

JAMES G. STEWART

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QUALIFICATIONS

- Tertiary Education:** *JSD (Doctorate in Law)*
Columbia Law School, New York, 2013.
- LLM (mention très bien) (in French)*
University of Geneva, Switzerland, 2003 – 2004.
- LLB (Hons), BA (Philosophy and Comparative Religion)*
Victoria University of Wellington, New Zealand, 1994 - 1999
- Professional:** *Barrister and Solicitor of the High Court of New Zealand.*
- Languages:** Fluent in French and English

ACADEMIC EXPERIENCE

- Assoc. Professor (Tenured) *Allard School of Law, University of British Columbia, Vancouver, Canada.*
July 2009 – ongoing
Tenured professor teaching Jurisprudence, Public International Law, Transnational Law, International Human Rights and International Humanitarian Law.
- Senior Fellow *Melbourne Law School*
March 2016
I will teach a week intensive course on International Criminal Law in Melbourne's LLM program.
- Global Hauser Fellow *New York University Law School. New York, New York, United States.*
August 2012 – Jan 2013
A fellowship at NYU Law School.
- Associate-in-Law *Columbia Law School. New York, New York, United States*
August 2007 – June 2009.
Teaching responsibilities included a course entitled Introduction to American Law for foreign LLM students.

PRACTICAL EXPERIENCE

- Appointed Member *United States Institute for Peace, Project Advisory Committee, Washington D.C. United States.*
Member of an expert advisory team on prosecuting economic and environmental crimes in the Democratic Republic of the Congo
- Senior Legal Advisor *Supreme Court Chamber, Extraordinary Chambers in the Courts of Cambodia. Phnom Penh, Cambodia.*
Nov 2014 – on-going (part-time)
Advising appellate judges for the Khmer Rouge trials on all aspects of international criminal law.
- Appeals Counsel *Office of the Prosecutor, International Criminal Tribunal for the former Yugoslavia. The Hague, Netherlands.*
September 2005 – September 2007
Appellate prosecutor, responsible for all aspects of appellate litigation, ranging from brief writing to oral advocacy.
- Legal Attaché *International Committee for the Red Cross, Legal Division. Geneva, Switzerland.*
October 2004 – September 2005
Drafted manual on Business and International Humanitarian Law, represented ICRC at UN Expert Meeting on Mercenaries, UN Expert Meeting on Impunity and joint Swiss-ICRC conference on private military companies.
- Legal Intern *The Office of the Prosecutor, The International Criminal Tribunal for Rwanda. Arusha, Tanzania.*
April 2001 - September 2001
Member of Butare cases trial team, involving several investigative missions to Rwanda, drafting legal briefs, and preparing evidence for trial.
- Law Clerk *The Appeals Chamber of the International Criminal Tribunal for the Former Yugoslavia. The Hague, Netherlands.*
Sept 2000 – Mar 2001
Provided legal support to Judge Mohammed Shahabuddeen and other Judges of the Appeals Chamber.

FELLOWSHIPS, PRIZES AND SCHOLARSHIPS

- *UBC Killam Research Fellowship, 2016*
One of 10 professors at the University of British Columbia to receive this sabbatical fellowship. See [here](#).
- *Wall Scholar, Peter Wall Institute for Advanced Studies, 2015-2016*
One of 12 academics at the University of British Columbia, from all disciplines and levels of seniority, selected to spend a paid year in residence at the Institute for Advanced Studies. See [here](#).
- *Global Hauser Fellow, New York University Law School, 2012*
One of 10 academics NYU Law invites through this program each year to join its faculty for a semester. See [here](#).
- *Aurora Prize, Canadian Social Sciences and Humanities Research Council (SSHRC)*
Top pre-tenure funding application across all social sciences in Canada, 2011 See [here](#) and [here](#);
- *Fellow, Open Society Institute*
This prestigious fellowship is offered to “social entrepreneurs” who offer innovative solutions to global problems. I was the second youngest person to ever receive this. See [here](#).
- *Antonio Cassese Prize in International Criminal Justice 2009.*
The leading prize in the field of international criminal justice. For an overview of the project that was awarded the prize, see [here](#).
- *La Pira Prize – Journal of International Criminal Justice 2006*
Prize for the best article by a scholar under the age of 35 years in Oxford University Press’ Journal of International Criminal Justice. For a copy of the article, see [here](#).
- *Swiss Government Excellence Scholarship 2003 – 2004*
Scholarship from the Swiss government to undertake a Master’s degree at the University of Geneva.
- *Australia and New Zealand Society of International Law Award 2001*

PUBLICATIONS

International Human Rights Law

- [*The Turn to Corporate Criminal Liability for International Crimes: Transcending the Alien Tort Statute*](#), 47 *NYU Journal of International Law and Politics*, (2015), 86 pages.

