



THE HONORABLE G.WILLIAM AND ARIADNA MILLER INSTITUTE FOR GLOBAL CHALLENGES AND THE LAW



ANNUAL REPORT 2017-2018



THE HONORABLE G. WILLIAM AND ARIADNA MILLER INSTITUTE FOR GLOBAL CHALLENGES AND THE LAW

Since 2007, the Honorable G. William and Ariadna Miller Institute for Global Challenges and the Law has been at the heart of Berkeley Law's international enterprise. Founded and supported by the generosity of G. William and Ariadna Miller, the Institute is a research, teaching, and policy center on international and comparative law.

Through interdisciplinary collaborations and institutional partnerships, the Miller Institute addresses urgent challenges that demand creative global approaches, including promoting the rule of law, climate and energy justice, anti-corruption, and human rights.

Our work is guided by Berkeley Law's distinguished international and comparative law faculty and informed by the expertise of scholars and practitioners worldwide. The approach is collaborative, interdisciplinary, and strategic. Our initiatives and advocacy work target critical situations where we are uniquely equipped to promote lasting change.



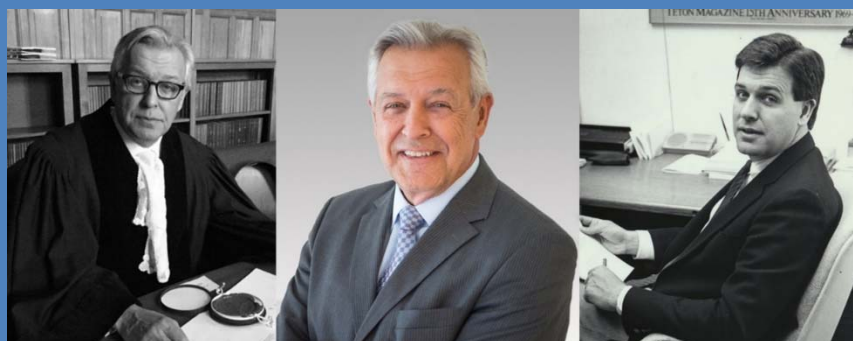
(L-R) Miller Institute Faculty Co-Director Katerina Linos, Miller Institute Senior Fellow Jamie O'Connell, Miller Institute Faculty Co-Director Laurel Fletcher, and Prof. Saira Mohamed

DAVID D. CARON (1952-2018)

The Miller Institute for Global Challenges and the Law is saddened by the loss of **David D. Caron** ('83), the C. William Maxeiner Distinguished Professor of Law (Emeritus), who passed away on February 20 at the age of 65. He was one of the founding faculty directors of the Miller Institute and was instrumental in its success over the years.

He left Berkeley Law in 2013 to become Dean of the Dickson Poon School of Law, King's College London. Professor Caron also served as president of the American Society of International Law, a judge at the Iran-US Claims Tribunal in The Hague, and sat as an ad hoc judge at the International Court of Justice.

His death is an enormous loss not only to his family, but also to his friends, colleagues, and the many students whose lives he enriched over the years. A memorial and symposium commemorating his life and work at Berkeley was held on September 14 and 15, 2018.



PUTTING INTERNATIONAL SCHOLARSHIP AND POLICYMAKING ON THE MAP

The Miller Institute provides opportunities for students and faculty to learn from and exchange ideas with a stellar array of scholars, policymakers, and practitioners.

LECTURE ON “PEACE AND JUSTICE IN COLOMBIA” – AUGUST 29, 2017

Professor Jamie Rowen (JD '09, PhD '12), **University of Massachusetts Amherst**

Co-sponsored with the International Human Rights Law Clinic



Prof. Jamie Rowen, August 29 2017

WORKSHOP ON “INTERNATIONAL MIGRATION AND REFUGEE LAW” – AUGUST 30-31, 2017

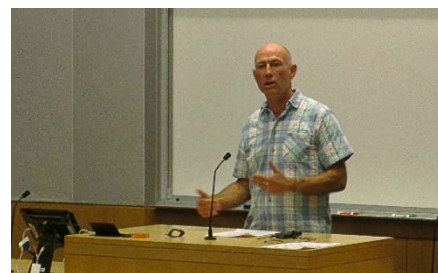
Support from the Institute of European Studies

This workshop, organized by Miller Institute Faculty Co-Director **Katerina Linos**, brought together scholars from the United States, Canada, Norway, and the United Kingdom to discuss current topics in migration and refugee law.

LECTURE ON “MESSAGE-PRINTING BUSINESSES, NON-DISCRIMINATION, AND FREE EXPRESSION: NORTHERN IRELAND’S ‘SUPPORT GAY MARRIAGE’ CAKE CASE” – SEPTEMBER 5, 2017

Professor Robert Wintemute, **King’s College London**

Co-sponsored with the Berkeley Comparative Equality Study Group and the Thelton E. Henderson Center for Social Justice



Prof. Robert Wintemute, September 5 2017

NORTHERN CALIFORNIA INTERNATIONAL LAW SCHOLARS ANNUAL MEETING – SEPTEMBER 22, 2017

Support from the Miller Institute for Global Challenges and the Law

Professor **Saira Mohamed** hosted the annual meeting of the Northern California International Law Scholars (NCILS). Law professors from Northern California met for the day to give feedback on their peers’ works-in-progress on topics of international law.



