

UNILATERAL / EXTRATERRITORIAL SANCTIONS

12 & 13 DECEMBER 2019 PARIS

BIOGRAPHIES



Thursday 12 December 2019

Welcoming Remarks and Introduction to the Conference

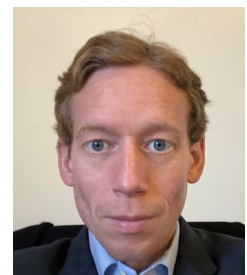


Charlotte BEAUCILLON is a Full Professor of Public International and European Law at the University of Lille. She heads the COMPLY 2018-2020 research project on the governance of compliance with international sanctions and is the organizer of this conference on unilateral and extraterritorial sanctions. Member of the SFDI, SEDI and the French branch of the ILA, she also has editorial responsibilities as a member of the editorial committee of the European Forum (open access, online).

Previous positions: Ph.D. EUI Alumna 2012, Associate Professor at the Sorbonne Law School 2013-2018.

Mapping the Contemporary Practice of Unilateral/Extraterritorial Sanctions

Tanguy STEHELIN is graduate of the Ecole Supérieure de Commerce de Paris (1999), Bachelor of Philosophy (Paris IV Sorbonne), Master of Private Law (Paris-X Nanterre), IEP Paris, Ecole Nationale d'administration (Promotion Romain Gary - 2005). He started in the Legal Affairs Department of the Ministry of Foreign Affairs (2005-2009), before working at the Ministry of Economy and Finance, at the State Participation Agency (2009-2014) as head of the Transport and Rail Sector Office. In 2014, he joined the French Permanent Representation to the United Nations in New York as Legal Adviser (2014-2017), before becoming Personal Adviser to the Secretary General of the United Nations, Mr. Antonio Guterres (2017-2019). He is now Deputy Director of Legal Affairs at the Ministry of Foreign Affairs, in charge of European Affairs.





Erica MORET is Senior Researcher at the Centre for Global Governance at the Graduate Institute of International and Development Studies (IHEID), Geneva, and chairs the Geneva International Sanctions Network (GISN). She holds a DPhil (PhD) and MSc from the University of Oxford, where she focused on the political economy of US sanctions on Cuba, and is also a graduate of France' Ecole Nationale d'Administration (ENA). She is author of various peer-reviewed publications on European foreign and security policy and sanctions, including on Russia, Iran, Syria, North Korea and Venezuela and in relation to humanitarian concerns, cyber security, chemical weapons abuses, Brexit, cryptocurrencies, disinformation, conflict resolution and informal governance. She has provided evidence to the UK House of Lords and House of Commons Inquiries on the future of sanctions after Brexit and participates in regular high-level Task Forces for the EU, UN and European/ North American governments. She currently runs an initiative on behalf of the Swiss government and European Commission entitled the "Compliance Dialogue on Syria-related Humanitarian Payments".

Jean-Marc THOUVENIN is Professor at the University Paris-Nanterre, Secretary General of The Hague Academy of International Law, and Associate Member of the Institut de droit international. Professor Thouvenin is a former Director of the CEDIN, and a former Secretary General of the French Society for International Law. Among others, he has published several articles on international economic sanctions, and has given a course at The Hague Academy of International Law on "Economic Sanctions decided and implemented outside the UN" (to be published in the Collected Courses of The Hague Academy of International Law). Professor Thouvenin appears also as counsel and advocate before international Courts and Tribunals, including in sanctions disputes.



Pierre-Emmanuel DUPONT is a lawyer and a consultant in public international law, international investment law and dispute resolution. His advisory services have involved the issues of the law of the sea and maritime boundary delimitation, international environmental law, dispute settlement procedures before international courts and tribunals, the law of treaties, international economic sanctions, international humanitarian law, human rights law, disarmament and non-proliferation issues. He has been serving as legal adviser to the UN Special Rapporteur on unilateral sanctions (unilateral coercive measures) and has worked on several international arbitration cases including investor-state disputes related to foreign investments under the ICSID Convention, the Energy Charter Treaty and bilateral investment treaties. He is a Senior Lecturer at the Free Faculty of Law, Economics and Management of Paris (FACO).

