

CRAIG M. SCOTT

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Date of Birth: March 14, 1962
Nationality: Canadian

First Language: English
Second languages:
French
Spanish

I. INSTITUTIONS ATTENDED AND QUALIFICATIONS OBTAINED

Institutions	Dates Attended	Qualification Obtained
Dalhousie University	Sept 1987 - April 1988	LL.B. (one year conversion of English B.A. in Jurisprudence)
University of London (London School of Economics)	Oct 1986 - Sept 1987	LL.M. (with Distinction) in Public International Law
Oxford University (St John's College)	Oct 1984 - June 1986	B.A. (First Class Honours) in Jurisprudence
McGill University	Sept 1981 - May 1984	B.A. (First Class Honours & 1st in Class) in Political Science
Lester B. Pearson College of the Pacific	Sept 1979 - June 1981	International Baccalaureate (I.B.)

II. PROFESSIONAL POST-GRADUATE (ACADEMIC) WORK HISTORY

- 2010 - 2011: 2010 Ikerbasque Visiting Researcher Fellowship (Ikerbasque = Basque Government's Foundation for Science), Bilbao, Spain; tenable for 12 months (July 1, 2010 to June 30, 2011); awarded for research on the theme of transnational corporate accountability and to engage with the Trans-Law Research Group of the Universidad de Deusto, Bilbao
- Oct. 2009: Visiting Professor, University of Illinois College of Law; intensive course: *Transnational Legal Theory*
- 2009 - Founding and Convening Editor, *Transnational Legal Theory: A Quarterly Journal* (see www.hartjournals.co.uk/TLT); inaugural issue, March 2010)
- 2008 - 2010: EU Erasmus Mundus (Action 2) Scholar, tenable as visiting professor for three one-month visits at Universidad de Deusto, Bilbao
- August 1, 2006 - Founding Member, Administrative Committee, Association of Transnational Law Schools (ATLAS),* and ATLAS *Agora* Academic Director for 2006-2008 (see www.ATLASdoctorate.com)
- July 1, 2006 - Director, Nathanson Centre on Transnational Human Rights, Crime and Security (see www.osgoode.yorku.ca/nathanson)
- 2005 - Series Editor, *Hart Monographs on Transnational and International Law*
- July 1, 2005 - Full Professor, Osgoode Hall Law School
- July 1, 2001 – April 31, 2004: (inaugural) Associate Dean (Research, Graduate Studies and Institutional Relations), Osgoode Hall Law School
- June 1, 2000 – Present: Associate Professor, Osgoode Hall Law School (appointed with tenure)
- January 1, 2000 – June 30, 2000: Jean Monnet Fellow, European University Institute, Florence, Italy
- July 1, 1994 – May 31, 2000: Associate Professor, Faculty of Law, University of Toronto
- January 1, 1996 –

* Osgoode Hall Law School; New York University; London School of Economics; University of Melbourne; Université de Montréal; Universidad de Deusto; National University of Singapore; Bucerius Law School; Bar-Ilan University

- June 30, 1996: Visiting Research Fellow, Faculty of Law, National University of Singapore (unremunerated position; sabbatical visit)
- Since 1994: Barrister & Solicitor, Law Society of Upper Canada, Province of Ontario (generally, non-practising status)
- July 1, 1994: Tenured and promoted to Associate Professor, Faculty of Law, University of Toronto
- July 1991: Visiting Professor, Deep Springs College, California.
- July 1, 1989 – May 31, 1994: Assistant Professor, Faculty of Law, University of Toronto (July 1989 - June 1994)
- 1988-1989: Law Clerk to the (late) Right Honourable Brian Dickson, Chief Justice of Canada, Supreme Court of Canada

III. SELECTED POST-SECONDARY ACADEMIC AWARDS AND HONOURS

Professional Grants

Member of team of 12 multi-disciplinary York faculty receiving **EU Centre of Excellence** denomination and corresponding funding from the European Union, for 2009-2012 (official announcement, Dec. 14, 2009). (\$480,000).

Grant from Public Safety and Emergency Preparedness Canada (PSEPC) for two-day consultation on program directions for a re-mandated Nathanson Centre on Organized Crime and Corruption. (2007) (\$25,000)

Co-recipient (with Professor Viviana Patroni) of institutional grant received from the Association of Universities and Colleges of Canada (AUCC) / Canadian International Development Agency (CIDA) under their **Tier 1 international cooperative partnerships program; \$3 million** (Canadian) grant for Osgoode Hall Law School and the York Centre for Research on Latin America and the Caribbean (CERLAC), announced September 2003; York-CIDA contribution agreement signed April 2004; grant purpose is formation and operationalization over six years of **RedLEIDH** (Spanish acronym for Latin American Network for Human Rights Education and Research; see www.RedLEIDH.org); major institutional partners in Latin America are the 20+ members of the Association of Jesuit Universities of Latin America based in Guatemala (AUSJAL), the Inter-American Institute for Human Rights in Costa Rica (IIDH), the Latin American Institute for Alternative Legal Services in Colombia (ILSA), and the Centre for Social and Legal Studies in Argentina (CELS); the Osgoode side of the co-directorship of the grant/project has been passed on to Professor Shin Imai. (2004 to present)

Research grant received over two years (2000-2002) from the **Economic, Social and Cultural Rights Network** (funding provided to them for this purpose by the Ford Foundation) to assist in research and

digesting of global case law on economic, social and cultural rights; approx **\$30,000**; almost all money used for hiring graduate research assistants to carry out the work.

Social Sciences and Humanities Research Council of Canada (SSHRC) Interdisciplinary Team Research Project, *Ethics Codes: The Regulatory Norms of a Globalized Economy?*, April 1, 1998 - March 31, 2001; eight participants, seven from York University (Toronto) and myself from University of Toronto; as I was asked to be involved after the grant was secured, I cannot be counted as having 'received' it and for that reason do not include the worth of the grant.

Social Sciences and Humanities Research Council of Canada (SSHRC) Standard Research Grant (awarded in Fall 1992 competition and valid for the period between April 1, 1993, and March 31, 1999; ranking in competition: 13th out of 116 files; **\$64,000**)

University of Toronto Humanities and Social Sciences Committee General Research Grant (1990-1991; 1991-1992; 1992-1993)

Connaught Phase I Grant for Young Faculty, University of Toronto (1989-1990)

Major Scholarships

1986-87: ***Social Sciences and Humanities Research Council of Canada Doctoral Fellowship*** taken up at the London School of Economics for LL.M. studies

1984-87: ***Rhodes Scholarship*** (Maritimes & St. John's College, University of Oxford; third year taken with special permission at University of London/LSE)

1981-84: ***Greville-Smith Entrance Scholarship to McGill University***; one of five, out of 1022 applicants, awarded "...to outstanding students...who have shown promise of future success and responsible citizenship...[and] demonstrating a high level of academic ability and qualities of leadership..."

1979-81: ***Nova Scotia Government Full Scholarship to Lester B. Pearson College of the Pacific*** (United World Colleges), Victoria, B.C.

1979: ***Josten's Foundation Scholarship***; awarded one of ten university entrance scholarships, out of 700 applicants and 100 finalists across North America; only recipient from Grade 11 (entry into university is normally from Grade 12 in North America)

Prizes, Awards and Honours

2010-11: Awarded ***2010 Ikerbasque Fellowship*** for Visiting Researchers (Ikerbasque = Basque Foundation for Science); tenable for 6 – 12 months with the Trans-Law Research Group of the Universidad de Deusto, Bilbao (final terms not yet settled)

2008-10: ***Erasmus Mundus Scholar***. European Union; tenable at Universidad de Deusto, Bilbao (three one-month visits)

- 2008: *York International 2008 Award for Outstanding Contribution to Internationalization*. York University
- 2000: *Jean Monnet Fellowship*, Department of Law, European University Institute
- 1996 - present: *Canadian Who's Who* (annual, University of Toronto Press)
- 1988: *The Georg Schwarzenberger Prize*; awarded annually to the “student in the Faculty of Laws in the University of London who is considered to be the outstanding student in the field of Public International Law”
- 1987: *Mark of Distinction, LL.M., University of London* (London School of Economics); one of four awarded, out of 369 successfully completing LL.M. programme
- 1986: *First Class Honours in Jurisprudence*, University of Oxford
- 1984-86: *St. John's College Book Prizes for the Law of Contract and for Public International Law* (Oxford)
- 1984: *Maurice Goldenberg Memorial Scholarship*; “awarded annually for high academic standing in Government, Constitutional Law or Public Administration. The recipient is chosen from among candidates nominated by the Faculties of Arts and Law.” (McGill)
- 1984: *Allen Oliver Gold Medal for Economics and Political Science*; awarded for highest ranking among Political Science graduates (McGill)
- 1984: *University Scholar* (McGill)
- 1982 & 1983: *Cherry Prize* (two consecutive years); indicates the second highest ranking in Political Science, tabulated on the basis of Political Science courses alone (McGill)
- 1981: **Score of 41** (out of overall base score of 42) on International Baccalaureate examinations (Lester B. Pearson College of the Pacific)

IV. PUBLICATIONS AND UNPUBLISHED RESEARCH PAPERS

Articles, Book Chapters, and Conference Proceedings

“The Transnationalization of Truth: A Meditation on Honduras and Sri Lanka” (2011) 5: 1 *Ethics in Action* 36-96 (PDF accessible [here](#))

“Iraq and the Serious Consequences of Word Games: Language, Violence and Responsibility in the Security Council” in Russell Miller and Peer Zumbansen, eds, *Comparative Law as Transnational Law: A Decade of the German Law Journal* (Oxford University Press, forthcoming 2011) – republication, with minor corrections, from (2002) Vol. 3, No. 10 *German Law Journal*.

