



**CANADIAN COUNCIL
ON INTERNATIONAL LAW**

**CONSEIL CANADIEN
DE DROIT INTERNATIONAL**

Continuing Professional Development Credits:
Accredited by The Law Society of BC for up to 15 hours.
Accreditation with the *Barreau du Québec* up to 15 hours.

We are happy to assist you to obtain credit in other jurisdictions.

CANADIAN COUNCIL ON INTERNATIONAL LAW
2010 ANNUAL CONFERENCE

President's Welcome:

We welcome you to the CCIL's 2010 Annual Conference!

This year the Conference theme is Northern Exposure: International Law and the Challenge of the Arctic. This is a somewhat different thematic approach from previous Conferences and we very much hope you will find it both interesting and challenging. Northern issues are a key government priority, and as this conference will amply demonstrate, virtually every one of them involves international law questions: climate change, aboriginal rights, trade and investment law, maritime law, boundary issues, and issues related to energy exploration. We are fortunate to have with us a variety of leading experts in their fields. Over the course of three days, we have the rare opportunity to dive into matters that are on the top of the agenda of the government of Canada, as well as other governments, international organizations and civil society organizations.

Importantly as always, this event offers students of international law the chance to connect face-to-face with colleagues, practitioners and scholars from across Canada, as well as from the far corners of the world, working together on international legal issues of mutual concern. And equally important in the Canadian international law community, many friends will have the opportunity to reconnect with one another! Without the tireless efforts of so many, this Conference would not have come together so smoothly. In particular I want to express our gratitude to the Conference Co-Chairs Robert Brookfield and Marcus Davies for organizing the event, the many highly qualified presenters who have taken the time to join us, the sponsors listed at the end of this Programme for their generous support, and of course the participants for making this event the premier annual international law conference in Canada.

Enjoy the Conference!

Mark Jewett
President
Canadian Council on International Law

**CANADIAN COUNCIL ON INTERNATIONAL LAW
2010 ANNUAL CONFERENCE**

Chairs' Welcome:

Welcome to the CCIL's 2010 conference.

The conference has a wide variety of prominent and knowledgeable speakers addressing a broad range of international questions, with a particular focus on the Arctic. You will have the opportunity to hear about and comment on speakers discussing climate change, aboriginal rights, international trade and investment, energy questions, maritime questions, and much more. We hope you will participate actively, both in the formal sessions and the various informal opportunities that the conference provides.

Thank you to the many people who helped make this conference possible: speakers, sponsors, volunteers, and CCIL staff.

CCIL regulars will notice a few changes this year over recent years, notably the new venue, a full day on Saturday, the inclusion of breakfasts in the conference registration, and a "student with meals" registration option. We would appreciate your thoughts on the merit of these changes.

Please enjoy the conference!

Robert Brookfield
2010 Co-Chair

Marcus Davies
2010 Co-Chair



THURSDAY, OCTOBER 28, 2010
125 SUSSEX DRIVE, DEPARTMENT OF FOREIGN AFFAIRS AND
INTERNATIONAL TRADE CANADA

Parking *Public parking is available at 111 Sussex Drive.
Limited guest parking is available after 15:45 behind the
Pearson Building (125 Sussex Drive). Convenient taxi or bus
transportation is also available.*

14:30-19:30 **REGISTRATION**
Skelton Lobby

15:00-17:00 **STUDENT JOB FAIR AND FORUM**
Cadieux Auditorium & Skelton Lobby
Work in International Law *Cadieux Auditorium*

15:15-16:00	Private Sector and Crown Corporations	This forum will examine opportunities to intern and work in international law. Representatives will be on hand after the presentations to speak to students directly.
16:10- 16:55	Public Sector and NGO's	

17:00-18:00 **OPEN FORUM WITH FOREIGN AFFAIRS AND INTERNATIONAL TRADE
CANADA**
Cadieux Auditorium

18:10-19:00 **KEYNOTE ADDRESS – POLAR RACE OR POLAR SAGA? HISTORY, THE
LAW, AND CANADA'S ROLE IN THE CIRCUMPOLAR WORLD**
Cadieux Auditorium

