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PROFESSIONAL EXPERIENCE

Rutgers University 2011-present

Associate Professor 2016-present

Assistant Professor, School of Environmental and Biological Sciences, Department of Human Ecology; School of Law (by courtesy); Bloustein School of Public Policy and Planning (by courtesy)(2011-2016)

Courses Taught: Environmental Law and Policy (undergraduate); International Environmental Law (undergraduate and law); Climate Governance (law and graduate)

Lewis and Clark Law School 2010-2011

Distinguished Environmental Law Scholar

Course Taught: Deepwater Horizon Blowout Seminar

International Union for Conservation of Nature and Natural Resources (IUCN), Gland, Switzerland, 2010 to present

Counsel *pro bono publico* –

Oral and written submissions to Seabed Disputes Chamber of International Tribunal for the Law of the Sea in Case No. 17, Responsibilities and obligations of States sponsoring persons and entities with respect to activities in the International Seabed Area.

Oral and written submissions to International Tribunal for the Law of the Sea in Case No. 21, Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission. Transcripts, webcasts and documents for both available at www.itlos.org.

Legal advisor to IUCN delegation to Preparatory Committee established by General Assembly resolution 69/292: Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (2016-2017)

University of California, School of Law, Berkeley 2006-2010

Lecturer

Courses Taught: Climate Change Law & Policy; International Environmental Law; International Courts and Tribunals.

Director, Global Commons Project and Associate Director, Center for Law, Energy and the Environment*

United Nations Security Council (UN Compensation Commission), Geneva, Switzerland, 1999-2005

Senior Legal Officer (Team Leader), Legal Officer - Legal team reviewing environmental reparations from 1990-1991 Gulf War.

* Formerly the California Center for Environmental Law and Policy (CCELP)

Goodwin, Procter, LLP, Boston, Massachusetts, 1998-1999
Associate Attorney - Legal services specializing in real estate, land use, wetlands, coastal zone, water, historic preservation and toxics.

United States Department of the Interior, Office of the Solicitor, Washington, D.C., 1997-1998

Attorney-Advisor, Solicitor's Honors Program

United States Department of the Interior, Office of the Secretary, Washington, D.C., 1996,
Law Clerk/Assistant to Joseph Sax, Deputy Assistant Secretary for Policy

California Coastal Commission, San Francisco, California, 1995, **Law Clerk/Analyst**

Nuclear Claims Tribunal of the Marshall Islands, 1995-1996, **Consultant**

EDUCATION

University of California, Berkeley, School of Law (Berkeley Law), Juris Doctor, May 1997

The Fletcher School of Law and Diplomacy, Master of Arts, May 1993

PUBLICATIONS

Book:

GULF WAR REPARATIONS AND THE UN COMPENSATION COMMISSION: ENVIRONMENTAL LIABILITY (C.R. Payne & P.H. Sand, eds, Oxford University Press, 2011)(Author: chapter 1, *The UNCC Program: Environmental Claims in Context*; chapter 5, *Tracking and Follow-Up Programmes for Environmental Awards; Guidance for Researchers*).

Chapters:

Protection of the Natural Environment, in OXFORD GUIDE TO INTERNATIONAL HUMANITARIAN LAW (Ben Saul, Dapo Akande, eds., Oxford University Press, forthcoming)

Defining the 'Environment' and the Principle of Environmental Integrity, in ENVIRONMENTAL PROTECTION AND TRANSITIONS FROM CONFLICT TO PEACE: CLARIFYING NORMS, PRINCIPLES AND PRACTICES (C. Stahn, J. Iverson, & J. Easterday, eds., Oxford University Press forthcoming).

Developments in the Law of Environmental Reparations: A Case Study of the UN Compensation Commission, in ENVIRONMENTAL PROTECTION AND TRANSITIONS FROM CONFLICT TO PEACE: CLARIFYING NORMS, PRINCIPLES AND PRACTICES (C. Stahn, J. Iverson, & J. Easterday, eds., Oxford University Press forthcoming).