“Postscript on ‘The Serious Consequences of Word Games’: The Signaling Game around the ‘Final Opportunity’ of Security Council Resolution 1441” (2010) Vol. 11, No. 8/9 *German Law Journal* 943-963 (<http://www.germanlawjournal.com/index.php?pageID=11&artID=1278>)

“‘Transnational Law’ as Proto-Concept: Three Conceptions”, (2009) Vol 10, No 7 *German Law Journal* 859-876 (<http://www.germanlawjournal.com/article.php?id=1147>)

(with Peer Zumbansen), **“Foreword: Making a Case for Comparative Constitutionalism and Transnational Law”** (2008) 46:3 *Osgoode Hall Law Journal* vii - xix

“A Core Curriculum for the Transnational Legal Education of JD and LLB Students: Surveying the Approach of the International, Comparative and Transnational Law Program at Osgoode Hall Law School,” (2005) 23 *Penn. State Int’l Law Rev* 757-773

“The Alien Tort Claims Act Under Attack – Remarks” (“Beyond the *Sosa v Alvarez-Machain* Terms of Debate: Conceptualizing International Human Rights Torts in Terms of “Transnational Law””), (2004) 98 *Proceedings of the American Society of International Law* 49, 58-61

“Transnational Governance of Corporate Conduct through the Migration of Human Rights Norms: The Potential Contribution of Transnational ‘Private’ Litigation” in C Joerges, P Sand and G Teubner, eds., *Transnational Governance and Constitutionalism* (Oxford: Hart Publishing, 2004) 287-319 (co-authored with Robert Wai)

“Ronald St. John Macdonald and International Legal Education,” (2002) Vol. 4, No. 4 *International Law FORUM du droit international* 215-221

“Interpreting Intervention,”(2001) 39 *Canadian Yearbook of International Law* 333-369

“Iraq and the Serious Consequences of Word Games: Language, Violence and Responsibility in the Security Council,” (2002) Vol. 3, No. 10 *German Law Journal*: published on-line at GermanLawJournal.com (36 paras., 7000 words) (republishing with minor corrections in Russell Miller and Peer Zumbansen, eds, *Comparative Law as Transnational Law: A Decade of the German Law Journal* (Oxford University Press, forthcoming 2011))

“Multinational Enterprises and Emergent Jurisprudence on Violations of Economic, Social and Cultural Rights” in A. Eide, C. Krause, and A. Rosas, eds., *Economic, Social and Cultural Rights: A Textbook*, 2nd edition (Nijhoff, 2001), chapter 32 (pp. 563-596)

“Towards the Institutional Integration of the Core Human Rights Treaties” in Valerie Oosterveld and Isfahan Merali, eds., *Reaching Beyond Words: Giving Meaning to Economic, Social and Cultural Rights* (Philadelphia: University of Pennsylvania Press, 2001), chapter 1 (pp 7-38, fn: 213-225)

“Introduction to *Torture as Tort: From Sudan to Canada to Somalia*”, chapter 1 in C Scott, ed., *Torture as Tort*, pp. 3-44

“Translating Torture into Transnational Tort: Conceptual Divides in the Debate on Corporate Accountability for Human Rights Harms”, chapter 2 in C Scott, ed., *Torture as Tort*, pp.45-63

“Adjudicating Constitutional Priorities in a Transnational Context: A Comment on Soobramoney’s Legacy and Grootboom’s Promise”, (2000) 16:2 *South African Journal of Human Rights* 206-268 (lead author; co-authored with Philip Alston)

“Bodies of Knowledge: A Diversity Promotion Role for the UN High Commissioner for Human Rights” in Philip Alston and James Crawford, eds., *The Future of UN Human Rights Monitoring* (Cambridge: Cambridge University Press, 2000) 403-437

“Grenada, Nicaragua and Panama: Tracking Force-for-Democracy Discourse in the 1980s” in Canadian Council of International Law, ed., *Selected Papers in International Law: Contribution of the Canadian Council on International* (The Hague-London-Boston, Kluwer Law International, 1999) 169-200, *reproduction of* paper of same title in Canadian Council of International Law, ed., *Canada and the Americas - Proceedings of the Twentieth Annual Conference of the Canadian Council on International Law, 1991* (Ottawa: CCIL, 1999) 18-42

“Canada’s International Human Rights Obligations and Disadvantaged Members of Society: Finally Into the Spotlight?” (1999) 10 *Constitutional Forum* 97-111

“Reaching Beyond (Without Abandoning) the Category of `Economic, Social and Cultural Rights”, (1999) 21(3) *Human Rights Quarterly* 633-660

“Social Rights: Towards a Principled, Pragmatic Judicial Role,” (March 1999) 1:4 *ESR [Economic and Social Rights] Review* 4-6

“1972: New Approaches to International Law” in Yves Le Bouthillier, Donald McRae, and Donat Pharand (for the Canadian Council on International Law), eds., *Compendium: The First Twenty Years / Les Premiers Vingt-Cinq Ans* (Ottawa: CCIL, 1998) 128-142

“Indigenous Self-Determination and Decolonization of the International Imagination: A Plea” (1996) 18 *Human Rights Quarterly* 814-820

“Covenant Constitutionalism and the Canada Assistance Plan” (1995) 6 *Constitutional Forum* 79-87

“A Memorial for Bosnia: Framework of Legal Arguments Concerning the Lawfulness of the Maintenance of the United Nations Security Council Arms Embargo on Bosnia and Herzegovina”, (1994) 16 *Michigan Journal of International Law* 1-140 (co-authored with Francis Chang, Peter Copeland, Jasminka Kalajdzic, Paul Michell and Abid Qureshi)

“Dialogical Sovereignty: Preliminary Metaphorical Musings”, in Canadian Council of International Law, ed., *State Sovereignty: The Challenge of a Changing World -- Proceedings of the Twenty-first Annual Conference of the Canadian Council on International Law, 1992* (Ottawa: CCIL, 1993) 267-293

“Constitutional Ropes of Sand or Justiciable Guarantees? Social Rights in a New South African Constitution”, (1992) 141 *University of Pennsylvania Law Review* 1-148 (lead author; co-authored with Patrick Macklem)

“Constitutional Dialogue” in Joel Bakan and David Schneiderman, eds., *Social Justice and the Constitution: Perspectives on the Social Union for Canada* 59-83 (Ottawa: Carleton University Press, 1992) (co-authored with Jennifer Nedelsky)

“Social Values Projected and Protected: A Brief Appraisal of the Federal and Ontario Government Proposals” in Douglas Brown, Robert Young and Dwight Herperger, eds., *Constitutional Commentaries: An Assessment of the 1991 Federal Proposals* (Kingston: Institute for Intergovernmental Relations, 1991) 81-92, 95-96

“The Interdependence and Permeability of Human Rights Norms: Towards a Partial Fusion of the International Covenants on Human Rights”, (1989) 27 *Osgoode Hall Law Journal* 769-878

Book

Craig Scott, ed., *Torture as Tort: Comparative Perspectives on the Development of Transnational Human Rights Litigation* (Oxford: Hart Publishing, 2001) 750 pp., 26 chapters, 30 contributors

SSRN Working Papers

“Will Canada Be an Open Democracy after May 2?” (April 27, 2011). Available at SSRN: <http://ssrn.com/abstract=1823686>

“A Perspective from Honduras' Civil Society Truth Commission” (March 8, 2011). Available at SSRN: <http://ssrn.com/abstract=1788572>

“The Transnationalization of Truth: A Meditation on Honduras and Sri Lanka (A Transnational Justice Lecture)” (February 10, 2011). Osgoode CLPE Research Paper No. 07/2011. Available at SSRN: <http://ssrn.com/abstract=1759072>

“Israel's Seizure of the Gaza-Bound Flotilla: Applicable Laws and Legality” (October 19, 2010) Osgoode CLPE Research Paper No. 42/2010. Available at SSRN: <http://ssrn.com/abstract=1694682>

