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[Global Center for Business and Development](#)



Law review articles by Pacific McGeorge faculty are having a global influence on the sustainable development of the world's resources. Last year, the English House of Lords quoted from and adopted the approach to subsurface property rights developed by **Distinguished Professor and Scholar John Sprankling** in his UCLA Law Review article, *Who Owns the Center of the Earth?*. Turning from underground mineral resources to water, the Supreme Court of Israel just cited and followed the article, *A Human Right to Water: Domestic and International Implications*, by **Distinguished Professor and Scholar Stephen McCaffrey**. Not resting on their laurels, Pacific McGeorge faculty continue to produce path-breaking scholarship dealing with global law and development:

Distinguished Professor and Scholar **John Sprankling** has embarked upon a ground-breaking project to establish the new field of international property law. He introduces this field in his forthcoming article, *The Emergence of International Property Law*, which is in press with the **North Carolina Law Review**. He will develop the field in a comprehensive manner in a book, appropriately enough to be titled **INTERNATIONAL PROPERTY LAW**, which will be published by **Oxford University Press** in 2013.

Professor **Kojo Yelapaala**'s article, *Rethinking the Foreign Direct Investment Process and Incentives in Post-Conflict Transition Countries* was recently published in the **Northwestern Journal of International Law and Business**. In the article, Yelapaala weaves his expertise in international business law, foreign investment and development economics into a provocative analysis of foreign direct investment incentives' impact on the sustained economic transformation of the poorest countries in the global economy. He explores

Fall 2011 Featured Stories:

[Educating Law Professors from China, Afghanistan and Iraq](#)  
[Global Influence of International Scholarship](#)  
[Human Rights Symposium Brought Prominent Experts to Sacramento](#)

[Judges Donoghue, Pocar, Brower to Visit Pacific McGeorge](#)  
[Pacific McGeorge Leads Intercultural Legal Competence Initiative](#)  
[Student Experiential Learning Abroad](#)



On August 7-8, 2011, the Pacific McGeorge Center for Global Business & Development sponsored a workshop for professors from law schools in the United States and abroad to discuss how to develop intercultural legal competence for attorneys engaged in transnational practice. The workshop was held at Squaw Valley, California near Lake Tahoe. This is the second "Tahoe" workshop organized by the Global Center designed to improve internationally oriented legal education throughout the United States.

Globalization, as well as growing cultural diversity in the United States, makes it necessary for attorneys to be able to interact with clients, parties, witnesses, lawyers and officials from different national and ethnic backgrounds. Such national and cultural differences impact communication, the way persons understand law, and the practical operation of different legal systems. Pacific McGeorge is leading an initiative to prepare lawyers to possess the intercultural legal competence necessary to deal with such national and cultural differences.



*Pacific McGeorge continued the tradition of "Tahoe" conferences with the August 2011 Intercultural Legal Competence conference. Pictured here are the participants in the first of the series, the 2005 conference about Globalizing the Law School Curriculum.*

"Intercultural legal competence is an important subject in legal education today," said **Frank Wang**, Dean Emeritus and Professor of Law at the Kenneth Wang School of Law, Soochow University, Suzhou, China. "It is time to define what a lawyer needs to reliably achieve competence in the global legal world."

The morning discussion began with presentations by **Laura Nadar**

policy changes that would positively alter the position of the developing countries, and concludes with an evaluation in favor of project finance as a tool of domestic investment empowerment and against incentives for foreign investors unless they are well-tailored within the project finance framework.

Distinguished Professor and Scholar [Franklin Gevurtz](#) explores the forecast worldwide convergence of corporate law in his upcoming *Washington Law Review* article, *The Globalization of Corporate Law: The End of History or a Never-ending Story?*. Drawing upon his expertise in comparative corporate law and the history of corporations, Gevurtz challenges the common assertion that corporate laws are becoming global by converging on internationally accepted approaches---pointing out, instead, how the history of corporate law is one of continuous, but transitory, convergence among nations, who often jump from one inefficient norm to another.

Professor [Thomas Main](#) uncovers a significant problem in the application of foreign laws in transnational litigation in his article, *Word Commons*, forthcoming in the *Arizona Law Review*. Main, an expert in the field of international civil procedure, explores how the different meanings given by different nations to words commonly used among legal systems negatively impact the application of foreign laws. Main identifies many serious problems that have arisen through dueling efforts to unify and harmonize laws, and concludes with a discussion of solutions to help courts ascertain the best way to apply foreign law.

Distinguished Professor and Scholar [Stephen McCaffrey](#) has brought the expertise in international law, which makes him a frequent advisor to nations around the world, to students by co-authoring the book, **PUBLIC INTERNATIONAL LAW: CASES, PROBLEMS, AND TEXTS** (with Dinah Shelton & John Cerone), published this year by **Lexis Nexis**.

