

DUNCAN B. HOLLIS
Associate Dean for Academic Affairs
James E. Beasley Professor of Law
Temple University's James E. Beasley School of Law

Education

Boston College Law School, J.D., *summa cum laude*, May 1996

- James W. Smith Award for Highest Academic Rank
- BOSTON COLLEGE LAW REVIEW, Executive Editor

Fletcher School of Law & Diplomacy, M.A.L.D., May 1996

- Fields of Study: Public International Law; Security Studies

Bowdoin College, A.B., *summa cum laude*, Phi Beta Kappa, May 1992

- Majors in Government and Asian Studies

Teaching Experience

Temple University Beasley School of Law, Philadelphia, PA

- **Associate Dean for Academic Affairs** July 2012-present
James E. Beasley Professor of Law

Hold a tenured appointment at the law school with teaching responsibilities in international and foreign affairs law (including public international law, treaties, regulating cyber-threats, and international environmental law) as well as property. Administrative responsibilities include faculty oversight and scheduling, curriculum development, public and alumni outreach, and general oversight and implementation of law school and university academic policies.

- **Associate Dean for Academic Affairs & Professor of Law** September 2010-June 2012
- **Associate Professor of Law** July 2007-June 2011
- **Assistant Professor of Law** July 2004-June 2007

George Mason University School of Law, Arlington, VA

- **Adjunct Professor, International Law** Jan. 2000-Jan. 2003

Created and co-taught the core class on public international law and a related seminar on advanced topics in international law.

Professional Experience

Office of the Legal Adviser, U.S. Department of State, Washington D.C.

- **Attorney-Adviser, Environmental Affairs** Apr. 2003-June 2004
Represented the United States in meetings and disputes involving multilateral environmental agreements, including the Montreal Protocol and the POPs Convention. Negotiated with Canada on the legal aspects of bilateral environmental disputes between the United States and Canada, including the Trail Smelter pollution of the Columbia River, Great Lakes water pollution, and the Devils Lake outlet.

- **Attorney-Adviser, Treaty Affairs** Oct. 1999-Apr. 2003
 - Responsible for review and oversight of treaties and international agreements negotiated and concluded by the United States. Coordinated with the Senate Foreign Relations Committee, the White House and other U.S. agencies on the conclusion and entry into force of treaties and other international agreements, including Senate advice and consent to ratification of treaties. Addressed constitutional issues raised throughout this process, including Separation of Powers, Federalism, the Treaty Power, and the Compact Clause.
 - Served as Counsel to the United States before the International Court of Justice in *Avena and Other Mexican Nationals (Mexico v. United States)* (Provisional Measures Phase) and drafted arguments for the United States in *Oil Platforms (Islamic Republic of Iran v. United States)*.
 - Consulted with foreign governments on issues relating to the negotiation, conclusion and application of treaties; provided legal interpretations of U.S. treaties on questions including implementation, amendment and breach.
 - Served as a U.S. Negotiator in various treaty negotiations, including those for the Agreements between the United States and the European Union on Extradition and Mutual Legal Assistance, the Cybercrime Convention, and the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean.

- **Attorney-Adviser, Buildings & Acquisitions** Mar. 1998-Oct. 1999
Oversaw contracts, real estate, security and related litigation issues involving U.S. embassies worldwide; represented the State Department before the Armed Services Board of Contract Appeals; assisted the Justice Department in litigation before the Court of Federal Claims.

Steptoe & Johnson LLP, Washington D.C.

- **Associate** Oct. 1996-Mar. 1998
Worked on public and private international legal matters. Participated in filing a Gulf War Claim before the U.N. Compensation Commission, resulting in a \$505 million award.

Books, Book Chapters, and Articles

- Editor, THE OXFORD GUIDE TO TREATIES (Oxford University Press, 2012).