The Challenge of Unilateral/Extraterritorial Sanctions to Overarching Principles of International Law

Pierre BODEAU-LIVINEC, qualified as a Professor of public law during the 2010 French national professorship competition ("agrégation"), Pierre BODEAU-LIVINEC teaches public international law, the law of global and European governance and the law of international responsibility at University Paris Nanterre. He chairs the Public Law Division at the Faculty. He acts as co-director of the Diploma in Energy Law, Investment and International Arbitration. He is also the founder and co-director of the Nanterre International Law Summer School (NILSS). Pierre BODEAU-LIVINEC holds a PhD (summa cum laude) in public international law from the University Paris–Nanterre.



He is the Director of Studies of the International Law Association since June 2019. He is also the Co-Editor-in-Chief of *The Law and Practice of International Courts and Tribunals*.

Yann KERBRAT is a Professor of Public International Law at the Sorbonne Law School (University of Paris 1 Panthéon Sorbonne), where he is the Director of the Sorbonne Research Institute for International and European Law (IREDIÉS). He is a specialist of Public International Law and the author of various books and articles in this matter, including the French Handbook on International Law published by Dalloz with Pierre-Marie Dupuy. His works covers diverse areas of PIL, including the extraterritorial application of domestic regulations, on which he wrote his Ph.D.



Antonios TZANAKOPOULOS is Associate Professor of Public International Law at the University of Oxford and Fellow in Law at St Anne's College, Oxford. He practices from Three Stone Chambers in Lincoln's Inn. He is the Secretary-General of the International Law Association. He has written extensively on general international law issues, in particular on sanctions and countermeasures. His monograph *Disobeying the Security Council* was published by OUP in 2011.



Alexandra HOFER is an assistant professor in public international law at Utrecht University. She received her doctorate from Ghent University, which consisted of an interdisciplinary study on the legality and effectiveness of unilateral sanctions, in September 2019. She remains affiliated to UGent as a coach of the university's Jessup Team.

The Evolution of State Practice on Unilateral/Extraterritorial Sanctions from Strong Rejection to Partial Normalization

Evelyne LAGRANGE is a Law Professor at the Sorbonne Law School (University Paris I (Pantheon-Sorbonne)) specialized in public international law. After Sciences Po (Paris), she received her PhD in international law in 2000 from La Sorbonne where she focused on international institutional law (*La représentation institutionnelle dans l'ordre international*, The Hague, London, New York, Kluwer Law International, 2002, 608 p.). August 2007, she held a special course at The Hague Academy: *L'efficacité des normes internationales concernant la situation des personnes privées dans les ordres juridiques internes* (t. 356, 2011).



She is the co-editor (with Jean-Marc Sorel, also a Professor at the Sorbonne Law School) of a *Traité de droit des organisations internationales* (Lextenso, 2013).

A member of the Academic Council of the Centre Marc Bloch (Berlin) and External scientific advisor of the Max Planck Institute for Comparative Public Law and International Law, she is in charge of the relationships between the Société française pour le droit international and the *Deutsche Gesellschaft für internationale Recht* since 2007.



Hennie STRYDOM is Professor in Public International Law at the University of Johannesburg, and holds the National Research Foundation Chair in International Law. He is a member of the International Law Association, and is the President of the Association's South African branch. He publishes research in general international law, international human rights law, international humanitarian law and international environmental law.

Congyan CAI is a Professor of International Law at Xiamen University in China. Professor Cai focuses on international legal theory, foreign relations law, international investment law, and Chinese legal policies and practice in the international arena. Professor Cai has published many articles in journals like *American Journal of International Law*, *European Journal of International Law*, and *Journal of International Economic Law*. Professor Cai has published or will publish *The Rise of China and International Law* (OUP, 2019), *The BRICS in the New International Legal Order on Investment: Reformers or Disruptors* (eds., Brill, 2020), and *The Contribution of the UN Security Council to the Law of War and Peace* (with Larissa van den Herik and Tiyanjana Maluwa, CUP, 2021) and he is chapter author of several English publications.