“Producing an Insightful Research Paper: Some Elements to Consider” (September 30, 2010). Available at SSRN: <http://ssrn.com/abstract=1685422>

(and James Yap, lead author) **“The Breakdown of the Rule of Law in Sri Lanka: An Overview”** (September 22, 2010). Available at SSRN: <http://ssrn.com/abstract=1682133>

"Diverse Persuasion(s): From Rhetoric to Representation (and Back Again to Rhetoric) in International Human Rights Interpretation" (January 24, 2008). CLPE Research Paper No. 4/2008, Vol. 4, No. 1, Available at SSRN: <http://ssrn.com/abstract=1087339> (32,000 words) (to be integrated into book project, *The Character of Human Rights*)

Reports and Submissions

A Perspective from Honduras' Civil Society Truth Commission: Speaking notes for a presentation to the March 9, 2011, Hearing on Honduras Convened by the Standing Committee on Foreign Affairs, House of Commons, Canada" (March 9, 2011)

Moral and Legal Responsibility with Respect to Alleged Mistreatment of Transferred Detainees in Afghanistan: Presentation to the House of Commons Special Committee on the Canadian Mission in Afghanistan (February 10, 2010). Available at SSRN: <http://ssrn.com/abstract=1552068>

Report on March 2006 Consultations on Proposed Research Programs for a Re-Mandated Nathanson Centre on Transnational Human Rights, Crime and Security (Toronto: Nathanson Centre on Transnational Human Rights, Crime and Security, 2006) (co-authored with François Tanguay-Renaud)

Shorter Publications, including Blog entries

"The Ball is in Harper's Court: Will the PM use SCC appointments to consolidate the Tories as Canada's 'natural governing party'?" (June 2, 2011) *The Mark News*

"Canada: democracy and core public values after May 2", (April 27, 2011), *OpenDemocracy.net*

(and Dan Fata) "Wikileaks and the Need-to-Know Basis" ((Winter 2011) Global Brief 54-58; identical text appears online as **"Secrecy and Good Governance"** (February 18, 2011) *Global Brief.ca*

"A Surfer's Guide to US Foreign Policy in Egypt, or Has Obama Been Snookered?" (February 8, 2011), *OpenDemocracy.net*

"Taking Tea with Torturers" (January 31, 2011), *OpenDemocracy.net*

"Liam Fox insists on visiting Sri Lanka's Rajapaksa: What exactly is the UK Defence Secretary defending?", Blog article, December 18, 2010, *Sri Lanka Campaign.org*

"The Nobel Peace Prize furor: Sri Lanka sides with China against 'criminals' and 'clowns'." Blog article, December 8, 2010, *Sri Lanka Campaign.org*

"Brief Remarks on Intersocietal Responsibility and Canada's Honour in the Case of Angelica Choc v. Hudbay Minerals", December 1, 2010, at *CHOCversusHUDBAY.com*

[“Israel’s seizure of the Gaza-bound flotilla: applicable laws and legality”](#), June 4, 2010, *TheCourt.ca*

[“House of Commons arrives at agreement in principle on receipt, review and release of Afghan detainee documents”](#), May 14, 2010, *TheCourt.ca*

[“Parliamentary privilege after Milliken: What process should emerge from the Speaker’s ruling”](#), May 2, 2010, *Canadian Lawyer .com*

[“After the Speaker’s ruling: Open Letter on the House of Commons Process for Examining Documents on Afghan Detainees Produced Pursuant to the House of Commons Order of December 10, 2009”](#), May 2, 2010, *TheCourt.ca*

[“UN Human Rights Experts Focus on Secret Detention & Campaign Advisor Calls for Spotlight on 10,000+ LTTE-associated Detainees”](#), (February 14, 2010) Blog article, *SriLankaCampaign.org*

[“The 2013 Commonwealth Heads of Government Meeting – Will it still be 1984 in Sri Lanka?”](#), (December 12, 2009) Blog article, *SriLankaCampaign.org*

[“Magnanimity in our time – II”](#), (October 27, 2009) *GlobalBrief.ca* [on Sri Lankan President Rajapaksa]

[“Magnanimity in our time – I”](#), (October 13, 2009) *GlobalBrief.ca* at [on US President Obama]

[“\[T\]he Québécois form a nation within a united Canada: No Help from International Law,”](#) (January 7, 2007) *TheCourt.ca* at (3800 words)

“Corporate Accountability for International Human Rights Violations: A Selective Survey of Treaty Case Law,” (2001) 13 *INTERRIGHTS Bulletin* 148-152

“Tim Parks in Transatlantic Translation,” (Spring 2001) 2:1 *Write Magazine* 32-36

“Interview with Manjusha Pawagi” [re: publication of children’s book *The Girl Who Hated Books*] and **“Interview with Andrew Pyper”** [re: publication of novel *Lost Girls*] in (Fall/Winter 2000-01) *Nexus* [University of Toronto Faculty of Law Alumni Magazine]

“Kosovo, the Russia Option and Chechnya” in (Fall/Winter 2000-01) *Nexus* 53-55

“Author confronts destiny,” *National Post*, May 10, 2000 (feature full-page article on writer Tim Parks)

Book Review of Michael Collins, *The Keepers of Truth* (Phoenix, 2000), *The Weekend* [National] *Post*, April 1-2, 2000.

“**Aboriginal Peoples and Multinationals: A Clash of Personalities**” in Canadian Council of International Law, ed., *Lessons from the Past, Blueprints for the Future -- Proceedings of the Twenty-sixth Annual Conference of the Canadian Council on International Law, 1997* (Ottawa: CCIL, 1998) 238-243 (a hypothetical problem designed to promote discussion on accountability of companies to local communities as a matter of “transnational” law)

“[Human Rights in a Global Classroom](#)” (Sept. 1998) 4(1) *LawLink: The Newsletter of the Bora Laskin Law Library* 1 at 1, 3-7

“**Closing the Process,**” *University of Toronto Bulletin* (Monday, September 15, 1997) p. 7

“**Commentary on Part IV (Human Rights)**” in Eric Fawcett and Hanna Newcombe, eds., *United Nations Reform: Looking Forward after 50 Years* 168-172 (Toronto: Dundurn Press/Science for Peace, 1995)

Book Review of Handl, ed., *Yearbook of International Environmental Law*, Volume 1 (1990) & Handl, ed., *Yearbook of International Environmental Law*, Volume 2 (1991) in (1992) 30 *Canadian Yearbook of International Law*

Two feature-length **opinion articles on the political and economic situation in Nicaragua**, November 10 & 17, 1986, *Toronto Star*

Books Published in HMTIL (Hart Monographs on Transnational and International Law), Craig Scott: Series Editor

Tal Bekker, *Terrorism and the State: Rethinking the Rules of State Responsibility* (Oxford: Hart Publishing, 2006)

David Szablowski, *Transnational Law and Local Struggles: Mining Communities and the World Bank* (Oxford, Hart Publishing, 2007)

Catherine Brölman, *The Institutional Veil in Public International Law: International Organisations and the Law of Treaties* (Oxford, Hart Publishing, 2007)

Poul Kjaer, *Between Governing and Governance: On the Emergence, Function and Form of Europe’s Post-National Constellation* (Oxford, Hart Publishing, March 2010)

Grafl Peter Calliess and Peer Zumbansen, *Rough Consensus and Running Code: A Theory of Transnational Private Law* (Oxford, Hart Publishing, May 2010)

Forthcoming

Mario Prost, *The Concept of Unity in Public International Law* (September 2011)

Benjamin Geva, *The Payment Order of Antiquity and the Middle Ages: A Legal History* (October 2011)

Luis Gordillo, *Interlocking Constitutions: Towards an Interordinal Theory of National, European and UN Law* (November 2011)

Publications through Craig Scott Gallery

“**Foreword: An Art of Mind**” in Rudolf Bikkers, *Morphogenetic Fields* (Toronto: Craig Scott Gallery, Toronto, 2008)

“**Foreword: The Art of American Values**” in Raymond Waters, *Values* (Toronto: Craig Scott Gallery, Toronto, 2008)

Publisher and editor of the following catalogues and essays:

Christian McLeod, *Ascending Language* (Toronto: Craig Scott Gallery, 2007), with essay by Gary Michael Dault, “Christian McLeod: Thinking About *Ascending Language*”

David Folk and Zachari Logan, *Play Boys* (Toronto: Craig Scott Gallery, 2007)

Jorge Martínez García, *Under the Volcano and Other Works: Interpreting the Writings of Malcolm Lowry* (Toronto: Craig Scott Gallery, 2007), with essay by James Gunn, “The Art and Alchemy of Jorge Martínez García”

Raymond Waters, *Values* (Toronto: Craig Scott Gallery, Toronto, 2008) with essays by Michael Zryd, “Raymond Waters”; Norman Dorsen, condensed and edited version of “Flag Desecration in Courts, Congress and Country,” (2000) 17 *T.M. Cooley L. Rev* 417; and “Craig Scott, “Foreword: The Art of American Values”