- Awarded the 2013 ASIL Certificate of Merit for high technical craftsmanship and utility to practicing lawyers
- *Defining Treaties* in THE OXFORD GUIDE TO TREATIES (D. Hollis, ed., Oxford University Press, 2012).
- *An e-SOS for Cyberspace*, 52 HARVARD INT'L L. J. 374 (2011).
- *Treaties in the Supreme Court, 1861-1900*, in THE U.S. SUPREME COURT AND INTERNATIONAL LAW: CONTINUITY OR CHANGE? (D. Sloss et al., ed., Cambridge, 2011).
- *Unpacking the Compact Clause*, 88 TEXAS L. REV. 741 (2010).
 - Discussed and quoted in CURTIS BRADLEY & JACK GOLDSMITH, FOREIGN RELATIONS LAW: CASES & MATERIALS (Aspen, 4th ed. 2011).
- *"Political" Commitments and the Constitution*, 49 VA. J. INT'L L. 507 (2009) (with J. Newcomer) (lead article).
 - Discussed and quoted in CURTIS BRADLEY & JACK GOLDSMITH, FOREIGN RELATIONS LAW: CASES & MATERIALS (Aspen, 4th ed. 2011).
- *New Tools, New Rules: International Law and Information Operations*, in IDEAS AS WEAPONS: INFLUENCE AND PERCEPTION IN MODERN WARFARE 59 (G. David & T. McKeldin eds., Potomac, 2009).
- *The Elusive Foreign Compact*, 73 MO. L. REV. 1071 (2008) (invited symposium).
- *Why States Need an International Law for Information Operations*, 11 LEWIS & CLARK L. REV. 1023 (2007) (invited symposium).
- *Disaggregating Devils Lake: Can Non-State Actors, Hegemony, or Principal-Agent Theory Explain the Boundary Waters Treaty?*, in RESPONSIBILITY OF INDIVIDUALS, STATES AND INTERNATIONAL ORGANIZATIONS (Canadian Council on International Law, ed., 2007).
- *Executive Federalism: Forging New Federalist Constraints on the Treaty Power*, 79 S. CALIF. L. REV. 1327 (2006).
 - Discussed and quoted in CURTIS BRADLEY & JACK GOLDSMITH, FOREIGN RELATIONS LAW: CASES & MATERIALS (Aspen, 4th ed. 2011).
- *Why State Consent Still Matters: Non-State Actors, Treaties and the Changing Sources of International Law*, 23 BERKELEY J. INT'L L. 137 (2005).
 - Excerpted in THOMAS M. FRANCK ET AL., FOREIGN RELATIONS & NATIONAL SECURITY LAW (Thomas/West, 2008).

Duncan B. Hollis (continued)

- *A Comparative Approach to Treaty Law and Practice*, in NATIONAL TREATY LAW AND PRACTICE 1-58 (ASIL & Martinus Nijhoff, 2005).
 - Cited in *Medellin v. Texas*, 552 U.S. 491 (2008), Slip. Op., pp. 11, 16, 19 (Breyer, J., dissenting).
- Editor, NATIONAL TREATY LAW & PRACTICE (ASIL & Martinus Nijhoff, 2005) (with M. Blakeslee and L.B. Ederington).
 - Cited in *Medellin v. Texas*, 552 U.S. 491 (2008), Slip. Op., pp. 11, 12, 16, 19 (Breyer, J., dissenting).
 - Reviewed by Anthony Aust, 99 AM. J. INT'L L. 941 (2005).
 - Reviewed in 50 *L'Annuaire Français de Droit International* (2004).
- *Private Actors in Public International Law: Amicus Curiae and the Case for the Retention of State Sovereignty*, 25 B.C. INT'L & COMP. L. REV. 235 (2002) (invited symposium).
- *Accountability in Chechnya -- Addressing Internal Matters with Legal and Political International Norms*, 36 B.C. LAW REV. 793 (1995).