In this Article, I point to the advantages of processing Alien Tort Statute (ATS) cases against corporations through the lens of corporate criminal liability for international crimes, showing how this new and alternative angle provides doctrinal and conceptual responses to criticisms of the ATS. I make this argument as part of a broader inquiry into potential of focusing international criminal justice on commercial inputs to atrocity, as a novel means of affecting the trajectory of on-going atrocities. In doing so, I draw heavily on current human rights doctrine, the philosophy of human rights, theories of compliance in international human rights law and Business and Human Rights scholarship. The article was cited by the Appeals Chamber of the Special Tribunal for Lebanon in its controversial decision to try a corporation for contempt. For criticisms and responses to this article on Opinio Juris, see:

- [Professor Samuel Moyn \(Harvard\), and My Response to Moyn;](#)
- [Professor Steven Ratner \(Michigan\), and My Response to Ratner;](#)
- [Professor Beth Stephens \(Rutgers\), and My Response to Stephens.](#)

International Humanitarian Law

- [The Future of the Grave Breaches Regime: Segregate, Assimilate or Abandon,](#) in James G. Stewart (ed) *The Grave Breaches Regime in the Geneva Convention: A Reassessment Sixty Years On* Journal of International Criminal Justice, Vol. 7(4) 2009.

This Article appears in an edited volume involving leading commentary on one type of war crime, called grave breaches. I argue that there are three possible futures for the grave breaches regime: (a) continued segregation from other categories of war crimes in deference to the historical development of these crimes; (b) assimilation with other categories of war crimes, ideally through the promulgation of a more coherent treaty regime; and (c) abandonment because grave breaches entail troublesome technicalities with only marginal substantive added-value. I conclude that these war crimes will persist in a tension between these poles.

- [The Military Commission's Act's Inconsistency with the Geneva Conventions: An Overview,](#) 4 Journal of International Criminal Justice (2007) (peer reviewed), 12 pages.

The article criticizes various aspects of the Military Commissions Act 2006, which governed the trial of Guantánamo detainees. The piece forms part of an expert symposium on the Military Commissions Act, which also included George Fletcher and Michael Dorf. The paper embodies my learning in my first intellectual love, international law, which now compliments my interdisciplinary interest in the ethics of atrocity. The article is cited with approval in the amicus brief of the French Minister of Justice, which was joined by various international law experts, in the Omar Kadr case before US Military Commissions.

- [Re-Thinking Guantánamo: Unlawful Confinement as Applied in International Criminal Law.](#) Journal of International Criminal Justice, Vol. 4(1) 2006.

This article was awarded the La Pira Prize in 2006 for best article by a scholar under the age of 35 years. The paper concludes that there is a striking resemblance between allegations made of detention practices at Guantánamo and many of the scenarios that gave rise to individual criminal responsibility for unlawful confinement as a grave breach of the Geneva Conventions in other contexts. As such, I emphasize the need to rethink the legal basis for detention at Guantánamo and point to the troubling risks of individual criminal responsibility for purporting to develop international humanitarian law through unilateral changes in policy rather than formal international law-making processes.

- [*Towards a Single Definition of Armed Conflict in International Humanitarian Law: A Critique of Internationalized Armed Conflict*](#). The International Review of the Red Cross, June 2003, Vol. 85 No 850, 313.

This article argues for the abolition of the distinction between international and non-international armed conflict in the laws of armed conflict by highlighting the current dichotomy's failure to cope with conflicts that contain both elements, namely, internationalized armed conflicts. The article was cited within the International Criminal Court's first judgment, was listed as one of four documents of interest on the ICRC's main international humanitarian law webpage, and is translated into Arabic, Spanish and Russian. I continue to draw on this literature on the laws of armed conflict to inform my interdisciplinary focus on regulating war economies, particularly in Africa.