Julie Tremblay, *Reflections* (Toronto: Craig Scott Gallery, 2008) with essay by Gary Michael Dault, “Julie Tremblay’s *Reflections*: Sculptural Presence and Its Double”

Editing of Periodicals

Founding and Convening Editor, *Transnational Legal Theory: A Quarterly Journal* (launch issue: Volume 1, Issue 1 – March 2010)

Special Issue 46:3 of *Osgoode Hall Law Journal* on Transnational and Comparative Constitutionalism (Guest Editor; co-editor with Peer Zumbansen)

Gunther Handl *et al.*, eds., *Yearbook of International Environmental Law, Volume 4 (1993) and Volume 5 (1994)* (Oxford: Clarendon Press, 1995) (Editorial Role: Associate Editor)

Academic Opinions and Facta in Court Cases

2006: **Expert report** re. travel security of Maher Arar to counsel for Maher Arar and to settlement-discussions mediator, with respect to the statement of claim in *Arar v. Canada* (proceedings in tort); remunerated

2004: **Academic advice** to counsel in litigation involving challenge to the constitutionality of NAFTA's Chapter 11 implementing legislation as well as the executive acts related to entering into the treaty obligations; remunerated

2004: **Academic advice** to counsel for Maher Arar with respect to the statement of claim in *Arar v. Canada* (proceedings in tort); remunerated

2000: **Academic Opinion** (with Robert Wai) for the Legal Advisor (External Relations) of the **European Commission** (European Union); subject confidential; remunerated

2000: **Academic Opinion to Matrix Chambers (London, UK) barrister for Roma Rights Centre** with respect to preparation of memorial for submission to European Court of Human Rights in case on Roma (gypsy) equality, minority and housing right

1998: **Pro bono co-counsel** (along with John Terry of Tory, Tory, Deslauriers and Binnington) in case before Supreme Court of Canada, ***Baker v. Minister of Citizenship and Immigration (Canada)***, on behalf of the intervener Charter Committee on Poverty Issues (CCPI); case dealt with the deportation of a mother of four Canadian children; case argued on November 4, 1998 [judgment rendered June 1999 in favour of the appellant, on the whole accepting CCPI's arguments on the effect of the presumption of compliance with unincorporated international human rights treaties on the exercise of administrative discretion.]

1997/8: **Academic Opinion for Government of Saskatchewan** on matters pertaining to international law in case put to the Supreme Court of Canada by the Federal Government of Canada, ***Reference re. Secession of Quebec***; opinion evaluates the expert opinion of Prof. James Crawford provided to the Federal government and advocates a "duty to negotiate" as part of the evolving international law of self-determination [in judgment of August 20, 1998, the Supreme Court of Canada adopted and developed the doctrine of a duty to negotiate but almost exclusively as part of Canadian constitutional law and did not associate the doctrine with international law]

1996: **Factum**, on *pro bono* basis, for the appellant in ***Pushpanathan v. Minister of Citizenship and Immigration (Canada)***, an appeal before the Supreme Court of Canada concerning the proper interpretation of Article 1F(c) of the Geneva Convention on the Protection of Refugees; case argued by Lorne Waldman [by a majority of 4-2, the Court, Bastarache J. for the majority, held for the appellant and adopted the bulk of the appellant's argument]

1996: **Academic Opinion for Centre for Economic and Social Rights (CESR)**, New York, on the legal status of the embargo imposed on Iraq by the United Nations Security Council in respect of its impact on child mortality from 1991-1996.

1995: **Academic Opinion for the Saugeen Nation** on the current international legal status of a series of 19th Century treaties with Great Britain and the current status of claims to sovereign jurisdiction over a part of the Great Lakes fishery around the Saugeen (Bruce) Peninsula

1994: **Academic Opinion for the Government of Bosnia and Herzegovina** on the legal status of an arms embargo imposed on the former Yugoslavia and its successor states by the United Nations Security Council (prepared in collaboration with five students and as a member of the legal team for Bosnia in *'Bosnia v. Serbia'* case before the ICJ; *see* those named in Publications sub-section)

1993: “Emerging Directions in International Law for the Rights of Indigenous Peoples in Guatemala: Comments on Rights of Participation in International Life,” **Views offered at the request of the Comite Campesino del Altiplano** for the purpose of circulation, in Spanish translation, at a world conference of indigenous people’s representatives held in Guatemala prior to the June 1993 Vienna World Conference on Human Rights; written with the input of, and co-signed by, Prof. Richard Falk, Princeton University

1992: **Three Academic Opinions for Department of External Affairs**, Government of Canada, on three different legal disputes with foreign jurisdictions [subject-matter and country for each dispute are confidential]

1991: “Technology Transfer: Fighting Climate Change and Pursuing Equity Through the Transfer of Energy-Efficient and Renewable Energy Technologies”, **Policy Paper prepared for Friends of the Earth - Canada**, May 1991 [with Robert Hornung]

1990: “The Case for the Inclusion of Justiciable Social and Economic Rights in a Future South African Constitution”, **Position Paper Prepared for and at the request of the Constitutional Committee, African National Congress** (June 1990) [and Patrick Macklem]

1988: “Proposals for a *Charter* Litigation Strategy”, **Position Paper for the Dalhousie Legal Aid Clinic**, Halifax, Nova Scotia

Other Unpublished Research Activities

1991: “Case Concerning a Marine Pollution Incident in the Gulf of Maine”, Problem and Bench Memo for 1990-1991 Niagara Moot

V. CONFERENCE & WORKSHOP PRESENTATIONS ; GUEST LECTURES

Conference/Workshop Presentation

2011: **“Intersocietal Responsibility as an Ethical Frame for Transnational Corporate Accountability”**, March 24, 2011, University of Turku, *How to Rule the Economy? The Laws Regulating the Economy*, keynote lecture at inaugural seminar of Finnish Academy ‘How to Rule the Economy’ Four-Year Research Project

2010: **“Reforming the Double Labyrinth: Some Reflections on Engagement with the UN HR Treaty System”**, Presentation to the May 19, 2010, Meeting of Canada’s Federal-Provincial-Territorial Continuing Committee of Officials on Human Rights

2010: **“Comment on Jeff McMahan’s ‘Proportionality in Self-Defence and War’”**, Response to Jeff McMahan’s 2010 Or’ Emet Lecture, March 11, 2010, at Nathanson Centre Workshop Series on Legal Philosophy Between State and Transnationalism, March 12, 2010

2010: Convenor and Moderator, **Special Forum on the Canadian Mission in Afghanistan: Moral and Legal Responsibility with Respect to Alleged Mistreatment of Transferred Detainees in Afghanistan**, February 8, 2010, all-day forum, Nathanson Centre on Transnational Human Rights, Crime and Security, York University

2010: **“Transnational Value Movements in Confrontation (or, Five Minutes from the Anti-Christ and a Hope for Dialogue)”**, Panel on “Sexual Minority Rights in Post-Colonial Contexts: A Panel on Transnational Human Rights in Uganda and India”, Nathanson Centre on Transnational Human Rights, Crime and Security, Osgoode Hall Law School, January 22, 2010

2009: **“After *Khadr*: Permissive and Mandatory Extra-territorial Application of the Canadian Charter of Rights and Freedoms”**, 2008 Constitutional Cases: The Twelfth Annual Analysis of the Constitutional Decisions of the Supreme Court of Canada, April 17, 2009

2009: **“Comment on Frederick Schauer’s ‘Was Austin Right After All? On the Role of Sanctions in a Theory of Law’”**, Response to Frederick Schauer’s 2009 Or’ Emet Lecture, March 12, 2009, at Nathanson Centre Workshop Series on Legal Philosophy Between State and Transnationalism, March 13, 2009

2007: **“Three Conceptions of Transnational Law: Free Associating with Jessup’s Usage of 50 Years Ago”**, Joint YCISS/Nathanson Centre Workshop, Feb. 20, 2007, York University

2006: **“The International Legal Partnership at Osgoode Hall Law School”**, Panel on *Global Pro Bono Opportunities*, First National Pro Bono Conference, November 23, 2006, Toronto

2006: Chair, Panel on **“Civil Causes of Action for International Wrongs”**, Annual Conference of the Canadian Council on International Law (CCIL), October 27, 2006, Ottawa (organized by the Law Commission of Canada as part of its Globalization Project)

2006: **“Teaching Public International Law: A Tribute to Ronald St. John Macdonald”**, Annual Conference of the Canadian Council on International Law (CCIL), October 28, 2006, Ottawa

2006: **“Civil and Political Rights (So-called)”**, Panel on *Update on International Jurisprudence and Interpretations – Labour and Human Rights* at Canadian Bar Association Jurisprudence of International Treaties Conference, September 29, 2006, Montreal

2006: **“Proposed transnational-human-rights-litigation provisions in the draft principles”**, Panel on *Anti-terrorism and redress for and responses to torture*, Colloquium on *The Human Rights of Anti-Terrorism*, Organized by Faculty of Law of the University of Ottawa, Amnesty International and Rights

& Democracy, June 14-16, Ottawa; participant in drafting of, and signatory to, the OTTAWA PRINCIPLES ON HUMAN RIGHTS AND ANTI-TERRORISM

2005: “**Transnationalizing the Law School Curriculum**”, Panel presentation at Annual Meeting of the American Association of Law Schools (AALS), January 8, 2005, San Francisco

2004: “**Transnational Legal Education: Normative and Methodological Sketches**”, one of several major speeches (invited), American Association of Law Schools (AALS) Special Conference on Transnational Legal Education, Hawaii, May 25-27, 2004

2004: “**Conceptualizing International Human Rights Torts: Should We Not (Truly and Finally) Turn to ‘Transnational Law’?**”, Panel Presentation (invited), Annual Meeting of the American Society of International Law, April 3, 2004, Washington, D.C.