Prof. Saira Mohamed welcoming the NCILS to Berkeley Law, September 22 2017



Prof. Ayelet Shachar, Max Planck Institute for the Study of Religious and Ethnic Diversity, presenting her work on “The Shifting Border,” International Migration and Refugee Law Workshop, August 30 2017



Prof. Mia Swart, October 24 2017

LECTURE ON “THE MOBILIZATION OF SOUTH AFRICAN CIVIL SOCIETY IN THE AL-BASHIR MATTER” – OCTOBER 24, 2017

Professor Mia Swart, University of Johannesburg

Co-sponsored with the American Society of International Law, the Boalt Hall Committee for Human Rights, the Berkeley Journal of International Law, and the Thelton E. Henderson Center for Social Justice



Theresia Degener, October 31 2017

LECTURE ON “NEW FRONTIERS IN ANTI-DISCRIMINATION LAW: INTERNATIONAL HUMAN RIGHTS LAW ON PERSONS WITH DISABILITIES” – OCTOBER 31, 2017

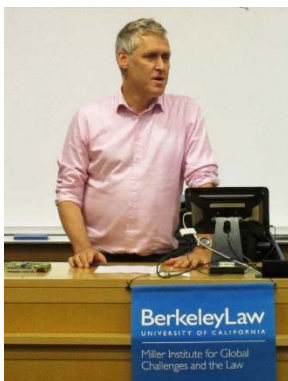
Theresia Degener, Chair, UN Committee on the Rights of Persons with Disabilities

Co-sponsored with the American Society of International Law, the Berkeley Journal of International Law, the Boalt Hall Committee for Human Rights, the Thelton E. Henderson Center for Social Justice, and the Human Rights Center

LECTURE ON “EMMANUEL MACRON AND EMPLOYMENT DISCRIMINATION: NEW PERSPECTIVES” – NOVEMBER 2, 2017

Professor Marie Mercat-Bruns, Sciences Po Law School and Conservatoire National des Arts et Métiers

Co-sponsored with the Thelton E. Henderson Center for Social Justice



Dr. Chris Dolan, January 11 2017

PANEL ON “KASHMIRI WOMEN IN RESISTANCE: INDIAN OCCUPATION AND SILENCED HISTORIES” – NOVEMBER 8, 2017

Co-sponsored with the Center for Race and Gender, the Boalt Hall Committee for Human Rights, the Muslim Identities and Cultures Working Group, and the International Human Rights Law Clinic

This discussion on the agency of Kashmiri women in resisting the violence of Indian occupation featured **Huma Dar**, Lecturer, Asian American and Asian Diaspora Studies, UC Berkeley; Professor **Idrisa Pandit**, University of Waterloo; and **Zainab Ramahi** ('19), Berkeley Law.

LECTURE ON “RETURN WITHOUT REDEMPTION: EX-COMBATANTS IN NORTHERN UGANDA” – JANUARY 11, 2018

Dr. Chris Dolan, Director, Refugee Law Project, Makerere University (Uganda)

Co-sponsored with the ASIL Transitional Justice Rule of Law Interest Group



(L-R) Zainab Ramahi '19, Huma Dar, and Prof. Idrisa Pandit, November 8 2017

COLLOQUIUM ON INTERNATIONAL HUMAN RIGHTS – SPRING 2018

Organized by Professors **Laurel Fletcher** and **Saira Mohamed**

January 22	THE IRAQ INDEPENDENT INVESTIGATIVE TEAM AND PROSPECTS FOR JUSTICE FOR THE YAZIDI GENOCIDE Beth Van Schaack, Center for Advanced Study in the Behavioral Sciences, Stanford University
January 29	HUMAN RIGHTS RACISM Anna Spain Bradley, Colorado Law
February 5	ASSESSING THE INTERNATIONAL CRIMINAL COURT: IMPACTS AND IMPLICATIONS Jane Stromseth, Georgetown Law
February 12	MIGRATION AS DECOLONIZATION E. Tendayi Achiume, UCLA Law
February 26	BORDER WARS AND DOUBLE-DEALING IN GENDER: CONTESTATIONS OVER THE GENDERING OF CONFLICT-RELATED SEXUAL VIOLENCE Alice Miller, Yale Law
March 5	A NORMATIVE CRITIQUE OF HUMAN RIGHTS Makau W. Mutua, University at Buffalo School of Law
March 12	IN A TIME OF TRANSITION: INEQUALITY AND TRANSFORMATION IN TRANSITIONAL JUSTICE Zinaida Miller, School of Diplomacy and International Relations, Seton Hall University

LECTURE ON “IS THERE A FUTURE FOR INTERNATIONAL CRIMINAL JUSTICE?” – FEBRUARY 15, 2018

Stephen J. Rapp, former US Ambassador-at-Large for War Crimes Issues, Office of Global Criminal Justice

Co-sponsored with the ASIL Transitional Justice Rule of Law Interest Group, the Berkeley Journal of International Law, the Boalt Hall Committee for Human Rights, the Human Rights Center, and the International Human Rights Law Clinic

LECTURE ON “NECESSARY EVIL: HOW TO FIX FINANCE BY SAVING HUMAN RIGHTS” – MARCH 5, 2018

Professor David Kinley, University of Sydney and Doughty Street Chambers, London

CONFERENCE ON “THE POLITICAL ECONOMY AND LEGAL ASPECTS OF TRADE POLICY IN THE TRUMP ERA” – MARCH 12, 2018

Co-sponsored with Berkeley Law, the Berkeley APEC Study Center, the Institute of East Asian Studies, and the Clausen Center for International Business and Policy

MEETING ON “PROTOCOLO LA ESPERANZA” – MARCH 22-23, 2018

Co-sponsored with the International Human Rights Law Clinic and the Center for Justice and International Law (CEJIL)

Sixteen human rights scholars and practitioners from the United States, Mexico, Columbia, and the United Kingdom gathered in Berkeley to discuss the “Protocolo La Esperanza,” an initiative concerning the criminal investigation of threats against human rights defenders. Organized by Professor **Laurel Fletcher**, Miller Institute Faculty Co-Director.