International Criminal Law

- [*The Ahistoricism of Legal Pluralism in International Criminal Law*](#) (with Asad Kiyani), *Forthcoming American Journal of Comparative Law* (2017), 70 pages (peer reviewed) .

In this Article, we point to the significance of colonialism in constructing norms that apply in extant international criminal law, offering a moral argument why the field should divorce itself from an ugly history by focusing more on corporate implication in atrocity. In particular, we point to the history of criminal doctrine in four post-colonial national systems and four international counterparts, showing that many of the norms in these legal fields are colonial artefacts that were forcibly imposed, not reflections of values particular to these polities. This paper was selected for presentation at the American Society of Comparative Law's Annual Workshop at UCLA, the American Society of International Law's Annual Workshop at Temple, and Columbia Law School's workshop on international criminal justice. It represents a deep engagement with the need for international criminal justice to address corporate implication in atrocity, which dates to colonialism.

- [*Corporate War Crimes: Prosecuting Pillage of Natural Resources*](#) (OSJI, 2010) (peer reviewed), 164 pages (a French translation is also available [here](#))

This text offers a detailed doctrinal exploration of the law governing pillage of natural resources for war crimes prosecutors, judges, governments and civil society, which featured as the centre-piece of a major academic conference on the topic that was co-sponsored by the Dutch and Canadian Ministries of Justice. See www.pillageconference.org. To date, this work has led to two cases, one against the world's largest gold refinery in Switzerland and another against a Belgian businessman purchasing diamonds in Sierra Leone. I published an op-ed in the New York Times about the first of these cases. See [here](#). The work is a key component of the wider interest in restraining corporate malfeasance in conflict.

- [*The End of “Modes of Liability” for International Crimes*](#), *Leiden Journal of International Law* (peer reviewed), Jan 2012, 70 pages

This article presents a theoretical criticism of the international law of complicity and the domestic criminal principles upon which it is based from the perspective of ethics and moral philosophy. It argues for a unitary theory of perpetration, ending the long-endured fixation on modes of liability within the discipline. On this account, complicity becomes a subset of a singular more capacious notion of perpetration. I make this argument as a theoretical pre-cursor to my subsequent work on the ethical responsibility of arms vendors for atrocities their merchandise help perpetrate. The Appeals Chambers of the Special Court for Sierra Leone and the International Criminal Court have both cited the article in legal judgments. For criticisms and responses to this article on Opinio Juris, see:

- [*Professor Thomas Weigend \(Cologne\)*](#), and [*My Response to Weigend*](#);
 - [*Professor Darryl Robinson \(Queens\)*](#), and [*My Response to Robinson*](#);
 - [*Professor Jens Ohlin \(Cornell\)*](#), and [*My Response to Ohlin*](#).
- [*The Strangely Familiar History of the Unitary Theory of Perpetration*](#), forthcoming in Bruce Ackerman et al (eds.), *Visions of Justice: Essays in Honor of Professor Mirjan Damaška* (Duncker & Humblot, Berlin, 2016), 31 pages.

A unitary theory of perpetration is one that does not espouse different legal standards for different forms of participating in crime. In this Article, I pay homage to Yale Professor Mirjan Damaška's influence on my work and career by reiterating my earlier arguments for a unitary theory of perpetration in international criminal law. This Article looks to the history of the unitary theory in five legal traditions that have abandoned differentiated systems like that currently in force internationally in favor of a unitary variant. In this respect, the Article contributes an historical perspective to a burgeoning dialogue about forms of blame attribution internationally by again questioning whether the great struggle with “modes of liability” is worth continuing. Overall, the article is a part of a deep engagement with the ethics of complicity that I will now use to assess the responsibility of arms vendors for furthering atrocity, especially in Africa.

- [Ten Reasons for Adopting a Universal Concept of Participation in Atrocity](#), *Pluralism in International Criminal Law* (Elies van Sliedregt and Sergey Vasiliev eds., OUP 2014). 28 pages.