2003: “**International Law in International Relations: The State of Play**”, Presentation at Foreign Policy Expert Roundtable on International Norms Law, Department of Foreign Affairs and International Trade, Toronto, April 1, 2003

2003: “**The Extraterritorial Application of Human Rights Treaties: The Case of State Responsibility Under the ICESCR for Offshore Corporate Harms**”, Expert Seminar on the Extraterritorial Scope of Human Rights Treaties, Centre for Human Rights, University of Maastricht, 23-26 January 2003

2002: “**September 11, Legalities and the Ethics of Response**”, Panel Presentation at CALT / Canadian Council of Law Deans 2nd Annual Law Forum, *September 11: The End of a Postmodern Era?*, May 2002, University of Toronto

2002: “**An Integrated Approach to Human Rights**”, 3-day Joint Workshop of York University and Association of Jesuit Universities of Latin America (AUSJAL) on *A Human Rights Diploma Program in Latin America: Substance and Pedagogy*, April 2002, Osgoode Hall Law School

2002: “**Comments on Law, Uncertainty and Risk**”, Conference on *Globalization and the University*, February 2002, York University

2001: “**Revisiting *The Structure and Process of International Law***”, Panel Presentation, Annual Conference of the Canadian Council on International Law, Ottawa, October 2001

2001: “**Terror and the Rule of Law: International Law and Bill C-36**”, Ontario Bar Association Conference on Terror and the Rule of Law: Bill C-36, November 2001, Law Society of Upper Canada, Toronto

2001: “**Torture, Translation and Transnational Tort**”, International Law Workshop, University of Michigan School of Law, January 29, 2001

2000: “**‘International’ Human Rights in ‘Domestic’ Law: From Presumption to Transformation**,” Ontario Human Rights Commission, Conference on Economic, Social and Cultural Rights, December 1-2, 2000.

1999: **“El concepto de ‘la consulta’**,” Presentation made to workshop on the meaning and implementation of the duty to consult indigenous peoples in the Guatemalan constitution and in international law, hosted by Indigenous Rights Unit, MINUGUA (UN Mission in Guatemala), Guatemala City, May 5, 1999

1998: **“(Re)integrating Human Rights – Part II: An Argument for Attending to the Multiplicity of Relations Amongst Human Rights Norms,”** Paper presented at *International Human Rights Workshop: Economic, Social and Cultural Rights Fifty Years After The Universal Declaration*,” October 8-10, 1998, Univ. of British Columbia, Vancouver

1998: **“Enforcing Social and Economic Rights: In Quest of a Judicial Role That Is Principled, Pragmatic and Creative (All At the Same Time),”** Keynote Address given at *Conference on Giving Effect to Socio-Economic Rights: The Role of the Judiciary and Other Institutions*, October 6 & 7, 1998, Johannesburg, South Africa, co-hosted by the Community Law Centre (University of the Western Cape) and the Legal Resources Centre (Constitutional Litigation Unit)

1998: **“(Re)integrating Human Rights – Part I: An Argument For *De Facto* Consolidation of the U.N. Human Rights Treaty Bodies,”** Paper presented at *Conference on Linking the Domestic and the International: Human Rights Into the 21st Century*, October 2-4, 1998, University of Toronto

1998: Chair of two panel sessions, “Issues of Doctrine” and “Case Studies” at *Conference on The Importance of Human Rights in International Business – Sub Nom: Human Rights Standards and Transnational Corporate Policy*, University of Exeter, England, 15-17 Sept. 1998

1998: **“The New Normativists: Shared Assumptions of Constructivist Thinking in International Relations and International Law Scholarship”** (in response to Michael Barnett) and **“Signs of a Constitution”** (alongside Paul Wapler), Guest lecturer at the Academic Council of the United Nations System (ACUNS)//American Society of International Law (ASIL) Annual Summer Workshop on International Organization Studies, (1998 theme: *Globalization and Global Governance: Changing Roles for State and Non-State Actors*), Yale University, July 28, 1998

1998: **“The Global Classroom: Thoughts on Teaching International Human Rights Law in the Electronic Age”** at seminar on *International law in the electronic age: implications for researchers, teachers and practitioners*, organised by the American Society of International Law Committee on Electronic Technologies and the Centre for Comparative and Public Law, University of Hong Kong, May 22, 1998, Hong Kong,

1998: **“Interactive Diversity of Knowledge and the Human Rights Committees”**, Centre for International Studies, McMaster University, Hamilton, Ontario, February 3, 1998

1998: **“Local Communities and Multinationals: Thinking About Accountability for Canadian Corporate Conduct Abroad”**, Later Life Learning Series, Innis College, University of Toronto, January 19, 1998

1997: **“Aboriginal Peoples and Multinationals: A Clash of Personalities”**, Workshop Facilitator, Annual Conference of the Canadian Council on International Law, Ottawa, 18 October 1997

1997: Discussant of two papers by Johan Saravanamuttu and Sheila Nair on theme of “**Civil Society: Myth or Momentum**”, Conference on *Human Rights and Democratic Transition in Asia*, Joint Centre for Asia Pacific Studies (University of Toronto and York University), Toronto, 16-17 May 1997

1997: “**Representation and Re-composing An International Human Rights Treaty Tribunal**”, Conference on *The Future of the UN Human Rights Treaty Body System*, Research Centre for International Law, Cambridge, England, 21-23 March 1997

1996: “**The Recognition of Transsexuality and the European Court of Human Rights**”, Faculty Seminar, Faculty of Law, National University of Singapore, February 1996

1995: “**Law's Representation: European Human Rights and Interpretive Authority**”, Political Science Colloquium Series, Graduate Institute for International Studies, Geneva, November 28, 1995

1995: “**Social and Economic Rights as Equal Entitlements in the Final Constitution**”, Lecture given to NADL (National Association of Democratic Lawyers), Cape Town, South Africa, April 11, 1995

1995: Invited expert for three-day workshop on the constitutionalization of social and economic rights in the new South African constitution, organized by Legal Resources Centre & Centre for Applied Legal Studies, Johannesburg, South Africa, April 4-6, 1995; included two presentations “**The significance of the interactive quality of rights**” & “**Progress in enhancing social and economic rights protections under the European Social Charter**”

1994: “**Participating in Sovereignty**”, Paper given at the Second Annual Conference of the York Centre for International and Strategic Studies (YCISS), York University, Toronto, 27-28 January 1994. Paper available from YCISS Research Library (write: 4700 Keele Street, North York, Ontario, M3J 1P3) in a Conference Proceedings volume entitled *New Directions in Global Politics and Security*.