Introduction

Alan Kessel, Canadian Legal Adviser, Foreign Affairs and
International Trade

Speaker

Whitney Lackenbauer, University of Waterloo

19:00 **RECEPTION**
Hosted by The Canadian Legal Advisor, Foreign Affairs and
International Trade
Skelton Lobby (By invitation only)

FRIDAY, OCTOBER 29, 2010
111 SUSSEX DRIVE, OLD CITY HALL

Parking *Public parking is available at 111 Sussex Drive.
Convenient taxi or bus transportation is also available.*

07:00-18:00 **REGISTRATION**
Victoria Hall Foyer

08:00-9:10 **BREAKFAST SESSIONS**
Breakfast served in Ottawa Room Foyer

BREAKFAST 1 **WOMEN AND INTERNATIONAL LAW INTEREST GROUP BREAKFAST**
**Arctic Sovereignty And The Inuit- Passive Victims To
Proactive Participants**
*Sponsored by the Human Rights Research and Education
Centre at the University of Ottawa
Ottawa Room A*

Speaker
Shelagh Grant, author of *Arctic Justice: On Trial For Murder,
Pond Inlet – 1923 (2002)*; and *Polar Imperative: A History Of
Arctic Sovereignty In North America (2010)*.

BREAKFAST 2 **INTERNATIONAL ENVIRONMENTAL LAW INTEREST GROUP BREAKFAST**
**Assessing The Influence Of International Environmental
Law In Canadian Courts**
Ottawa Room B

Chair
Neil Craik, University Of Waterloo

Panelists
Rick Lindgren, Canadian Environmental Law Association

Hugh Wilkins, Ecojustice

BREAKFAST 3 **CANADIAN BAR ASSOCIATION SECTION ON INTERNATIONAL LAW**
The Sealskin Case: A brief review of Inuit Tapiriit Kanatami
v. Council of the European Union and European Parliament
Ottawa Room C

Chair

Michael Woods, Heenan Blaikie

Speaker

Ron Doering, Counsel to Canadian and Greenlandic Inuit,
Gowling Lafleur Henderson LLP

09:15-10:45 **PRESIDENT'S WELCOME AND OPENING PLENARY**

Geopolitics and the Arctic

Sponsored by Arcticnet

Victoria Hall

Chair

Michael Byers, Canada Research Chair in Global Politics and
International Law, University of British Columbia

Panelists

Charles Emmerson, author, most recently of *The Future
History Of The Arctic*; former Associate Director of the
World Economic Forum and Head of its Global Risks Team

Udlu Hanson, Senior Policy Liaison for Nunavut Tunngavik
Inc.

Randy Boswell, Postmedia News

10:45-11:00 **REFRESHMENT BREAK AND EXHIBITORS**

Victoria Hall Foyer (Coffee and tea available)

11:00-12:30 **CONCURRENT PANEL SESSIONS 1**

PANEL 1A

INTERNATIONAL ARCTIC SHIPPING

*Sponsored by Borden Ladner Gervais LLP (BLG)
Ottawa Room E*

Chair

Armand de Mestral, McGill University

Panelists

David Vanderzwaag, Dalhousie University

The Governance of Arctic Marine Shipping: Breaking Ice, Sea of Challenges.

Peter Pamel, Borden Ladner Gervais (BLG)

Arctic Shipping - new challenges for Maritime Law.