Stephen Rapp, February 12 2018



Prof. David Kinley, March 5 2018



(L-R) Prof. Dimitry Kochenov, Groningen University, Legal Governance of Historical Memory Workshop, April 3 2018; Jacqueline Isaac, April 3 2018; Carmen Cheung, April 10 2018

WORKSHOP ON “LEGAL GOVERNANCE OF HISTORICAL MEMORY IN COMPARATIVE PERSPECTIVE” – APRIL 3, 2018

Co-sponsored with the Center for the Study of Law and Society and the TMC Asser Institute (The Hague)

This all-day workshop featured panels on “Governance of Historical Memory in European and US Law,” “Eastern Europe as a Current Hub of Memory Laws and Memory Wars,” and “Wider Perspective on Legal Governance of History” with speakers from the United States, the United Kingdom, Belgium, the Netherlands, and Poland.

LECTURE ON “MAKING THE CASE OF GENOCIDE” – APRIL 3, 2018

Jacqueline Isaac, human rights attorney and Vice President, Roads of Success

Co-sponsored with the Boalt Hall Committee for Human Rights

TORTURE AND ACCOUNTABILITY WEEK – APRIL 9-12, 2018

Organized by the Berkeley Law Committee Against Torture

Support from the Miller Institute for Global Challenges and the Law, the Center for Race and Gender, and the Journal of Middle Eastern and Islamic Law

April 9	WHAT IS TORTURE AND HOW DID WE GET HERE? Professor Laurel Fletcher, Berkeley Law, and Brad Adams, Human Rights Watch
April 10	RACE AND “OTHERING”: MAKING TORTURE POSSIBLE Carmen Cheung, Legal Director, Center for Justice and Accountability
April 11	PROFESSIONAL ETHICS, TORTURE, AND ACCOUNTABILITY Rohini Haar, Physicians for Human Rights, Professor Eric Stover, Human Rights Center, and Alexa Koenig, Human Rights Center
April 12	TORTURE LITIGATION AND THE FUTURE OF ADVOCACY Dror Ladin, ACLU National Security Project



Torture and Accountability Week speakers, April 9-12 2018: (L-R) Prof. Laurel Fletcher and Brad Adams; Alexa Koenig, Rohini Haar, and Prof. Eric Stover; Mariam Azhar '19 and Dror Ladin



(L-R) Almudena Bernabeu, April 17 2018
 Maria Puga, April 18 2018
 Prof. Catharine MacKinnon, May 15 2018

LECTURE ON “ACCOUNTABILITY FOR THE SALVADOREAN JESUIT MASSACRE: AN EXERCISE IN UNIVERSAL JURISDICTION” – APRIL 17, 2018

Almudena Bernabeu, Guernica Group

Co-sponsored with the Boalt Hall Committee for Human Rights and the Human Rights Center

PANEL ON “KILLINGS BY US LAW ENFORCEMENT AT THE BORDER” – APRIL 18, 2018

Co-sponsored with Amnesty International at Berkeley, Berkeley Immigration Group, Berkeley Journal of Criminal Law, Berkeley Journal of International Law, Berkeley La Raza Law Journal, Berkeley Law Committee Against Torture, Borders and Bodies Collective, Cal American Civil Liberties Union, California Asylum Representation Clinic, Chicana Latinx Academic Student Development Center, Graduate Students De La Raza, International Human Rights Law Clinic, International Human Rights Workshop, International Refugee Assistance Project, La Raza Law Students Association, and the Student Immigration Relief Clinic at Berkeley

Panelists included **Maria Puga**, widow of Anastasio Hernández-Rojas, a longtime resident of San Diego who was killed by border agents at the San Ysidro Port of Entry; **Andrea Guerrero**, Executive Director of Alliance San Diego and Co-Chair of Southern Border Communities Coalition; and **Aracely Abarca** ('18), **Sarah Hunter** ('18), **Sanaz Payandeh** ('19), and **Victoria Tang** ('19), interns with Berkeley Law's International Human Rights Law Clinic, which represents the Hernández-Rojas family in litigation against the United States before the Inter-American Commission on Human Rights.

CONFERENCE ON “THE GLOBALIZATION OF THE #METOO MOVEMENT” – MAY 15, 2018

Organized by the Berkeley Comparative Equality and Anti-Discrimination Law Study Group

Co-sponsored by the Miller Institute for Global Challenges and the Law and the Fox Networks Group

This conference brought together academics and legal practitioner experts from Europe, Asia, Australia, and North America and lawyers, managers, and HR professionals from California to explore topic of sexual harassment. Professor **Catharine MacKinnon** of the University of Michigan – and a pioneer of sexual harassment law – gave the keynote address.

INTERNATIONAL MIGRATION AND REFUGEE LAW WORKSHOP – JUNE 14-15, 2018

The second of two workshops organized by Professor **Katerina Linos** this school year to discuss current topics in migration and refugee law.