1992: “**The Procedural Sovereign**”, Annual Conference of Canadian Council of international Law on *State Sovereignty: The Challenge of a Changing World*, October 17, 1992 [co-panellists: Katia Boustany, David Kennedy, Philippe Kirsch]

1992: “**International Human Rights Review and Interpretive Authority**”, Lecture at Conference on *Australia and Human Rights: Where to From Here?*, Australian National University, Canberra, July 15-17, 1992

1992: “**Constitutional Truncations**”, Panel on *Rights and Socialist Policy: The Social Charter Debate in Canada* at Feminist-Critical Legal Networks Conference, Harvard and Northeastern Law Schools, Cambridge and Boston, Mass., April 12, 1992 [co-panellists: Joel Bakan, Phil Goldman, Hester Lessard, Donna Greschner]

1992: “**Relevance of the International Experience**”, Panel on *Creating a constitutional context for social rights* at the Social Charter Workshop Conference hosted by the Ontario Social Development Council, Toronto, February 11, 1992 [co-panellists: Martha Jackman, Wayne Norman] (Summary of talk appears in “Report of the Constitutional Conference `Promoting a Social Rights

Agenda', February 10th-11th, 1992" (Spring 1992) 36:1 The Reporter (Ontario Social Development Council) 9-11

1991: “**Social Values Projected and Protected in a Renewed Canadian Constitution: A Brief Appraisal of the Federal and Ontario Government proposals**”, Panel on *Rights and Values in the Federal Proposals* at a Conference on the Federal Constitutional Proposals hosted by the Institute for intergovernmental Relations at Queen's University, Kingston, Nov. 30, 1991 [co-panellists: Charles Taylor and Reg Whittaker]

1991: “**Grenada, Nicaragua and Panama: Tracking Force-for-Democracy Discourse in the 1980s**”, Presentation at Annual Conference of the Canadian Council of International Law, Ottawa, Oct. 18, 1991 [co-panellists: Philippe Kirsch, W.J. Fenrick]

1987: Co-organizer (with Elizabeth Kiss and Benedict Kingsbury) of interdisciplinary conference entitled *Development, Environment and Peace as Human Rights: Is calling these collective goods rights a useful way to secure their achievement?* Oxford, England, May 29-31, 1987 [co-editor of two conference papers subsequently published in journals by Philip Alston and Frances Stewart]

Other External Teaching or Guest Lectures

2010: “**The Transnationalization of Truth: A Meditation on Honduras and Sri Lanka**”, Transnational Justice Lecture delivered at the Centre for Transnational Legal Studies, London, England, October 19, 2010

2010: Panelist, “**Refugees and Human Smuggling: The Case of Sri Lanka**”, Centre for Refugee Studies, York University, September 15, 2010

2009: Panellist, Amnesty International Canada and Canadian Academics for Tamil Rights Present: “**The 180th Day: 250,000 Still in Internment Camps in Sri Lanka**,” Ryerson University, Toronto, November 25, 2009

2008: Panellist, Amnesty International Canada and Save the Doctors Campaign, “**Human Rights, Politics and the Hippocratic Oath: Exploring Physicians' Roles in Conflict Situations**,” University of Toronto, November 2, 2009

2008: “**Thinking About Transnational Regulation of Corporate Activity: A Quick Sketch of a Big Picture**”, Guest Lecture to *Erasmus Mundo* Masters of Laws Programme in Transnational Trade and Finance Law, Universidad de Deusto (Bilbao), October 24, 2008

2008: “**Producing an Insightful Research Paper: Some Elements to Consider**”, Guest Seminar for to *Erasmus Mundo* Masters of Laws Programme in Transnational Trade and Finance Law, Universidad de Deusto (Bilbao), October 24, 2008

2008: “**Introduction to the Canadian Constitution in the Comparative Context of India and South Africa**”, Guest Lecture in course *Introduction to U.S. Law*, Universidad de Deusto (Bilbao), October 21, 2008

- 2006: “**After Arar: Implications of the September 2006 O’Connor Report**,” Lecture to Public International Law, course of Professor Michelle Gallant, University of Manitoba, October 2006, Winnipeg
- 2006: “**Key Issues Arising from March 30 Consultations on New Program Directions for the Nathanson Centre**”, Brown Bag Lunch, Public Safety and Emergency Preparedness Canada (PSEPC), July 2006, Ottawa
- 2000: “**Transnational Corporate Accountability**”, Guest Seminar in *Juridical Globalization*, course organized by Professor Christian Joerges, European University Institute, Florence
- 2000: “**Legalism, the Judicial Mind, and 'Economic, Social and Cultural Rights'**,” Guest Seminar at the Institute for Human Rights, Abo Akademi University, Turku, Finland
- 1995: “**Problematizing the Concept of the Universality of Human Rights: The Case of Singapore**”, presentation to the annual World Affairs Conference of Upper Canada College, Toronto, February 1995
- 1994: Overview presentation on international human rights law at Training Workshop for Canadian NGOs, *The Practice of Linking Development and Human Rights in Sri Lanka*, sponsored by South Asia Partnership and presented by South House Exchange, June 12-14, 1994
- 1992: Joint Comments with Prof. Joseph Carens at *Consultation on Sovereignty, Human Rights and Self-Determination of Peoples* (May 1992)
- 1992: “**Welcoming Democracy?**”, Guest Speaker, Upper Year International Law Seminar (Prof. V. Raman), Queen's University, Faculty of Law, March 3, 1992
- 1992: “**A Social Charter?**”, Exchange of Views with Prof. Christopher Manfredi, Upper Year *Canadian Federalism* Seminar (Prof. R. Schulz), McGill University, Dept. of Political Science, February 18, 1992
- 1992: Participation at Ontario Law Reform Commission Roundtable on *The Implications of a Social Charter in a New Constitution* (January 1992)
- 1992: “**Integrating Anti-Racism Into the Curriculum**”, Panel Talk, UCAR/SCA *Anti-Racism Teach-in*, January 24, 1992
- 1991: “**International Law and the Gulf War**”, Guest Speaker at Lorne Park Secondary School, Mississauga, as part of Law Ontario Academic Credit programme, Dec. 11, 1991
- 1991: “**Recognition and Enforcement of Foreign Judgments: the *Morguard* Case**”, Guest Speaker at Canadian Bar Association of Ontario (CBAO) Continuing Legal Education seminar *Conflict of Laws: Survey and Primer*, Toronto, Nov. 19, 1991

1991: “**When International Law and Human Rights Meet: A Close Encounter of the Ambiguous Kind**”, Keynote Address to the Law Day on *Human Rights and International Law* of the Hamilton-Wentworth Catholic School Board, May 22, 1991

1990: “**Thoughts on the El Salvador Election**”, 3-hour seminar for members of CAPA (Canada-Caribbean-Central America Policy Alternatives)

1990: “**Basic Elements of International Law**”, 2-hour talk to Ontario high school teachers on international law, OISE Teachers Training Programme (on two occasions)

1990-91: Guest lecturer in **Human Rights Training Programme** for officials of the Canadian International Development Agency and the Department of External Affairs (programme run by the Canadian Human Rights Foundation, Montreal)

VI. SELECTED MEDIA APPEARANCES IN CAPACITY AS LEGAL SCHOLAR (POST-2000)

TV Ontario, The Agenda with Steve Paikin (May 24, 2011) – “**The Debate: Sri Lanka – Finding a Middle Ground**”

http://www.tvo.org/cfmx/tvoorg/theagenda/index.cfm?page_id=7&bpn=109167&ts=2011-05-24%2020:00:00.0

Cbcnews.ca, Contributions to Frequently Asked Questions on the seizure by Israel of a flotilla bound for Gaza, “**Flotilla raid: FAQs on the ships trying to reach Gaza**”, June 4, 2010, at

<http://www.cbc.ca/world/story/2010/06/04/f-gaza-ships.html>, with onward hyperlink to Craig Scott, “**Israel’s seizure of the Gaza-bound flotilla: applicable laws and legality**”, June 4, 2010, *TheCourt.ca* <http://www.thecourt.ca/2010/06/04/seizure-of-the-gaza-flotilla/#more-5988>

TV Ontario, The Agenda with Steve Paikin (Nov. 26, 2009) – “**David, Goliath and the Goldstone Report**”

http://www.tvo.org/TVO/WebObjects/TVO.woa?video?TAWSP_Dbt_20091126_779661_0

CBC Radio *Ideas* (audio), 2004 -- “**Economic and Social Rights**”

<http://av.osgoode.yorku.ca:554/ramgen/osgoode/fall2004/scott/CScott-PaulKennedy.mp3n>

CBC Television News -- FAQs on pre-invasion Iraq situation (video), 2004

<http://www.cbc.ca/news/iraq/talkback/faq.html#law>

Click on Real Video link under question 1: Q: **Does international law allow the United States and Britain to invade Iraq without approval of the United Nations Security Council?**

CBC Radio *The Current* -- **Debate With Prof Ed Morgan on the Legality of Invading Iraq** (audio), 2004 <http://www.cbc.ca/thecurrent/2003/200303/20030319.html>

CBC Radio *The Current* (audio), 2003 – interview August 14, 2003, along with Mr. Houshang Bouzari, torture victim, and Mr. Mark Arnold, his legal counsel, on **civil suits in Canada for torture committed abroad**

<http://www.cbc.ca/thecurrent/2003/200308/20030814.html>

CBC Radio *Cross-Country Check-up* (audio), 2001 -- Special broadcast live from Toronto, September 30, 2001 – “**What now in the war on terrorism? What should Canada do?**” (with Bill Graham, Lewis MacKenzie and Salim Mansur) <http://www.radio.cbc.ca/programs/checkup/features2/toronto.html>

VII. MISCELLANEOUS ACADEMIC AND NON-ACADEMIC POSITIONS AND ACTIVITIES

Affiliations or Positions Within or in Relation to York and Osgoode Hall Law School (Partial List Only)

Editor-in-Chief of The Court.ca (2009-2010, replacing Prof James Stribopoulos during his sabbatical)

