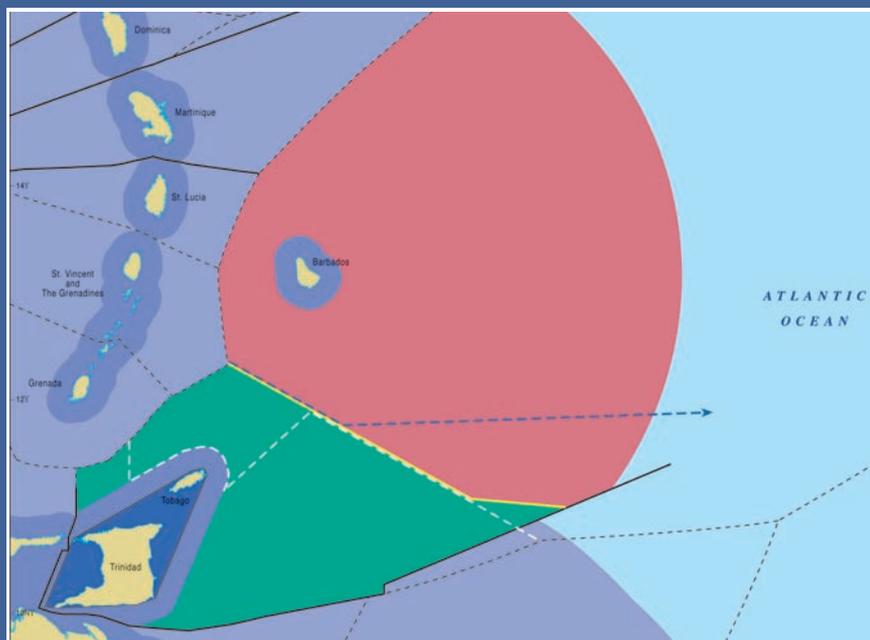


International Boundaries Research Unit

Resolving Boundary Disputes Through Arbitration and Other Third-Party Proceedings

Tuesday 2 - Thursday 4 October 2007

Offices of LeBoeuf, Lamb, Greene & MacRae LLP, Washington DC



Tutors:

- Mr David A Colson, LeBoeuf, Lamb, Greene & MacRae LLP
- Professor John Crook, The George Washington University Law School
- Mr Jonathan Greenberg, Stanford Center on International Conflict and Negotiation
- Mr Martin Pratt, International Boundaries Research Unit
- Professor W Michael Reisman, Yale Law School
- Dr Derek C Smith, LeBoeuf, Lamb, Greene & MacRae LLP

Co-hosted and sponsored by:

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Introduction

Although it is widely recognised that boundary disputes are best settled through negotiation, there are times when recourse to third party settlement also needs to be considered as an option. This workshop is designed to help governments evaluate the benefits and disadvantages of boundary litigation and arbitration, and to equip them with information and skills to ensure a successful outcome from the process.

Led by highly experienced international lawyers and boundary practitioners, the workshop will offer practical instruction on topics such as: choice of forum; assembling and assessing evidence; building and managing a team; presenting your case and rebutting your opponent's case. The workshop will also examine options for non-binding dispute resolution mechanisms such as mediation, conciliation and Track II diplomacy.

The workshop, organised in collaboration with LeBoeuf, Lamb, Greene & MacRae LLP, will be of value not only to governments currently involved in boundary litigation or arbitration but also to any country seeking to achieve a peaceful boundary settlement with its neighbours.

Who should attend?

The workshop will be of value to:

- Ministers and ambassadors
- Technical advisers
- Legal advisers
- Diplomatic support staff
- Commercial litigators
- Consultants and researchers

Tutors



David Colson specialises in assisting governments in addressing maritime boundary issues, including in the Middle East, African, and Latin American regions. He has provided international petroleum companies with advice in the same regard. Mr Colson joined LeBoeuf Lamb in 1996 following a career in the US Department of State. After service in the Department's Legal Advisers Office, he was the deputy assistant secretary for oceans - with rank of ambassador from 1991. During his career in federal government, he was deputy agent for the United States in the World Court case with Canada to determine the maritime boundary in the Gulf of Maine/Georges Bank area, and was responsible for the oversight of the US maritime boundary program. He was co-editor of the fifth volume of *International Maritime Boundaries* published in 2005.



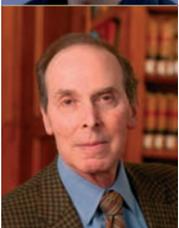
John Crook is an arbitrator on the Eritrea-Ethiopia Claims Commission and under NAFTA, and teaches international arbitration at George Washington Law School. During three decades as a State Department lawyer, Crook served as US Agent at the Iran-US Claims Tribunal in The Hague, and was deeply involved in creating the UN Compensation Commission in Geneva. He later served as General Counsel for the Multinational Force and Observers, which maintains an 1800-soldier peacekeeping force in the Sinai Desert. He is a member of the Board of Editors of the *American Journal of International Law* and edits AJIL's section on Contemporary Practice in International Law.



Jonathan Greenberg has been Counsel to Heenan Blaikie since 2005, where he directs the firm's practice in International Dispute Resolution. From a background as a legal practitioner in the field of international commercial arbitration and mediation, in recent years Mr Greenberg has specialised in the assessment and resolution of longstanding international border, boundary and public policy conflicts. Lecturer in Law at Stanford Law School since 1989, Mr Greenberg teaches courses in advanced negotiation, international conflict resolution, interdisciplinary research, and law and public policy. He is an Affiliated Scholar at the Stanford Center on International Conflict and Negotiation.