Prof. Katerina Linos, Miller Institute Faculty Co-Director, introducing her Digital Refuge website, International Migration and Refugee Law Workshop, June 15, 2018

THE RIESENFELD AWARD AND SYMPOSIUM

*Organized by the Berkeley Journal of International Law
Sponsored by the Miller Institute for Global Challenges
and the Law*

Since 2001, one of the great traditions at Berkeley Law has been the Stefan A. Riesenfeld Award and Symposium, which allows students, alumni, faculty, and staff to come together to recognize and celebrate achievement in international law.



2018 STEFAN A. RIESENFELD MEMORIAL AWARD

The Riesenfeld Award is given to a distinguished scholar or practitioner who has made outstanding contributions to the field of international law and who has demonstrated a commitment to the values that Professor Riesenfeld espoused. The 2018 honoree was **Katie Redford**, Co-Founder and Director of EarthRights International.

2018 RIESENFELD SYMPOSIUM ON “LAWYERS ON THE FRONTLINE: PROTECTING PEOPLE AND THE PLANET OVER PROFITS” – FEBRUARY 21, 2018

The 2018 Symposium featured a keynote speech by **Katie Redford** and a panel discussion on “Litigation to Advance International Environmental Justice.” Panelists included **Alfred Brownell**, the founder and lead campaigner of Green Advocates, a Liberian environmental justice organization; **Paul Hoffman**, a renowned US human rights and partner at Schonbrun Seplow Harris & Hoffman; and **Neil Popović**, partner at Sheppard Mullin LLP and Berkeley Law lecturer. Professor **Laurel Fletcher** moderated the discussion, which touched on issues ranging from corporate liability for human rights abuses under the Alien Tort Statute to the threats facing human rights and environment justice advocates worldwide.



Katie Redford, 2018 Riesenfeld Award winner



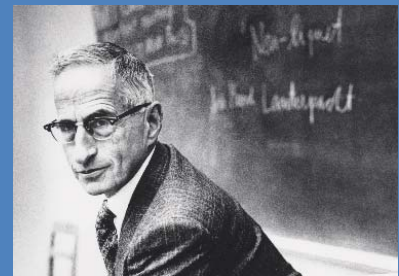
(L-R) BJIL Co-Editor-in-Chief Noah Guiney '18, BJIL Executive Editor Heidi Liu '18, Paul Hoffman, BJIL Co-Editor-in-Chief David Nahmias '18, Alfred Brownell, 2018 Riesenfeld Award winner Katie Redford, and Prof. Laurel Fletcher, February 21 2018



Riesenfeld Symposium panelists: (L-R) Prof. Laurel Fletcher, Alfred Brownell, Neil Popović, and Paul Hoffman

STEFAN A. RIESENFELD (1908-1999)

Stefan Riesenfeld ('37) was a Berkeley Law professor and recognized authority in numerous legal specialties including international law, comparative law, property law, creditors' remedies and bankruptcy, administrative law, and legal history. A native of Germany, he came to Berkeley in 1935 to earn a law degree. Speaking German, French, and Italian and with two European law degrees to his credit, he learned English only while studying at Berkeley. Nonetheless, he graduated on time and near the top of his class, and went on to receive a doctorate in law at Harvard. Professor Riesenfeld joined the Berkeley faculty in 1952 after teaching at Harvard and the University of Minnesota.



He served as a legal advisor in the Panama Canal treaty negotiations, the recognition of Taiwan, and the Iran hostage case. While in his 70s, he represented the United States in three major cases before the International Court of Justice. As civilian legal advisor with the US Office of the High Commissioner in the mid-1940s, he helped prepare the West German constitution. He also wrote the statute for Hawaii's workers' compensation regulations and helped develop human rights litigation in the United States.

Each year, the Miller Institute supports a symposium and an award in Professor Riesenfeld's name to keep alive his commitment to rigorous scholarship in international law and his devotion to public service.



Riesenfeld Symposium keynote speech: Berkeley Law Dean Erwin Chemerinsky introducing Riesenfeld Award winner Katie Redford

PARTNERSHIP WITH THE AMERICAN SOCIETY OF INTERNATIONAL LAW

Berkeley Law, through the Miller Institute, is an Academic Partner of the American Society of International Law (ASIL), which provides recognition, participation, promotion, education, and access opportunities for our students and faculty.

FACULTY AND ALUMNI PARTICIPATION. Berkeley Law faculty and alumni have a rich history of leadership in ASIL. Professor **Laurel Fletcher** is the co-chair of the Transitional Justice and Rule of Law Interest Group, and Professor **Katerina Linos** is a member of the Editorial Committee of the *American Journal of International Law*. Professor **Saira Mohamed** and **Jeff Bleich** ('89) continued their tenure on the Executive Council, which serves as the governing body of the organization. **Kate Jastram** ('86), former Miller Institute Executive Director and Berkeley Law lecturer, serves as co-chair of the International Refugee Law Interest Group.

Judge **Joan Donoghue** ('81) of the International Court of Justice gave the 20th Annual Grotius Lecture at the 2018 Annual Meeting on the theme of "International Adjudication: Peaks, Valleys, and Rolling Hills."

The 2018 Annual Meeting was dedicated to the memory of Professor **David D. Caron** ('83), former Director of the Miller Institute and former ASIL President (2010-2012), who passed away on February 20, 2018.

ASIL TRANSITIONAL JUSTICE RULE OF LAW INTEREST GROUP CO-SPONSORSHIP. The ASIL Interest Group joined with the Miller Institute to sponsor lectures at Berkeley Law by Dr. **Chris Dolan**, Director of the Refugee Law Project at Makerere University and **Stephen Rapp**, former US Ambassador-at-Large for War Crimes Issues.