In this article, I argue for a universal concept of participation in atrocity that would apply whenever an international crime is charged. I argue that there are important reasons why a single universal standard should develop in international criminal justice, instead of simply deferring to whatever doctrine comes with the jurisdiction hearing the case. This paper in particular acts as a call for a unified standard of ethical responsibility throughout the world, to avoid “races to the bottom” that allow corporations bent on contributing to atrocity to evade accountability by seeking out the weakest regulatory system. In 2014, the Appeals Chamber of the International Criminal Court cited the article in its inaugural judgment.

- [Wanton Destruction not Justified by Military Necessity, Plunder, Judicial Notice, Internationalized Armed Conflict and Guantánamo](#), in *The Oxford Companion to International Criminal Justice* (Antonio Cassese ed.) (OUP, 2008) (peer reviewed).

These short entries provide encyclopaedia-like treatment of a range of issues in modern international criminal law, including wanton destruction not justified by military necessity, plunder, judicial notice, internationalized armed conflict and Guantánamo. The entries were solicited contributions to a treatise on international criminal law.

Ethics in War

- [The Accomplice Liability of Arms Vendors](#), *Forthcoming 2017*, 70 pages.

Complicity is responsibility for helping. Among practitioners and scholars alike, providing a weapon is a paradigmatic example of conduct that can constitute complicity. And yet, many moral philosophers and criminal law theorists are opposed to the application of accomplice liability within ordinary commercial contexts. In this Article, I criticize the various theoretical arguments for refusing complicity a role in everyday business, defending the idea of prosecuting commercial arms vendors as accomplices in prescribed circumstances. The result is a new mechanism for restraining unconscionable weapons transfers at home and abroad, while maximizing the right to use weapons for lawful purposes. I have workshopped a draft of this paper at Oxford, Columbia, Osgoode Hall, University of Toronto, SMU, University of Washington, and Rutgers Law Schools.

- [Complicity in the Blackwater Trial](#), *forthcoming (2017)*, 65 pages.

This Article is the first product of sitting through the entire trial of four Blackwater guards in Washington D.C., who were convicted of killing seventeen civilians and injuring many more in a notorious incident in Nisour Square, Baghdad. Intriguingly, complicity was the central theory of liability in the Blackwater trial. The government relied on a theory of aiding and abetting liability to tie the individual defendants to the collective harm the group brought about. Nevertheless, the application of this standard

of complicity departs from all previous thinking on the topic and has received no academic treatment in the extensive theoretical treatment of the topic in ethics and moral philosophy. This article offers a theoretical assessment of the standard using an intimate knowledge of the Blackwater case as an illustration, shedding new light on a burgeoning field. The article was workshopped at “Crimfest” at Cardozo Law School, and at the “Markelloquium,” which was jointly run by Brooklyn and NYU Law Schools.

- [Overdetermined Atrocities](#), *Journal of International Criminal Justice* (in symposium) (peer reviewed), Oct 2012, 30 pages.

This paper deals with the problem of causal overdetermination, arguing that it represents the central moral problem in international criminal justice. The paper uses examples from international criminal justice as illustrations, namely, the responsibility of Allied Pilots for the firebombing of Dresden, corporations in Apartheid South Africa, the notorious arms vendor Viktor Bout and Thomas Lubanga, the first indictee before the International Criminal Court. This paper too addresses a key aspect of ethics that pertains to the responsibility of corporations for atrocities, the hope being that establishing these obligations will stymie atrocity by starving notorious brutal armed groups of the means of sustaining bloodshed. I workshopped the paper at NYU, the article forms part of a symposium in honour of Antonio Cassese, and it was cited by the Appeals Chamber of the Special Court for Sierra Leone in the Charles Taylor judgment.

- [Complicity](#), in *Oxford Criminal Law Handbook*, (Markus Dubber & Tatjana Hörnle eds. OUP 2014) (peer reviewed). 31 pages.

This essay provides a comparative overview of the criminal law and ethical theory pertaining to complicity. Instead of taking a strong prescriptive position on the best way to construct accomplice liability (which I have done elsewhere), I chart a series of recurrent normative problems in this area and point to various solutions these problems have generated in both theory and practice. Overall, I conclude that the subject deserves our on-going intellectual engagement, since it goes to the heart of our attempts to live decently, in this our increasingly interconnected but very imperfect world. These attempts are especially acute when we engage with atrocity in Africa, which is the wider sociological phenomenon that drives my interest in this component of ethics.