Professor Cai was a former director of Xiamen University International Economic Law Institute (IELI) , a Fulbright Scholar and Global Research Fellow at the New York University School of Law (2011-2012), a visiting professor at Columbia Law School (2014), a senior fellow at Humboldt University School of Law (2016), and visiting professor at Kobe University School of Law (2016, 2017, 2018). Professor Cai is a member of Editorial Boards of several journals including Chinese Yearbook of International Law and Journal of East Asia and International Law.



Charlotte BEAUCILLON is a Full Professor of Public International and European Law at the University of Lille. She heads the COMPLY 2018-2020 research project on the governance of compliance with international sanctions and is the organizer of this conference on unilateral and extraterritorial sanctions. Member of the SFDI, SEDI and the French branch of the ILA, she also has editorial responsibilities as a member of the editorial committee of the European Forum (open access, online).

Previous positions: Ph.D. EUI Alumna 2012', Associate Professor at the Sorbonne Law School 2013-2018.

The Contemporary State Practice of Unilateral/Extraterritorial Sanctions from Activism to Helplessness

Nicola BONUCCI is Managing Director in the Global Trade and Investigations & White Collar Defense practices at Paul Hastings, based in the Paris office. Previously Mr. Bonucci served as the Director for Legal Affairs for the Organization for Economic Cooperation and Development (OECD). He has been one of the most prominent international voices in anti-corruption and anti-bribery, having led the OECD's efforts in this area for more than two decades. He is the co-editor of the second edition of the "OECD Convention on Bribery: a commentary". At the OECD he has also covered a number of investment related issues.





Zachary GOLDMAN's practice focuses on financial crime, financial technology and national security issues, with a particular focus on financial sanctions, anti-money laundering (AML), cryptocurrency and distributed ledger technology, and other novel payment technologies. Mr. Goldman serves as a trusted advisor for the financial services sector, technology industry, investment firms and global companies in a range of industries, counseling clients on compliance with the complex body of laws and regulations governing AML, sanctions and anti-bribery/anti-corruption. He has experience pursuing cryptocurrency licenses before the New York State Department of Financial Services, and advising companies on the broad range of state and federal laws governing cryptocurrency matters.

Daniel VENTURA is a Doctor in Public International Law from the University Paris 1 Panthéon-Sorbonne. He defended his Ph.D. dissertation on « The Asset Freezing and Asset Confiscation of Politically Exposed Persons in International Law » in December 2017 under the supervision of Pr. Evelyne Lagrange. He has worked in the financial security department of a French financial institution as well as in the French and Swiss law firm Archipel in the course of his Paris Bar certification. He is currently a teaching and research assistant attached to the Research institute of International and European Law of the Sorbonne (IREDIÉS). His fields of research extend to the law of international immunities, anti-money laundering regulations, asset recovery and the right to a fair trial.



Lena CHERCHENEFF is Maître de conférences in public law at the University Paris 1 Panthéon-Sorbonne in which she previously defended her Ph.D. dissertation on international financial regulation in 2018. She studied law and economics at the Ecole Normale Supérieure de Cachan and holds a Master degree in international economic law from the University Paris 1. During one year, she also worked at the French Supreme Court as juriste assistant. Her main research interests lie in the field of international economic law, public international law and european human rights law.