Martin Pratt joined the International Boundaries Research Unit in 1994 and is now the Unit's Director of Research. He has written extensively on land and maritime boundary issues around the world and has advised governments, commercial organisations and NGOs on a wide range of boundary and sovereignty disputes. Martin works with Michelle Speak in developing and running IBRU's training workshop programme; he also manages IBRU's website, the Unit's GIS resources and the int-boundaries email list.



W Michael Reisman is the Myres S McDougal Professor of International Law at the Yale Law School where he has been on the Faculty since 1965. He has been a visiting professor in Tokyo, Hong Kong, Berlin, Basel, Paris and Geneva. He is a Fellow of the World Academy of Art and Science, the President of the Arbitration Tribunal of the Bank for International Settlements, a member of the Eritrea-Ethiopia Boundary Commission, a member of the Advisory Committee on International Law of the Department of State, a member of the Board of The Foreign Policy Association, and has been elected to the Institut de Droit International. He has published widely in the area of international law and he served as arbitrator and counsel in many international cases.



Derek Smith practices in the areas of petroleum law, international dispute resolution and public international law. Dr Smith represents numerous government clients with regard to the settlement of international boundary disputes that implicate oil and gas development and assists them in establishing legal mechanisms for handling transboundary resources. He also advises private oil companies on boundary and resource questions. Prior to joining LeBoeuf Lamb, Dr Smith was an attorney at the United States Department of Justice, where he handled immigration and cross-border cooperation matters. Dr Smith is fluent in Spanish and proficient in French and German.

Programme

Tuesday 2 October	0900-0930	International boundary disputes and their resolution
	0930-1030	Options for third-party adjudication 1: the International Court of Justice <ul style="list-style-type: none">• Nature and statute of the Court• Bringing a case before the Court• Procedures• Advantages and disadvantages of the ICJ
	1100-1200	Options for third-party adjudication 2: the International Tribunal for the Law of the Sea <ul style="list-style-type: none">• Nature and statute of the Court• Bringing a case before the Court• Procedures• Advantages and disadvantages of the Tribunal
	1200-1300	Options for third-party adjudication 3: <i>ad hoc</i> arbitration <ul style="list-style-type: none">• Establishing the arbitration tribunal• Terms of reference• Advantages and disadvantages of arbitration
	1300-1400	Lunch
	1400-1445	Drafting a special agreement <ul style="list-style-type: none">• Defining the questions to be submitted for adjudication• Procedural issues
	1445-1700	Practical exercise: negotiating and drafting a special agreement <p>Working in teams, participants will seek to agree the terms under which a boundary dispute should be submitted for third-party adjudication.</p>
Wednesday 3 October	0900-1030	Case management <ul style="list-style-type: none">• Building a team• Coordinating research• Logistics of a boundary case• The role of the agent
	1100-1300	Evidence to support your case <ul style="list-style-type: none">• Types of evidence• Sources of evidence• Evaluating evidence
	1300-1400	Lunch
	1400-1700	Practical exercise: preparing a memorial <p>Building on the previous exercise, participants will prepare a written memorial summarising their boundary claim and present their case to an <i>ad hoc</i> arbitration tribunal.</p>
Thursday 4 October	0900-1015	Presenting evidence <ul style="list-style-type: none">• Written pleadings• Oral arguments• Presenting cartographic and technical evidence
	1015-1045	After the judgment <ul style="list-style-type: none">• Appeals, interpretation and revision• Implementing an award
	1115-1245	Alternatives to adjudication <ul style="list-style-type: none">• Mediation• Conciliation• 'Track II' diplomacy
	1245-1300	Wrap-up
	1300	Lunch

What will it cost?

The cost of the workshop will be £1,250 per participant. Fees for UK-based participants are normally subject to Value Added Tax (VAT) of 17.5%. We regret that payment can only be accepted in £ sterling. However, we are able to accept payment by major credit and debit cards. Full payment **MUST** be received prior to the workshop to guarantee the booking.

In addition to tuition and all course materials, the fee covers the following:

- lunch and refreshment breaks on 2-4 October inclusive
- a workshop dinner on 3 October.



How to book

Places are limited and IBRU workshops are frequently oversubscribed. Please follow the procedure below to book a place:

- 1 Contact the events team at IBRU to confirm whether a place is still available.
- 2 Once confirmed, complete an online booking form at <http://www.dur.ac.uk/ibru/workshops/booking.html>, or request a hard copy from IBRU.
- 3 This provisional booking will then be acknowledged, and sent with information on 'how to pay' and a deadline for payment of the fee.
- 4 If payment is not received by the deadline given, the place will automatically be released. The original booking will be transferred to a waiting list, and the place only confirmed when payment is received and if a place is still available.

Other administrative information

Venue

The workshop will be held at the offices of LeBoeuf Lamb, Greene & MacRae, 1101 New York Avenue, NW, Suite 1100, Washington, DC 20005-4213, USA. Full details of the venue and accommodation options will be sent to all participants following registration.

Language

Teaching and workshop materials will be in English. We regret that we are unable to provide translation facilities.

Cancellation

Cancellations must be received in writing not later than Tuesday 18 September 2007, and will be subject to a £250 cancellation fee unless a substitute participant is offered. After this date the full registration fee will apply. Substitutions for registered participants may be made at any time, but we would appreciate prior notification.

Programme changes

IBRU reserves the right to modify the programme as may be necessary, without notice to participants.



Further information

If you have any questions about the workshop please contact the IBRU events team, International Boundaries Research Unit, Department of Geography, Durham University, DH1 3LE, United Kingdom
Tel: +44 (0)191 334 1965 Fax: +44 (0)191 334 1962
Email: ibru-events@durham.ac.uk
<http://www.dur.ac.uk/ibru/workshops>