- [A Pragmatic Critique of Corporate Criminal Theory: Lessons from the Extremity](#), *New Criminal Law Review* (in symposium) (peer reviewed), (2013), 40 pages

This paper offers a conceptual criticism of corporate criminal theory, drawing on philosophical pragmatism, moral philosophy and examples from the frontiers of international criminal justice. The paper argues that we need to embrace a pragmatic theory of corporate criminal liability that is forced upon us in a world as complex, unequal, and dysfunctional as that we presently inhabit. The article is part of a symposium on corporate criminal theory that also includes work by Markus Dubber, Tracy Isaacs and Meir Dan-Cohen. It represents the ethical grounding for

my wider work on corporate responsibility for atrocity, which seeks to promote peace by undermining foreign causal inputs that create means and motivations for mass violence.

OP-EDS

- New York Times, [Punish Companies that Pillage](#), Nov 14, 2013
- The Evening Post, [See No Evil](#), Oct 3, 2001

SELECTED BLOGS

1. Article-Length Blogs

- My Blog (www.jamesgstewart.com), [The Important New Orthodoxy on Complicity in the ICC Statute](#), 22 pages, Jan 21, 2015.

2. Blog Debates

- ICTJ Debate – [Corporate Impunity: A Startling Ethical Anomaly](#), Mar 5, 2015, 1 page.
Debating impunity with:

[David Tolbert](#), the President of the International Centre for Transitional Justice

[Zeid Ra'ad Al Hussein](#), the UN High Commissioner for Human Rights

[Michael Ignatieff](#), Harvard Professor and Human Rights Scholar

[Betty Murungi](#), Former Commissioner, Kenya Truth Justice and Reconciliation Commission

[Aryeh Neier](#), Founder of Human Rights Watch and former President of the Open Society

[Fatou Bensouda](#), Prosecutor of the International Criminal Court

- Opinio Juris – Debate on my article, [The Turn to Corporate Criminal Liability for International Crimes: Transcending the Alien Tort Statute](#), N.Y.U. J. Int'l. L. P. (2015), 86 pages:

[Professor Samuel Moyn \(Harvard\)](#), and [My Response to Moyn](#);

[Professor Steven Ratner \(Michigan\)](#), and [My Response to Ratner](#);

[Professor Beth Stephens \(Rutgers\)](#), and [My Response to Stephens](#).

- Opinio Juris, Debate on my article, [The End of "Modes of Liability" for International Crimes](#), Leiden J. Int. L. (2011), 74 pages:

[Professor Thomas Weigend](#) (Cologne), and [My Response to Weigend](#);

[Professor Darryl Robinson](#) (Queens), and [My Response to Robinson](#);

[Professor Jens Ohlin](#) (Cornell), and [My Response to Ohlin](#).

3. Posts on My Own Website

- My Blog, [Thin Justice as an Escape from Koskenniemi's Long Shadow?](#) Nov 29, 2016, 2 pages (in symposium with leading international scholars).
- My Blog, [How Would War Crimes Prosecutors Classify the Syrian Conflict\(s\)?](#) Oct 20, 2016, 2 pages (personal blog).
- My Blog, [« Une Ville ou Une Localité, Même prise d'Assaut » : Les Mots Juridiquement Redondants, Archaïques, Inutiles et Déroutants dans la Définition du Pillage du CPI](#), June 6, 2016, 2 pages (personal blog).
- My Blog, [“A Town or Place, Even When Taken by Assault”: The Legally Redundant, Archaic, Unnecessary, and Confusing Wording in the ICC’s Definition of Pillage](#), June 6, 2016, 2 pages (personal blog).
- My Blog, [Deterrence of and Through Other Actors](#), Mar 29, 2015, 2 pages (in symposium with leading international scholars).
- My Blog, [Judicial Rejection of “Specific Direction” is Widespread](#), Dec 23, 2015, 2 pages (personal blog).
- My Blog, [The Argor Heraeus Decision on Corporate Pillage of Gold](#), Oct 19, 2015, 2 pages (personal blog).
- My Blog, [Commerce and Atrocity: The Elephant in the Room](#), Mar 5, 2015, 2 pages (in symposium with leading international scholars).
- My Blog, [Whither the International Criminal Court?](#) 1 page, Feb 17, 2015 (in symposium with leading international scholars).
- My Blog, [A New Instrument on “Gross” Violations? Enthusiasm and Apprehension](#), 3 pages, Feb 2, 2015 (in symposium with leading international scholars)
- My Blog, [Symposium: Business and Human Rights – Next Steps](#), Jan 27, 2015, 1 page (in symposium with leading international scholars).
- My Blog, [What is the ICC’s Standard for Complicity Really?](#) Dec 4, 2014, 4 pages (in symposium with leading international scholars).