Professor [Linda Carter](#) added the latest book to the "Global Issues" series by co-authoring **GLOBAL ISSUES IN CRIMINAL PROCEDURE**. The "[Global Issues](#)" series---developed by series editor **Franklin Gevurtz** to bring international and comparative law concepts into domestic law courses---are published by West. 16 Pacific McGeorge faculty members have joined with other leading experts from law schools around the United States to author the 22 books now in this series.

, professor of social anthropology at the University of California, Berkeley, and **Susan Sample**, associate professor of political science at University of the Pacific, School of International Studies and Director of Pacific's Institute for Cross Cultural Training. **Rachel Moran**, Dean and Michael J. Connell Distinguished Professor of Law at the University of California, Los Angeles School of Law, framed the afternoon session with insightful remarks about the challenges and issues around developing intercultural legal competency in students.

Following these presentations, the participants brought their backgrounds as leaders in internationally oriented legal education to bear upon delineating the parameters of intercultural legal competence and developing curricular vehicles for law schools to achieve this competence in their graduates.

The results of this landmark conference will be included in the law school's [Pacific McGeorge Global Business & Development Law Journal](#).



Pacific McGeorge professor **Linda Carter** organized and directed an on-campus symposium, "The Global Impact and Implementation of Human Rights Norms," held on March 11 and 12, 2011. The conference, which addressed the impact and implementation of human rights norms in substantive areas of law, featured prominent legal experts in the field from around the globe. Panel discussions in the conference focused on the relationships between human rights norms and corporate governance, labor law, environmental law, security issues, tort law, and intellectual property.

Justice **Richard Goldstone** and **Fausto Pocar**, former prosecutor and appellate judge, respectively, at the International Criminal Tribunals for Yugoslavia and Rwanda, headlined a distinguished jurist panel that examined the growing impact of human rights norms.

Pacific McGeorge panelists included **John Sprankling**, **Steve McCaffrey**, **John Sims** and **Sabine Schlemmer-Schulte**. Moderators included Pacific McGeorge professors **Raquel Aldana**, **Rachael Salcido**, **Michael Mireles**, **Julie Davis**, **John Sims**, **Omar Dajani**, **Frank Gevurtz** and **Linda Carter**.

The symposium was sponsored by the Global Center for Business & Development. Papers presented at the event will be published in a future edition of the [Pacific McGeorge Global Business & Development Law Journal](#).



## UPCOMING EVENTS

### *International Jurist Series*

Judge Joan  
Donoghue

August 31, 2011

Judge Fausto  
Pocar

October 20, 2011

Judge Charles  
Brower

April 3, 2012

The new [Pacific McGeorge Global Center International Jurist Series](#) will bring leading judges and lawyers from around the globe to Pacific McGeorge during the 2011-2012 academic year.

**Judge Joan Donoghue** will visit Pacific McGeorge on **August 31, 2011**, as the first guest in the International Jurist Series. Judge Donoghue is a member of the 15-person International Court of Justice in The Hague, Netherlands. **Judge Fausto Pocar** of the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague will come to Pacific McGeorge in October 20, 2011. **Judge Charles Brower** will be on campus next year, on April 3, 2012. Judge Brower has served continuously since 1983 as a Judge of the Iran-United States Claims Tribunal in The Hague.

[For more information about these prestigious judges, or to RSVP for one of the series events](#), please [email Clémence Kucera](#) or call 1-916-739-7316 .

### Annual Meeting of the American Society of Comparative Law

October 20-22, 2011  
SACRAMENTO, CA

In conjunction with the **2011 Annual Meeting of the American Society of Comparative Law**, the University of the Pacific, McGeorge School of Law and the Pacific McGeorge Global Center for Business & Development will [conduct a workshop on identifying and achieving the objectives of the comparative law curriculum](#) from October 20-22, 2011.

[Register Today for the 2011 ASCL Conference.](#)

The USAID recently granted a \$200,000 extension of Pacific McGeorge's multi-million dollar program to assist China in creating skills-based legal education programs that focus on the application of law in practice. As part of this program, Pacific McGeorge professors **Brian Landsberg**, **Maureen Watkins**, **Jay Leach**, and **Jarrold Wong** conducted a workshop this summer in Yinchuan, China on experiential legal education.



[China Workshop \(click to enlarge\)](#)

Pacific McGeorge professors have also recently embarked upon a program to educate Afghan law professors in legal English and legal ethics, legal reasoning and writing, and advocacy & dispute resolution.

On August 17, 2011, a delegation of 12 retired judges and distinguished law professors from Iraq visited Pacific McGeorge for a program on mastering Intellectual Property, and for a discussion on experiential learning in U.S. law schools. The program was sponsored by the U.S. Department of Commerce - Commercial Law Development Program (CLDP) and the US Embassy of Baghdad.