Erik Franckx, Vrije Universiteit, Brussels

Kristin Bartenstein, Université Laval

(presentation in French with bilingual slides)

PANEL 1B

INTERNATIONAL INVESTOR-STATE ARBITRATION OVER NATURAL RESOURCES

*Sponsored by White & Case LLP
Victoria Hall*

Chair

Abby Cohen Smutny, White & Case

Todd J. Weiler

Panelists

Meg Kinnear, Secretary-General of ICSID

Yves Fortier, Q.C., Ogilvy Renault, Canada

David R. Haigh, Q.C., Burnet, Duckworth & Palmer

J. William Rowley, Q.C., 20 Essex Street Chambers

PANEL 1C **SAVOIR TRADITIONNEL INUIT ET LE REGIME D'ACCES ET DE PARTAGE DES
BENEFICES EN DROIT INTERNATIONAL**
*(This session will be presented in French, except for one
speaker)*
Ottawa Room D

Chair
Olivier Delas, Université Laval, Société Québécoise De Droit
International

Panelists
Minnie Grey, Makivik Corporation
Savoir traditionnel inuit (In English)
Konstantia Koutouki, Université de Montréal
*Le régime international sur l'accès et le partage des
bénéfices reliés à la biodiversité*
Elisabeth Patterson, Dionne Schulze senc
Mise en œuvre au Canada

12:30-14:30 **LUNCHEON**
IMAGES OF THE ARCTIC, AND THE LAW AND POLITICS THEY SUGGEST
Ottawa Room A-C

Speaker
David Caron, President, American Society of International
Law

14:30-16:00 **CONCURRENT PANEL SESSIONS 2**

PANEL 2A **INTERNATIONAL LAW AND THE EMERGING ARCTIC SECURITY
ENVIRONMENT**
Victoria Hall

Chair
Christopher Waters, University of Windsor

Panelists
Robert Huebert, University of Calgary
Christopher Penny, Norman Patterson School of
International Affairs
Sean Cantelon, Captain (N), Deputy Commander of Joint
Task Force (North)

PANEL 2B	<p>OFFSHORE DRILLING & EXPLORATION: ENVIRONMENTAL AND REGULATORY RISKS <i>Sponsored by Bennett Jones</i> <i>Ottawa Room E</i></p> <p>Chair Milos Barutciski, Bennett Jones</p> <p>Panelists Loyola G. Keough, Bennett Jones Jan Schneider, International Environmental Law Expert</p> <p>Alfred Popp, Administrator of the Ship-Source Oil Pollution Fund of Canada</p>
PANEL 2C	<p>CLIMATE CHANGE AND THE ARCTIC: WHAT ROLE FOR HUMAN RIGHTS? <i>Ottawa Room D</i></p> <p>Chair Frédéric Mégret, Canada Research Chair in the Law of Human Rights and Legal Pluralism, McGill University, Faculty of Law</p> <p>Panelists Hélène Mayrand, Doctoral student, University of Toronto <i>The Human Rights Implications of the Consequences of Climate Change in the Arctic</i></p> <p>Sébastien Jodoin, Centre For International Sustainable Development Law (CISDL) Lead Counsel <i>Human Rights and Responses to Climate Change in the Arctic</i></p> <p>Dayna Scott, Osgoode Hall Law School <i>Environmental Justice and the Far Reach of Human Rights Claims by Inuit Communities</i></p> <p>Konstantia Koutouki, Université De Montréal <i>Climate Change, Inuit Youth and the Right to Culture under International Law</i></p>
16:00-16:15	<p>REFRESHMENT BREAK AND EXHIBITORS <i>Victoria Hall Foyer (coffee and tea available)</i></p>