ASIL FELLOWSHIP. Since 2013, the Miller Institute has awarded funding to a Student Fellow to attend the ASIL Annual Meeting in Washington DC, the largest and most important gathering each spring of international law practitioners, policymakers, and scholars. With support from Berkeley Law's Advanced Degree Programs Office, we were able to expand the Fellowship Program from sending two students in 2017 to eight students in 2018.



Judge Joan Donoghue '81 delivering the Grotius Lecture at the ASIL Annual Meeting, April 4 2018

2018 ASIL FELLOWS



*Top row: Elias Boukachabine (LLM '18), Sarah Hunter (JD '18), Richard Kwek (LLM '18), Melissa McCall (JD '19)
Bottom row: Zainab Ramahi (JD '19), Karen Seif (JSD '19), Anil Yilmaz (LLM '18), Michael Youhana (JD '18)*

REACHING OUT TO INTERNATIONAL LAW STUDENTS

WELCOME RECEPTION FOR INCOMING INTERNATIONAL LAW STUDENTS – AUGUST 28, 2017

For the past six years, the Miller Institute has hosted a reception to welcome incoming JD, LLM, and JSD students interested in international and comparative law. Students had the opportunity to meet faculty, learn about international law classes, programs, and events, and to hear from international law student groups, such as the Berkeley Journal for International Law, the Boalt Hall Committee for Human Rights, the California Asylum Representation Clinic, and the Iraqi Refugee Assistance Project.

CAREER TALK: LIFE IN “L” – FEBRUARY 12, 2018

Gabriel Swiney, Attorney, Office of the Legal Adviser

Co-sponsored with the Career Development Office and the Berkeley Journal of International Law

BJIL INTERNATIONAL LAW FACULTY TALKS – MARCH-APRIL 2018

The Miller Institute supported a series of three talks, organized by the Berkeley Journal of International Law (BJIL), which featured members of Berkeley Law’s international law faculty. These talks were a unique opportunity for a small group of students to engage with the professors about their work and research in an informal setting.

- Professor **Saira Mohamed** spoke about her research on international criminal law and command responsibility for mass atrocities crimes, as well as about her career working at the State Department's Office of the Legal Advisor.
- Professor **John Yoo** discussed his research process and experience for his article about the territorial dispute between South Korean and Japan over the Dokdo Islands.
- Professor **Amnon Reichman** shared a working draft of his paper on the future of comparative law with students and received feedback from them.



Gabriel Swiney, February 12 2018



Matt Burton and David Bowker '98, April 13 2018

CAREER TALK: INTERNATIONAL LAW PRACTICE IN THE PUBLIC AND PRIVATE SECTORS – APRIL 13, 2018

Matt Burton, Uber and David Bowker ('98), Wilmer Hale

Co-sponsored with the Career Development Office



Miller Institute Faculty Co-Directors Laurel Fletcher and Katerina Linos welcoming incoming students, August 28 2017

CERTIFICATE OF SPECIALIZATION IN INTERNATIONAL LAW

Berkeley Law students may undertake a specialization in international law. The specialized curricular program ensures students develop a broad background in fundamental areas of law while receiving advanced training in international law. Students who meet the requirements are awarded a Certificate of Specialization in International Law in a ceremony in May, hosted by the Miller Institute.

2018 RECIPIENTS

JD Students

Astrid Ackerman
Griselda Cabrera
Mary Dahdouh
Holly Firlein
Danee Grady
Sarah Hunter
Sarah Yookyung Kim
Jenna Klein
Natalia Krapiva
Natalia Ramirez Lee
Stephanie Lopez
Sarah Mirza
Nam Phan
Jose Ramos
Jonathan Spiro
Michael Youhana

LLM Students

Manu Chaturvedi
Benoit Doublet
Biniam Ghebremichael
Anshu Gupta
Grace (Joo Hyun) Jang
Nicole Kaneza
Sam Mottahedan
Agustina Perez
Vivian Lezama Pizzati
Aditi Pradhan
Erdal Sumaytaoglu
Rachel Thampapillai
Juan Carlos Urquidi



ROXANNA ALTHOLZ

Professor Roxanna Altholz organized a discussion, held at Berkeley Law on April 18, 2018, on the ongoing international litigation in the case of Anastasio Hernández-Rojas, a longtime resident of San Diego who was killed by US agents at the United States-Mexico border. The panel featured his widow, Maria Puga, and three student interns from Berkeley Law's International Human Rights Law Clinic, which represents the Hernández-Rojas family in their case against the United States before the Inter-American Commission on Human Rights.



KENNETH BAMBERGER

Professor Kenneth Bamberger was selected for the US Department of Commerce-European Commission list of arbitrators developed as part of the EU-US Privacy Shield Framework. The arbitrators are US attorneys and experts in both US and EU privacy law, and serve for three-year terms.

He is also a founding board member of a new international initiative, the Israel Tech Policy Institute. The Institute is an incubator for tech policy leadership and scholarship, advancing ethical practices in support of emerging technologies.

Professor Bamberger gave a keynote speech at the conference on "Global Data Protection Regulation," held at Haifa University on May 23, 2018. The conference, organized by the Israeli Bar Association, marked the launch of the EU's General Data Protection Regulation, and explored the law's jurisdiction and its effects on worldwide companies. The next day Professor Bamberger spoke to the Haifa University Law School faculty and students as part of their International Technology Law Forum.