4. Selected Blogs Elsewhere

- Just Security, [Blackwater’s Unsung Heroes](#), Mar 18, 2015 (with UBC Law Student, Sara Gray), 2 pages.
- Just Security, [The Blackwater Trial: Part 2 – Two Legal Issues](#), Oct 27, 2014 (with UBC Law Student, Sara Gray), 4 pages.
- Just Security, [The Blackwater Trial: Part 1 – Two Factual Issues](#), Oct 24, 2014 (with UBC Law Student, Sara Gray), 3 pages.
- Just Security, [Guest Post: The Trial of Ex-Blackwater: An Overview of the Competing Stories](#), 2 pages, June 20, 2014.
- Opinio Juris, [Corporate War Crimes Begin](#), Nov 14, 2013. 1 page.
- EJIL Talk!, [“Specific Direction” is Unprecedented: Results from Two Empirical Studies](#), Sept 4, 2013, 4 pages.
- Opinio Juris, [Specific Direction" Would Lead to an Acquittal in the Zyklon B Case](#), Aug 17, 2013, 1 page.

- Opinio Juris, ["Specific Direction" is Indefensible: A Response to Heller on Complicity](#), June 12, 2013, 1 page.
- Opinio Juris, [NYU JILP Symposium: New Thoughts about Barayagwiza: Reactions to Policing International Prosecutors](#), April 5, 2013, 1 page.
- Opinio Juris, [The ICTY Loses its Way on Complicity - Part 1](#), April 3, 2013, 3 pages.
- Opinio Juris, [The ICTY Loses its Way on Complicity - Part 2](#), April 3, 2013, 3 pages.
- Opinio Juris, [Lubanga Decision Roundtable: Lubanga in Context](#), March 18, 2012, 2 pages.

LECTURES AND PUBLIC SPEAKING

1. Faculty Colloquia

- Melbourne Law School, *Pillage of Conflict Commodities*, 8 March 2016
- University of Washington. Faculty of Law Colloquium, *The Accomplice Liability of Arms Vendors: A Conceptual Defense*. Seattle, USA. 23 January 2014.
- Washington and Lee Law School. Faculty Colloquium, *The Accomplice Liability of Arms Vendors: A Conceptual Defense*. Lexington VA, USA. 30 November 2013
- University of British Columbia, Faculty Colloquium, *Pluralism by Harmonization: A Single Concept of International Criminal Responsibility*. Vancouver, Canada, 9 October 2013 (with Asad Kiyani).
- University of British Columbia, Faculty Colloquium, *Abolishing Complicity*. Vancouver, Canada, 18 February 2011.

2. Workshops

- Stanford Law School, *Who Reincarnated Article 2(4)?*, Palo Alto, 17 Nov 2016 (co-organizer)
- University of Washington, *Who Reincarnated Article 2(4)?* American Society of International Law Annual Workshop, Seattle, USA. 23 Sept 2016
- Oklahoma Law School Symposium on Private Military Companies, *Evidential Challenges in the Blackwater Trial: A Comparison with War Crimes Prosecutions*, Oklahoma Law School, 12 Nov, 2016.
- NYU/Brooklyn Law School “Markeloquium”, *Complicity in the Blackwater Trial*, Brooklyn Law School, 26 Nov, 2015.
- University of Zagreb, *An Eerie Familiarity: A Brief History of the Unitary Theory of Perpetration*, Dubrovnik, Croatia. 28 – 30 May, 2015