16:15-17:45	CONCURRENT PANEL SESSIONS 3
PANEL 3A	<p>MARITIME BOUNDARIES — CROSS BORDER WATER ISSUES <i>Ottawa Room D</i></p> <p>Panelists Jean Allain, Queen’s University, Belfast Yoshifumi Tanaka, Faculty of Law, University of Copenhagen J. Ashley Roach, Captain , JAGC, U.S. Navy (retired) Rolf Einar Fife, Legal Adviser of Norway</p>
PANEL 3B	<p>RAW MATERIALS — TRADE LAW ASPECTS <i>Sponsored by Borden Ladner Gervais LLP (BLG)</i> <i>Victoria Hall</i></p> <p>Chair Debra Steger, University of Ottawa</p> <p>Panelists James Bacchus, Chair, Global Practice Group, Greenberg Traurig LLP; former Chair, WTO Appellate Body. Greg Tereposky, Borden Ladner Gervais LLP (BLG) Sofya Matteotti, World Trade Institute, Berne, Switzerland</p>
PANEL 3C	<p>POLITICAL EVOLUTION OF GOVERNMENT STRUCTURES IN THE ARCTIC <i>Ottawa Room E</i></p> <p>Chair John Edmond, Fraser Milner Casgrain</p> <p>Panelists Paul Okalik, First Premier of Nunavut, Canada Mininguaq Kleist, Head of Office, Department of Foreign Affairs, Government of Greenland Mr. Justice J.Z. Vertes, Senior Judge, Supreme Court of the Northwest Territories and, Judge Of The Court Of Appeal</p>
18:30 – 22:00	<p>BANQUET <i>Sponsored by the Professional Association of Foreign Services Officers</i> <i>Grand Hall, Canadian Museum of Civilization</i> <i>100 Laurier Street, Gatineau, Québec</i></p> <p>Ticket required Reception 18:30 (cash bar), Dinner 19:30</p> <p>Keynote Speaker Mary Simon, President of Inuit Tapiriit Kanatami</p>

SATURDAY, OCTOBER 30, 2010
111 SUSSEX DRIVE, OLD CITY HALL

Parking *Public parking is available at 111 Sussex Drive.
Convenient taxi or bus transportation is also available.*

07:00-12:30 **REGISTRATION**
Victoria Hall Foyer

08:00-9:10 **BREAKFAST SESSIONS**
Breakfast served in Ottawa Room Foyer

BREAKFAST 1 **INTERNATIONAL HUMAN RIGHTS INTEREST GROUP BREAKFAST**
Taking Stock Of The Kampala International Criminal Court (ICC) Review Conference.

*Sponsored by the Windsor Yearbook of Access to Justice
Ottawa Room A-B*

Chair
Maurice Copithorne

Panellists

John Currie, University of Ottawa
*Meaning and Significance of the Modalities For Exercise Of
Jurisdiction By The ICC Over The Crime of Aggression Agreed
In Kampala*

Joanna Harrington, University of Alberta
*The Role Of Non-States Parties At The Kampala Review
Conference And The Impact Of Their Interests And Activities
On The Results, Including With Respect To Aggression
Negotiations*

Valerie Oosterveld, University of Western Ontario
*How Gender Issues Were Addressed At The Kampala Review
Conference*

Darryl Robinson, Queen's University
*Implications Of The Kampala Review Conference For
International Justice*

BREAKFAST 2 **INTERNATIONAL MARITIME LAW BREAKFAST**
UN Convention on Law of the Sea – 28 years later
Ottawa Room C

Chair
Simon Barker, Oland & Co.

9:15-10:45 **CONCURRENT PANEL SESSIONS 4**

PANEL 4A **THE ARCTIC OCEAN AND ARCTIC SEA ROUTES**
Victoria Hall
Chair
Armand de Mestral, McGill University
Panelists
Donald Rothwell, Australian National University, College of Law
Arctic Ocean Access Routes
Suzanne Lalonde, University Of Montreal
Legal Status Of the Arctic Ocean
Donat Pharand
Legal Status of Two Arctic Sea Routes

PANEL 4B **A CLIMATE OF NON-COMPLIANCE? CANADA AND THE KYOTO PROTOCOL**
Sponsored By Hunter Litigation Chambers
Ottawa Room D
Chair
Gib Van Ert, Hunter Litigation Chambers
Panelists
Lynda Collins, University Of Ottawa
Linda Duncan, Canadian Member Of Parliament
Meinhard Doelle, Dalhousie University

PANEL 4C **INDIGENOUS RIGHT**
Sponsored by Hutchins Legal Inc.
Ottawa Room E
Chair
Shelley Wright, Professor, Langara College
Panelists
Peter Hutchins, Hutchins Legal Inc.
Sandra Gogal, Miller Thomson
Laurie Pelly, Nunavut Tunngavik Inc.