LAUREL FLETCHER

In October 2017, Professor Laurel Fletcher participated in a mock debate at the International Criminal Court on the use of gender quotas on international judicial bodies. The event was held in conjunction with an international conference on gender parity on international courts and monitoring bodies organized by GQUAL Campaign, at which Professor Fletcher was a featured speaker.

Professor Fletcher and Professor Saira Mohamed oversaw the Colloquium on International Human Rights, a series of lectures for students on topics of human rights law, in spring 2018. The Colloquium brought seven speakers who presented the scholarship on a range of areas of human rights law to a group of more than 35 students.

She also convened a meeting of human rights scholars and practitioners in Berkeley on March 22-23, 2018 to discuss the "Protocolo La Esperanza," an initiative concerning the



(L-R) Prof. Laurel Fletcher, GQUAL event, The Hague; Prof. Kenneth Bamberger, International Technology Law Forum, Haifa University

criminal investigation of threats against human rights defenders. The meeting was organized in conjunction with Center for Justice and International Law (CEJIL).

In June Professor Fletcher traveled to Geneva and conducted a briefing for delegates and NGOs attending the meeting of the UN Human Rights Council on the impacts on women human rights defenders of increasing State restrictions on their legitimate activities.

ALEXA KOENIG

Alexa Koenig, Executive Director of Berkeley Law's Human Rights Center, is working on a book for Oxford University Press called *Digital Witness: Using Open Source Information for Human Rights Investigation, Documentation and Accountability*.

She also participated in RightsCon, the world's leading summit on human rights in the digital age, where she presented her research findings on the use of social media to strengthen human rights cases, and met with a number of research partners to advance a series of related studies. Topics included research ethics related to open source investigations (the discovery, verification and analysis of information derived from social media and other publicly-accessible platforms), input into the investigations protocol that Berkeley Law is developing to help professionalize that area of practice, and a study into the use of digital tools to strengthen documentation of human rights abuses.

KATERINA LINOS

Professor Katerina Linos was co-leader of a project that put together Digital Refuge (digital-refuge.berkeley.edu), a new interactive website that "maps the perilous ordeals of thousands of displaced people from the Middle East, Africa, and Asia through their own personal stories and social media posts." The website was unveiled on World Refugee Day (June 20, 2018) and involved researchers from UC Berkeley and UC Davis. This multimedia project analyzes social media data, ethnography, and non-governmental organization databases, and allows "users to explore camp conditions and compare on-the-ground experiences to government reports. Their data is based on more than 6,000 interviews and 10,000 Facebook posts." The website was developed through a Carnegie Fellowship awarded to Professor Linos, through seed funding from CITRIS and the Banatao Institute awarded to the project co-leaders Professor Linos and Professor Anupam Chander of UC Davis, and with support from the Miller Institute.

Professor Linos also organized two workshops in August 2017 and June 2017, in which scholars from North America and Europe discussed recent developments in migration and refugee law.

SAIRA MOHAMED

Professor Saira Mohamed hosted the annual meeting of the Northern California International Law Scholars (NCILS), which convened at Berkeley Law on September 22, 2017. Each year law professors from Northern California gather to present and comment on works-in-progress on topics of international law.



Photo from Digital Refuge website
by Iakovos Hatzistavrou

With support from the Miller Institute, she attended the National Symposium of the Council on Foreign Relations (CFR), held on December 14, 2017 (which brought together CFR members for networking and in-depth foreign policy discussions), as well as the annual meeting of the American Society of International Law in April 2018.

Professor Mohamed and Professor Laurel Fletcher convened the Colloquium on International Human Rights in spring 2018. The Colloquium welcomed seven speakers who presented both published scholarship and works in progress in a range of areas of human rights law to a group of more than 35 students.

DAVID OPPENHEIMER

The Berkeley Comparative Equality and Anti-discrimination Law Study Group, led by Professor David Oppenheimer, launched a working paper series, which is hosted and distributed by the Social Science Research Network (SSRN). The Study Group is an association of 400+ scholars, legal activists, and equality body members/lawyers that holds worldwide videoconferences and meetings to discuss works in progress or important new cases.

Professor Oppenheimer also organized a conference on global sexual harassment held in Berkeley from May 14-15, 2018. The conference featured speakers from China, India, France, Australia, and the United Kingdom, including keynote addresses by Professors Catharine MacKinnon, Kimberle Crenshaw and Lauren Edelman.

AMNON REICHMAN

Professor Amnon Reichman (LLM '96), Visiting Associate Professor of Comparative Civil Law from Haifa University, is developing a paper that examines the hope that a more robust form of transnational law will emerge, including an effective form of judicial communication of doctrine and justifications.

KIM THUY SEELINGER

Kim Thuy Seelinger, Director of the Human Rights Center's Sexual Violence Program, is working on a book for Oxford University Press (with Professor Sharon Weill at Sciences-Po), which focuses on the historic 2016 trial of Hissène Habré. Habré, the former president of Chad, was found guilty by a court in Senegal of war crimes and crimes against humanity, including sexual violence.

She is also working on a project to develop a tool to track the evolution of sexual and gender-based crimes under customary international law. The tool will help lawyers and judges properly charge and respond to sexual and gender-based crimes as war crimes and crimes against humanity in their national courts. In March 2018, she traveled to Uganda with two Berkeley Law students, Sarah Hunter ('18) and Jenna Klein ('18), to present the draft tool to Ugandan prosecutors and judges for feedback.