Friday 13 December 2019

Economic Operators' Risk Mitigation Strategies and the Over-Implementation of Unilateral/Extraterritorial Sanctions

Régis BISMUTH (Ph.D. Sorbonne, LL.M. Columbia) is Professor of Law (Professeur Agrégé de Droit Public) at Sciences Po Law School (Paris). Pr. Bismuth's main research and teaching interests lie within public international law, international economic law and international litigation. He is the author of several articles on various topics: sovereign wealth funds, sovereign debt, WTO law, international investment law and arbitration, international standards, financial regulation, economic sanctions, extraterritoriality, the responsibility of multinational corporations, and animal law. For more information: www.regisbismuth.com



Grégoire MALLARD is Professor in the Department of Anthropology and Sociology at the Graduate Institute of International and Development Studies (Geneva). After earning his PhD at Princeton University in 2008, Pr. Mallard was Assistant Professor of Sociology at Northwestern University until he joined the Institute. He is the author of *Gift Exchange: The Transnational History of a Political Idea* (Cambridge University Press 2019) and *Fallout: Nuclear Diplomacy in an Age of Global Fracture* (University of Chicago Press, 2014). He is also the co-editor of *Contractual Knowledge: One Hundred Years of Legal Experimentation in Global Markets* (Cambridge University Press 2016), and *Global Science and National Sovereignty: Studies in Historical Sociology of Science* (Routledge 2008). His other publications focus on prediction, the role of knowledge and ignorance in transnational lawmaking and the study of harmonization as a social process. In 2016, he has been the recipient of an ERC starting grant (2017-2022) for his new project titled Bombs, Banks and Sanctions.

Paulis ILJENKOVŠ is trilingual lawyer educated in the Netherlands (Bachelor's degree in Law from the University of Groningen), Singapore (exchange semester in Singapore Management University during the Bachelor's degree program) and Latvia (Master's degree in Law and qualification of a lawyer). After working for three years in law firms predominantly in the field of regulatory compliance, including sanctions compliance, took a job in the public sector – Financial Intelligence Unit of Latvia. As a senior expert, I work in the department responsible for building partnership between public and private sectors to enhance the effectiveness of combating financial crime, including, violations/evasion of sanctions.



Emmanuel BREEN, Lettres Sorbonne University - Member of the Paris Bar. Specialized in international business law with a strong public and criminal law background, Emmanuel Breen focuses on public-private partnerships and anti-corruption compliance in France and internationally. He led a 6-month mission at the International Anti-Corruption Academy in Vienna in 2018 and he published the first academic book in the French language on the FCPA.



Mr. Breen is an alumnus of the Ecole Normale Supérieure (Rue d'Ulm, 1989-1994) and holds a Masters (DEA) in Criminal Law and Policy from University Paris I Panthéon-Sorbonne (1994). He holds a Ph.D. in Public Law.

Mr. Breen has been an Associate Professor at Sorbonne University (Paris and Abu Dhabi campuses) since 2008 and is founder and co-chair of the "compliance officer" diploma at University Paris II Panthéon-Assas. He has also lectured on public policy and corporate compliance at HEC Paris, Sciences Po Paris and Ecole Normale Supérieure.

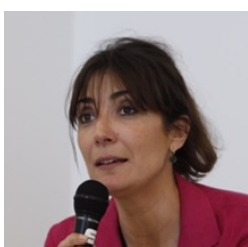
Defensive Strategies for Economic Actors: (Yet) Under-Exploited Human Rights Leads

Laurence BURGORGUE-LARSEN is Professor in Law at the Sorbonne Law School and member of the IREDIES. She uses to give lectures in Universities in Africa, Europe and Latin America. Its research is focusing on the areas of Human Rights Law, Comparative Law and European and International Law. She has been judge and President of the Constitutional Court of Andorra (2012-2019).



Ioannis PREZAS is associate professor of international law at the Sorbonne Law School, University Paris 1 Panthéon-Sorbonne and member of the Sorbonne research institute for international and european Studies (IREDIES). He holds a PhD from the University Paris 2 Panthéon-Assas for which he was awarded, inter alia, the prestigious thesis prize of the French Society of international law. His recent publications include an edited volume entitled *Substance et procédure en droit international public : dialectique et influences croisées*, Paris, Pedone, 2019.