Director, Nathanson Centre on Transnational Human Rights, Crime and Security, July 1, 2006 – present

Founder and Administrative Committee member, Association of Transnational Law Schools (ATLAS), August 1, 2006 – present

Academic Director, Association of Transnational Law Schools (ATLAS), 2006-2008

Chair, Faculty Recruitment Committee, Osgoode Hall Law School, 2007-2009

Faculty Advisor / Director, International Legal Partnership, Osgoode Hall Law School, Fall 2005 – Summer 2010

Founding Member and Member of Board of Directors (Co-Chair, Nominations Committee), International Association of Law Schools (IALS), June 2005 – May 2008

Associate, York Centre for International and Strategic Studies (YCISS), 2002-

Associate, Centre for Research on Latin America and the Caribbean (CERLAC), 2002-

Member, University Vice-President (Research and Innovation) Working Group on International Research, 2002-2004

Member of York Senate Executive representing Faculty of Graduate Studies, 2003-04

University of Toronto Positions

Director, Combined LL.B./M.A. in Political Science (Collaborative Programme in International Relations), July 1997- May 2000

Member, Centre for International Studies, January 1998-May 2000

International Legal Representation

Advocate and Co-Counsel (*pro bono publico*) in *Case Concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Yugoslavia (Serbia and Montenegro))*, the International Court of Justice [on behalf of Bosnia and Herzegovina] [no appearances before the Court], 1993-1994

International Delegations

Observer Member, Delegation of the Grand Council of the Crees (of Quebec), U.N. Commission on Human Rights Working Group on the Drafting of a United Nations Declaration on the Rights of Indigenous Peoples, Geneva, November 18 - December 1, 1995

Academic Advisor (one of several) to Delegation of Canada to the World Conference on Human Rights, Vienna, June 14-26, 1993

Independent Expert Member, Delegation of Canada, Conference on Security and Cooperation in Europe (CSCE) *Seminar of Experts on Democratic Institutions*, Oslo, Norway, Nov. 1991

Member of the Organization of American States (OAS) Election Observer Mission to El Salvador, March 1-10, 1991; nominated by the Government of Canada

Member of the Organization of American States (OAS) Election Observer Mission to Nicaragua, Feb. 20-28, 1990; nominated by the Government of Canada

Expert Testimony

Expert report re. travel security of Maher Arar to counsel for Maher Arar and to settlement-discussions mediator, with respect to the statement of claim in *Arar v. Canada* (proceedings in tort; 2006)

Expert witness on international law of self-determination before Judge Teitelbaum, FCTD but sitting as national security adjudicator in *Min. of Citizenship and Immigration (Canada) v. Suresh* (9 hrs of testimony, Oct. 1996)

Expert witness on Article 1F(c) of the Refugee Convention in two hearings before the Immigration and Refugee Board in cases of *Minister of Citizenship and Immigration (Canada) v. Winston* and *Minister of Citizenship and Immigration (Canada) v. Hosseini*, approx 1990

Selected Civic Activities

Commissioner, Comisión de la Verdad, the alternative truth commission established by Honduras' Plataforma de los Derechos Humanos on June 28, 2010, the first anniversary of the 2009 coup d' état (2010+) (www.comisiondeverdadhonduras.org)

Member, Steering Committee and Advisory Council, Sri Lanka Campaign for Peace and Justice (summer 2009+) (www.srilankacampaign.org)

“Suggested Questions Dealing with the Conduct by the State of Canada Which Breach One or More Provisions of the ICESCR”, Submissions to Judge Pillay, Rapporteur for Canada’s State Report, UN Committee on Economic, Social and Cultural Rights, April 30, 1998

Charter Advocate, Charter Committee on Poverty Issues; advisory involvement (in capacity as citizen and scholar) in anti-poverty litigation and efforts, domestic and international, 1992-1998

Co-drafter of *Alternative Social Charter* released as the contribution of a coalition of equality rights and anti-poverty non-governmental organizations to the ‘Charlottetown Round’ of debates over renewal and revision of the Canadian Constitution, 1991

Member, Board of Directors, Centre for Equality Rights in Accommodation (C.E.R.A.), 1992-1996

Legal Work While Student

Volunteer work for Interights (London, England) and Rights & Humanity (London, England), including brief on legality of the death penalty and acting as observer at inaugural session of the UN Committee on Economic, Social and Cultural Rights, 1986-1987

Volunteer legal intern with the International Human Rights Law Group (August and September, Washington, D.C.) including work on the case of *Spadáfora v Republic of Panama*, Inter-American Commission on Human Rights, summer 1986

Summer student/clerk with the law firm of Stewart, McKeen & Covert (July-September, Halifax, N.S.), summer 1985

Art Gallery

Owner/Director/Curator, Craig Scott Gallery, 95 Berkeley Street, Toronto, www.craigscottgallery.com April 7, 2006 – Summer 2009 (approx 30 shows curated)

VIII. COURSES TAUGHT AND GRADUATE THESES/DISSERTATIONS SUPERVISED

Courses Taught

Conflict of Laws/Private International Law (upcoming 2011-2012; also 1989-90; 1990-91; 1996-1997; 1998-1999, 1999-2000)

Torts (upcoming 2011-2012)

Transnational Legal Theory (1-credit intensive course, University of Illinois College of Law, forthcoming Oct. 2009)

Transnational Art Law (2008-2009: June 2009 at Prato, Italy, Campus of Monash University)

International, Comparative and Transnational Law Colloquium (upcoming 2011-2012; 2009-2010, 2008-2009; 2007-2008)

International Human Rights Law (2009-2010 [2 sections], 2008-2009; 2007-2008; 2006-2007)

Academic Director, organizing, coordinating and co-teaching in July 7-25, 2008, three-week Agora on ***Law, Change and Regulatory Challenges in the Contemporary World*** as part of the Association of Transnational Law Schools (ATLAS) cooperative doctoral programming consortium (other partner schools at the time of the 2008 Agora: New York University, London School of Economics, Universidad of Deusto, Université de Montréal, University of Melbourne, University of Cape Town). See http://nathanson.osgoode.yorku.ca/?page_id=494 for the three-week schedule involving seven different kinds of learning units and a total of 66 separate sessions (of which the Academic Director audited, moderated, or co-taught in 45 of them during the three weeks). Twenty-six doctoral candidates from the partner schools attended. Over 25 Osgoode and York faculty members taught in the programme, and approximately a half-dozen visiting instructors came from outside York (2008-2009). For commentary by two participating doctoral students on the inaugural ATLAS Agora at Osgoode, see (Part 1) <http://www.germanlawjournal.com/article.php?id=1145> and (Part 2) <http://www.germanlawjournal.com/article.php?id=1131>.

Hard Choices in International Politics (1998-1999), intensive course in March 1999 at University of Toronto co-taught with George Stephanopoulos; full-term new version (2000-2001)

Law, the Individual, and the Community: A Cross-Cultural Dialogue, “global classroom” course using information technology to link National University of Singapore (NUS) and University of Toronto (1996-97), and U of T, NUS, Turku (Finland), and Emory (Atlanta) (1998-1999); Osgoode Hall, Turku, and U Hong Kong (2000-2001; 2001-2002)

Globalization and the Law [Foundation course in International, Comparative and Transnational Law Program] (2001-2002; 2002-2003)

International Research and Placements – supervising 27 students doing eight Collaborative Research Team projects with “global partner” organizations (Fall and Winter 2001-2002)

Institutions of the European Union (2000-2001)

Public International Law (1989-90; 1990-91; 1991-92; 1992-93; 1993-1994; 1994-1995; 1996-1997; 1997-1998; 1998-1999, 1999-2000)

Perspectives on Law: Race and Cultural Difference, one-week intensive course on racism and cultural pluralism for First Year Law Class, (1991-92; 1992-93; 1993-1994; 1994-1995; 1996-97; 1997-1998) [co-ordinator]

The Global Environment (1989-90; 1990-91; 1991-92; 1992-93); *International Environmental Law & Diplomacy* (1994-1995)

International Legal Theory and Human Rights (1990-91; 1992-93)

Constitutional Law (1993-1994)

Human Rights, Law and the Literature of the Oppressed (6-week intensive course co-taught with Professor Daniel R. Porterfield, Georgetown University, Department of English)

Judicial Activism versus Judicial Restraint in the Interpretation of Human Rights Norms, Lectures June 22, 23, and 24, Academy of European Law, 10th Anniversary Session on Human Rights Law, 21 June – 2 July 1999, Fiesole, Italy

Unpublished Teaching Materials (*entire* sets of materials only – excludes supplements in a wide range of other courses such as *Private International Law* and *Institutions of the European Union*; also excludes syllabi based on links to online readings such as *International, Comparative and Transnational Law Colloquium*)

Public International Law (1991-92; 1992-93; 1993-1994; 1994-1995; 1996-1999)