Shorter Publications

- *Summary for Panel 4: Law of Armed Conflict (LOAC) and Rules of Engagement (RoE) in Cyberspace*, Cyber Norms Workshop 2.0, <http://citizenlab.org/cybern norms2012> (September 2012)
- *Sovereignty versus Stewardship? International Law and the Apportionment of Cyberspace*, CYBER DIALOGUE 2012 (March 2012).
- Op-Ed, *Sending out an SOS*, NATIONAL LAW JOURNAL, April 26, 2010 (with David Post)
- Op-Ed, *Sovereign, Yet Listening to Foreign Law*, PHILADELPHIA INQUIRER, April 27, 2009 (with Christopher Borgen)
- *Treaties—A Cinderella Story*, 102 PROC. AM. SOC. INT'L L. (2008).
- Book Review, *Contemporary Issues in the Law of Treaties*, 101 AM. J. INT'L L. 695 (2007).
- Op-Ed, *E-war Rules of Engagement*, LOS ANGELES TIMES, Oct. 8, 2007.
- *Russia Suspends CFE Treaty Participation*, 11 ASIL INSIGHT (July 2007).
- *International Decision: Spector v. Norwegian Cruise Line Ltd.*, 99 AM. J. INT'L L. 881 (2005).
- *Introduction: (Re)Constructing the Treaty Power*, 98 PROC. AM. SOC. INT'L L. 339 (2004).

Duncan B. Hollis (continued)

- *The Proposed Cuban Liberty Act of 1995*, 1 NAFTA: LAW & BUS. REV. 72 (1995) (with C. Smith).
- *The Retroactivity of the Civil Rights Act of 1991 and Section 1981: Rivers v. Roadway Express*, 36 B.C. LAW REV. 373 (1995).

Weblog

Opinio Juris, Permanent Contributor, a weblog dedicated to reports, commentary, and debate on developments and scholarship in international law and politics, www.opiniojuris.org.

Media Appearances

The American Society of International Law identifies me on their web-site as their “expert” on treaty interpretation available for media inquiries. My views on international law and international relations have appeared in (or on) the *Atlanta Journal-Constitution*, *Christian Science Monitor*, *CNN’s American Morning*, *CNN’s In the Arena*, *The Economist*, *Foreign Policy*, *FOX29’s Good Day*, *Houston Chronicle*, *Legal Intelligencer*, *Legal Times*, *Los Angeles Times*, *National Law Journal*, *NPR’s All Things Considered*, *NPR’s Morning Edition*, *The New York Times*, *The Philadelphia Inquirer*, *Rossiyskaya Gazeta*, *The San Francisco Chronicle*, *The Wall Street Journal*, and *USA Today*.

Presentations & Workshops

- Presenter (Plenary Panel), *The Existential Function of Interpretation in International Law*, Cambridge Conference on Interpretation, Cambridge University, United Kingdom, August 2013.
- Presenter, *Attacks, Exploits and Intrusions: When Is a Cyber Incident an Act of War? What Responses Are Warranted?* Federalist Society Teleconference, July 2013.
- Presenter, Participant (invited), *Engaging the Writings of Martti Koskenniemi*, Temple Beasley School of Law, Philadelphia, PA, April 2013.
- Presenter, *How Should we Regulate Cyberthreats?*, American Chamber of Commerce, Tokyo, Japan, April 2013.
- Keynote Address, *The Law of Cyber Warfare: Can the Current Legal Regime Hack It?*, American University College of Law, Washington, D.C., November 2012.
- Panelist, *Taming Globalization: U.S. Foreign Affairs Law and the Next Administration*, 2012 International Law Weekend, New York, NY, October 2012.
- Chair, *Law of Armed Conflict and Rules of Engagement in Cyberspace*, Cyber Norms Workshop 2.0, Massachusetts Institute of Technology, Cambridge, MA, September 2012.