Legal Liability for Environmental Damage: The United Nations Compensation Commission and the 1990-1991 Gulf War, in STRENGTHENING POST-CONFLICT PEACEBUILDING THROUGH NATURAL RESOURCE MANAGEMENT, VOLUME 6: GOVERNANCE, NATURAL RESOURCES, AND POST-CONFLICT PEACEBUILDING (C. Bruch, C. Muffett, and S. Nichols, eds., 2016).

Collective Responsibility for Sound Resource Management: Erga Omnes Obligations and Deep Seabed Mining in Environmental Rule of Law: Trends from the Americas (OAS 2015). [Also published in Spanish as *La responsabilidad colectiva para la gestión adecuada de los recursos marinos* in *Estado de derecho en materia ambiental: Tendencias en las Américas* (OAS 2015).]

The Norm of Environmental Integrity in Post-Conflict Legal Regimes, in *JUS POST BELLUM* (C. Stahn, J. Easterday, and J. Iverson, eds, Oxford University Press, 2014).

Environmental Liability, in *ESSENTIAL CONCEPTS OF GLOBAL ENVIRONMENTAL GOVERNANCE* (J.-F. Morin & A. Orisini, eds., Routledge, 2014).

Guide to Sources in *THE IRAN-UNITED STATES CLAIMS TRIBUNAL AND THE PROCESS OF INTERNATIONAL CLAIMS RESOLUTION* with D.D. Caron, J. Crook and L. Caplan (D.D. Caron and J.R. Crook eds., Transnational Publishers 2000).

Articles:

Biodiversity in High Seas Areas: An Integrated Legal Approach, 21:9 *AM. SOC. INT'L L. INSIGHTS* (2017).

The Limits of Judicial Mechanisms for Developing and Enforcing International Environmental Norms, *PROCEEDINGS OF THE ANNUAL MEETING (AMERICAN SOCIETY OF INTERNATIONAL LAW)*, Vol. 109 (2017).

Public Participation and Norm Formation for Risky Technology: Adaptive Risk Governance of Solar Radiation Management, 5:2-4 *CLIMATE LAW* 210-251 (with Rachael Shwom & Samantha Heaton, 2015).

ICJ Halts Antarctic Whaling – Japan Starts Again, 4:1 *TRANSNATIONAL ENVIRONMENTAL LAW* 181-194 (2015).

Australia v. Japan: ICJ Halts Antarctic Whaling, 18:9 *AM. SOC. INT'L L. INSIGHTS* (2014).

Argentina's ICSID Arbitrations and the UNCC Experience: Consistency and Capability in Mass Claims, 6 *WORLD ARBITRATION AND MEDIATION REVIEW* 427-61 (2012).

International Environmental Law-Making and the International Court of Justice, *PROCEEDINGS OF THE ANNUAL MEETING (AMERICAN SOCIETY OF INTERNATIONAL LAW)*, Vol. 105 (March 23-26, 2012), pp. 66-66c.

Mastering the Evidence: Improving Fact Finding by International Courts, 41 *ENVIRONMENTAL LAW* 1191-1220 (2011).

State Responsibility and Liability for Deep Seabed Mining in International Waters, *ENVIRONMENTAL POLICY AND LAW* (co-authored with Donald Anton and Robert Makgill, 2011).

Pulp Mills on the River Uruguay (Arg. v. Uru.), 105 *AM. J. INT'L L.* 94 (January 2011).

Environmental Impact Assessment as a Duty under International Law: The International Court of Justice Judgment on Pulp Mills on the River Uruguay, 3 *EUR. J. OF RISK REGULATION* 317 (2010).

Pulp Mills on the River Uruguay: The International Court of Justice Recognizes Environmental Impact Assessment as a Duty under International Law, 14:9 *AM. SOC. INT'L L. INSIGHTS* (2010).

Balancing the Risks: Choosing Climate Alternatives, *EARTH ENVTL. SCI.* 8 (2009).

State of Play: Changing the Climate in Copenhagen, 13 *AM. SOC. INT'L L. INSIGHTS* (2009).

Local Meets Global: The Low Carbon Fuel Standard and the WTO, 34 *NORTH CAROLINA JOURNAL OF INTERNATIONAL LAW & COMMERCIAL REGULATION* 891 (2009).

Introductory Note to Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Compliance Procedures, 46 *INTERNATIONAL LEGAL MATERIALS* 1174 (2007).