[Iraqi Delegation \(click to enlarge\)](#)

### *Student Experiential Learning Abroad*

Pacific McGeorge School of Law students and recent graduates are gaining invaluable international experience through internships and moot court competitions. Thanks in part to the endowment of the **Pacific McGeorge Global Center International Internship Scholarship Fund**, more interns than ever found opportunities to learn internationally.

**Nicole Rangel**, '10, completed a nine-month internship with Judge Fausto Pocar in the Appeals Chamber of the International Criminal Tribunal for the former Yugoslavia (ICTY) in July 2011 and now works for a defense team at the International Criminal Tribunal for Rwanda (ICTR). Nicole previously interned with a defense counsel, Peter Robinson, ICTR. **Jessica Asfour**, '11, spent the fall 2010 semester interning in a trial chamber at the ICTY. Jessica also previously interned with Peter Robinson at the ICTR. **Dominic Afzali**, a third-year student, interned at the International Criminal Court (ICC) from October 2010 to February 2011. Dominic previously interned at the Extraordinary Chambers in the Courts of Cambodia.

## Law Breakfast at the 2012 AALS Annual Meeting in Washington DC

January 5, 2012  
WASHINGTON, DC

At the 2012 AALS annual meeting in Washington DC the Global Center will host the University of the Pacific, McGeorge School of Law Breakfast for International Law Faculties and Members of the American Society of International Law's Teaching International Law Interest Group. The breakfast will be held on January 5, 2012 at 7:00 a.m. and the topic will be "Rethinking the International Law Curriculum for Challenging Times". Please join us for a discussion about the impact of the current economic challenges facing the legal profession and legal education, as well as the current global economic and political upheavals, on international law courses and programs.

The Global Center is interested in collecting further responses to the survey we conducted in advance of our international law breakfast at last year's AALS annual meeting; at which breakfast we addressed the topic of [internationalizing faculty teaching and scholarship](#). As illustrated by the chart below showing the results for Pacific McGeorge, we are exploring the "nature versus nurture" debate for internationally oriented faculty---in other words, how many of each school's internationally oriented faculty members were hired with the expectation that they would do teaching and scholarship on international topics and how many developed that focus after they were hired.



(click to enlarge)

[Please click here to complete the survey on internationalizing law school faculty](#), and make your plans now to join us for the invigorating breakfast discussion at AALS.

Six Pacific McGeorge students participated in externships in Guatemala this summer. **Miguel Magdaleno**, '11, and **Jory Cook**, '13, externed at the Guatemalan Exporters' Association AGEXPORT. Tyler Dahl, '13, completed an externship at Central America Free Trade Agreement's (CAFTA) Secretariat, where he worked on high profile cases involving environmental complaints. **Marianna Dietrich**, '13, and **Rachel Balchum**, '13, worked on the implementation of the Stockholm Protocol in Guatemala with the United Nations. **Ari Etkes**, '13, completed an externship at the Guatemalan Human Rights Ombudsman, where he worked on the implementation of the Law for Free Access to public information in Guatemala.

**Yen Phan**, '12, interned with the organization International Bridges to Justice (IBJ) in Geneva, Switzerland during summer 2011. [Yen captured her experience on the "student life" Pacific McGeorge blog](#). In Egypt, **Heidi Abbass**, '13, **Mohamed Eldessouky**, '12, and **Waleed Salaheldin**, '13, worked as externs at All Dreams United.

During the fall semester 2011, four Pacific McGeorge students and alumni are working as interns at the ICTY: Third-year students **Yen Phan** and **Danielle Wheeler**, and **Eric Papatthakis**, '11 have internships in Chambers; **Adam Guernsey**, '11 will intern in the Office of the Prosecutor.

Two other alumni are presently working in international criminal tribunals: **Cynthia Tai**, '93, in the Office of the Prosecutor at the ICC and **Lauren Tipton**, '08, at the Special Court for Sierra Leone. Alumna **Yanying Li**, '09, works in The Hague at the Permanent Court of Arbitration.

Pacific McGeorge students also gained international experiential opportunities through participation in international moot court competitions. Student teams competed in the [Phillip C. Jessup International Law Moot Court Competition](#), the [Niagara International Moot Court Competition](#), the [International Criminal Court Moot Competition](#), and the [Inter-American Human Rights Moot Court Competition](#) during 2011.



Pacific McGeorge was one of only two teams from North America to qualify for the Annual International Criminal Court Moot Competition. From left: David Magnan, Krystal Collins, Susan Booth and Scott Radcliffe.

To help make international internships possible for more students, please consider contributing to the **Pacific McGeorge Global Center International Internship Fund**. For more information, please contact Carissa Crail at [crcrail@pacific.edu](mailto:crcrail@pacific.edu) or 1-916-739-7288 .

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