Kim Thuy Seelinger (lower right) with Sarah Hunter '18 and Jenna Klein '18 (far left) and Ugandan prosecutors, police and military officers



Prof. Rachel Stern discussing her research at Nanjing conference and for Chinese television

RACHEL STERN

Professor Rachel Stern was named as one of the 2017 Hellman Award Recipients. Established by the late F. Warren Hellman in 1995, the purpose of the Hellman Fellows Fund is to support substantially the research of promising assistant professors who show capacity for great distinction in their research. Professor Stern's research explores the relationship between law, power, social change and globalization, particularly in Mainland China and Hong Kong. Her Hellman-funded research seeks to uncover how we understand the origins and consequences of Chinese leadership's dramatic public embrace of judicial transparency.



ERIC STOVER

Professor Eric Stover's latest book project is a volume (co-edited with Henry Erlich and Thomas White with a foreword by Scott Turow) entitled *Silent Witness: Applying Forensic DNA Evidence in Criminal Trials and Humanitarian Disasters*, to be published by Oxford University Press in 2019. The book includes a chapter co-written by Professor Stover on the story of the Abuelas de Plaza de Mayo, or Grandmothers of the Disappeared, and their search for more than 500 children who were kidnapped by the Argentine military or born in captivity and given up for illegal adoption during military rule from 1976-1983.

In December 2017, Professor Stover gave two human rights lectures in Indonesia, sponsored by the Yap Thiam Hien Foundation, a non-profit organization dedicated to upholding human rights through the participation of civil society. At the first lecture in the Jakarta City Hall, he spoke about the use of torture by the US military and CIA to extract information from prisoners held in Guantanamo Bay (Cuba), Abu Ghraib (Iraq), and secret detention centers around the world, and the lack of accountability for these crimes. The second lecture was given at Syiah Kuala University in Banda Aceh where he spoke about the application of the forensic sciences to identify the remains of the disappeared in the aftermath of war and political repression.



Prof. Eric Stover giving Yan Thiam Hien Foundation talk

MILLER INSTITUTE SUPPORT FOR FACULTY

The Miller Institute is pleased to have supported the following faculty members conducting international and comparative law research through our grants program:

Roxanna Altholz
Kenneth Bamberger
Laurel Fletcher
Stavros Gadinis
Marci Hoffman
Alexa Koenig
Katerina Linos
Saira Mohamed
David Oppenheimer
Amnon Reichmann
Kim Thuy Seelinger
Eric Stover

FACULTY SCHOLARSHIP (PARTIAL LIST)

ROXANNA ALTHOLZ

- Elusive Justice: Legal Redress for Killings by US Border Agents, 27 BERKELEY LA RAZA LAW JOURNAL (2017)

KENNETH BAMBERGER

- (with Deirdre Mulligan) Foreword to EU PERSONAL DATA PROTECTION IN POLICY AND PRACTICE (Springer, forthcoming)
- (with Deirdre Mulligan) Preventing Governance-By-Design Dystopia: Four Rules of Engagement, CALIFORNIA LAW REVIEW (2018)
- (with Deirdre Mulligan) Privacy Law: on the Books and on the Ground, in HANDBOOK OF PRIVACY STUDIES (Bart van der Sloot and Aviva de Groot, eds., Amsterdam University Press, 2018)

LAUREL FLETCHER

- (with Alexa Koenig and Eric Stover) The Cumulative Effect: A Medico-Legal Approach to United States Torture Law and Policy, in TORTURE AND ITS DEFINITIONS IN INTERNATIONAL LAW: AN INTER-DISCIPLINARY APPROACH (M. Başoğlu, ed., Oxford University Press, 2017)
- International Criminal Law and the Subordination of Emancipation: The Question of Legal Hierarchy in Transitional Justice, OXFORD HANDBOOK OF INTERNATIONAL CRIMINAL LAW (Kevin Jon Heller, Frédéric Mégret, Sarah Nouwen, Jens Ohlin, Darryl Robinson, eds., Oxford University Press, 2018)
- US Law School Clinics as Sites of International Law Reform, WASEDA COMPARATIVE LAW REVIEW (2018)
- (with Harvey Weinstein) Transitional Justice and the “Plight” of Victimhood, in RESEARCH HANDBOOK ON TRANSITIONAL JUSTICE (Cheryl Lawther, Luke Moffett, Dov Jacobs, eds., Edward Elgar, 2017)

ALEXA KOENIG

- A Battle for Control: Resisting Torture and Cruel, Inhuman, or Degrading Treatment at Guantánamo, in *Torture and its Definition in International Law* (2017)
- (with Laurel Fletcher and Eric Stover) The Cumulative Effect: A Medico-Legal Approach to United States Torture Law and Policy, in TORTURE AND ITS DEFINITIONS IN INTERNATIONAL LAW: AN INTER-DISCIPLINARY APPROACH (M. Başoğlu, ed., Oxford University Press, 2017)

KATERINA LINOS

- (with Kimberly Twist) Diverse Pre-Treatment Effects in Survey Experiments, *JOURNAL OF EXPERIMENTAL POLITICAL SCIENCE* (2018)
- (with Laura Viktoria Jakli and Melissa Carlson) Hungary and Slovakia challenged Europe's refugee scheme. They just lost badly, *WASHINGTON POST*, September 8, 2017
- (with Melissa Carlson and Laura Jakli) Refugees Misdirected: How Information, Misinformation, and Rumors Shape Refugees' Access to Fundamental Rights, *VIRGINIA JOURNAL OF INTERNATIONAL LAW* (2018)
- (with Anu Bradford and Stavros Gadinis) Unintended Agency Problems: How International Bureaucracies Are Built and Empowered, *VIRGINIA JOURNAL OF INTERNATIONAL LAW* (2018)
- (with Tom Pegram) What Works in Human Rights Institutions?, *AMERICAN JOURNAL OF INTERNATIONAL LAW* (2017)