- Chair, *Ethics of Responding to Cyber Harm: Attribution and Related Problems*, Symposium: Warfare in a New Domain: the Ethics of Cyber Warfare, United States Naval Academy, Annapolis, MD, April 2012.
- Panelist, Symposium: Cyber-Attacks & Cyber Warfare, SWP Stiftung Wissenschaft und Politik, Berlin, Germany, March 2012.
- Participant (invited), Cyber Norms Workshop, Massachusetts Institute of Technology, Cambridge, MA, October 2011.
- Presenter *An e-SOS for Cyberspace*, National Security Law Colloquium, Fordham Law School, New York, NY, March 2011.
- Panelist, Symposium: Cybersecurity—Law, Privacy and Warfare in a Digital World, Harvard Law School, Cambridge, MA, March 2011.
- Panelist, *An e-SOS for Cyberspace*, Symposium: From Cybersecurity to Cyberwar, U.S. Naval War College, Newport, RI, September 2010.
- Panelist, *Why States Need New Rules for Cyberconflicts*, 2010 McCain Conference, United States Naval Academy, Annapolis, MD, April 2010.
- Chair, *War and Law in Cyberspace*, 104th Meeting of the American Society of International Law, Washington, D.C., March 2010.
- Panelist, *Constitutional and Prudential Limits on the Treaty Power: Federalism, Delegation, or Some Other Principle?*, Federalist Society's 12th Annual Academic Conference, New Orleans, LA, January 2010.
- Lecturer, *U.S. Treaty Law & Practice*, Law of Treaties Seminar, Queen Mary College, London, United Kingdom, November 2009.
- Paper Presenter, *Treaties & the Court, 1860-1900*, Symposium: The History of International Law in the Supreme Court, Santa Clara Law School, November 2009.
- Lecturer, *A New International Law for Information Operations*, Cyberwar and Cybercrime Seminar, Harvard Law School, October 2009.
- Chair, *Hermeneutics and Interpretation*, Changing Futures? Science and International Law, ESIL-ASIL Research Forum, University of Helsinki, Finland, October 2009.
- Paper Presenter, *Unpacking the Compact Clause*, Foreign Affairs Colloquium, Georgetown University Law Center, September 2009.

Duncan B. Hollis (continued)

- Participant (invited), *Treaties and Self-Execution*, Harvard-Duke Foreign Relations Workshop, Duke Law School, September 2008.
- Paper Presenter, *Unpacking the Compact Clause*, 2nd Potomac Foreign Relations Law Workshop, George Washington University Law School, May 2008.
- Panelist, *Judging U.S. Treaties after Medellin*, 102nd Meeting of the American Society of International Law, Washington, D.C., April 2008.
- Panelist, *Information Operations*, Panel on the War on Terror, Pennsylvania Bar Association Law Policy Forum, Philadelphia, PA, April 2008.
- Panelist, *States as International Law Makers*, Symposium: Return to Missouri v. Holland: Federalism and International Law, University of Missouri School of Law, February 2008.
- Panelist, *Charming Treaties*, International Law Weekend, New York City, October 2007.
- Co-Moderator with Professor Jaya Ramji-Nogales, *Democracy in International Law and Institutions*, Junior International Law Scholars Roundtable, Yale Law School, March 2007.
- Panelist, *Obligation vs. Risk: Parsing the Boundary Waters Treaty*, Canadian Council of International Law Annual Meeting, University of Ottawa, October 2006.
- Panelist, *A Comparative Approach to Treaty Law & Practice*, National Treaty Law & Practice, American Society of International Law, Washington D.C., June 2005.
- Presenter, *The Role of State Consent in ICJ Proceedings*, University of Victoria Law School, British Columbia, March 2005.
- Chair, *Treaties in U.S. Law, New Debates on Old Ideas*, 98th Meeting of the American Society of International Law, Washington, D.C., April 2004.
- Panelist, *The Changing Sources of International Law*, Conference on Ethics and Authority in International Law, Fletcher School of Law and Diplomacy, Tufts University, April 2003.
- Presenter, *The View from Foggy Bottom: The Treaty Practice of the United States*, Department of Defense, Joint Chiefs of Staff, International Agreements Conference, Washington, D.C., November 2002.
- Panelist, *Private Individuals in Public International Law: The Case of the Amicus Curiae*, Conference on Globalization and the Erosion of Sovereignty, Boston College Law School, November 2001.
- Guest Lecturer, *U.S. Treaty Practice*, International Law Research Seminar, Georgetown University Law Center, September 2000, February 2002 and February 2003.

Affiliations

- Member (elected), American Law Institute
- Adviser (invited), Treaty Group, *Restatement Fourth, Foreign Relations Law of the United States*
- Member, American Society of International Law
- Member, ABA Section on International Law and Practice
- Admitted to the District of Columbia Bar (1996) (inactive member of the Massachusetts Bar)