Globalization and the Law (2001-2002; 2002-2003)

The Global Environment (1989-90; 1990-91; 1991-92; 1992-93);

International Environmental Law & Diplomacy (1994-1995; 1996-1997)

Race and Cultural Difference (1991-92; 1992-93; 1993-1994; 1994-1995; 1996-97; 97-98)

International Legal Theory and Human Rights (1990-91; 1992-93)

Law, The Individual, And The Community: A Cross-Cultural Dialogue (1996-1997; 1998-1999; 2000-2001) (with Kevin Tan and Thio Li-Ann of National University of Singapore)

Hard Choices in International Politics (1998-1999; 2000-2001)

Human Rights, Law and the Literature of the Oppressed (1991) (with Daniel Porterfield)

Judicial Activism versus Judicial Restraint in the Interpretation of Human Rights Norms (1999)

Completed Graduate Supervision (University of Toronto, 1989-2000) (*de jure* or *de facto*; *sole* or *joint*) [some details yet to be updated]

1) Kerry Allbeury, *Biotechnology and the Environment: Towards Internationalization in the Regulation of Deliberate Releases of Genetically Engineered Organisms*, LL.M. (381 pages) (*de facto* supervision) (*de jure* supervisor: Prof. Graham) (1989-90)

- 2) Alastair Collin, *Forests and International Law*, LL.M. (275 pages) (joint supervision) (*de jure* and joint supervisor: Prof. St. John MacDonald) (1990-91)
- 3) Sherifa Elkadem, *Housing Desegregation: Lessons from the United States Experience for a Post-Apartheid South Africa*, LL.M. (145 pages) (sole supervisor) (1992-93)
- 4) Dotse Tsikata, *Sovereign Insolvency in International Law*, J.S.D. (approx. 250 pages) (doctoral committee; *de facto* joint supervision) (primary supervisor: Prof. Bill Graham) (1992-93)
- 5) Karen Feint, *United Nations Security Council and Somalia*, LL.M. (sole supervisor) (1993-94)
- 6) James Li, *International Law in China: The Legal Aspects of the Chinese Perspective of World Order*, J.S.D. (doctoral committee; extensive involvement in 1994-95) (supervisor: Prof. St. John Macdonald)
- 7) Brad Berg, *World Criminals and First Principles: The Jurisdiction of an International Criminal Court*, LL.M. (joint supervision) (co-supervisor: Prof. Martin Friedland) (1994-95)
- 8) Karen Knop, *Self-Determination in International Law*, J.S.D. (doctoral committee; very limited supervision) (1990 to 1995) (supervisor: Prof. Trebilcock)
- 9) Ellen Sithole, *Towards a Theory and Practice of Access to Civil Justice for the Poor in Zimbabwe: Law and Dispute Resolution in a Pluralistic Society* (doctoral committee and extensive involvement in 1996-1997) (supervisor: Professor J. Mosher)
- 10) Alexandra Kirsten Baxter, *The Death Penalty: A Collision of Laws?* LL.M. (sole supervision at later stages of thesis) (1997)
- 11) Lorne Waldman, (Law, LL.M.) (thesis topic: *The limits on a state's right to exclude and expel non-citizens under customary international and human rights treaty law*) (sole supervisor) (1999)
- 12) Adila Abusharaf (Law, S.J.D.) (dissertation: *Transnational Litigation of Local Oil Pollution Damages: A Study of Environmental Tort Claims by Ecuadorian, Nigerian and Sudanese Oil Communities against Multinational Oil Companies before the Courts of the United States, the United Kingdom and Canada*) (1997-2001) (sole supervisor)
- 13) Edward Wu (Law, S.J.D.) (dissertation: *Reconceptualizing "One Country, Two Systems" in the Quest for Autonomy and Human Rights in Hong Kong Under Chinese Sovereignty*) (1997-2001) (sole supervisor)

#12 and #13 were carried over to first year at Osgoode; each successfully defended in late 2001.

Completed Graduate Supervision (Osgoode Hall Law School)

- 14) Ausma Khan, Ph.D. in Law (dissertation: *The unquiet dead : humanitarian intervention, the fall of Srebrenica, and the political will as a normative linchpin*, 2004)
- 15) Robin Rowland, M.A. in Interdisciplinary Studies, lead supervisor of three York co-supervisors (thesis: *Command ability and command responsibility : Lt. Col. Hirateru Banno and the "F Force" trials*, 2003)
- 16) Olga Sanmiguel, Ph.D. in Law (dissertation: *Neo-Liberalism, International Trade, and the Role of Law in Regulating Exploitative Labour Relations in the Colombian Flower Industry*, 2004)
- 17) Gerardo Munarriz, LL.M. (thesis: *A Comparative Analysis of the UN and OAS Failures to Positively Affect the Human Rights Situation in Peru*, 2004)
- 18) Hassan El Menyawi, LL.M. (thesis: *Towards international democracy : designing international democracy through national global assemblies*, 2005)
- 19) Laura Westra, Ph.D. in Law (dissertation: *Ecoviolence and the Law (Supranational Normative Foundations of Ecocrime*, 2005)

- 20) Richard Elliott, co-supervisor with Robert Wai, LL.M. (thesis: *"Access to medicines for all" : WTO rules, the human right to health and the hierarchy of international law*, 2006)
- 21) James Moore, LL.M. (thesis: *Beyond the Pale? The International Legal Basis of the Bush Doctrine*, 2006)
- 22) Sara Seck, Ph.D. in Law (dissertation: *Home state obligations for the prevention and remediation of transnational harm: Canada, global mining and local communities*, December 2007)
- 23) Gerald Heckman, Ph.D. in Law, co-supervisor with Lorne Sossin (dissertation: *Prospects for narrowing the gap between domestic and international institutional and procedural safeguards in Canadian, American and Australian refugee protection decisionmaking*, January 2008)
- 24) Alan Clarke, PhD in Law (dissertation: *The transnational practice and regulation of torture in the American 'War on Terror' : a portfolio of three law review articles*, December 2010)
- 25) Natalie Oman, PhD in Law (dissertation: *A philosophical treatment of the responsibility to protect*, 2011)

Ongoing Graduate Supervision (Osgoode Hall Law School) [excluding multiple non-supervisor membership on supervisory committees and membership on thesis and dissertation defence committees]

- 25) Nergis Canefe, PhD in Law candidate (dissertation topic: normative boundaries of justification in the case of crimes against humanity)
- 26) Ruba Ali, PhD in Law candidate (dissertation topic: status of non-Iraqi forces in post-intervention Iraq)
- 27) Rupa Jannarkar, LL.M. candidate (thesis topic: the capacity of international criminal and humanitarian law to address complex ethno-linguistic and racialized conflicts)
- 28) Colleen Matthews, PhD in Law candidate (dissertation topic: role of Canadian courts in the integration of international and domestic human rights norms)
- 29) Elaine Boivin Lafleur, LL.M. candidate (thesis topic: the relationship between international human rights law and humanitarian law)

IX. REFERENCES (contact details available upon request)

Prof. Harry Arthurs, (Dean of Law Emeritus, Osgoode Hall Law School; President Emeritus, York University; Order of Canada)

Prof. Leslie Green (Chair in the Philosophy of Law, University of Oxford, Professor of Law and Philosophy, Osgoode Hall Law School)

Prof. Joseph Weiler (New York University and National University of Singapore)

Prof. Cynthia Williams, Mildred Van Voorhis Jones Faculty Scholar at the University of Illinois College of Law

Prof. Norman Dorsen (New York University; founder of Hauser Global Law Program, NYU)

Prof. Peer Zumbansen, Canada Research Chair in Comparative and Transnational Law of Corporate Governance, Osgoode Hall Law School

Prof. Jinyan Li, Professor of Law and Acting Dean (2009-2010), Osgoode Hall Law School

Professor Viviana Patroni (Dept of Political Science, York University, former Director of Centre for Research on Latin America and the Caribbean, and Co-Director of Latin American Human Rights Education and Research Network)

Prof. Monica Pinto (Universidad de Buenos Aires; President, International Association of Law Schools – IALS)

Mr. Carl Monk (Executive Director, Association of American Law Schools; President and General Secretary, International Association of Law Schools)

Prof. Philip Alston (New York University; formerly Chairperson, UN Committee on Economic, Social and Cultural Rights)

Prof. Robert Howse (New York University)

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Prof. Sandra Liebenberg (Chair of Human Rights Law, University of Stellenbosch, South Africa)

Mr. John Terry (Partner: Torys, Toronto)

Mr. George Stephanopoulos (Chief Washington Correspondent, ABC News; *Good Morning America*)

Prof. Daniel Porterfield (President, Franklin & Marshall College; formerly Vice President for Public Affairs and Strategic Development, Georgetown University)

Mr. Bruce Porter (International Network of Economic, Social and Cultural Rights and Charter Committee on Poverty Issues)

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