations of International Law, Philadelphia, PA, April 2010 (“Is International Law Law?”) (with Scott Shapiro)

Inaugural Address on the occasion of becoming the Gerard C. and Bernice Latrobe Smith Professor of International Law, New Haven, CT, April 2010

Columbia University Public Law Workshop, New York, NY, April 2010 (“Limited War and the Constitution”)

American Society of International Law, Washington, DC, April 2010 (“Sounding a Cautionary Note on Revising the Restatement (Third) of Foreign Rel. Law”)

Arizona State University, Phoenix, Arizona, February 2010 (“The Past, Present, and Future of International Lawmaking in the United States”)

American Bar Association of New York, New York, NY Dec. 2009 (“The Enforcement of International Law in U.S. Courts”)

American Society of International Law International, Washington D.C., Nov. 2009 (“The Role of Ethics in Public International Law”)

The Federalist Society Annual National Lawyer’s Convention, Washington D.C., Nov. 2009 (“The Case for International Law”)

Constitution in 2020, America and the World panel, Yale Law School, October 2009 (“American in the World: Making Law and Marking War”)

International Law Colloquium, NYU School, Sept. 2009 (“Presidential Power Over International Lawmaking: Restoring the Balance”)

Creating a Dialogue Between Qualitative and Quantitative Approaches to Human Rights, American Political Science Association Conference in Toronto, September 2009 (commentator)

The Domestic Politics of International Law panel, American Political Science Association Conference in Toronto, September 2009 (“The Role of Domestic Politics in U.S. International Lawmaking”)

Changing Concepts of Sovereignty Panel, American Society of International Law Annual Conference, March 2009 (Chair/Moderator)

Law and Globalization Workshop, Yale Law School, February 2009 (“Presidential Power Over International Law”)

The Federalist Society Annual Student Conference, Yale Law School, February 2009 (on panel, “Exportability of Separation of Powers”)

Miller Center on Global Challenges and the Law, UC Berkeley School of Law, February 2009 (“International Law Challenges Facing Obama”)

International Law and International Relations Workshop, Stanford University, February 2009 (“Presidential Power Over International Law”)

Workshop on Self-Execution Doctrine, Duke Law School, September 2008 (“Self-Execution Doctrine and the Comparative Perspective”)

International Law Workshop, Vanderbilt Law School, September 2008 (“Imbalance of Power”)

ASIL, New Voices Panel, April 2008 (Moderator)

Yale Law School, Faculty Workshop, Feb. 2008 (“Treaties’ End: The Past, Present,

and Future of International Lawmaking in the United States”)

American Association of Law Schools Annual Meeting, panel on The Future of Legal Scholarship, January 2008

University of Wisconsin-Madison School of Law & Department of Political Science, November 2007 (“Treaties’ End”)

Fordham Law School, Symposium, October 2007 (“What Does International Rule of Law Mean for the United States”)

Stanford University, Conference on International Regimes, October 2007 (on “New Challenges to International Regimes”)

American Political Science Association Conference, August 2007 (“Why Do Nations Join Human Rights Treaties?”)

New America Foundation Annual Retreat, May 2007 (“The Changing Face of Globalization”)

Stanford University, International Law Colloquium, April 2007 (“International Delegation and Domestic Sovereignty”)

Georgetown University School of Law, International Law Colloquium, April 2007 (“International Delegation and Domestic Sovereignty”)

Princeton University International Relations Faculty Colloquium, March 2007 (“International Delegation and Domestic Sovereignty”)

New Haven School Conference, Yale Law School, March 2007 (“Is there a ‘New’ New Haven School?”)

Temple University School of Law International Law Colloquium, March 2007 (“International Law and State Sovereignty”)

Duke University Delegating Sovereignty Conference, February 2007 (“International Delegation and Domestic Sovereignty”)

Middle East Legal Studies Seminar, January 2007 (“International Law and Domestic Sovereignty”)

Yale University, “Justice in the Mirror” Conference, December 2006 (“Global Justice and Domestic Sovereignty”)

New America Foundation, Oct. 2006 (“Strong States, Strong World”)

University of Toronto, Oct. 2006 (“Strong States, Strong World”)

Midwest Political Science Conference, April 2006 (“Why Do States Join Human Rights Treaties?”)

Columbia Law School Law and Economics Workshop, March 2006 (“Strong States, Strong World”)

University of Michigan Law School International Law Workshop, March 2006 (“Strong States, Strong World”)

Duke Law School, Mar. 2006 (“Does delegation undermine U.S. sovereignty?”)