Willem Bastiaan Van BOCKEL is senior specialist counsel to the Netherlands Council of State, senior lecturer of EU law at Utrecht University, and Honorary Judge at the District Court of Amsterdam. Amongst others he was formerly visiting professor at the universities of Venice (Italy) and Saarland (Germany), Jean Monnet Fellow at the European University Institute, and Head of the MA in European Union Studies at Leiden University. He is editor and author of numerous volumes, journals and publications, including "Theory and Practice of the European Convention on Human Rights (5th edition)", "EVRM Online", *Nederlands Tijdschrift voor de Mensenrechten*, and *Tekst en Commentaar Mededingingswet*. His areas of specialization include human rights law, economic law, and EU law.



Muriel UBEDA-SAILLARD is a Professor of international law at the University of Lille, where she notably lectures on general international law and criminal/humanitarian international law. She is the Director of Master 2 « International Criminal Justice ».

She has written extensively on international criminal justice, state cooperation in the fight against international crime, and peacekeeping. She is the co-editor, with Julian Fernandez and Xavier Pacreau, of the *Commentary of the Rome Statute of the International Criminal Court* (Pedone, 2019, 2 vol.).

Defensive Strategies for Economic Actors: Business-Oriented Litigation Strategies



Arnaud DE NANTEUIL est professeur à l'Université Paris Est Créteil où il enseigne en particulier le droit international public, le droit international économique et le droit fiscal international. Il est l'auteur du seul manuel francophone consacré exclusivement au droit international des investissements, publié chez Pedone et dont la troisième édition est prévue pour début 2020. Une version anglaise de cet ouvrage sera publiée au même moment par les éditions Elgar. Il est l'auteur de très nombreuses publications et chroniques consacrées au droit international de l'investissement et à l'arbitrage. Il exerce également des missions de conseil ou intervient comme expert dans des procédures d'arbitrage international.

Marjorie ECKHOUDT, Membre du CRDP, Université de Lille.

Maître de conférences en droit privé, elle concentre ses recherches sur le thème du droit face aux entreprises systémiques et a organisé divers événements scientifiques relatifs à la criminalité en col blanc « Too big to jail: why aren't top executives prosecuted for corporate crimes » (mai 2015) ou encore à l'éthique des affaires « Conflicts of interest in the big three american rating agencies » (avril 2015).



A lire en lien avec le projet « COMPLY » : Direction du Numéro spécial de la Revue Internationale de Droit économique : « Les grandes entreprises échappent-elles au droit ? » 2016/2 (Introduction, pp. 151-163).



Eric De BRABANDERE is Professor of International Dispute Settlement Law and Director of the Grotius Centre for International Legal Studies. He is also Attorney-at-Law at the Brussels Bar (with DMDB Law) practicing in international law and investment arbitration, Editor-in-Chief of the Leiden Journal of International Law, and a member of the Board of Editors of the Journal of World Investment & Trade, the Revue belge de droit international (Belgian Review of International Law), and the Martinus Nijhoff Investment Law Book Series. He formerly held visiting professorships at the University of Trento in Italy (in international investment law) and the Catholic University of Lille in France (in international dispute settlement).

Sabrina ROBERT-CUENDET is Professor of Public Law at Le Mans University. She is a member of Thémis-UM research Center and an associated member of the Sorbonne's Research Institute in International and European Law (IREDIES). She teaches public international law, european law, international economic law and international environmental law. Her research focuses on international trade and investment law. She published many articles and books, in French and in English, in this area.



Concluding Remarks



Hervé ASCENSIO is professor of public international law at the Sorbonne Law School (University of Paris 1 Panthéon-Sorbonne), and director of the master degree in Global Business Law and Governance. He is the author of numerous publications in general public international law, international economic law, and international criminal law. He acts as counsel and advocate in proceedings before the International Court of Justice, and as an expert or arbitrator in investment arbitration. Professor Ascensio is a member and former Secretary General of the French Society for International Law, a member of the American Society of International Law, the Société de Législation comparée, the International Law Association (French branch).