U.S. Supreme Court, Greenhouse Gas Regulation and Foreign Policy Considerations, 11 *AM. SOC. INT'L L. INSIGHTS* (3 May 2007).

Environmental Damage at the United Nations Compensation Commission, 2 *INTERNATIONAL ENVIRONMENTAL NEWS* (Summer/Fall 2006).

UN Commission Awards Compensation for Environmental and Public Health Damage from 1990-91 Gulf War, *AM. SOC. INT'L L. INSIGHTS* (10 August 2005).

Local Regulation of Natural Resources: Efficiency, Effectiveness, and Fairness of Wetlands Permitting in Massachusetts, 28 ENVIRONMENTAL LAW 519 (1998).

Foreword to Symposium: The Ecosystem Approach: New Departures for Land and Water, 24 ECOLOGY LAW QUARTERLY 619 (1997).

Reports, Reviews, Briefs:

Sustainable Management of High Seas Marine Resources: Scoping Note on Rules and Practices of International Law, Role of International Law in Sustainable Natural Resource Management for Development Committee, International Law Association (2016).

International Tribunal for the Law of the Sea, Case No. 21, Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission (SRFC) (Request for Advisory Opinion submitted to the Tribunal)(Brief for the International Union for Conservation of Nature, with D.K. Anton, R. Churchill, D. Freestone, N. Oral, A. Telesetsky and M. Tsamenyi, 2013).

Seabed Disputes Chamber of International Tribunal for the Law of the Sea, Case No. 17, Responsibilities and obligations of States sponsoring persons and entities with respect to activities in the International Seabed Area (Request for Advisory Opinion submitted to the Seabed Disputes Chamber)(Brief for the International Union for Conservation of Nature, with D.K. Anton & R. Makgill, 2010).

Abram Chayes & Antonia Handler Chayes' The New Sovereignty: Compliance with International Regulatory Agreements 24 ECOLOGY LAW QUARTERLY 173 (1997) (book review).

Gerard Piel, Only One World 17 FLETCHER FORUM 224 (1993) (book review).

PRESENTATIONS (selected)

Future of Environmental Claims in International Arbitration, panel discussion, New York Bar Association, May 2017.

Adjudicating International Environmental Disputes: Lessons from Recent Jurisprudence, Annual Meeting, American Society of International Law, Washington, DC, April 2017.

Legal dimensions of the concept of climate justice – Work of the International Law Commission on “Protection of the Atmosphere,” 27th Legal Advisers Meeting at the United Nations, October 2016.

Whale Wars: What Happens Now? The Bigger Picture: Biodiversity Beyond National Jurisdiction, American Bar Association – Section of International Law, Tokyo, Japan, October 2016.

Jus Post Bellum and Reparation, Jus Post Bellum Final Conference: Taking Stock of Macro Principles, Grotius Centre for International Legal Studies – University of Leiden, The Hague, October 2016.

Guest Lectures – International Environmental Law, Yale College, Fall 2016.

Sustainable Use and Conservation of High Seas Natural Resources, International Law Association – Johannesburg, South Africa, August 2016.

UNCC Environmental Program: Lessons for Collective Arbitration, Exploring Critical Issues in Arbitration, American Arbitration Association and NYU Law School, New York City, May 6, 2016.

Environmental Effects of Armed Conflict, and Progressive Development through UN Bodies of Environmental Law and Compensation Programs (two sessions), International Legal Dialogue—Middle East North Africa, American Society of International Law and Columbia Law School, Amman, Jordan, December 14-15, 2015.

Towards a New Implementing Agreement under UNCLOS on Marine Biodiversity in Areas Beyond National Jurisdiction, International Law Weekend, American Branch of the International Law Association, New York, November 2015.

Protecting the Environment: Post-Conflict, Seminar on Protection of the Environment During Armed Conflict, United Nations Headquarters, New York, November 2015. (also co-organizer with Ambassador Marie Jacobsson, International Law Commission Special Rapporteur; Carl Bruch, Environmental Law Institute).

Guest Lectures, Yale School of Forestry and Environmental Studies, September 2015.