- William & Mary Law School, *The Hidden Significance of the Blackwater Trial for International Law*, Williamsburg, Virginia, USA. 14 May 2015.
- Minnesota Law School, *The Accomplice Liability of Arms Vendors: A Conceptual Defense*, Minneapolis, USA. 27 March 2015.
- Columbia Law School, Workshop on International Criminal Justice. *The Accomplice Liability of Arms Vendors: A Conceptual Defense*, 10 October 2014.
- UCLA Law School. American Society of Comparative Law, Annual Workshop, *Pluralism by Unification: Towards a Universal Concept of Participation for International Crimes*. Los Angeles, USA. 7 March 2014 (with Asad Kiyani).
- SMU Law School. Workshop on Criminal Justice, *The Accomplice Liability of Arms Vendors: A Conceptual Defense*. Dallas, USA. 24 January 2014.
- Columbia Law School. Colloquium on International Crime, *Pluralism by Unification: Towards a Universal Concept of Participation for International Crimes*. New York, USA. 28 November 2013
- St. Peters College, Oxford University. Criminal Law Discussion Group. *Lord Devlin's Promise: The Accomplice Liability of Arms Vendors*. Oxford, UK, 16 May 2011.
- Columbia Law School, *Problems with Modern International Criminal Justice: Three Valid Criticisms, Three Plausible Counterpoints*, in response to Yale Professor Mirjan Damaška as part of Columbia University's Lieber Colloquium on International Law and Crime, New York, USA, 23 March 2008.

3. Conference Presentations

- Goethe University, Conference on Extractives and Human Rights, *Pillage and Human Rights*, 19 July 2016, Frankfurt, Germany.
- United States Institute of Peace Conference, *The Law of Pillage as Applied to Resource Wars*, Kinshasa, Democratic Republic of Congo, 13 April, 2016 (USIP is the US State Department's think-tank).
- University of Amsterdam, *The Ahistoricism of Legal Pluralism in International Criminal Law*, Pluralism in International Criminal Law, 7 Jan, 2016.
- Fordham Law School, *Corporate Responsibility for International Crimes: The State of the Art*, International Law Weekend, 4 Nov, 2015 (I convened and chaired a panel with leading scholars).
- Harvard Law School, *The Blackwater Trial's Resonance*, Institute for Global Law and Policy, 1 June 2015.

- American Society of International Law, Annual Conference 2015, *Complicity in Business and Human Rights*, Washington D.C., USA. 10 April, 2015.
- Crim Fest. Rutgers School of Law – Newark, *The Accomplice Liability of Arms Vendors: A Conceptual Defense*. Newark, USA. 22 July 2014.
- University of Göttingen. *Dilemmas in Causation of International Crimes*, Göttingen, Germany. 3 July 2013.
- University of Amsterdam. *Towards a Single Concept of Participation in International Criminal Law*. Amsterdam, Netherlands, 8 June 2013
- University of the Witwatersrand (in association with the American Society of International Law). *The Accomplice Liability of Arms Vendors for International Crimes: The Logical Inference*, at Africa and the Future of International Criminal Justice, Johannesburg, South Africa, 15 July 2010.
- NYU Law School, *Hierarchy, Precedent and Hermeneutics Employed by International Tribunals*, New York University Law School Colloquium, New York, USA, 29 October 2008 (on a Panel with Thomas Franck and Eric Posner).
- Flinders University. *The New (and Improbable) Definition of Occupation*, The Emergence of Customary International Humanitarian Law Conference, Adelaide, Australia, 5 November 2006.

4. Invited Speeches

- International Criminal Court, Public Lecture Series, *Pillage of Natural Resources*, 17 July 2016, The Hague, Netherlands
- International Corporate Accountability Roundtable and Amnesty International, Final Meeting of Independent Experts on Commerce, Crime and Human Rights, New York 18 May, 2016 (I am an appointed expert on this commission).
- Nuremberg Academy, *Modes of Participation in International Crimes: An Orientation*, 1 September 2015. Nuremberg, Germany (see [here](#)).
- United Nations Development Program (UNDP) and International Center for Transitional Justice (ICTJ), *The Importance of Prosecuting Pillaging of Natural Resources*, 21 November 2014, Kinshasa, Democratic Republic of Congo (DRC) (see [here](#)).
- Columbia Law School, *Inside the Blackwater Trial*, Event jointly sponsored by the Columbia's Human Rights Institute, National Security Law Society and the Society of International Law, New York, USA, 9 October 2014.