SAIRA MOHAMED

- Contestation and Inevitability in the Crimes of the International Criminal Court, in *ELGAR COMPANION TO THE INTERNATIONAL CRIMINAL COURT* (Margaret M. deGuzman and Valerie Oosterveld, eds., forthcoming)
- Leadership Crimes, *CALIFORNIA LAW REVIEW* (2017)
- From Machinery to Motivation: The Lost Legacy of Criminal Organizations Liability, in *OXFORD HANDBOOK OF INTERNATIONAL CRIMINAL LAW* (Kevin Jon Heller, Sarah Nouwen, Frédéric Mégret, Jens David Ohlin, and Darryl Robinson, eds., Oxford University Press, 2017)
- Perpetrator Trauma, in *THE ROUTLEDGE HANDBOOK OF PERPETRATOR STUDIES* (Zachary Goldberg and Susanne Knittel, eds., forthcoming)

DAVID OPPENHEIMER

- (with Sheila Foster, Sora Han, and Richard T. Ford) *COMPARATIVE EQUALITY AND ANTI-DISCRIMINATION LAW* (2017)

HARRY SCHEIBER

- (with Nilufer Oral and Moon-Sang Kwon, eds.) *OCEAN LAW DEBATES: THE 50-YEAR LEGACY AND EMERGING ISSUES FOR THE YEARS AHEAD*, Brill Nijhoff (2018)

RACHEL STERN

- Activist Lawyers in Post-Tiananmen China, *LAW AND SOCIETY INQUIRY* (2017).

ERIC STOVER

- (with Jonathan Silvers, Allan A. Ryan, and Philip Gourevitch, co-producers) *Dead Reckoning: War, Crime and Justice from World War II to the War on Terror*, PBS Documentary (2017)
- (with Laurel Fletcher and Alexa Koenig) The Cumulative Effect: A Medico-Legal Approach to United States Torture Law and Policy, in *TORTURE AND ITS DEFINITIONS IN INTERNATIONAL LAW: AN INTER-DISCIPLINARY APPROACH* (M. Başoğlu, ed., Oxford University Press, 2017)

CHARLES WEISSELBERG

- Exporting and Importing Miranda, *BOSTON UNIVERSITY LAW REVIEW* (2017)
- On Both Sides of the Atlantic Ocean: Judicial Dialogue Between US and European Courts, in *EU DEFENCE RIGHTS IN CRIMINAL PROCEEDINGS* (S. Allegrezza, ed., forthcoming)
- Professional Legal Education and Apprenticeships in the United States: Past, Present and Future, in *CLINICAL LAW SEMINAR [RINSHO HOGAKU SEMINA]* (in Japanese) (forthcoming)

THANK YOU TO ARIADNA MILLER

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A celebrated Berkeley Law alumnus, G. William Miller served as Secretary of the Treasury under President Carter and 11th Chairman of the Federal Reserve. He was an officer in the US Coast Guard, and led a distinguished career in business and investment banking.

Miller was a lifelong supporter of Berkeley Law, serving on the school's Campaign Cabinet. As national chair of the Distinguished Professors Project in 1986, he helped raise \$1.2 million to endow chairs honoring Berkeley Law professors.

Miller was also the 1979 recipient of the Citation Award, the Boalt Hall Alumni Association's highest honor, and was recognized with the UC Berkeley Foundation Trustee's Citation in 1987.

He was deeply committed to enabling work to promote the rule of law as a means to ensure that nations share a set of values without sacrificing their individual cultures. The Miller Institute seeks to further his vision.



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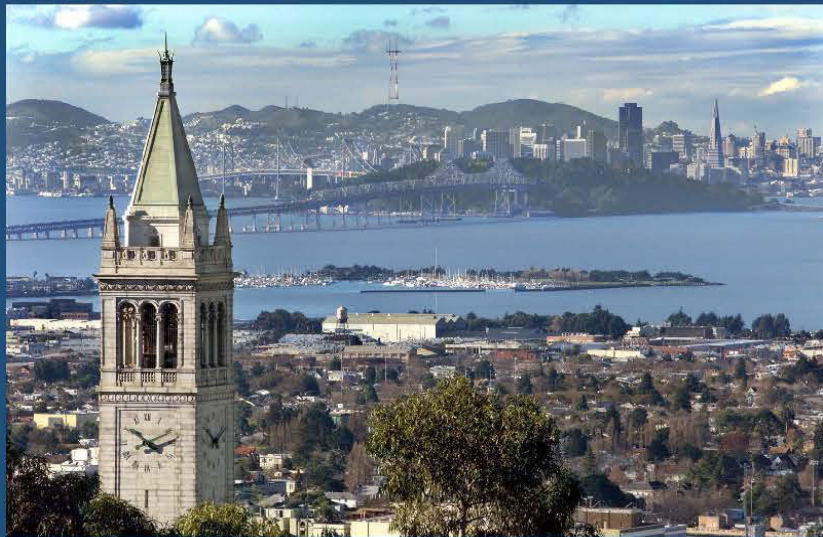
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