The Limits of Judicial Mechanisms for Developing and Enforcing International Environmental Norms Roundtable, American Society of International Law Annual Meeting, April 2015.

Collective Responsibility for Sound Marine Resource Management, Inter-American Congress on the Environmental Rule of Law, Organization of American States-UNEP-IUCN-Caribbean Court of Justice, Kingston, Jamaica, March 2015.

Everything Is Different Now: Armed Conflict and Protection of the Environment, Law and Environment Workshop, Tel Aviv University Faculty of Law, Tel Aviv, Israel, December 2014.

Illegal, Unreported and Unregulated Fishing: Law of the Sea Tribunal Advisory Opinion, Pew Fellows Program in Marine Conservation Annual Meeting, Sausalito, CA, November 2014.

Protecting the Environment in the 21st Century, Seminar on Protection of the Environment During Armed Conflict, United Nations Headquarters, New York, October 2014. (also co-organizer with Ambassador Marie Jacobsson, International Law Commission Special Rapporteur; Carl Bruch, Environmental Law Institute).

Transpacific Trade Partnership: Will Investor-State Dispute Settlement Inhibit Environmental Regulation?, American Bar Association Administrative Law Conference, Washington, DC, October 2014.

Will Human Rights Courts focus social norms on human needs, and away from environmental science? The Legitimate Role(s) of Human Rights Courts in Environmental Disputes, University of Oslo, Norway, September 2014.

Oral submissions to International Tribunal for the Law of the Sea in Case No. 21 (Illegal, Unreported and Unregulated Fisheries). Hamburg, Germany, September 2014.

Peacebuilding and Environmental Damage in Jus Post Bellum: Clarifying Norms, Principles and Practices, Grotius Centre for International Legal Studies – University of Leiden, The Hague, June, 2014.

Marine Planning, Moderator, 2014 J.B. and Maurice C. Shapiro Environmental Law Symposium, George Washington University, Washington, D.C., March 2014.

Trans-Pacific Partnership and Investor-State Dispute Settlement, PA Progressive Summit, Harrisburg, PA, March 2014.

Knowledge, Change and Governance, Bridging the Climate Divide: Informing the Response to Hurricane Sandy and Implications for Future Vulnerability, Rutgers University Climate Institute, October 2013.

Erga Omnes: The collective responsibility to protect marine resources, IUCN Academy 2013 – Hetapu wae Waikato University, Hamilton, New Zealand, June 2013.

Seabed Disputes Chamber-International Tribunal for the Law of the Sea Advisory Opinion – Activities in the International Seabed Area, University of Auckland Faculty of Law, New Zealand, June 2013.

Mastering the Evidence, European Society of International Law Fifth Research Forum, Amsterdam, May 2013.