10:45-11:00 **REFRESHMENT BREAK AND EXHIBITORS**
Victoria Hall Foyer (Coffee and tea available)

11:00-12:30

LEGAL ADVISER'S PANEL

Hosted By Alan Kessel, Canadian Legal Adviser

Victoria Hall

Panelists

John B. Bellinger, III, Arnold & Porter LLP, Former U.S. Legal Adviser

Daniel Bethlehem, United Kingdom Legal Adviser

Milan Kollar, Ambassador of the Embassy of the Slovak Republic in Canada, Former Slovak Legal Adviser

Georg Witschel, Ambassador of the Embassy of Germany in Canada, Former German Legal Adviser

Rolf Einar Fife, Legal Adviser of Norway

12:30-14:30

LUNCHEON

Ottawa Room A-C

Speaker

Guy Saint-Jacques, Canadian Ambassador for Climate Change

Ronald St. John Macdonald Young Scholars Award Presentations

Jenna Wates

Revisiting the State Consent Issue in the Territorial Jurisdiction of the International Criminal Court over Nationals of Third States

Commentator: John Currie, University of Ottawa

Craig Brannagan

The Copenhagen Process on the Handling of Detainees in International Military Operations: A Canadian Perspective on the Challenges and Goals of Humane Warfare

Commentator: Christopher Waters, University of Windsor

14:30-16:00 **CONCURRENT PANEL SESSIONS 5**

PANEL 5A **DELINEATION OF THE CONTINENTAL SHELF**
Ottawa Room D

Chair
Peter Harrison, School Of Policy Studies, Queen's University

Panelists
Larry Mayer, Director of The University Of New Hampshire's Center For Coastal And Ocean Mapping
Jacob Verhoef, Director of the UNCLOS Program at Natural Resource Canada
Andrew Serdy, School of Law, University of Southampton

PANEL 5B **OFFSHORE OIL AND GAS: THE EXPERIENCE FROM CANADA'S EAST COAST AND LESSONS FOR THE NORTH**
Sponsored by McInnes Cooper
Victoria Hall

Panelists
Jim Thistle, McInnes Cooper
Wylie Spicer, McInnes Cooper
Betsy Baker, Vermont Law School

PANEL 5C **CHALLENGES OF DEALING WITH CLIMATE CHANGE**
Ottawa Room E

Chair
Stephen de Boer, Director General, Environment Canada, Climate Change International

Panelists
John Drexhage, Director, Climate Change and Energy, International Institute for Sustainable Development
Laura Zizzo, Climate Change Lawyers Network
Sabrina B. Schulz, British High Commission

16:00-16:15 **REFRESHMENT BREAK AND EXHIBITORS**
Victoria Hall Foyer (Coffee and tea available)

16:15-17:45 **CLOSING PLENARY**
***International Governance Of The Arctic: Do Coastal States
In The Arctic Have Special Responsibilities?***
Victoria Hall

Chair
Donald McRae, University of Ottawa

Panellists
Paul Okalik, First Premier Of Nunavut
David Caron, ASIL President
Rolf Einar Fife, Legal Adviser of Norway

17:45-18:45 **CCIL Annual General Meeting**

2011 Annual CCIL Conference

Panel topic suggestions can be sent to:

Canadian Council on International Law

Email: conference@ccil-ccdi.ca

The CCIL wishes to thank all individuals involved in the organization of the 2010 Conference for their efforts, in particular the Conference Co-Chairs:

Robert Brookfield, Deputy Director, Trade Law Bureau (JLT), Government of Canada

Marcus Davies, Legal Officer , Foreign Affairs and International Trade Canada

The CCIL gratefully acknowledges the following Individuals for their generous support.

Linda Reif	Shelagh Grant
Dawn Russell	Betsy Baker
Stéphanie Belliard-Hogue	Rima Moussaoui

***The CCIL gratefully acknowledges the following
for their generous support of the 2010 Conference.***

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Silver



Bronze

Windsor Yearbook Of Access To Justice

Other Sponsors

Human Rights Research And Education Centre At The
University Of Ottawa

Exhibitors

Irwin Law