- Johns Hopkins School of Advanced International Studies, *Corporate Pillage of Natural Resources*. Expert Panel jointly organized by Johns Hopkins and the Enough Project, Washington D.C. 7 October 2014.
- American Society of International Law, Annual Conference, *The End of 'Modes of Liability' for International Crimes*. Washington D.C, USA. 30 March 2012, LJIL side-event.
- NYU Law School. Forms of Responsibility in International Criminal Law, International Criminal Justice Course, New York USA, 8 November 2012 (with Philip Alston)
- University of California Berkeley. *Prosecuting Arms Vendors as Accomplices in International Crimes*. Berkeley CA, USA, 24 October 2011.
- Northwestern Law School. *The End of Modes of Liability for International Crimes*. Chicago, USA, 13 April 2011.
- College of Europe, *Internationalized Armed Conflicts*, Bruges Expert Colloquium on International Humanitarian Law in association with the International Committee of the Red Cross, Bruges, Belgium. 23 October 2009.
- Columbia Law School. *The Identity of the International Criminal Court: International or Criminal?* Global Governance Course, New York USA, 7 April 2008 (with José Alvarez).
- Open Society Justice Initiative Workshop. *Corporate Pillage*, Dakar, Senegal, 6 February 2008, and Canadian Expert Meeting, Columbia University, 13 March 2008.
- International Criminal Court. *The Legal Basis for Prosecuting Illegal Exploitation of Natural Resources and Arms Trafficking*. 1st Working Group of Domestic War Crimes Units, International Criminal Court, The Hague, Netherlands, 23 February 2007.
- *Beyond Reasonable Doubt: Proving Genocide in Srebrenica*, Institute of International Humanitarian Law, Summer Course, San Remo, Italy, 2 July 2007 and Australian National University, 23 October 2006.
- Leiden University. *The Contribution of International Criminal Tribunals to the Laws of War*, 4th Summer School on International Criminal Law, Leiden, Netherlands, 7 July 2006.
- *Prosecuting Business Representatives for Plunder: International Humanitarian Law and the United Nations Panel of Experts for the Democratic Republic of Congo*, Grotius Centre for International Legal Studies (Leiden University), the T.M.C. Asser Institute and the Coalition for the International Criminal Court, 7 June 2006 and Australian National University, 8 November 2006.
- *Private Military Companies: Examples of Regulation*, Joint Swiss Government and ICRC Conference on Regulation of Private Military Companies, Lausanne, Switzerland, 28 June 2005.

- *The Characterisation of Armed Conflicts in International Humanitarian Law*. Le Centre Universitaire de Droit International Humanitaire, Geneva, Switzerland, 14 January 2004, with Yves Sandoz.
- *The Human Side of International Criminal Law*, European Law Student's Association, "Perspectives for Young Lawyers in International Criminal and European Justice," Budapest, Hungary, 18 February 2005.
- The New Zealand Public Law Centre. *Inside the International Criminal Tribunals for Rwanda and the former Yugoslavia: Atrocity, Controversy and Justice*, Wellington, New Zealand, 13 August 2002.
- *Ad Hoc International Criminal Tribunals*, Fenner Hall, Australian National University, 16 June 2002 and Victoria University International Humanitarian Law Seminar, 29 July 2002.
- Victoria University of Wellington. *Treaties, Tribunals and Terrorism: Are International Legal Mechanisms Adequate to the New Reality?* The United Nations Association of New Zealand, Wellington, 14 November 2001.

MEMBERSHIPS AND APPOINTMENTS

Member (by invitation):

- Expert Member, United States Institute for Peace (USIP) Prosecuting economic and environmental crimes in the Democratic Republic of the Congo;
- International Commission of Experts on Commerce, Crime and Human Rights (with Justice Ian Binnie, Alex Whiting, Anita Ramasastry and others);
- Member, Editorial Committee, *Journal of International Criminal Justice*, Oxford University Press;
- International Institute of Humanitarian Law, San Remo, Italy.

Member:

- International Society for Military Law and the Law of War
- American Society of International Law
- European Society of International Law
- Australia and New Zealand Society of International Law