- Virtual Scholarly Roundtable on the Use of International Arbitration for Adjudicating Mass Claims*, OGEMID Transnational Dispute Management listserv, July 2012.
- Jus Post Bellum and the Norm of Environmental Integrity*, “Jus Post Bellum”: Mapping the Normative Foundations, Grotius Centre for International Legal Studies at the University of Leiden, Peace Palace, The Hague, Netherlands, May 31- June 1, 2012.
- Argentina’s ICSID Arbitrations and the UNCC Experience: Consistency and Capability in Mass Claims*, Institute for Transnational Arbitration Academic Council & American Society of International Law conference Arbitration in Times of Crisis, Washington D.C., March 2012.
- Inter-Governmental Issues in the Gulf of Mexico and Caribbean*, 2d International Offshore Oil and Gas Law Conference, New Orleans, Dec. 2011.
- Implementing the Seabed Disputes Chamber-ITLOS Advisory Opinion on Responsibilities and Obligations of States Sponsoring Activities in the International Seabed Area*, International Seabed Authority Seminar at the United Nations, Apr. 2011.
- The International Court of Justice, Science and the Progressive Development of International Law*, American Society of International Law Annual Meeting, March 24, 2011.
- The BP Blowout Spill and Its Implications*, American Association of Law Schools Annual Meeting 2011.
- Post-Conflict Natural Resources Management: Lessons Learned*, Am. Soc. of Int’l Law Annual Meeting, March 25, 2010.
- An International Dilemma: The Tragedy of the Commons and International Environmental Law*, Duke University, Feb. 12, 2010
- Climate justice, ethics and the Copenhagen agenda: Roles of institutions, civil society and markets*, with former President of Ireland and former High Commissioner for Human Rights, Mary Robinson, Side Event at United Nations Climate Change Conference (COP15), December 14, 2009.
- UN Climate Change Negotiations*, Behavior, Energy and Climate Change Conference, Washington DC, sponsored by the University of California, Stanford University and American Council for an Energy-Efficient Economy, November 2009.
- US Progress on the Road to Copenhagen*, Annual Conference on German and American Law 2009 of the Deutsch - Amerikanische Juristen – Vereinigung (14 August 2009).
- Panel Chair, Scientific Whaling and International Law*, Annual Meeting, American Society of International Law, March 2009
- Balancing the Risks*, Beyond Kyoto: Addressing the Challenges of Climate Change – Science Meets Industry, Policy and the Public, Aarhus, Denmark, 6 March 2009.
- Plans and Prognoses for Climate Change: California, the US, and the UN*, Cátedra Endesa de Fiscalidad y Cambio Climático, Instituto de Derecho y Ética Ambiental, Madrid, Spain, December 2008. (and CEU-Valencia, Endesa, Madrid).
- Climate Change and Marine Environment: Regulation of Carbon Sequestration*, Ocean Governance: Structures, Functions, and Innovation Conference, Law of the Sea Institute, University of California, Berkeley, and Inha University, November 2008.
- The Regulatory Challenges of Carbon Capture and Sequestration – Environmental Risks and Public Acceptance*, Berkeley Institute for the Environment, October 16, 2008
- Prospects for Climate Policy: Governing a Global Commons*, Environmental Stewardship in the Context of Climate Change: Physical, Chemical, Biological and Social Forces Conference, Northern California Regional Chapter of the Society of Environmental Toxicology and Chemistry, May 2008

Cosco Busan Oil Spill: The Crucial Role of Prevention, Goldman School of Public Policy, November 2007

MEDIA CONTRIBUTIONS

Radio Appearance, Chevron-Ecuador Litigation, National Public Radio KQED, Jan. 10, 2012.

Radio Appearance, Liability & Compensation for the Deepwater Horizon Blowout, BBC, 2010.

BLOGS – IntLawGrrls, Legal Planet (until 2011)

BAR MEMBERSHIP & PROFESSIONAL ACTIVITIES

Member, Massachusetts State Bar (active), California State Bar (inactive), US Supreme Court Bar Program Committee, American Society of International Law (2016-present)

Executive Committee, Executive Council, American Society of International Law (2013-2016)

Board of Editors, American Society of International Law, *Insights* (2008-2016)

Co-Chair, Program Committee, American Society of International Law Annual Meeting 2012

Climate Science Legal Defense Fund, campus rep 2017

Expert Reviewer, IPCC, Fifth Assessment Report, Working Group 3

IUCN Commission on Environmental Law, Specialist Groups: Oceans and Armed Conflict (2002 to present)

Advisory Board, International Environmental Law IG, ASIL (2014 -2017), (chair 2008-2011)

Advisory Board, Center for Biological Diversity, Climate Law Institute (2009 to present)

Board of Directors, International Rivers, Audit Committee (chair)(2008-2015)

Rutgers Climate Institute (2013-present), Rutgers Initiative on Climate and Society (2011-2013)

International Law Association (2011 to present) Member, Sustainable Development Study Group (2014); Member, Role of International Law in Sustainable Natural Resource Management for Development Committee (2015-present)

European Society for International Law (2011 to present)

Manuscript referee, Cambridge University Press, *Journal of Applied Ecology*, Edward Elgar, *Journal of International Dispute Settlement*, *Transnational Environmental Law*, *Science*, *Griffith Law Review*

Civil Society Observer, United Nations Climate Change Conference of the Parties (2007-2009)

Issue Editor, *Issues in Legal Scholarship*, *Balancing the Risks* (Spring 2009)

NSF Peer Review – Science, Technology and Society 2012

LANGUAGES - French (United Nations *Certificat d'aptitudes linguistiques*); Spanish