Fordham Law School, February 2006 (“Reflections on International Law and the Internal Point of View”)

University of Connecticut School of Law, January 2006 (“Strong States, Strong World”)

Harvard Law School, December 2005 (“Strong States, Strong World”)

Harvard University, November 2005 (“The Legacy of Nuremburg”)

University of Virginia School of Law, October 2005 (“Reflections on the Future of the State”)

Fletcher School of Law and Diplomacy, October 2005 (guest lecturer)
 Columbia University, Department of Political Science, April 2005 (“Between Power and Principle”)
 Harvard Law School, International Law Workshop, April 2005 (“Between Power and Principle”)
 Georgetown Law School, International Law Colloquium, January 2005 (“Between Power and Principle”)
 Princeton University, Conference on Torture, January 2005 (“The Promise and Limits of the International Law on Torture”)
 Vanderbilt University, International Law Roundtable, November 2004 (“Between Power and Principle”)
 Chicago Law School, ACS Conference, Oct. 2004 (“Coercive Interrogation”)
 Chicago Law School, Conference on International Dispute Resolution, October 2004 (“Who Adjudicates?”)
 University of Toronto Law School, (“Between Power and Principle: A Political Theory of International Law”)
 YLS Alumni Conference, panel on Global Governance, Oct. 2004 (moderator)
 Odyssey, Chicago Public Radio, May 2004 (debated “The Internationalization of International Law” with Eric Posner on this hour-long radio news show)
 USC Conference on Compliance, May 2004 (“Between Power and Principle: A Political Theory of International Law”)
 Harvard Law School, April 2004 (“Between Power and Principle: A Political Theory of International Law”)
 American Society of International Law, April 2004 (on a panel entitled “Empirical Approaches to Human Rights”)
 University of Bremen, Bremen, Germany, December 2003 (“Between Power and Principle: A Political Theory of International Law”)
 Yale Law School Faculty Workshop, December 2003 (“Between Power and Principle: A Political Theory of International Law”)
 Seminario en Latinoamérica de Teoría Constitucional y Política (SELA), Yucay, Peru, June 2003 (“Two-Track Justice”)
 Law and Society Association 2003 Annual Meeting, Pittsburgh, PA, June 2003 (on “Empirical Approaches to International Human Rights Law”)
 Yale Law School Human Rights Workshop, New Haven, CT, May 2003 (“Why do countries commit to human rights treaties?”)
 University of Virginia International Law Colloquium, Charlottesville, VA, April 2003 (“Why do countries commit to human rights treaties?”)
 Boalt Hall, University of California International Law Colloquium, Berkeley, CA, February 2003 (“The Cost of Commitment”)
 Stanford Law School, Symposium: *Treaties, Enforcement, and U.S. Sovereignty*, Feb. 2003 (“The Cost of Commitment”)

COURSES TAUGHT

International Law
 Wartime Practice of National Security Law (with Stephen Preston)
 National Security Lawyering

Law of War
Foreign Affairs and National Security Law
Foreign Affairs and International Law (practicum)
Introduction to Transnational Law
Law and Globalization
Research and Writing on International Law
Civil Procedure
International Law and International Relations
State Behavior and International Law
International Law and Human Rights
Norms and Ideas in International Law and Politics (with Prof. Keith Darden)
Philosophy of International Law (informal seminar)

UNIVERSITY SERVICE

Faculty Director, Yale Cyber Leadership Forum (March 2017)
Provost's Committee on International Affairs, Yale University, 2016-
Executive Committee, MacMillan Center, Yale University, 2013-2016
YLS Grading Reform Committee, Chair, 2015-16
YLS Appointments Committee, 2009-10 (Entry-Level Committee Chair), 2012-13,
2016-17 (Chair)
YLS Curriculum Committee, Chair, 2011-12
YLS Ph.D Committee, 2011-12
YLS Self-Study Committee, 2010-11
UC Berkeley Miller Center Steering Committee, 2008-09
YLS International Commercial Arbitration Reading Group, Advisor 2006-07
YLS Time/Calendar Committee, 2006-2007
YLS Lemkin Prize Committee, Summer 2004-07, 2009-10, 2010-11
YLS Fellowships Committee, 2004-05, 2006-07
YLS Space Committee, 2004-05, 2006-07, 2009-10, 2010-11, 2011-12
YLS Security Subcommittee, 2004-05
YLS Curriculum Committee, 2004-05, 2006-07
YLS Globalization Subcommittee, 2004-05, 2006-07, 2007-08
YLS First Term Subcommittee, 2004-05, 2006-07
YLS Retreat Committee, Spring 2004
YLS Special Courses of Study Committee, 2003-04